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THE ENFORCEMENT OF THE STATUTES OF LABOURERS

During the First Decade after the Black Death
1349-1359

BY
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PREFACE

While taking a course of lectures on the history of English Poor Law, given by Professor F. H. Giddings of Columbia University, I became interested in the law of parochial settlement and in its effect on the mobility of the working-man. My original purpose had been to give an account of its origin and development and of its final repeal during the era of the abolition of the Corn laws. Beginning with a study of the earliest instances of national legislation dealing with the labouring classes, I was, of course, led to consider the ordinance and the statute of labourers of 1349 and 1351, and found that although these measures and their consequences had been frequently discussed by economic historians, no detailed investigation had as yet been made of the methods and machinery by which they were enforced. This monograph presents the results of such an investigation, based chiefly on an examination of the manuscript sources in the Public Record Office, London.

I am indebted to many scholars both here and in England for valuable assistance on specific problems, and in the discussion of these problems I have sought to make clear my indebtedness. To others I am under still heavier obligations. My warm appreciation is due to my former teacher, Professor C. M. Andrews, once of Bryn Mawr, now of Johns Hopkins, who has given me freely of his time and has helped me with many suggestions. It is not easy adequately to express my gratitude to Mr. Hubert Hall, of the Public Record Office, for the generosity with which his
paleographical skill and scholarship have been placed at my service at every stage of my work—from the reading of my first manuscript to the collation of my final copy. For my transcripts of manuscript material I must thank several transcribers, but more especially Miss Mary Trice Martin; without her cooperation I could hardly have ventured on printing the appendix. In addition to making many of my transcripts, she has collated with the original manuscripts the typewritten copy of the text of all my documents and has verified all my references to manuscript sources.

For the arduous task of seeing this monograph through the press, my grateful acknowledgments must be made to Professor E. R. A. Seligman. My thanks are also due to Dr. Eugene E. Agger for correcting the English proof and to Mr. Otis Hill, Dr. Richard Riethmüller and Dr. Clarence Perkins for assistance in reading the Latin and French proof.

Through the courtesy of the editor and publishers of the English Historical Review I am enabled to make use of my article entitled “The Justices of Labourers in the Fourteenth Century,” which appeared in July, 1906.

New York, September, 1908.

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CITATIONS IN FOOTNOTES.

Printed sources:
A. H. R.—American Historical Review.
E. H. R.—English Historical Review.
Cal.—Calendar.
Rot. Parl.—Rotulorum Parliamentorum.
Statutes—Statutes of the Realm.

Since the full titles and names of authors are given in the bibliography,
in general only shortened forms are used in the notes, but it is hoped
that the abbreviations are all obvious.

Manuscript sources, in Public Record Office unless otherwise indicated:
Clas.—Rotuli Literarum Clausarum.
Pat.—Rotulorum Patencium.
Orig.—Originalia.
In each case the first numeral refers to the regnal year of Edw. III.
Mem. K. R.—Memorandum Roll of the King’s Remembrancer.

The first numeral refers to the regnal year and is followed by the abbre-
viation for the law term, then by the sub-title and by the number
of the membrane when the latter is given.

Law terms:
Hill.—Hilary.
Pasch.—Easter.
Trin.—Trinity.
Mich.—Michaelmas.

For the sub-titles the only abbreviations used are the following:
Breu. Baron.—Breuia directa baronibus.
Breu. Ret.—Breuia retornabilis.
Breu. Irret.—Breuia irreturnabilis.

Plea Rolls:
De Banco—De Banco Rolls.
Coram Rege—Coram Rege Rolls.

The first numeral refers to the regnal year and is followed first by the
law term, then by the number of the membrane, and lastly by the name
of the county. In the Coram Rege Rolls, either “Rex” or the name
of the chief justice has to be added just before the number of the mem-
brane in order to distinguish between the two portions of the roll.
ERRATA.

Page 3, note 2, line 5, for 89 93 read 89-93.
Page 30, note 1, line 2, for Ramsay read Ramsey.
Page 54, note 6, line 2, for 3157 read 1357.
Page 69, line 8, for supersedeas read supersedeas.
Page 73, line 7 from bottom, for "or he read or "he.
Page 200, note 6, for pt. i, ch. i, s. 7, read pt. i, ch. ii, s. 7.
Page 41*, line 16, add manor of Kirton twice.
Page 58*, for Brughbrigg read Burghbrigg.
Page 66*, for Coluyli read Colyli.
Page 140*, line 18, for 8 July / 30 read 26 March / 30.
Ibid., line 21, for 8 June / 30 read 8 July / 30.
Page 159*, line 7, for Iohanes read Iohannes.
Page 171*, last line, for Iohannes read Iohannes.
Page 191*, line 2 from bottom, for Thirty years read Thirty days.
Page 216*, line 23, for Ioannis read Johannis.
Page 224*, line 2 from bottom, for Regeri read Rogeri.
Page 253*, last line, for Roberti read Roberto.
Page 302*, line 5, for attacheret read attachiaret.
Page 374*, line 3 from bottom, for adudicata read adudicata.
Page 413*, throughout extract from Novae Narrationes, for v read u.
Page 416*, line 4, for three read two.
Page 425*, last line, for concordati read concordari.
Page 454*, line 6 from bottom, for ipsuis read ipsius.
INTRODUCTION


The Black Death reached Dorsetshire in August, 1348, and spreading first toward the west, and then toward the northeast, appeared in London by the end of September or the beginning of November; it was at its height in Surrey and Hampshire during the following spring, and in the northern and eastern counties during the summer and early autumn, ending nearly everywhere in England by the last months of 1349. Estimates of the mortality during these fourteen or fifteen months vary from nine-tenths to one-fifth of the total population; a half is probably fairly near the truth.

1 Creighton, Hist. of Epidemics, i, 116; for discussion of the exact date, see Gasquet, The Great Pestilence, 71-74.
2 Creighton, loc. cit. 3 Gasquet, op. cit., 112-114. 4 Ibid., 67, 128.
5 Creighton, op. cit., i, 177, gives Michaelmas, 1349, as the latest date, but Gasquet, op. cit., 160, quotes an instance in the north as late as the spring of 1350.
6 Eulogium Historiarum, iii, 213, one-fifth; Le Baker, Chronicon, 99, nine-tenths; Rogers, Work and Wages, 223, a third; Jessopp, The Coming of the Friars, 205-206, a half in East Anglia; Creighton, op. cit., i, 123-139, gives various estimates for specific localities; Gasquet, op. cit., 194-195, inclines to a half; Cunningham, Growth of Eng. Industry and Commerce, i, 329-336, in a summary of the effects of the plague and of the statutes of labourers, inclines to the theory of "nearly a half." For an accurate estimate in one district, cf. Little, "Black Death in Lancashire," in E. H. R., v. These modern calculations are based largely on records of presentations to livings and on the evidence furnished by manorial court rolls. The sources examined for this monograph contain much information both direct and indirect as to the devastation of the country.

1
representing perhaps two and a half millions of deaths. While the plague was by no means confined to the labouring classes, the consensus of opinion is that the death rate was highest among the poor; complaints as to the scarcity of labour of all kinds, especially agricultural, of the exorbitant wages demanded by the labourers fortunate enough to survive, and of the consequent inability of landowners to till their lands, arose immediately, and have been recorded by all commentators from the contemporary chroniclers down to the modern economic historians.4 Parliament being unable to meet on account of the pestilence, the responsibility of dealing on the statement of the commons that the council's decree is not obeyed is met by the statute of labourers, not as a re-enactment of the ordinance of prices of wages in the interests of the employer to a degree that the two measures will later be analyzed in detail; here it is sufficient to say that their main object was to secure an adequate supply of labourers at the rate of wages prevailing before the catastrophe,1 and that the notable feature of these enactments is that they constitute the first important attempt of the central authorities to apply to the country as a whole, uniform legislation on wages and prices,—matters that had been previously left to local control.6

In considering this legislation there are two questions that must be answered; first, were its provisions legitimate, and second, were they effective? Among historians we find strongly opposed opinions on both these points. On one side it is urged that the statutes represent an endeavor to perpetuate villeinage and to hinder the movement toward freedom4 and aimed to restrict wages in the interests of the employer to a degree that

1Since the supply was to be provided in part by the compulsory labour of the able-bodied vagrant, it is true, as Cunningham points out, op. cit., i, 335, that this portion of the ordinance marks the beginning of what afterwards developed into a poor law. I am not here concerned with this later development, which was certainly not foreseen by the framers of the measure.

2For an account of the action of the central government on economic questions previous to 1349, see Cunningham, op. cit., i, 270 et seq., 359-330, ii, 6-7; and Ashley, Ec. Hist., i, ch. 3. The closest analogy to the present enactment is that of the ordinance of prices of 1315, which was speedily withdrawn; Rot. Parl., i, 295; Trokelowe, 89 93; Stubbs, op. cit., ii, 350. I shall deal with the subject to a slight extent in pt. ii, ch. i.

3Throughout this work for the sake of brevity I use "statutes" to include the ordinance and the statute, except when it is essential that a distinction between them should be made.

PART I

THE ENFORCEMENT OF THE STATUTES OF LABOURERS BY
SPECIAL MACHINERY

The assertion by the central government of its right to legislate on economic matters for the whole country on a scale previously unheard of necessarily included the duty of providing for the administration of the legislation; the special machinery devised for this purpose must first be described.
CHAPTER I

ACCOUNT OF THE JUSTICES OF LABOURERS

The lack of accurate knowledge as to the extent of the enforcement of the statutes of labourers is in no way more clearly shown than by the fact that there has not even been unanimity among historians as to whether these statutes were, in the beginning, as was certainly the case later, included in the jurisdiction of the justices of the peace or whether they were left to a separate commission.¹ My first task, therefore, is to establish the identity of the justices mentioned in the ordinance and the statute.²

¹I am indebted to Professor Cheyney for having called my attention to this question and to Professor C. A. Beard for many valuable suggestions. Lambard (Eirenarcha, 562-3), referring to the statutes for the regulation of the sessions of the justices of the peace, writes: "The first of these foure Statutes" (i.e., 25 Edw. III, c. 8) "doth (in shew, and in common opinion) concerne the Sessions of the Iustices of Peace, but in truth it belongeth not at all to them: for it was made to direct the Iustices of Labourers in the times of holding their sessions: and they were not Commissioners of the peace, but special Iustices for the causes of Labourers alone, not resiant in the countrey, but sent downe for the time of that seruice, as it may expressly appeare, not onely by the preamble and all the parts of the said statute it selfe, but also by the statutes 28 Ed. III, cap. 5, 31 E. III, cap. 6, and 34 E. III, cap. 11, during all of which time also, the Wardens of the peace were neither called Iustices by any Statute, nor authorized to deale with Labourers." For the same view cf. Howard, The King's Peace, 40, and Beard, Justice of the Peace, 60-61. For the theory that the persons assigned to execute the statutes of labourers were probably the keepers of the peace, see Reeves, Hist. of Eng. Law, ii, 330. The historians of the English Poor Law have usually shirked the question altogether.

²For the main portions of this section and of section 2 have already appeared in my article on the "Justices of Labourers" in E. H. R., xxi.
ENFORCEMENT OF THE STATUTES OF LABOURERS

of view of the jurisdiction of the justices responsible for the enforcement of the statutes of labourers and, therefore, also from the point of view of the form of their commissions, four periods are distinguishable for the reign of Edward III, three of which fall within the decade 1349-1359.

1. Of these the first, running from 18 June, 1349, the date of the ordinance of labourers, to February, 1351, the date of the statute of labourers, or more strictly to 15 March, the date of the first commission issued as a result of the statute, was a period of various administrative experiments. The ordinance, while specifying the duties of existing local officials, bailiffs, constables, etc., merely refers in the victuallers' clause to rusticiariis per nos assignandis, with no account of their powers; one must turn to chancery enrollments for information as to these justices. On 20 February, 1350, a commission for seven counties was issued for the preservation of the peace and the enforcement of the ordinance of labourers; on 15 June a commission for the enforcement of the ordinance was issued by the bishop of Durham for five districts within his palatinate; commissions were also issued for the enforcement of the ordinance on 20 October for Lancaster, and on 12 and 18 November for Lindsey and Suffolk respectively; while from sources other than the Patent Rolls there is evidence that for this same year justices were executing the ordinance in Dorset, Essex, Northampton and Surrey, and in Lindsey even previous to November, 1350. In the case of both Dorset and Lindsey the Patent Rolls show that these same men were already acting as keepers of the peace. There is, therefore, a total of sixteen commissions,

1 For the fourth period, see the article just mentioned, 526-527.
2 App., 34.

THE JUSTICES OF LABOURERS

issued for the enforcement of the ordinance on 20 October for Lancaster, and on 12 and 18 November for Lindsey and Suffolk respectively; while from sources other than the Patent Rolls there is evidence that for this same year justices were executing the ordinance in Dorset, Essex, Northampton and Surrey, and in Lindsey even previous to November, 1350. In the case of both Dorset and Lindsey the Patent Rolls show that these same men were already acting as keepers of the peace. There is, therefore, a total of sixteen commissions,
of which certainly included jurisdiction both for the preservation of the peace and under the ordinance of labourers. For the same period there are a number of separate commissions of the peace, so that evidently neither system had become fixed.

The experimental character of these first attempts at enforcement is shown by the varying forms of the above commissions. That for Durham is sui generis, couched in vague terms, scarcely intelligible, but for the marginal heading: the joint commission* includes eight important clauses: 1. The preservation of the peace under the statutes of Winchester and Northampton. 2. Powers of array. 3. Inquiry by sworn inquest as to the violence committed by vast multitudes of malefactors. 4. Inquiry as to labourers who had received excess wages contrary to the ordinance. 5. Inquiry as to misappropriation by local officials, bailiffs, etc., of the penalties imposed on such labourers. 6. Inquiry as to similar misappropriation by the subsidy collectors. 7. Punishment of offences against any portion of the ordinance. 8. Power of two of the commission to hear and determine cases of homicide and felony. The commission for Lancaster omits clauses 1, 2, and 8, but contains an almost exact duplicate of the remainder of the joint commission, with merely slight verbal variations in clause 3. The form of the commissions for Lindsey and Suffolk is, however, entirely different; the letter patent begins with the recital of the whole ordinance and continues with the statement that in consequence of the complaints of its non-observance that have reached the council, special justices are now appointed to punish all offenders against the measure, ending with the reservation that these justices are not to interfere with the rights of the justices of the peace or of the collectors of the subsidy.

In view of the small proportion of counties here represented one is somewhat puzzled by the clause in the preamble to the statute of labourers: *Sur qui commissaries furent faites as diverses gens en chescun counte denguer e punir touz ceaux que venissent au contraire.* The length of time between June, the date of the ordinance, and the following February, the date of the first enrolled commission, is also difficult to explain. It seems probable either that, as in the case of the five counties mentioned, commissions similar to those recorded, or at least supplementary instructions to the existing keepers of the peace, had failed to get enrolled, or that some other set of officials received the powers referred to in the preamble. The evidence in favor of this last possibility will be given in full later.

2. The second period, from 15 March, 1351, to December, 1352, was one of joint commissions of the peace and for labourers. It has already been emphasized that the statute of labourers passed in February, 1351, was not a re-enactment of the ordinance but a supplement to

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*Pat., 23, pt. 2, m. 27 d, Cal., viii, 382-383; 24, pt. 1, m. 38 d, Cal., 516.*

*Joint commission* is used throughout to describe commissions having jurisdiction over both the preservation of the peace and the statutes of labourers.

*For the duties of the collectors, cf. pt. 1, ch. iii, s. 1, A.*

*The usual instructions to the sheriff and the authority to hear and determine unfinished indictments are not touched on in this analysis.*

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*App., 12.*

*Cf. p. 10, note 4, supra.*

*For the years 1351-1359 the indications are that comparatively few commissions were omitted from the Patent Rolls, cf. p. 21, note 1.*

*Pt. 1, ch. iii, s. 1, A.*

*For conciseness I use this phrase in place of "commissions to enforce the statutes of labourers."*
it; its importance consisted mainly in the much-needed administrative details and in the definite mention of additional classes of labourers and of specific rates of wages. While many duties are still left to local officials, the "justices" who are to be assigned, and who are described as coming into the country to hold their sessions, are given, in successive clauses, full powers in regard to the labour legislation, including the responsibility for inquiring into the misdeeds of local officials and also for handing over to the collectors of the current tenth and fifteenth the penalties arising from infringements of the act. Every phrase in the text serves to confirm Lam bard's inference that these justices were "special Justices for the causes of Labourers alone." Hence it is a distinct surprise to find that the form of the first commissions issued as the result of the statute duplicates almost exactly that of the joint commissions of the first period. The first three clauses as to the peace, array and violence of malefactors, are identical in phraseology; clause 4, instead of referring merely to excess wages as does the corresponding clause of the earlier commission, has become a general clause for the enforcement of both the ordinance and the statute of labourers; clauses 5 and 6 relating to the supervision of certain officials are exactly identical; clause 7, on the punishment of all offences against the legislation, has only slight verbal modifications; while clause 8, dealing with homicides and felonies, is considerably amplified. Commissions of the type just described were now issued for forty-two districts, comprising thirty-nine counties and three towns and during the following year commissions varying slightly in phraseology but all including jurisdiction over both the peace and the statutes of labourers were appointed for several counties and for a number of towns.

3. The third period, from December, 1352 to November, 1359, is a period of separate commissions of the peace and for labourers, issued systematically for practically the whole country. 248 commissions are recorded on the Patent Rolls; the jurisdiction of those enrolled during the first five years was limited to the statutes of labourers, but in 1357 it was extended to include the enforcement of uniform standards of weights and measures. The form has been greatly simplified. The first three clauses as to the peace, array and violence of malefactors and clause 8 dealing with homicides and felonies have, of course, disappeared, as well as clause 6 providing for the supervision of the collectors; clause 4, the

1 Introduction, p. 2.

2 Ibid.; the complaints that the ordinance is not obeyed find expression in the preamble to the statute; evidently the first system of administration had proved a failure.

3 Supra, p. 9, note 1.

4 App., 21-24, and 34.
general clause for the enforcement of the legislation, has now become the opening clause, and is followed by the clause for the supervision of local officials (formerly clause 5), and by the clause on the punishment of all offences against both the ordinance and the statute (formerly clause 7). Usually the power to hear and determine unfinished indictments is included in this last. The only important modification is the addition of the clause concerning weights and measures.

In the case of the counties palatine there is less evidence as to the form of the commissions. For Chester the first entry on the Recognizance Rolls is a reference to a commission for Flint, apparently dated 30 September, 1360; but other sources show that justices of labourers, evidently on commissions distinct from those of the peace, were acting in Chester in 1352, 1353, 1356, 1357, 1358 and 1359. For Durham, although the statute is punctually enrolled on the Cursitor’s Roll, I have found no record of any commission issued between that of 1350, already described, and one of 1369. For Lancaster, commissions for labourers entered on the Chancery Rolls were issued in 1355, 1357 and 1359; 6

1 I have examined the manuscript evidence for the commissions for labourers only.

2 "Commissione Ken ap Roppert ad inquirendum de operatoribus et artificibus," 30 Sept., 34th year; Recognizance Roll, no. 43, m. 1. Cf. Calendar in R. D. K., xxxvi, app. 2, 409. I have reason to believe that the date should be a year later, but the discussion of this point does not belong to this monograph.

3 App., 145-149.

4 Cursitor’s Records, 30, rot. 1, Hatfield, ann. 6, m. 6 d; cf. Lapsley, op. cit., 125. For calendar, see app., 15-20.

5 Rymer, iii, pt. 2, 863; Lapsley, op. cit., 179.

6 App., 20-31: there is some difficulty as to the date. 7 App., 27.

6 Duchy of Lancaster, Chancery Rolls of the Palatinate, ii, no. 38d; the first of these differs slightly from the typical commission for the rest of England, but the last two are verbally identical with the form as finally fixed after the inclusion of weights and measures.

On 4 November, 1359, writs of supersedeas were issued to all justices of labourers throughout England; 8 never again, except for the palatinates, was a separate commission for labourers appointed. Henceforth a study of the form of the commission of the justices responsible for enforcing the labour legislation becomes a study of the form of the commission of the justices of the peace.

(2) Their relation to the keepers of the peace.—For the time previous to the statute, it has been shown that the data are insufficient to warrant authoritative statements as to the number or the jurisdiction of the justices appointed; 9 all that can be safely asserted is that the period was one of experiments, apparently not favorable to the separate commissions, since with the enactment of the statute the consolidation of the commissions of the peace and for labourers was universal throughout the country. 10 The number of men assigned to each commission varies from five to ten, six, eight or nine being very usual; but from the first series of writs for the payment of wages, it appears that usually only two or three of the justices appointed to a given district were receiving salaries, their double set of duties being

11 Justiciarii assignati de operatoribus et mensuris;” 26 April, 9th year of the duke. There is also an association on the same roll, no. 190, 3 May, 6th year. For calendar see app., 20.

1 App., 31-32.

2 See my article in E. H. R., 526-527.

3 See preceding section.

4 With the exception of the palatinates.
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It seems probable, however, that some differentiation of the work soon arose; in the next series of writs for wages, issued at a date when the joint commissions were everywhere in force, the men on the pay roll, comprising as before, only a small proportion of the whole commission, are now described as assigned merely to execute the statutes of labourers. The explanation of the change may possibly be found in the application to the subsidy of January, 1352, of the money penalties under the statutes of labourers. The full discussion of this experiment in taxation is reserved for a later section; here it is to the point to note that, since the scheme necessitated the separation of the estreats of the penalties under the statutes of labourers from those for the infringement of the peace, and also put additional pressure of work on the justices who were responsible for the statutes, recourse to a division of duties and to separate sessions may easily have seemed advisable. Dissatisfaction with existing conditions is recorded several times in petitions of the commons; but toward the end of 1352, with no apparent connection with any of these petitions, the issue of separate commissions for labourers began tentatively and spasmodically, and continued with increasing regularity. The following table shows the number of districts for which the two series of commissions, of the peace and for labourers, were issued during the eight years when the system of joint commissions was in abeyance.

1Claus., 25, m. 16; 12 July: “De vadiis pro iusticiariis assignatis soluendis.” Cal., ix, 314-317.

2App., D, 2, contains an example of an original writ to de Meignill in Derby and also his receipt for payment. There are similar writs to two of his colleagues while the commission for this county includes eleven names; Pat., 25, pt. 1, m. 14 d; 15 March. Ibid., m. 13 d; 15 July and 20 July.

A full list of such writs are enrolled Claus., 26, m. 16; 1 May: “De vadiis soluendis iusticiariis ad inquirendum de operariis assignatis.” With a slightly different form of writ,—“Aliter de huiusmodi vadiis soluendis”—the list is continued on the same membrane under the date of 20 June. These lists are summarized in Cal., ix, 436-437 and printed in part in Rot. Parl., ii, 455 a and b. Nearly all the justices named appear on the joint commissions of the 25th year; app., 34. For this whole subject, cf. pt. 1, ch. iii, s. 1, B, a.

3Pt. 1, ch. iii, s. 1, B.

4It is possible that the estreats of penalties “coram Iohanne de Bern-
the title belongs, strictly speaking, to the members of the separate commissions, and it is their relation to the keepers of the peace that must now be considered. Of the total 671, 501 were serving on the separate commissions for labourers issued between 1352 and 1359, many of them having been already appointed on previous commissions. Now during the period of the double series of commissions 404 men were appointed as keepers of the peace; a comparison of their names with those of the 501 justices of labourers for the same period shows that 299 were identical—that is that about three-quarters of the keepers of the peace were justices of labourers. A further study of names shows that 32 of the remaining list of “keepers” had previously been appointed to the joint commissions, and that one was serving as justice of labourers in the palatinate of Lancaster, so that only 72 of the 404 are unaccounted for. An examination of the 501 justices of labourers reveals that of the 202 names not duplicated as keepers of the peace, 80 were assigned to towns, liberties, or wapentakes that often had no commission of the peace distinct from that of the county. A comparison of the two series of commissions district by district shows that frequently the same men were per-

1 The remaining names (not included in the 501) are distributed as follows: on the joint and separate commissions previous to the statute of 1351, 30; on the joint commissions from 1351 to 1352, 113; for the palatinates, Chester, 2; Durham, 4, and Lancaster, 10; additional names not found on the Patent Rolls, 11. The latter, distributed throughout the three periods, are: Bealknap, Brewes, Burwell, Cranesle, Forster, Houel, Lovel (R.), Nevill (R. de), Northtoft, Radeswell and Rougham. For the complete list of justices, references to their appointments, etc., see app., C, 3. Both Lovel and Radeswell had been appointed to commissions of the peace in their respective counties as early as 1345; Cal. Patent Rolls, vii, 30 and vi, 511.

2 Many of them appear on the commissions of the first period.
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forming the double set of duties; in several hundred out of several thousand possible instances (roughly speaking), at the same date or within a month of the same date, a given man would be appointed on both commissions for the same district. Occasionally the two commissions are practically identical, but since the commission of the peace usually includes from eight to ten, while that for labourers ranges from two to five with three or four as the most common number,\(^1\) merely a large proportion of the names on one list re-appears on the other. It is noticeable that the more important and distinguished names are the ones omitted from the commissions for labourers.\(^2\) This tendency to make use of the same men has been so noticeable from the beginning that the petition of the commons in the spring of 1354 seems superfluous—\textit{que les Gardeyns de la Pees et les Justices des Laborers soient uns la ou bonement poet estre fait.}\(^3\)

The precise reason why the justices of labourers had proved unsatisfactory it is difficult to understand: Lambard's statement that they were disliked is not an explanation.\(^4\) After Michaelmas, 1354, the penalties under the statutes no longer went to the subsidy,\(^5\) so there was not the same need for the separation of the two sets of estreats; therefore, the cumbersomeness of a system that forced such large numbers of men to act in a double capacity, making necessary two series of quarter sessions \textit{etc.}, may have become apparent. Administrative difficulties increased in connection with the whole problem of the claims of the lords to a share in the penalties under the statutes of labourers. The climax seems to have been reached in Warwickshire and Leicestershire, and is perhaps indicated in a petition to the king in the spring of 1359 from the magnates of these counties: to their complaint of the trouble caused by the necessity of separating fines from "excess,"\(^6\) as well as of distin-

\(^1\) The greater number of districts, liberties, etc., that receive distinct commissions of labourers, while only one commission of the peace is issued for the whole county, explains the greater total number of justices of labourers; cf. s. 4.

\(^2\) Examples might be multiplied indefinitely, but a few will serve. In Beverley, each commission includes nine names, eight of them being identical; Pat., 27, pt. 2, m. 26 d, 25 Aug., and \textit{ibid.}, m. 25 d, 25 Aug.; \textit{Cal.}, ix, 508-509. In Coventry, the commission of the peace is as follows: Henry Grene, William de Skipwith, Hugh de Aston, John de Meryngton, Nicholas Michel, Walter Whitwebbe, Richard Frebern (Pat., 28, pt. 1, m. 21 d, 28 Feb.). The commission for labourers \textit{(ibid., m. 22 d, 28 Feb.)} is identical, except that Grene and Skipwith are omitted. \textit{Cf.} the estreats given in app., D, 5. An excellent instance is that of Notts. (Pat., 29, pt. 1, m. 28 d and m. 29 d, 26 Jan.). The commission for labourers includes William Deyncourt, Geoffrey de Staunton, John Lysens, John Bozon, William de Wakebrugge and John Power; that of the peace is identical, except that Grene and Skipwith are added. Apparently, however, they did not act, for according to Mem. L. T. R., 30, Trin., Brev. Ret., writs dated 8 July are issued to Deyncourt \textit{"et sociis suis iusticiariis ad pacem nostram et statuta apud Wynontiam et Norhamtoniam edita in comitatu Not' custodienda necnon ad excessus operariorum, seruientium et artificium in eodem comitatu puniendos assignatis,"} bidding them deliver their estreats into the exchequer.

\(^3\) Rot. Parl., ii, 257b-258a. Possibly the petition had some effect, for the duplication of names is peculiarly noticeable in the commissions issued during the following summer. Reeves, \textit{Hist. of Eng. Law}, ii, 276, says: "The commission to execute the statute of labourers was usually directed to the same persons who were in the commission of the peace," a somewhat different statement from that quoted p. 9, note 1.

\(^4\) Eirenarcha, 583.

\(^5\) Mem. K. R., 33, Trin., Brev. Baron., rot. 8d. \textit{Cf.} also Mem. L. T. R., 33, Trin., Precepta. rot. 4 and 3, Warwick and Leicester. A peculiarly large number of claims to penalties are here recorded as made by the lords in these two counties.

\(^6\) For the reason for this separation, see pt. i, ch. iii, s. 2, B.
guishing between the penalties arising from the sessions of the peace and those arising from the sessions for labourers, the king replied by bidding the barons of the exchequer stop all proceedings in the matter until the following Michaelmas in order, as he said, that the whole subject could be thoroughly discussed and the most suitable remedy adopted. The next step of which I have knowledge is the writ of November, 1359, suspending the action of all justices of labourers. Of the parliament of 1360 no record of enactments exists; and with the knowledge is the writ of November, until the meeting early in January of the parliament of 1361. In the meantime there must have been talk of the re-organization of the office of justice of the peace, and the tendency proved to be in favor of a consolidation of county administration.

The statute of 1361, usually regarded as marking the culmination for this century of the development of the powers of the justices of the peace, gave to them jurisdiction over weights and measures; but, although containing some important modifications of the existing labour statutes, it does not include the specific statement that the justices of the peace are henceforth to be responsible for their enforcement. In spite, however, of the lack of a definite enacting clause, the first commission of the peace issued as a result of it, included the power to punish labourers etc., offending against this new labour legislation. The commissions of the peace during the years immediately following varied in form, sometimes—but not always—including the authority to deal with the earlier labour statutes also. Finally after two petitions in parliament, the statute of 1368 settled the matter definitely and brought all the labour statutes permanently within the jurisdiction of the justices of the peace. There is, however, an obstinate persistence of

1 Statutes, 34 Edw. III, cc. 1, 5, 6, 9, 10 and 11, 1360-1361; usually cited as 34 Edw. III, 1360. The heading on the Statute Roll, m. 10, is "Statutum factum in parlemento tento . . . anno xxxiiiie," but since the session lasted from 24 Jan. to 18 Feb. 1361 (Parry, Parliament, livi and 127) it is only for one day that it can be described as taking place in the thirty-fourth year. The first commission issued after this statute is on the Patent Rolls of the thirty-fifth year, dated 20 March (pt. 2, m. 33 d.) and contains a reference to the statute made "in our last parliament." The actions in the De Banco Rolls based on clauses of this same statute always refer to it as 35 Edw. III, e. g., 46, Trin., Camb., 361, or 40, Pasch., York, 96 d.

2 Cc. 5 and 6.

3 Cc. 9, 10 and 11.

4 Referred to supra, note 1; it is headed "De pace consenranda." Cf. Lambard op. cit., 39 and my article in E. H. R., 540.

5 See my article, 546-547.


7 Statutes, 42 Edw. III, c. 6. It is worthy of note that the scheme had been put into practice even before the first recorded petition of the commons. The increase in the powers of the justices of the peace secured in the early years of Richard II did not affect their relation to the statutes of labourers: Rot. Parl., iii, 85-86; Beard, Justice of the Peace, 48.
the phrase "justices of labourers,"—even as late as the
middle of the fifteenth century,—that seems unintelligible
except on the hypothesis of a recurrence to the practice
of the division of the work of a joint commission; possibly the provision in Elizabeth's labour law for a special
salary for justices of the peace while executing the act
is a survival of the old differentiation of functions.

(3) Method of appointment and removal.—The
relation of the justices of labourers to the keepers of the
peace made it inevitable that the two sets of officials
should be appointed by similar methods. By the middle
of the fourteenth century, the crown, that is the king
and his permanent council, had made good its authority
to assign the keepers, but subject to continual efforts on
the part of parliament to assert its rights in the matter.
The struggle lasted during the rest of Edward's reign, in
regard to both the justices of labourers and the keepers
of the peace, and was not permanently settled in favour
of the crown until late in the next reign. For the decade
under consideration three out of the five parliaments of
which there are printed records contain petitions on the
subject. During the second parliament of the 25th year
there are complaints as to the execution of laws in gen-
eral, including the labour legislation, and a request for
new commissions with more comprehensive powers: that
justices esluz en cest present Parlement, par avis des
Grants et autres de la dite Commune . . . soient as-
signes. The king's answer: il voet qe les Commissians
des Laboros estoient en lour force does not prevent a
repetition of the request: que comissions des laboros
soient faiies as certeignes gentz en chescune countee, nomes
par les ditz communes en meisme le parlement. The
petition in the autumn of 1353 that justices of labourers
and keepers of the peace soient establiz solonc la disposi-
tion notre Seignur le Roi et son bon Conseil receives
the king's assent: Il pletz au Roi que Justices bons et
covenables soient esluz and results in a statute. Finally
there is a more specific request in the parliament in the
spring of 1354:

que les Nouns des Justices des Laborers soient veues et ex-
aminez par le Chaunceller, et Tresorer, et Justices de l'un
Baunk ou de l'autre, & en presence des Chivalers du Countee;
and ceux qi sont covenables demoergent pur tiel nombrbe come
busoigne solonc le graundure du pais. Et en lieu de ceux qui
serront oustez soient autres nomes par les ditz Chivalers,
queux ne soient mye oustez sanz especial commandement
notre Seignur le Roi, ou resonable cause tesmoignee par lour
compaignons.

Although this petition is granted, a study of the lists of
appointments and removals does not indicate that the
commons exercised their right with any regularity.

1 See my article, 530.
2 Especially is this true in regard to the petitions in the Good Parlia-
ment on the labour legislation; Rot. Parl., ii, 340-341, "Bille des
Laboriers."
3 Statutes, 5 Eliz., c. 4, s. xxxi.
4 Beard, op. cit., 42-44. For an account of the occasional election of
the "conservatores pacis" in the county court at an earlier date, see
ibid., 23-32.
5 Ibid., note 4, refers to a petition of the third year of R. II as the
last on the subject; but there is even a later one in the fourteenth year.
Rot. Parl., iii, 279a and b.
6 See app., 8, for a list of parliaments during the decade.
Except for the 30th and 33rd years, parliament met every year during this decade, but sat for only a few weeks at a time. A glance at the dates of the appointments of the justices of labourers shows that it had not yet become the custom to issue a complete list annually; in instead, it appears that for nearly every month of the year some commission is issued, often for a district that has received a previous one very recently, so that many counties have as many as three commissions within twelve months. In addition, it is apparent that frequent associations are made—on ninety-nine occasions during the decade, including usually one or two names, sometimes more, and thus making a fairly large total. On the one hand, it is significant that in several instances full lists seem to have been the result of parliamentary action. For example, the long list of 15 March, 1351, or of 2 July, 1354, may easily have been discussed in the sessions immediately preceding those dates; while the list of 20 December, 1355, was also issued only a few weeks after parliament had sat. On the other hand, the equally complete list of 5 February, 1357, is dated several months before the session of that year, at a time when no parliament had met for over twelve months.

Positive evidence as to how the lists are made up exists in a few instances and although referring chiefly to the "keepers" may be quoted to illustrate the method. I found among Ancient Indictments a list of twenty-three names, two of which are crossed through, with a note asking the king to grant commissions of the peace to the men named for each wapentake in Lancaster; letters patent enrolled 2 June, 1350, appoint sixty men as keepers of the peace in Lancaster and include all of the above list except the two mentioned. The people of the county of Hereford petition the king and council that Gilbert Talebot, Piers de Graunsoun and Roger de Chaundos shall be keepers of the peace; the joint commission of 15 March, 1351, composed of eight members, includes the two last named and Richard Talbot. An important action (to be discussed again) had been brought in the court of king's bench against de Roulegh and atte Wode, who had been removed from the joint commission in Surrey; in the winter of 1354, in the course of this process, there is a complaint to the king that there are no keepers of the peace or justices of labourers in the county, and an urgent request that Richard de Birton and Henry de Loxleye be made "keepers." Accordingly, in the following July, (there had been no full commission for Surrey since March, 1351,) two commissions are issued, one for labourers and one of the peace, both including de Birton.
In lieu of direct evidence, much information as to the method of appointment may be derived from a study of the changes in the commissions; in addition to those caused by death, there are during this decade thirty instances of removal or discharge of individual justices and three of the cancelling of entire commissions. A detailed analysis of the thirty cases gives the following results as to causation: in six, no information; in six, appointment to other duties; in one, inability to attend to the office; in two, infirmity and old age; in fifteen, merely quibusdam certis de causis. In the case of two of these fifteen, it appears that complaints of their misdeeds brought before the king's council by their colleagues had resulted first in their removal and later in judicial actions against them. In six instances, the reasons for a change are brought coram consilio nostro; in one, coram nobis et consilio; while in seven, coram nobis or an equivalent phrase is used; in half of the cases, thus, the action of the crown is clearly indicated. In ten instances out of the thirty, the discharge is evidently honorable, as in four of these the verb is exoneraundus; in five, other important duties are named, and in one, old age is alleged; in six, disgrace is implied by amourendus; in one, there is the doubtful phrase, "he cannot attend to the office;" in three, the commissions to the individuals named are revoked; while in the remaining ten the formula "appointed in the place of another" gives no clue to the motive. Fourteen of the thirty, or nearly a half, are re-appointed during the decade either to the same or to a different district; but only three of these fourteen had been described as removed;
one of the three was tried in the court of king's bench and acquitted; another was restored on better evidence brought before the king's council. Parliament was meeting at the time of this last decision, but only three times did its sessions coincide with the dates of the instances of removal. In the first of the three cases where the entire commission was cancelled, it is because another and somewhat different commission was issued a few months later; in the second I have no information as to cause; but in regard to the third, Northumberland, there is definite evidence. A writ of the great seal, signed per consilium, directed to the barons of the exchequer, informs them that the letters patent to the justices of Northumberland have been cancelled on account of the state of war prevailing in that county, and in its wording clearly implies that the action of the crown had been taken as a result of complaints to the council. The story of the repeal of the special commissions as well as of the final repeal of all the separate commissions for labourers, plainly indicating action of the council and of the exchequer, without interference from parliament, does not belong here; but enough has been said to make out a strong case for the theory that it is the king's council (including as ex-officio members both the treasurer and the chancellor) with whom the actual choice of names usually rests, and that this body is sometimes guided in its choice by the commons as well as by the advice of the local communities. It is worthy of note that although by the next century the practice began of establishing borough justices of the peace by charter, at this earlier date there is no difference in method of assignment as between the county and the borough justices, either of labourers or of the peace; except that in Oxford the commissions for labourers are directed to the chancellor of the university and to the mayor of the town, and in London, to the mayor and the sheriffs.

The striking irregularity in the dates of the appointments, the frequent issue of a commission for a district that had just received one, the removal of a man within a few weeks after he had been appointed, and the exceedingly numerous associations to the commissions,

1 Atte Wode.
2 Pakeman.
3 The letter close is dated 6 Feb., 1352; the session was from 13 Jan. to 11 Feb.
4 In the case of Broun, Haldenby and Laundels.
5 Essex and Northants.: app., 35, note 10 and 37, note 2.
6 App., 39, note 1.
7 Mem. K. R., 30, Trin., Breu. Baron., rot. 2 d; pro Iohanne de Striuelyn et aliiis: "propter discrimina guerrarum iminencia in partibus supradictis." Four years later it was necessary for these same justices to petition the crown to order the exchequer to stop process against them for their estreats; ibid., 34, Pasch., Breu. Baron., rot. 5.
8 See pt. i, ch. iii, s. 2, B.
9 See p. 23-24.
caused a constant shifting in the personnel of the commissions to an extent that must have been embarrassing and inconvenient. The failure of the council in this respect may easily have been due to lack of knowledge of local conditions and certainly explains the continuance of the endeavor of the commons to control the lists, an endeavor that did not cease with this reign.

Closely connected with the appointment and removal of justices is the question of the possibility of an individual's obtaining exemption from the necessity of service against his will. The list of public offices given at this period in the regular letters patent of exemption does not specify either justices of labourers or keepers of the peace, although "other bailiff or minister of the king" may be interpreted to cover both. In one instance a member of a joint commission, William de Beauchamp, had received a letter patent exempting him from serving against his will in "any office or commission"—a slightly different phrase from the usual one—and a few weeks later, he is "exonerated" from the joint commission, presumably on the ground of this general exemption. In four cases, however, justices of labourers who had received the regular letters patent of exemption are shortly afterwards appointed to commissions for labourers. In the next reign the exemptions in the printed calendars mention specifically justices of labourers and of the peace, but I am unable to say at what date the change occurred. It is possible that so early in the development of the office of justice of the peace and of labourers, it had not become apparent how onerous the service might be; it is also to be remembered that the salaries paid were some compensation. There is still another point to be considered; were all the men named on a given commission forced to do actual work? Both for the large joint commissions as well as for the smaller separate commissions for labourers, the writs for wages answer this question in the negative, payment being made only to those justices who held the sessions. Evidence from other sources confirms the truth of this statement. In actions against the justices brought by the exchequer to secure the delivery of the estreats, it is clear that a given justice may excuse himself on the plea of never having received his letter patent or of not having taken part in the session, and that he is fairly sure of being sine die, provided that the exchequer can obtain the estreats from some one of his associates. On the other hand, it appears from a Northumberland case previous to the one already quoted that service was compulsory—barring some valid excuse which must be made good in court. In this instance the justices explained that the whole community had earnestly begged them not to execute their commission, since the enforcement of the statutes of labourers against those rascally Scots, the only labourers left in the county, would drive the latter in desperation to acts of violence; after some consultation on the part of the court it is decided that the excuse of the justices be accepted. On what principle it was determined by a given group of men named in a commission who were to act and who not, I do not know, but the fact

1 Pat., 26, pt. 2, m. 21, 13 June; Cal., ix, 297.
2 App., 49.
3 Pakeman, Pat., 27, pt. 1, m. 27, 4 Feb.; Cal., ix, 400. Aton, Pat., 27, pt. 1, m. 16, 12 March; Cal., ix, 422. Frenyngham, Pat., 27, pt. 1, m. 10, 16 April; Halsbam, ibid., 13 April; Cal., ix, 449.
4 See my article in E. H. R., 530.
that the really obligatory matter was the delivery of the estreats is only one of the many proofs of the overwhelming importance of the profits of justice; the appointments may be irregular or chaotic, but there is no irregularity or chaos in the means adopted by the exchequer to compel service from some members of the commissions in each county.

(4) Territorial districts of their jurisdiction.—The ordinance was issued in the form of a letter close. The copy enrolled is directed to the sheriff of Kent, with a note to the effect that similar writs had been sent to all sheriffs;¹ but it has already been shown that there is no authoritative evidence as to the number of districts that received commissions in pursuance of these writs.² The statute clearly applied throughout England, including London and all other cities and boroughs, within franchises as well as without;³ but the only direct reference to the territorial limits of the jurisdiction of a given set of justices is the provision that the justices were to hold sessions in each county.⁴

An analysis of the districts that at some time during the years 1352–1359 received commissions for labourers proves that the actual practice was more complicated than the scheme implied by the statute for the joint commissions. The districts may be grouped as follows:⁵ (1)

³⁴ geographical counties; (2) 7 divisions of counties, i. e. the three divisions of Lincolnshire and Yorkshire respectively, and the Isle of Wight as distinct from the rest of the county of Southampton; (3) 8 groups of wapentakes within Yorkshire, arranged in varying combinations; (4) 22 towns, all but 2 being boroughs;⁶ (5) 24 franchises in the hands either of individuals or of an ecclesiastical order; (6) 2 counties palatine; total, 97 districts. Previous to 1352, in addition to districts included in the above list,⁷ one separate commission for labourers had been issued for Durham³ and one for Lancashire before it had become a county palatine;⁸ also joint commissions had been issued on one occasion to Holland and Kesteven classed as a single district,⁹ and to two towns¹⁰ that did not again receive any commissions distinct from those of the county. These few instances belonging to the complicated and changing systems of the first and second periods are not included in the totals under consideration.

A comparison with the districts receiving commissions of the peace reveals a marked contrast. The counties show some differences; Southampton is never divided and Yorkshire almost never,—the West Riding twice,¹²

¹On the authority of Merewether and Stephens, Hist. of Boroughs; Newark and Southwell are the exceptions. It should be added that two of the towns comprised in the Cinque Ports group were not made boroughs until a little later.
²A glance at the list in app., 32–35, shows that during the period of the joint commissions the total number of districts was small in comparison with the figures just given.
³See app., 27. ⁴See app., 34. ⁵See app., 33. ⁶Newcastle-on-Tyne and York; app., 34.
⁷Pat., 27, pt. 1, m. 25 d, 8 July (Cal., ix, 450); 30, pt. 1, m. 20 d, 13 May.
⁸These lists are given in app., 138–141.
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and a group of wapentakes once, obtaining commissions. Only 14 towns and 4 of the private franchises appear in this series, and of the counties palatine only Lancaster, making at most a total of 58, nearly a third less than the previous total. It appears, therefore, that the justices of labourers were frequently acting within much smaller geographical limits than were their confrères of the peace; but it is worthy of note that, for this decade at least, there is no foundation for Lambard’s complaint that before the statute of 1360 commissions were made to the “Wardeins of the peace, not alwaies seuerally into each shire, but sometimes ioyntly to sundry persons ouer sundrie shires.”

All the joint commissions and most of the separate commissions of the peace, in cases where they were issued to towns, include a non-intromittant clause as against the keepers of the peace of the county. As far as I can discover, a similar clause against the county justices of labourers does not appear in any of the separate commissions for labourers in towns, or even within private franchises, although occasionally, in the letters patent appointing justices of labourers for a county, it is specified that a given town is excluded from their jurisdiction. Usually, however, the final clause in their commissions ends: tam intra quam extra libertates—a phrase that seems almost meaningless when one considers the numerous private franchises within which special justices were acting. The discussion of the latter belongs to a later section, but it should be emphasized here that since a given franchise frequently consisted of widely separated holdings, these special justices must have cut into the jurisdiction of the county or borough justices in a strangely confusing manner. I have no information as to the extent to which conflicts actually arose, nor as to the principle in accordance with which they were settled; but in general it is assumed that a justice had full jurisdiction within the district to which he had been appointed, and that his writs would be obeyed only by the sheriff of the county within which this district lay. There was, however, a special provision in the statute of labourers that in case of a fugitive fleeing from one county to another, a justice could issue a writ to the sheriff of the county to which the delinquent had fled, bidding him send the latter to the gaol of the first named county.

A study of the list of 97 districts shows some overlapping, especially in Yorkshire; this means that a study of the list of 97 districts shows some overlapping, especially in Yorkshire; this means that at a
given date this total number of districts could not receive distinct commissions, but it is evident from the chronological list of commissions that the entire country was mapped out into subdivisions sufficiently small for efficient administration. Since the statute had only provided for the county as a district, it is possible that the king and council had determined on the experiment of the smaller districts in the belief that the justices of labourers would thus be enabled to do their business more thoroughly. The fact, however, that the majority of the subdivisions are private franchises, lends colour to the theory, to be discussed later, that it was their owners who hoped to gain by this practice of the appointment of special justices within their liberties.

(5) Their oath of office.—The statutes of this decade do not mention an oath of office, but the first parliamentary petition having to do with the justices appointed to enforce the labour legislation, presented in the session of January, 1352, contains a reference to the justices as sermentez. The petition as a whole is refused and in the printed rolls of parliament the question of the oath does not again come up until, toward the very end of Edward's reign, there is recorded the request that justices of the peace, now justices of labourers also, soient sermentez devant le Conseil le Roi en mesme la manere come autres gentz sont. There is, therefore, considerable doubt as to how the oath of office was administered during these early years, as well as to the exact form which it took. My search for a copy of the oath has been unsuccessful, but a chance reference in one of the sessional records fortunately affords a valuable clue. John de Roulegh, or de Rowele, who in 1350 was enforcing the ordinance in Surrey, whether on a separate commission for labourers or one that included the peace also, it is impossible to say, was in March, 1351 appointed on the joint commission for the same county. In the following September, however, he was removed by the king and council, and in January was indicted by his former colleagues of the joint commission for offences committed during his first term of office:

Item presentant quod vbi Iohannes de Rowele nuper extitit iusticiarius domini Regis in comitatu Surr' et iuratus ad faciendum ius tam domino Regi quam populo ipsius Regis et tam pauperibus quam diuitibus et quod ipse hoc non dimitteret pro odio, fauore, munde, nec premissa neque inuiriam aliqui faceret; ibi dictus Iohannes de Rowele, nullo habito respectu ad suum iuramentum, ex falsitate et maliciosa imaginacione sua et pro odio quod habuit versus Gilbertum.

The phrases here used are strikingly similar to the corresponding phrases in the regular oath of the king's justices as it appears in the "Red Book of the Exchequer:")

Le serment des Justices est que bien et leaument serviront le
Further, the earliest recorded form of the oath administered to the justices of the peace that I have been able to discover, printed in the rolls of parliament for the year 1380, some time after the consolidation of the two commissions, reveals in its opening a marked likeness to the oath taken by de Roulegh:

Vous jurrez que bien et loialment servirez le Roi en l'office de Gardein de la Paix, & de Justicerie des Artificers, Laborers, Pois et Mesures, & doier & terminer les tortz et grevances faitz au Roi & a son people . . . selonc voz sen et poair ent ferrez avoir plein droit as touz, si bien as povres come as riches, si que pur haour, favour, amistee, ou estat de nuluy persone, ne pur bienfait, doun, ou promesse.

This oath which was to be administered by the sheriff then continues with specific instructions as to the preservation of the estreats of the penalties and the rolls of the proceedings, and also as to the qualifications and the duties of the clerk of the justices, and as to the oath to be taken by him,—provisions that were probably added only after half a century of administrative difficulties had shown the urgent need of precisely such remedies. The evidence just given, slight though it is, certainly establishes a presumption in favor of the theory that the substance of the oath by which de Roulegh was sworn was practically the same as that of the justices of the upper courts, and that it was afterwards incorporated into the more elaborate form devised in the next reign for the justices of the peace. The inference also seems sound that the other justices during the years 1349-1359, whether of the peace or for labourers, were sworn by the same oath as that which de Roulegh violated; but in the absence of information for this decade, it is impossible to say by whom the oath was administered.

1 In the Report on the Public Records, of 1800, 223, among the oaths of office in the Chancery Crown office, not administered by the clerk of the crown or by his deputies there is printed in English under the absurd heading "Justices of the Office of Labourer's Weights and Measures," an oath really made up of two oaths: 1 of the justice of labourers and of weights and measures, 2 of the justice of the peace and of labourers. The latter half is practically identical with that of the justice of the peace given on the preceding page of the Report and by Lambard, op. cit., 56-57, and printed by Mr. Beard, op. cit., 171, and plainly goes back to Fitzherbert's form. In looking for the original of this confused oath Miss Martin reports that the clerk of the crown in Chancery says that they have nothing earlier than 1700; but she has discovered at the Record Office among the Petty Bag documents (Rolls of Oaths, no. 31, Various) what seems to be the desired original under the title: "Sacramentum Justiciariorum de operacionibus et mensuris et pacis," apparently in a sixteenth century handwriting. From the fact that the justices of labourers are still referred to specifically, it undoubtedly antedates the form given by Fitzherbert but is certainly later than the form of 1380.

2 Certain phrases of the councillor's oath given by Mr. Baldwin also appear, notably "conseil le Roi celerez."
The amount of their salaries.—Both the ordinance and the more carefully framed statute are silent as to the compensation of the justices, but within a few months after the enactment of the statute, there appears on the Close Rolls a series of writs directed to the sheriffs, bidding them at a fixed rate per day pay wages to the justices out of the issues of the latters' sessions. Since the payments are always to be made out of the money penalties imposed as a result of proceedings held before the justices, through the agency either of the sheriffs or of the subsidy collectors, it is necessary to reserve the account of the method of payment for the section on the disposition of the penalties. Here it must suffice to say that owing to some hitch in the administrative machinery, these first writs were never executed, and that the failure of the justices in these early months of their work to receive their salaries explains the two petitions of the commons in the parliament of January, 1352, the first of which requests for the justices responsible for the statutes of labourers, *gazes covenables,* 3 and the second, *gazze resonables, chescun solong son estate,* 4—in the latter case to be determined by the committee of apportionment which will be described later. At the time of these petitions no separate commissions for labourers were in force, and during the rest of the decade the printed parliament rolls contain no petitions as to wages. Strictly speaking, therefore, there is no parliamentary reference to the salaries of the justices of labourers as distinct from those of the keepers of the peace until, in 1357, the confirmation by statute of certain claims made by the lords of franchises to the penalties resulting from the labour legislation included a provision that they should, out of their quota of these penalties, contribute a share to the salaries of the justices of labourers. 5 Assuredly, however, there was no need of complaints from the commons or from the justices themselves; a study of the whole subject of penalties, based on chancery enrollments and exchequer documents, shows that if the sessions were duly held and if any penalties were levied at all, the justices were fairly certain, during this first decade, to receive their remuneration.

During the running of the subsidy of 1352, when the payment of the justices' salaries was made through the agency of the collectors instead of the sheriffs, there is evidence that in some cases the instructions of the second petition of 1352 were followed, and that the rate was determined by a joint committee of the collectors and the lawful men of the county, the letters close merely ordering "reasonable wages;" 6 but normally the writs of the great seal specify a definite rate per day or per year, to be paid to a given justice only for those days during which the justice was in office.

1 See pt. 1, ch. iii, ss. 2, B, and app., 18.
2 Later, there must have been some diminution in the regularity of payment to the justices now acting on joint commissions; cf. e.g., Rot. Parl., ii, 271b: "Item que covenables Gages soient ordineez pur les ditz Justices, come semblera as Chanceller et Tresorer notre Seignur le Roi . . . Le Roi commandera as Chanceller et Tresorer sur ce sa volente." A similar request is recorded, ibid., 286b; and the accusation is even made that the justices fail to do their duty for lack of wages; ibid., 312b, 333b and 341b. In the course of the next reign the frequent petitions finally result in a statutory provision. Statutes, 12 R. II, c. 10.
3 See pt. 1, ch. ii, ss. 1, B, a.
4 See pt. 1, ch. iii, ss. 1, B, a.
5 See pt. 1, ch. iii, ss. 1, B, a.
which he had actually sat. Except for the period of the subsidy, the only information as to how this rate was fixed comes from the date of the reorganization of the office of the justice of the peace, just after the merging of the two commissions into one; the king apparently bids the chancellor and the treasurer settle the rate.\(^1\) One may hazard the guess that this duty had, in the past also, fallen mainly to these two officials.

A brief summary of the normal rates is as follows:\(^2\)

25th year, by the day: either half a mark for a justice and his clerk, \(i.e.\) 5s. for the justice and 1s. 8d. for the clerk, or 5s. for the justice alone.

26th year, by the day: some irregularity occurs during the running of the subsidy, since in various instances "reasonable wages" merely are mentioned in the writs. When specified the rate proves to be as before, half a mark for a justice or the same for a justice and his clerk; probably the clerk is assumed in the higher rate. 5s. for a justice alone is frequent, and occasionally 6s. or 3s. 4d.

There are no more enrollments of writs for salaries until early in 1356,\(^3\) the subsidy having ceased by the end of 1354. The rate is now given by the year instead of by the day, a practice that continues during the remainder of the decade. The amount is usually £10 a year for one justice and his clerk, and 10 marks a year for the other justice or for each of the other two justices, occasionally falling as low as £5 a year. While at first the clerk is not always specified as receiving a share of the greater of the two usual rates, he is so rarely omitted from the later lists that it is a fair inference that the £10 regularly included his wages. If the intention is that all the acting justices are to be paid at equal rates, the clerk's yearly salary will be £3 6s. 8d.\(^4\)

In comparing the payments per day of the earlier method with these annual payments, it is to be remembered that in the latter case the writs always stated that the round sum was due only if the sessions had been held for forty days during the year in question; while in the former case forty days were named as the maximum for which the daily rate was to be computed. Under both schemes, if the sessions had been for fewer days, the salaries would be proportionately less. On this basis it is clear that normally the 5s. rate per day for a justice, exclusive of the clerk, would amount to £10 a year, a considerably larger sum than the 10 marks of the second scheme, which averages only 3s. 4d. a day. The clerk's total per year under the first scheme of 1s. 8d. per day, 13s. 4d. a year. While at first the salaries would be proportionately less. On this basis it is clear that normally the 5s. rate per day for a justice, exclusive of the clerk, would amount to £10 a year, a considerably larger sum than the 10 marks of the second scheme, which averages only 3s. 4d. a day. The clerk's total per year under the first scheme of 1s. 8d. per day,

\(^1\) See p. 45, note 2.

\(^2\) These figures are taken from the entries on the Close Rolls, referred to p. 18, notes 1 and 2. It must be remembered that a mark is 13s. 4d.

\(^3\) I add the references to the Close Rolls: 30. m. 13. "De vadiis solvendis iusticiariis ad inquirendum de operariis assignatis;" a long list dated variously from 26 May to 12 Oct. Ibid., m. 23. "Pro Radulfo de Middelneye," 10 Feb. 31. m. 6. "Pro Waltero Parles, de vadiis solvendis;" 26 Nov. Ibid., "De vadiis solvendis iusticiariis ad inquirendum de operariis assignatis;" a short list dated 12 Nov. Ibid., m. 25. "De vadiis iusticiariis de operariis et servientibus solvendis;" a long list dated variously from 6 Feb. to 12 Oct. Ibid., "Pro Thoma de Sloghtre et aliis," 16 May. 32. m. 6. "De vadiis iusticiariis ad inquirendum de operariis solvendis;" a short list dated variously from 20 Oct. to 26 Nov. Ibid., m. 23. "De vadiis iusticiariis ad inquirendum de servientibus assignatis solvendis;" a long list dated variously from 8 Feb. to 20 Aug. For an example of such a letter close, cf. app., D, 5.

\(^4\) Although in one instance (see writ to Sloghter, p. 46, note 3) it is specified that the clerk is to have £2 and two justices 20 marks between them, I am inclined to believe that the larger amount is more usual.
would at its maximum, equal £3 6s. 8d., exactly the same amount as that which he received according to the later method. Occasionally, it appears that justices especially zealous in the performance of their duties, i.e. successful in an unusually large number of convictions, are rewarded by additional payments beyond the amount of their regular salaries. It is always to be emphasized that if the justices failed altogether in making any convictions, they would be entirely without compensation for their labours; a fact plainly of the greatest possible efficacy in encouraging a thorough enforcement of the statutes entrusted to their care.

1 In the earliest enactment on the subject (12 R. II, c. 10) the clerk's salary was increased to 2 s. per day, while the rate prescribed for the justices (by this date serving on joint commissions) was only 4 s. per day, midway between the two previous rates; and the sessions were now only expected to last three days four times a year. It is worth while to compare with the amounts received by the justices the rate of payment to members of parliament at this date; 4 s. 6 d. a day for a knight and 2 s. for a citizen or burgurer. Stubbs, Const. Hist., ii. 247.

4 The writ to Edmund de Clyvedon (supra p. 47, note) had ordered £10 beyond his regular wages on account of his great expenses and continuous labours, "necnon proficuum magnum, quod nobis per diligentiam et laborem suum fecit." Likewise, an additional payment of £5 had been ordered by writ of the great seal for Peverel and Halsam in Sussex because they had shown "diligenciam et sollicitudinem in sessionibus suis inde pro nostro et populi nostri commodo;" Mem. K. R., 34, Trin., Breu. Baron., rot. 14, "Pro vicecomite Sussex." The sheriff had such difficulty in obtaining his allowance from the exchequer for this payment that he petitioned the crown, and nearly three years later, a second writ was issued by the king and council to the barons ordering them to make the proper allowance. For an account of the episode, cf. Mem. L. T. R., 34, Trin., Precepta, rot. 6 d, Surr' Sussex. (Another portion of the same process is given in app., D, 6.) As the ordinary writs for wages make no provision for extra sessions held according to the statute (app., 16) at the "discretion" of the justices, it is possible that these additional payments represent the reward for such sessions.
vague and varying requirements: they are to be les Grants de la terre, Contes et Barons, chescun en sa Marche, od les plus loialx et sages de la ley; or des plus suffissants demorants deins les Countees; the statute resulting from this latter petition enacts the appointment of justices sachants de lei, qui soient bones et couenables. The most specific demand is for des Grantz consulting from this latter petition enacts the appointment of justices sachants de lei, qui soient bones et couenables. The most specific demand is for des plus loialx, sages & suffissants des Countees, ... et que nul Justice soit assigne par commission s'il ne soit sufficent d'estat et condition a respondre au Roi et au poeple. Beyond the negative criticism implied by such petitions there seems to be no evidence of any general complaint against the status of the men assigned during these years. Closely bound up with the subject of the qualifications of the justices is the question of their residence in the districts to which they are assigned; the petition for men demorantz deins les Countees, repeated next time with greater emphasis, et nient en foreins lieux, shows that there must have been some abuse of the non-residence practice. An examination of the appointments has already brought out a notable difference between the membership of the

1 Rot. Parl., ii, 238a; cf. p. 27.
2 Ibid., ii, 252b; cf. p. 27.
3 App., 17.
4 Rot. Parl., ii, 257b; in this case the request applies to the keepers of the peace also; cf. p. 27. A writ of privy seal, addressed to the chancellor under date of 17 Aug., 1350 is worth quoting although it refers to a keeper of the peace, not to a justice of labourers: "Force quoy nous avons entenduz quye Laurence de Ludelowe quest assigne vn des gardeins de nostre pees en le conte de Shropshire nest pas sufisant ne couenable pur la garde de nostre dite pees et de faire autres choses qappartignent a son office, vous mandon que renue le dit Laurence facez assigner en son lieu aucun autrehomme sufissant del dit conte qi serra plus couenables pur la garde de la pees susdite." Writs of Privy Seal, Chancery, Series I, file 347, no. 21, 102.
5 Ibid., 252b; quoted supra, note 2.
6 Ibid., 257b; quoted supra, note 4.
ENFORCEMENT OF THE STATUTES OF LABOURERS

would naturally include men learned in law;¹ there seems a priori no such urgent need in the case of the justices of labourers; but even among the latter, there appear the names of twenty-seven men who at some time during their careers, served as judges in the upper courts,² and merely a cursory study of the list shows that many of these justices were acting as justices of assize and of oyer and terminer.³

It has been shown that in boroughs there is some tendency to employ existing officials:⁴ the mayors of York and of Nottingham both served on commissions that included other names as well; in Oxford on four occasions, the mayor and chancellor are alone appointed; while in London the mayor and sheriffs are assigned, in the first instance alone, in the second with three others.⁵ The case of London is distinctly abnormal, for it had been stated in the parliament in the autumn of 1355 that sheriffs and coroners were not to be appointed justices.⁶

¹ The statute of 34 Edw. III, c. 1, provided that the commission of the peace (now a joint commission) should include "one lord, and with him three or four of the most worthy in the County, with some learned in the law."

² Including justices of the court of king's bench and of common pleas, several barons of the exchequer and several chancellors; cf. Foss' Judges of England.

³ See indices of the calendars of Patent and Close Rolls.

⁴ As a matter of fact the ordinance had empowered the mayors and bailiffs of cities and boroughs to enforce some of its provisions; app., 10-11.

⁵ App., 33 and note 1, 34. 40, 42. For London see in addition, pt. 1, ch. iii, s. 2, A.

⁶ "Ne que nul Viscount, Coroner, ne nul de lour Ministres desore soient assignes Justices en nulle commission;" Rot. Parl., ii, 265b. Later it was necessary to repeat the prohibition; ibid., 335b. Beard, op. cit., 42, writes that the movement against sheriffs may have been an attempt "to secure greater independence from purely royal offi-

It is probable that there had been complaints that at the present moment the evil was peculiarly pressing. A study of the lists of sheriffs shows, that, leaving out of consideration magnates like the earls of Arundell and of Warwick, who held the office for life or for long terms, and who were also acting on innumerable commissions, there are during this decade between thirty and forty occasions when a sheriff or a sub-sheriff is actually serving as justice of labourers, and that, at the very time that this parliament was in session, five sheriffs were thus doing double duty.² Two days before the end of the session, Laundels, justice of labourers in Oxfordshire, was made sheriff of Oxfordshire and Berkshire; his prompt removal³ from the commission of labourers may have been the result of the parliamentary agitation of the question; but the practice was not checked, since, of the cases referred to above, about half occur after this date. The anomaly of this special combination of duties is apparent; a justice would issue writs to himself as sheriff to summon jurors and attach delinquents, and would then as sheriff report to himself as justice that the writs had been executed. A case to the point occurs in Buckinghamshire; Hamden as sheriff is ordered by the exchequer to levy from himself as justice of labourers a sum due to the crown.⁴ A very large proportion of men who had

² App., D, 3.
been or were to be sheriffs were serving during this
decade as justices of labourers, often only a short interval
elapsing between their two sets of duties. In the cases
where appointment to other duties is specified as the
reason for the discharge of a justice from service, the
following are mentioned: commission in another county, sheriff twice, steward, collector of subsidy, and "other
business of the king."

It has already been emphasized that at the time of the
enactment of the statute the commissions included a
number of magnates appointed simultaneously for several
counties; it is, therefore, not surprising to find a clause
allowing the justices the privilege de deputer autre sous
eux, tants et tielx come ils verront que mieltz soit, pur
la garde de mesime ceste ordinance. There was, how-
ever, some opposition to this system; a petition, in 1353,
begs that keepers of the peace and justices of labourers
shall not appoint deputies; two years later justices of
labourers are forbidden to appoint deputies.

The only positive evidence for the custom that has come to
notice is in the case of Wiltshire, where for 1352 and
1355 proceedings exist coram deputatis justiciariorum,
although the justices themselves are also acting.

The few definite instances where it is apparent to what
other offices justices of labourers were appointed, the fre-
quent occurrence of their names on the list of sheriffs,
and also in the indices of the calendars that are thus far
in print, where they appear as justices of oyer and ter-
miner, collectors of the subsidy, escheators etc., give a
fairly clear picture of the general character of the men
who were doing the work of enforcing the labour stat-
utes. Apart from a score or more of judges, afterwards
famous on the bench, and from a still smaller proportion
of noblemen, the large majority of these justices seem to
belong to that class of landed gentry to whom at this
period the business of local administration of all kinds
was entrusted, and into whose hands the task of the pre-
servation of the peace eventually fell.

There is no record at this period of any general indict-
ment against the honesty and straight dealing of the
justices of labourers, and further evidence will show that
the actual instances of their conviction for misdoings are
not many. At any rate it is evident that the king's
council and the commons were at one in their belief in
the superior merits of local justices for enforcing the
labour legislation, and were shrewd enough to see that
as employers of labour in the very district in which they
were acting, perhaps even of the very offenders sum-
moned before them for trial, the justices would have
every incentive to show laudable zeal as to frequent ses-
sions and numerous convictions, and would thus prove
the most efficient of administrators.

This account of the 671 justices of labourers affords

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1 E.g., in Northants., Blundell had acted as sheriff up to 3 March,
1351, and on 15 March was appointed to the joint commission.
2 See p. 30, and note 5.
3 App., i5.
4 Rot. Parl., ii, 252b.
5 Ibid., 262b.
6 App., C, i, nos. xvi and xvii. In a later Wiltshire roll, that ro1
3157, there is no mention of deputies.

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convincing proof that parliament, king and council, clearly intended that the statute should be enforced, and that they were using every means in their power to secure this end. The results of their efforts must be looked for in the records of the proceedings before the justices and in the amounts of the penalties imposed.

CHAPTER II

PROCEEDINGS BEFORE THE JUSTICES OF LABOURERS

In comparison with the completeness of the chancery enrollments having to do with the appointments of the justices, the number of sessional records in existence for the decade is disappointingly meagre,¹ eighteen rolls, representing thirteen counties. Other sources, however, abound in references to similar rolls which cannot now be found,² while exchequer documents as to the penalties,³ especially subsidy accounts ⁴ and entries of payments of justices' wages,⁵ afford convincing proof that the justices were sitting with fair regularity throughout the country. The eighteen rolls, therefore, by no means give exhaustive information as to the activity of the justices, and even if thoroughly analyzed will not furnish complete statistics as to rates of wages or of prices, or as to the number of offenders in the various economic and social classes affected by the statutes. They may, nevertheless, be regarded as typical for the administrative methods of the justices, their procedure in session, their relative emphasis on different portions of the legislation, and the character of their penalties, and contain important if not conclusive evidence as to the general trend of rates and the usual status of the culprits.

¹By no means meagre however in comparison with the usual statement that none can be found for an earlier date than the sixteenth century.
²See p. 64, and app., 143-144.
³Pt. 1, ch. iii, passim.
⁴Ibid., s. 1, B.
⁵Ibid., s. 2, A. and pt. 1, ch. i, s. 6.
The following sections are based chiefly on data derived from an examination of the entire contents of these eighteen rolls, and more especially from the extracts selected for printing, the latter having been chosen with a view to illustrate as far as possible every phase of the work of the justices in session.

(I) General description of the sessions and of the sessional records.—With characteristic administrative precision the statute had specified that the justices were to hold their sessions four times a year, Lady-Day (25 March), St. Margaret's (20 July), Michaelmas (29 September), and St. Nicholas (6 December), and at any other time at their “discretion.” This earliest regulation of the dates of what may properly be called “quarter sessions,” framed for the joint commission of the peace and for labourers, was held to apply also to the separate commissions for labourers, and until two years after the consolidation of the commissions,—and, therefore, after my decade,—was not modified by statute.

Although there was no enactment as to the length of the sessions, the writs for payment of the salaries of the justices from the very beginning assume forty days to be the normal amount per year, but do not suggest that this maximum is compulsory, or that it needed to be distributed equally among the four sessions. A petition of 1354, requesting that the justices sit at least forty days a year, implies some shortcomings on their part, but the complaints do not become urgent until a later period. It is evident from the entries on the Pipe Rolls as to justices’ wages that the maximum of forty days was fairly usual, although not inevitable. A glance at the chronology of the dates of the recorded sessions indicates wide diversity of practice in the different counties, varying from the orderliness of the Cornwall rolls, seven sessions at the statutory dates, of ten days each, to the irregularity, for example, of the Derby roll, where the justices sat for one or two days in six different months, with no reference to the prescribed dates. The utter chaos for Hereford and Rutland, where the sequence of the years and of the days of the week is hopelessly confused, seems to indicate a poor job on the part of the clerk, but the general impression conveyed by the eighteen rolls in distinction from the Pipe Roll entries, is that the maximum of forty days was rather rare, and that the “discretion” of the justices as to choice of dates was freely exercised.

With no statutory provisions as to the place for the holding of sessions, the practice varies from county to county; in some instances the justices sit always at the chief town, or at two or three important towns; sometimes they move with regularity from place to place; in two cases, various sets of deputies hold in-
quests in every hundred, and make their reports to the justices who are conducting their sessions at the chief town. I have been unable to discover where, within the limits of the town, the sessions were usually held; in Essex, a *justice sur laborers* is indicting and convicting labourers *en le Chaustel Daunegre*; it will be shown later, however, that there is some doubt as to the nature of his commission, and in any case his proceedings were irregular.²

From the rolls themselves one can not always infer how many or which justices were acting, as the heading is frequently *coram . . .* (then follows one name) *et sociis suis*; but it has been emphasized that the writs for wages indicate that the number of "working" justices ranges from two to five;³ the form of the commission implies that a minimum of two must be present,⁴ and it appears that one of the charges against a justice under indictment is that he sat alone in judgment.⁵ It seems to have been the custom to speak of one justice of each commission, usually the first name on the list, as *capitatis inusticiarius⁶* or *principaliter nominatus⁷* but just what additional responsibilities were incurred by him I can not say.¹ With the two or more justices who were holding sessions there sat the *clerc des justices*, referred to in the statute of labourers, without any account of his duties.⁹ He was paid a regular salary,⁹ presumably in return for the labour of writing the two classes of sessional records, the *placita* or accounts of the proceedings, and the "estreats" or memoranda of the resulting penalties. The former seem usually to be made up according to a definite system, beginning with the enrollment of the letters patent in virtue of which the given justices were acting, followed by the usual writs to the sheriff for the summoning of case has been referred to, p. 18, note 4 and p. 31, note 10) makes the following explanation to a writ demanding his estreats as a member of a peace commission: 

"Et de alio tempore ( . . . illegible) non habeo quia commissiones ante tempus infractum ad inquirendum de infra contentis non habui nec post predictum tempus intrumittere potui proper breve domini Regis michi et Willelmo de Wychingham tunc socio meo de premisis directum de vltierius non intrumittendo, cuius brevis transcriptum patet in cedula in ista inclusa. Et scieverum quod post illud tempus alie commissiones de pace custodienda in comitatu predicto directe fuerunt Iohanni Bardolf de Wyrmegeye et alia vice Iohanni de Norwico, michi et alis, sed recorda et extracte inde remanent pennes ipsos tamquam principaliter in dictis commissionibus nominatos."¹¹ Undoubtedly there was no difference in this matter as between a keeper of the peace and a justice of labourers. *Cf.* Chaucer in *Prologue to the Canterbury Tales*:

"A Frankeleyn was in his companye

At sessiones ther was he lord and sire;
Full ofte tyme he was knight of the shire."

Verses 331, 355 and 356.

¹ For tentative suggestions, *cf.* p. 35, note 4 and p. 64 of this section.

² App., 228-229.

³ App., 266. and pt. 1, ch. iii, s. t, A.

⁴ Cf. pp. 17-18, and notes 1 and 2.

⁵ "Et ideo vobis mandamus quod . . . vos tres et duo vestrum . . ." app., 26.

⁶ App., 212. It is strange that in two instances in the second series of writs for the 26th year, Kesteven and Holderness, wages are to be paid to one man only. See *supra*, note 3. Chester is a distinct exception; some of the proceedings take place before one justice only, and the commission issued just after my decade is directed to one man only; p. 16, note 2.


⁸ See Exchequer, K. R., Accounts, 110/15, Norfolk; Berneye (whose
the jury of indictment, and then by the presentments and
summoning of the indicted etc.; sometimes the amount
of the penalty is entered over the name of the convicted, but normally the estreat roll is altogether separate. The
chaotic condition of some of the existing rolls looks as if
the clerk took merely rough notes during the session,
and was then responsible for getting the roll into proper
shape from memory; in one case a justice admits that he
has the estreats but confesses that they are not yet prop-
erly arraiata. There is plenty of evidence that the clerk
did not always do his work well: e. g., the justices are
distrained to correct mistakes in the estreats; the est-

This brings up a difficult problem; how and where were
the sessional records kept? A distinction must at once be
made between the placita and the estreats of the penalties;
in examining the whole question of the disposition of the
penalties it will appear that there was a carefully worked-
out system in accordance with which the estreats were
regularly delivered into the exchequer. Innumerable pro-
cesses show that eventually the estreats were received in
safety, and that the action of the exchequer was regular
and persistent in insisting on securing them; but it also
appears that the justices used exceedingly haphazard
methods in the care of the estreats; apparently any one
of the “working” justices who chanced to have them
pens es se kept them merely in his own dwelling, and
from what has already been said as to the possibility of
practical exemption on the part of some of the commis-
sion, there is no certainty as to who the “working jus-
tices” would prove to be. In the case of the placita, it

\[1\] S. 2 of this chapter, and app., 173-175. It is not meant that this
logical order is always adopted by the clerk.

\[2\] App., 181-183.


\[4\] Ibid., 35, Mich., Breu. Ret., rot. 1, Holland; a reference to the clause
of Rubens Liber, also quoted in a case given in app., 365.


\[6\] Ibid., 33, Mich., Recorda, rot. 16, Lincoln.

\[7\] App., 355.

\[8\] App., 290.

\[9\] App., 285.

\[10\] App., 241-242.

\[11\] The oath of the justices of the peace who were now responsible for
the labour legislation includes the following: “et que vous ne prendrez
ne recevrez nul Clere devers vous pour faire escriure ou garder les
Recordes et Proces avandictes, s’il ne soit primerement jurez devant
vous de celer le conseil le Roi, & de faire et perfournir bien et loialment
de sa part gant a son office & degree apent en celle partie . . . ”; Rot.

\[12\] See pt. 1, ch. iii, passim.

\[13\] Cf. pp. 42-43.

\[14\] E. g. app., 283; cf. also “in partibus suis;” pt. 1, ch. iii, s. 1, B, b.
is still more difficult to find traces of the development of any rigid system for their preservation. That they were usually kept for a time at least is clear from the following considerations: records of actions before the justices of labourers are summoned to Westminster by writ of certiorari in order that the case may come before the king's bench, the council or the chancellor; the exchequer for some special reason often orders the justices to deliver into its custody their records, rolls and processes; in the case of certain difficulties as to the division of the penalties the treasurer and the barons bid the justices examine their records and discuss the point in question fully among themselves; on one occasion the king has heard that a certain one of three justices had the placita in his possession and therefore to him alone is directed the writ ordering him to examine the records. There is also some indication that the capitais iusticiarum was more directly responsible for the custody of both estreats and placita than were his colleagues.

An investigation of the eighteen existing rolls show that in fourteen cases their survival can be explained by special causes; either the roll in question was wanted for a particular purpose by the exchequer, its membranes had been united to the membranes of some other roll of placita that normally belonged in Westminster; in one instance the placita and the estreats of penalties were combined. Since it is only in the case of four rolls that there is no obvious explanation of their preservation, the conclusion is warranted that the writs summoning them to Westminster have been lost, and that there is at this date no provision for the delivery of such records as a matter of ordinary routine into the custody of any one department of the central government or even for their permanent safeguarding in the hands of the local officials. Unless a given roll were wanted within a few years, it probably would never be wanted; it is therefore easy to see that there would be no motive for keeping it indefinitely. One cannot but rejoice at the fortunate chance that led to the survival of these eighteen rolls to serve as a basis for a description of what went on day by day before the justices and their clerk.

(2) Procedure in sessions.—While the ordinance had

1 The writs are either attached to the rolls or in some cases enrolled elsewhere, e.g., on the Memoranda Rolls; see app., 173, 231-232.
2 App., C, i; nos. i, II, III, VII, XI and XVII.
3 App., C, 1, no. XIII; cf. pt. i, ch. iii, s. 2, A, as to the London records.
4 Although by 1356 it had been enacted (Statutes, 9 Edw. III, st. 1, c. 5) that justices of assize, of gaol delivery, and of oyer and terminer should send all their records and processes into the exchequer each year.
5 By the next reign the oath of the justices quoted previously has the following clause: “& touz les Recordz et Proces que serront faitz devant vous ferrez mettre en bone & seure garde.” Rot. Parl., iii, 85b. The oath continues as on p. 63, note 2, supra, putting the responsibility on the clerk. In spite of this provision there are several instances where during the peasants' revolt sessional records were destroyed by the insurgents; see Rot. Parl., iii, 275a, and Réville, Soulèvement, 38.
said nothing as to the procedure of the justices, the statute had been specific: the justices are empowered to swear in local officials, seneschals, bailiffs, and constables, to enforce the legislation and to make reports at quarter sessions; they are also empowered to hear and determine all offences against the statutes brought to their attention by the suits of plaintiffs and by presentations of juries, and, if necessary, to have recourse to the process of exigend after the issue of the first writ of capias.\(^1\) The last clause in their commissions informs them that the sheriff has been instructed to summon suitable juries at a time and place to be named by them.\(^2\) Accordingly, the first step taken by the justices in virtue of the receipt of their letters patent,\(^3\) is the issue of a writ to the sheriff,\(^4\) bidding him summon to a definite place, at an assigned date, a specific number—normally twenty-four or twenty—of honest and lawful men, usually from each hundred,\(^5\) who are to do whatever shall be enjoined upon them to do; constables and sub-constables are frequently included in this summons.\(^6\) Next, at the appointed day and place, in the presence of the justices, the sheriff replies that he has executed the writ, and that the jurors are present;\(^7\) then either the whole number, or in some cases twelve, are sworn by the justices\(^8\) and charged to inquire into all cases of infringement of the law, while the constables are charged to perform the duties assigned to them by the statute.\(^9\) For both a day is named on which they are to make their presentations and render their reports, or suffer a penalty for neglect.\(^6\)

The actual work of the session may be said to begin when the constables and the jurors of indictment from each district\(^7\) make their presentations under oath; usually to the effect that such and such individuals, perhaps a long list, are guilty of specific offences against the statutes. It sometimes happens in the case of such indictments, most frequently perhaps in those brought by the

\(^{1}\) App., 15. In this section, except when otherwise specified, the references are to pages of the appendix.

\(^{2}\) 27.

\(^{3}\) Unfortunately I have been unable to discover on what principle an agreement was reached as to who of the commissioners were to do the actual work (cf. pt. i, p. 35), nor do I know who administered the oath of office to the justices, (cf. pt. i, p. 43), or how the letters patent were delivered to them. Many instances occur where the justices' excuse for not acting has been the failure to receive the letters patent, an excuse which seems always to have been accepted without further inquiry; cf. e.g., pt. i, ch. iii, s. 2, A, and app., 282.

\(^{4}\) In one of the commissions the sheriff is ordered to read aloud the letters patent in the presence of the justices; and on one occasion it appears that the justices had themselves read their commissions to a full county court; app., 28, and 367.

\(^{5}\) It has already been said that it was the clerk's custom to enrol at the beginning of his record a copy of the letter patent and also the ensuing writ to the sheriff; cf. s. 1, p. 61, and app., 161.

\(^{6}\) Less often 18, or 12; \(184\), note 1, 204–205. "Knights" are sometimes specified; \(199\), in one case the reeve and four men from each "villa;" \(161\).

\(^{7}\) 173, 181.

\(^{8}\) 173; 221.

\(^{9}\) He is sometimes forced to distrain the jurors to appear; 221–222.

\(^{10}\) 199, and 222.

\(^{11}\) In Cornwall the "decenna" and the "decennarii" have the brunt of the task of making presentations; 150–151.

\(^{12}\) In one instance where the jurors fail to report on the day assigned they are told that the penalty of 40 s. will be inflicted if there should be any further delay; 222–223.

\(^{13}\) If the justices are holding their sessions in various places within the county during the same year, in each place the presentations are made from the neighboring hundreds or towns only; cf. e.g., 181. In two of the Wiltshire rolls there is a double set of proceedings, i.e. before deputies and before justices; 228–229.
constables, that no further process is recorded, but that finis or finem fecit is entered over each name in the list.1 Probably the lack of further details is due merely to inadequate notes on the part of the clerk; it seems possible, however, that the early procedure of the old local courts was still in use, and that the presentments instead of being traversable are treated as conclusive proof of guilt.2 By far the more usual method is the one now to be described. Occasionally, without further measures on the part of the justices, the indicted appear of their own accord;3 but normally the justices issue a writ of attachment to the sheriff, ordering him to produce the indicted on a given day.4 The sheriff then reports, often according to the return of the bailiff of a hundred or of a liberty,5 that the individuals mentioned in the list given to him are attached by pledges, or that they have nothing by which they can be attached.6 In the first case the indicted when summoned are to appear in the charge of the sheriff, and their examination can begin;7 if they do not appear when summoned, their pledges are in mercy, and the justices issue a writ of captas to the sheriff, returnable at a later day, ordering him to produce both this latter set of indicted, as well as those before mentioned who had no property by which they could be attached.8 The sheriff now reports that the individuals named are either taken and in his custody, or are not to be found in his bailiwick. In this second case the justices direct the sheriff to employ the ordinary process of exigend in the county court;9 if at any time before the outlawry period10 the delinquent should surrender to the justices and finem fecit, he can obtain from them a writ of supersedeas, ordering the sheriff to stop proceedings against him;4 if his outlawry has been proclaimed, he can on his surrender obtain pardon only from the king.5

Returning to the point in the proceedings at which the indicted, either attached or taken, are ready to be examined by the justices, in the presence, apparently, of a fairly large number of officials and jurors, it appears that very often they confess their guilt and declare themselves in the mercy of the king;6 still more frequently, however, they plead not guilty and ask for a jury trial.7 Occasionally at this stage, further cross-examination elicits a confession of guilt,8 but usually the trial takes place. The justices issue to the sheriff a writ of summons for this second jury, plainly to be distinguished from the jury of indictment already described; xii liberos et legales homines de visneto . . . et qui preditos . . .

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1 145-148; 198; 223.
2 Cf. Pollock and Maitland, Hist. Eng. Law, ii, 652-653. There are equally clear cases where a constable's presentment is treated as an indictment; 201.
3 182.
4 152; sometimes the writ is a "venire facias," and in connection with offences against the weights' and measures' legislation a writ of "distingas" is usual.
5 153, and 175.
6 153; 175.
7 152; 162.
8 158.
nulla affinitate attingant ad faciendum recognicionem illam." They are chosen, proven and sworn and charged to give their verdict, at a time appointed for them.  

I noted one instance where a trial jury after the performance of its duties is then charged to make inquiries as to offences against the statute, i.e. to act as a jury of presentment and to make its report at a given time; but in general there is, in these rolls, a sharp line drawn between the two forms of juries.

In addition to the method of presentments, there are far less frequent examples of suits brought by individual plaintiffs against defendants who had infringed various clauses of the statutes; the form of such actions as are recorded on these particular rolls follows closely the form of similar actions in the central courts; in those that have come to my notice issue is taken on a question of fact and a trial jury summoned.

There are, rather to my surprise, some instances where the accused are acquitted by the jury, but it must be confessed that such instances are comparatively few; if they are convicted, the last stage in the whole process is reached, namely, the imposition of the penalty; but before taking up that question it is more convenient to discover on what clauses of the ordinance and statute the indictments are usually based, and to what social and economic classes the delinquents belong.

3. **Clauses of the ordinance and statute most frequently enforced.**—Weak as is the ordinance in arranging efficient means by which its provisions are to be enforced, the provisions themselves stand out lucidly.

1. All able-bodied men and women, free and bond, without definite means of support, are commanded to accept service if offered them at the rate of wages of the twentieth year of the reign, or of five or six years previous to that year; lords are to have the first right to the labour of their tenants. This may be called the compulsory service clause.

2. Reapers, mowers, and other workmen or servants are forbidden to leave their masters within the term of their contracts, without reasonable cause or permission; other masters are forbidden to retain servants who have left within the term. This may be called the contract clause.

3. No one shall give or receive higher wages than are
customary; this wages clause applies first to agricultural labourers and servants, and second, to artisans.¹

4. Reasonable prices are to be charged for all victuals.

5. Alms to the able-bodied are prohibited.

The endeavor of the framers of the statute to be specific and to provide for all possible contingencies results in a rather confused medley of provisions, including details of administrative method, out of which it is not easy to distinguish the essentials. Leaving aside the question of penalties and of their disposition,² as well as the instructions to the justices for their sessions and their mode of procedure,³ the remaining clauses fall into two main groups, namely, provisions to be observed by the labouring classes and duties to be performed by existing local officials and by the justices in supervision of these officials. In the first group, concrete details are added to the corresponding provisions of the ordinance.⁴

1. Agricultural labourers are described by their occupations and their maximum legal wages specified; their contract of service is to be by the year or other usual term and never by the day; their service in summer must be in the same place as in winter, with exceptions for labourers of certain districts in harvest time; they must all take an oath before local officials that they will obey these articles.

2. Three sets of artisans are referred to; for the first

¹To the first by the context and to the second by a supplementary clause; in the latter case "givers" are not mentioned. App., 10.
²Unless otherwise specified the remaining references in this section are to pages of the appendix.
³The nature of the penalties belongs under s. 5 of this chapter and their disposition under ch. iii.
⁴Already treated in s. 1 and s. 2.

set specific wages are prescribed, and for the second, the rates of the twentieth year, both as to wages for their labour and as to prices for their products; the third set of artisans, and all other workmen, artisans and labourers, and all other servants not specified are to take an oath before the justices that they will obey these articles; a still later clause describing the powers of the justices mentions workmen, labourers and all other servants, and also hostellers, innkeepers and sellers of victuals and of other commodities not specified.

In the second group it is stated that lords, seneschals, bailiffs and constables are to impose on agricultural labourers twice a year the oaths of good behavior referred to, and to punish delinquents by stocks; the last three sets of officials are themselves to be sworn before the justices to investigate all cases of disobedience to the statute and to report the same at quarter sessions, and are liable to punishment by the justices for neglect of their duties.⁵

An examination of the existing rolls shows that occasionally the phraseology of the indictment is ambiguous: "he infringed against the statute" "or he was convicted in a plea of trespass," but more often the accusation is specific. A few examples must be cited under the various clauses of the law.

Compulsory service clause.⁶ A smith will not work for his neighbors but prefers the service of others at a higher than the legal rate; several men are vagabonds by night

⁵13-15.
⁶145 and 158.
⁷For the attitude of the upper courts toward this clause, cf. pt. ii, ch. ii, s. 4.
⁸165.
and refuse to work; a labourer refuses to work except at double the legal rate; a number of men hold only small portions of land and yet refuse to work.

Contract clause. A ploughman departs within the term agreed upon; after making a contract, a woman refuses to enter the service of her employer; at the command of the justices a woman is delivered to her master that she may serve out her term; an employer elains the servant of another by the offer of higher wages; a servant departs within the term agreed upon without reasonable cause.

A combination of these two clauses with the clause prohibiting departure in summer from the abode of winter results in a type of case that reminds one of the later law of parochial settlement. A number of labourers depart a patria in the autumn; one labourer departs himself a patria and persuades others to depart; a carpenter enters service extra feudum contrary to the ordinance; a servant departs from her town in the autumn for a larger salary; a number of women go to another town in the autumn although suitable service is offered them in their native place; a labourer goes out of the county, leaving his service before the end of his term.

Clause as to service by usual terms. A ploughman re-

Wages clause. A mower receives 12d. in excess, contrary to the form of the statute, a carpenter similarly 40d.; a long list of artisans, their occupations specified, receive wages higher than the rates previous to the plague or higher than those of the twentieth and twenty-first years; household servants are also guilty of receiving excess wages; employers are occasionally indicted; thus a reeve hires reapers in a public place at an illegal rate, a mistress gives excess wages to her spinning women, and a rector overpays his household servants.

Price clause. Artisans are frequently indicted for taking excess prices for their products as well as excess wages; victuallers of all kinds are taking illegal prices,
as are also producers of many commodities not specified by the statute.

It is to be observed that the statute had provided that the justices should exercise their discretion in fixing the winter wages of certain artisans. I find two noteworthy instances where they exercise similar powers, not coming under this clause. In one case they establish the rate of the yearly wages of a carter; and in another, they are ordered by a writ of the king and council to buy up all the linen cloth in their district, \textit{pro certo precio per vos ordinato inde solvendo colore commissionis nostre.} — and to deliver it to the clerk of the wardrobe or appear in person before the council to explain why they had not obeyed the writ.

In turning to the remaining offences noted in the sessional records, the following are important. The oaths taken by labourers to observe the law are frequently mentioned: men who have been sworn in the presence of the justices, break their oaths; one man, on being summoned into court and ordered to swear, refuses to do so. The constables report long lists of labourers who are rebellious and refuse to take oaths of obedience to the statutes; their reports vary between two extremes: all the labourers in their district are obeying the law, or all are guilty of infringements. In the matter of the supervision of the local officials, the justices are kept busy; the constables are very often in mercy for not having their presentments ready, and are often themselves under indictment for concealing their knowledge of guilty labourers, while the tithingmen are frequently punished for their failure to provide stocks.

From this brief catalogue, it is noteworthy that except for the prohibition of almsgiving to the able-bodied, the justices were taking cognizance of every clause of both ordinance and statute; and it is probable that just at this crisis employers were not very likely to be guilty of almsgiving. The impression conveyed by the variety of offences will, however, be entirely erroneous unless it is pointed out, with all the emphasis possible, that the number of labourers presented for the receipt of excess wages and of excess prices is far greater than the total of all the other offenders taken altogether; in the case of the latter, in each instance, one or two individuals are indicted at a given time; while in the case of the former, the list of names included in a specific indictment sometimes runs as high as twenty or thirty; in fact, one of the clearest and most voluminous rolls, that for Somerset, contains no example of any other offence than that of the receipt of “excess.” Undoubtedly, therefore, the main work of the justices of labourers must be considered to be their endeavor to keep down the level of wages and prices to the rates prevailing before the plague.

(4) Economic and social status of the delinquents.—Were it not for the phrase \textit{liberos} used sometimes of the
men eligible for jury duty, there would be in these eighteen rolls scarcely a shred of evidence to show that the question of freedom versus villeinage was at this date a living issue; since, however, in the proceedings before the justices of labourers summoned into a higher court, the point of the case depends precisely on the fact of villeinage, the silence of these particular sessional records indicates not that there were no villeins among the delinquents, there must have been many, especially among the agricultural labourers, but that, as far as the actions in quarter sessions went, the effect of the legislation on free and unfree was identical, and that for this reason no distinction between the two categories had to be made by the justices.

Leaving aside for a moment the question of wages and prices, the sessional records show the justices enforcing the remaining clauses of the enactments chiefly against agricultural laborers and somewhat less frequently against artisans and household servants, but in all cases as far as my observation has gone against members of what are technically known as the labouring classes, with no visible attempt to extend the application of the contract clause to other than manual labourers. It has, however, been already emphasized that the justices were mainly occupied with the task of keeping down wages and prices; it is therefore the offenders against these two clauses who must be most carefully studied. The "givers" cannot always be readily identified, but fortunately there are several cases where they are referred to specifically: e.g., a master of a house, a bailiff in search of agricultural hands, a reeve, and employers of various classes of artisans, spinners, tailors, tanners etc., who need servants in their crafts. It is with regard to the "takers" that these rolls furnish the most complete information; the evidence given in a preceding section on the clauses of the legislation enforced by the justices included sufficient examples to prove that the takers of excess wages and prices fall into the economic groups indicated by the ordinance and statute, and although my data are not enough for a statistical study, it seems desirable on the basis of my extracts from the sessional records of the printed roll for Wiltshire and also of my extracts from the schedules of accounts of penalties and of the printed account roll for London, to present the following lists, incomplete though they are, in order to give a definite idea of the variety of crafts and occupations represented by the delinquents. An asterisk indicates those that are specifically mentioned in either or both of the enactments. It must be remembered that the ambiguous term servientes is very frequent, with no clue as to the nature

1 App., 228. 2 App., 262-227. 3 App., 155. 4 App., C. 1.
5 Cf. app., 228, for an account of this roll. 6 App., 332-334: 380.
7 For this roll cf. p. 88, note 1.
8 Further lists are given in pt. ii, ch. ii, s. 4 in order to show the status of the offenders in the upper courts; moreover, the extracts in the appendix from Ancient Indictments furnish additional instances, in some cases, of crafts not represented in quarter sessions. It must be left for some future investigator to compile on the basis of all these sources really exhaustive statistics.
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of the occupation, so that a large number of the offenders cannot be classified.

1. Household servants. Serviatus is sometimes rendered explicit by context; occasionally familus and famula occur.

2. Agricultural labourers. Common workmen and workmen are probably to be classed here, both men and women; also labourers and daily labourers; † carter, driver, † harvester, † hoer, † mower (a great variety of terms used to describe the nature of the task), oxherd. † ploughman, † reaper, † reaper of corn, † shepherd. † swineherd, tasker, thatcher, † thresher (a great variety indicated), wood-drawer. Women as well as men among most of these.

3. Artisans.
   a. Building trades. † Carpenter, coverer of houses, dauber, lather, † maker of walls, † mason, paver, † plasterer, sawyer, stonelayer, † tile.
   b. Clothing trade. Carder, † cobbler, collar-maker, combier, † cordwainer, † currier of leather, fuller, † furrier, glover, maker of linen cloth, † pelterer, shapestere, † shearmen, † shoemaker, skinner, spinner, spinner of wool, † tailor, † Tanner, walker, weaver, whittawyer. There are many women in the spinning and weaving trade.
   c. Various. Collier, cooper, fletcher, furnishers, maker of baskets and brooms, maker of wheels for drawing water, miner, potter, † smith, tinker, wheelwright.

4. Victuallers. † Baker, † brewer, † butcher, † fish-

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monger, † innkeeper, miller, seller of salt, seller of oats, of beer, of mead, of wine, tapster, † sellers of victuals in general. There are many women among the brewers and bakers.

5. Unclassified. Carrying of doors and windows, baking of lime, carrying of iron, fisherman, huckster, lighter of churches and houses, pedler, † seller of cartwheels, of coal, of lime, of iron, sellers in general.

6. Unidentified. Aquedanilatrix, chickkyn, melemaker, membranator, metrix, † schuppestre, seyner, sunyere, tenor.†

A few instances occur where the delinquents can hardly be classed as manual labourers, e. g., chaplain, clerk, crier, merchant, but include too few individuals to be significant.

It must be emphasized once again that my sources, both the records of the sessions and the estreats of the penalties, represent only a small proportion of the similar proceedings that were going on all over England, and that the extracts in the appendix from which the larger part of the above lists have been drawn represent only a small part even of these sources; this being the case, it is clear that the justices were dealing with practically every variety of economic class as far as manual labourers were concerned, but with very few individuals above this class, and also that the increase in the price of manual service of all kinds as well as in the price of

† This translation given in the printed Wiltshire roll, 4, as a suggestion merely, does not seem very probable.

‡ Is this the feminine of "netus," a bondman, or is it connected with "neo," to spin?

† I suspect that "caruce" is understood. The printed Wiltshire roll presents some interesting combinations of occupations; e. g., collar-maker and mower, carpenter and fisherman, merchant and fisherman.
all commodities had been well-nigh universal. The penalties inflicted for the endeavor to obtain this increase must now be considered.

(5) Penalties—Of the confused and complicated system of penalties indicated by the enactments, a brief summary must here be attempted.1 In the first ordinance the following penalties for infringement are mentioned: *compulsory service clause*, gaol until security of good behaviour is given; *contract clause*, imprisonment; *agricultural wages clause*, for givers and takers the forfeit of double what was paid, promised or received, in excess of the legal rate, to go to the aggrieved party or to any who will sue; in the case of lords, treble; *artisans' wages clause*, gaol; *victuallers' clause*, double of what was paid in excess.2 In the second ordinance which has to do only with the wages and price clauses, the forfeit of the "excess," i.e., the difference between the legal and the actual rates, is substituted for the greater penalty of the first ordinance and in this case also is to go to the plaintiff, if any sue, and otherwise towards the subsidy.3 In the statute, in the case of agricultural labourers, refusal to swear obedience to the articles and breaking of the oath when sworn, are to be punished by stocks or gaol until security of good behaviour is given; in the case of artisans, the penalties for breaking of their oaths are fine, ransom, and imprisonment at the discretion of the justices. In general, infringement of any clause of the statute is to be punished by these three means, the imprisonment to last until security for good behaviour be

1 The disposition of the penalties is merely referred to here and is treated at length in pt. i, ch. iii.
2 App., 10 and 11. I am inclined to believe that this interpretation of the amount forfeited is correct.
3 App., 260. For an account of this measure, cf. pt. i, ch. iii, s. 1, A.

provided; it is also added that the breaking of the oath of obedience shall for the first offence be punished by prison for forty days, and for the second, for a quarter of a year. In the same clause it is likewise specified that the penalty now regularly known as "excess" shall go to the plaintiff if any sue and otherwise to the current subsidy as long as it runs and after its cessation to the king.4

In order to analyze the different clauses of the legislation and to describe somewhat in detail the status of the individuals who were infringing them, it proved necessary to interrupt the account of the procedure in sessions, leaving the justices face to face with groups of labourers convicted of their guilt.5 How, out of the apparent confusion of penalties, do they proceed to deal with the delinquents? The rolls show that occasionally they employ imprisonment as an actual punishment: for example, an offender guilty for a second time of the receipt of excess wages is adjudged to prison for forty days;3 in one instance they use the equitable device of delivering to a master to finish out her term a maid-servant who had broken her contract.4 There are also frequent references to the use of stocks, a punishment that is often inflicted at the discretion of the constables without the intervention of the justices.5 The system employed by the latter

1 App., 14–16. Cf. Rot. Parl., ii, 227 b for a petition that corporal punishment shall be inflicted on delinquents instead of the hitherto ineffectual fines and redemptions; the statute is said to be in response to this petition, presumably the stocks fulfilling the requirement for corporal punishment.
2 S. 2.
3 App., 184–185.
4 App., 214.
5 E.g., app., 169; see also the numerous references in the De Banco rolls; pt. ii, ch. ii, s. 3 and s. 4. The Patent Rolls furnish further evidence as to the use of stocks; e.g., a certain Richard de Buckeden of Leighton has been indicted before the justices of labourers in Hunts, "de eo quod ipse noctanter apud Leighton cum alis ignotis cippos qui
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is much simpler than one is led to expect by the summary of the provisions. Their penalties fall into two main groups, fines and "excess;" the latter can, of course, apply only to the giving and taking of illegal wages and prices, and since "excess" is equivalent to the difference between the legal and the illegal rates, the amount to be assessed upon each offender is limited by the degree of his offence, very little room being left for the discretion of the justices. The excess goes to the plaintiff if any sue but with the system of presentments by juries, so commonly used, its disposition is regulated by the statutory provision. Fully as frequent as the penalty of "excess" is the finis or finem fecit, applicable, of course, in case of the infringement of any clause of the statutes, including the wages and price clauses. It does not represent the modern idea of a fine but is an indefinite sum to be determined by the justices, all the circumstances of the case being taken into consideration; it really means that an offender, in order to be quit of the consequences of his guilt, must pay whatever the court decides and until he can pay the amount as fixed he must abide in prison unless he can find security for such payment. Very often the offender is able to pay immediately, and if not, he can almost always find pledges acceptable to the court; it is therefore unlikely that imprisonment for a long term was used to any great extent. The estreat rolls show that a delinquent may have to forfeit the excess, or that he may be forced to pay a fine, or that he may incur both penalties. In the case of actions brought by plaintiffs there are many instances of amercements for false actions and also for failure to continue the suit; sometimes damages are mentioned, and in one instance it is stated that they are assessed by the justices; they would be the normal penalty in actions brought at the suit of plaintiffs on clauses other than the wages and price clauses. There are also many instances where offenders are in mercy and where it is recorded that they are amerced. Fines and "excess" are, however, by far the most usual form of penalty, and make up the larger part of the issues of the sessions, described technically in the exchequer as "fines, redemptions, excess, issues and amercements," and belonging, according to mediaval custom, to him who had the right to the profits of that particular court. Perhaps the best proof of the all-importance of the wages and price clauses is the relative frequency of the penalty known as excess as shown by the fact that in many exchequer documents connected with the subsidies the phrase excessus operariorum has become very common as a description of the money penalties imposed under the statutes of labourers.

A careful study of the records of fines and of the security given for their payment reveals the curious fact that a culprit who is himself assessed to a fine, which he has not yet paid, and for which he has had to find security,

1 Cf. e.g., app., 280; 338; 383.
2 App., 156 and 157.
3 App., 146 and 186.
4 App., 150.
5 App., 273, and similar documents, passim.
6 App., 330, et passim.
is apparently allowed to serve as pledge for another offender in a similar plight; one is led to suspect that the whole matter of security has become an empty form: possibly the lack of sufficient prisons to hold the convicted made it necessary to adopt almost any device to meet the emergency.

As far as my examination has gone, the amounts of the penalties are normally within fairly well-defined limits, ranging from several shillings to several pennies, sums between gs. and gd. being most usual, but occasionally rising as high as half a mark, 8s. or 10s. There is at least one instance where an offender was amerced f 10 before the justices for refusal to swear obedience to the statute. It seems possible that the amount of this amercement was considered unwarrantable, for three writs were issued by king and council, two to the sheriff and one to the barons of the exchequer, ordering the proceedings for the levying of the f 10 to be suspended; what the final outcome was I cannot say. In regard to the normal money penalties, it is worthy of note that in the punishment for the receipt of illegal wages, if a fine appears as the penalty instead of the “excess,” the amount of the fine is apt to be exactly equal to the sum that had been taken in excess, so that practically there is no difference between the two forms. It will become apparent later, however, that there was, from the point of view of the income of the exchequer, a motive for sometimes calling a given penalty a fine rather than “excess,” and for sometimes doing just the reverse, a motive which can be understood only after a careful study of the disposition of the penalties.

After the money penalties had been named by the justices in session, whether fines, excess or amercements, and had been duly entered on the estreat roll by their clerk, and after the roll had been delivered to the proper person, collector of the subsidy or exchequer official, the responsibilities of the justices were over; with the levying of the penalties they had nothing to do. While the total sum of the issues of the sessions affords an excellent means of estimating roughly the number of convictions, and therefore the efficiency of the justices in performing their task, this total must be discussed in connection with the whole question of the disposition of the penalties; but in the meantime, in order to appreciate more thoroughly the problems dealt with by the justices, it must be shown how extortionate in their demands were the offenders whom they were punishing.

(6) Rates of wages and prices.—It is an accepted fact that immediately after the plague there was an extraordinary and unprecedented rise in wages and prices; it is also indisputable that an upward movement had begun during the years just before the plague. An ac-

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1 App., 207, and 210; also the estreat roll for London summarized in the Calendar of Letter-Book G., 115-118.

2 This statement is based not merely on the sessional records but also on various exchequer documents many of which appear in the app.; see pt. 1, ch. iii.

3 Claus., 31, m. 10 d, 30 July. “Pro Thoma Gobyoun de Leyndon;” “pro eo quoq in quadam inquisicione coram ipsis iusticiariis (Thoma Tirel et sociis suis) nuper capienda iurare recusuit.” Ibid., 32, m. 17 d, 30 May. “Pro Thoma Gobyoun de Leyndon.” The county is Essex.


5 App., 205, et seq. Refer to pt. 1, ch. iii, s. 1, A and s. 2, B.

6 Cunningham, Growth of Eng. Industry, i, 325-336; Denton, Eng. in Fifteenth Century, 107, 217-218; Petit-Dutaillis, introduction to Réville’s Soulèvement, xxix–xxx; Rogers, Hist. of Prices, i, 292.
The accurate estimate of the aims of the statutes in regard to the level of wages and prices will be possible only as a result of a detailed comparison, district by district, of the statutory rates with those prevailing before and after the cataclysm, bearing in mind that for wages the statutory rates were maximum,—where less was usual, less was to be paid,—while for prices the rate was to be "reasonable." Since the money rate per se has little significance, such a comparison must include statements as to the relative purchasing power of the various rates of wages. Rogers' figures, the best that are in print, apply largely to the south and east of England, and in view of the wide variation between rates in different localities are useless for other parts of the country. Moreover, since the publication of Rogers' tables, the continuous investigation of manuscript sources, the issue of successive official calendars and lists, and the increased printing of records, have all helped to show the abundance of material from which statistics can be derived.

Of the sources that I have examined, the most useful for this purpose are the sessional records themselves and the accounts of penalties; but, within the limits of my work for this monograph, it has been impossible to make an exhaustive study of the rates there recorded. Further, full as are these two classes of documents of instances of the receipt of sums beyond the legal wages and prices, the manner in which the offence is entered on the roll often makes it impossible to ascertain the rate of increase over previous sums. Sometimes when the illegal rate per day is specified, there is not a sufficiently accurate description of the occupation of the offender to enable identification of the statutory rate; sometimes there is only the vague phrase, "he received excessive wages." A frequently it is said that "he received so much, (a lump sum), in excess;" this formula of course tells the net amount of the delinquent's gain and is undoubtedly employed so frequently because it represents that all-important fact, the amount to be forfeited as penalty, but it gives no clue to the rate of the gain. Even, however, within the narrow limits of information based for the most part on the extracts of sessional records printed in the appendix there are a few entries so explicit that it seems advisable to call attention to them.

Household servants. A maid servant is given 5s. for half a year instead of 3s. 6d.; another has had 30s. a year; two men servants are paid 8s. for the winter season, with livery and daily food; another man servant receives 6s. for half a year et vnam tunicam cum capuche. "

Agricultural labourers—Common labourers. The statutory rate for various agricultural work probably applies to this class; the following rates are all described as

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1 App., 13. 2 App., 10. Hist. of Prices already frequently quoted. 3 Wiebe, Zur Geschichte der Preisrevolution, 30–31. 4 App., 4. 5 Cf. e.g., such a book as Miss Davenport's Norfolk Manor. 6 Exceedingly valuable also are the counts in the actions brought in the upper courts; cf. pt. ii, ch. ii, s. 3, and also the presentments in the court of king's bench recorded in Ancient Indictments; cf. app. F. 1. 7 E.g., app., 148. Unless otherwise specified the remaining references in this section are to pages of the appendix. 805, 208; see also printed Wiltshire roll, passim. 234; printed Wiltshire roll, passim. 202. 224. 227. 193.
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excessive: 18s. for half a year, *ad mensam*; 6d. per day in August, with food and drink; 2d. per day in winter, with food and drink.¹

**Reapers.** Statutory rate is 2d. or 3d. per day; they frequently receive 5d. and 6d.²

**Mowers of meadows.** Statutory rate is 5d. per acre; they are recorded as taking 9d., amounting to 20s. in excess;³ also 10d. and 8d. for half an acre, and 10d., 12d. and 14d. for an acre.⁴

**Hoers.** Statutory rate is 1d. per day; a woman takes 2d. per day, amounting to 12d. in excess.⁵

**Threshing of corn.** Statutory rate is 2d. ob. per quarter, but in Derby even less must be usual, for it is said that 3d. per quarter for 20 quarters amounts to 2s. in excess.⁶

**Threshing of barley.** Statutory rate is 1d. ob. per quarter; 8d. is paid for four quarters.⁷

**Artisans.**—A dauber takes 3d. per day and food, instead of the previous rate of 1d. and food;⁸ coverers of houses are receiving double the customary rate;⁹ a servant of a smith, having been sworn to take 8s. a year, received 20s.;¹⁰ a Sawyer takes 5d. per day, with food, the statutory rate for carpenter, mason and tiler being only 3d. per day;¹¹ a fuller receives double the legal rate to the amount of 3s. 4d.;¹² a weaver is paid 1d. *pro ulna* instead of *pro tribus ulnis*;¹³ tailors take treble the customary wages.¹⁴

Although a great many victuallers as well as sellers of other commodities are indicted, I have found peculiarly few instances where a direct comparison between old and new rates is possible; in one case sellers of meat and also of wine are described as making profits beyond what is reasonable, and the price of their wine is mentioned as 2d. per gallon;¹⁵ in another case it is said that a gallon of beer is sold at 1d. ob. instead of at 1d.;¹⁶ and in still another, a potter is accused of making *ollas ereas* and selling them *ad triplicem.*¹⁷ It is interesting to find a vicar refusing to perform the marriage ceremony except for what is said to be an extortionate fee of 5s. or 6s.¹⁸ The incident of the Lincolnshire ploughman really tells the whole story; he refuses to serve except by the day and unless he has fresh meat instead of salt and finally leaves the town because no one dares engage him on these terms.¹⁹

Although emphatically disclaiming the intention of presenting these few specific instances as conclusive proof of a given rate of increase in wages and prices, it is my own belief that they are indicative of the general trend and that the countless cases of the receipt of excess will bear out the high rates just quoted. For once the

¹ 168. ² 201. ³ 170.
⁴ 171. A contrast to Chaucer’s “Frere” in the Prologue to the Canterbury Tales:

> "He hadde maad ful many a mariage
> Of yonge wommen, at his owne cost."

Verses 212–213.

⁵ Cf. Piers Plowman, . A. Passus vii, 295–299:

> "Laborers that haue no lond to lieren on bote heore honden,
> Deyne not to dyne a day niht-olde uortes.
> Moi no peny-ale hem paye ne no pece of bacun,
> Bote hit weore fresch flesch or elles fisch i–triplet,
> Both chaud and pluschaud lor chele of heore mawe."

chroniclers do not seem to have greatly exaggerated, nor does one wonder that the "malice of servants" appears to the employers the only appropriate phrase to describe the attitude of the labouring classes.

(7) Supervision of the justices of labourers.—Omitting for the present the control of the justices most systematically worked out at this period, namely that of the exchequer, which has to do entirely with the question of the money penalties, the other methods of control exercised by the central authorities must now be considered.

1. The removal of individual justices and the cancelling of commissions by king and council. It has already been noted that any particularly flagrant conduct on the part of a given justice, if reported to the king and council, sometimes resulted in his prompt removal without recourse to the courts of law.

2. The issue by royal writs of special commands to the justices and occasionally the appointment of special commissions of investigation.

3. The ordinary mediaeval system of dealing with the extortion or other misdemeanors of officials.

4. The removal to a higher court, by writ of certiorari, of proceedings before the justices of labourers.

The power of the crown over the removal of justices has already been treated in some detail and needs no comment here; further, the interference of king and council with the action of the justices, by means of supplementary writs, is sometimes due to the necessity for an interpretation of the relation of the justices to seignorial rights of jurisdiction and to the profits of jurisdiction and can therefore be most profitably treated later in connection with the disposition of penalties; there are, however, other causes for interference which belong here. For example, when a certain abbot complains to the king that at the instigation of some of his rivals the justices in his county had forced his tenants to serve other masters, although he himself had need of their services for the tilling of his demesne lands, the king issues a writ to the justices bidding them supply the abbot with a sufficient number of labourers. Again, the urgent pleas of the Carthusians of Hinton and of Wytham that, owing to their peculiar situation they are utterly unable to secure workmen, result, in the case of the first, in the permission from king and council to pay wages fixed by contract instead of the statutory rates and in a command to the justices of the county not to interfere; and in the case of the second, in the permission to hire labourers from the neighboring districts in spite of the statutory prohibition against labourers leaving their place of residence.

It also appears that the justices, when in difficulties, are glad to have the aid and protection of the crown; on several occasions when their sessions have been broken up by the violent attacks of malefactors, and they

1Cf. pt. 1, ch. iii, s. 2, B, and pt. ii, ch. i.  
2App., 217-218.  
3Pat., 29, pt. 2, m. 4, 5 Oct., "Pro priore et fratribus de Henton, ordinis Cartusiensis;" quoted by Gasquet, Great Pestilence, 171-172.  
4Pat., 28, pt. 1, m. 20, 16 Jan., "Pro priore et fratribus de Wytham;" also quoted by Gasquet, op. cit., 170-171. There is a limitation to the use of writs in increasing the powers of the justices; cf. 42 Lib. Ass., pl. 12; the jurisdiction of the justices of labourers in a certain county had been extended by writ to include champarties etc., and it is decided by the court of king's bench that for such a purpose a writ is illegal and a commission necessary.

1Pt. 1, ch. i, s. 3.  
2Pt. 1, ch. ii, s. 3.
themselves exposed to danger, either they or their friends complain to the king and council and succeed in obtaining the issue of special commissions of oyer and terminer to investigate the trouble and to bring the offenders to speedy punishment.

Cases of negligence, extortion, and other misdemeanors on the part of officials come within the cognizance of the justices of the joint commissions and of the justices of oyer and terminer, in accordance with the regular form of their commissions, and also in the ordinary course of law come under the jurisdiction of the court of king’s bench. Even a cursory examination of these two latter classes of records has shown several instances of such cases, either in regard to justices or to the local officials for whom they were responsible; for example, indictments against justices, a justice’s clerk, a constable, a seneschal and bailiff. Still more im-

1 Pat., 25, pt. 2, m. 13 d, 6 July, “De audiendo et terminando rebellionem factam coram iusticiariis Regis;” summarized in Cal., ix, 158; the justices of Middlesex were actually driven from their sessions at Tottenham. Pat., 26, pt. 2, m. 10 d, 22 Aug., “De audiendo et terminando pro Rege;” summarized in Cal., ix, 341; certain evildoers assaulted John de Claymond while he was performing his duties as a member of the joint commission in Holland and even sought to kill him. Pat., 32, pt. 2, m. 30 d, 30 July, De audiendo et terminando: a violent attack on Lyouns, Harwedon and others while executing their office as justices of labourers in Northants.


3 Cf. e.g., Pat., 32, pt. 1, m. 24 d, 18 March, “De audiendo et terminando omnes felonias et transgressiones in comitatu Hereford;” justices are appointed to inquire “de quibuscumque felonis, transgressioneibus, conspiracionibus, oppressionibus, extorsionibus, confederacionibus, alliganciis injustis, cambipartis, ambidextris, forstallariis, falsitatibus, damniis, grauminiibus et excessibus.”

4 App., 264-266.

5 App., 241-242.

6 App., 242-243.

7 App., 266.

The issue from chancery of writs of certiorari demanding from the justices the records of processes of outlawry that had been carried out by their orders need not be discussed here; it is the regular course of events before a pardon of outlawry can be obtained from the king. Cf. Fitzherbert, New Naturali Brevium; 554. and app., 239 and F, 2.

8 Pat., ii, ch. ii, s. 6.

by means of presents to the chancellor and in spite of the hostile attitude of others of the council obtains permission to appear by attorney; the question of the ownership of the villeins was finally tried before the justices of assize and was settled in favor of the abbot.

The two other villein cases are found among the County Placita. In the first, a writ of certiorari had bidden the justices of labourers in Bedfordshire send into chancery a copy of certain proceedings held before them;¹ the document is endorsed by David de Woll[ore],² who was at this date keeper of the chancery rolls, at the instance of John de Herlyng,³ (usher of the kings' chamber), but I have no clue as to the outcome. In the second, there had been a similar writ to the Surrey justices of labourers; the endorsement of the transcript of the proceedings is "to the chancellor of our lord the king"⁴ and possibly indicates that the final decision was left to the chancellor. It is to be noted that in all these cases judgment had been given by the justices of labourers before the issue of the writs of certiorari.

The fourth case has been mentioned several times; it is that of the two Surrey justices, de Roulegh and atte Wode by name. After they had been removed from their commission, as a result of complaints to the council,⁵ their former colleagues in their sessions proceed to bring indictments against them for their misdemeanors as justices; but before a judgment or a verdict is reached, the court of king's bench issues to the acting justices a writ of certiorari, summoning before it all the records in the case, and after lengthy proceedings, finally acquits atte Wode, but convicts de Roulegh of the offence for which he had been indicted in quarter sessions, and fines him heavily.⁶

The Coram Rege Rolls during the latter years of the reign contain many instances of proceedings before the joint commissioners of the peace and for labourers, summoned into chancery by writ of certiorari and then sent by a mittimus into the court of king's bench;⁷ undoubtedly with the better organization of the justices of the peace, this method of control of their action became more usual.⁸ It is characteristic of the English system that no administrative control was provided by the statute of labourers for the justices who were to enforce it;⁹ and equally characteristic that on the whole the supervision of the justices by the central government was very steadily exercised; in turning to the subject of the disposition of the penalties, the thoroughness of the control exercised by the exchequer is still more striking.

¹ App., 211-213; also p. 41.
² Strangely enough in 41 Lib. Ass. pl. 22, the use of the writ of certiorari is limited to its issue by chancery; cf., however, Fitzherbert, op. cit., 554: "The writ of certiorari is an original Writ, and issueth sometimes out of the Chancery, and sometimes out of the King's Bench."
³ Cf. Beard, op. cit., 154. I print in the appendix one such appealed case although it is of a later date than the decade under consideration.
⁴ Cf. Beard, op. cit., 151: "In English practice, no special institutions were ever constituted for administrative control or to provide remedies against officers as such."
⁵ See pp. 30-32.
CHAPTER III

THE DISPOSITION OF THE MONEY PENALTIES UNDER THE STATUTES OF LABOURERS

That the profits of justice are the essential element in the mediaeval system of law is clearly illustrated in the persistent contest to establish a right to the money penalties under the statutes of labourers, a contest carried on by means of every possible legal technicality. Normally the issues of courts under the jurisdiction of justices appointed by the central government belonged to the crown, with special privileges for the owners of certain franchises; but in the case of these penalties, the taxpayers made a notable attempt to assert their right against the crown, while the crown in its turn strove to lessen the share obtained by the lords of franchises.

From the point of view of the disposition of these penalties, the decade under consideration may be divided roughly into two periods of about equal length: 1349-1354, and 1354-1359, with the first of which the present section deals.

1 The term "fine" used in my article in the E. H. R. is not sufficiently accurate from the mediaeval standpoint, especially in view of the important distinction made by the exchequer between "fines" and other forms of money penalties.
2 Cf. Maitland, *Domesday Book and Beyond*, 277-278.
3 The contest was not confined to legal means; the instances of misappropriation are numerous.
4 Since the first triennial runs through Easter, 1351, while the second does not begin till Easter, 1352, there is, strictly speaking, a year which must be classed with the second period.

1. Period of the triennial grants of 1348 and 1352; the claims of the taxpayers

The immediate economic effects of the plague, the fall in rents, the rise in wages, and in prices, injured chiefly the taxpayers, who were, for the most part, the owners of land and the employers of labour, and rendered still heavier their burden of taxation already grievous enough because of the costliness of the French war. In view of continuous difficulties in the collection of the full amount of the taxes, the experiment was tried of applying in aid of the current subsidy the money penalties under the statutes of labourers, which, in by far the largest number of cases, must have come from the pockets of the wage-earners. To the employers of labour there undoubtedly seemed a peculiar fitness in the ingenious device to secure contributions from the one class in the community the economic condition of which had been improved by the plague. The scheme was used twice, first in relation to the grant of 1348, and secondly to the grant of 1352; but while the latter measure has attracted some attention, the former has been almost ignored and must now be described in detail.

A. The tenth and fifteenth of 1348

In the spring of 1348, a tenth and fifteenth were granted by the commons to be paid at Michaelmas and Easter for
three successive years, in the manner that had become customary since 1334. The writs appointing the three sets of collectors are identical in form with those of preceding years, but shortly after the issue in the summer of 1349 of the writs for the second year, important supplementary instructions are given to the collectors. The ordinance of labourers framed by the king's council had been proclaimed in June; in November, as a result of complaints from members of the community that the excessive wages extorted from them by labourers, contrary to the ordinance, prevented them from paying their share of the subsidy, letters patent were issued to all the collectors directing them to assess upon labourers the sums received by them in excess of the legal wages or prices, and to levy the same in aid of the subsidy; the collectors and their deputies, also bailiffs and constables, (there is no mention of justices) are empowered to imprison obstinate offenders until they refund the "excess" and give security for good behaviour. The collectors, when necessary, are to obtain evidence by

1 Ret. Parl., ii, 270-271; first year, Mich., 1348, and Easter, 1349, previous to the ordinance; second year, Mich., 1349, and Easter, 1350, subsequent to the ordinance; third year, Mich., 1350, and Easter, 1351, the last collection being subsequent to the statute.

2 Dowell, Hist. of Taxation, i, 97; by this time a fixed sum apportioned definitely throughout the country.

3 Orig., 22, m. 53, Anglia; 23, ms. 52-54. 16 July; 24, m. 22, 20 July.

4 Ex populari conjunctione; doubtless expressed through petitions to king and council.

5 App., 258-261. The Cal. of Letter-Book F, 199-200, contains the enrollment of the writ for London, "Q 103 operarum capiant stipendia ut solemant et non ultra," and also of a writ to the sheriffs ordering the proclamation of the ordinance of June.

6 Cf. p. 82 for an analysis of the difference between the penalty here ordained and that of the more famous ordinance; Barrington, Observations upon the Statutes, 207, considers that this "improper" distribution of the penalties possibly caused the neglect of the measure.

sworn inquest and are to have the assistance of the sheriff in enforcing obedience. With the cessation of this tenth and fifteenth, the said "excess" is to be levied in aid of the king per illos quos ad hoc duerimus assignandos. Internal evidence shows that these instructions were drawn up by the king's council and that they can properly be described as secunda ordinacio. It is clear that by this renunciation of what would normally be a source of profit to the crown, the council hoped to conciliate the discontented taxpayers; the sequel shows, however, that it had determined to interpret the concession in its narrowest and most literal sense.

The writs of July, 1350, for the collection of the third year of the subsidy, were followed by a repetition of the provisions as to the "excess," addressed as before to the collectors throughout England. It is, therefore, somewhat

1 Since there appears in the beginning of the writ, "cum . . . . de consilio prelatorum, nobilium, aliorumque peritorum nobis assistenciae, ordinanerimus," followed by a clause of the ordinance of 18 June, and then "ex deliberaione dicti consili nostri, adiciendo dueximus ordinandum," followed by the provisions for the application of the excess, it is evident that the same council was responsible for both measures, and it has already been said (p. 2) that the ordinance of labourers was the work of the king's council.

2 "Dictam primam ordinacionem" is the phrase in the above writ applied to the June ordinance; "second ordinance" is therefore preferable for the writ, rather than the "conclusion of the ordinance," the title used in the Statutes of the Realm, i, 300, for an undated document, printed from MS. Reg. 19 A, xiv, British Museum, and almost identical with the writ under consideration. The former is in the third person while the writ is, of course, in the first, and has a longer preamble as well as some additional paragraphs at the end, important for procedure. In the Museum manuscript the "conclusion" follows consecutively after the last clause of the June ordinance and includes the instructions to the bishops etc., which really belong only to the earlier measure.

3 Supra, p. 100, note 3.

4 Orig., 24, m. 13, 1 Oct.; "De decima et quintadecima de operariis."
surprising that an examination of the accounts of the last two years of this subsidy, as well as of the numerous processes on the Memoranda Rolls against delinquent collectors, has failed to reveal for the period previous to the enactment of the statute a single reference to the "excess;" from other sources, however, it is clear that the council's measure was not entirely ineffective. Special difficulties in certain counties, evidently reported to king and council, made requisite more specific instructions: early in January, 1350, information of the obstinate refusal of some labourers in Hampshire to pay the sums assessed upon them resulted in a mandate to the collectors to imprison the delinquents in Winchester castle; a similar writ was directed to the collectors of Essex. The collectors of the latter county were apparently accused of over-zeal, and a few months later, it became necessary to check their proceedings against those labourers who had already spent their illegal gains, and were therefore actually incapable of refunding the "excess;" imprisonment only made them poorer and deprived the community of their services at the very time when there was such a dire scarcity of labourers. The collectors of Somerset and of Middlesex were similarly restrained but were also empowered to imprison bailiffs, constables, sub-collectors and jurors who had proved remiss in assisting them. Difficulties in Essex were continuous, while Norfolk and Stafford are added to the list of troublesome counties. The over-zeal of the Essex collectors was not entirely disinterested; when the court of king's bench met at Chelmsford in the autumn of 1351, Edmund de Northtoft, referred to as collector 1 and also as justice sur laborers, was indicted for extorting from labourers during the year 1350 large sums which he had appropriated to his own use instead of paying in aid of the subsidy. A similar charge is brought and substantiated against de Sutton, described as appointed to collect the subsidy and to inquire into the matter of illegal wages. This explicit statement of the double set of duties belonging to the collectors shows how inevitable must have been the conflicts between them and the justices of labourers, in the counties where the latter were acting. Examples occur in Northampton and Leicester; in June, 1350, on complaint of the taxpayers, the justices appointed to enforce the ordinance of labourers. are accused of planning to send directly into the exchequer both the "excess" and the fines levied on labourers convicted before them, instead of turning over the "excess" to the subcollectors according to agreement. A writ to the justices orders the distinction to be observed; the "excess" is to go in aid of the subsidy, but the fines directly to the crown, ut est justum. As late as 1357, there is evidence that the crown is still trying to collect "fines, issues and amercements" before justices of labourers in Dorset for the 24th year, "excess" being distinctly omitted and presumably having already gone to the subsidy. The few

1 He was collector for Essex in 1349 and 1350; cf. references to Orig., p. 100, note 3, supra.
2 App., 265-268.
3 App., 264-265.
4 Either under a joint commission of the peace and for labourers or under a separate commission for labourers; see pt. 1, ch. i. s. 1. The decision of the court of king's bench, "Sic ut ex populi conquestione nobis datur intelligi."
5 "Concordiam supra dictam," i. e., as stated in the second ordinance.
6 For the reference, cf. p. 11, note 5.
7 For the reference, cf. p. 11. note 3.
commissions for enforcing the ordinance of labourers that are enrolled for this period all contain some reference to the application of the excess to the subsidy; in the separate commissions for labourers issued for Lindsey and Suffolk, a careful line is drawn between the powers of the justices of labourers and those of the collectors, while in the other cases the justices are empowered to inquire as to whether the collectors have carried out their instructions for the assessment and collection of the "excess."

From this evidence certain definite conclusions may be drawn: it is clear that for nine counties, at least, there was a vigorous attempt to apply the "excess" in aid of the subsidy; and since no provisions are recorded as to methods of accounting it is probably a fair inference that in other cases also the total tax included such "excess;" but it is, of course, impossible to make any estimate as to the amount. It is to be recalled that the number of appointments of justices of labourers for this period is too few to explain the statement in the preamble to the statute that commissions were issued for each county; since the collectors were to assess as well as to levy the penalties technically known as the "excess" it is more than probable that the statement applies to them and that the council intended that they should have a large part of the burden of the enforcement of the wages and price clauses of the ordinance of labourers and that the justices should be responsible to the crown for all other forms of penalties, amercements, fines etc. imposed under the ordinance. The clumsy division of power between the two sets of officials, the lack of specific provisions as to their relation, the absence of definite instructions as to accounting and, finally, the determination of the crown to insist on the differentiation in the money penalties, are striking elements of weakness in the measure, and show that the second ordinance, like the first, was inadequate on the administrative side.

The re-enactment of the substance of the council's scheme by the statute of February, 1351, when there was only one more payment of the grant to be made, represents a belated attempt to remedy these administrative defects and also embodies, at the urgent petition of the commons, a further concession of revenue by the crown: it is now specified that fines as well as "excess" shall go in aid of the subsidy; that all the penalties are to be assessed by justices to be appointed under the act, that the estreats shall be delivered by them to the collectors by a system of indentures, so that the latter may be called to account at the exchequer; the penalties are to be levied by the collectors and are to go in aid of the districts in which they were imposed, but if in any place the total exceeds the tax, the surplus is to go to the next poorest district; with the cessation of this subsidy, the penalties are to go to the king and be accounted for by the sheriff. At the eleventh hour of the grant, it is not surprising that the more carefully worked out scheme failed to have much result; the subsidy accounts are still silent, but on the Memoranda Rolls there are two important actions brought against the collectors of Surrey, and of Gloucester, on the ground of failure to distribute the penalties.

1 App., 16. The form of the commission in the full list issued as a result of the statute (app., 23) still includes the same clause as to the relations between justices and collectors that had appeared in the commissions of the first period; one would have expected some modification of it.

2 App., 262-264.


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1 Pages 10-13. From this statement the commission for Durham must be excepted.

2 Page 13.
penalties; in both instances the distribution is finally completed. The charges against de Northtoft previously referred to include also indictments for the year 1351; he is accused in several districts in Essex of exacting penalties from labourers and, nevertheless, of levying the total amount of the subsidy, evidently not giving the taxpayer the benefit of the "allowances."

Although only a partial measure of success can be attributed to the council's attempt to lessen the pressure of taxation, the experiment had at least shown the commons where hope of relief lay. When the next opportunity came, forewarned by the previous difficulties, they were ready to repeat the experiment, with a completeness as to details which left little room for failure.

B. The tenth and fifteenth of 1352

Within a few months the opportunity came. In the second parliament of the 25th year, which met on 13 January, 1352, the chief-justice, on the ground of the war with France, asked for another subsidy; in response, the commons complained of their great impoverishment owing to the late deadly pestilence and to the weight of past taxes.

(therefore after the enactment of the statute) the collectors against whom this charge is brought had received the now familiar additional instructions of the second ordinance: "Quod excessus salarium servientum leuetur ad opus Regis," enrolled in Orig., 25, m. 3. The list of collectors here referred to is slightly different from that of the previous summer; see supra, p. 100, note 3.

1 App., 267. The long process against him in the exchequer for failure to account as collector contains no reference to the subject of the "excess."

1 The session lasted till 11 Feb., thus running into the 26th year. See list in app., 8.

1 Rot. Parl., ii, 237; Jessopp, Coming of the Friars, 255-257, writes: "The Commons were quite equal to making the most of any calamity that occurred."

but in view of the king's necessity they granted him a triennial tenth and fifteenth to be paid at Easter and Michaelmas. 1352, 53, and 54, making the stipulation, however, that all forms of money penalties under the statutes of labourers, fines, "excess," issues and amercements, including those already collected, should be allowed them in aid of the tax.

The king agreed to the condition for the period of the grant but in modification of the provision in the statute that the penalties should go to the districts where they had been imposed, he insisted that they should be distributed among the districts according to their relative needs.

The abundance of data in existence as to the result of this second experiment makes possible a detailed account, and furnishes a vast amount of information on the relation of the statutes of labourers to the life of the times.

1 Rot. Parl., ii, 237b: "Et puis apres longe trette et deliberation eues par les Communes ove la Communaute, et l'avist d'ascuns des Grantz a eux envolitez, . . . si vindrent les dites Communes devant notre Seignur le Roi et touz les Grantz en Parlement . . . ."

2 Ibid., 238a: "C'este la forme du Grante de trois Dismes et Quinzismes grantees a notre Seignur le Roi ore en cest present Parlement par les Grantz du Roi et par touz la Commune . . . sur la Condition que ensuyt . . . ."

The commission to the collectors (app., 269) refers to the application of the penalties as granted by the king, "ad requisicionem eiudem communitatis de assensu prelatorum, ducum, comitum, et baronum."

Many years later, the grant is described as made by the king, "par avisement de son bone Conseill" (Rot. Parl., ii, 409b); the first statement is probably nearer the truth.

1 Rot. Parl., ii, 238a: "Il plest a notre Seigneur le Roi & a les Grantz de la terre que la Commune eit touz les fyns, amerciements, & issues, forfaites des ditz laborers & artificers, contenez en l'Estatut fait au darrein Parlement, en eide de lour Disme et Quinzisme durant le temps des dites Dismes et Quinzismes triennales; sauves a chescun Seigneur leur franchises sans nulle emblessissement. Et l'entent notre Seigneur le Roi & de son Conseill est, que ceste Eide soit en oeps des Povres des Villes & heux gastes, et autres qu'i plus de meister en ont, par avis des Justices a ceo assignez."

1 For an account of the manuscript sources, see app., 255-258; 312-314.
(a) System of collection and distribution of the penalties.—Not only have the commons been explicit in their demands that all possible penalties under the statutes should be granted to them,—in contradistinction to the council's former limitation to the "excess,"—but they are resolved that the officials concerned in carrying out the measure shall have specific instructions as to ways and means. Therefore, during the same session of parliament, the commons drew up, in the guise of a petition to the king and the magnates, comprehensive and detailed directions for the actual collection and distribution of the penalties. This petition is granted and a copy is sent to the collectors in each county, together with their commission; the latter now includes a reference to the concession as to the penalties and states that they are to be levied "uxia formam nobis in dicto parlamento per dictam communitatem liberatam et per nos acceptatam quam vobis mittimus." The method prescribed in the "form" is as follows: the justices of labourers in each county, at the end of the session, in the presence of the collectors and of the most distinguished knights and serjeants of the county, shall certify to the total sum of the proceeds of the session; representatives from each hundred shall be chosen to make sworn reports as to the relative impoverishment of each district; on the basis of these reports, the joint committee, composed of all the above, shall apportion this total in such a manner that each district according to its needs shall be "allowed" a share; the collectors shall then receive the estreats from the justices by a system of indented receipts and shall proceed to levy the penalties as scheduled, and to collect in each district the difference between the amount of the tax as originally assessed and the amount "allowed" to it in penalties by the committee of apportionment. In accordance with the retroactive clause of the measure, it is specified that arrears of penalties not already paid in aid of the grant of 1348, and also all penalties imposed during the gap between the two grants, shall go towards the present subsidy; and that any estreats already received at the exchequer shall be now delivered to the collectors.

1 Including a request for the appointment in parliament of separate commissions for labourers; cf. p. 27.

2 The petition is not given in Rot. Parl., but appears in Statutes of the Realm as a statute of the 25th year printed from a British Museum manuscript. A copy or perhaps the original draft, exists on a detached membrane among Miscellanea of the Exchequer. 439, and the document is likewise enrolled on the Memoranda Rolls, L. T. R., immediately following the enrollment of the commission to the collectors; app., 271. In the Colchester case referred to, p. 130, it is spoken of as "ordinacionem ... per consilium Regis factam."

3 For the commission of the first year, see app., 268-271, and also Orig., 26, m. 27, 25 Feb.; Anglia, "De decima et quindecima per laicos concess." For the second and third years, cf. ibid., 27, m. 25, 26 Jan., and 28, m. 20, 26 Jan.

Gasquet, The Great Pestilence, 107, referring to the Originalia enrollment of the 26th year, conveys the impression that this document is the grant of the penalties instead of making clear that it is merely the commission issued as a result of the grant. His two other references to the Originalia, on the disregard of the ordinance, 26, m. 25 (on p. 108), and the inability of the justices to levy the penalties, 27, m. 19 (on p.

107). I have been unable to find. As my book goes to the press Gasquet's new edition reaches me but proves to contain the same errors.

It is to be remembered that in the earlier experiment the commissions to collectors had not mentioned the statutes of labourers but had been followed by a supplementary series of writs; cf. p. 100.

1 "Tut le Profit provenant des fins, issues, amerciments et excesses leviez, et a levers" (Rot. Parl., ii, 238a) becomes in the "form" "...tous les fynez ... que souant ou serount levez ou prises des laborers ... de la feste du Pasche drayne passe tanques a dreyn terme du payement des dismes et quinzisimes susditz" and is then followed by the provision for arrears. It is to be remembered that the triennial of 1348 had expired at Easter, 1351.

After the end of the grant of 1348, process had been begun by the
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In spite of the care exercised by the commons to provide for every contingency, there are two instances where further general instructions prove necessary. As a result of complaints to the court of exchequer of embezzlement of the penalties per diversas ministros Regis, it is provided that the justices of labourers, in addition to the delivery of their estreats to the collectors, shall send duplicates to the exchequer and it is explicitly declared that the collectors must account at the exchequer for levying the penalties in aid of the communities in accordance with the estreats; but they are reminded that whatever has not been levied at the time of the expiration of the subsidy shall go directly to the king. It is to be noted that this additional safeguard for accounting is offered as an amendment to the provision of the statute of labourers for the disposition of the penalties, instead of to the provision of the grant of 1352; it is, therefore, clear that the clause in the statute, while apparently intended only for the subsidy of 1348, was held to apply to the new subsidy also; the significance of this fact lies chiefly in the method of dealing with arrears, as will be seen later.

exchequer against the justices of labourers for the delivery of their estreats (cf. pp. 44, 132); but on 9 Feb., 1352 the treasurer reported to the barons the new grant to the treasurers and stopped the execution of the writs against the justices. Cf. Mem. L. T. R., 26, Hill., Communia, rot. 5. Anglia; "De non distringendo iusticiarios pro liberacione extractarum de seruitoribus:" "Memorandum quod Rex ad peticionem communitatis regni in instanti parlemento concessit eidem communitati quod omnes denarios etc." The estreats for Essex, already delivered, are sent from the exchequer to the collectors in accordance with a writ of the great seal dated 2 March addressed to the treasurer and barons, and enrolled in Mem. K. R., 26, Pasch., Breu. Baron., rot. 1; "Pro Leone de Bradenham et Iohanne de Depeden." Similarly, the estreats for Dorset are sent to the collectors; Mem. K. R., 26, Hill., Breu. Baron., rot. 28; "Pro communitate comitatus Dorset.

The other instance to be considered is a question of the interpretation of the terms of the grant. The exchequer had refused to permit the collectors in Buckinghamshire to include in their allowances to that county the penalties under the statutes of labourers imposed by the justices of the court of king's bench; on complaint of the collectors, the king issued a writ to the treasurer and barons informing them that penalties under the statutes of labourers imposed by all justices, whatever the court, belonged to the communities in aid of the subsidy.1

From this summary of the specific instructions given to the officials concerned with this grant, it is easy to see that the second experiment has remedied all the obvious elements of weakness of the council's measure,2 and, by greater explicitness as to the administrative details, marks an advance also over the provisions of the statute of labourers. Leaving for a later section the discussion of cases of actual misappropriation by officials and also of the relation of the amount of the penalties to the amount of the tax, the practical working of the scheme must now be examined as it is revealed in the original accounts of collectors and justices and in documents connected with these accounts, and also in the various exchequer enrollments.3

The normal sequence of events in each county is as follows: the total amount of the profits arising from the sessions of the justices of labourers is ascertained.4 and then

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1 App., 275-276; 328-329. The exceedingly large amount of the penalties in this county is perhaps explained by this decision. It is to be noted that arrears are included; the list goes back to Easter term, 1349, evidently an error, as the ordinance was not proclaimed until June of that year.

2 See preceding section, pp. 104-105.

3 See app., 255-258; 312-314, for an account of these documents.

4 To this total must be added the sum of the penalties from the two upper courts.
before the joint committee can proceed to make the apportionment, the sum due as salaries to the justices is subtracted from this total,\(^1\) in accordance with writs under the great seal to the collectors bidding them pay these salaries at a specified rate per day.\(^2\) The collectors receive receipts from the justices which they show when rendering their account at the exchequer.\(^3\) In cases where the total penalties are only just enough for the salaries,\(^4\) or do not even cover these,\(^5\) the communities can, of course, receive nothing; when, however, there is a surplus beyond the salaries, the apportionment is made on the oath of the collectors and twenty-five or thirty elected representatives from the county, and with the advice or the assent of the justices,\(^6\) acting on the reported needs of the various districts. The resulting schedule states the exact amount that each district is to receive in penalties and is turned over to the collectors together with a copy of the estreats for which they give receipts to the justices, while a duplicate copy is sent by the latter to the exchequer. The collectors now pass on to the subcollectors in each district (who are often the constables), the estreats of the penalties imposed in that district, together with the memorandum of the amount “allowed” it in penalties by the committee of apportionment. It is evident that each district might receive as an allowance the exact sum to be levied on it in penalties; in this case, the subcollectors’ task is to collect the penalties and the difference between their amount and that of the tax, so that the total to be raised by them is no greater than according to the original assessment; but it is equally evident that with the plan of giving most aid to the neediest districts, the subcollectors, while sometimes receiving a larger sum of penalties than they had been forced to collect, might also have to levy a larger sum than would be “allowed” their district, and thus would have additional labour with no corresponding benefit. The Colchester case, which will be referred to later, is an excellent example of the friction naturally arising from such a situation.\(^7\)

The existence of several of the original schedules of penalties imposed by the justices\(^2\) (probably the duplicates called for by the exchequer) makes possible a direct comparison with the memoranda of apportionment and seems to warrant the inference that the simpler method of the statute was the more usual; that is, the “allowance” to each district normally equalled the sum imposed in penalties within that district.

After receiving from the subcollectors the quota due from them, the collectors make up their accounts in various ways. Very often they give the amount of the tax,
district by district, and then, after the total, add a formula which varies in details, but is substantially as follows: *infra quas summas continetur . . . .* (figures) *de finibus, exitibus et amerciamentis servientium et operariorum, sicut memoratur in quodam rotulo rotuli de particularibus huius compoti consuto.*

The additional *rotulus* (when it has often disappeared), shows the share of penalties received by each district, and is either in the form of the original memorandum of apportionment or of a schedule of the amount of the estreats delivered to each set of sub-collectors; sometimes the two sets of figures, tax and penalties, appear on consecutive membranes, with no distinct *rotulus.*

Very commonly, however, on the membrane containing the tax account, the collectors add, opposite to the amount of the tax for each district, a formula somewhat as follows: *inde de X ma et X'\,\,\,ma . . . .* (figures), *de excessu laboriorum . . . .* (figures). In accounting at the exchequer for the tax and for the penalties the collectors must show receipts from the justices for the payment of their salaries and also from the subcollectors for the distribution of the penalties; several bundles of both types of receipts are in existence. Thus, an action is brought against the collectors of the West Riding, because in accounting for the distribution of large sums of penalties, they had shown no acquittances; they finally produce in court 449 receipts signed by constables and various others, which are not accepted as valid until investigated by a commission of the exchequer. If the collectors are not able to answer for the penalties, they add at the end of their accounts a sworn statement as to the reason; the justices had failed to make the apportionment, or had held no sessions, or had delivered the estreats too late, or very frequently had not delivered them at all. It will appear later that the collectors must often be accused of perjury; but occasionally it is the justices who, on being summoned before the exchequer, admit that they have been the delinquents.

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1 See p. 119, note 1, for reference.
2 Lay Subs., 77, 20, Bucks., third collection: the justices "sessionem suam super ordinacione et avisamento inter cos (i.e., collectors) et alios de communitate eiusdem comitatus ad distribueni particulariter per villatas, civitates et burgos comitatus predicti iuxta formam, vim et effectum statuti inde editi in auxilium x\,\,\,me et x\,\,\,me predictarum nondum feecerunt in comitatu predicto, vt dicit super sacramentum suum."
3 Lay Subs., 90, 16, Cumberland, first collection: "Iusticiarii de huiusmodi servientibus, operariis et artificibus in comitatu predicto non sedent."
4 Lay Subs., 14, Worcester, first collection: "Extacte iusticiariorum huiusmodi operariorum, servientium et artificum, ex die Lune proximo post festum Purificacionis beate Marie anno xxvii per iusticiariorum liberate fuerunt quod propter breuitatem temporis nichil inde leuare potuerunt, vt dicit per sacramentum suum."
5 Lay Subs., 103, 27, Dorset, first collection: "Infra quas summas non respondent de aliquibus denariis provenientibus de finibus, amerciamentis operariorum pro excessu eo quod iusticiari Regis in hoc comitatu nullas extractas dictis collectoribus inde liberauerunt nec idem collectores quicquam leuauerunt, ut dicit per sacramentum suum."
6 Mem. L. T. R., 28, Hill., Recorda, rot. 3. "De collectoribus secundis anni solutionis xv\,\,\,me et x\,\,\,me in Northernydyng allocutis de finibus operariorum:" the justice admits that he had failed to deliver the estreats. *Ibid.*, 28, Hill., Presentaciones, rot. 2 d, Lindsey (Linc.), De die dato; Skipwith "presens hic in curia" admits that he and his companions had not delivered the estreats to the collectors; therefore the latter are "sine die." *Ibid.*, 29, Trin., Recorda, rot. 8 d, Newcastle-on-Tyne; the same statement is made. For the case of London, cf. pp. 136-137.

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1 In collectors' accounts, both original and enrolled, *passim.*
2 App., 323-324: 355.
4 App., 340-342.
5 App., 349. In one case the following system is used: sum of the penalties, 6d.; sum of the tax, 24s.; "et sic deficiunt" 23s.* Cf. app., 361.
6 For the first, *cf.* p. 112, note 2, and for the second, see app., 334-335, and 342-343.
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Their duplicate estreats, too, are not always forthcoming and are sometimes obtained only as the result of exchequer action extending over a number of years. Even if the collectors were zealous in the performance of their duties, it is easy to see that a system involving the ready cooperation of so many different sets of officials, would not always work smoothly. Possible reasons for laxity on the part of subcollectors have already been mentioned; the justices of labourers have sometimes proved remiss in holding their sessions or in delivering their estreats; and in several cases the collectors' excuse for not levying the penalties is that the sheriff and his subordinates had not assisted them. In view of all these difficulties, and also of the fact that the payment of the full amount of the tax could not, of course, be delayed, it is evident that, even not including cases of actual embezzlement by the collectors, there would be frequent instances of arrears of penalties.

Without here raising the question as to whether the arrears are due to actual dishonesty on the part of any official, the exchequer method of dealing with them must now be examined, first of all during the period when the subsidy was still running. If, for a given collection, the justices have been dilatory as to their estreats, they are ordered by writ of the treasurer (sometimes at the urgent request of the collectors themselves) to deliver them to the collectors of the following year; if the collectors in accounting prove to have estreats which they confess not to have levied, these estreats are sent (also by writ of the treasurer) to the next set of collectors, who are instructed to levy the penalties in aid of their year of the tax; if the collectors admit having in their possession some portion of the penalties which they had levied but not distributed, two writs are issued by the treasurer, one to the aforesaid collectors ordering them to deliver the money to the collectors of the following year, and the other to the latter bidding them receive and distribute it.

The arrears of the third year belong to the period when the subsidy had ceased to run; for a few months after Michaelmas, 1354, there are instances when the collectors are ordered to levy the penalties according to the estreats and distribute them among the needy districts, but the

\[1\text{App., 287.} \quad 2\text{Mem. L. T. R., 28, Mich., Breu. Ret., d, Hunts.; the coroners are ordered to distrain the sheriff on the ground that vicecomes et ministri sui non sunt intendentes eisdem collectibibus in levying the penalties.} \quad \text{Ibid., 28, Pasch., Recorda, rot. 8; De quaedam summonsone restituta per collectores secundis anni solutionis xev in comitatu Doris'; and ibid., 29, Pasch., Breu. Ret., rot. 2 d, Dorset; the coroners are ordered to distrain the sheriff, John de Palton, on the ground that he had not done his duty in levying the penalties.} \quad \text{Ibid., 29, Mich., Breu. Ret., Shropshire; the king's serjeant-at-arms is ordered to attach the collectors because the sheriff had failed to return the writ.} \quad \text{Cf. also p. 117, note 7 for another instance of a delinquent sheriff and p. 137.} \]

\[3\text{App., 278.} \quad 4\text{In such a case the subcollectors must have been persuaded to levy penalties which were not going to be of any direct benefit in lessening their labours, as they had already collected the total amount of the tax.} \quad \text{App., 279. In the instance here given the first order is merely referred to.} \quad 5\text{28th year; but Michaelmas, 29th year, in the exchequer.} \quad \text{Cl. app., 256.} \]

\[6\text{Cf. Mem. L. T. R., 29, Trin., Status et visus compotorum, rot. 13 d, Somerset; the collectors at this date, clearly after the cessation of the subsidy, make the following statement under oath: "debet xii s. ii d. qui adhuc restant leuandi et distribuendi inter pauperes villatas dicti comitatus.} \quad \text{Ideo de precepto curie presiterunt sacramentum de leuando predictos xii s. ii d. et eos distribuendo inter pauperes villatas dicti comitatus etc., cum ea celeritate qua etc." Finally, in the spring of 1359 indentures are delivered to the exchequer by one of the collectors, containing the correct amount; but the process is continued against the} \]
specification is also made that this is to include only such estreats as had been delivered to the collectors previous to Michaelmas, 1354; now if the tax had been already paid, this is a "rebate" and not an "allowance" system. There is, however, little evidence to show that this practice of dealing with the arrears was usual; on the contrary, it was plainly to the advantage of the crown to interpret rigidly the terms of the grant of the penalties, durant le temps des dites Dimes et Quinzismes; and, as has been said, it was found possible to rule that the clause of the statute of labourers applied to this subsidy. Hence, normally any estreats in the possession of collectors after Michaelmas, 1354, were to be levied for the use of the crown. If money had been levied in penalties previous to Michaelmas, 1354, but was still in the collectors' hands, it was claimed by the crown with the statement that the community had an action of damages against the collector. In doubtful cases it had to be proved that the money had been "allowed" to the community, previous to the rendering of the final accounts of the tax; although apparently it was permissible for the receipts from the constables and subcollectors to be signed later. This interpretation, of course, means that all estreats not delivered to the collectors were claimed by the crown. Perhaps the most noteworthy instance of the stringency with which the exchequer interpreted the statute to the advantage of the revenue of the crown is a case involving deceit on the part of the collectors, where it is finally shown that the community of the county in question had renounced its rights to a share of the penalties in favor of extra payments to certain individuals who had been zealous in helping the collectors levy the tax; it is decided that since these individuals had not received their bonus till 2 January of the 28th year, after the end of the subsidy, they must refund it to the crown.

The Memoranda Rolls are full of actions against collectors to compel them to levy ad opus Regis the estreats in their possession, and likewise of suits against justices of labourers to force them to send into the exchequer back estreats that had not been delivered to the collectors, in order that they might be levied by the sheriff. Owing partly to frequent laxities on the part of sheriffs in executing the exchequer's writs of attachment and distraint, many of these cases drag on for a number of years, particularly those involving actual misappropriation by collectors. The annoyance to the exchequer must have been cumulative as the years went by, and the profit to the crown was probably not great; it is, therefore, not surprising that in 1362, the crown resigned its claim to arrears, in favor of the communities.

2 Statutes, 36 Edw. III, st. 1, c. 14; the immediate cause for the change will be touched on in the next section.
Having thus outlined the main features of the working of the commons' scheme to lessen the pressure of taxation, it is necessary to examine the attempts made by the collectors to defraud the taxpayers of the relief held out to them, and then to endeavor to form an estimate of the net gains accruing to the community in the shape of allowances.

(b) Embezzlement by collectors.—Owing to the assertion by the crown of its rights to the arrears of penalties, the communities, as has been shown, were often deprived of their share of allowances by mere remissness on the part of some official or by delays that, from the nature of the case, were inevitable; it will now appear that they also suffered considerable losses from peculation on the part of the collectors. The justices, having to do only with estreats, had few opportunities for misappropriation, but the collectors, through whose hands the money actually passed, tried various methods of keeping it for their own uses. In view of the thorough system for checking the accounts of the penalties, it is strange that they should have expected to escape detection; it seems almost as if they reasoned that, with the prompt payment of the full amount of the tax, the crown's income from the subsidy would not be diminished by the embezzlement of the penalties and that, therefore, the exchequer would not consider it worth while to bring actions against them. They had, however, failed to count on the eagerness of the taxpayers to secure their quota of allowances, and on the determination of the exchequer to claim all penalties not actually turned over to the communities during the running of the subsidy.

1 See p. 116.
2 For a few instances on the part of the justices, cf. pt. 1, ch. ii, s. 7; in comparison with the large number of justices appointed only a small number have been proved corrupt, but of course there may have been undetected offenses.
3 See pp. 118-119.

It has been said that the collectors were often guilty of perjury and the accusation must be made good. Among the sworn statements made by the collectors at the foot of the tax accounts as excuses for not answering for the penalties, and repeated under oath at the exchequer at the time of the rendering of the accounts, by far the most common is the non-delivery of the estreats by the justices. Unfortunately for the reputation of the collectors, the system of accounting devised by the commons and by the exchequer prevented such an assertion from passing unchallenged. It is proved again and again that these unscrupulous officials had received the estreats and levied the penalties but had appropriated the money to themselves, and under cover of the formula "no estreats" had then raised from each district the full quota of the tax, without giving the community the benefit of an allowance. Detection comes in various ways: the justices in delivering their duplicates to the justices in delivering their duplicates to the...
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exchequer often mention that they have given the other copy to the collectors some months ago; 

sometimes they call the attention of the exchequer to the discrepancy between this fact and the sworn statement in the collectors' accounts; and sometimes they flatly accuse the collectors of having levied and kept the penalties. Often it is not apparent whence has originated the doubt as to the collector's good faith: *suspicato* is the phrase in one case, resulting in a cross-examination of the collectors under oath which elicits a confession of their guilt; in another, *iam accepimus*, followed by a writ to the justices asking them to certify as to the fact of the delivery or non-delivery of their estreats. In one instance, the collectors keep up the pretence of the dilatoriness of the justices to the extent of asking for a writ against them to compel the delivery of their estreats and yet when confronted by them in court immediately weaken and admit that they themselves had lied. The justices on being summoned before the exchequer have so little hesitation in giving the lie to the collectors that it is easy to imagine that when the two sets of officials met on a joint committee of apportionment their relations were not of the pleasantest.

It is also a matter of common occurrence for the collectors, on being challenged for not having distributed the penalties, to admit that although they had received the estreats they had not levied the penalties; while, of course, it is not clear that in all such cases they had hoped after the full payment of the tax quietly to levy the penalties and pocket them, there is frequently evidence pointing in that direction. A more elaborate method of concealing their misdoings is as follows: after levying and appropriating the penalties they would fabricate a detailed memorandum of their distribution, district by district, and this memorandum they would turn into the exchequer when rendering their account of the tax. The weakness of this scheme, if suspicion of their conduct arises, lies in their inability to produce the receipts of the subcollectors or of the constables for the allowances itemized in their falsified accounts. The energetic desire of the taxpayers to obtain their share of relief goes as far as petitions to the king, and results in the appointment of commissions of investigation; but even if the findings are against the collectors, the taxpayers do not get much satisfaction; for it usually happens that the whole matter is not settled until after the end of the subsidy, and under these circumstances the defaulting collectors are forced to make restitution not to the communities but to the crown, though it is added that the former have an action for damages against the collectors.

Recourse is sometimes had to the court of king's bench in order to check the iniquities of the collectors. In one instance a justice of labourers brings action against the collectors in order to obtain his salary; the latter are convicted of having embezzled the penalties, under cloak of the phrase "not even enough for the salaries of the collectors." Recourse is sometimes had to the court of king's bench in order to check the iniquities of the collectors. In one instance a justice of labourers brings action against the collectors in order to obtain his salary; the latter are convicted of having embezzled the penalties, under cloak of the phrase "not even enough for the salaries of the collectors."

1 *E. g.* in the Bucks. case given in app., 301, and in the Northants. case analyzed pp. 125-126.

2 In the Northants. case. 3 App., 392. 4 App., 290.

5 App., 293. 6 App., 287-288.

7 *Cf. e. g.* Mem. L. T. R., 29, Mich., Presentaciones, rot. 8, Lindsey (Line.); prison and fines were efficacious in forcing the collectors to account.

1 *Cf. Mem. L. T. R., 31, Trin., Recorda, rot. 6, Ebor*, "De collectoribus xv et x triennalium de secundo anno solucionis earundem in Westrithyng attachiatis ad rectandum comptum inde;" the collectors are "sine die." In an exactly similar case against the collectors of the third year in the same county (app., 306-312) the latter are imprisoned and fined.

2 App., 310.
such delay resulted in the statutory change made in the disposition of the penalties. 1 Two sets of collectors for Northampton had failed to account for the penalties, in one case, on the plea of "no estreats," and in the other, with no excuse for the omission; but Henry Grene, the justice of labourers, appears in court with the duplicates, and says that all the collectors had lied. The process dragged on until most of the collectors had died, and their heirs and executors, several of them women, were finally distrained to appear to answer for the penalties, their property having been seized by the sheriff. Finally, in Hilary term of the 36th year they come into court and seek delay on the excuse that "memoranda et munimenta sua premisse tangencia sunt in partibus suis sine quibus in premissis respondere non possunt et petunt diem vitlerius etc. ut interim munimenta illa perscrutari possint." Not until Michaelmas of the same year did they appear with a writ of supersedeos issued by the king on 26 November, on the ground of the new statute passed in the parliament that had just sat, giving "arrears of penalties to the communities and compelling collectors to account to the keepers of the peace instead of at the exchequer." 2 A petition to the council printed in the parliament rolls seems to indicate that during these six months the defendants had done something more than examine their

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1 Coram Rege, 27, Trin., Sharenshull, 49, Surrey, Henry de Bekwell vs. the collectors; "de placito quaere cum eisdem collectoribus pluribus mandauerat Rex quod prefato Henrico . . . quinque solidos per diem pro vadiis . . . soluerent vel causam Regi significarent quare mandato Regis alias eis inde directo minime paruerunt, idem . . . spretis mandatis Regis predictis ut acceptit Rex, predicto Henrico vadia sua predicta soluere . . . non curarunt." *Ibid.*, 27, Mich., Sharenshull, Adhuc de finibus; two of the collectors are fined "pro retencione de placito quare cum eisdem collectoribus laboratoribus receptis;" in the counties of Surrey and Sussex, apparently.

2 *E. g.* Pat., 30, pt. 2, m. 20 d, 6 June, "De inquirendo de summis leuitatis per collectores x" et "e x" de excessibus operariorum etc.;" in the county of Wilts. *Ibid.*, m. 3 d, 3 Oct., "De inquirendo de finibus de operarioris receptis;" in the counties of Surrey and Sussex, apparently. In both cases the phrase is "ac iam ex graui querela hominum (of the counties named) intelleximus."
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records. The petition is from the community of Northampton,—one suspects at their instigation,—and makes the plea that the collectors had turned in the penalties together with the tax, but had omitted mentioning them in their accounts,—an exactly contradictory statement from that recorded in the case of one set of collectors. Perhaps the council did not in this instance compare notes carefully with the exchequer, and it is, of course, possible that the original collectors were not guilty though appearances are certainly against them. In any case it seems likely that the inconvenience suffered by these particular heirs had a decisive effect after so many years of similar difficulties, and that the crown decided to relinquish the chance of obtaining the penalties, and thus to bring to an end all the numerous processes still pending.

After this date, all processes of the exchequer for arrears of penalties lapse, and letters patent appointing the joint commissions of the peace and for labourers, now include the power to compel the collectors to account. Nominally, therefore, by 1362, the communities have asserted their right to the arrears of penalties against the claims of the crown, but I am inclined to suspect that the crown yielded only because it had found it impossible to obtain such arrears, and that when the sources for this later period are examined, it will turn out that the communities had obtained merely an empty privilege.

Without a statistical study of the actions against the collectors, it is impossible to ascertain the exact amount of the penalties that through remissness or dishonesty of officials failed to go to the communities, but the fact that so many of the collectors thought it worth while to try to evade the elaborate system of accounting and that, until 1362, the exchequer continued its efforts with persistent energy, shows clearly that the sums were considered important.

(c) A comparison of the amount of the penalties with that of the tax.—In studying the subsidy of 1348, it was disappointing to find no way of discovering the amounts of the penalties that were actually allowed toward the tax, but in the case of the subsidy of 1352, there is fortunately definite information. Although the lack of knowledge of the sum of arrears prevents an absolutely accurate estimate of the total amount of penalties imposed under the statutes during this period, there are in existence sufficient data for a fairly correct calculation as to the sums actually distributed to the communities as allowances, and it is possible, therefore, to gauge the measure of success of the scheme from the point of view of the taxpayers. The authoritative figures for the total sum of allowances obtained by each county are recorded in the enrolled subsidy accounts, and can, therefore, be compared directly with the total tax. The table in the appendix gives the result of this comparison, but it is to be borne in mind that occasionally such accounts have been falsified, notably in the cases of Yorkshire and of Surrey, where by the ruling as to the arrears, the penalties would go not to the communities but to the crown.

The tax was levied in 45 districts: in 37 counties,—Yorkshire and Lincolnshire with three divisions each,—and

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1 Rot. Parl., ii, 406b-410a; the editors print this without a date, evidently by an error, for the original is endorsed: "Cotynham, Bille de parlamento anno xxxvi." (Ancient Petitions, File 17, no. 814.)
2 Cf. e.g., Pat., 36, pt. 2, m. 7 d, 20 Nov.; "De pace conservanda."
3 Penalties not accounted for in time to appear on the enrolled accounts of the final year of the subsidy must be classed as arrears.
5 Cf. two preceding sections, p. 119 and pp. 126-127.
in the Isle of Wight, London, Newcastle-on-Tyne and the city of York; for each of these there were, of course, three collections, so that the penalties should appear in 135 instances. The facts are as follows: in 13 cases, there is no mention whatever of penalties; in 8 cases, varying excuses such as “no sessions” or “no apportionment;” in 46 cases, “no estreats;” but in 68 cases, just half, a definite sum is reported; of these, in two cases the sum was only just enough for the justices’ salaries, and in two others not even enough for this purpose, leaving 64 cases where the communities received their quota of the penalties. With the exception of London, Northumberland, Rutland, Shropshire, Sussex, Westmoreland and York, all the districts benefited by these allowances. The total of the tax for the three years is £114,767 5s. 2d., and the total of the penalties £7,747 14s. 2d. ob. q.,¹ so that the net gains of the whole body of taxpayers amounted to only about 6% of their total burden. The pressure on the wage-earners, however, must be estimated at a somewhat higher figure, while the relation between tax and allowances, county by county, proves to be much more significant than the relation between totals. As to the first point, it is to be remembered that before the apportionments could be made, about £20 ² annually were paid as salaries to the justices of labourers in each county; a rough estimate would make the total of such payments about £800: further there are the arrears which can scarcely be reckoned as much less than a third of the total allowances, possibly in round numbers £10,000.

¹ For a single year the tax is £38,255 15s. ob. q. Cf. Stubbs, Const. Hist., ii, 579-580: “Of the produce of a vote of tenths and fifteenths we have no computation after the reign of Henry III that is trustworthy.” He goes on to name £40,000 as the sum of the lay tenth and fifteenth under Edward III.

² See pt. i, ch. i, s. 6.

would probably cover the total of the penalties imposed under the statutes and levied for the most part from the wage-earning class. As to the second point, it is worth while to quote a few figures from the table; in two cases, the penalties actually equal half the tax, and in seven cases they equal a third, while in others they amount to a quarter or a sixth or a seventh. In the cases where for small districts within the county there is a basis of comparison between tax and allowances, the results are equally significant. Out of the 135 possible instances, there are 28 in which the double set of figures are in existence, covering 21 counties and divisions of counties, or nearly half of the tax districts. The limitations of space have forced me to select at random for the appendix only a few districts within the counties; but even these few give some striking results: for example, the village of Bradeifeld, Essex, is rated to the 15th at 44s. 3d. ob. q., but 40s. is allowed it in penalties, though the estreats to be levied in it amounted to only 29s. 10d.;¹ Hatton, in Lindsey, is rated to the 10th at 23s. 2d., and its allowance is 12s.;² Ravensrod in the East Riding, is rated at 100s. to the 15th and receives 60s. in allowances.³ In the original documents (which deserve to be printed in full) such examples can be multiplied indefinitely, and show clearly that a given small group of taxpayers, who had perhaps been forced to pay exceptionally high wages, might receive full compensation through the lessening of their share of the subsidy. The opportunity was tempting and the utmost advantage was taken of it; for example, the inhabitants of Kingston-on-Hull had apparently made out a strong case for their peculiar destitution, for the council allows them the full benefit of all the penalties under the statutes imposed within the limits of the

¹ App., 337-338. ² App., 350. ³ App., 359.
town, and, in order that none of these penalties should be
distributed elsewhere in the county, forbids any interference
from the justices or collectors of the rest of Yorkshire. The
case of Colchester is one of the most striking that has come
to my notice; the 10th amounts to £26 2s. 9d., but the sub-
collectors are ordered to collect £84 7s. 7d. in penalties,
the difference evidently to go in accordance with the statute
to the next poorest town; the subcollectors, however, raise
the third of the total penalties, sufficient to cover their own
tax and then refuse to concern themselves with the re-
mainder which would, of course, not benefit Colchester. Such a combination of circumstances must have occurred
fairly often: for, in the spring of 1354, when there was
only one more collection of the subsidy, the commons peti-
tion that a surplus of penalties over the tax in a given dis-
trict be distributed at large throughout the county instead
go to the next poorest town. This request is re-
fused, but the fact that it was made is in itself indicative
of the importance attaching to the penalties. That in a
given county the labourers can be made to pay half or a
third of the total tax, even though this is true but rarely,
shows how prosperous is their economic condition; and also
makes plain how much the communities had to gain by the
enforcement of the labour legislation. It seems probable
that the pressure brought to bear by the taxpayers on the
justices and collectors was an efficient cause for the great
regularity with which sessions were held throughout Eng-
land during the running of the triennial and resulted in per-
haps a more thorough administration of the statutes than
was ever again achieved. With the grant of the next triennial, that of the 31st year, another set of penalties in
the place of these was given to the communities. The reasons for the abandonment of the scheme are still to be
sought, but a possible explanation lies in the attitude of the
lords of franchises; their claims and those of the crown
deserve full attention.

2. Period after the cessation of the triennial grants of 1348
and 1352

A. The rights of the crown: Easter, 1351 to Easter,
1352; Michaelmas, 1354, to November, 1359.—At the end
of each of the above triennials, the penalties under the
statutes went to the crown, subject only to the claims of the
lords of franchises, and were levied by the sheriff in the
same manner as were the penalties in other courts of the

1 My view is thus the very opposite from that expressed by Barrin-
ton, quoted p. 100, note 6.
2 The escapes and chattels of thieves and felons convicted before the
keepers of the peace and the justices in eyre; Statutes, 31, st. 1, c. 13.
Mr. J. F. Willard has examined the manuscript sources for this grant
and has acquired much information which it is to be hoped will soon
appear in print. The penalties under the labour statutes were never
again thus used.
3 This had been specified by the statute and by the grant of the sub-
sidy, but would have been assumed even without such a specification.
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Even during the triennial of 1348, the crown had made good its right to that portion of the penalties not coming under the technical head of "excess" and soon after its cessation in Easter, 1351, steps were taken by the exchequer to secure this new source of revenue. In July, instructions were issued to the sheriffs to levy the penalties and to pay out of them the wages of the justices of labourers; by the autumn, it was found necessary in the case of a long list of counties to order the sheriffs to distrain the justices for the delivery of their estreats, but scarcely was the machinery set in motion, voluminous rolls for Essex and Dorset having been already delivered into the exchequer with speedy prospects of rolls for Southampton, when parliament met.

The exchequer process brought in 1357 against the sheriff of Somerset and Dorset, resulting in his imprisonment, quoted p. 11, note 3, illustrates clearly the variety of estreats for which the sheriff was responsible: estreats of the keepers of the peace and justices of labourers for the 24th year; of the justices of labourers for the 27th and 28th years; of the justices of assize for the 28th and 29th years; of the chancellor for the 29th year; of justices of oyer and terminer for the 28th year; of the barons of the exchequer for the 29th year; of the court of common pleas for the 28th year, Trin. and Mich. terms, and for the 29th year, Hill. and Pasch. terms etc.; through a long list. Cf. p. 137, note 7.

The result of the session has been already told; the change in the disposition of the penalties relieved the exchequer and the sheriffs from direct responsibilities for levying the estreats, and called forth writs of supersedeas stopping the processes against the justices of labourers. There is no record that during these few months any payments had been made as salaries to the justices. With the expiration of the second triennial at Michaelmas, 1354, the crown recovered its rights to all penalties under the statutes of labourers, and although it was forced later to part with a portion of the penalties, it never again completely surrendered its rights. These rights have been shown to extend to arrears of penalties not already allowed to the taxpayers. If the estreats have reached the collectors, the exchequer brings action against them by a process already described, but if the estreats are still in the hands of the justices of labourers, up to 1362 the exchequer deals with them exactly as it does with current estreats. In both cases writs are issued by the treasurer to the justices bidding them deliver their estreats into the exchequer; they are then turned over to the sheriff who is responsible for levying them and for accounting for them. The system by
which the justices of labourers received their salaries is now thoroughly worked out and is worthy of note as indicating perhaps the most valuable source for showing the frequency with which the justices were acting. The first step in the process is occasionally a writ of the great seal to the treasurer and barons bidding them order the sheriff to make the payment, but is more usually a writ to the sheriff himself in the form of a letter close ordering him to pay the justices at a specified rate per day or per year out of the issues of their sessions for the days during which they have actually sat. In rendering his itemized account at the exchequer, the sheriff states that in accordance with the writs of the great seal he has paid to each justice the amount due him, showing in each case the justice's receipt; then fol- nal and enrolled, see app., 256-258. In the course of the next reign the more direct method of dealing with the estreats is adopted, like that in use during the subsidy in relation to the collectors; one copy is given by the justices to the sheriffs and the duplicate is sent into the exchequer; see oath of office taken by the justices of the peace, printed in Rot. Parl., iii., 85, quoted p. 42.

1 See app., 368-371, for an example of the successive steps in the whole process.

2 For the references to the enrollments, cf. p. 46, note 3. The series does not begin until the 30th year, since it has been shown that during the subsidy the collectors had paid these salaries; cf. p. 112. In cases where the allowances to the tax had not been duly made the sheriff becomes responsible for the back salaries of the justices; cf. e.g., Mem. L. T. R., 31, Mich., Breu. Irret., Shropshire, where the sheriff is ordered to pay wages to justices of labourers for the 26th year.

3 Memoranda Rolls, K. R. and L. T. R., passim: unfortunately in the series for Somerset selected for the app., 368-371, I was unable to find the desired entry under "Status et visus:" therefore I add here a similar entry for another county. Mem. K. R., 31, Mich., Status et visus, Lincoln: "Facto visu compoti Thome de Fulnetby, vicecomesit, de ultimo dimidio anno xxx . . . . Et vii li. vi s. vii d. quos solvit Iohanni Bushe, vni iusticiariorum ad transgressiones operariorum, seruientium et artificum in partibus de Kesteuen in comitatu predicto puniendas assignatorum, pro vadiis suis pro tempore quo luit intendens sessioni iusticiarie predicte, per breue Regis et literas acquietancie ipsius Iohannis de recepconie. For example of an original receipt, cf. app., 277.

4 Memoranda Rolls, passim. The cases are very similar to those occurring during the subsidy; cf. e.g., app., 299.

5 Mem. L. T. R., 30, Trin., Recorda, rot. 1, Staff; "De comite Staff et alius attachiatis pro extractis laborariorum liberandis." One after another of the nine justices involved appear before the exchequer with various excuses which are readily accepted; e.g., "Et predicti comes et Iohannes de Delues pro se ipsis dicunt vt prius quod huiusmodi extractas non habent penes se liberandas. Dicunt enim quod nulla commissio de iusticiaria predicta deuenit ad manus ipsorum comitis et Iohannis vel eorum alterius nec ipsi vel eorum alter indi aliquo se intromiserunt.

Et predictus Thomas de Swynnerton venit similiter ad dictum cras- tum et dict pro se quod quandoque fecit sessionem suam cum dictis iusticiariiis circa pensionem operariorum predictorum, set dict quod nullo extracte de aliquibus finibus, exitibus vel amerciamentis inde emergentibus deuenert ad manus ipsius Thome." Finally, seven of the nine are "sine die," and in the meantime one justice dies, but process is continued against the executors of the latter and against the one remaining justice and is apparently not concluded as late as Michaelmas term of the 49th year.
tical importance that the excuse of a justice that the letter patent had never reached him or that he had not taken part in the session is accepted as valid; provided that the barons can secure sufficient estreats properly arraiatas, it is a matter of indifference to them as to who of the commission had acted. When, however, as in the case of Northumberland, no estreats at all are forthcoming, it is then necessary that cause shall be shown for failure to execute the letters patent. The episode of Northumberland has been already related; after the cancelling of the second set of letters patent, it did not receive another commission for over a year. The case of London deserves special attention. The ordinance and statute had been promptly enrolled on the Letter-Books, and one of the two earliest recorded commissions is directed to the mayor and sheriffs, as far back as 1349; the next information comes from complaints made in the parliament of the spring of 1354 of the exceedingly high price of provisions in London, followed by suggestions for elaborate administrative remedies, with no mention of justices of labourers. Then, in Hilary term 1355, at the time of settling up the accounts of the subsidy, it appears on inquiry by the exchequer that, in spite of the parliamentary discussion of a few months previous, no one, not even the mayor and sheriffs, knew whether or not there were any justices of labourers. The result is first, a writ to the above officials to enforce the statute, and second, two years later, an enactment that the statute should extend to London, followed by the issue of a commission. The full estreats in Letter-Book G show the efficacy of these attempts. From a study of the actions for estreats one gathers the impression that the sheriff is a decidedly over-worked official, and one is not surprised to find that he is often delinquent; a justice brings suit against him for his wages; the coroners are ordered to distain him for failure to return writs, and there are numerous instances when his plea non vacant potuit is not accepted and he is imprisoned and fined by the exchequer.

2App., 18; this enactment seems superfluous in view of the final clause of the statute of 1351.
4Cf. ibid., loc. cit., for the enrollment of the writ of supersedeas of 4 Nov., 1359, and of the following writ, of 5 Nov., "Breue ad mitten-dum omnia rotulos et recorda de operatis in Cancellariam," and also of the estreats of the penalties from 1 Aug., 1357, to Mich., 1359; these latter are particularly valuable because the occupations of the offenders are given.
5Mem., L. T. R., 32, Hill., Presentaciones, rot. 4, De attornato. Stafford: "Iohannes de Sutton, chivaler, vnus iusticiariorum domini Regis tam de pace quam de operatis in comitatu Staff de annis xxix, xxx et xxxix ponti loco suo Robertum de Sekynton vel Henricum de Puy ad consequendum pro vadiis sua super computum vicecomitis ciu-dem comitatis." In pleno scaccario."
6Cf. e. g., Mem. K. R., 31, Trin., Recorda, Solo'; "De vicecomite attachiato pro debitis Regis non leuatis et variae in responsione sua;" also Mem. L. T. R., 32, Trin., Breu. Ret., Solo'; John de Burton, the subsheriff of Richard, earl of Arundell, sheriff, is here the offender.
7There seem to be serious difficulties connected with the office of sheriff of Somerset and Dorset; John de Patlon and John de Ralegh have both been accused of delinquencies (pp. 116-117, notes 2 and 17); also John de Sancto Land, the guilty sheriff in the process quoted p. 132, note
The only changes during this period made in the disposition of the penalties under the statutes of labourers arise as a result of the claims of the owners of franchises; to obtain a clear picture of the whole process, these claims must be examined in detail.

B. The claims of the lords of franchises.—In discussing the relation of the lords of franchises to the enforcement of the statutes of labourers, the familiar distinction between jurisdiction and the profits of jurisdiction must again be emphasized. In a later section the attempt must be made to describe the conflict of jurisdiction arising between the newly created courts held by the crown-appointed justices of this section. His excuse for his long list of arrears is as follows: “Dicit enim quod in tantum occupatus fuit circa leuacionem aliorum debitorum Regis et expedicionem arduorum negnciorum Regis quod tempus sufficiens sibi non vacat pro leuacione etc., per x menses predictos. Et visis summonicionibus illis, habitaque deliberacione super premissis, quia liquet curie per coynicionem dicti vicecomitis quod habituum tempus sufficiens infra quod leuasse potuit debita contenta in summacionibus predictis, et quod idem vicecomes quasi mercede conductus supersedit leuacioni debitorum predictorum contra debitum sacramenti sui et in damnum Regis, consideratum est quod idem vicecomes, vide- licet, Iohannes de Sancto Lando, aedat prisonam, et committitur prisone de Flete. Postea fecit finem cum Rege per c. s. (Finis c. s.) pro transgressione predicta.”

In List of Sheriff, he appears as John de Sancto Laudo. Cf. also Mem. L. T. R., 33, Mich., Recorda, rot. 19 d. Somerset’, “De vicecomite ad iudicium eo quod non leuauit debita per quandam summacionem leuabilla.” Turbervill’s excuse for not levying the estreats sent him by the justices of labourers is as follows: “quod oneratus fuit de alius debitis leuandi per diversas alias summaciones sibi directas et de alius execucionibus faciendis pro Rege, causa diversarum sessionum iusticiariorum... a tempore quo recepti summacionem predictam quod circa leuacionem debitorum... vacare non potuit. Et queso ad eodem vicecomite quo die recepti summacionem predictam, dicit quod eam recepti apud Somerton duobus annis iam elapsis et amplius.” The court decided that the time was sufficient if he had wished to perform his duty.

1Hist. and Antig. of the Exchequer, i. 540-541. Cf. also Pollock and Maitland, Hist. Eng. Law, i. 582. Among the more exalted seignorial powers of jurisdiction are included: “Amerciamenta hominum. The lord has a right to the amercements of his men, even though those amercements are inflicted in the king’s court. The amercements are paid into the royal exchequer, and then the lord petitions that they may be paid out to him.”
that the application of these penalties in aid of the triennial of 1352, shall include those to be levied *si bien deuez Franc-
chises come dehors;* although the king's answer includes the proviso *causes a chescun Seignur leur franchises sans nulle emblemenissement,* a study of the tax accounts (already described in detail) has shown no evidence that the lords obtained any portion of the penalties. Further, the king's answer to a petition as to the distribution of the penalties, presented just when the subsidy was about to expire, ends as follows: *Et si finera le terme du grant du dit excessus al Seint Michel proschein a venir, apres quel terme eit chescun Seignur sa Franuchise tiele come il avoit devant.* From the evidence just presented, it seems a fair inference that the lords were considered by the crown to have certain claims to these penalties as well as to others; that these claims were, however, not recognized during the running of the two subsidies, and that the short gap between the two was not sufficiently long for the matter to come up, but that, after Michaelmas, 1354, the question would have to be dealt with by the exchequer. Since a clause in the charters granted to the conspicuous franchise holders included the right to levy through their own agents and for their own use the various forms of penalties imposed on delinquents proved to be "their men and tenants," it was naturally assumed that such a clause would include the penalties under discussion, the importance of which had been made thoroughly clear during their application to the subsidies. That the lords were not slow to perceive the possibility of advantage to themselves is proved by the appointment, undoubtedly at their instigation, of special justices of labourers to act within their liberties as distinct from the county at large,—obviously a great gain to the owners of the liberties who could thus levy the penalties with much less effort than if the estreats relating to their own tenants were to be mixed up with those for the county. For 1354, just before the end of the subsidy, there are five such commissions, for 1355, three, and then between March and November of 1356, eighteen, nearly half of the total of forty-two commissions for that year. For the first twelve or eighteen months after the end of the subsidy the exchequer was fully occupied in collecting the arrears of penalties, none of which belonged to the lords, but toward the end of 1356, traces of this new disposition of the penalties would naturally appear. The sudden increase during the spring and summer in the number of the special commissions, is perhaps the result of the crown's acceptance of the rights of the lords; these rights are certainly implied in the phraseology of the writs for payment of wages to the justices of labourers, issued the previous February, 1356: *de finibus, redempcionibus et exitibus tam ad magnates et alios virtute libertatum eis per nos et progenitores nostros concessarun . . . quam ad nos pertinentibus.* It is noteworthy in view of the later discussions that *excessus* is omitted. A few months later, however, just at the time of the greatest increase in the number of special commissions, a test case comes up in the exchequer so important in its results that its history must be given.

The archbishop of Canterbury, relying on a royal charter bestowing on his predecessors and their succes-

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1 *Rot. Parl.*, ii, 238a; cf. p. 107, and notes 2 and 3.
2 *Rot. Parl.*, ii, 238a; cf. p. 130.
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sors the familiar right to penalties imposed on their "men and tenants," even though in the king's courts, had, according to custom, claimed these penalties at the exchequer, and had been met with a refusal on the part of the barons to allow him those imposed before the justices of labourers. The archbishop complained to the king and succeeded in obtaining a writ of the great seal directed to the treasurer and barons, dated 18 October, 1356, bidding them either make the allowances or send to the king immediately a certified statement as to their reason for refusal. The barons chose the latter alternative and quoted the clause of the statute of labourers to the effect that after the end of the subsidy the penalties including excessus were to be levied ad opus Regis and that this clause precluded the possibility of any other disposition of the penalties. The matter evidently caused considerable discussion in the king's council and was too important to be settled instantly by that body; therefore, on 28 October, another writ is issued to the barons bidding them delay proceedings until the meeting of the next parliament, still some months off, in order that the whole question can be there more thoroughly discussed. As a matter of fact, during the interval, the agitation must have continued, for on 8 February, a writ of the privy seal directs that all the special commissions of labourers shall be repealed on the ground that from them tout filein des mals et erreurs sont auenus,—perhaps a reference to these difficulties in the interpretation of the law. The substance of the writ appears in the conclusion of the new form of the commissions and the list of justices of labourers issued during the same month omits private jurisdictions. The rolls for the parliament of 10 April-16 May 1357 are, most unfortunately, lost, so that no echo of the fuller discussion reaches us, although its positive results remain in the form of two statutes: the first grants a triennial tenth and fifteenth but specifies that this time an entirely different set of penalties is to go to the communities in aid of the tax; the second adds to the clause in the statute of labourers, quoted by the barons, the amendment that lords whose charters give them fines, issues and amercements shall henceforth, as is their legal right, have fines, issues and amercements under the statutes of labourers, provided that they contribute their share to the salaries of the justices. The series of documents for the payment of justices' wages now include this proviso. The barons, therefore, while forced to admit the legality of the lords' claims, succeeded in diminishing their profits to this extent, and as will appear, made use of a technicality for still further diminishing them. It seems more than probable that during the subsidy the value of these special penalties had been forcibly realized by the lords, and that by a successful as-

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1 Statutes, 31 Edw. III, st. 1, c. 13; cf. p. 131, and note 2.
2 App., 18.
3 E. g., Claus., 33, m. 8, 11 Nov.; a writ to the sheriff to pay the wages of two justices of labourers in Oxfordshire runs as follows: "Proviso quod domini libertatum qui proficuum de finibus, redempcionibus et amerciamentis predictis iuxta libertates suas percipiunt, vadis illis pro rata profici per ipsos inde percepi contribuant, iuxta formam statuti inde proouisi." The same phrase appears also in the writ to the barons to allow this payment in the sheriff's account; Mem. K. R., 34, Mich., Breu. Baron., rot. 15 d. Evidently the lords often failed to pay their share; e. g., the sheriff of Staffordshire accuses the duke of Lancaster of neglect of his duty, and the duke pleads guilty and promises to pay; Placita de Scaccario, 34 Pasch. Similar instances occur passim throughout this roll.

1 App., 31.
2 App., 25-27; 41. These commissions are dated three days earlier than the writ of privy seal, presumably by a clerical error. In a note

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sertion of their claims to a portion of them, they prevented a third grant to the communities.

The procedure is now as follows: a given claimant obtains from the king a writ to the treasurer and barons ordering them, in view of a royal charter and in accordance with the new statute, to make from time to time such allowances as are due. The claimant, having previously received from the justices of labourers the estreats of the penalties imposed on his tenants, sends into the exchequer the schedule of names and amounts, and appears yearly in person or through his bailiff or attorney at the time that the sheriff is rendering his account, and claims that he has a right to levy for his own use and through his own agents the sums noted in the schedules. When the claimant has demanded a specific amount, three points must now be proved to the satisfaction of the exchequer before it can make the due allowance in the sheriff's account: 1. the delinquents named must be shown to be tenants of the claimant; 2. the penalties must be shown to have been imposed subsequently to the opening of the parliament in which the new statute had been made; 3. the penalties must be shown to be fines, issues, and amercements but not "excess," for it is asserted by the barons that "excess," not being mentioned in the charters, goes to the crown direct. It is worth remembering that on a previous occasion the exchequer's insistence on this distinction in just the reverse way had served the purpose of increasing the income of the crown. As to the first of the three points mentioned, the sheriff must report under oath to the barons, but in the case of the last two, the claimant must obtain a royal writ, addressed this time to the justices of labourers, bidding them send into the chancery certified statements as to the date of the penalties and the separation of fines from excess; these certificates are then sent to the barons with still another writ of the king, ordering them to act as the law demands. The data are now all before them, and they proceed to make the allowances or not, according to the circumstances of the case, the final outcome, of course, being recorded on the Pipe Roll. If a given claimant has an adverse decision or if he fails to prosecute his claim within the limit of time assigned, he is liable to be sued by the exchequer for the amount claimed tantum de claro debito.

Charter granted by king Henry shows that the abbot of Westminster and his successors "habeant omnes fines proprio rum hominum suorum ex quacumque causa venerint et coram quibuscumque iusticiariis facti fuerint. In qua quidem carta nulla fit mentione de aliquibus excessibus . . . ."

1 App. 382-383.
2 App. 383-384.
3 App. 386; see also writ attached to the Warwick roll, app. 210-217.
4 App. 384-386; the purpose of the writ to the justices quoted p. 64, note 3, was to order them to make this distinction between fines and excess.
5 App. 386.
6 App. 387-388.
7 Mem. L. T. R., 34, Trin., Precepta, De summis balliourum, Surr. Sussex. In regard to the claim of the archbishop of Canterbury to certain penalties before the justices of labourers he is ordered to obtain the usual certificate from the justices: "Inniucumque est idem archiepiscopo quod interim sequatur quod certificacionem dictorum iusticiariorum habeat hic ad dictas octabas aliquin tune fit executio versus ipsum archiepiscopum de predictis xi li. xviii d. tanquam de claro debito." Cf. also Mem. L. T. R., 35, Mich., Precepta, rot. 8 d, in regard to a similar claim of the abbot of Westminster: "Ad quem diem predictus abbas non prosequitur allocacionem de predictis xii li. xiii s. vi d. de quibus oneratus est . . . . Ideo fiat executio ad opus Regin de predictis xii li. xiii s. vi d. . . . ."

Cf. also app. 384.
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Although the test case as to the primate had resulted in a statute admitting that \textit{de jure} these penalties belonged to the lords, it is to be noted that the exchequer succeeded in the contention that the penalties for the period between the end of the subsidy and the enactment of the amending statute belonged to the crown. Instances occur when lords who, during this interval had levied the penalties for their own use,—undoubtedly acting in good faith, especially in regard to those imposed by the special justices serving within their liberties,—were obliged to refund the amount to the crown. The case of the duke of Cornwall is to the point; he acknowledges that he had levied the penalties in Oxfordshire and Berkshire during the years just before the new statute and is charged with the amount; \textit{a similar confession for the county of Northampton has similar results.\footnote{Mem. L. T. R., 32, Mich., Precepta, rot. 7, Oxford and Berks.}} The sheriff of Bedfordshire and Buckinghamshire says that he ought to have levied the penalties for several years past within the liberties of the duke in the honour of Wallingford and Berkhamsted but has not done so because the duke had already levied them. The duke admits the truth of the statement and is charged with the amount.\footnote{App., 379-382.} A brief reference has been already made to the unusually large number of claims to penalties made by the magnates of the counties of Warwick and Leicester, after the statute of 1357, and to their impatience at the necessity of separating fines from excess as well as separating estreats of sessions of the peace from those of sessions for labourers; it seems probable that these complaints were the decisive factor in bringing about the consolidation of the two commissions.\footnote{Mem. L. T. R., 32, Hill., Precepta, rot. 6 d, Bedf. and Bucks.; special justices were appointed within this liberty of the duke on 26 March, 1356; app., 140.}

In addition to the claimants who have based their claims on charters including the right to \textit{amerciamenta hominum}, there is also a small group, which, lacking any such general franchise, receives from the king during this decade, for either a limited or an indefinite period, specific grants of the penalties under the statutes; to this group belong the king's two sons, Edmund\footnote{Pat., 32, pt. 1, m. 3, 23 June, "Pro Edmundo de Langele, filio Regis;" also ibid., m. 2, on the same date. The grant is in aid of the repairs on his castle of Coningsburg and other buildings.} and John,\footnote{Pat., 32, pt. 1, m. 4, 27 June, "Pro comite Richemundie;" the fines are in aid of repairs on his castle of Richmond and other buildings: "habenda, leuanda et percipienda per manus balliuiorum seu ministrorum dicti comitis per extractas iusticiariorum predictorum eiusmod balliuis seu ministris liberandas, quamdiu nobis placuerit absque aliquo nobis inde reddendo." Cf. also Writs of Privy Seal, Chancery, Series I, File 374, no. 23, 870, 27 June, 32 Edw. III.} and the Carthusians of Henton and of Witham,\footnote{Chester Recognizance Rolls, no. 41, m. 2, 18 Dec., 32 Edw. III; "Carta abbatis de Valle Regali de finibus et amerciamentis operarium et artificum." The grant is said to be "de gracia nostra speciali et in opere caritatis."} the latter obtaining their privileges as a result of complaints to the king of their peculiar difficulties. It is interesting to see that within the palatinate of Chester the prince of Wales makes an exactly similar grant of the penalties to an abbot.\footnote{See e. g., Mem. L. T. R., 35, Pasch., Recorda, rot. 10, Norfolchia, "De Iohanne comite Richemund' de clameo finium et amerciamentorum operatorium." Cf. p. 144, note 2. The letters patent are of course enrolled in the course of the process.} The legal aspect of this type of claims involves no special problems and the procedure is the same as that already described;\footnote{Pages 23-24.} but it is significant that even here the "excess" is not included.

To obtain accurate knowledge of the exact number of the claimants and of the amounts they finally received, and of the relation of these amounts to the total

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revenue from these penalties, a careful statistical study should be made of the cases on the Memoranda Rolls and of the corresponding entries on the Pipe Rolls. Some thirteen claimants by charters have come under my observation. Ecclesiastics and the king's immediate family dividing between them the gains resulting from the statutes; \(^1\) the former include the primate,\(^2\) five abbots,\(^3\) and three bishops,\(^4\) while Edward, as duke of Cornwall and as prince of Wales\(^5\) figures almost as frequently as his cousin, Henry of Lancaster;\(^6\) the two queens make up the list.\(^7\) Even through the medium of this imperfect study of the claims of the lords of franchises it is possible to see the importance attached by them as well as by the crown, to the penalties under the statutes of labourers.

In coming to the end of the subject of the penalties, there

\(^1\) There is in the Record Office a manuscript list which I neglected to examine in which is recorded an abstract of the claims of the lords to fines in general; cf. Scargill-Bird, Guide, 339. My list may easily not be complete; and I give merely a few references to the processes on the Memoranda Rolls, in order to show the procedure in use.

\(^2\) App., 378-379; special justices had been appointed within his liberties; app., 140.


\(^6\) *Ibid.*, rot. 15, Lincoln'.

\(^7\) Isabel. Mem. L. T. R., 31, Hill., Precepta, rot. 6, Notts. and Derby; Philippa, *ibid.*, 34, Pasch., Precepta, Kent. These last four had special justices; app., 140-141.

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are two aspects that need special emphasis: first, that the exchequer maintained a persistent control over the proceedings of the justices of labourers through its determination to secure the penalties; and second, that the king and council were acting steadily in close connection with the exchequer and in supervision of it. Frequently it has appeared that royal writs stopped exchequer action in a given case; and it is, of course, to be remembered that the treasurer was a member of the council.\(^1\) The figures of the amounts of the penalties as far as they have been ascertained and the eagerness to establish a right to the penalties shown by the taxpayers in relation to the subsidies, by the lords in their claims and by the exchequer at every stage, give a vivid impression of the importance of the statutes in the eyes of the community and afford conclusive proof that they were not at this time dead letters. The justices of labourers who were clearly doing their work with effectiveness and with an honesty not below the general standard of contemporary official morality, must be regarded as an important factor in local administration.

\(^1\) *Cf. e. g.*, Mem. L. T. R., 33, Hill., Breu. Ret., Norf', a writ to the justices of labourers ordering them to deliver their estreats into the exchequer, "vt execucio pro leuacione finium . . . fieri valeat," signed "per ipsum thesaurarium et alios de consilio." Also Mem. K. R., 24, Trin., Commissiones, etc., York, W. R. and N. R., a writ to the barons bidding them see that the collectors account, signed "per ipsum thesaurarium et consilium."
PART II

THE ENFORCEMENT OF THE STATUTES OF LABOURERS IN THE OLD LOCAL COURTS AND IN THE CENTRAL COURTS

The organization by the crown of the office of justice of labourers for the express purpose of executing the new labour laws is not the only method by which they were enforced. They are included as a matter of course in the jurisdiction of the court of king's bench and of the court of common pleas; but it is by no means equally obvious that they would also come within the competence of the old local courts. The relation of these latter courts to this national legislation must now be considered.
CHAPTER I

THE OLD LOCAL COURTS: COMMUNAL COURTS OF THE COUNTY AND OF THE HUNDRED; SEIGNIORIAL COURTS, FEUDAL AND FRANCHISE; MUNICIPAL COURTS

From the point of view of the administration of law, the most striking phenomenon of the fourteenth and fifteenth centuries is the development of the justices of the peace, and the gradual transfer to these crown-appointed and crown-controlled officials of all the more important powers of the old local courts of the county, the hundred, and the manor.\(^1\) As part of the same movement of concentration in the hands of the central government of control over questions formerly left to local authorities, must be regarded the short-lived experiment of the establishment of a separate set of crown-appointed officials for the regulation of economic matters. An account has already been given of the process by which the justices of labourers were finally merged in the justices of the peace and the enforcement of the economic legislation became a permanent part of the duties of the latter.\(^2\) The long transition period, lasting at least a hundred and fifty years, during which the two series of courts, quarter sessions and the old local courts, existed side by side, must contain many instances of duplication of machinery and of conflict of jurisdiction, involving exactly

\(^1\) Beard, _Justice of the Peace_, 16-17. The decay of the old local courts included a decrease of the judicial and police functions of the sheriff; cf. Medley, _Eng. Const. Hist._, 392-393.

\(^2\) Pt. i, ch. i, ss. 1 and 2.
the same problems that arise within the first ten years after the Black Death. During this limited period and for the present subject it is the relation between the old courts and the separate sessions of the justices of labourers that is especially important, since the joint commissions of the peace and for labourers were in force for only a small part of this period.

In dealing with this problem there are two specific points to be settled. First, what portion of the substance of the ordinance and the statute was already, previous to 1349, being enforced by the local authorities? Second, did this national legislation come within the competence of the old local courts? The material for an exhaustive discussion of these two points exists in abundance and deserves the fullest examination; my conclusions are unfortunately based on a very insufficient study of the sources, and must be regarded merely as tentative and indicative of the direction that future research should take.  

The provisions of the ordinance and statute fall naturally into three main groups: the restrictions on wages and prices; the interference with the mobility of the labourer; the enforcement of the contract between employer and employee.  

The first of these, as related to the whole mediaeval theory of reasonable price, has attracted the greatest share of attention from economic historians. In their endeavor to connect these provisions with earlier ones of a similar type they usually lay stress on the assizes of bread and ale as examples of economic regulations made by the central government and applied to the kingdom as a whole, although enforced in the local courts, the sheriff's turn, and the leet, either seignorial or borough. Still more direct antecedents of the wages and price clauses of the ordinance and statute are the regulations of the craft gilds and of the municipal authorities. The earliest limitation of wages that I have seen was issued by the London authorities in the twelfth century or even before, and affects various artisans in the building trades. During the next century and a half, regulations either drawn up by members of trades and approved by the London municipal authorities, or originating with the latter, follow each other in quick succession. They include prices of victuals, and

\[^{1}\text{Introduction, p. 3, note 2.}\]

\[^{2}\text{Among the presentments in the leets and turns there are "those never ceasing breaches of the assizes of bread and beer." Pollock and Maitland, Hist. Eng. Law, ii, 519-520.}\]

\[^{3}\text{By prescription or by special grant certain lords claimed the view of frankpledge and the right to hold a court co-ordinate with the sheriff's turn. "The lord who has the view usually has the assize of beer, more rarely the assize of bread also." Ibid., i, 580-582.}\]

\[^{4}\text{Ibid., i, 657-658; cf. also Records of the Borough of Nottingham and Leet Jurisdiction in Norwich.}\]

\[^{5}\text{For an account of this subject, see Gross, Sources of Eng. Hist., under Boroughs, Gilds and Municipal records in index; also his Bib. of Municipal Hist. In a recent monograph on the Eng. Craft Gilds and the Government, Miss Kramer maintains that the municipal authorities authorized and approved the gild ordinances.}\]

\[^{6}\text{"De conditione operariorum;" printed by Cunningham, Growth of Eng. Industry and Commerce, i, 567-568.}\]

\[^{7}\text{Easily available in the Calendars of the Letter-Books of the city, edited by Sharpe, and in the volumes edited by Riley, Memorials of Lond. and Munimenta Gildhallae, including Liber Albis, Liber Custumarum and Liber Horn. Lib. Cust., in Mun. Gildhallae, ii, 86, contains an}\]
wages in many crafts, the givers as well as the takers of excess rates being liable for penalties. The point to be emphasized is the striking similarity between the phraseology of these local regulations and that of the national enactments. It is especially noticeable in the regulations for glovers of January, 1349, which refer in general terms to the rates prevailing a few years ago, and were, as the date shows, issued but five months before the great ordinance. Similarly, the specifications of 1350 of rates of wages for carpenters, masons etc., might easily be inferred to have served as models for the corresponding specifications in the statute of labourers. Although the prices of victuals seem to have been constantly supervised in the leets, both borough and seignorial, and in the sheriffs' turns, specific rates of wages were established and enforced only by the gilds and by the town authorities, and therefore concerned artisans alone. Previous to the ordinance, wages of agricultural labourers were apparently regulated by custom only, and no instance has come to my notice of the promulgation of a definite rate.

The interference with the mobility of the labourer resulting from the new legislation consists partly in the actual ordinance as to wages issued as early as 1212. Toward the end of the same century a royal writ orders the observance of the prices and wages ordained by the common council of the city; Lib. Albus, in Mun. Gildhalliae, i. 251, 269 and 334; Cal. Letter-Book A, xi.

1 Cal. Letter-Book F, 200; translated and printed in Memorials of Lond., 245-247. Denton, Eng. in Fifteenth Century, 311, refers to an ordinance of Fitz Alwine, mayor of London, as the origin of the ordinance of labourers of 1349. He may have meant the regulations of 1212, given in Lib. Cust. (cf. supra, note 8), but I see no evidence for Denton's theory.

2 Cal. Letter-Book F, 212; printed in Memorials of Lond., 253-258.

The wording of the ordinance of 1349 shows clearly, however, that previous to the plague certain customary rates had been generally accepted as normal.

prohibition of departure in summer from the residence of winter, and partly in the implication of the compulsory service clause, which insisted on the acceptance by a labourer of work, if offered at the legal rate, and thus forbade his going forth in search of higher wages. Of the practical results of villein status none is more obvious than the fact that a villein is adscriptus glebae and has no right to leave the manor. The enforcement of the lord's authority in this matter was within the competence of the manorial courts, and their rolls are full of instances of the flight of villeins, of orders to attach the fugitives, and of records of payment of chivage for license to live outside the manor.

It is worthy of note that previous to 1349, restrictions on the mobility of the free labourer, whether working in agriculture or in handicraft, or on his right to be an idle vagrant if he chose, had not been imposed in any court; in fact, one of his most essential privileges had been that he could go whither he liked, provided of course that he was not breaking a contract. This brings up at once the question of the provision of the ordinance for the enforcement of contracts between employer and employee, a provision that has been strangely neglected by commentators.

At this date unwritten contracts could not be enforced

1 Vinogradoff, Villainage in England, 77, 143, 157-158; Page, End of Villainage, 10-12.


3 Vinogradoff, op. cit., 77, 79, especially note 3, and 143. It is not within the scope of this monograph to discuss the problem of the extent to which the process of commutation of services at this date had gone, or the question of the existence of the free agricultural labourer; cf. Page, op. cit., passim, for the whole subject. The provisions of the ordinance and of the statute certainly imply a widespread system of money wages.
in the courts of king's bench and of common pleas; it remained for the fifteenth century gradually to evolve the action of *assumpsit* as a common-law remedy in such cases. There is, however, abundant evidence to show that contracts of this type came under the jurisdiction of the old local courts, of the manor, of the hundred, and of the borough. A few instances must be quoted that are dimained for the fifteenth century gradually to evolve the local courts, of the manor, of the hundred, and of the action of tracts of this type came under the jurisdiction of the old

There is, however, abundant evidence to show that contracts of this type came under the jurisdiction of the old local courts, of the manor, of the hundred, and of the borough. A few instances must be quoted that are directly concerned with the covenant between employer and employee. In 1275, in the abbot of Ramsey's court in the Fair of St. Ives, a servant who admits breach of contract with his master, is ordered by the court to complete his term of service; in 1301, in the court of the manor of the lord of Ruthin, actions are brought, under the head of breach of contract, against a servant for departure within the term agreed upon, and against a master for enticing the servant from the service of the plaintiff; in 1318, in the bishop of Ely's court at Littleport, actions for breach of contract against a seamstress, and against a carrier of sedge, both result in damages for the plaintiffs. The evidence from boroughs is equally conclusive; customals of the twelfth and the thirteenth centuries discuss breach of covenant on the part of a nurse, also of a weaver, and forbid the hiring of servants who are in the service of another. It is clear that these *convenciones* were not in writing or under seal; in fact, in one of the above instances witnesses to the engaging of the servant are advised in order that there should be no difficulty in proving the contract. The London regulations as to wages usually include the prohibition of

1 *Ruthin Court Rolls*, edited for the Cymmerodorian society. 7 am indebted to Mr. Turner for this reference.

2 *Court Baron*, 115.

3 *Borough Customs*, ed. M. Bateson, i, 215.


5 Ibid., i, 217. Cf. also ibid., ii, introduction, lxxx: "The special characteristic of the borough law of agreement, as contrasted with the common law of the fourteenth century, was its acceptance of the validity of the *fides facta* as sufficient to bind a bargain and give an action for breach of covenant in the borough court. The contract was formal, though a once elaborate ceremonial had been gradually reduced to the simplest of forms, a mere grasp of hands. The Burgess who could 'affy,' if he could not find a gage or pledge, who gave his faith on the bailiff's rod, who in Lent offered affidavit in lieu of the oath, could pledge himself by the hand-clasp, an act visible, audible, that could be witnessed of sight and hearing; and if a party to the agreement sought remedy, the borough court, and perhaps some other of the local courts, gave the action for breach of covenant. . . . All this was contrary to the doctrines which the royal courts were laying down at the end of the thirteenth century, when they limited the sphere of the action of covenant to the case in which a deed could be produced."

It is to be observed that this "formal contract" is somewhat different from the "formless agreements" described by Maitland; cf. supra. p. 158, note 2. Miss Bateson, while her introduction was still in process of writing, expressed her own belief that the enforcement of unwritten contracts had originated in the borough courts and that the practice had spread thence to the other local courts.
the employment of a servant who is bound by agreement to another master. The frequency with which in actual practice unwritten contracts between master and servant were enforced in the local courts can be determined only by a thorough examination of the manuscript sources, but the fact that such contracts could be enforced in these courts is proved beyond doubt.

The conclusion, therefore, in regard to the first of the two points under discussion is that except for the specific limitation of agricultural wages, and for the interference with the mobility of the free labourer, provisions similar in character to the new legislation were already being carried out in the local courts; but with a marked difference. Under the old scheme, a few of the regulations, notably the assizes of bread and ale, were framed by the central government, and were put into effect by the existing local authorities, but by far the greater number of the provisions were devised as well as enforced by the local authorities and thus varied in different localities: whereas the enactments of 1349 and 1351, as has long been recognized, emanated from the central government, applied uniformly to the whole country, and were administered chiefly by officials both appointed and supervised directly by the crown. This distinction between the old method and the new at once brings up the second point. Did these national enactments come within the competence of the old local courts?

The ordinance, so strangely neglectful of assigning duties to the special justices responsible for its enforcement, states that actions against takers and givers of excess wages are to be brought in the court of the lord of the place in which the offence occurred, and that lords if guilty of infringement of the ordinance, are to be sued in the court of the county, wapentake, or trithing, or in any other of the king’s courts. Proof of refusal to serve for legal wages is to be made before two witnesses in the presence of the sheriff, bailiff, lord or constable; mayors and bailiffs of towns are bound to enforce the victuallers’ clause. The net result of these rather confused administrative provisions certainly gives the impression that the old local courts were to deal with the ordinance; in the case of the statute, however, there is no warrant for any such assumption, since no courts are mentioned save quarter sessions. As far as my limited investigation goes, the facts of the case are as follows. The one county court record for this decade that I

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Page 155, note 8, supra. An entry in Lib. Albus, in Mss. Gildhallæ, i. 214, is to the point: “Item, accouns de dette souent maintenables par usages des simples grauntz, et dassignementz, et de plegiage, et de covenantaunt, simplement saunz especiallee.”

Professor Maitland told me that it was his impression that the enforcement of the contract between master and servant was not very common in the courts of the manor and of the hundred.

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1. See p. 10.
3. Rolls of the communal courts, that is of the old county courts, and of hundred courts not in private hands are rare; cf. Select Pleas in Manorial Courts, introduction, xv. Rolls of seigniorial courts, however, exist in great abundance, both of the ordinary feudal courts of the manor and of the hundred, and of franchise courts; and are to be found in all the great repositories, e.g., the British Museum, the Bodleian, the Cambridge University library, and the Public Record Office, as well as in many private collections. (For these latter, cf. the reports of the Hist. MSS. Comm.) For an account of printed rolls, see Gross, Sources of Eng. Hist., s. 57, “Local Records and Local Annals;” also Davenport, Classified List of Printed Court Rolls. The number in print is being steadily increased each year.

The group in the Record Office though including some hundreds of rolls (see List of Court Rolls, Lists and Indexes, no. vi) is small in comparison with the total number in existence. As it was impossible for me to make an exhaustive study of even this group, still less to examine rolls in other archives, I endeavored merely to gain an impression of the attitude of these courts toward the statutes. For this purpose I went through some 50 rolls for the decade 1349-1359, selected
have discovered, contains many indictments for the giving and taking of excess wages "contrary to the statute;" 1 a fair proportion of the rolls that I have examined, of the hundred courts and of the ordinary manorial courts (not counting the court leets) include among a relatively larger number of the usual entries, scattered instances 2 of offences against the new legislation, usually for the receipt of excess wages and for breach of contract by the elosing of servants already in service. In the case of the latter class of actions it is exceedingly difficult to determine whether they are based on the ordinance, or whether they are simply the old actions of covenant that have already been in use in the local courts. A comparison of the form of the action for breach of contract brought on the ordinance of labourers in the Hereford quarter session, 3 with a similar action brought in the Ruthin manorial court at a date previous to 1349, 4 reveals exactly the same phraseology in both cases, with the addition in the former of contra statutum after de placito convencionis. In the manorial courts after 1349 quite at random, and in these I noted all instances of offences against the labour legislation; cf. app., E. The results of such a limited investigation have value only if these few rolls are typical of hundreds of others; my own belief is that they may be so considered, but it is, of course, possible that some future investigation will prove that this belief was ill-founded.

1 While examining Chester Assize Rolls (List of Plea Rolls, no. iv) in my search for sessional records, by accident I stumbled across a roll of a county court from which I print extracts in the appendix, (391-392), inasmuch as so few county court records have as yet been discovered. Mr. Turner, however, who is preparing for the Selden society a volume on the old county courts, warns me that it is not safe to infer the action of a court of a normal county from that of a county palatine.

2 The courts of Ruyton are an exception and are dealing with an unusually large proportion of offences against the statutes; cf. app., 397-399.

3 App., 185.

4 Ruthin Court Rolls, 47; cf. pp. 158-159.

3 App., 394-395.

4 Records of the Borough of Nottingham, ed. Stevenson, i, 158-159, 166-167. Cf. Maitland, introduction to Littleport court roll, Court Baron, 118. For bibliography of material on boroughs, see supra, p. 155, note 6; for parol contracts in borough courts, cf. supra, p. 159, note 6.

An entry on the court roll of Fornett records the withdrawing of a labourer from the vill and from the lord's domain contrary to the statute and to the prohibition of the steward. Davenport, Norfolk Manor, 73, and note 3. Professor Page wrote me in March, 1904, that he had seen many cases in the court records dating both before and after the rising of 1381, in which fines were imposed for violation of the statutes.
legislation in its entirety. The regularity with which the jurisdiction was exercised can be learned only by an extensive study of the sources, but it seems unlikely that this phase of the enforcement of the statutes was important in comparison with the vigorous administration effected by the special justices appointed for the purpose.

Even if the local courts made use of their rights spasmodically, there must have been some instances of conflicts of jurisdiction and some occasions on which a given individual ran the risk of being punished twice for the same offence. My only definite information on this point is in regard, not to the communal courts or the ordinary feudal courts, but to seignorial courts that were the result of a special franchise and therefore included the right to enforce the assizes of bread and ale. In Warwickshire, a long list of such franchise-holders complain to king and council that their tenants are being punished by the justices of labourers for the infraction of these two assizes, even when they have already been fined for this offence in the seignorial court. The petitioners succeed in obtaining royal writs addressed to the justices quoting the clause in the supplementary statute of victuallers as to the rights of the holders of franchises, and ordering the justices to cease proceedings against delinquents who had been already fined in the lords' courts. Exactly the same course of events takes place in Herefordshire, whereas in Wiltshire, where a large part of the work of quarter sessions is concerned with the punishment of offending brewers and bakers, there is no trace of any protest on the part of the franchise-holders. It is more than probable that the solution of what might otherwise have proved a serious difficulty lay in the fact that the profits of jurisdiction were deemed more important than the jurisdiction itself. The owners of franchises had been successful in their contention that to them belonged the penalties imposed in quarter sessions on their tenants for infringement of all clauses of the statutes of labourers; it was natural, therefore, that they should prefer to leave to the justices of labourers the troublesome task of convicting offenders while they themselves with very little effort secured the pecuniary advantage of such convictions.

1 Assize Rolls, Hereford, 313; see app., 189-192, for a portion of this roll. The entry just quoted is too illegible for transcription.
2 App., 228-234.
3 If my explanation is correct, it is clear that Mr. Savine presents a somewhat exaggerated account of the situation when he writes: "The agents of the King and of the common law, the justices of assize and the justices of peace, entered into the sacred precinct of the manor in order to control the relations between the lord and his villeins."
4 App., 219-221.
5 App., 220.
CHAPTER II

CENTRAL COURTS: COURT OF KING'S BENCH AND COURT OF COMMON PLEAS, 1349-1377

It has already been shown that actions on the statutes of labourers, brought in the first instance before the justices of labourers, were occasionally removed to a higher court, that of the king and council, of the chancellor, or of the king's bench; it remains necessary to ascertain the extent of the original jurisdiction over the statutes exercised by both the court of king's bench and the court of common pleas.

(1) The treatment of the sources.—The choice of the most effective method of dealing with the great mass of material in existence has been a difficult one. On the one hand, from the point of view of the vigor of the attempt to enforce the statutes during the years 1349-1359, the essential requirement is an enumeration of all the actions on the Plea Rolls of both courts for the whole decade, supplemented by information derived from the Controlment Rolls, Coroners' Rolls, and Ancient Indictments. A limitation, however, to these official records and to this short period would preclude the possibility of using the unofficial evidence contained in the Year Books, since the majority of reported cases on the statutes belongs to the latter part of the reign; and neglect of the reports would mean failure to present a sufficient account of the legal issues involved in the interpretation of the statutes by the upper courts.

On the other hand, from the point of view of law, an exhaustive treatise (Fitzherbert's is by no means adequate) can be written only on the basis of a study of all the reports dealing with the statutes, down to the reign of Henry VIII, as well as of the corresponding records; such a study should also include the Registrum Breuium, Novae Narrationes, Fitzherbert's commentary in his New Natura Breuium, his abridgment, and those of Statham and Brooke. For this purpose the printed Year Books will not answer. The editions of Mr. Pike have not yet reached the Black Death; while the old editions omit the years

1 Pt. i, ch. ii, s. 7 and app., 239-241.

1 The exigencies of this portion of my subject have led me here as in pt. ii, ch. i, to depart from my plan of describing the sources in the appendix, and, instead, to discuss them in the text and in the footnotes. The brief summary of official records given in this note will be followed by further analysis in the remaining sections of this chapter.

Court of common pleas.

De Banco Rolls. Classified by regnal year and law term, and so listed in List of Plea Rolls; they are unindexed and there is no guide to their contents except the name of the county on the margin of each action. Normally there is one roll for each term, consisting of from about 400 to 600 membranes, each membrane being about three feet long and about nine inches wide, closely written on both sides.

Court of king's bench.

Coram Rege Rolls. The same description applies, except that the number of membranes in each roll is considerably less than in the De Banco rolls, varying between 200 and 300.

Ancient Indictments. For an account of these, see app., 143. The series is made up largely of Coram Rege indictments.

Coroners' Rolls. See List of Plea Rolls, Select Cases from Coroners' Rolls, ed. Gross, and app., 413. Among the Coroners' Rolls proper there are a few rolls of exigidens of offenders convicted in the two upper courts with cross-references to the Plea Rolls. Pardons for outlawry are recorded on the Patent Rolls.

Controlment Rolls and Gaol Delivery Rolls have neither of them been included in my search; for the former, see Scargill-Bird, Guide to the Public Records, 168, and for the latter, ibid., 170, and List of Plea Rolls.

1 For exact titles and dates of publication, see my bibliography.

1 Published in the Rolls series. The Selden Society editions are for the reign of Edw. II.
31-37 Edw. III, and the entire reign of Richard II, and are frequently erroneous or misleading. It would therefore be necessary to establish authoritative versions of the text by an examination and collation of all the manuscript Year Books,—a task evidently beyond the scope of the present work.

The course adopted for my investigation is a compromise and as such has no claim to completeness. I extended my period to the death of Edw. III, and using the seventeenth-century edition of the Year Books, I noted for 1349-1377 all the reports of cases on the statutes or involving the statutes, a total of 33, distributed between the two courts.

An examination of the three great abridgments showed that Fitzherbert had discovered 10 additional reports, two of which are for the date for which there are no printed Year Books. A search through the manuscript Year Books in the British Museum and in the libraries of Cambridge University, of Lincoln’s Inn, and of the Temple, had chiefly negative results; the 33 reports appeared in approximately the same form as in the printed editions; only one more report was found and not a single one of Fitzherbert’s additional ten cases. His sources are therefore still to be sought.

Fortunately these 44 reports are fairly intelligible even in their present versions and touch on nearly all the important points of law arising from the enforcement of the statutes, but need of course to be corroborated and interpreted by the records. In turning to the Plea Rolls, my first object was to discover the reported cases; while looking for these, I took brief notes on all actions on the statutes or involving the statutes (whether reported or not) that had reached at least the stage of an attachment, and in some rolls I made a count of all such actions that were merely begun. Since my search was necessarily rapid, it

1This is equally true of the edition of 1678-1680, and of the numerous sixteenth-century editions.

2Bellewe’s compilation to some extent supplies the reports of the reign of Richard.

3It is scarcely necessary to add that Professor Maitland’s incomparable editions for the Selden Society will ever remain the ideal to which future editors will strive to approximate, and that his introductions are invaluable for the whole subject of reports and records.

4A comparison of this edition of 1678-1680 with the various sixteenth-century editions in the Boston Public library, the Harvard Law library and in the Library of Congress, did not increase this total. The cases in the earlier editions are not only the same as those in the later, but identical in form and phraseology. Cf. Pike, in introduction to the Year Books of 12 and 13 Edw. III, xxxii, and also Soule, “Year Book Bibliography,” in Harvard Law Review, xiv, 568.

5The abridgments of Statham and Brooke give many of the same cases but add no new ones.

6Including of course all that reached further stages.
is possible that occasionally a case was overlooked, and since only about a quarter of the total number of Plea Rolls was examined, the resulting information does not allow absolutely dogmatic statements as to the working of the statutes; it is, however, based on the study of a sufficiently large proportion of the facts to warrant definite conclusions as to the attitude of the courts and as to the general trend of legal interpretation.

My method of treatment has therefore taken the following form. First: in the appendix, I give a list of the 44 reports with cross references to the abridgments and to the Plea Rolls, and examples of writs from the Registrum Brevium; I also print thirteen typical reports and the corresponding records (when possible), and a few extracts from Coroners' Rolls and Ancient Indictments. Second: in my text, on the basis of the data obtained from the Plea Rolls, I have compiled a few statistics as to the frequency of actions on the statutes, the status of the offenders, the nature of the verdicts etc.; and further, I discuss from all the above sources the most important questions of law connected with the statutes.

(2) Numerical account of the actions on the statutes of labourers.—As far as could be ascertained from the Year Books, the distribution of the 44 reported cases between the two upper courts was as follows: king's bench, 4; common pleas, 24 certainly, and 7 probably; no clue to court, 9. The preponderance of reports for the court of common pleas established a presumption that the majority of the 16 doubtful cases would belong to it rather than to the court of king's bench, and resulted in an examination of a larger number of De Banco than of Coram Rege Rolls.

The following account will show the extent of my researches in these two series. For the period extending from the beginning of the twenty-fifth year of Edw. III to the end of his reign, assuming one roll for each law term, there should be 107 rolls in existence for each court. Of the De Banco Rolls I made a complete examination of 41.—between a half and a third of the total number,—as well as a partial examination of 6. Counting only those actions on the statutes or involving the statutes that are finished, or that are argued out to an issue of law or of fact, or that have at least reached the stage of an attachment of the defendant, it appears that the 41 rolls contain 270 cases, and the 6 rolls, 18, an average of 6½ cases per roll or per term. If this average be maintained through the remaining 60 terms,—there seems no reason to doubt that it will be,—there will be for the whole reign about 700 cases. Further, on each roll there are many instances where it is recorded that the plaintiff has brought a writ, but where there is no indication that the defendant has ever been produced, or that any subsequent process ever takes place in that court, and for this reason the rolls were examined in turn. Of the De Banco Rolls six are missing, while the 37th year has two rolls for the Easter term, a total of 102; the compiler of the List of Plea Rolls, in numbering these rolls consecutively, has by a slight error omitted the number "385." Of the Coram Rege Rolls two are missing, leaving a total of 105.

1 The form of writs in the Registrum is given for both courts; cf. p. 175, note 1, for references.
2 It has already been emphasized that my primary object was the identification of the reported cases; cf. § 3.
3 There are in reality not quite so many. Of the De Banco Rolls six are missing, while the 37th year has two rolls for the Easter term, a total of 102; the compiler of the List of Plea Rolls, in numbering these rolls consecutively, has by a slight error omitted the number "385." Of the Coram Rege Rolls two are missing, leaving a total of 105.
4 In each of these, the reported case chanced to occur early in the roll, thus obviating the necessity of reading all the membranes.
5 The two may be considered as synonymous, since there is only one exception.
place in court. A conservative estimate of the ratio between the number of records of this type and the number of those first described is about eleven to one, showing that there were, roughly speaking, 7700 actions that never went beyond the initial stage. The addition to these figures of the 700 cases already referred to results in a total of about 8400 suits brought in the court of common pleas between 1351 and 1377.

For the king's bench, my investigation was unfortunately less extensive, and my results therefore less conclusive. Only 12 Coram Rege Rolls were examined; they contain 24 cases, varying from 4 to 1 per roll or per term, an average of 2. Assuming this average to hold for the remaining 95 terms, there will be a little over 200 cases for the whole reign, corresponding to the 700 in the other court. It is also to be noted that one of the rolls contains an important record consisting of proceedings begun before a joint commission of the peace and for labourers, and removed into the court of king's bench. Undoubtedly there are more such cases, not originating in this court, and therefore not to be included in the present discussion. The ratio between the number of actions in which only the plaintiff appears and the number of those in which further stages are recorded, differs in degree from the corresponding ratio in the other court, being only about 3 to 2. 300, therefore, will represent the number of these unfinished actions, and 500 the total number of suits brought in the court of king's bench during this period of twenty-six years. Since the bulk of the De Banco Rolls exceeds that of the Coram Rege

Rolls, averaging perhaps three times as great,1 the smaller total of cases in the king's bench dealing with the statutes bears approximately the same relation to the number of actions on all other subjects in this court as does the larger total of cases on the statutes in the common pleas to all other actions recorded on its rolls.

In accordance with the estimates just given the combined figures for the two courts are: 900 for the first type of records, and 8000 for the second, a total of nearly 9000. Without statistics as to the frequency of the other common forms of actions, covenant, debt, trespass vi et armis etc., an accurate appreciation of the relative numerical importance of the actions on the statutes is impossible, but the conclusion is certainly warranted that the upper courts were a valuable factor in the enforcement of the labour legislation. Moreover, it is clear that, as indicative of widespread economic disturbance, the actions that are only begun are precisely as significant as those that are argued out, and that for a period of twenty-six years and in a population of about two millions and a half,2 nearly 9000 cases, involving from two to five or six individuals each, represent a considerable amount of litigation.

Apart from this attempt to calculate the probable total number of actions, my investigation of the work of the upper courts is based chiefly on a detailed analysis, from various points of view, of the 288 De Banco cases and the 24 Coram Rege cases that reached the stage where both plaintiff and defendant made their appearance. The distribution of these 312 cases according to the county in which the action is brought is as follows: London, 48; Norfolk, 21; York, 19; Cambridge, 18; Northampton, 16; Kent, 15; Suffolk, 14; Lincoln, 12; Buckingham, 11; Essex, Dor-

1 I do not know what happened in such cases; cf. p. 207, note 1, for an explanation of the blanks on the rolls in actions that had reached later stages.

2 App., 250-254 and p. 97.
set and Leicester, 10 each; Surrey, 9; Middlesex, Southampton, Warwick and Wiltshire, 8 each; Hertford, 7; Bedford, Berkshire and Oxford, 6 each; Devon, Gloucester, Somerset and Sussex, 5 each; Huntingdon, 4; Rutland and Stafford, 2 each; Derby, Northumberland, Nottingham, Westmoreland and Worcester, 1 each; name of county illegible, 9. The three counties palatine are, of course, omitted, but except for Cornwall, Cumberland, Hereford and Shropshire, all the other counties are represented. London, with nearly a sixth of the whole number of cases, has more than its share, possibly because of its propinquity to the seat of the court of common pleas; but on the whole, it may be said that the enforcement of the statutes of labourers by the upper courts was not sectional but was fairly uniform throughout the kingdom.

(3) Clauses of the ordinance and of the statute on which the actions are brought.—It has been already shown that the justices of labourers in their sessions, while occasionally dealing with all clauses of the legislation, gave the fullest measure of their energies to the punishment of the receipt of excess wages and excess prices; precisely the same statement is true in regard to the juries that were making presentments before the king's bench for offences against the ordinance and the statute, as recorded in the series of documents known as Ancient Indictments. Further process as to these presentments should be sought on the Coram Rege Rolls of corresponding years and terms; my researches in this direction were but slight and did not solve the problem of the ultimate fate of such indictments or of their connection with the work of the court of king's bench. The

writs printed in the Registrum cover all the essential clauses of both ordinance and statute, except the price clause; namely, departure of a servant, retention of another's servant, compulsory service, excess wages, rights of lords, service by the usual terms and the summer and winter clause. One is therefore led to expect to find on the Plea Rolls records of suits brought under these various forms of writs, especially suits on the wages clause, so frequent in Ancient Indictments.

The result of an analysis of the 312 cases occurring on the 59 rolls examined does not fulfill this expectation. In the court of common pleas there are 277 cases on the contract clause, either for departure or for retention, or for both; 2 cases on the compulsory service clause, and 2 on the statute of the 35th year. There are also 7 cases in-

1 It is more than probable that these counties will appear on the remaining rolls. 2 Pt. i, ch. ii, ss. 3, 4 and 5. 3 Cf. s. 1 and app., F. i. 4 Is it possible that the suggestion made on p. 68 is true here also and that these presentments were considered conclusive evidence of guilt?

1 Reg. Brev. Orig., 119, 189-191; Reg. Brev. Jud., 27-28. See app., 411-413. Most of these writs appear in the middle of the Registrum in that section described by Maitland as an appendix, since it includes "Brevia de Statuto," i. e., writs on comparatively new statutes; "Register of Original Writs," in Harvard Law Review, iii, 100. 1 examined in the Harvard Law library nine editions of the Natura Brevium, printed between 1525 and 1584, but did not find a single instance of writs on the statutes of labourers.

The references to all these cases would take too much space, but in the course of this chapter many of them will be referred to specifically. The Registrum includes three forms of writs on the contract clause: first, against a servant for departure before the end of his term; second, against an employer for the retention of a servant who had thus illegally departed; and third, against both servant and employer for departure and retention respectively; 189.


For the discussion of the date of this statute, cf. p. 25, note 1. Only 35 De Banco and 8 Coram Rege Rolls were examined for the period subsequent to its enactment.
volving the statutes, 6 of which refer to the contract, and one to the compulsory service clause. In the court of king's bench there are 22 cases on the contract clause, and 2 cases involving the statutes in general. Therefore of the 312 cases, 299 are on the contract clause, and 6 involve it—a total of 305; whereas there are only 2 cases on the compulsory service clause, and one involving it: 2 on the statute of the 35th year, and 2 involving the statutes in general—a total of 7. Of actions that have reached merely the initial stage, the 47 De Banco Rolls contain one on the summer and winter clause, 9 on the statute of the 35th year, and nearly 60 on the compulsory service clause. The last group, while numerous in comparison with the two that have reached a later stage, in absolute numbers is still far less than the actions on the contract clause in the initial stage, which, roughly speaking, amount to over 2500. Several important suits for breach of contract deal with the rights of lords over their tenants, both villein and free, but no action has come under my observation based directly on this clause, nor a single instance of a case on the wages or price clause. In view of the figures just given it is natural that the rolls of exignent and the pardons should show few examples of infringement of the statutes other than of the contract clause.

The later legal treatises (not counting the Registrum) reveal the same emphasis on the contract. The form of

1 Cases 10, 17 and 43, app., F, 5 and 6; case 30, list in app., F, 3; De Banco, 40, Pasch., 175, Suff.; 40, Mich., 175 d, Essex and 41, Trin., 312, Essex. Throughout this chapter “list in app.” refers to the list in F, 3.
4 De Banco, 29, Pasch., 135 d, Notts.
5 Included among Coroners’ Rolls; see p. 166, note 2, and app., 413-415.
6 Enrolled on the Patent Rolls; see p. 166, note 2, and app., 415.

the one count on the statute of labourers given in Novae Narrationes is for an action for departure, and the two pleas recorded in Liber Intrationum are both for departure and retention. Fitzherbert in his commentary touches on the compulsory service and the summer and winter clauses, and on the relation of the lord to his villein, but for the first two gives no reference to reported cases; he omits the wages clause altogether and lays all the stress on the terms of the contract. It is significant that Brooke in mentioning the summer and winter clause merely quotes Fitzherbert’s remarks. The conclusion from all the above data is certainly warranted that, in sharp contrast to what was happening in quarter sessions, the two upper courts were concentrating their attention on the enforcement of the contract clause of the ordinance. An explanation of this phenomenon must be attempted.

It is, of course, clear that the receipt of excess wages and of excess price was a question of fact the truth of which could be easily and legitimately determined by justices of labourers and their juries; while the question of contract involved legal problems needing the opinion of the trained and learned lawyers of the upper courts. It is also true that a breach of contract would naturally be worth while to a servant only if he were enabled thereby to secure higher wages than he was already receiving. The writs for de-
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parture and retention as given in the Registrum include the significant phrase facta . . . promissione . . . de salario plus solito recipiendo,¹ and although on the Plea Rolls the writs are usually shortened by the omission of just this phrase, even here it sometimes appears.² There are instances where the actual figures are mentioned in the count. For example, in an action for parture and retention it appears that the plaintiff’s terms had been as follows: for one servant, 2d. per day and food, for the other servant, a quarter of corn every ten weeks and 7s. a year; while the tempting advance offered by the defendant was 12d. per day for each servant.³ Indirectly therefore the wages legislation was being enforced through the medium of the enforcement of contracts. More important, however, than either of the above considerations is the status of the common law in relation to pariol contracts. Stress has previously been laid on the fact that at this date only contracts based on writing had validity in the courts of king’s bench and of common pleas; ⁴ in a later section ⁵ it will be shown somewhat in detail that the ordinance rendered it possible to enforce in these courts agreements between masters and servants, even though not made in writing.

The significance of the discovery through this analysis of cases that only the contract and compulsory service clauses were dealt with by the two upper courts lies partly in the circumstance that it is thus proved that the ordinance, not the statute, was the essential document, and that during the long period before it was made a statute ⁶ it had all the force of statute law.

(4) Classes to which the compulsory service and contract clauses applied.—The analysis of the work of quarter sessions showed that the juries, in by far the majority of instances, were making presentments against the takers of excess wages and prices, chiefly agricultural labourers, domestic servants, victuallers, and representatives of handicrafts, and only very occasionally against members of the employing class, even in contract cases; ⁷ for practical purposes it may be said that the justices of labourers were enforcing the law against manual labourers only. It must now be ascertained whether this statement is also to be made of the application by the upper courts of the two clauses of which they took cognizance.

Compulsory service. The wording of the ordinance is explicit: ⁸ all able-bodied men and women under sixty,⁹

¹ App., 411.
² I give a few references to writs enrolled on the Plea Rolls which include the phrases beginning “nec ullus eciam mercedes etc.,” or “facta . . . promissione etc.,” or both. Case 3, list in app.; De Banco; 29, Hill., 59, Bucks.; 60, Norfolk; 29, Pasch., 157 d, Wilts.; 152 d, Dorset. Coram Rege; 27, Trin., Shareshull, 45 d, Midd.; 27, Mich., Shareshull, 94, Norfolk; 77 d, Suffolk; 28, Hill., Shareshull, 40, Lincoln; 74, Surrey; 59 d, Oxford. My impression is that as the years went by the shorter form of the writ became more usual.
³ Case 3, list in app. This is the only instance that has come to my notice where wages are as high as those mentioned by Knighton, ii, 62, quoted by Professor Tout, Politi. Hist. of Eng., 372. The counts furnish excellent opportunities for adding to our knowledge of the rates of wages.
⁴ Pt. ii, ch. i, and especially pp. 157-158, notes 1 and 2. ⁵ S. 5.
⁷ See pt. 1, ch. ii, ss. 3, 4 and 5. Suits brought by individuals are so few in comparison with presentments of juries that they need scarcely be counted, but the same description applies to them.
⁸ Already summarized and discussed in pt. 1, ch. ii, s. 3.
⁹ The minimum age is not indicated. There is some ambiguity in Fitzherbert’s comment: “An Infant of 12 Years of Age shall be bound by his Covenant to serve in Husbandry . . . although he may spend 40 Shillings or 12 Marks by the Year.” New Nat. Brev., 390-391. This seems rather to apply to liability of minors for a contract; cf. pp. 185-186.
both free and bond, not living by trade or handicraft, and without land sufficient to occupy them, are bound to accept service with the first employer who offers them work at the legal rate of wages. It is obvious that the clause is not meant to apply to persons above the labouring class, and that of the latter it would affect mainly agricultural labourers and domestic servants. The differentiation of individuals liable to compulsory labour from those not liable is purely an economic one and naturally causes individuals liable to compulsory labour to those not liable.

It is not meant to apply to persons above the labouring class,' for the writ cf. app., 412.

...an excuse for idleness; in the case of a knight, or esquire, or a gentleman, you cannot compel him to be in your service by the statute, for that the statute is not to be enforced against them for departing from their service.

In Reeves, Hist. Eng. Law, ii, 275, a Year Book report of an action for departure against a chaplain (10 H. VI, f. 8, p. 30) is quoted to the effect that the statute "was not made but for labourers in husbandry; as in the case of a knight, or esquire, or a gentleman, you cannot compel him to be in your service by the statute, for that the statute is not to be understood [but] of labourers who are in grant, and have nothing whereby to live." Evidently at this date there is some confusion between the contract and the compulsory service clauses.

The 299 cases for breach of contract fall into three groups: 1. 136 actions brought by masters against servants for departure before the end of their term; 2. 116 brought by masters against other masters for retention of servants out of their service before the end of their term; 3. 47 brought by masters against both servants for departure and other masters for retention. To these action of false imprisonment against the official who had administered the penalty, on the plea that he (the labourer) held enough land to secure exemption from the law. Evidence that employers frequently succeeded in securing this penalty of stocks for labourers unwilling to work is afforded by the numerous instances of actions of trespass in which it appears that such delinquents had been rescued vi et armis from their confinement. At this time of great scarcity of labourers of all kinds, there was inevitably much wandering from place to place of both free men and villeins, seeking to take advantage of the situation by demanding the highest possible wages. In the crisis the ordinance tried to provide labour for employers at the old rates by giving them this right of seizing idle vagrants, and putting them to work; the right is, however, subject to two important limitations which must be analyzed later, the preference given to former masters in the case of free men, and to lords in the case of villeins.

Contract clause. The 299 cases for breach of contract fall into three groups: 1. 136 actions brought by masters against servants for departure before the end of their term; 2. 116 brought by masters against other masters for retention of servants out of their service before the end of their term; 3. 47 brought by masters against both servants for departure and other masters for retention. To these

1 Case 39, list in app. Cf. Reeves, op. cit., ii, 247, for a commentary on this report.

2 See p. 170, note 2, for a reference to one of these cases. In an action for departure it appears that the plaintiff having found the defendant "vagantem" and refusing to work although "potens in corpore" and possessing nothing wherewith to live, had caused the constable to put him in stocks until he agreed to make a contract within the terms of the law; De Banco, 51, Pasch., 206, Surrey.

3 See p. 3, and note 1; also, Reeves, op. cit., ii, 247.

4 S. 5.

6 S. 6.
must be added the 6 cases involving the contract clause; they include one action of false imprisonment brought by a servant against a master and five actions of trespass *vi et armis* brought by masters against other masters for taking servants out of their service. It appears therefore that a sixth of the cases for breach of contract are against employers as well as servants and that over a third in addition are against employers alone; in contrast then to quarter sessions, the upper courts were making a vigorous attempt to compel the employing class to obey the law.

Now to what social and economic status do the delinquent employees belong, for convenience designated by the general term of "servants"? The wording of the ordinance, "reaper, mower, or other workman or servant, of whatever condition he may be" certainly suggests manual labourers, especially those occupied in agriculture; but a classification of the employees concerned in the contract cases gives a definite answer to the question. The six involving the contract clause may be dismissed first; they include two villeins, a labourer, a ploughman and carter, a housemaid, and two servants. The 299 cases are divided as follows: agricultural labourers, 116; household servants, 30; artisans, 30; victuallers, 17; servants, with no account of duties, 36; unclassified, 4; above the class of manual labourers, 19; occupation illegible or not recorded in my notes, 47. In the 83 doubtful instances it is safe to infer that a third are concerned with agriculture; therefore nearly a half of the total number of "servants" are agricultural labourers, half again of these being ploughmen. Of the servants not coming under the head of agricultural labourers, fully a third came from London alone; as far as the country at large is concerned therefore, the popular belief that this legislation affected chiefly the tillers of the

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2 Ancilla pro taberna bocher, braciator, braciatrix, garcon ad custodiendum shopam et ad vendendum carnes, molendinarius, pandoxatrix, pistor, pistor et braciator, pistrix et braciatrix, pulter, tabernarius vinorum, tapester, vinetarius.

3 Malieman, marinarius, hobelarius ad arma, seruiens in officio marescalcic.

4 For the occupations represented, see pp. 186-187.

5 Eulogium Historiarum, iii, 214: "Cessante pestilentia nutu Divino tanta facienda pacitas servientium quod non sunt inventi ad agriculturam faciendam, pro quorum defectu mulieres et parvuli invise missi sunt ad carucas et ad plaustra fuganda." Was Chaucer's description of a ploughman a satire?

"With him ther was a Plowman, was his brother, That hadde y-lad of dong ful many a fother, A trewe swinker and a good was he, Livinge in pees and parfit charitee. God loved he best with a holde herte At alle tymes, thogh him gamed or smerte, And thanne his neighebore right as hym-selve. He wolde threshe, and ther-to dyke and delve, For Christes sake, for every pove wight, Withouten hyre, if it lay in his might."

—Prologue to the Canterbury Tales, verses 529-538.
soil receives strong confirmation. The application of the contract clause to members of the victualling trade, to household servants, and to agricultural labourers, raises no legal questions, except in regard to the last-named class in those actions in which the plea of villeinage is urged. The discussion of this subject is reserved for a future section; here it is sufficient to say that there is, of course, no instance of an action against a villein as such for breach of the statutory contract; the lord’s court already had remedies against fugitive bondmen. In the case, however, of artisans, of apprentices, of minors, and of men above the labouring class, during the course of Edward’s reign, several interesting problems arose as to the application of the new law.

Artisans. For a time the contract clause was enforced without question against artisans; but in 1364, in the court of common pleas in an action brought against a carpenter for departure, as learned a lawyer as Bealknap urges on behalf of the defendant that only the excess wages clause applied to a carpenter; the plea is not allowed by the court and the defendant is forced to deny the covenant. Apparently this precedent was not held sufficient; for, nine years later, in a similar action in the same court against a “broadener,” counsel puts in a still more general plea that the clause applied only to servants and labourers, not to artificers; the ruling of the court that the clause applied equally to artificers must have settled the matter.

1 The one possible exception to this statement is an action for the retention of a nativum et servientem; see p. 205, note 4.

2 Case 2, list in app.; “seruentem ipsius Willelmi in servico suo, videlicet, in officio apprenticii pannarii . . . super retentum ad commorandum . . . vsque ad terminum septem annum.” Note from the record. Cf. also the case summarized on p. 211, in which the issue of apprenticeship is not raised.

3 Case 16, list in app.; cf. also case 31, app., F, 4. There are several instances of this plea; e.g., De Banco, 47, Hill., 297, Lond. Cf. Fitzherbert, op. cit., 391: “And a Man shall not have an Action against an Apprentice upon his Departure, upon the Statute;” also Reeves, op. cit., ii, 247.

4 Case 44, app., F, 4. 5 Case 40, list in app.

Apprentices. In one of the earliest cases on the contract clause brought in the court of king’s bench by a draper for the retention of his servant, the latter is described in the count as bound to him for seven years as apprentice in the clothing trade; the plea of the defendants is an action of ravishment of ward pending in the court of common pleas between the same parties for the same cause, and includes no reference to the question of apprenticeship. It looks therefore as if at first the courts permitted the contract clause to apply to apprentices as well as to servants; by 1365, however, it is distinctly ruled that an action for departure on the statute does not lie against an apprentice: the defendant is forced to plead that he was a servant, not an apprentice.

Minors. The clearest statement of the law is in a report of a case of which I have not found the record; in an action of a case of which I have not found the record;
brought against a child of five for departure and a master for its retention, judgment is given for the defendants, on the ground that since the child is too young to make a contract, no action lies against him for departure; and since none lies against the principal, there can, therefore, be none against the accessory, the master, for retention. In other words, the contract clause does not apply to minors although it appears that there is a remedy at common law for the actual "taking" of a child out of service. Somewhere between thirteen and either fifteen or sixteen, depending on whether one takes the evidence of the report or of the record of the same case, is the age at which for the purpose of contracting, a child ceases to be a minor.  

Above the class of manual labourers. Except in the case of chaplains which I shall discuss at length, there is no evidence that issue was taken during Edward's reign on the applicability of the contract clause to men employed for salaries in occupations that cannot be described as merely manual. The records show actions for departure or retention involving the following: anniger et camenerius, five balliui, two camerarii et sagittarii, two clerici, one of which taken, but as it seems to me Finchden there takes a good Diversity, if the Servant departs first (where he was never lawfully retained) there an Action does not lie against him who shall afterwards retain him: contra if he be taken with Force, etc., Action lies, tho' he found the Infant Vagrant and retained him." See also p. 195 and note 4.

1 Case 26, list in app.; but Fitzherbert and Hale both put the limit a little earlier, i.e., at twelve for a covenant in husbandry; see supra, p. 179, note 4.

2 Coram Rege, 48, Mich., Cavendish, 18, Lond.
3 De Banco, 33, Mich., 250, Hants.; 39, Pasch., 287 d, Dorset; 50, Hill., 487 d, Norfolk; record of case 33 and case 34, list in app. An analysis of the last is given infra, p. 188, note 2.

4 Coram Rege, 48, Mich., Cavendish, 18, Lond.; De Banco, 47, Hill., 79, Camb.
5 Ibid., 46, Pasch., 350 d, York; 47, Hill., 377 d, York. In the latter

whom is a school-teacher, decanus decannatus, hospiciaruius, mercator, a man who had been retained in officio ad colligendum elemosinas Sancti Antonii et Sancti Spiritii. The pleas are all perfectly commonplace, issue being taken on mere questions of fact,—permission to depart, difference of dates of contract, lack of payment, denial of retention or of departure. It is true that a plea to the effect that the statute was not applicable to this class of employees, if not allowed by the court, would not have found its way on to the records; it would, however, almost surely have been noted by some reporters and therefore appeared in the Year Books; the silence of the latter for the reign of Edw. III, confirmed by the evidence of the above cases, certainly proves that at this time the contract clause was applied very generally.

Chaplains. Objections were made only in the case of chaplains. In this instance also it is important to use the records of cases not reported as well as the reports; the former afford conclusive proof that for a time writs based on the contract clause were upheld by the courts against chaplains just as against bailiffs and school-teachers. There the defendant had been retained by the plaintiff: "ad deserviendum ei in arte sua, videlicet, ad ascendendum scolares suos in scolis suis grammatic." Cf. in Gasquet's Great Petition, 48, a quotation from Continuatio Chronici Guillemi di Nangiaco: "And few were found who could or would teach children the rudiments of grammar in houses, cities or villages."

1 De Banco, 42, Hill., 381 d, Norfolk.
2 Ibid., 49, Mich., 49, Leic.
3 Ibid., 46, Mich., 644, Lond.
5 Ibid., 49, Trin., 250 d, Leic.

In case 33, list in app., an action for departure, the defendant had merely denied the retention; the reporter quotes the case for a point on the law of contract, and it only appears from the record that the defendant's occupation was that of a bailiff.
are several cases where issue is taken on questions of fact,—denial of retention or reasonable cause for departure;¹ but at the very end of the reign a successful attempt is made to take chaplains out of the category of those against whom an action on the ordinance could be brought. In the first case in which the change is noted the report is exceedingly condensed;² to the plaintiff’s count that the defendant had broken a covenant to be sesenchal and to celebrate divine services, the plea is urged that he had merely been retained to chant masses—which does not come under the statute; no argument is given either in report or record. The report and record of the second case, a year later, are more explicit;² the

¹De Banco, 30, Pasch., 217 d, Warwick; 41 d, Devon; in the latter the defendant’s contract with “persona ecclesie” had been “quod de seruaret ei in officio capellani parochialis ecclesie sue de Beworth et haberet curam rectorie sue ibidem.” ²Ibid., 39, Pasch., 392, Midd., contains a record of a case in which the contract had been “in officio capellani parochialis,” and the defendant’s plea is reasonable cause for departure: “quod tempore conventicionis predictae facte inter eos, concordatum fuit quod idem Walterus inter alia inuenire ipsi Thome per totum tempus predictum tabulum suam, videlicet, victum vt in cibus et potibus et eciam vnam cameram pro huiusmodi servicio et dicit quod ad pretatum festum Pasche predictus Walterus tabulum suam ipsi Thome subtraxit . . . camera sua expulsit et eas ei viterius inuenire noluit.”

²Case 34, list in app. In the record the plaintiff claims that the defendant’s contract had been “in officio balliui et collectoris firmarum et redditionum ad capellam . . . spectantium.” To which the defendant replied that his contract had been not “in officio balliui” but “in officio capellani ad celebrandum missas et alia duina facienda ad officium sacerdotis in ecclesia Dei spectant.” Although there is a difference in the dates of the report and the record, as well as a slight discrepancy between the counts, my belief is that they refer to the same action. With the exception of two, I have examined all the De Banco Rolls until the end of the reign and have found no other chaplain case except the record of case 42, app., F, 4. Moreover out of 312 cases, there are in all only four cases besides this one that deal with chaplains, and as errors in the dates of the reports are frequent, the chances are in favour of the correctness of my hypothesis.

¹Case 42, app., F, 4.

chaplain is not an ordinary labourer, but a servant of God, and he should be punished by the ecclesiastical courts; referring to a case in a previous term, the chief justice of common pleas says: “it is our opinion and that of our companions of the king’s bench that a chaplain is not bound by the statute as other people are.” The plea in the record of this action that the ordinance is general, referring to every kind of person of whatever condition or rank, while not maintained in the case of chaplains, certainly shows the attitude at this time toward the contract clause.³ In the next century when the question came up again, limitations were made by the courts on this elastic interpretation of the law;² but it is significant and worthy of emphasis that during Edward’s reign, while quarter sessions were enforcing the wages and price clauses against what are technically called the labouring classes, the upper courts were upholding an extension of the contract clause so wide as to make it apply to all who were working for salaries; an extension undoubtedly never contemplated by the framers of the ordinance.

(5) The contract.—The reason for the application by the courts of the contract clause of the ordinance to employees of all ranks and conditions ³ and also the nature of this novel form of contract, can best be understood by emphasizing the regulation of chaplains’ wages by 36 Edw. III, st. 1, c. 8, Statutes.

³Fitzherbert, curiously enough, although he summarizes the reports of both these cases in his abridgment, does not refer to them in New Nat, Brev.; he there states explicitly that a chaplain is bound by a statutory retainer; see supra, p. 180, note 2. Cf. Reeves, op. cit., ii, 247, note: “Of course it was held that such persons (i.e., chaplains) were not within the statute.” The change in the practice of the courts becomes apparent only by a study of the Plea Rolls. It seems strange that the instructions to bishops at the end of the first ordinance were not quoted or the regulation of chaplains’ wages by 36 Edw. III, st. 1, c. 8, Statutes.

¹Cf. Reeves, op. cit., ii, 274, note.

²See s. 4 for exceptions.
ing the difference between the latter and the old "covenant" of the common law; the discussion in this section is restricted to cases in which free men are concerned. The essential distinction although not specified by the ordinance is made clear by the interpretation of the courts; in several important cases attention is called to the fact that an action of covenant at common law can be maintained only when specialty can be produced, that is, when the covenant had been made under seal, while a retainer under the ordinance is an engagement not based on a written document.

I have found no reference to the necessity of witnesses for the validity of such a retainer and only one instance of the mention of the taking of an oath. The contract seems to be merely a parol agreement, with no formalities prescribed as to the method according to which it was to be made, but plainly indicates a status different from that of service without any agreement at all, or pro voluntate. In a number of cases it is emphasized by the courts that the mere making of a contract of this kind, even if the service has not actually begun, is equivalent to the corporaliter in service of the common law.

Although information is lacking of the way in which this parol agreement was solemnized, many details of its terms and conditions are given in the ordinance or appear as the result of decisions of the courts. The statute had specified that engagements of labourers should be by terms of the usual length, i.e., a year or six months, and not by the day; the courts therefore hold that a contract for a day's work or for several days cannot be enforced under this legislation, and that to disprove the existence of a statutory retainer it is sufficient to show that the agreement had been for a day at a time merely. An extreme instance has come to my notice in an action for departure and retention where the justices of labourers had apparently construed such service by the day as equivalent to a state of vagabondage.

As early as 1356 issue is raised as to the legality under the new law, of a contract for a term longer than a year; it is at this date decided that a contract of even seven years is admissible and records of actions continue for some time afterwards to show examples of terms varying from two to three years.

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1 Cases 28 and 32, app., F, 5; cf. pt. ii, ch. i.
2 Case 31, app., F, 4; "communis retencio siue conduccio." The term "conuencio," is frequently used; e.g., in case 6, app., F, 6. It is to be noted that both on the Plea Rolls and in Fitzherbert's commentary, the ordinance is commonly referred to as the statute; I shall try in this section to distinguish between them.
3 Such as are suggested, e.g., in the Waterford custumal; see p. 159, note 6; cf. also app., 240, for reference to witnesses in a compulsory service case.
4 Pat., 28, pt. 1, m. 20, 16 Jan.: "Pro priore et fratibus de Wytham."
5 Cf. the account of the borough law of agreement; p. 159, note 6.
6 De Banco, 50, Mich., 545, York. The request of the insurgents recorded in the Anonymalle Chroncle (printed by Trevelyan in E. H. R., xiii, 517) is to the point: "que null ne deveroit servire aucune home mes a sa volunte de mesme et par couenante taille." Mr. Kriehn has already pointed out that this is a demand for the repeal of the statutes of labourers; "The Social Revolt in 1381," in A. H. R., vii, 282.
7 Cases 28 and 36, app., F, 5; but cf. the report of case 33, list in app., for an apparently different decision.
8 App., 13. Hence the writ: "Quod servientes deserviant per terminos usuales et non per dietas," in the Registrum. Cf. also the quotation from Vox Clamantis given on p. 75, note 2.
9 Case 3, list in app.; De Banco, 39, Mich., 233, Camb.; 41, Pasch., 199 d, York. Fitzherbert, op. cit., 391: "And if a Man do retain one to serve him for 40 Days, and another doth afterwards retain him to serve him for a Year, the first Covenant is avoided, because the Retainer was not according to the Statute. And so if a Man be retained to serve at every Time he shall be required, it is no Retainer according to the Statute, but a Covenant if it be by Deed; and without Deed it is void."
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Ten years. Subsequently, however, when the question comes up again, the justices of the court of common pleas are unable, on the spot, to give judgment; but since later instances occur of contracts for more than a year, it is to be inferred that their decision was in favour of the long terms. Other elements of the agreement between master and servant, such as the amount of wages and the details of the tasks to be performed, evidently enter into the making of the contract, as they are often explicitly stated in the plaintiff's count, while the defendant frequently denies that the contract had been of the form thus described.

The wording of the clause in the ordinance stipulates certain conditions under which the servant is released from his contract. The simplest of these is permission from the employer to depart, a fairly common plea on the part of the defendant. In one case a servant's wages are, by agreement, deducted for his absence: in another, a writing releasing the servant from his contract is produced in court.

1 De Banco, 33, Pasch., 11 d., Linc., 3 years; 34, Hill., 205, Devon, 10 years; case 26, list in app., 9 years; record of case 20, list in app., 2 years; case 18, list in app., 3 years.

2 Case 31, app., F, 4; the record shows that Fitzherbert's summary is not correct.

3 E. g. , De Banco, 40, Pasch., 274 d., Linc., 2 years; cf. Fitzherbert, op. cit., 391: "And a Man may retain one for two or three Years, and it is good:" also: "And if a Man do retain one to serve him, and doth not express for how long he shall serve him, he shall serve him for a Year, for that Retainer is according to the statute."

4 De Banco and Coram Rege Rolls, passim. Cf. e. g. , case 3, list in app., quoted in s. 3 or the following description: a labourer had been retained "in quodam officio ad eradicandum spinas, tribulos et genettas in quadam pastura vocata le Broom, et eandem pasturam mundandum et clausurandam . . . per unum annum integrum." De Banco, 45, Mich., 434 d., Essex.

5 App., 9.

6 E. g. , De Banco, 45, Trin., 259, Camb.; 50, Pasch., 465 d., Norfol., 193

A justification for the departure of a servant, allowed by the ordinance, but more difficult to prove, is "reasonable cause." This is interpreted by the courts in varying ways: unpaid salary, either in money or in kind; lack of sufficient food; ill-treatment, of which there are many specific instances; thus a servant's life is threatened, or a servant is beaten so that she departs pur doute de mort. In addition:

1 In case 3, list in app., an action against a master for retention and against two servants for departure, the plea of one of the latter is that his wages had not been paid; the plea is traversed by the plaintiff, and the issue was on the question of fact. In case 22, list in app., the defendant justifies his departure by the failure of the plaintiff to pay the wages stipulated and issue was joined on the question as to whether the payment had been made. In De Banco, 34, Hill., 276, Kent, the defendant justifies his departure by the neglect of the plaintiff to pay the promised wages of "unum quarterium bladi et duos solidos argenti;" . . . therefore he had departed "post rationabilln promonicionem eidem Thome prout moris est factum." See also De Banco, 41, Mich., 244 d., Oxford; 45, Hill., 408, Suffolk.; 49, Pasch., 298 d., Kent. In case 18, list in app., when a servant sues an employer for his arrears of wages it is apparently held by the court that the plaintiff's departure within the term, if proved, would bar his action.

2 De Banco, 39, Pasch., 392, Midd. (cf. p. 188, note 1); 40, Mich., 144, Camb.; Fitzherbert, op. cit., 391: "And keeping from the Servant Meat and Drink is a good Cause for his Departure from his Service.

And so for Battery; or Licence to depart, is a good Cause of Departure."

3 De Banco, 46, Mich., 299 d., Leic.; the defendant, a "communis ancilla," had departed because her employer had threatened to take her life on her refusal to be his mistress. Ibid., 40, Pasch., 274 d., Linc.; the plaintiff is accused by the servant of having threatened him "de vita et membris." Ibid., 38, Trin., 388 d., Kent, the servant (Willel-mus) "dicit quod Matilidis, vxor predicti Johannis Colkyn (the first employer), ipsum Willelimum de die in diem sepius verberauit, et simili-riter idem Johannes Colkyn ipsum Matilidem manutenens etc., ipsum de vita et membris minatus fuit et ad ipsum verberandum quendam cul-tellum extraxit, per quod ipse metu mortis sue vel perdicionis aliquaorum membrorum etc., recessit alibi pro servicio sibi querendo, . . ."

4 Case 25, list in app. Fitzherbert, op. cit., 392: "If the Master's Wife do beat the Servant, it is good Cause for the Servant to depart and leave his Service."
tion to these specifications by the ordinance of the rights of the employee, the courts hold that a conditional contract made by the latter is valid and need be carried out only if the conditions are fulfilled; for example, there is one instance of an engagement made subject to the consent of the servant's parents, and another, to that of a previous master. It is also ruled by the courts that a contract made by a servant under compulsion need not be kept; that imprisonment by another master is a good plea to justify a servant's departure, also forced obedience to the orders of the justices of labourers. In nearly half the departure cases, however, without relying on any of the above justifications, the servant is content with the plea of a bald denial of the retainer; very frequent also is his denial of his departure within the term, or his assertion of the completion of his term; the two latter pleas being often based on the claim of a difference in the length and the dates of the term agreed upon from those named by the plaintiff in his count.

It is evident that this new form of contract gave certain well-defined rights to employees; it is equally evident that it bestowed far more important advantages on employers than they had possessed at common law, both as against their employees and as against competing employers. These advantages are worth noting. At common law a master can keep an unwilling servant in his service by force, but if the servant once make good his escape, or if a servant after agreeing to enter the service of a given master, never appears, the master has no remedy. According to the ordinance on the contrary, in either of the last two circumstances, the master has a right to re-capture the servant and even to use imprisonment or other means of forcible restraint; in an interesting test case the plea of a servant to the effect that only a suit is legitimate for the master in such circumstances is not allowed by the court. Again, at common law, a master has an action of trespass against a second master, only if the latter actually "take" the former's servant "vi et armis" out of his service. This action is not abolished by the ordinance, but by the latter's provisions essential additions to the rights of the first master are made, namely: if a second master persuade a servant to leave

1 Case 10, app., F, 5.  2 Case 36, app., F, 5.

3 Case 10, app., F, 5.  4 Cases 6 and 36, app., F, 4 and 5. Cf. summary of case 12, list in app., quoted on p. 185, note 3. In case 27, list in app., discussed on pp. 185-186, the issue turns on the question of the minority of one of the servants; the judgment includes the statement that at common law an action lies only if a servant is actually taken out of service. Reeves, op. cit., ii, 274-275, note, in a translation of a Year Book case, 11 H. IV, i, 23, affords the most explicit account of the distinction between the common law and the ordinance: "Thermug, If my servant, before the statute, went out of my service, I suppose well that no action is given to the master, but if a man took my servant out of my service, then action of trespass lay at the common law, and still lies; . . . . Hankford, I am of the same opinion as my master has expressed, that if my servant depart out of my service, at common law I can have no action, and the cause was for that between me and my servant it is a contract, upon which no action lay at the common law without a specialty, and for this mischief the statute was made, and action given on it."

4 Cf. quotation in note 4, supra, and case 17, app., F, 5.

1 De Banco, 46, Trin., 327, Linc.
2 Ibid., 33, Pasch., 181 d, Hunts.; 33, Mich., 224, Dorset; 40, Mich., 142, Midd. Cf. also case 4, list in app.; the second master in a departure and retention case claimed that the plaintiff had kept the servant in prison and compelled him to make a contract "par force et par durese." 3 De Banco, 41, Pasch., 223 d, Kent.

Space prevents me from giving the long list of references to the commonplace pleas.
his first master, or to fail to keep his agreement to enter the service of the first master; or if a second master, without any overt act inducing a servant to leave the service in which he is bound, has merely taken into his service a servant who has previously of his own accord broken contract with his first master,—in all these cases, the first master has rights and remedies under the new law. In the first place, if he chance to come across his fugitive servant anywhere, he can carry him off bodily,

In the second place, the first master in the three cases enumerated above, can serve notice on the second master, demanding back his servant, and if the second master fail to comply with this request, the first master then has an action on the ordinance against him.

1 Cf. supra, p. 195, note 4. Fitzherbert, op. cit., 392: "If the Servant be drawn away, the Master may re-apprehend him, and keep him in Spight of him." Also 388: "If a Man do retain my Servant being in my Service, for which the Servant departeth from me, etc., and goeth to serve the other, I shall have an Action against him who retained him, and against the Servant, upon the Statute of 23 Edw. III."

2 This follows from cases 28 and 36, app., F, 5.

3 The wording of the ordinance implies this; also the form of the writ includes a phrase as to notice; cf. also the argument in case 6, app., F, 4. Fitzherbert, note 6, infra, and note 3 on p. 185.

4 Cf. note 1, supra; also case 17, app., F, 5, where the record includes the phrase: "ineuenit et reductit." In case 10, app., F, 5, the master re-captured and imprisoned the servant; in case 9, app., F, 6, it is asserted that a master could have taken his servant who had departed even if he had been free; in De Banco, 40, Pasch., 175, Suffolk, an action of trespass vi et armis, the defendant pleads previous contract with the servant which gave him a right to take her.

5 Cf. case 17, app., F, 5, in which vi et armis are denied.

6 The form of the writ includes a phrase as to notice; app., 411; Fitzherbert, op. cit., 390: "And if a Man be retained in Service, and go wan-

In more than half of the suits of this character noted in my investigation the defence of the second master is merely the denial of the retention, with no further plea. Other cases include interesting details; for example, two actions are recorded in both of which it is claimed that there had been no retention by the defendant who had been merely performing his duty as constable; in one, the defendant had found the servant vagrant and had compelled him to serve a former master; in the other, the defendant had put a servant in stocks in obedience to the justices of labourers. Occasionally the second master denies the existence of a contract between the plaintiff and servant or claims that there had been such a contract but that it had been already carried out or broken for just cause; sometimes he states that he had had a contract with the servant antedating that with the plaintiff; in one case he is able to show a technical error in the form of the plaintiff's writ. A fairly usual plea of the second master is that he had found the servant in question a vagrant, or even begging for help, and that therefore he had rightfully re-

dering abroad out of his Service, another Man may compel him to serve him, etc., because he is out of Service.

And so if a Man do retain another's Servant, not knowing that he was in the Service of the other, he shall not be punished for so doing, if he do not retain him after Notice of his first Service.''

1 De Banco, 34, Hill., 142, Berks.

2 Ibid., 39, Pasch., 328 d, Devon.

3 Case 4, list in app.

4 Case 8, list in app.; a technical error in the writ is also pleaded in De Banco, 38, Pasch., 198, York.

5 E. g., De Banco, 34, Hill., 106 d, Stafford; 38, Trin., 199, Bucks.; 347, Lond.; 39, Hill., 248 d, York; 40, Mich., 553, Gloce.; 389 d, War-

6 De Banco, 39, Mich., 372 d, Leic.; the defendant had found the serv-
ant (bercarium) "infirnum . . . requisuit . . . vi sibi succurreret et auxiliaret."
tained him. This appeal to the compulsory service clause seems to prove that it was more effective than had been indicated by the few cases brought directly on it. Now the ordinance had stipulated that the vagrant must be alteri non serviens; from the above discussion it results that if a new employer is honestly ignorant of the previous contract, he is not punishable for employing a vagrant, even if the latter has left his legitimate service. He runs two risks, however, from the rights of a previous employer: 1 the latter may chance to come across his servant and in this case, as has been shown, has a right to re-take him, and thus to cause the employer of the vagrant to lose his service; or the first employer may serve notice on the new employer demanding back the servant, and the new employer must either restore the vagrant or be sued. Toward the end of the reign certainly, and possibly before, a distinction grew up between the employment of vagrants in the same county as that in which their first retainer had been and their employment in a different county from that of the first retainer. Greater laxity is allowed in the latter case: the new employer is not obliged to recognize the retainer in the other county unless the previous master has served him notice; or to put it in the other way, the first master, if his servant has escaped into another county, cannot re-take him without first serving notice on the new master. In spite of this partial exception in the matter of different counties, it is obvious that on the whole there was under the contract clause a considerable extension of the rights of the first employer as compared with his rights at common law, and that this extension came into conflict with the provisions of the compulsory labour clause, and thus caused one of the two limitations on the power of a given individual to compel service from a vagrant.

In the peculiar stress of circumstances due to the plague, employers almost universally were having serious difficulties in keeping employees to their agreements, and since during this period only the local courts were enforcing unwritten contracts of the type usual in the relations between employers and employees, the former had no remedies in the upper courts. This unsatisfactory status of the law of parol contract is undoubtedly the explanation of the successful attempt made by the lawyers and judges of the king's bench and of common pleas to widen the application of the contract clause, and to bring it about that a bailiff or a school-teacher could be sued for breach of contract under the same form of writ as a ploughman or a carter.

(6) The effect of the compulsory service and contract clauses on the lord's relation to his villeins.—The lord's summary certainly proves this. Cf. also Hale's note to Fitzherbert, op. cit., 390: "If it be in the same County, he (the new employer) ought to take Notice of the first Retainer at his Peril, but he is not punishable, if he (the servant) be found Vagrant in another County..." Hale refers to a Year Book report, 17 Edw. IV, l. 7, which contains a clear recognition of this distinction between counties by Littleton, and which gives a cross-reference to my case 43. This latter must be discussed again in connection with villeins; see s. 6.
relation to his tenants causes the second limitation on the right of employers to compel work from vagrants. The ordinance had provided that lords should receive preference both as to their bondmen and as to their free tenants; accordingly in an action against a labourer for refusal to serve, the plea is urged that the defendant was holding land of a lord for whom he had services to perform, and is upheld by the court on the ground that if the labourer had made a contract with another master, he could not legally have left him to perform the necessary services for his lord. It is added that the statute had been made for the advantage of the lords. In a case summoned to Westminster from quarter sessions the justices of labourers had decided that a labourer is justified in refusing to serve an employer when required, if he can prove that he is a villein of another man; the result is the peculiar situation in which a villein is himself interested in proving the fact of his villeinage. It is not easy to ascertain the precise effect of the contract clause. Up to nearly the end of the reign there is clear evidence in both reports and records that if a villein, who had escaped from his lord or who had by payment of chivage acquired the right to live outside the manor, made a contract with a new employer, he could be re-taken by his lord. The verbs used to describe such a recovery of villeins are: seisiuit, recept et redusit, abstulit et recepit, arestavit, prisomus, cepit et abduxit, cepit. The counsel for the other side does not deny the lord’s right to re-

1 Page 181 and p. 199. 2 App., 9. 3 Case 20, app., F, 4. 4 App., 248-250, and pt. 1, ch. ii, s. 7. Cf. Vinogradoff, Villainage in England, 53-55. In discussing the case printed in his app. (case 7 in my list) he writes: ‘The peculiarity of the case is that a third person has an interest to prove that the man claimed as villein had been as a free man.’

5 Pat., 25, pt. 2, m. 10 d; 16 Aug. Cat., ix, 161.

6 App., 217-218, and pt. 1, ch. i, s. 7.
claim his villein but almost always merely tries to prove that the labourer in question is free, not villein. A curious case originating before the justices of labourers and summoned to Westminster is to the point. Five brothers bring an action on the statute of labourers against a lord, on the ground that, after each of them had entered into a contract with an employer, the defendant had come and taken them each back to his manor and by thus preventing them from fulfilling their contracts had caused them damages to the extent of 20s. each. The plea of the defendant that they are all his villeins is held a good plea by the justices and the plaintiffs are all in mercy; there is apparently no question raised as to his right as their lord to take them out of the service of their new employers. As a logical result of the recognition of the lord's right to re-take his villein even though bound by contract, it is decided by the courts that a servant can justify his departure within the term by proving that he had been distrained or actually seized as a villein by the agents of his lord. Since the ordinance had stipulated that a lord might keep only as many villeins as he needed it is natural that in some of the cases the lord should add to his statement of the villeinage of the servant in question the plea that he needed his services; yet when

1 App., 244-248, and p. 96. It is more accurate to say that the question had not been raised before the justices of labourers; I do not know the final result of the case.

2 See p. 201, note 8; also case 38, app., F, 6.

there is an attempt to make an issue of the fact as to whether a lord needed this particular villein, the court rules that this point is not issuable. As far as these cases go, if the above analysis be correct, it is clear that at this date neither the compulsory service nor the contract clause interfered with the legal bond between a lord and his villeins; he merely had to state that he required their labour and was then entitled to take them. In other words the relation of a lord to his villeins or to his tenants who were not villeins was equivalent to the relation of a master to a free servant under the terms of a contract; both relations stood in the way of the rights of a new employer.

The real difficulty comes up in the interpretation of an action at the very end of the reign including the complication of the escape of villeins into another county. The report had left the matter in doubt, but the record shows that the issue was not allowed.

1 Fitzherbert, op. cit., 391: "The Lord may take his Villain out of the Service of another if he hath need of Servants, otherwise not." (19 R. II, 50 Edw. III, 22.) Hale's note somewhat modifies this bald statement; he quotes 30 Edw. III, 31 (case 9) and also reports of later reigns where the lord re-took his villeins. Reeves, op. cit., ii, 247, note: "a lord could take away his villein even from the service of another person," Vinogradoff, loc. cit.: "One of the difficulties in working the statute came from the fact that it had to recognize two different sets of relations between the employer and the workman. The statute dealt with the contract between master and servant, but it did not do away with the dependence of the villain on the lord, and in case of conflict it gave precedence to this latter claim; a lord had the right to withdraw a villain from a stranger's service."

2 De Banco, 33, Pasch., 181 d, Hunts.; in an action for retentim and departure, one of the defendants (the employer), claims that the other defendants (the two servants), "ipsi fuerunt tenentes sui et tenuerunt diversa tenementa sua in villenagio." Apparently they were not villeins by status.

3 Case 9, app., F, 6, referred to by Fitzherbert as 50 Edw. III, 22; see note 2, supra. Cf. pp. 198-199.
cording to the report in the printed Year Book and to Fitzherbert’s version of the case the courts have arrived at the same conclusion in regard to the employment of a vagrant villein as had already been reached in regard to the employment of a vagrant free labourer, bound by a previous contract which he was seeking to avoid; i.e., if a villein is vagrant in another county and there enters into the service of a new employer, his lord can legally re-take him only after serving notice on the new master. Brooke’s summary omits the distinction between counties; while the record, if indeed it be the record of this action, shows that the case turned on an issue quite different from that presented in the report. Although the necessity of notice is clearly emphasized in later cases on the contract, if a villein is vagrant everybody can seize and put him to work, and the lord cannot take him back into his manor until the end of the statutory contract.  

1 It is strange that Fitzherbert should omit in his commentary the discussion of this point.

2 App. 460.

1 It is with much hesitation that I print the record as probably referring to the report under discussion, in view of the fact that Professor Vinogradoff, who was so good as to consider the evidence, is inclined to believe that the report and record do not refer to the same case. That there are striking differences as well as striking similarities must be admitted; but the fact that so very few actions occur that involve both the statutes of labourers and the question of villeinage increases the likelihood that this is the record of the reported case.

4 See p. 198, note 4. It will be seen that I am forced to differ from Mr. Savine in his understanding of case 43: cf. “Bondmen under the Tudors,” in Trans. Royal Hist. Soc., xvii, 254: “Though perfectly hostile to liberal tendencies, the labour legislation in the long run certainly assisted to loosen the dependence of the bondman on his lord. . . . The lord retains the preferential right over the working power of his villein; but when the villein does not find employment in his manor and is vagrant everybody can seize and put him to work, and the lord cannot take him back into his manor until the end of the statutory contract.”

2 Of the six reported cases the records have been found of all but one. In addition there are four records of cases not reported and one record dealing with villeins by tenure; these are all quoted in this section.

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1 Cf. supra; also the two later cases quoted by Mr. Savine which contain decisions, as he himself recognizes, contrary to his interpretation of my case 43; and make him admit that it is “possible to overestimate the disintegrating influence of this labour legislation,” and also that “such judgments as those pronounced in the last two cases certainly limited very much the action of the Statute of Labourers as far as it concerned the villeins if they did not annul it altogether.” Op. cit., 255-256.

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cases in the courts on this clause may be interpreted to mean that, a lord instead of bringing suit to recover his own fugitive villein, found it easier to employ the vagrant villein of some other lord.

The epoch is one of transition during which the position of villeins was undergoing radical changes by no means due to direct legislation. Nowhere are these changes more emphatically revealed than in the cases already quoted in which villeins were bringing actions on the statutes of labourers against their lords; especially, perhaps, in the case in which it appears that villeins were themselves employers of servants and were suing their lords for elosing these servants.¹

(7) Judgments and verdicts.—Of the 312 actions considered in the preceding pages, 299 were on the contract clause.² These, as has been pointed out, were classified as follows:³ 136 against servants for departure, 116 against masters for retention, and 47 against both masters and servants for retention and departure respectively. Of the 6 actions involving the contract clause, there is one of false imprisonment brought by a servant against a master,⁴ and five of trespass vi et armis brought by masters against other masters, four of them for taking servants and one for taking villeins.⁵ There is in addition a report of a case of which I have not found the record, an action for debt brought by a servant against a master and which involves the contract clause.⁶

¹See pp. 95-56. ²S. 3. ³Case 10, app., F, 5. ⁴Case 17, app., F, 5; case 30, list in app.; De Banco, 40, Pasch., 175, Suff.; 40, Mich., 175 d, Essex and 41, Trin., 312, Essex. In the last case the servant was being punished by stocks. ⁵Case 43, app., F, 6. ⁶Case 18, list in app.; see p. 193, note 1.

A further analysis of the 299 cases gives the following results. 136 actions for departure: attachment (no further process), 15; jury on question of fact (result not given), 107; judgment on question of law, 8; jury on one point (result not given) and judgment on another, 1; jury on question of fact, verdict given, 5.

116 actions for retention: attachment, 7; jury on question of fact, 101; judgment on question of law, 1; judgment asked but not recorded, 1; jury on one point and judgment asked on another, 1; jury on question of fact, verdict given, 5.

47 actions for retention and departure: attachment, 3; jury on question of fact, 39; jury on one point and judgment on another, 2; jury on question of fact, verdict given, 3.

Totals: attachment, 25; jury, 247; judgment, 9; judgment asked but not recorded, 1; jury on one point and judgment on another, in one instance asked but not recorded, 4; jury on question of fact, verdict given, 13.

In the comparatively few instances where the final results are recorded,¹ the important question to be answered is: are the findings of the courts for or against the labouring classes? The judgments may be considered first. By a strange coincidence I have failed to find the records cor-

¹It is not only in actions on the statutes of labourers that the results do not appear. Cf. Introduction to Year Book, 3 Edw. II, lxxi (Selden Soc.): "A day is given to the parties to hear their judgment. A blank space for the judgment is left upon the roll, and blank it remains after the lapse of six centuries. What happens in these cases we do not know; but we fancy that very often the parties, weary of waiting for a judgment, patch up their quarrel without telling the Court anything about the compromise. In some future volume we, or some of our successors, may be able to explain more fully than we could at present how it comes about that so many records finish with an issue of fact or with an issue of law, and show no judgment and no verdict."
responding to six reports where judgment was given, four of which belong to the group of contract cases, in addition to the judgments included in the figures given above. In the first of these four, an action for retention, judgment is for the defendant, on the ground of the minority of the servant; in the second, an action for retention and departure, for the defendants, on the same ground; in the third, an action for the departure of two servants, for the defendants, on the ground that there should have been two writs instead of one; in the fourth, an exactly similar action, a similar judgment. Of the two cases in which the judgment although asked is not recorded, one is an action for retention in which the defendants ask for judgment on the plea of another action pending between the same parties for the same cause; the other is also an action for retention, in which the defendant asks for judgment on the ground that the ordinance does not apply to contracts for a term longer than a year. In the nine cases where judgment is recorded, the details are as follows: in three departure cases, the judgment is for the plaintiff, on admission of guilt by the defendant; in four departure cases, for the defendant, on the same ground; in the defendants, on the ground that there should have been two writs instead of one; in the fourth, an exactly similar judgment although asked is not recorded, one is an action for retention in which the defendants ask for judgment on the plea of another action pending between the same parties for the same cause; the other is also an action for retention, in which the defendant asks for judgment on the ground that the ordinance does not apply to contracts for a term longer than a year.

In the second, an action for retention and departure, for the defendants, on the ground that there should have been two writs instead of one; in the fourth, an exactly similar action, a similar judgment. Of the two cases in which the judgment although asked is not recorded, one is an action for retention in which the defendants ask for judgment on the plea of another action pending between the same parties for the same cause; the other is also an action for retention, in which the defendant asks for judgment on the ground that the ordinance does not apply to contracts for a term longer than a year.

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In the action of false imprisonment brought by the servant judgment is for the defendant, i.e. the master, on the ground that under the contract clause re-capture by force is legal as a means of holding a servant to his agreement. Therefore, of these seventeen actions, in eleven the judgments are in favor of the servants, and in two of the second masters and therefore of the servants also; and in only four are they against the servants, and in three of these because of their own confessions.

In turning to the verdicts of the juries, it is to be recalled that out of the 299 cases on the contract clause, thirteen verdicts are recorded and out of the six cases involving the clause, one; these verdicts must be considered somewhat in detail, the plea of the defendant and the occupation of the servant being noted, as well as the penalty.

**Actions for departure.**

1. Denial of date of contract by *carucarius et carectarius*; damages of 40s. for plaintiff.
2. Denial of contract by *bercarizhs*; damages of 2 marks for plaintiff.
3. Denial of date of contract by *conzmunis ancilln*; damages of 20s. for plaintiff; defendant also fined 2s.
4. Ill-treatment and failure of plaintiff to pay wages to *laborarius*; damages of 10 marks for plaintiff; defendant also fined 2 marks.

**Actions for retention.**

1. Denial of retention of *ancilla*; damages of 10 marks for plaintiff.
2. Denial of retention of servant contrary to the ordinance; damages of 4 marks for plaintiff.
3. Denial of knowledge of previous contract of servant who had been engaged in *officio custodis auerorum*; damages of 50s. for plaintiff.
4. Denial of retention of servant who had been engaged by plaintiff as apprentice in *articchio cellarii*; damages of 10 marks for plaintiff; defendant also fined half a mark.
5. Vagrancy of *carucarius* pleaded by second master and mistress; damages of £10 for plaintiff, remitted because of general pardon at death of Edward III.

**Actions for retention and departure.**

1. Denial of retention by second master, and of departure by *lotrix*; damages of 40s. for plaintiff; second master fined 40d. and *lotrix* fined 12d.
2. Vagrancy pleaded by second master, ill-treatment by *ancilla*; damages for plaintiff of 40 marks from second master and 10 marks from *ancilla*.

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1. *Coram Rege, 47, Trin.*, Cavendish, 22 d, Rutland; two justices "de Banco" appeared in this case.
4. *Coram Rege, 47, Hill.*, Cavendish, 51, Northants.; defendant claimed that he had even asked servant if he were already bound by contract. Plaintiff had asked for £40.
3 Vagrancy pleaded by both the second masters; lack
of contract and also lack of food and clothing by the
two *ancille*; damages for plaintiff of 16d. from one
*ancilla* and 2s. from the other; and 36s. 8d. from
each of the masters.¹

In the action of trespass *vi et armis* for taking servant,
the plea of previous contract urged by the defendant is not
upheld, because the plaintiff is able to prove that the defend-
ant's ill-treatment had justified the servant's departure; the
verdict is damages of 4 marks for the plaintiff and also a
fine of 5s. for the defendant.² Out of these 14 verdicts,
therefore, there is not one explicitly for the servant although
in the last case he benefits by the verdict for the plaintiff.

In the small number of actions on the compulsory ser-
vice clause, only two altogether, and one involving the
clause,³ no example occurs either of a verdict or of a judg-
ment; but to these actions found on the Plea Rolls must be
added the reports of two cases, for which I have not suc-
cceeded in identifying the records. In one of these the judg-
ment is for the defendants on a technicality; there should
have been two writs instead of one:⁴ and in the second

¹ De Banco. 50, Hill. 223 d, Norfolk; ⁰Et eadem Cristiana et Sibilla
separatim dicitur quod quaedam Alicia mater ipsarum Cristiana et Sibille
fuit comorans per longum tempus cum predicto Thome (plaintiff), quasi
amica et servientis eiusdem Thome, ipsis adunc tenurus etatis et cum
eadem mater sua in domo ipsius Thome comorabantur, et postea mater
earundem obit; post cuius mortem ipse comorabatur cum eodem
Thoma quasi filie sue et ipsi deserviebant abaque aliqua convencione, et
postea cum etas earundem accrescebat et idem Thomas eis pro victu et
vestitu suis necessariis pro eorum statu et labore competencia non
inveniebat, eedem Cristiana et Sibilla ab eodem Thoma recesserunt.""³

² Case 17, app., F, 5.

³ See pp. 175-176, for references to these, and also to the remaining
four cases making up the total of 312.

⁴ Case 14, list in app.; Hale's note to Fitzherbert, *op. cit.* 389, quotes

the judgment is also for the defendant, on the ground that
he had sufficient services to perform for a lord of whom he
held some land and that therefore he was exempt from
the clause."¹

The result of these figures is to prove that the courts were
perfectly ready to allow to servants or to masters offend-
ning against the labour legislation the full advantage of any
legal technicalities; but that the juries almost never gave ver-
dicts in favor of servants or even of employers who were
charged with infringement of the law. It has already been
shown what kind of questions of fact arose in actions for
breach of contract; but it has also been admitted that no in-
formation has come to my notice as to the necessity of any
formality, such as the presence of witnesses, for the validity
of the parol agreement between master and servant. If a
servant said in court that no such agreement existed, or if
a second master claimed a previous contract with the ser-
vant, it must have been difficult to establish either the truth
or the falsity of the statement. In the existing conditions
of the labour market the sympathy of witnesses called in to
testify and also of the jurors was likely to be on the side of
the plaintiff, while the presumption of guilt was certainly on
the side of the defendant. There is small cause for wonder
that even by conscientious jurors the acquittal of servants
and masters on trial was not frequent.

An exhaustive study of the Plea Rolls for the reign of
Edward would undeniably still further confirm the im-
pression that the upper courts were giving full measure of
attention to the statutes of labourers, thus supplementing

¹ Case 20, app., F, 4; cf. also s. 4 and s. 6.
to an important extent the work of the special machinery
devised for the enforcement of the legislation. So ap-
parent is this whole aspect of the execution of the statutes
that one is surprised at the remark of the chief justice of
common pleas:  

\textit{Lestatut fuit fait par cause de servuant pris
devant Iustices de laborers en pays et nemy devant nous.}^{1}

Not only have the records proved valuable as showing
changes in the interpretation of the law by the courts that
had escaped the notice of the reporters, but also as contain-
ing a veritable store-house of details illustrating the relations
between masters and servants and thus throwing light on
the homeliest incidents of every-day life.

\textsuperscript{1} Case 29, list in app.

\section*{PART III}

\textbf{SUMMARY OF THE WORK OF THE KING'S COUNCIL}

At many points in the preceding study of the labour
legislation and of its enforcement, reference has been made
to the part played by the king's council; in conclusion, there-
fore, it seems desirable to recapitulate the more important
phases of its activity, in order to convey an impression of
its relation to the whole administrative machinery.\textsuperscript{1}

Owing to the inability of parliament to meet during the
plague, the first ordinance was framed and promulgated by
the council, and proved to be not a mere temporary ex-
pedient, but a permanent measure having all the force of
parliamentary legislation, and in many ways a more im-
portant enactment than the statute by which it was after-
wards supplemented. With the council originated the in-
genious device proclaimed in the second ordinance, namely
the relief of the taxpayers by the application in aid of the
current subsidy of the penalties resulting from the first or-
dinance. Even during the running of the next subsidy,
when a similar application of these penalties had been care-
fully regulated in parliament, the council steps in with a
special provision for a certain town, or with the issue of
special commissions to investigate the carrying-out of the
scheme. It seems more than probable that it was the di-
rect initiative of the council, in consultation with the treas-

\textsuperscript{1} It is necessary always to remember that I have omitted the whole
subject of ecclesiastical responsibilities for the administration of the sta-
tutes; \textit{cf.} the last clause of the ordinance and quotations cited by Gas-
quet, \textit{Great Pestilence}, 186.
ENFORCEMENT OF THE STATUTES OF LABOURERS

through the existing administrative machinery, carries out the provisions of the statutes directly; for example, it empowers two citizens of Norwich to compel labourers to serve in accordance with the compulsory service clause of the ordinance,1 or it appoints a special commission to aid the bishop of Winchester in securing service from one of his villeins, also in accordance with a clause of the ordinance.2

The more important functions of the council, however, are those to which reference has already been made, the initiation of legislation or of changes in the law without recourse to legislation, and the persistent control of the administrative machinery.

Since the distinctive feature of the statutes of labourers is that they represent the first thorough-going attempt to impress uniform economic standards on the country at large, and since the special machinery created to enforce these standards became a permanent part of the new centralized system of local justice that was cutting into the jurisdiction of the old local courts, it was inevitable that these statutes

1 Pat., 26, pt. 1, m. to d, 16 April; "De operariis capiendis pro ciuitate Norwici pauianda et muris eiusdem ciuitatis dirrutis reparandis;" Cal., ix, 283-284. "Cum . . . interrexerimus quod predicti ciues circa pauiamentum et reparacionem predicta facienda et dictam ciuitatem mundandam servitoribus et operariis multum indigent, et quod quamplures homines et mulieres fortes et ad laborandum potentes in eadem ciuitate vagantur ociosi et pro salario competenti operari recusant et quia in ordinacione. . . ."

There is, of course, the regular practice of the issue by the crown of writs empowering certain individuals to engage labourers for the royal works at the statutory rates of wages; cf. e.g., Pat., 31, pt. 2, m. 11, 1 Aug.; "De operariis capiendis." There were sometimes difficulties in carrying out such instructions; cf. Pat., 20, pt. 1, m. 27 d, 30 Jan.; "De quibusdam cementariis arestandis." This is a commission to Walter Albyn, serjeant-at-arms, and to the sheriff of Kent to arrest four labourers for certain "contemptibus et inobedienciis" and to imprison them in the Tower until further notice.

2 Cf. p. 200.
ENFORCEMENT OF THE STATUTES OF LABOURERS

should be mainly under the control of the council, the mainspring of the central government. What the privy council of the Tudors and of the Stuarts attempted to do in relation to the justices of the peace and the enforcement of the poor law, is what Edward's council, though of course less systematically, was attempting to do in relation to the justices of labourers and to the statutes which these justices were appointed to enforce.

1 Mr. J. F. Baldwin has become the authority on the king's council for this early period; see his articles listed in my bibliography. His conception of the council as "a power working with great persistency in legislation and administration, which it would be no exaggeration to call the mainspring of the government" (article in A. H. R., xi, 15), is fully borne out by the traces of its activity in relation to the labour legislation.

2 Beard, Justice of the Peace, chs. 4 and 5.

3 Leonard, Early Hist. of Eng. Poor Relief, passim.

CONCLUSION

It is now time to try to answer the questions suggested in the introduction as to the legitimacy and effectiveness of the statutes of labourers. In regard to the ethics of the most familiar and obvious aspect of the legislation,—the endeavor to keep wages and prices at the rates prevailing before the plague,—authoritative statements will be warranted only after an exhaustive study of the available sources has resulted in statistics, but the subject is so full of complexities that even with statistics a decisive opinion will not be easily formed.

The case against the government rests chiefly on two considerations. First; the statutory rates of wages are too low, recurring to standards already obsolete. Second; the apparent fairness in the regulation of prices as well as of wages is misleading; the prices are for the most part of goods sold directly by the makers and therefore constitute really a labour wage, while the prices of victuals etc. not coming under this head, are to be "reasonable" instead of going back to an antiquated rate. The case for the government is in my opinion even stronger. The scattered instances noted in this monograph where a direct comparison between the old and new rates is possible reveal such an enormous increase in both wages and prices, the demands of both producers and labourers (whether combined in the same individuals or not) went so far beyond what consumers and employers could pay, the latter were also under such unusual pressure of taxation, that the situation was

1Pt. I, ch. ii, s. 6. 2Ibid., p. 87, note 4.

3Professor Benjamin Terry writing to me in April, 1907, made a forcible presentation of this argument.
CONCLUSION

plainly a crisis of an unprecedented character, involving real
danger to the welfare of the community. In an age when
the idea of a competitive price had not yet been evolved
and when for normal conditions regulation by local authori-
ties of both wages and prices was the accepted custom, it
was natural and equitable that in an emergency the cen-
tral government should exert itself to the utmost to check
the evil. The evidence of the records examined in this
investigation goes to show that the attempt was honestly
meant to include prices as well as wages whenever there
had been a rise in the former also; under these circum-
stances it seems unreasonable to consider such an attempt
as unfair oppression of the working classes. From the
point of view of injustice, the inequity of the low statutory
rates of wages was surpassed by the exorbitance of the de-
mands of the labourers.

In turning to the problem of whether success or failure
is to be attributed to the endeavor to lower wages and
prices, it is clear that the preceding study warrants at
least one positive conclusion. The large number of justices
appointed within a short interval to enforce the laws, the
existing records of their sessions, the references to similar
records that have ceased to exist, the entries for the pay-
ment of their wages,—convincing proof of the regularity
of their sessions,—the importance to various claimants of
the penalties imposed by the justices,—chiefly, as has ap-
ppeared, for the receipt of excess wages and prices,—the
figures of the amounts of these penalties,—evidence of the
large sums actually levied on the labouring classes,—all
these facts point to the zealous administration of this por-
tion of the enactments. To the work of the special justices
in convicting labourers must be added the occasional efforts

of the old local courts, while the importance of the action
of the upper courts in attempting to compel employers as
well as employees to obey the law cannot be overstated. In
view of this cumulative evidence it is impossible to doubt that
during this first decade the wages and price clauses were thoroughly
enforced. The fact that
rates remained high after the plague by no means proves
that the thorough enforcement had no effect; on the con-
trary, it may prove that, had it not been for the deterrent
influence of the levying of penalties under the statutes, the
rise would have been even greater. Although from the
nature of the case there is no positive method of showing
what would have happened to wages and prices had no such
restrictions existed, my belief is that regulations as effi-
ciently carried out as these were for a short period, at least,
could not fail during that period to achieve their purpose
to some extent, although not, of course, to the extent de-
sired by their framers. That is to say, wages were not
kept at the statutory level, but they were kept for ten years
at a lower level than would have resulted from a régime
of free competition.3

1 It has been shown that the cases on the contract clause in the upper
courts dealt indirectly with the wages clause; p. 178.
2 Pages 4-5, note 1.
3 For a recent statement of this view, see Oman, The Great Revolt,
7: "The Black Death permanently raised the price of labour—despite
of all statutes to the contrary—though its effects would have been much
greater if they had not been checked by the legislation of Parliament."
The whole subject of economic restrictions is a matter of serious con-
troversy among economists. On one side it is maintained that the
usury laws tended on the whole to raise, not lower, the rate of interest;
on the other it is urged that the regulation of cab fares actually reduces
the price of cabs. It must, however, be confessed that the weight of
economic opinion is against my view. Without here attempting an
analysis of the conditions that go to determine the possibility of accom-
plishing a given end by such regulations, it will be universally admitted
that thoroughness of administration is essential, and that in the instance
under discussion this at least was secured.

1 Page 4, note 3; pt. ii, ch. i.
To the question as to whether the statutes represent an influence in favor of or opposed to the system of villeinage, it is not easy to give a categorical answer. The endeavor to check the mobility even of the free labourer seems at first sight an extension of the whole theory of villeinage; but it is to be emphasized that this provision was merely aimed at preventing a given labourer from refusing the legal wages offered in his own district and from going to a place where he could obtain higher wages. Likewise, the compulsory service clause was not so much concerned with stopping the vagrancy of either free or bond, as with securing for the employer a sufficient supply of labour at the normal rate. The specification that a lord could keep only as many villeins as he actually needed is theoretically a direct interference with the relations between lord and villein and might conceivably have tended to put an end to the old system; but the conservative attitude taken by the upper courts on this question, as shown by their decision that a lord might re-capture his villein in spite of a statutory contract between the latter and another employer, necessitates considerable modification of the statement that "the Edwardian statutes struck a very heavy blow at the whole fabric of the manorial system." It has, however, been suggested in the preceding pages that the provisions for the employment of vagrants were an indirect admission that the machinery of the manorial courts had become inadequate for the task of recovering fugitive villeins, and that the lords needed some other means of securing labourers, and that therefore a remedy was provided for them by the agency of the central government. The fact that villeins were being tried and convicted by the justices of labourers exactly like free men, and that they were themselves bringing audacious suits in quarter sessions against their own masters; the fact that these masters evidently preferred to leave to the crown-appointed officials the brunt of the work of enforcing these measures against their tenants whether free or bond, while they themselves merely received the fiscal profits resulting from convictions; these facts, as well as many others, all point in the same direction. The cataclysm of the Black Death had hastened the break-down of the old system and had accelerated changes in economic and social relations throughout the community; the statutes of labourers must be regarded not as having created a new system or a new set of economic relations, but as affording proof that radical changes had occurred, ushering in a new era.

Finally, in defence of the theory that this legislation was on the whole equitable, emphasis must be laid on that aspect of the statutes which has been usually neglected, namely their relation to the existing law of parol contract. From a modern point of view the endeavor of the upper courts to enforce contracts is obviously justified and commands sympathy and approbation. Although to a certain extent this endeavor was successful, the number of actions on the contract clause against masters proves the truth of the statement that it was in the end the keen competition of employers that made it impossible permanently to check the rise in wages.

For this decade, then, the evidence is conclusive in favor of the belief that the statutes were enforced and tends to show that they were by no means inoperative, but for the course of events during the remainder of Edward's reign.

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2 Pages 205-206.

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1 Petrushevsky, reviewed by Savine in E. H. R., xvii, 781.
except for the work of the upper courts, there is as yet very little definite information. The petitions in parliament indicate a possible falling-off in the energy with which the statutes were administered; certainly à priori, no officials would be as zealous as the justices of labourers, who had no other duties, and whose salaries depended directly on securing a goodly number of convictions; but all opinions are more or less of the nature of guess-work until the sources for the last part of the reign have been thoroughly examined. Only after such an examination will there be a possibility of understanding the precise relations of the statutes to the great revolt.

My main object has been to give an account of administrative methods, and to call attention to the manuscript sources; there has proved to be an almost inexhaustible wealth of material for statistics of wages and prices, and for detailed information as to the manner of life of the ordinary people. It is to be hoped that in the near future some one better fitted for the task than is the present writer will make use of this material for the purpose of giving a vivid picture of this daily life, in order that "the thoughts of our forefathers, their common thoughts about common things, will have become thinkable once more." 

1 Langland is worth quoting:
"And thanne curseth he the kyng and his conseille after.
Suche lawes to loke laboreres to greue."
Valuable results might be obtained if an investigator were to take a given county, Essex, for example, and examine all the material having to do with the statutes for the whole period from 1349 to 1381.

2 Maitland, Domesday Book and Beyond, 520.
I. ACCOUNT OF SOURCES

The explanation of the inadequate treatment hitherto accorded the statutes of labourers lies in the scarcity of the printed sources. The contemporary writers, chroniclers and others (a convenient bibliography for the period is to be found in Tout's *Polit. Hist. of Eng.*, 1216-1377, app. 451-460) have long been available and have been freely used by later commentators. They are important as reflecting the attitude of certain sections of the community, much as do the daily papers of the present; but for the description of administrative methods, they by no means take the place of the official records on which the preceding study of the enforcement of the statutes has been based. These official records fall into three main classes, belonging to, first, the central government; second, the old local courts, communal, seignorial, and municipal; third, the church.

For the church, the important records for my purpose are the episcopal registers preserved in the diocesan registries. For an account of these, *cf. Gross, Sources of Eng. Hist.*, 402. For a list of those in print or calendared for this decade, *cf. ibid., loc. cit.*; and Tout, *op. cit.*, app. 449-450.

With the necessary limitation of the length of my stay in England, I decided to omit altogether a study of the administration in the hands of the church, since the material for such a study is scattered throughout the country. Further, I have not attempted to deal thoroughly with the old local courts, since so small a proportion of their rolls are to be found in the Public Record Office. In the case of the central government, however, the sources, as far as they exist at all for the years 1349-1359, are preserved in the Record Office.
Almost the only important exceptions are the manuscript Year Books, which must be sought in other archives; cf. pt. ii, ch. ii, s. i of my text. It seemed wise, therefore, to concentrate my efforts on the endeavor to make as complete as possible an examination of these sources.

The various classes of records and their contents have been analyzed and described by competent authorities; for example, by Scargill-Bird in his invaluable Guide to the Public Records, by Gross, in the excellent summaries preceding the different sections of his Sources of Eng. Hist., or in less technical form by Tout in the appendix to Polit. Hist. of Eng. Further, the publications of the old Record Commission and the calendars in the annual reports of the deputy keeper cover a wide field, while the present official series of calendars and of lists and indexes will eventually constitute a complete catalogue of the documents in the Record Office. In the meantime many manuscript lists available only on the spot are of great assistance to the investigator.

No general description of the material being needed, my plan in the following pages is to give brief summaries of the various classes of manuscript records important for my purpose, with references to any portions that are in print, and to note what proportion of each class has been included in my search; also to point out certain errors and inadequacies in the official calendars and lists and to call attention to a notable omission on the part of nearly all authorities of one whole class of records essential for my subject.

These summaries and critical comments will serve as introductions to the groups of documents and extracts from documents constituting the bulk of this appendix. Except in a very few instances, these documents have not been hitherto printed and have been selected from each important class of records, the greater number being taken from those classes that are least likely in the near future to be calendared or printed. To these texts have been added certain lists and tables based on the manuscript sources.

A word must be said in explanation of the method chosen for grouping the documents. The three great departments responsible for the enrollment and the custody of the records of the central government are chancery, the exchequer and the courts of law. For purposes of investigation it proved convenient to consider separately the chief enactments of parliament and council, to distinguish the judicial from the administrative side of chancery, and to regard the courts as being of two types, local courts under crown-appointed justices, and upper courts, including the king’s bench, common pleas, chancery and the council. To these must be added a third type—the old local courts already mentioned, communal, seignorial and municipal—some of their rolls being also in the Public Record Office.

The resulting classification—A. Parliament and council; B. Chancery on the administrative side; C. Local courts under crown-appointed justices; D. Exchequer; E. Old local courts; F. Upper courts;—is roughly analogous (except for A.) to the main divisions of my administrative study. The correspondence is not exact, the chief difficulty being the part played by the council, which has to be treated under every department. There are also frequent cross-classifications; e. g., pardons for outlawry mark one step in the judicial system and yet are necessarily recorded on the Patent Rolls. On the whole, however, it is believed that the groups of documents as arranged will serve to illustrate with some clearness the various phases of the administrative process, and it is hoped that they will be studied in connection with the corresponding sections of my text.
II. DOCUMENTS, EXTRACTS FROM DOCUMENTS, LISTS AND TABLES

A. PARLIAMENT AND COUNCIL

INTRODUCTORY NOTE

Parliamentary and other Petitions (Chancery and Exchequer).

These include almost all the extant petitions of the period to king, council, parliament, and chancellor in his executive capacity. Cf. Scargill-Bird, op. cit., 284-285, and Maitland, Records of the Parliament of 1305, introduction, xxvi.

Index of Ancient Petitions of the Chancery and the Exchequer, Lists and Indexes, no. I.

Merely a list of names of the petitioners, with no indication of the contents of the petitions; in many cases the latter are undated, and are, therefore, unintelligible. About a tenth are printed in Rotuli Parliamentorum.

Throughout my account of administrative methods it has been emphasized that traces of the activity of the council in relation to the statutes of labourers are everywhere apparent; this fact thus confirms the truth of Mr. Baldwin's theory that before the era of the keeping of formal council records, its doings can be followed by a study of the records of other branches of government. It seems probable, therefore, that an exhaustive examination of these petitions with a given subject in view, like the statutes of labourers, and in connection with other available sources, would reveal the date and real significance of innumerable undated petitions, and would thus throw light on the working of mediæval machinery. My investigation has included so few out of the mass of about 16,000 petitions that the results are not important.

Royal and Historical Letters, collected from various classes of documents; cf. Scargill-Bird, op. cit., 330-331.

List of Ancient Correspondence of the Chancery and Exchequer, Lists and Indexes, no. xv.

Undoubtedly some of these would also reveal council methods but have not been included in my search.

Parliament Rolls. (Chancery.)

Parliamentary and other Proceedings. (Chancery.)

Parliamentary Proceedings. (Exchequer, K. R.)

Statute Rolls; imperfect, supplemented by the above.

Rotuli Parliamentorum.

These include parliament rolls from various sources, some of the material contained in the second of the two series of "Parliamentary Proceedings," and many petitions from "Parliamentary and other Petitions." Cf. Maitland, Records of the Parliament of 1305, introduction, xxvii, xxxii, lxii.

I have relied altogether on the printed Rotuli.

The Statutes of the Realm.

These include the Statute Rolls, some of the material contained in the second of the two series of "Parliamentary Proceedings," and a number of British Museum transcripts of documents of various kinds.

As illustrative of parliament and council action, the statutes and ordinances are, of course, the most important; in this case it has, therefore, seemed wise to depart from my plan of including in the appendix.
APPENDIX

only documents hitherto unprinted, and for convenience to give the text of the labour legislation of the decade. The statutes have been reprinted from the Statutes of the Realm, but have been collated with the originals on the Statute Roll. The first ordinance, also reprinted from the Statutes, has been collated with the Close Roll enrollment and has been grouped with the other enactments; but the second ordinance and the "Statutum de Forma, etc." which the editors of the Statutes took from British Museum transcripts, with some consequent errors, are now printed from exchequer enrollments and grouped with other exchequer documents.¹

1. List of Parliaments 1349-1359.²

<table>
<thead>
<tr>
<th>Year</th>
<th>King</th>
<th>Session Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1351</td>
<td>Edw. III</td>
<td>25-26 Feb. - 1 March</td>
</tr>
<tr>
<td>1353</td>
<td>Edw. III</td>
<td>28 April - 20 May</td>
</tr>
<tr>
<td>1354</td>
<td>Edw. III</td>
<td>28 Aug. - 12 Nov.</td>
</tr>
<tr>
<td>1356</td>
<td>Edw. III</td>
<td>No parliament</td>
</tr>
<tr>
<td>1357</td>
<td>Edw. III</td>
<td>10 April - 16 May</td>
</tr>
</tbody>
</table>

2. Enactments. Extracts from Close Rolls and Statute Rolls.

Rotuli Literarum Clausarum, 23 Edw. III, pt. i, m. 8 d.:³

De proclamacione facienda de seruientibus.

Rex vicecomiti Kanc', salutem. Quia magna pars populi et maxime operariorum et seruientium iam in ista pestilencia est

¹ App. D, 1 and 2.
² Parry, Parliaments and Councils, introduction, lvi.
³ Statutes, 23 Edw. III, cc. 1-7; Rymer, iii, pt. i, 198; the latter gives the erroneous date of 24 Edw. iii. A summary appears in Cal. Close Rolls, ix, 87-88; and it is enrolled in London Letter Book F; cf. Cal., v, 192.

DOCUMENTS, LISTS AND TABLES

defuncta, nonnulli videntes ¹ necessitatem dominorum et paucitatem seruientum seruare nolunt nisi salaria recipiant excessiva, et alii mendicare malentes in oció quam per laborem querere victum suum; nos pensantes grauia que ex carencia presentir cultorum et operariorum huiusmodi peruenire possent incommoda, super hoc cum prelatis et nobilibus et peritis aliis nobis assistentibus deliberacionem habuimus et tractatum; de quorum vnanimi consilio duximus ordinandum:

Quod quilibet homo et femina regni nostri Anglie, cuiuscumque condicionis fuerit, libere vel seruillis, potens in corpore et infra etatem sexaginta annorum, non viuens de mercatura, nec certum excercens artificium, nec habens de suo proprio vnde viuere vel terram propriam circa culturam cuius se poterit occupare, et alteri non seruiens, si de seruiendo in servicio congruo considerato statu suo fuerit requisitus, seruire teneatur illi qui ipsum sic duxerit requirendum; et perciptit dumtaxat vadia, liberaciones, mercedes, se salaria, quæ in locis vbi seruire debeat consueuta sunt prestari illi qui ipsum sic duxerit requirendum, et si talis vir vel mulier, sic de

MT. videndes.
APPENDIX

Nullus eciam vadia, liberaciones, mercedes seu salaria maiora solito, sicut predictum est, alciu soluut vel soluere promittat; nec aliquis ea alio modo exigat vel recipiat, sub pena dupli illius quod sic solutum, promissum fuerit, aut exactum vel volenti prosequi, tunc cuicumque de populo qui huiusmodi, ad maniorum contra presentem ordinacionem comitatibus, wapentachiis et trithingis, vel aliis curiis nostris domini vel ministros suos, in aliquo venire presumpserint, tunc in fuerit applicandum; et fiat huiusmodi prosecucio in curia vel promissi, in forma predicta fiat prosecucio contra eos; et alii artifices et operarii, non capiant pro sic seruiendo pro maiori salario conuenerit, ipse racione dictae siuconuentionis ad soluendum vltra id quod alias tali consuetum dicta non presumat.

Item, sellarii, pelletarii, allutarii, sutores, cissores, fabri, carpentarii, cementarii, tegularii, batellarii, carectarii, et quicumque vltra id quod precedentibus vt premittitur, in locis quibus eos operari proxime tigerit, habita consideracione ad precium quo huiusinodi toris, pullettarii, et omnes alii venditores victualium cumque, teneantur huiusmodi victualia erit modi venditores moderatum lucrum, non excessiuum, prout victualia in locis propinquis venduntur: ita quod alio distancia soluat duplum illius quod receperit dampnificato, vel in defectu illius alteri qui prosequi voluerit in hac parte; et habeat po-

DOCUMENTS, LISTS AND TABLES

Rex venerabili in Christo patri W. eadem gracia episco Wintoniensi, salutem. Quia magna pars populii etc. vt supra, usque pro vite necessario laborare, et tunc ico etideo vos rogamus quod premissa in singulis ecclesiis et locis aliiis vestre dioecesis quibus expedire videritis, publicari faciatis; mandantes rectoribus, vicariis ecclesiarium huiusmodi, ministris et alii sub.
ordinaciones ditis vestris, vt parochianos suos ad laborandum et ad tenendum ordinaciones predictas, sicut instans necessitas exigit, salutaribus motitis sollicitent et inducant: Vos eciam capellanos stipendiarios dicte vestre diocesis, qui similiter iam sine excessuolo nolunt, vt dictur, seruire salario, compescentis; et ad seruiendum pro consueto salario prout expedit, sub pena suspensions et interdicte compellatis. Et hoc sicut nos et communem utilatem dicti regni nostri diligitis, nullatenus omittatis.
Teste ut supra.

per ipsum Regem et totum consilium.

Consimile literae rogatiue diriguntur singulis episcopis Anglie ac custodi spiritualitatis archiepiscopatus Cantuariensis, sede vacante, sub eadem data.

Ex magno Rotulo Statutorum . . . m. 18.

Statuta in parliamento tento apud Westmonasterium in octabis Purificationis beate Marie virginis anno regni domini Edvardi Regis Anglie . . . vicesimo quinto . . . \(^1\)

Come nadgairs contra malice de seruantz, queues furent preciosous et nient voilantant seruir apres la pestelence, sanz trop outrageousers lowers prendre, feut ordine par nostre seignur le Roi et par assent des prelatz, nobles et autres de son conseil, que tieux maners des seruantz, sibien hommes comme femmes, fussent tenuz de seruir, receyuantz salaries et gages accustumez es lieus ou ils deuerront seruir, lan du regne le dit nostre seignur le Roi vintisme, ou cink ou sis annz deuant, et que mesmes les seruantz refusantz seruir par autiele manere fues non par emprisonement de leur corps, sicome en mesme lordenance est contenuz plus au playn; Sur qui commissions furent faiz es diuerses gentz en chescun conte denquer et punir tousceaux que venissent au contraire; Et la par tant que done est entendre a nostre dit seignur le Roi en cest present parlement, par la peticon de la commune, que les diz seruantz nient eiantz regard a la dite ordenance, mes a


lour eses et singulers courtises, se reetren de seruir as grantz ou as autres siils neyent liueresons et lowers au doubte ou treble de ceo quils soiloient prendre le dit an vintisme et deuant, a grant damage des grantz, et empouericement des tous ceux de la dite commune, dont il estoit prie par mesme la commune de remedie; par qui en mesme le parlement, par assent des prelatz, countes, barons, et autres grantz, et de la dite commune illoques assemblez, pur refreyndre la malice des diz seruantz sont ordenes et estables les choses suzescritz. Cest assauoir:

Que chescun charetter, caruer, chaceour des carues, bercher, porcher, deye, et tous autres seruantz, preignent liueresons et lowers accustumes le dit an vintisme et quatre anzz deuant; issint qen pays ou furment soleit estre done preignent pur le bussel x d. ou furment a la volonte le donur, tanques autrement soit ordeigne; et qils soient allowes de seruir par lan entier ou autres termes vsuels, et nemye par iournes, et que nur preign en temps de sarcler ou feyns faire forques i d. le iour; et fauchours des preez pur lacre v d. ou par la iourne v d., et scioures des blees en la primere symaigne daust ii d. et en la seconde iii d. et issint tanques au fyn Daust, et meyns en pays ou meyns soleit estre done, saunz manger ou autre curtoysie demander, doneur ou prendre; et que tieux ouerours portent ouerternement en four meyns as villes marchantz leur instrumentz, et illoques soient allowes en lieu commune et nemye priue.

Item que nur preign pur le batre de vn quarter de furment ou segle, outre ii d. ob., et pur le quarter dorge, feues, poys, et aucynes i d. ob. si tant soleit estre done; et en pays ou homme soleit scier pur certeyns garbes et batre pur certeyns busseux, ne preign plus nen autre manere qil soleit le dit an vintisme et deuant; et que mesmes les seruantz soient sermentez deuex footz par an deuant seignurs, seneschals, baillifs et constables de chescune ville, a ceste chose tenir et faire, et que nur de eux irra hors de la ville ou il demoert en yuer, pur seruir en estee, sil puisse auoir seruice en mesme la ville, pertant come deuant est dit; sauve que les gentz des countez de Staf-
ford, Lancastre et Derby, et gentz de Crauen et de la marche de Gales et Descoc, et autres lieux puissent venir en temps Daust, de laborer en autres countes, et saluement returner come ils soloient faire auant ses heures; et que ceux qui refusent de faire tiel serment ou perfunfier ceo qils ont iures, ou empris, soient mys en ceppes par les ditz seignurs, sene-schaux, baillifs et constables des viles, par trois iours ou plus, ou mandez a la procheyn gaole, a demorer illoeques, baillifs et conestables des villes, par trois iours ou tanques ils se chacune ville par celle manere, et autre mason ceon i d. ob. et couerour de ros et estreym iii d. et son garceon i garceons par mesme temps meyns solonc lafferant et discrecion des iustices qui soloient nautre chose chiuaux, esporoners, tannours, correours, pelleters, taillours, et soleint touz autres ouerours, artificiers, et laborers, et touz autres servuantz nient especifiez, soient sermentez deuant les dites iustices de borers, oeuerours, ou artificers apres tiel serment fait viegne fesoient le dit an vintisme et en temps deuant, sanz les par cause de ceste ordinance; et encontre celle ordonnance, prisonement, selonc d. ob. en aluer, et les iustices qui soloient faire atteint, eit la prisone de Michiel; et de deputer autres soutz eux, tantz et tielx come ils vorront suir, vers tielx servuantz, ouerours, et autres choses nient especifiez, si bien a chescun fortez il trespas, et soit convuict, eit la pence au double: et que meismes les iustices enquergent a chescune fortez qils vendront en temps deuant leui ses heures; et que ceux qui fount cariage, par terre ou par ewe, ne preignent plus pur tiel cariage faire, qils ne soloient le dit an vintisme et quatre annz devant.

Item that carpenters, masons, teglers, et autres couerours des mures darzill et leur garceons par mesme la manere, sanz mangier ou boire, cest assauoir, de la Pasche tanques a la Seynt Michel; et de cel temps meyns solonc lafferant et discrecion des iustices qis seront a ce assignez; et que ceux qui fount cariage, par terre ou par ewe, ne preignent plus pur tiel cariage faire, qils ne soloient le dit an vintisme et quatre annz devant.

Item that coinoisiers ne suours ne vendent botes, soulers, nautre chose touchant leur mister par autre manere qils ne soloient: et que orfeures, sellers, ferrours des chiaux, esporoners, tannours, correours, pelleters, taillours, et touz autres ouerours, artificiers, et laborers, et touz autres servuantz nient especifiez, soient sermentez deuant les dites iustices de faire et vser leur artes et offices en manere come ils fesoient le dit an vintisme et in temps deuant, sanz les refuser par cause de ceste ordinance; et si nul des ditz servuantz, laborers, ouerours, ou artificers apres tiel serment fait viegne encontre celle ordonnez, soit puny par fin, ranceon, et em-prisonement, selonce la discrecion des dites iustices.

Item que carpenters, masons, teglers, et autres couerours des mures darzill et leur garceons par mesme la manere, et que ceo qils ount iures, ou perfourner ceo qils ount iures, et que ceux qui fount cariage, par terre ou par ewe, ne preignent plus pur tiel cariage faire, qils ne soloient le dit an vintisme et quatre annz devant.

Item que plastrers et autres ouerours des mures darzill et leur garceons par mesme la manere, sanz mangier ou boire, cest assauoir, de la Pasche tanques a la Seynt Michel; et de cel temps meyns solonc lafferant et discrecion des iustices qis seront a ce assignez; et que ceux qui fount cariage, par terre ou par ewe, ne preignent plus pur tiel cariage faire, qils ne soloient le dit an vintisme et quatre annz devant.

Item que carpenters, masons, teglers, et autres couerours des mures darzill et leur garceons par mesme la manere, et que ceo qils ount iures, ou perfourner ceo qils ount iures, et que ceux qui fount cariage, par terre ou par ewe, ne preignent plus pur tiel cariage faire, qils ne soloient le dit an vintisme et quatre annz devant.
Item que viscontes, conestables, baillifs, gaolers, et clercs des justices ou des viscontes, nutres ministres queconges, rienz ne preignent par cause de leur offices, de meismes les seruantz, pur fees, suete de prisoine, nen autre manere; et sils crient rienz pris en tiele manere, qils les facent delierer as coillours des disme et quinzisme, en eide de la commune pur temps qe les disme et quinzisme courgent, auxibien pur tout le temps passe come pur le temps auenir; et que les ditz justices enquergent en lour sessions si les ditz ministres crient rienz receuz de meismes les seruantz et ce quils troueront par tiels tices leuer lours auxint les amerciementz de toux ceux qi serront amerciez dit; et en cas que lexcesse troue en vne ville passe deuant les ditz justices, en allegeance des villes come desus est vues, les villes poures, en eide de lour quinzisme, par auisement des ditz excesse leue, et paie par

iustices; et que les fins, raunceons, excesses et amerciementz quinzisme, soient liuerez as ditz coillours en la forme susdite, des par endenture affaire entre eux et les ditz justices, issuents que par meismes les oeps amerciementz et excesses, ne soient paiez en eide de zisme auantdite, et cessante countes Dengleterre au

a les festes del garde, Seint Michel, et Seint Nicholas, et auxint totes les ceux qi foitz qil busoignera selonc la descrecion des iustices; et que tenance facent en lour absence ou presence, en abautissement ou maintenance des ditz seruantz et laborers, au contraire de cest ordi-

nance, soient greuement punys sel onc la discretion des dites justices: et si nul des ditz laborers, artificers ou seruantz sentue dun countee tanques en autre, par cause de ceste ordinance, que les viscontes des countes ou tiels futiues serront trouez les facent prendre, au mandement des justices des countes dont ils senfuernent, et le mesnent a la chief galo de meisme cel counte, illoques a demurer tanques a la proscene session des meismes les justices, et que les ditz viscontz returnent tielx mandementz deuant meismes les justices a leur proscenes sessions, et que ceste ordinance soit tenue et garde, sibien deinz la citee de Londres come en autres citees et burghs et aillours parmy la terre, sibien deinz franchise come dehors.

Ex magno Rotulo Statutorum . . . m. 15.
Statutum contra adnullatores iudiciorum curie Regis factum anno XXVI*.

Ensement pur les granz et outraieoues chiertees des vitailles, que les hostelers des herbergeries et autres regraters de vitailles fount par tout le roialme, a grant damage du poeple qi passe parmi le roialme, a accord est et establ, que justices sachantz de lei, qi soient bones et couenables soient de nouel eslutz denquere des faitsx et des outrages de tieux hostelers, regraters, laborers, et touz autres compris en lestatut autrefoitz ent fait; et de les punir, et outre faire droit au Roi et au poeple: Sautant totesfoitz a chescun seignur et autres leur franchises en toutz pointz.

Ex magno Rotulo Statutorum . . . m. 14.
Statutum de anno vicesimo octauo Regis Edwardi tercii.

Item, acorde est et establ, que feer fait en Engleterre, et feer mesne en Engleterre et illoques vendu, ne soit mesne hors du roialme Dengleterre sur peine de forfaire le double deuers le Roi:

1 Statutes, 27 Edw. III, st. 1, c. 3.
2 Ibid., 28 Edw. III, c. 5.
Et eient les iustices assignez de laborers, et autres
iustices queux le Roi vodra a ce assigner, poer
denquere de ceux qui vendent le feer a trop cher pris et de les punir solonc
la quantite de trespas.

Ex magno Rotulo Statutorum . . . m. 13.
Statutum editum apud Westmonasterium die Lune proximo
post septimanam Pasche anno XXXI°.¹

Item, coment que par estatut nadgairs fait fuist ordine, que
les issues, fins et amerciementz des seruantz, artificers et autres
ouerours, aiuggez devant iustices des laborers, serroient au
Roi apres les trois ans de la quinzisme triennale, adonqes
grante au Roi par la commune de son roialme; acorde est et
assentu, que les seignurs des fraunchises, qi ont fins, issues et
amerciementz par point de chartre ou en autre manere,
eient desore enauant les dites fins, issues, et amerciementz des
laborers, que a eux appartiegnent de droit, tant come
la justicerie des laborers dure: Issint totes voies que les ditz seignurs
facent contribucion a paiement des feez de tieux iustices des
laborers, selonc lafferant des profitz qils enprendront.

Item, acorde est que lestatut des laborers
soit aussibien tenuz
en la citee et les suburbes de Loundres et en les cynk portz et
autres franchises geconques come aillours en Engleterre.

¹ Statutes, 31 Edw. III, st. 1, cc. 6-7.
APPENDIX

Cursitors' Records.

Alphabetical calendar; R. D. K., xxxi, app., 112 et seq.

Lancaster.

Chancery Rolls, Duchy of Lancaster.
No. i; 4 Henry, Duke of Lancaster.
No. ii; 4-11 Henry, Duke of Lancaster.

Calendar; R. D. K., xxxii, app. i, 331 et seq.


In the case of the palatinate material and of the Close, Patent and Originalia rolls, my search has been exhaustive; but in the case of the Chancery Lists I have examined only the groups under Warrants for the Great Seal.

It will appear that the bulk of the information on the topics included in pt. i, ch. i, is obtained from the various series of records just described, although some supplementary sources are also necessary. It is also clear that while there are some enrollments having to do with exchequer or judicial processes, the greater number of the entries as to the statutes of labourers in any of these chancery records deal with the subjects of ch. i, namely, the form of the commissions, the lists of justices appointed, exemptions, exonerations, removals, etc.

When I began my work in London in the spring of 1905, the calendars of the Close and Patent Rolls for the years 1349-1359 had not yet been published; although through the courtesy of Mr. Scargill-Bird I had the opportunity of seeing the proof-sheets of v. viii of the Calendar of Patent Rolls. The two volumes issued since then cover about half of the decade, but as the printed calendars contain some rather serious errors in regard to my subject, it is not to be regretted that I was forced to examine the rolls in manuscript. It seems advisable merely to point out these errors, and to print comparatively few of the enrollments, and instead, to supply from these sources certain lists, which it is believed will aid in a clear understanding of the course of events, lists which would still have to be compiled even were the series of calendars complete and entirely free from mistakes.

1. Extracts from Chancery enrollments, chiefly Patent Rolls, and corresponding documents for the palatinates.
2. Chronological list of commissions to enforce the statutes of labourers issued during the years 1349-1359.
3. List of the 671 justices responsible for the enforcement of the statutes during the decade.
4. List of territorial districts for which separate commissions for labourers were issued between 1352 and 1359.

1. Extracts from Chancery enrollments, chiefly Patent Rolls, and corresponding documents for the palatinates.

Rotuli Literarum Patencium, 25 Edw. III, pt. 1, m. 15 d.;\footnote{Cal., ix, 85, et seq.}
De pace conservanda.

Rex diletis et fidelibus suis, Willemo de Clynton, comiti Huntungdon, Iohanni de Cobham, Ricardu de Wylughby, Ottone de Grandissono, Henrico Grecu, Willemo de Nottou, Iohanni Bray et Roberto Vyneter, salutem. Scialis quod assignauimus vos, septem, sex, quinque, quatuor, tres et duos vectrum ad pacem nostram necnon ad statuta apud Wyntoniam et Norhamptoniam pro conservacione pacis eiusdem edita in omnibus et singulis suis articulis in comitatu Kancie custodienda et custodiri facienda, et ad omnes illos quos contra formam statutorum predictorum delinquentes castigaundos et puniendos prout secundum formam statutorum eorumdem fuerit faciendum, et ad ordinandum, superuidendum
et faciendum quod omnes et singuli homines in comitatu predicto infra libertates et extra iuxta eorum status et facultates armis competentibus muniantur, arraientur et parentur, et de incendo et auxiliando vobis et cuilibet vestrum in hisque pacis et statutorum predictorum conservationem concernunt, sint compulsi, prout melius fore videbitur expeditre. Assignamus eciam vos, septem, sex, quinque, quatuor, tres et sint compulsi, prout melius fore videbitur expedire. Assigna proborum et legalium vestrum libertates quam extra per quos rei veritas melius sciri qui vagabundi et alii aggregata sibi eraciones et convinentia illicita tam infra libertates quam extra de die et nocte facientes in comitatu predicto vagantur et discurrent, servantes et hominibus per partes et mercata et alia loca vi armata accedentes homines verberantes, vulnerantes et male tractantes, et quosdam membris mutilantes, et quosdam nequiter interficiant, et quosdam capiant et suam fecerint, detinentes, et alia felonias, transgressiones et maleficia in comitatu predicto perpetrantes, et qui dictos malfactores fuerint, et seu ipsis assensum, consensum, vim aut auxilium ad et circumstanciis premissa qualitercumque contingentibus pleni veritatem, et omnes illos quos inde indictari constantur ad custodiendas et custodiendi faciendas, et omnes illos quos contra formam earundem inuenit in aliquo de linquentes, castigandos et puniendos prout secundum formam earundem fuerit faciendum, et ad ordinandum, superiusiundum et faciendum quod omnes et singuli articuli in dictis ordinacionibus contenti in comitatu predicto infra libertates et extra debite executioni demandentur, et ad inquirendum de vice comitibus, seneschallis, balliuis, ministris et aliis quibuscumque qui colo ordinacionum predictarum huiusmodi operarios, artifices et seruirores ceperunt et cos per fines et redempciones ad vsus suos propios applicandos auctoritate sua propria, condicionibus in dictis ordinacionibus contentis non observatis, deliberarunt, et de taxatoribus et collectibris decime et quintdecime nobis per laicos concessarum in comitatu predicto et eorum subtaxatoribus et subcollectibris villarum infra libertates et extra et deputandis ab eis in comitatu predicto, si ipsi omnes artifices, seruirores et operarios singularum villarum earundem ad totas illas summas quas vitra id quod anno regni nostri Anglie vicesimo vel annis tenorem inde facte et compluerunt, et de taxatores subtaxatores et collectoribus decimis pro laboribus, seruiciis et artificiis suis perceperunt in alleuacionem solucionis summarum ad quas eedem ville vel homines earundem ad decimam et quintdecimam iam currentes assesi fuerunt, assedenter et summas illas ab eis leuauerint iuxta tenorem commissionis nostre eisdem taxatoribus et collectibris inde facte nec ne, ac eciam de his qui huiusmodi artifices, seruiciis et operarios pro laboribus, seruiciis et artificiis suis vel pro alio suo dando contra dictas ordinaciones vel aliqua in eisdem contento arte vel ingenio fuerunt vel nutrient, fuerunt vel nutrient, in hac parte et ad ea omnia et singula que contra formam ordinacionum predictarum fuerint attemptata, tam ad sectam nostram et aliorum quorumcumque coram vobis conqueri vel prosequi volencium, quam ad transgressiones predictas ad sectam nostram, tantum audiendas et terminandas secundum legem et consuetudinem regni nostri Anglie ac formam ordinacionum predictarum, et ad processus versus omnes
quos de homicidiis et feloniiis huiusmodi contigerit indictari in hac parte quousque capiantur, reddantur vel vtlagentur faciendo. Assignauimus eciam vos, septem, sex, quinque, quatuor, tres et duos vestrum, quorum aliquem vestrum vos prefati Ricarde, Henrice et Wilhelme de Notton vnum esse volumus iusticiarios nostros ad homicidia et felonias preJicta audienda et terminanda et ad omnia indictamenta feloniam tangencia coram vobis prefate comes et sociis vestris nuper iusticiariis nostris in hac parte vltimo assignatis facta, ad vos, septem, sex, quinque, quatuor, tres et duos vestrum iusticiarios nostros ad omnia alia indictamenta coram vobis prefate comes et dictis sociis vestris facta feloniam non tangencia ac recorda et processus in hac parte nondum terminata debito fine terminanda secundum legem et consuetudinem supradictas. Et ideo vobis mandamus quod ad certos dies et loca quos vos septem, sex, quinque, quatuor, tres vel duo vestrum ad hoc prouideritis, indictamenta ac recorda et processus predicta coram vobis venire et inquisitiones super premisssis ac processus et punctiones huiusmodi faciatis et premissa omnia et singula audiatis et terminetis in forma predicta facturi etc. saluis etc. Mandauiimus enim vicecomiti nostro comitatus predicti quod ad certos etc. quos etc. ei scire faciatis venire faciat coram vestris etc. tot etc. tam infra libertates quam extra per quos etc. et inquiri in forma supradicta. In cuius etc., teste Rege apud Westmonasterium, xv die Marcii. 

Per consilium.

Consimiles commisiones habent subscripti in comitatibus subscriptis sub eadem data, videlicet: . . . . . .

Rotuli Literarum Patencium, 30 Edw. III, pt. i, m. 17 d.; De inquirendo de operariis, artificibis et seruientibus in comitatu Derb'.

Rex dilectis et fidelibus suis, Roberto Fraunceys et Thome Adam de Ashebourn, salutem. Sciatis quod assignauimus vos ad ordinacionem et statutum de operariis, artificibus et seru-
APPENDIX

DREE PEVERELL, WILLEMO FIFHIDE ET ROBERTO DE HALSHAM, SALUTEM. SCIAIS QUOD ASSIGNAUIMUS VOS TRES ET DUOS VESTRUM IUSTICIARIOS NOSTROS AD ORGANIZATIONES ET STATUTA DE OPERARIIS, ARTIFICIBUS ET SERVIENTIBUS IN CONSILIIS, AC DE PONDERIBUS ET MENSURIIS IN PARLAMENTIS NOSTRIS APUD WESTMONASTERIUM NUPER TENTIS PRO COMMUNI UTILITATE REGNI NOSTRI ANGLIE CONTRACTUM, SCIO QUID ASSIGNAUIMUS VOS TRES ET DUOS VESTRUM IUSTICIARIOS NOSTROS AD ORGANIZATIONES ET STATUTA DE OPERARIIS, ARTIFICIBUS ET SERVIENTIBUS IN CONSILIIS, AC DE PONDERIBUS ET MENSURIIS IN PARLAMENTIS NOSTRIS APUD WESTMONASTERIUM NUPER TENTIS PRO COMMUNI UTILITATE REGNI NOSTRI ANGLIE CONTRACTUM.

IN CUINUS ETC., TESTE REGE APUD WESTMONASTERIUM, QUINTO DIE FEBRUARII.

PER IPSUM REGEM ET CONSILIUM.

CONSIMELES COMMISSIONES HABENT SUBSCRIPTI IN COMITATIBUS SUBSCRIPTI SUB EADEM DATA, VIDELICET: . . . . .


DURHAM, CURSITORS' RECORDS, 30, ROT., 1, HATFIELD, ANN. 5, M. 5 D.; NO. 6.³

ROTULUS CANCELLARIJ DOMINI THOMAE DE HATFIELD, EPISCOPI, DE ANNO PONTIFICATUS SUI QUINTO, QUINTO, QUINTO.

COMMISSIO DE OPERARIIS IUXTA PROCLAMATIONEM DOMINI REGIS.

THOMAS DEI GRACIA EPISCOPUS DUNELMII, DILECTIS ET FIDELIBUS SUI THOME GRAY, WILLEMO DE MORDON, VICECOMITI SUO

Pertinet secundum vim et effectum ordinacionum et statutorum predictorum, saluis etc. Mandauimus enim vicecomiti nostro comitatus predicti quod ad certos etc. quos etc. ei scire factatis ventire faciat coram vobis etc. tot etc. tam infra libertates quam extra per quos etc. et inquiri, et quascumque commissiones de inquirendo de luuismodi operarios, artificibus et seruiuentibus ac mensuriis et ponderibus in comitatu predicto alius ante hec tempora factas tenere presencium duximus revocandas.

In cuius etc., teste Rege apud Westmonasterium, quinto die Februarii.

Per ipsum Regem et consilium.

Consimiles commissiones habent subscripti in comitatibus subscripti sub eadem data, videlicet: . . . . .

Exactly identical with the form of the above, mutatis mutandis, is the commission issued on 10 Oct. by the duke of Lancaster; de statuto operariorum conservando necon de statuto mensurorum conservando. Duchy of Lancaster, Chancery Rolls of the Palatinate, ii, no. 24 d.² (7th year of the duke, 1357).

Durham, Cursitors' Records, 30, rot., 1, Hatfield, ann. 5, m. 5 d.; no. 6.³

Rotulus Cancelleri domini Thome de Hatfield, episcopi, de anno pontificatus sui quintu, quinto, quinto.

Commissio de operariis iuxta proclamacionem domini Regis.

Thomas Dei gracia episcopus Dunelmensis, dilectis et fideli- bus suis Thome Gray, Willelmo de Mordon, vicecomiti suo

¹MS. mesuris.

²R. D. K., xxxii, app., i.

³The heading proves the nature of this enrollment and seems to have escaped the notice of Mr. Pike and Mr. Lapsley; for they both describe the document as a special commision for the better execution of justice within the county palatine, issued by the bishop in accordance with the king's commands. Cf. R. D. K., xxxi, app., 134, Cal. Curs. Records, and The County Palatine of Durham, 178.

⁴MS. Thomas.
Dunelm', Willelmus de Wessyngton et Iohanni de Meneuill, salutem. Cum dominus Rex racione superioris dominii sui breue suum quam plurimos continens articulos nobis super mandauerit supplicando ut congruum Dune
tum, breue suum quam plurimos continens articulos salutem. quam minoribus infra
regno dato prout decet obedire et omnibus et singulis tam maioribus
quam minoribus infra nostram regiam libertatem predictam fieri volentes quod est iustum, assignauimus vos quatuor, tres et duos vestrum iusticiarios nostris in warda de Cestria iuxta
discreeiones vestras in predicto breui regio contentis plenius veritatem inquirendam et ad eosdem
articulos in warda regio contentis plenius veritatem inquirendam et ad eosdem
et duos vestrum iusticiarios nostris in warda de Cestria iuxta
discreeiones vestras in predicto breui regio contentis plenius veritatem inquirendam 1 et ad eosdem
articulos in warda predicta audiendo et terminando. Et ideo
vobis mandamus quod ad certos dies et loca quos vos quatuor, tres et duos vestrum ad hoc prouideritis, omnibus aliis preter
missis, super articulis vniuersis in predicto breui regio contentis per sacramentum proborum et legalium hominum warde pre
dicte diligenter inquiratis, et eisdem articulis auditis et fine
debito terminetis facturi inde quod ad iusticiam pertinet secun
dum legem et consuetudinem regni Anglie et nostre regie libertatis. Saluis nobis ameri
ciamentis et aliis ad nos inde spectan
tibus. Damus autem vosquos quatuor, tribus et duobus vestrum
potestatem arrestandi, attachandi et prione nostre commit
tendi omnes et singulos qui coram vos quatuor, tribus et duobus vestrum super articulis predictis in predicto breui regio
contentis seu aliquo eorundem conuicti fuerint ibidem mora
turos quoque aliter de eis duxerimus ordinandum, libertate
ecclesiastics comiti nostro vobis, quatuor, tribus et duos
eiusdem copiam recitari faciat, et de eisdem articulis coram
vobis, quatuor, tribus et duobus vestrum seu de aliquo eorun-

1 The clerk has omitted the "ad" before the gerundive, a rather fre
cuent usage.

APPENDIX

DOCUMENTS, LISTS AND TABLES
tro esset a confeccione eiusdem statuti quod hominibus villarum et hamelettorum dicte communimitatis in auxilium decime et quintedecime ante hec tempora currerencium solusisse debuisset, seu de summis de quibus eisdem Regni non fuit responsum, tunc eadem communitas haberet id quod sic arret esset in auxilium decime et quintedecime ad dictum vltimum parliamentum concessarum; ita semper quod dictis decima et quintadecima cessarum; eadem communitas seu de decime et quintedecime ad dictum ultimum parliamentum opus ipsius Regis levarentur. Et quia ultimus terminus solusisset ad nos et non ad preteritum nostrum quod huiusmodi fines, Michaelis Archangeli rem predictum a dicto festo eorum inquirendum de operariis et aliis servientibus quibuscumque et eritis cessionis et ordinacionis predictorum, et ad audiendum et concessionem et ordinacionem supradicta, tam ad extra, et ad tertia quam quarta. Et ideo vobis minandum ducatum predictum custodiendum et custodiri faciendum, et ad iusticiarios nostros ad dictum statutum de servientibus infra predicta tram quam aliorum conqueri volentes infra libertates et quos dandum et premissa omnia et formam vos, sex, quinque, quatuor, tres et duo villarum et premissa omnia et formam vos, sex, quinque, quatuor, tres et duo, tot et tales probos et legales homines de balliua sua tam infra libertates quam extra per quos rei veritas super premisssis melius sciri poterit et inquiri.

In cuibus etc., teste Henrico de Walton archidiacono Richemund locum Ducus tenente in ducatu predicto apud Preston, primo die Augusti. Et mandatum est vicecomiti Lanc quod eisdem Iohanni, Rogero, Ricardu, Roberto et Roberto in premissis facienda intendens sit et respondens, sub eadem data. (5th year of the duke, 1355.)

Writs of Privy Seal, Chancery, Series I; File 369, no. 23335.

Edward par la grace de Dieu Roi Dengleterre et de France et Seigneur Dirande a honorable pie in Dieu leuesque de Wyncestre nostre chancelier saluz. Porce que tout plein des mals et erreurs sont auenuz par cause des especiales commissions que ont este faites pieca in diuieres franchises et villes pur enquere des exces des laborers si auons ordene et volons que desere toutes tieles commissions especiales grantez in euenues franchises et villes de nostre roialme soient repellez et que certaines gentz bones et loialx soient assignez generalmente parmy tous les countez du dit roialme, les queux et nuls autres facent les sessions des dict laborers, si vous mandons que repelles les dites especiales commissions come dessus est dit, facent assigner suffisantes gentz pur meisme les sessions parmy les countez dessusditz.

Done souz notre priue seal a Westmonster le viii jour de feuerer, lan de nostre regne dengleterre trente primer et de France disoytisme.

Rotuli Literarum Clausarum, 33 Edw. III, m. 10 d;
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De supersedendo execucioni commissionis iusticiariorum ad statutum de operariis factum faciende.

Rex dilectis et fidelibus suis Johanni de Lyouns et sociis suis iusticiariis ad ordinacionem et statutum de operariis, servientibus et artificibus ac de ponderibus et mensuris in comitatu North' custodienda, salutem. Quibusdam certis de causis nos mouentibus, vobis mandamus quod execucioni coinmissionis nostre vobis in hac parte facte vlterius faciende supersedeatis quoque aliu a nobis inde habueritis in mandatis.

Teste Thoma filio nostro carissimo custode Anglie apud Wodestok, quarto die Nouembris,

Per ipsum custodem et consilium,

Consimilia breuia diriguntur singulis iusticiariis ad statutum predictum in singulis comitatibus per Angliam custodiendum assignatis quod execucioni commissionis Regis eis inde facte supersedeant in forma predicta.

Teste vt supra.

2. Chronological list of commissions to enforce the statutes of labourers issued during the years 1349-1359 and enrolled among the letters patent.

In cases where commissions are duplicated almost absolutely, both as to date and names (evidently by a clerical error), the second has been omitted from the lists and merely indicated in a note; but although there are usually several districts (in one instance, nineteen) that receive two or three commissions annually, these repeated districts are counted over again. Divisions of counties, e. g. Holland, etc., are counted as counties; the palatinates are omitted, removals are not referred to, and vacated commissions only in the notes; associations are given merely as totals for each regnal year.

For the first and second periods the marginal headings on the Patent Rolls are misleading; they contain no reference to the labour legislation, but are: “De custodia pacis,” or “De pace conservanda,” or “De audiendo et terminando felonias,” etc. Cf. my article in E. H. R., 522, for the exact phraseology.

For the third period, 1352-1359, * * shows that a commission of the peace was appointed on the same date for the same district; * shows that a commission of the peace was appointed for the same district during the same regnal year; the result of this comparison appears in the table in pt. i, ch. i, s. 2. The references to the Patent Rolls for the separate commissions for labourers are usually under the headings: “De inquiringe de operariis,” or “De inquiringe de excessibus operariorum” (the lists are duplicated in the Originalia almost without variation). Three of these commissions are referred to in Cal. Rot. Pat., Rec. Comm., 167 a and b, 170 a; six of them are noted in Rot. Orig. Abbreviatio, Rec. Comm., ii, 233, 238, 242, 246, 249 and 255.

The references for the separate commissions of the peace are as follows, under the headings “De pace conservanda,” or “De custodia pacis” (duplicated in Originalia): 26, pt. 3, m. 4 d (Cal., ix, 394); 27, pt. 1, m. 25 d (Cal., ix, 449-450), pt. 2, m. 26 d (Cal., ix, 508); 28, pt. 1, m. 21 d, pt. 2, m. 14 d; 29, pt. 1, m. 29 d; 30, pt. 1, ms. 20, 19 and 16 d; 31, pt. 1, ms. 17 and 11 d; 32, pt. 1, m. 31 d; 33, pt. 1, m. 18 d, pt. 2, m. 12 d, pt. 3, m. 4 d (Rymer, iii, pt. 1, 463-464).

Period i. Separate commissions for labourers, except when indicated.

23, pt. 3, m. 8 d. 6 Dec. University and city of Oxford.

(Joint commissions of the peace and for labourers.)


1 Cal., viii, 458; assigned by an error to m. 9 d. A commission to the mayor and sheriffs of London, 8 Dec. of the same year, is enrolled in Letter Book F; Cal., 199.

2 Bucks, is given twice; there is also an unfinished commission with no county noted. In Cal., viii, 526, the summary of the form of this commission fails to include the clause in regard to the ordinance of labourers; moreover Dorset is printed for Bedford.
Period ii. Joint commissions of the peace and for labourers.

25 Edw. III.


pt. 1, m. 19 d. 27 March. City of Lincoln.

pt. 3, m. 19 d. 3 Nov. City of York.

27 associations; pt. 1, m. 13 d.

26 Edw. III.

pt. 1, m. 28 d. 8 Feb. Newcastle-on-Tyne.

m. 15 d. 15 Feb. Kingston-on-Hull.

m. 21 d. 20 Feb. Scarborough, Lib. of Holderness.

1 Cal., ix, 26.

* Ibid., 27-28; printed in full, although with slight mistakes, by Rymer, iii, pt. 1, 210-211.

* Cal., ix, 85-91; cf. app., B, 1, for form of the commission.

* Repeated on 6 Dec. with almost the same names.

* Repeated on 20 May with almost the same names but a slightly different form of commission.

* Cal., ix, 83; the summary fails to include the clause as to the statutes of labourers.

1 Ibid., 201.

* Ibid., 274-275.

* Ibid., 91-92.

* Ibid., 281.

10 Ibid., 278.

Period iii. Separate commissions for labourers.

26 Edw. III.

pt. 3, m. 7 d. 17 Dec. Bucks.

m. 4 d. 1 Jan. * Berks., * Oxford.

m. 1 d. 1 Jan. * * Carlisle.

3 counties, 1 town.

27 Edw. III.


4 May. * Kesteven (Linc.).

27 May. Wilts.

3 June. * * Essex.

20 June. * * Retford-in-the-Clay.


20 July. * * Devon.

pt. 2, m. 25 d. 3 Aug. * * Gloucester, * * Worcester.

25 Aug. * * Beverley.


3 Nov. * * Camb.

8 Nov. Essex.

1 Cal., ix, 284-285; the summary fails to include the clause as to the statutes of labourers.

1 Ibid., 332.

1 Ibid., 284-285.
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22 Nov. Bedford, Norfolk.
26 Nov. * Northants.
1 Dec. * * Hunts.
15 Jan. * * Grimsby.
20 Jan. Holland (Linc.).

9 associations: 2 on 25, pt. 1, m. 13 d; 1 on 26, pt. 1, m. 8 d; 2 on 27, pt. 1, m. 23 d; 4 on 27, pt. 2, m. 25 d. 1

17 counties, 5 towns; Worcester and Essex twice.

28 Edw. III.

pt. 1, m. 22 d and
pt. 2, m. 13 d.


12 Feb. * * Leicester.

18 Feb. * * Coventry.

28 Feb. Wap. of Ripon.

20 March. Town & Lib. of Ripon.

21 April. Northants.

6 May. Holland, Lindsey and * Kesteven (Linc.), * Somerset.

14 May. Suffolk.

18 May. * * Warwick, * * Worcester.


26 June. * Norfolk.

28 June. * * Coventry.

1 July. * * Derby, Essex, * * Leicester, * * Holland (Linc.), * * Notts, * * Oxford, * * Rutland, * * Southampton, * * Wilts.

1* Cal., ix, 92, 285, 452, 509.

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29 Edw. III.

pt. 1, m. 28 d. 26 Jan. * * Notts.

* * Wap. 1 of Herthill and Hovedenshire, * * Wap. of Dickering, Bucrose, Ouse and Derwent (York, E. R.), * * Wap. of Allerton, Birdforth and Richmond, * * Wap. of Bulmer and Rydale, * * Wap. of Cleveland and Pickering (York, N. R.), * * Wap. of Ainsty, Barkston and Claro (York, W. R.), * Lib. of Holderness.

3 July. * Lindsey (Linc.). 2

26 Sept. * * Kent. 3

3 Oct. * * Scarborough.

20 Oct. * * Leicester.

8 Nov. Lib. of dean and chapter of St. Peter of York.

26 Nov. * * Northants.

16 Dec. * * Cornwall.

20 Jan. * * Bedford, * * Dorset, * * town of Huntingdon.

10 associations: 7 on pt. 1, m. 22 d; 2 on pt. 2, m. 13 d, and 1 on pt. 3, m. 15 d.

31 counties, 4 towns, 5 liberties, 7 groups of wapentakes.

Leicester and Northants. three times; Holland and Lindsey (Linc.), Worcester and Coventry twice.

1I have counted the following six groups of wapentakes as corresponding to the peace commission of the same date for Yorkshire.

2 On 25 July there was also a commission for Northants., but it was vacated.

3 Repeated with almost the same names.
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14 Feb. Scarborough.
1 March. Lib. of Holderness.
21 March. Herts.
26 April. Northants.
16 May. * Stafford.
20 June. * * Town of Huntingdon, Lib. of abbot of St. Mary of York.
4 July. Scarborough.
12 July. * * Rutland.
20 July. * * Lynn.
28 Aug. Essex.
2 Nov. * Stafford.
30 Nov. Cumberland, Herts., * Norfolk (except Lynn).
1 Dec. Lindsey (Linc.).
10 Dec. * * Cornwall.

¹The counties marked “n. d.” are undated but follow immediately after those of 20 Dec., and in the Originalia duplicates are all thus dated.

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pt. 3, m. 4 d. 12 Jan. Lib. of abbot of Reading.
pt. 2, m. 8 d. 17 Jan. Westmoreland.

7 associations.
59 counties, 5 towns, 3 liberties, 1 group of wapentakes, Herts., Northants., Notts. and Stafford three times.

30 Edw. III.
pt. 1, m. 17 d. 10 March. * * Derby.
12 March. Sussex.
15 March. Boston.
20 March. Manors, etc., of Cheshunt and Bassingbourn of earl of Richmond, borough of Wycombe.
26 March. * * Northants., Honours of Wallingford, etc., and hundreds, towns, etc., in various counties, of duke of Cornwall.
1 April. * Worcester.

¹Northumberland but not acted upon.
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6 April. City of Lincoln.
15 April. * Notts.
28 April. Lib. of Ripon of archbishop of York.
1 May. Lib. of Leominster of abbot of Reading.
8 May. Lib. of prior of Bustlesham.
20 May. Prince of Wales’ manor of Kirton.
25 May. Town of Nottingham.
27 May. * Newark.
28 May. * * Shrewsburys.
30 May. Southwell.
8 June. Lib. of King’s free chapel of Windsor.
8 July. Manors, etc., of duke of Lancaster in Lincolnshire.
pt. 3, m. 17 d. 10 July. Lib. of Queen Isabel in towns of Cambridge and Chester.
15 July. Southwell.
20 July. Lib. of Hospital of St. Leonard of York.
26 July. Queen Philippa’s Lib. of Knaresborough.
11 Sept. Manors, etc., of church of St. Paul in various counties.
16 Sept. Lib. of archbishop of Canterbury in Kent.

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27 Oct. Lib. of St. Mary’s church of Lincoln.
pt. 3, m. 22 d. 28 Oct. Lib. of duke of Lancaster in various counties.
pt. 3, m. 17 d. 30 Oct. Lib. of Pickering and wap. of Rydale (York, N. R), Scarborough.
8 Nov. Warwick.
15 Nov. Prince of Wales’ manor of Kirton.
16 Nov. * * Town of Leicester.
20 Nov. City of Exeter.

21 associations.
11 counties, 12 towns, 18 liberties, 1 group of wapentakes.
Derby three times; Shrewsbury and Southwell twice.

31 Edw. III.

1 Repeated with slight variations in the names.
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pt. I, m. 20 d. 1 Aug. London.
26 Nov. N. R. (York).

5 associations; pt. I, m. 20 d.
41 counties, 2 towns.
N. R. (York), twice.

32 Edw. III.
20 Feb. * Cornwall.
16 May. Herts.
14 July. Lib. of bishop of Ely.
20 Oct. Lib. of Cinque Ports.†
28 Nov. * Northants.

10 associations.
9 counties, 2 towns, 1 liberty.
W. R. (York), twice.

33 Edw. III.
pt. I, m. 27 d. 6 March. * Essex.
26 March. * Holland (Linc.).
4 May. * Bucks.
18 May. * Dorset.
pt. 3, m. 21 d. 6 Oct. Town of Oxford.

9 counties, 1 town.
5 associations; pt. I, m. 27 d.
99 associations for the decade.

† Included under towns but counted as one.

DOCUMENTS, LISTS AND TABLES

3. List of the 671 justices responsible for the enforcement of the statutes during the decade.

The difference in number between 671 and 664 as given in my article in E. H. R., 527, is due to the addition to the list of the names from two cancelled commissions and also of a name from a source other than the Patent Rolls, and to the decision in two instances that the same name belonged to more than one man. The total number is really somewhat greater than even this present list: the mayor of Oxford and also the mayor and sheriffs of London had on several occasions received commissions, although these officials are not included here. Further, the lists for the first uncertain period are by no means complete; e. g. Mauny and Thorpe both had colleagues whose names I have not yet discovered.

Unless otherwise specified, the manuscript references are to the Patent Rolls, the first number in each case meaning the regnal year. The list of justices whose names are derived from other sources are given in pt. I, ch. i., s. 2. In some cases the date of an appointment is not recorded on the Patent Rolls but is supplied from the Originalia duplicate enrollment.

The names given are of justices appointed on a separate commission for labourers, except when the name is preceded by the letters L. and P.; these show that the appointment was for a joint commission of the peace and for labourers. † shows that a justice of labourers was during the years 1352-1359 appointed on a separate commission of the peace; ‡ shows that at some time during his career a given justice of labourers served as judge in one of the upper courts. Removals and associations are indicated. A bracket around "de" or "le," etc., indicates that the word sometimes, but not invariably, occurs with the name.
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† Adam, Thomas, of Asshebourn
    Derby
    L. & P. 25 pt. 1, m 14 d; 15 March.
    30 pt. 1, m 17 d; 10 March; ibid., 12 July.
    (ibid., 8 Aug. "dominus Rex . . . a commis-
    sione illa duxit amouendum." H. de la Pole
    assoc. in his place.)

† Alanby, Thomas de
    Carlisle
    26 pt. 3, m 1 d; 1 Jan.

† Albert, Alberd, Richard
    Hunts. (except the town of Huntingdon)
    29 pt. 2, m 8 d; 15 Oct. (assoc.)
    Hunts.
    31 pt. 1, m 20 d; 5 Feb.

Aldestowe. See Oldestowe.

Aley, John, of Wonford
    Exeter
    30 pt. 3, m 17 d; 20 Nov.

Alkebarowe, Alkebarwe, John de, clerk (parson of the church
    of Sibseye)
    Lindsey (Linc)
    27 pt. 2, m 25 d; 12 Jan. (assoc.).
    28 pt. 1, m 22 d; 8 May; ibid., 3 July.
    Manors, etc., of duke of Lancaster in Lincolnshire
    30 pt. 1, m 17 d; 8 July.

† Allerstan, John de
    Lib. of Pickering and wap. of Rydale, N. R.
    30 pt. 3, m 17 d; 30 Oct.

† Alveton, John de
    Oxford
    L. & P. 25 pt. 1, m 14 d; 15 March
    Honours, towns, etc., of the Duchy of Cornwall in vari-
    ous counties.
    30 pt. 1, m 17 d; 26 March.

Angus, Earl of. See Umframvill.

† Apethorp, William de
    Stamford
    L. & P. 25 pt. 1, m 14 d; 15 March.

Apoldrefeld, William de
    Lib. of archbishop of Canterbury in Kent
    30 pt. 1, m 17 d; 16 Sept.

Ardale, Adam de
    Essex
    L. & P. 26 pt. 1, m 8 d; 16 May (assoc.).

† Arserugge, Assherugge, Thomas de
    Kent
    28 pt. 2, m 13 d; 26 Sept. (repeated).

† Artureth, William de
    Carlisle
    26 pt. 3, m 1 d; 1 Jan.

Arundel, Earl of. See Fitz Alan.

† Ask, Richard de
    Bishop of Durham's Lib. of Howden
    30 pt. 1, m 17 d; 12 Oct.

† Aspale, John de, (knight)
    Suffolk
    24 pt. 3, m 10 d; 18 Nov.
    L. & P. 25 pt. 1, m 14 d; 15 March.
    28 pt. 1, m 22 d; 14 May.

Assh, Robert de
    Northants.
    32 pt. 1, m 34 d; 20 Feb. (in place of William Broun).

Void.

† Asshewell, Assewell, Eustace de
    Stamford
    L. & P. 25 pt. 1, m 14 d; 15 March.
    27 pt. 1, m 24 d; 12 Feb.

† Asteleye, Thomas de
    Leicester
    28 pt. 1, m 22 d; 2 July.
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‡ Aston, Hugh de
Leicester
L. & P. 25 pt. 1, m 13 d; 20 May (assoc.).
Northampton
L. & P. 26 pt. 1, m 8 d; 20 May (assoc.; apparently an error in the list of names to which this name is added).
Shropshire
L. & P. 26 pt. 1, m 9 d; 15 May.
Stafford
29 pt. 1, m 28 d; 16 May.
29 pt. 2, m 8 d; 2 Nov.; ibid., 20 Dec.
Warwick
L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April.
Worcester
27 pt. 2, m 25 d; 3 Aug.
Coventry
28 pt. 1, m 22 d; 28 Feb.; ibid., 28 June.
Shrewsbury
30 pt. 1, m 17 d; 28 May; ibid., 18 Sept.

‡ Aston, Roger de
Stafford
29 pt. 1, m 28 d; 16 May.
31 pt. 1, m 20 d; 5 Feb.

‡ Aton, William de
Wap. of Cleveland and Pickering, N. R.
28 pt. 1, m 22 d; 2 July.
Scarborough
29 pt. 1, m 28 d; 4 July.
Lib. of Pickering and Wap. of Rydale, N. R.
30 pt. 3, m 17 d; 30 Oct.

‡ Ayrmynne, William de
Kesteven (Linc.)
27 pt. 1, m 24 d; 4 May.

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Baa, Thomas de
Norfolk
28 pt. 1, m 22 d; 11 July (assoc.).
Bacon, Robert
Suffolk
31 pt. 1, m 20 d; 5 Feb.
Bampton, John de
Essex
27 pt. 1, m 23 d; 8 July (assoc.).
‡ Banastre, William, (of Hadenhale)
Shropshire
L. & P. 26 pt. 1, m 9 d; 15 May.
28 pt. 1, m 22 d; 20 June.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
Shrewsbury
30 pt. 1, m 17 d; 28 May; ibid., 18 Sept.
‡ Bardolff, Bardolf, John, (of Wyrmegeye)
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
28 pt. 1, m 22 d; 26 June.
Barentyn, Thomas
Oxford
31 pt. 1, m 20 d; 5 Feb.
Barton, Henry de, clerk
Lib. of Ripon of archbishop of York
30 pt. 1, m 17 d; 28 April.
Barton, John de
Scarborough
29 pt. 1, m 28 d; 14 Feb.
‡ Barton, Roger de
Scarborough
28 pt. 1, m 13 d; 3 Oct.
29 pt. 1, m 28 d; 14 Feb.
‡ Basset, Simon
Gloucester
28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.).
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† ‡ Basset, William
Cumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
Lancashire
24 pt. 3, m 13 d; 20 Oct.
Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
Westmoreland
ditto
York, E. R.
ditto
York, N. R.
ditto
York, W. R.
ditto (repeated, 20 May)
Beverley
Kingston-on-Hull
L. & P. 26 pt. 1, m 15 d; 15 Feb.
Scarborough
L. & P. 26 pt. 1, m 21 d; 20 Feb.
City of York
L. & P. 25 pt. 3, m 19 d; 3 Nov.
Bathelay, Batheleye, William de
Southwell
30 pt. 1, m 17 d; 15 July.
Nottingham
31 pt. 1, m 20 d; 5 Feb.
Bayard, William
Boston
29 pt. 2, m 8 d; 16 Oct.
Beauchaump, John de, of Somerset
Somerset
L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Beauchaump, Roger de
Wilts.
L. & P. 25 pt. 1, m 15 d; 15 March.
† Beauchaump, Bello Campo, Thomas de, earl of Warwick
Warwick
L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April.
Worcester
L. & P. 25 pt. 1, m 14 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April; ibid., 2 July.
27 pt. 1, m 24 d; 12 Feb.
‡ Beauchaump, Bello Campo, William de
Worcester
L. & P. 25 pt. 1, m 14 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April (de Campo merely).
(Granted a general patent of exemption on account of age; 26 pt. 2, m 21; 13 June. Exonerated from service in Worcester, "certis de causis coram consilio;" Claus. 26 m. 15; 28 Aug.).
27 pt. 1, m 24 d; 12 Feb.
† Beek, Henry de
Derby
31 pt. 1, m 20 d; 16 Dec. (assoc.)
Beek, James atte
Lindsey (Linc)
24 pt. 3, m 10 d; 12 Nov.
Beek, Nicholas de
Leicester
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Stafford
L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Bekwell, Henry de
Surrey
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.
‡ Belesby, William de
Lindsey (Linc.)
28 pt. 1, m 22 d; 3 July.
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Belewe, Beelow, John
Southwell
30 pt. 1, m 17 d; 30 May; ibid., 15 July.
† Belknappe, Robert de
Lib. of abbot of Battle in Surrey
Assize Rolls, Surrey, 907; spring of 25 Edw. III; app., C. I. Belkthorp, William de
York, E. R.
32 pt. 1, m 34 d; 20 Nov.
Bello Campo. See Beauchamp.
‡ Benteleye, Bentele, John de
York, E. R.
L. & P. 25 pt. 1, m 14 d; 15 March.
(His place is taken by Illard de Usfeld; 26 pt. 1, m 8 d; 6 May.) Beverley
Bishop of Durham's Lib. of Howden.
30 pt. 1, m 17 d; 12 Oct.
Kingston-on-Hull
26 pt. 1, m 15 d; 15 Feb.
Scarborough
26 pt. 1, m 21 d; 20 Feb.
Berdeseye, William
Cumberland
31 pt. 1, m 20 d; 5 Feb.
Bere, Richard de la
Hereford
L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Berewye, Berwyk, Walter atte
Wilts.
27 pt. 2, m 25 d; 24 Jan. (assoc.).
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
31 pt. 1, m 20 d; 5 Feb.

† Berewyk, Berwyk, Gilbert de
Wilts.
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 1, m 24 d; 27 May.
28 pt. 2, m 13 d; 2 July.
Berewyk, Berewik, Berwyk, Hugh de
Lancashire
24 pt. 3, m 13 d; 20 Oct.
York, W. R.
Bergh, Martin de
Manors and towns of Cheshunt and Bassingbourn of the
earl of Richmond.
30 pt. 1, m 17 d; 20 March.
Bergh. See Berewe.
Berkele, Thomas de
Gloucester
L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Berkele, Thomas de, of Coberle
Gloucester
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 3 Aug.
31 pt. 1, m 20 d; 5 Feb.
Berland, John de
Essex
L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).
‡ Bernard, Gilbert
Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 2, m 25 d; 3 Nov.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
Lib. of bishop of Ely
32 pt. 1, m 34 d; 14 July.
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Bernard, Richard, the elder  
Lib. of Pickering and Rydale, N. R.  
30 pt. 3, m 17 d; 30 Oct.

† Berneye, John de  
Norfolk  
L. & P. 24 pt. 1, m 23 d; 20 Feb.  
L. & P. 25 pt. 1, m 14 d; 15 March.  
27 pt. 2, m 25 d; 22 Nov.  
("quibusdam ... certis de causis commissiones ... duximus revocandas" (includes W. de Wychngham); Claus. 28 m. 29; 1 Feb.).  
(Except Lynn)  
29 pt. 2, m 8 d; 30 Nov.; *ibid.*, 20 Dec.  
Norfolk  
31 pt. 1, m 20 d; 5 Feb.

Berton, John de, the elder  
Lib. of archbishop of Canterbury in Kent  
30 pt. 1, m 17 d; 16 Sept.

† Beseby, Robert de  
Grimsby  

† Beverleye, John de  
Beverley  

Bifeld, Thomas de  
Northants.  
28 pt. 1, m 22 d; 20 Feb. (assoc.).

† Birton, Richard de  
Berks.  
L. & P. 25 pt. 1, m 14 d; 15 March.  
Cornwall  
L. & P. 26 pt. 1, m 9 d; 15 July.  
Devon  
L. & P. 25 pt. 1, m 14 d; 15 March.  
Dorset  
L. & P. 25 pt. 1, m 15 d; 15 March.

**DOCUMENTS, LISTS AND TABLES**

Oxford  
L. & P. 25 pt. 1, m 14 d; 15 March.  
Somerset  
L. & P. 25 pt. 1, m 15 d; 15 March.  
Southampton  
ditto  
Surrey  
ditto  
28 pt. 1, m 22 d; 20 June.  
Wiltz  
L. & P. 25 pt. 1, m 15 d; 15 March.  
† Bitynyng, William de  
Lynn  
29 pt. 1, m 28 d; 20 July.

Blake, John  
Herts.  
29 pt. 1, m 28 d; 21 March.  
Blankeneye, John de  
Manors, etc., of duke of Lancaster in Essex, Kent, Midd. and Sussex.  
30 pt. 3, m 22 d; 28 Oct.  
Blaykeston, Blaikeston, Roger de  
Cumberland  
L. & P. 25 pt. 1, m 14 d; 15 March.  
Lancashire  
24 pt. 3, m 13 d; 20 Oct.  
Westmoreland  
L. & P. 25 pt. 1, m 14 d; 15 March.  
York, E. R.  
ditto  
York, N. R.  
ditto  
Kingston-on-Hull  
L. & P. 26 pt. 1, m 15 d; 15 Feb.  
Newcastle-on-Tyne  
L. & P. 26 pt. 1, m 28 d; 8 Feb.  
Scarborough  
L. & P. 26 pt. 1, m 21 d; 20 Feb.
APPENDIX

Blenkansopp, Thomas
Westmoreland
31 pt. 1, m 20 d; 5 Feb.

Blundell, Richard
Northants.
L. & P. 25 pt. 1, m 14 d; 15 March.

Blyton, William de
City of Lincoln
L. & P. 25 pt. 1, m 19 d; 27 March.

Bockyng, Ralph de
Suffolk
24 pt. 3, m 10 d; 18 Nov.
L. & P. 25 pt. 1, m 13 d; 24 June (assoc.).

† Bohun, John de
Sussex
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.

Bolle, Ranulf
Holland (Linc.)
33 pt. 1, m 27 d; 26 March.
† Botetourt, Butetourt, Buttetourt, John
Warwick
L. & P. 25 pt. 1, m 13 d; 20 Sept. (assoc.).
L. & P. 26 pt. 1, m 9 d; 20 April.
28 pt. 1, m 22 d; 18 May.

Worcester
L. & P. 25 pt. 1, m 13 d; 20 Sept. (assoc.).
("certis de causis coram consilio" ... he is
appointed to Warwick; therefore "exonerandus"
from service in Worcester; Claus. 26 m. 15
April.)
L. & P. 26 pt. 1, m 9 d; 2 July.
(Again "exonerandus" from service in Wor-
cester by a writ very similar to the above;
Claus. 26 m. 15; 28 Aug.)
27 pt. 1, m 24 d; 12 Feb.
29 pt. 2, m 8 d; 3 Dec.
30 pt. 1, m 17 d; 1 April.

Butetourt, Butetourt, Buttetourt.

† Botiller, Thomas le
Gloucester
29 pt. 2, m 8 d; 20 Dec.
Worcester
31 pt. 1, m 20 d; 5 Feb.
† Bour, Hugh de la
Westmoreland
29 pt. 2, m 8 d, 20 Dec.; ibid., 17 Jan.

Bowde, Robert de
Stafford
30 pt. 1, m 17 d, 28 May (assoc.); ibid., 26 Oct. (in
place of Roger de Hillary, who has died).
31 pt. 1, m 20 d; 5 Feb.
† Bozoun, Bozon, John
Notts.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 26 Jan.
30 pt. 1, m 17 d; 15 April.
31 pt. 1, m 20 d; 10 Nov. (in place of Thomas de
Neumarche).
† Bracy, Robert
Worcester
32 pt. 1, m 34 d; 15 Dec.

Bradestone, Thomas de
Gloucester
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 3 Aug.
Brailbrok. See Braybrok.
APPENDIX

† Brankescombe, Brauncecombe, Braunkescombe, Richard (de)
Devon
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 1, m 24 d; 20 July.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

Brauncescombe, Walter de
Devon

† Braunche, Robert
Lynn
29 pt. 1, m 28 d; 20 July.

† Bray, Braye, John (de)
Kent
L. & P. 25 pt. 1, m 15 d; 15 March.
Middlesex
L. & P. 25 pt. 1, m 14 d; 15 March.
29 pt. 2, m 8 d; 1 Oct.; ibid., 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

Bray, William
Lindsey (Linc.)
29 pt. 2, m 8 d; 1 Dec.

† Braybrok, Brabrok, Braibrok, Gerard de
Bedford
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.
Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.
31 pt. 1, m 20 d; 5 Feb.

† Braylesford, Henry de
Derby
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; 20 Dec.

† Bryan, Bryan, Bryene, Guy de
Berks.
26 pt. 3, m 4 d; 1 Jan.

Gloucester
27 pt. 2, m 25 d; 3 Aug.

Oxford
L. & P. 26 pt. 1, m 8 d; 3 May (with G. Chasteley in place of J. de Grey and J. Golafre).
26 pt. 3, m 4 d; 1 Jan.

Worcester
27 pt. 2, m 25 d; 3 Aug.
28 pt. 1, m 22 d; 1 July.
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 1 April.

Brigham, John de
Cambridge
L. & P. 25 pt. 1, m 15 d; 15 March.

Broun, William
Northants.
28 pt. 1, m 22 d; 26 April.
31 pt. 1, m 20 d; 5 Feb.
(because he cannot attend to his office, Robert Assh is appointed in his place; 32 pt. 1, m 34 d; 20 Feb. Void.)

Lib. of abbot of Peterborough
28 pt. 1, m 22 d; 20 June.

† Brugge, Brugges, Roger de
Worcester
28 pt. 1, m 22 d; 18 May; ibid., 1 July.
30 pt. 1, m 17 d; 1 April.

Bruggeford, John de
Town of Nottingham
30 pt. 1, m 17 d; 25 May.

Brewes, Thomas de
Surrey
County Placita, no. 8; spring of 24 Edw. III; app., C, 2.

† Brian, Bryan, Bryene, Guy de
Berks.
26 pt. 3, m 4 d; 1 Jan.
Gloucester
27 pt. 2, m 25 d; 3 Aug.

Oxford
L. & P. 26 pt. 1, m 8 d; 3 May (with G. Chasteley in place of J. de Grey and J. Golafre).
26 pt. 3, m 4 d; 1 Jan.

Worcester
27 pt. 2, m 25 d; 3 Aug.
28 pt. 1, m 22 d; 1 July.
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 1 April.
APPENDIX

Bruyn, John (de), (le) Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
28 pt. 2, m 13 d; 2 July.
Warwick
L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April.

Bruys, Robert
Lib. of Pickering and wap. of Rydale, N. R.
30 pt. 3, m 17 d; 30 Oct.

Buketot, Philip (de) Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Bures, Andrew de Suffolk
24 pt. 3, m 10 d; 18 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 14 May.
29 pt. 2, m 8 d; 20 Dec. (his place is taken by M. de Bures and T. Morieux; 30 pt. 1, m 17 d; 13 Oct.).

‡ Bures, Michael de Suffolk
30 pt. 1, m 17 d; 13 Oct. (with T. Morieux in place of A. de Bures).

Brughbrigg, John, son of Nicholas de Lib. of Knaresborough of Queen Philippa
30 pt. 1, m 17 d; 26 July.

Burnel, Nicholas Shropshire
L. & P. 26 pt. 1, m 9 d; 15 May.

‡ Burton, William (de), (of Burton) Rutland
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 12 July.

DOCUMENTS, LISTS AND TABLES

York, E. R.
30 pt. 1, m 17 d; 12 May (assoc.).
32 pt. 1, m 34 d; 8 Feb. (in place of Robert de Hal- denby).
33 pt. 1, m 27 d; 6 April (assoc.).
Wap. of Herthill and Hovedenshire, E. R.
29 pt. 1, m 28 d; 6 March (30th year; assoc.).

Burwell, John de Cambridge
L. & P. Claus. 25 m. 16; 12 July (writ for wages).

‡ Bussy, John, of Lavyngton Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Kesteven (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 1, m 24 d; 4 May.
28 pt. 1, m 22 d; 8 May.
29 pt. 2, m 8 d; 20 Dec.

Bustiler, Robert Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.

Butetourt, Buttetourt. See Botetourt.

Byngham, William de
Notts.
L. & P. 25 pt. 1, m 13 d; 12 Feb. (27th year; assoc.).
Byntre, Walter de Suffolk
28 pt. 1, m 22 d; 14 May.
Carbonel, William Suffolk
24 pt. 3, m 10 d; 18 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March.
Careles, William Palatinate of Lancaster
(Referred to) Duchy of Lanc., Chanc. Rolls, ii, no. 19 d; 3 May, 6 duke Henry (in assoc. of R. de Singleton).
Carrue, Nicholas de
Surrey
29 pt. 2, m 8 d; 20 Dec.

Cary, Thomas
Dorset
28 pt. 2, m 13 d; 20 Jan.

Catesby, William de
Warwick
L. & P. 25 pt. 1, m 13 d; 20 June (assoc.).
28 pt. 1, m 22 d; 18 May.

Causton, Robert de, (knight)
Norfolk
28 pt. 1, m 22 d; 26 June.
Lib. of bishop of Ely
32 pt. 1, m 34 d; 14 July.

Cavendissh, John de
Essex
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 1, m 24 d; 3 June.
Suffolk
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 14 May.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

Caynton, William de
Shropshire
28 pt. 1, m 22 d; 20 June.

Cecill, William, of Howden
Bishop of Durham's Lib. of Howden
30 pt. 1, m 17 d; 12 Oct.

Chabham, Thomas de
Essex
27 pt. 1, m 24 d; 3 June.

Charnels, John
Leicester
28 pt. 2, m 13 d; 20 Oct.

Charnels, Nicholas
Warwick
30 pt. 3, m 17 d; 8 Nov.

Chasteley, Gilbert
Oxford
L. & P. 26 pt. 1, m 8 d; 3 May (assoc. with Guy Brian in place of J. de Grey and J. Golafré).
Southampton
30 pt. 1, m 17 d; 16 Oct.
Warwick
L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P 26 pt. 1, m 9 d; 20 April.
Worcester
L. & P. 26 pt. 1, m 9 d; 2 July.
27 pt. 1, m 24 d; 12 Feb.
28 pt. 1, m 22 d; 18 May; ibid., 1 July.
Lib. of Holderness
29 pt. 1, m 28 d; 1 March.

Chastilleyn, Hugh
Bucks.
33 pt. 1, m 27 d; 4 May.

Chastilloun, John
Bucks.
L. P. 24 pt. 1, m 23 d; 20 Feb.

Chaumont, Chaumon, John (de), (knight)
York, W. R.
30 pt. 3, m 17 d; 26 Oct. (assoc.).
32 pt. 1, m 34 d; 16 July.
33 pt. 1, m 27 d; 28 May.

Wap. of Ainsty, Barkston and Claro, W. R.
28 pt. 1, m 22 d; 2 July (ibid., 20 Jan.; his place is taken by John de Shirburn, “quibusdam certis de causis”).
29 pt. 1, m 28 d; 15 May.
Lib. of duke of Lancaster in W. R.
30 pt. 1, m 17 d; 16 Oct.
Chaundos, Roger
Hereford
L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Chaworth, Thomas de, the elder
Leicester
28 pt. 1, m 22 d; 18 Feb.
29 pt. 2, m 8 d; 1 Aug.
‡ Chelereye, Edmund
Lib. of abbot of Reading
29 pt. 3, m 4 d; 12 Jan.
Cherleton, John de
Shropshire
28 pt. 1, m 22 d; 20 June.
‡ Chesterton, Robert de
Lib. of Queen Isabel in towns of Cambridge and Chesterton
30 pt. 3, m 17 d; 10 July.
Cheyne, Edmund de
Somerset
L. & P. 25 pt. 1, m 15 d; 15 March.
‡ Cheyne, John
Cambridge
31 pt. 1, m 20 d; 5 Feb.
‡ Chiltenham, William de
Gloucester
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 3 Aug.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
Hereford
L. & P. 25 pt. 1, m 14 d; 15 March.
Leicester
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Shropshire
L. & P. 25 pt. 1, m 14 d; 15 March.

Stafford
ditto
Worcester
ditto
L. & P. 26 pt. 1, m 9 d; 20 April.
‡ Chilterne, John de
Herts.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 16 May.
‡ Chiselden, Richard de
Devon
Chorley, William de, clerk
Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 38 d; 26 April, 9 duke Henry.
Girgeaux, Richard (le piere)
Cornwall
29 pt. 2, m 8 d, 10 Dec.; ibid., 20 Dec.
32 pt. 1, m 34 d; 20 Feb.
‡ Claymond, Cleymond, John
Holland (Lin.)
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d, 3 March (assoc.); ibid., 8 May; ibid., 2 July.
29 pt. 2, m 8 d; 20 Dec.
‡ Clare, Robert
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 22 Nov.
28 pt. 1, m 22 d; 26 June.
(Except Lynn)
29 pt. 2, m 8 d; 30 Nov.
APPENDIX

(Except Lynn)

Clerk, Andrew
Grimsby

Clotherum, Clotherom, John de
Town and Lib. of Ripon of archbishop of York
28 pt. 1, m 22 d; 20 March
30 pt. 1, m 17 d; 28 April.

Clynton, Ivo de
Kent
L. & P. 25 pt. 1, m 13 d; 20 April (assoc.).

Clynton, William de, earl of Huntingdon
Kent
L. & P. 25 pt. 1, m 15 d; 15 March.

Clyvedon, Edmund de
Somerset
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 8 May.
30 pt. 1, m 17 d; 20 Oct.
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 26 Jan.

Cobham, John de
Kent
L. & P. 25 pt. 1, m 15 d; 15 March.

Codenyngton, John de
Leicester
28 pt. 1, m 22 d; 2 July.
28 pt. 2, m 13 d; 20 Oct.

Coggeshale, John de
Essex
L. & P. 25 pt. 1, m 15 d; 15 March.

Cokayn, John
Derby
L. & P. 25 pt. 1, m 14 d; 15 March.

DOCUMENTS, LISTS AND TABLES

Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.
Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.
Ibid., ii, no. 38 d; 26 April, 9 duke Henry.

Colby, John de
Norfolk
28 pt. 1, m 22 d; 26 June.
(Except Lynn)
29 pt. 2, m 8 d; 30 Nov.

Coliere, Richard
Town of Nottingham
30 pt. 1, m 17 d; 25 May.

Colyngton, John de
Leicester
31 pt. 1, m 20 d; 5 Feb. (“certis de causis” . . .
his place is taken by R. de Eccles; 32 pt. 1, m 34 d;
4 July).

Colvill, Robert de
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Kesteven (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 1, m 24 d; 4 May.
APPENDIX

† Colvill, Coluyll, William de
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Kesteven (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 8 May.

Colyngburn, Roger de
Prior of Bustleham’s Lib. at Bustleham and elsewhere in Berks.
30 pt. 1, m 17 d; 8 May.

† Conestable, Marmaduke
York, E. R.
L. & P. 25 pt. 1, m 14 d; 15 March.
29 pt. 2, m 8 d; 20 Dec.
Wap. of Herthill and Hovedenshie, E. R.
28 pt. 1, m 22 d; 2 July.

Conyngesby, John de
Warwick
31 pt. 1, m 20 d; 5 Feb.

Cotyngham, John de
Lib. of St. Peter of York
28 pt. 2, m 13 d; 8 Nov.

† Coudeshale, John de
Lynn
29 pt. 1, m 28 d; 20 July.

Coupeland, John de
Westmoreland
L. & P. 25 pt. 1, m 14 d; 15 March.

Courtenay, Hugh de, earl of Devon
Devon
L. & P. 25 pt. 1, m 14 d; 15 March.

Cradelegh, Adam de
Notts.
L. & P. 25 pt. 1, m 13 d; 8 April (27th year; assoc.).

Cranesle, John de
Northants.
L. & P. Claus. 25 m 16; 12 July (writ for wages).

† Croft, Hugh de
Hunts.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 1 Dec. (At his death his place is taken by R. de Elyngton; 28 pt.
3, m 15 d; 12 Nov.)

† Crouthorn, Thomas (de)
Devon
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
[Because he is infirm, his place and that of W. de Luscote (for other reasons) are taken by W. de Braunkescombe and R. de Chiselden; 33 pt. 1, m 27 d; 9 Feb.]

Croyser, William
Bedford
L. & P. 24 pt. 1, m 23 d; 20 Feb.

Croxford, John de
Oxford
33 pt. 1, m 27 d; 28 May.

Cubeldik, Roger de
Holland (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.

† Daber, Roger
Sussex
28 pt. 1, m 22 d; 20 June.

† Dabernoun, John
Cornwall
L. & P. 26 pt. 1, m 9 d; 15 July.
Devon
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 1, m 24 d; 20 July.

Exeter
30 pt. 3, m 17 d; 20 Nov.
Dalderby, Robert de, of Lincoln
City of Lincoln
30 pt. 1, m 17 d; 6 April.
‡ Dale, William de
Southampton
30 pt. 1, m 17 d; 16 Oct.
‡ Daneys, Dauneys, Roland
Rutland
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 12 July.
‡ Daumarle, William
Devon
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 1, m 24 d; 20 July.
Dayncourt. See Deyncourt.
Dayvill, Adam de, of Laxton
Bishop of Durham's Lib. of Howden
30 pt. 1, m 17 d; 12 Oct.
Dayvill. See Deyvill.
‡ Debenham, Depenham, Gilbert de
Suffolk
24 pt. 3, m 10 d; 18 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March ("quibusdam . . . certis de causis . . . commissiones . . . duximus revocandas," Claus. 28 m. 29; 1 Feb.).
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
‡ ‡ Delves, John
Leicester
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Shropshire
L. & P. 25 pt. 1, m 14 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 15 May.
28 pt. 1, m 22 d; 20 June.
29 pt. 2, m 8 d; 20 Dec.
Stafford
L. & P. 25 pt. 1, m 14 d; 15 March.

Dene, William atte, of Wycombe
Wycombe
30 pt. 1, m 17 d; 20 March.
‡ Dengayn, Dengeye, John
Hunts.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 1 Dec.
Dersham, William de (iuxta Donewych)
Suffolk
28 pt. 1, m 22 d; 14 May.
29 pt. 2, m 8 d; 16 Feb. (30th year; assoc.).
(Repeated) 30 pt. 1, m 19 d; 16 Feb.
Derwentwater, John de
Westmoreland
L. & P. 25 pt. 1, m 14 d; 15 March.
Deschalers, Thomas
Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Devon, earl of. See Courtenay.
‡ Deyncourt, Dayncourt, William
Notts.
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 26 Jan.
29 pt. 2, m 8 d; 1 Aug.
‡ Deyvill, Dayvill, de Eyvill, John, (of Tokwyth)
York, W. R.
30 pt. 3, m 17 d; 26 Oct. (assoc.).
32 pt. 1, m 34 d; 16 July.
33 pt. 1, m 27 d; 28 May.
Wap. of Ainsty, Barkston and Claro, W. R.
28 pt. 1, m 22 d; 2 July.
29 pt. 1, m 28 d; 15 May.
Disny, William
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
APPENDIX

Ditton, Benedict de
Essex
  27 pt. 2, m 25 d; 22 Jan. (with Goldyngham in place
  of Tyrel).

Doily, Thomas
Bucks.
  29 pt. 2, m 8 d; no date. 20 Dec. Orig.

† Drewe, Geoffrey
Lynn
  29 pt. 1, m 28 d; 20 July.

Duxfeld, Gilbert
Newcastle-on-Tyne
  L. & P. 26 pt. 1, m 28 d; 8 Feb.

Dyk, Reginald de
Lib. of archbishop of Canterbury in Kent
  30 pt. 1, m 17 d; 16 Sept.

Dynelay, John de
Lib. of duke of Lancaster in York, W. R.
  30 pt. 1, m 17 d; 16 Oct.

† Eccles, Reginald de
Norfolk
  L. & P. 25 pt. 1, m 13 d; 20 Nov. (assoc.).
    27 pt. 2, m 25 d; 22 Nov.
    28 pt. 1, m 22 d; 10 July (assoc.).
    32 pt. 1, m 34 d; 4 July (in place of John
    Colvill).

† Eleford, Elleford, Robert de
Cornwall
  L. & P. 26 pt. 1, m 9 d; 15 July.
    28 pt. 2, m 13 d; 16 Dec.

Exeter
  30 pt. 3, m 17 d; 20 Nov.

† Eleford, Elford, Elleford, Thomas (de)
Oxford
  29 pt. 2, m 8 d; 2 Dec. (in place of John de Laundels).
    (Repeated: no date. 20 Dec. Orig.)

DOCSUENTS, LISTS AND TABLES

Manors and towns of Duchy of Cornwall in various coun-
ties
  30 pt. 1, m 17 d; 26 March.

Elkyngton, Robert de
Holland (Linc.)
  28 pt. 1, m 22 d; 8 May.

Lindsey (Linc.)
  28 pt. 1, m 22 d; 8 May.
  29 pt. 2, m 8 d; 1 Dec.

Manors, etc., of duke of Lancaster in Lincolnshire
  30 pt. 1, m 17 d; 8 July.

† Ellesfeld, Gilbert de
Herts.
  29 pt. 1, m 28 d; 21 March.

† Elstede, Elsted, Robert de
Sussex
  L. & P. 25 pt. 1, m 15 d; 15 March.
    28 pt. 1, m 22 d; 20 June.

Elyngton, Roger de
Hunts.
  28 pt. 3, m 15 d; 12 Nov. (in place of Hugh de Croft
    who is dead).

† Elys, John, (of Thame)
Bucks.
  31 pt. 1, m 20 d; 5 Feb.
  33 pt. 1, m 27 d; 4 May.

Oxford
  28 pt. 2, m 13 d; 2 July.
  29 pt. 2, m 8 d; 1 Aug. (repeated: no date. 20 Dec.
    Orig.)
  31 pt. 1, m 20 d; 5 Feb.
  33 pt. 1, m 27 d; 28 May.

† Estbury, John de
Southampton
  30 pt. 1, m 17 d; 16 Oct.
APPENDIX

† Estfeld, William de, (of Tykhull)
York, W. R.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 1, m 24 d; 3 July.

† Estham, Richard de
Worcester
30 pt. 1, m 17 d; 1 April.
31 pt. 1, m 20 d; 20 Nov. (assoc.)
32 pt. 1, m 34 d; 15 Dec.

† Eston, John de
Northants.
L. & P. 25 pt. 1, m 13 d; 8 Nov. (assoc.).
30 pt. 1, m 17 d; 26 March.

† Eston, Roger de
Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.
28 pt. 1, m 22 d; 10 Feb.
County of Richmond
28 pt. 1, m 22 d; 10 Feb.

† Everard, John
Wilts.
L. & P. 25 pt. 1, m 13 d; 28 May (assoc.).
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
31 pt. 1, m 20 d; 5 Feb.

Everyingham, Adam de, of Rokeleye
York, W. R.
L. & P. 25 pt. 1, m 14 d; 15 March (repeated: 20 May.)

Eyvill, de. See Deyvill.

Fairfax, William
York, W. R.
32 pt. 1, m 34 d; 3 Nov. (assoc.).

Faryngton, Roger de
Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5 duke Henry.
Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.
Ibid., ii, no. 38 d; 26 April, 9 duke Henry.

† Faucomberge, Fauconberge, John de
Lib. of Holderness
L. & P. 26 pt. 1, m 21 d; 20 Feb.
28 pt. 1, m 22 d; 2 July.

† Felton, William de
Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.

† † Fencotes, Thomas de
Cumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
Lancashire
24 pt. 3, m 13 d; 20 Oct.
Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
Westmoreland
ditto
York, E. R.
ditto
York, N. R.
ditto
Beverley
County of Richmond
28 pt. 1, m 22 d; 10 Feb.

Fenton, John de, the younger
Town and Lib. of Ripon
28 pt. 1, m 22 d; 20 March.

Fenton, William de, (master)
York, W. R.
27 pt. 1, m 24 d; 3 July.
Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.
28 pt. 1, m 22 d; 10 Feb.
Wap. of Ainsty, Barkston and Claro, W. R.
28 pt. 1, m 22 d; 2 July
Town and Lib. of Ripon
28 pt. 1, m 22 d; 20 March.
APPENDIX

Fenwyk, John de
Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Ferers, Ferrers, Ralph de
Leicester
L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).
28 pt. 1, m 22 d; 2 July.

‡ Feriby, John de
Beverley
Lib. of St. Peter of York
28 pt. 2, m 13 d; 8 Nov.

Ferumbaud, Thomas
Bucks.
L. & P. 25 pt. 1, m 13 d; 27 Nov. (assoc.).

‡ Fifhide, Fifide, William (de)
Southampton
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.

Sussex
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.
30 pt. 1, m 17 d; 12 March.
31 pt. 1, m 20 d; 5 Feb.

‡ Fillilod, William de
Lib. of Holderness
29 pt. 1, m 28 d; 26 June (assoc.).

‡ Fitz Alan, Richard, earl of Arundel
Shropshire
L. & P. 25 pt. 1, m 14 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 15 May.

Sussex
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.
30 pt. 1, m 17 d; 12 March.
31 pt. 1, m 20 d; 5 Feb.

‡ Fitz James, Thomas
Somerset
30 pt. 1, m 17 d; 20 Oct.
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 26 Jan.

‡ Fitz Payn, Robert
Dorset
(Referred to) L. & P., 24 Edw. III, Mem. L. T. R.,
31, Hill., Recorda, rot. 9.
L. & P. 25 pt. 1, m 15 d; 15 March.

Fitz Symond, Hugh
Herts.
L. & P. 25 pt. 1, m 15 d; 15 March.

Fitz Waryn, William
Berks.
L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Flemmyng, Alan
Newark
30 pt. 1, m 17 d; 27 May.

Foljambe, Godfrey
Derby
31 pt. 1, m 20 d; 5 Feb.

‡ Folvill, Folevill, John de
Leicester
L. & P. 25 pt. 1, m 14 d; 15 March.
(For reference to his removal, see Pakeman.)
28 pt. 1, m. 22 d; 18 Feb.

Forster, Reginald
Surrey
County Placita, no. 8, spring of 24 Edw. III; app.,
C, 2.

‡ Foucher, John
Derby
31 pt. 1, m 20 d; 5 Feb.
Newark
30 pt. 1, m 17 d; 27 May.
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Fraunceys, Adam
London
31 pt. 1, m 20 d; 1 Aug.
† Fraunceys, Robert
Derby
30 pt. 1, m 17 d; 10 March; *ibid.*, 12 July.
† Frebern, Richard
Coventry
28 pt. 1, m 22 d, 28 Feb.; *ibid.*, 28 June.
Frenyngham, Ralph de, (knight)
Kent
31 pt. 1, m 20 d; 5 Feb.
Lib. of archbishop of Canterbury in Kent
30 pt. 1, m 17 d; 16 Sept.
Frere, John, of Doncaster
York, N. R.
31 pt. 1, m 20 d; 5 Feb.
Fresel, Thomas
Bucks.
33 pt. 1, m 27 d; 4 May.
Freysel, Froysel, Richard
Suffolk
24 pt. 3, m 10 d; 18 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March.
Frivill, John de
Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
† Frome, William de
Hereford
L. & P. 25 pt. 1, m 14 d; 15 March.
29 pt. 2, m 8 d, 2 Oct.; *ibid.*, 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
† Frost, Thomas, (of Beverley)
Beverley

† Frowyk, Thomas de
Middlesex
L. & P. 25 pt. 1, m 14 d; 15 March.
Frylond, John
Lib. of abbot of Reading
29 pt. 3, m 4 d; 12 Jan.
† Fulthorp, John de
York, N. R.
31 pt. 1, m 20 d; 5 Feb.; *ibid.*, 26 Nov.
33 pt. 1, m 27 d; 12 Sept.
† † Fyncheden, William de, (the younger)
Notts.
30 pt. 1, m 17 d; 3 June (assoc.).
York, W. R.
L. & P. 25 pt. 1, m 14 d; 15 March (repeated: 20 May.)
27 pt. 1, m 24 d; 3 July.
29 pt. 2, m 8 d; 20 Dec.
Wap. of Ainsty, Barkston and Claro, W. R.
28 pt. 1, m 22 d; 2 July.
29 pt. 1, m 28 d; 15 May.
Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.
28 pt. 1, m 22 d; 10 Feb.
Retford-in-the-Clay
27 pt. 1, m 24 d; 20 June.
Lib. of duke of Lancaster, in York, W. R.
30 pt. 1, m 17 d; 16 Oct.
† Gaddesby, Richard de
Leicester
32 pt. 1, m 34 d; 16 Feb.
† Gaunt, John (de)
Lindsey (Linc.)
28 pt. 1, m 22 d; 3 July.
City of Lincoln
30 pt. 1, m 17 d; 6 April.
Manors, etc., of duke of Lancaster in Lincolnshire
30 pt. 1, m 17 d; 8 July.
Gervays, Thomas
Wycombe
30 pt. 1, m 17 d; 20 March.
Manors and towns of Duchy of Cornwall in various counties.
30 pt. 1, m 17 d; 26 March.
Prior of Bustlesham's Lib. of Bustlesham and elsewhere in Berks.
30 pt. 1, m 17 d; 8 May.
Giffard, John (le Boef)
Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
L. & P. 25 pt. 1, m 15 d; 15 March.
Gillyng, Richard de
Lib. of St. Peter of York
28 pt. 2, m 13 d; 8 Nov.
Gist, John
Exeter
30 pt. 3, m 17 d; 20 Nov.
Godhestre, Godester, Godestre, Roger (de)
Kent
28 pt. 2, m 13 d; 26 Sept.
29 pt. 2, m 8 d; 20 Oct.
Lib. of archbishop of Canterbury in Kent
30 pt. 1, m 17 d; 16 Sept.
Manors, etc., of duke of Lancaster in Kent, Essex, Sussex and Midd.
30 pt. 3, m 22 d; 28 Oct.
Golafré, John
Oxford
L. & P. 25 pt. 1, m 14 d; 15 March.
(“Nos certis de causis coram consilio . . . ab officio . . . duximus exonerandum . . .”; 26 pt. 1, m 8 d; 3 May. J. de Grey likewise; their places taken by G. de Brian and G. Chasteleyn.)
‡ Goldsmyth, William
Town of Leicester
30 pt. 3, m 17 d; 16 Nov.

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Goldyng, John, of Beverley
Beverley
Goldyngham, John de, (knight)
Essex
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 2, m 25 d; 22 Jan. (with Ditton in place of Tyrel).
Gosenargh, Thomas de
Lancashire
24 pt. 3, m 13 d; 20 Oct.
Gosynton, William
Lib. of Leominster of abbot of Reading
30 pt. 1, m 17 d; 1 May.
‡ Gour, John
Hereford
32 pt. 1, m 34 d; 8 March (assoc.).
Lib. of Leominster of abbot of Reading
30 pt. 1, m 17 d; 1 May.
‡ Gower, Nicholas
York, N. R.
L. & P. 25 pt. 1, m 14 d; 15 March.
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 12 July.
Wap. of Allerton, Birdforth and Richmond, N. R.
28 pt. 1, m 22 d; 2 July.
Wap. of Bulmer and Rydale, N. R.
28 pt. 1, m 22 d; 2 July.
Wap. of Cleveland and Pickering, N. R.
28 pt. 1, m 22 d; 2 July.
Wap. of Hertford and Hovedenshire, E. R.
(Referred to) 28 pt. 2, m 13 d; 12 Oct. (in assoc. of T. de Metham).
Scarborough
29 pt. 1, m 28 d; 4 July.
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† Grandissono, Otto de
Kent
L. & P.  25 pt. 1, m 15 d; 15 March.
  28 pt. 2, m 13 d; 26 Sept. (repeated).
  29 pt. 2, m 8 d; 20 Oct. (repeated: no date.
  20 Dec. Orig.)

Grandissono, Peter de
Hereford
L. & P.  25 pt. 1, m 14 d; 15 March.

Grave, John de la
Essex
L. & P.  25 pt. 1, m 15 d; 15 March.
  28 pt. 1, m 22 d; 2 July.

Gray, Thomas
Palatinate of Durham; wards of Chester, Darlington,
Stockton and Easington, and wapentake of Sadber
Cursitors’ Records, 30, rot. 1, Hatfield, m. 5 d, no. 6;
15 June, 5th year.

† † Grene, Henry (de)
Essex
L. & P.  25 pt. 1, m 15 d; 15 March.
Herts. ditto
Kent ditto
Northants.
L. & P.  25 pt. 1, m 14 d; 15 March.
  27 pt. 2, m 25 d; 26 Nov.
  28 pt. 1, m 22 d; 26 April.
  28 pt. 2, m 13 d; 26 Nov.
  29 pt. 1, m 28 d; 26 April.
  29 pt. 2, m 8 d; 1 Aug.; ibid., 20 Dec.
  30 pt. 1, m 17 d; 26 March.

Surrey
L. & P.  25 pt. 1, m 15 d; 15 March.
Sussex ditto

DOCUMENTS, LISTS AND TABLES

Lib. of abbot of Peterborough
28 pt. 1, m 22 d; 20 June.

Grey, John de, of Codenore
Derby
L. & P.  25 pt. 1, m 14 d; 15 March.

Grey, John de, of Rotherfield
Oxford
L. & P.  25 pt. 1, m 14 d; 15 March.
(“Nos certis de causis coram consilio . . . ab
officio duximus exonerandum . . .”; 26 pt. 1, m
8 d; 3 May. J. Golafre likewise. Their places
taken by G. de Brian and G. Chasteley.)

† Grey, Ralph de
Berks.
L. & P.  25 pt. 1, m 14 d; 15 March.
  26 pt. 3, m 4 d; 1 Jan.
  31 pt. 1, m 20 d; 5 Feb.
  33 pt. 1, m 27 d; 4 Aug.

† Grey, Gray, Greye, Richard (de), of Landford
Derby
L. & P.  25 pt. 1, m 13 d; 15 July (assoc.).
  28 pt. 2, m 13 d; 2 July.

Leicester
L. & P.  25 pt. 1, m 13 d; 15 July (assoc.).
Holland and Kesteven (Linc.)
L. & P.  24 pt. 1, m 23 d; 20 Feb.
Kesteven (Linc.)
L. & P.  25 pt. 1, m 13 d; 18 July (assoc.).
Lindsey (Linc.)
L. & P.  25 pt. 1, m 13 d; 18 July (assoc.).
Notts.
L. & P.  25 pt. 1, m 15 d; 15 March
  28 pt. 2, m 13 d; 2 July.
  29 pt. 2, m 8 d; 1 Aug.; ibid., 20 Dec.
  30 pt. 1, m 17 d; 15 April.
York, W. R.
L. & P. 25 pt. i, m 13 d; 18 July (assoc.).
Retford-in-the-Clay
27 pt. i, m 24 d; 20 June.

Grey, Greye, Roger de
Bedford
L. & P. 24 pt. i, m 23 d; 20 Feb.
L. & P. 25 pt. i, m 15 d; 15 March.

† Grey, William de, of Sandyacre
Derby
30 pt. i, m 17 d; 11 Dec.

Grete, Groete, Groot, Peter (de)
Worcester
L. & P. 25 pt. i, m 14 d; 15 March.
L. & P. 26 pt. i, m 9 d; 20 April; ibid., 2 July.

Grove, John atte
Essex
27 pt. ii, m 25 d; 8 Nov.

† Grymmeshy, Peter de
Lib. of Holderness
L. & P. 26 pt. i, m 8 d; 20 April (27th year; assoc.).
29 pt. i, m 28 d; 1 March.

York, E. R.
32 pt. i, m 34 d; 20 Nov.

Gyne, Robert
Somerset
L. & P. 25 pt. i, m 13 d; 2 May (assoc.).

† Hadresham, John de
Surrey
28 pt. i, m 22 d; 20 June.
Lib. of abbot of Battle
Assize Roll, 907, Surrey; 27 Edw. III; app. C, i.

Hagh, John de
Holland (Linc.)
29 pt. i, m 28 d; 7 July (30th year; assoc.).

Haket, Thomas
Isle of Wight
31 pt. i, m 20 d; 5 Feb.

Haldenby, Robert de
York, E. R.
31 pt. i, m 20 d; 5 Feb.
("Certis de causis coram nobis et consilio nostro propositis . . . . ," his place is taken by W. de Burton; 32 pt. i, m 34 d; 8 Feb.)

† Hale, John de la, knight
Dorset
33 pt. i, m 27 d; 18 May.

Halsale, Oto de
Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 38 d; 26 April, 9 duke Henry.

Halsham, Robert de
Sussex
L. & P. 25 pt. i, m 15 d; 15 March.
30 pt. i, m 17 d; 12 March.
31 pt. i, m 20 d; 5 Feb.

† Hamby, Geoffrey de
Kingston-on-Hull
L. & P. 26 pt. i, m 15 d; 15 Feb.
27 pt. i, m 24 d; 12 Feb.

† Hamden, Hammenden, John de
Bucks.
29 pt. ii, m 8 d; no date. 20 Dec. Orig.
31 pt. i, m 20 d; 5 Feb.

Hardy, William
Hospital of St. Leonard of York
30 pt. i, m 17 d; 20 July.

† Harewedon, Haroughdon, Harwedon, John de
Hunts.
31 pt. i, m 20 d; 3 Nov. (in place of John de Styuecle, who has died).
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Northants.

L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 26 Nov.
28 pt. 1, m 22 d; 26 April.
28 pt. 2, m 13 d; 26 Nov.
29 pt. 1, m 28 d; 26 April.
29 pt. 2, m 8 d; 1 Oct. (assoc.).

Lib. of abbot of Peterborough
28 pt. 1, m 22 d; 20 June.

Harewedon, William de
Northants.
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 28 Nov.

Haryngton, Haveryngton, John de, (Luncle)
Cumberland
L. & P. 25 pt. 1, m 14 d; 15 March.

Lancashire
24 pt. 3, m 13 d; 20 Oct.

Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.

_Ibid.,_ ii, no. 24 d; 10 Oct., 7 duke Henry.

Haryngton, Roger de
Lancashire
24 pt. 3, m 13 d; 20 Oct.

Hatton, William de
Herts.
29 pt. 1, m 28 d; 21 March.
29 pt. 2, m 8 d; 30 Nov.; _ibid., 20 Dec._
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 16 May.
33 pt. 1, m 27 d; 10 Aug.

Middlesex
29 pt. 2, m 8 d; 1 Oct.; _ibid., 20 Dec._
31 pt. 1, m 20 d; 5 Feb.

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‡ Hauberk, Lawrence
Leicester
28 pt. 1, m 22 d; 18 Feb.; _ibid._, 2 July.
28 pt. 2, m 13 d; 20 Oct.
29 pt. 2, m 8 d; 1 Aug.

Haydok, Gilbert de
Lancashire
24 pt. 3, m 13 d; 20 Oct.

Heppescotes, William de
Northumberland
31 pt. 1, m 20 d; 5 Feb.

Herdewyk, John de
Oxford
L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Herlaston, Roger de
Lib. of Queen Isabel in towns of Cambridge & Chesterton
30 pt. 3, m 17 d; 10 July

‡ Herle, Robert de
Leicester
28 pt. 2, m 13 d; 20 Oct.

Hevenyngham, John de
Essex
L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

‡ ‡ Hillary, Roger
Gloucester
L. & P. 25 pt. 1, m 14 d; 15 March.

Hereford
ditto
Leicester
L. & P. 24 pt. 1, m 23 d; 20 Feb.

Shropshire
L. & P. 25 pt. 1, m 14 d; 15 March (non).
L. & P. 26 pt. 1, m 9 d; 15 May.

Stafford
L. & P. 25 pt. 1, m 14 d; 15 March.
29 pt. 1, m 28 d; 16 May.
29 pt. 2, m 8 d; 2 Nov.; _ibid._, 20 Dec.
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(By 26 Oct., 30th year, he has died, and his place is taken by R. de Bowode; 30 pt. 1, m 17 d.)

Worcester
L. & P. 25 pt. 1, m 14 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April; ibid., 2 July.
† Hilton, Robert de
Lib. of Holderness
L. & P. 26 pt. 1, m 8 d; 20 May (in place of J. de Sutton).
   28 pt. 1, m 22 d; 2 July.

Hoghton, Adam de
Lancashire
24 pt. 1, m 13 d; 20 Oct.

Hoke, John
Lib. of archbishop of Canterbury in Kent
30 pt. 1, m 17 d; 16 Sept.
† Holand, Robert de
Northants.
28 pt. 1, m 13 d; 25 July.
   (Vacat quia restaurate sunt.)

Homptone, Thomas de
Lib. of Leominster of abbot of Reading
30 pt. 1, m 17 d; 20 May (assoc.).
   28 pt. 1, m 22 d; 2 July.

Hopton, Richard de
Cumberland
29 pt. 1, m 8 d; 20 Dec.; ibid., 20 Dec.
   31 pt. 1, m 20 d; 5 Feb.

Houbel, John
Essex
Assize Roll, 267; for 24 Edw. III; app., D, i.

House, John atte
Essex
L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

Hubert, Thomas
Essex
L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).
   ("Quibusdam . . certis de causis coram consilio nostro propositis, te ab officio illo duximus amovendum . . ." Claus. 26 m. 2; 10 Jan.)

Huddeswell, William de
York, N. R.
31 pt. 1, m 20 d; 26 Nov.
† Hugon, Huguyn, John
Somerset
28 pt. 1, m 22 d; 8 May.
29 pt. 2, m 8 d; 20 Dec.
† Humbercôl, Thomas
Beverley

Hungerford, Walter de
Wilts.
L. & P. 25 pt. 1, m 13 d; 28 May (assoc.).
Hungerford, Thomas de
Wilts.
27 pt. 1, m 24 d; 27 May.
† Hunt, Hunte, Theobald le
Rutland
29 pt. 1, m 28 d; 12 July.
29 pt. 2, m 8 d; 20 Dec.
Huntingdon, earl of. See Clynton.
† Huse, Husee, Roger
Surrey
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.
† Husee, James
Somerset
L. & P. Claus. 25 m. 16; 12 July (writ for wages).
L. & P. Claus. 26 m. 16; 1 May (writ for wages).
32 pt. 1, m 34 d; 26 Jan.
‡ Hynton, Osbert de
Town of Huntingdon
28 pt. 2, m 13 d; 20 Jan.
29 pt. 1, m 28 d; 20 June.
† ‡ Ingelby, Thomas de
York, N. R.
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 12 July.
Wap. of Ainsty, Barkston and Claro, W. R.
28 pt. 1, m 22 d; 2 July.
29 pt. 1, m 28 d; 15 May.
Wap. of Claro, EwCroSS, Skyrack and Staincliffe, W. R.
28 pt. 1, m 22 d; 10 Feb.
Lib. of abbot of St. Mary of York
29 pt. 1, m 28 d; 20 June.
‡ Inkepenn, Inkepenne, John
Southampton
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
31 pt. 1, m 20 d; 5 Feb.
Isle, John del, of Kent
Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
James, John
Cinque Ports
32 pt. 1, m 34 d; 20 Oct.
Kegworth, Keggeworth, Robert de
Leicester
L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 16 Feb.
‡ Kegworth, Keggeworth, Simon (de)
Kent
28 pt. 2, m 13 d; 26 Sept. (repeated).
29 pt. 2, m 8 d; 20 Oct.
Leicester
L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).
Kelby, Walter de, of Lincoln
City of Lincoln
L. & P. 25 pt. 1, m 19 d; 27 March.
30 pt. 1, m 17 d; 6 April.
† ‡ Kelleshull, Richard de
Bedford
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.
Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
L. & P. 25 pt. 1, m 15 d; 15 March.
Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 2, m 25 d; 3 Nov.
29 pt. 2, m 8 d; 20 Dec.
Hunts.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.
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Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.
Suffolk
L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Kendale, Edward de
Herts.
L. & P. 25 pt. 1, m 15 d; 15 March.
29 pt. 1, m 28 d; 21 March.
Kerdeston, William de
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
‡ Kerseye, Kereseye, Henry (de)
Berks.
33 pt. 1, m 27 d; 4 Aug.
Lib. of abbot of Reading
29 pt. 3, m 4 d; 12 Jan.
Kirketon, John de
Lindsey (Linc.)
L. & P. 25 pt. 1, m 13 d; 10 July (assoc.).
‡ Knyghton, John de
Northants.
28 pt. 2, m 13 d; 26 Nov.
29 pt. 1, m 28 d; 26 April.
† ‡ Knyvet, John
Northants.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 26 Nov.
Lib. of abbot of Peterborough
28 pt. 1, m 22 d; 20 June.
Knyvet, Richard
Rutland
L. & P. 25 pt. 1, m 14 d; 15 March.
Stamford
L. & P. 25 pt. 1, m 14 d; 15 March.
Langeford, Nicholas de
Derby
L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Langele, Langeleye, Thomas de
Kent
31 pt. 1, m 20 d; 5 Feb.
Oxford
L. & P. 25 pt. 1, m 14 d; 15 March.
26 pt. 3, m 4 d; 1 Jan.
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; 1 Aug. (repeated: no date.
20 Dec. Orig.)
31 pt. 1, m 20 d; 5 Feb.
33 pt. 1, m 27 d; 28 May.
Langele, William de
Kent
31 pt. 1, m 20 d; 5 Feb.
Langeton, Thomas de
Bedford
30 pt. 1, m 17 d; 6 July (assoc.).
Lanum, John de
Notts.
31 pt. 1, m 20 d; 5 Feb. (repeated).
Southwell
30 pt. 1, m 17 d; 30 May; ibid., 15 July.
Lascels, John
Lib. of abbot of St. Mary of York
29 pt. 1, m 28 d; 20 June.
‡ Lasyngrcote, Lasyngcroft, John de
York, N. R.
33 pt. 1, m 27 d; 12 Sept.
York, W. R.
30 pt. 3, m 17 d; 26 Oct. (assoc.).
Lib. of duke of Lancaster in York, W. R.
30 pt. 1, m 17 d; 16 Oct.
Latham, Thomas de
Lancashire
24 pt. 3, m 13 d; 20 Oct.
Launde, Thomas de la Holland (Linc.)
33 pt. 1, m 27 d; 18 Feb. (assoc. with R. de Meres in place of W. de Surflet).
33 pt. 1, m 27 d; 26 March.

† Laundels, Laundeles, John (de) Berks.
26 pt. 3, m 4 d; 1 Jan.
Oxford
26 pt. 3, m 4 d; 1 Jan.
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; 1 Aug.
(Made sheriff of Oxford and Berks.; therefore his place is taken by T. de Eleford; ibid., 2 Dec.)

Cinque Ports
32 pt. 1, m 34 d; 20 Oct.

Laurence, William
Palatinate of Lancaster
Referred to for years 26, 27 and 28; Lay Subs., 130/21, Lancaster. App. D, 4.

† Lavenham, William de Cambridge
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 2, m 25 d; 3 Nov.

Essex
L. & P. 25 pt. 1, m 13 d; 20 May (assoc.).

† Lee, John atte Herts.
29 pt. 1, m 28 d; 21 March.
29 pt. 2, m 8 d; 30 Nov.; ibid., 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

† Lee, John de (de la, du) Stafford
29 pt. 1, m 28 d; 16 May.
29 pt. 2, m 8 d; 2 Nov.

Warwick
L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April.

Worcester
(Referred to) L. & P., Claus. 26 m. 19; 15 April.

† Leek, Lek, Lawrence de Holland (Linc.)
28 pt. 1, m 22 d; 8 May; ibid., 2 July.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

Leek, Matthew de Holland (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.

Legburn, William de Lib. of St. Mary's church of Lincoln
30 pt. 1, m 17 d; 27 Oct.

Legh, Leghe, Robert de Palatinate of Chester Eyre Roll, 13; Indictment Roll, 19; Indictment Roll, 4; for years 26, 27, 30, 31, 32 and 33. App. C, 1.

Lelley, Thomas
Lib. of abbot of St. Mary of York
29 pt. 1, m 28 d; 20 June.

† Leukenore, John de Oxford
28 pt. 2, m 13 d; 2 July.

† Leycester, Richard de Northants.
28 pt. 2, m 13 d; 25 July. (Vacat quia restitute sunt.)

Ligon. See Lygon.

Lilborn, Roger de York, W. R.
33 pt. 1, m 27 d; 28 May.

† † Lodelowe, Thomas de Lib. of archbishop of Canterbury in Kent
30 pt. 1, m 17 d; 16 Sept.
‡ Longevill, George
Northants.
   28 pt. 2, m 13 d; 25 July. (Vacat quia restitute sunt.)
Louthe, Roger de
Herts.
   32 pt. 1, m 34 d; 16 May.
   33 pt. 1, m 27 d; 10 Aug.
‡ Loveday, John
Berks.
   L. & P. 25 pt. 1, m 14 d; 15 March.
   26 pt. 3, m 4 d; 1 Jan.
   29 pt. 2, m 8 d; no date. 20 Dec. Orig.
   31 pt. 1, m 20 d; 5 Feb.
Lovel, John
Middlesex
   L. & P. 25 pt. 1, m 14 d; 15 March.
Lovel, Richard
Somerset
   L. & P. Mem. L. T. R., 26, Hill., Recorda, rot. 4; per Orig. an. 25. (He has died and the exchequer is trying to secure his estreats.)
‡ Lovelaunce, Levelaunce, Thomas
Lindsey (Linc.)
   L. & P. 25 pt. 1, m 14 d; 15 March.
   28 pt. 1, m 22 d; 8 May; ibid., 3 July.
   31 pt. 1, m 20 d; 5 Feb.
Lovel, John
Kesteven (Linc.)
   31 pt. 1, m 20 d; 5 Feb.
Loven, Thomas
Lib. of abbot of St. Mary of York
   29 pt. 1, m 28 d; 20 June.
Lye, Lyee, Richard de
Gloucester
   28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.)
   31 pt. 1, m 20 d; 5 Feb. (At his death his place is taken by J. Serjant; ibid., 12 Feb.)
Loxleye, Henry de
Surrey
   L. & P. 25 pt. 1, m 13 d; 27 Nov. (assoc.)
‡ Lucy, Geoffrey de
Bedford
   27 pt. 2, m 25 d; 22 Nov.
   28 pt. 2, m 13 d; 20 Jan.
   Bucks.
   25 pt. 3, m 7 d; 17 Dec.
   28 pt. 2, m 13 d; 2 July.
   29 pt. 2, m 8 d; no date. 20 Dec. Orig.
Lucy, Thomas (de)
Cumberland
   L. & P. 25 pt. 1, m 14 d; 15 March.
   Holland (Linc.)
   L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Luffenham, Robert de
Rutland
   31 pt. 1, m 20 d; 5 Feb.
Luscote, William de
Devon
   31 pt. 1, m 20 d; 5 Feb.
   (When he is made steward of various lordships, his place, and that of T. de Crouthorn for other reasons, are taken by R. de Chiselden and W. de Braunkescombe; 33 pt. 1, m 27 d; 9 Feb.)
Lutteleton, Thomas de
Worcester
   28 pt. 1, m 22 d; 1 July.
Lye, Lyee, Richard de
Gloucester
   28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.)
   31 pt. 1, m 20 d; 5 Feb. (At his death his place is taken by J. Serjant; ibid., 12 Feb.)
APPENDIX

‡ Lygon, Ligon, Lygoun, John
Essex
  27 pt. 2, m 25 d; 3 Aug. (Vacat quia aliter inferius.)
  27 pt. 2, m 25 d; 8 Nov.
  28 pt. 1, m 22 d; 2 July.
  31 pt. 1, m 20 d; 5 Feb.

‡ Lyouns, John de
Northants.
  27 pt. 2, m 25 d; 26 Nov.
  28 pt. 1, m 22 d; 26 April.
  28 pt. 2, m 13 d; 26 Nov.
  29 pt. 1, m 28 d; 26 April.
  29 pt. 2, m 8 d; 1 Aug.; ibid., 20 Dec.
  30 pt. 1, m 17 d; 26 March.
  31 pt. 1, m 20 d; 5 Feb.
  32 pt. 1, m 34 d; 28 Nov.

‡ Lysens, John
Notts.
  29 pt. 1, m 28 d; 26 Jan.

Lyverpull, William de
Palatinate of Lancaster

‡ Malyns, Edmund de
Oxford
  L. & P. 25 pt. 1, m 14 d; 15 March.
  26 pt. 3, m 4 d; 1 Jan.
  28 pt. 2, m 13 d; 2 July.

Makenad, William
Kent
  29 pt. 2, m 8 d; no date. 20 Dec. Orig.

Malesors, Thomas
Leicester
  31 pt. 1, m 20 d; 5 Feb.
  32 pt. 1, m 34 d; 16 Feb.

Manny. See Mauny.

DOCUMEN T S, LISTS AND TABLES

Mare, Geoffrey de la
Holland and Kesteven (Linc.)
  L. & P. 24 pt. 1, m 23 d; 20 Feb.
Rutland
  L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Mareschal, Marchal, Marescall, John (le), (of Wotton)
Bedford
  L. & P. 24 pt. 1, m 23 d; 20 Feb.
  L. & P. 25 pt. 1, m 15 d; 15 March.
  27 pt. 2, m 25 d; 22 Nov.
  28 pt. 2, m 13 d; 20 Jan.
  29 pt. 2, m 8 d; 20 Oct. (repeated: no date.
  20 Dec. Orig.).
  31 pt. 1, m 20 d; 5 Feb.

Martel, Hugh, of Chilwell
Notts.
  L. & P. 25 pt. 1, m 15 d; 15 March.

‡ Martyn, Robert
Dorset
  28 pt. 2, m 13 d; 20 Jan.
  29 pt. 2, m 8 d; 20 Dec.
  31 pt. 1, m 20 d; 5 Feb.

Mauny, Walter de
Herts.
  L. & P. 25 pt. 1, m 15 d; 15 March.
Northants.
  (Referred to) L. & P., Orig. 24 m. 33, 12 June.

Maynwaryng, Maynwaring, William de
Palatinate of Chester
  Indictment Roll, 19; for years 27, 30 and 31. App. C, i.

Meaux, John de
Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.
  28 pt. 1, m 22 d; 2 July.

Meaux, Meux, Thomas de
Holland and Kesteven (Linc.)
  L. & P. 24 pt. 1, m 23 d; 20 Feb.
APPENDIX

Kesteven (Linc.)
L. & P. 25 pt. 1, m 13 d; 1 May (assoc.).
27 pt. 1, m 24 d; 4 May.
28 pt. 1, m 22 d; 8 May.

Melburn, Henry de
Lib. of St. Peter of York
28 pt. 2, m 13 d; 8 Nov.

Menevill, John de
Palatinate of Durham; wards of Chester, Darlington, Stockton and Easington, and wapentake of Sadberge.
Cursitors' Records, 30, rot. 1, Hatfield, m 5 d, no. 6; 15 June, 5th year.

Menill, Menyl, Hugh de
Derby
L. & P. 25 pt. 1, m 14 d; 15 March.
30 pt. 1, m 17 d; 12 July.

† ‡ Mere, Meers, Meres, Roger de, (of Kirketon)
Holland (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 8 May; ibid., 2 July.
29 pt. 2, m 8 d; 20 Dec.
33 pt. 1, m 27 d; 18 Feb.
(assoc. with T. de la Launde in place of W. de Surflet.)

Boston
29 pt. 2, m 8 d; 16 Oct.
30 pt. 1, m 17 d; 15 March.

Merke, Ralph atte
Manors, etc., of St. Paul's church in Essex, Herts., and Midd.
30 pt. 1, m 17 d; 11 Sept.

Merkford, Robert de
Town of Leicester
30 pt. 3, m 17 d; 16 Nov.

Meryngton, John de
Warwick, except Coventry
29 pt. 2, m 8 d; 1 Aug.
Warwick
29 pt. 2, m 8 d; 20 Dec.
30 pt. 3, m 17 d; 8 Nov.
Coventry
28 pt. 1, m 22 d; 28 Feb.; ibid., 28 June.

Meryngton, Merynton, William de
City of York
L. & P. 25 pt. 3, m 19 d; 3 Nov.
Lib. of Ripon of archbishop of York
30 pt. 1, m 17 d; 28 April.
Lib. of St. Peter of York
28 pt. 2, m 13 d; 8 Nov.
Lib. of Hospital of St. Leonard of York
30 pt. 1, m 17 d; 20 July.

Metham, Thomas de
Wap. of Herthill and Hovedenshire, York, E. R.
28 pt. 2, m 13 d; 12 Oct. (assoc.).

Michel, Nicholas
Coventry
28 pt. 1, m 22 d; 28 Feb.; ibid., 28 June.

Michel, Michiel, Roger (de), (of Breideston)
Derby
L. & P. 25 pt. 1, m 14 d; 15 March.
30 pt. 3, m 17 d; 11 Dec.
31 pt. 1, m 20 d; 5 Feb.
(Having been made sheriff of Derby, his place is taken by H. de Beek. ibid., 16 Dec.)
(Referred to) 33 pt. 1, m 27 d, 12 July, in assoc. of W. de Steynton.

Middelham, Robert de
Lib. of abbot of St. Mary of York
29 pt. 1, m 28 d; 20 June.
APPENDIX

‡ Middelneye, Middelnye, Ralph de
Somerset
28 pt. 1, m 22 d; 8 May.
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 20 Oct.
‡ Middelton, John de
York, E. R.
31 pt. 1, m 20 d; 5 Feb.
Middelton, William de, clerk
Dorset
31 pt. 1, m 20 d; 28 July (assoc.).
33 pt. 1, m 27 d; 12 Aug. (assoc.).
Mikelfeld, Hamo de
Suffolk
29 pt. 2, m 8 d; 16 Feb. (30th year; assoc.).
(Repeated) 30 pt. 1, m 19 d.
‡ Mirfeld, William de
York, W. R.
27 pt. 1, m 24 d; 3 July.
Molyns, John de
Bedford
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
Montfort, Monte Forti, Peter de
Warwick
L. & P. 25 pt. 1, m 15 d; 15 March.
L. & P. 26 pt. 1, m 9 d; 20 April.
Except Coventry
29 pt. 2, m 8 d; 1 Aug.
Warwick
Ibid., 20 Dec.
‡ Monyton, Hugh de
Hereford
29 pt. 2, m 8 d; 2 Oct.; Ibid., 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

DOCUMENTS, LISTS AND TABLES

Mordon, William de, sheriff
Palatinate of Durham; wards of Chester, Darlington,
Stockton and Easington, and wapentake of Sad-berg.
Cursitors’ Records, 30, rot. 1, Hatfield, m 5 d, no. 6;
15 June, 5th year.
Morice, Morice, John
Bedford
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.
‡ Morieux, Thomas
Suffolk
30 pt. 1, m 17 d; 13 Oct. (with M. de Bures in place
of A. de Bures).
‡ Moritz, Stephen, the younger
Lib. of Queen Isabel in towns of Cambridge and Chesterton
30 pt. 3, m 17 d; 10 July.
Moritz, Moricz, Thomas
Essex
28 pt. 1, m 22 d; 2 July.
London
31 pt. 1, m 20 d; 1 Aug.
‡ Morle, Robert de
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
28 pt. 1, m 22 d; 26 June.
Mortimer. See Mortuo Mari and Mortymer.
Mortuo Mari, Constantine de, le fitz
Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Mortymer, Roger de
Shropshire
L. & P. 25 pt. 1, m 14 d; 15 March.
Moryn, John de
Wap. of Cleveland and Pickering, N. R.
28 pt. 1, m 22 d; 2 July.
† † Motelowe, Henry, de Shrewsbury
   30 pt. 1, m 17 d; 18 Sept.
† ‡ Moubray, John (de)
   Derby
     L. & P.  25 pt. 1, m 14 d; 15 March.
   Leicester
ditto
   Holland (Linc.)
ditto
   Lindsey (Linc.)
ditto
   Northants.
ditto
   Notts.

Rutland

Warwick

   L. & P.  25 pt. 1, m 15 d; 15 March.
   L. & P.  26 pt. 1, m 9 d; 20 April.
York, N. R.

   L. & P.  25 pt. 1, m 14 d; 15 March.
   29 pt. 2, m 8 d; 20 Dec.
   30 pt. 1, m 17 d; 12 July.

   Wap. of Allerton, Birdforth and Richmond, N. R.
   28 pt. 1, m 22 d; 2 July.

   Wap. of Bulmer and Rydale, N. R.
   28 pt. 1, m 22 d; 2 July.

   Wap. of Cleveland and Pickering, N. R.
   28 pt. 1, m 22 d; 2 July.

   Wap. of Herthill and Hovedenshire, E. R.
   28 pt. 1, m 22 d; 2 July.

   Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.
   28 pt. 1, m 22 d; 2 July.

   County of Richmond
   28 pt. 1, m 22 d; 10 Feb.

Lib. of Holderness
   28 pt. 1, m 22 d; 2 July.
Lib. of St. Peter of York
   28 pt. 2, m 13 d; 8 Nov.
Lib. of Hospital of St. Leonard of York
   30 pt. 1, m 17 d; 20 July.

City of Lincoln
   L. & P.  25 pt. 1, m 19 d; 27 March.
Scarborough
   29 pt. 1, m 28 d; 4 July.
   30 pt. 3, m 17 d; 30 Oct.

City of York
   L. & P.  25 pt. 3, m 19 d; 3 Nov.
Stamford
   L. & P.  25 pt. 1, m 14 d; 15 March.

Mounceaux, Martin
   Bucks.

   L. & P.  24 pt. 1, m 23 d; 20 Feb.
Mountkoy, Mouncoy, Munkoye, Roger
   Essex

   30 pt. 1, m 19 d; 14 Feb. (assoc.).
   29 pt. 1, m 28 d; 10 July (30th year, in place of J.
      de Staunton, who has died).
   32 pt. 1, m 34 d; 10 July (assoc.).

‡ Munden, John (de)
   Dorset

   (Referred to) L. & P. 24 Edw. III; Mem. L. T. R.,
   31, Hill., Recorda, rot. 9.
   L. & P.  25 pt. 1, m 15 d; 15 March.
   28 pt. 2, m 13 d; 20 Jan.
   29 pt. 2, m 8 d; 20 Dec.
   31 pt. 1, m 20 d; 5 Feb.
   33 pt. 1, m 27 d; 18 May.

Middlesex

   L. & P.  25 pt. 1, m 14 d; 15 March.
   (His place, and that of R. atte Watre, are taken by J. de Tamworth and W. de Colbrok;
   28 pt. 1, m 22 d; 12 April.)
APPENDIX

† Musard, John
  Worcester
  27 pt. 1, m 24 d; 12 Feb.
  28 pt. 1, m 22 d; 18 May; ibid., 1 July.

† Musgrave, Thomas de
  Westmoreland
  L. & P. 25 pt. 1, m 14 d; 15 March.

Nessefeld, John de
  Boston
  30 pt. 1, m 17 d; 15 March.

Nessefeld, Thomas de
  Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.
  28 pt. 1, m 22 d; 10 Feb.

Nessefeld, William de
  Lib. of Knaresborough of Queen Philippa
  30 pt. 1, m 17 d; 26 July.

† Neudegate, William
  Surrey
  31 pt. 1, m 20 d; 5 Feb.

Neuport, John de
  Essex
  33 pt. 1, m 27 d; 6 March.

Nevil, Alexander de
  Wap. of Bulmer and Rydale, N. R.
  28 pt. 1, m 22 d; 2 July.

Nevil, Philip de
  Lindsey (Linc.)
  L. & P. 25 pt. 1, m 14 d; 15 March.

Nevil, Ralph de
  York, N. R.
  (Referred to) L. & P. Claus., 26, m 25 d; 10 March.

† Neville, William de
  Grimsby

Newcastle. See Novo Castro.
APPENDIX

York, W. R.
L. & P. 25 pt. 1, m 14 d; 20 May.
27 pt. 1, m 24 d; 3 July.
29 pt. 2, m 8 d; 20 Dec.
Wap. of Ainsty, Barkston and Claro, W. R.
28 pt. 1, m 22 d; 2 July.
29 pt. 1, m 28 d; 15 May.
Beverley

† Novo Castro, Richard de, (of Scarborough)
Scarborough
L. & P. 26 pt. 1, m 21 d; 20 Feb.
28 pt. 2, m 13 d; 3 Oct.
29 pt. 1, m 28 d; 14 Feb.
30 pt. 3, m 17 d; 30 Oct.

† Novo Mercato, Newemarche, Thomas de
Notts.
31 pt. 1, m 20 d; 5 Feb. (Repeated. When he is
appointed collector of the subsidy, his place is taken
by J. Bozon. Ibid., 10 Nov.)

Nuthirst, Walter
Lib. of King's Chapel of Windsor
30 pt. 1, m 17 d; 8 June.

Oldecastel, Oldcastell, Oldcastle, John de (del)
Hereford
29 pt. 2, m 8 d; 2 Oct.; ibid., 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

† Oldestowe, Aldestowe, John de
Cornwall
L. & P. 26 pt. 1, m 9 d; 15 July.
28 pt. 2, m 13 d; 16 Dec.

Orreby, John de
Cumberland
L. & P. 25 pt. 1, m 14 d; 15 March.

Otewy, Alexander
Herts.
L. & P. 25 pt. 1, m 15 d; 15 March.

Oughtred. See Ughtred.

Ousseflete. See Usflet.

Overbury, William de
Gloucester
32 pt. 1, m 34 d; 26 Feb. (assoc.).

Overton, William de
Southampton
L. & P. 25 pt. 1, m 15 d; 15 March.

† Pakeman, Pageman, Simon
Leicester
L. & P. 25 pt. 1, m 14 d; 15 March.

("Et licet postmodum certis de causis nos tunc
mouentibus vos ac prefatum Iohannem de Foluill
. . . duxerimus amouendos. Quia tamen dili-
gentia et fidelitas vestre in execucione nego-
ciorum nostrorum per vos exequende per certos
fideles nos nos qubus fide adhibemus, testificate
existunt . . .," he is restored; Claus. 26 m. 29;
6 Feb.)
28 pt. 1, m 22 d; 18 Feb.; ibid., 2 July.
28 pt. 2, m 13 d; 20 Oct.
29 pt. 2, m 8 d; 1 Aug.

Papeworth, John de
Hunts.
L. & P. 24 pt. 1, m 23 d; 20 Feb.

Parles, Walter
Northants.
28 pt. 2, m 13 d; 26 Nov.
29 pt. 1, m 28 d; 26 April.
29 pt. 2, m 8 d; 1 Aug.

Parys, Randolf de
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Pavely, John
Wilts.
L. & P. 25 pt. 1, m 15 d; 15 March.
Payn, Walter
Leicester
31 pt. 1, m 20 d; 5 Feb.
‡ Pentelowe, Thomas de
Berks.
26 pt. 3, m 4 d; 1 Jan.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
31 pt. 1, m 20 d; 5 Feb.
33 pt. 1, m 27 d; 4 Aug.
† Percy, Henry de
Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
Petygard, Roger
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Peverel, Andrew
Sussex
L. & P. 25 pt. 1, m 15 d; 15 March.
30 pt. 1, m 17 d; 12 March.
31 pt. 1, m 20 d; 5 Feb.
‡ Peyto, John de
Warwick
28 pt. 1, m 22 d; 18 May.
Piperel, Roger
Devon
L. & P. 25 pt. 1, m 14 d; 15 March.
‡ Playce, Plays, William
York, E. R.
29 pt. 2, m 8 d; 20 Dec.
Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.
28 pt. 1, m 22 d; 2 July.
‡ Plumpton, William de
York, W. R.
29 pt. 2, m 8 d; 20 Dec.
APPENDIX

† Ponynges, Michael de
Sussex
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 1, m 22 d; 20 June.
Porter, William, of Stebbyng
Manors of Henry, duke of Lancaster, in Kent, Essex, Sussex and Midd.
30 pt. 3, m 22 d; 28 Oct.
Pothowe, John de
Lib. of abbot of St. Mary of York
30 pt. 3, m 17 d; 20 Nov. (assoc.).
† Power, John
Notts.
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 26 Jan.
30 pt. 1, m 17 d; 3 June (assoc.).
Poynton, Walter de
City of Lincoln
L. & P. 25 pt. 1, m 19 d; 27 March.
Lib. of St. Mary's church of Lincoln
30 pt. 1, m 17 d; 27 Oct.
Prestcote, Robert de
Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.
Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.
Ibid., ii, 38 d; 26 April, 9 duke Henry.
Priterwell, John de
Essex
L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).
Proctour, Thomas
Lib. of abbot of St. Mary of York
29 pt. 1, m 28 d; 20 June.

DOCUMENTS, LISTS AND TABLES

‡ Pudsay, Pudesey, John de, (of Craven)
York, W. R.
32 pt. 1, m 34 d; 18 June.
32 pt. 1, m 34 d; 12 Nov. (assoc.).
Wap. of Claro, Ewcross, Skyrack and Staincliffe, W. R.
28 pt. 1, m 22 d; 10 Feb.
Pukrych, John de
Herts.
30 pt. 3, m 17 d; 8 Nov. (assoc.).
‡ Pund, Adam (de)
Kingston-on-Hull
L. & P. 26 pt. 1, m 15 d; 15 Feb.
27 pt. 1, m 24 d; 12 Feb.
‡ Purefey, Philip
Leicester
28 pt. 1, m 22 d; 2 July.
Puttenham, Roger de
Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Pykworth, Thomas de
York, W. R.
31 pt. 1, m 20 d; 5 Feb.
Radeclif, Richard de
Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.
Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.
Ibid., ii, no. 38 d; 26 April, 9 duke Henry.
Radeclif, William de
Palatinate of Lancaster
Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
duke Henry.
Radeswell, James de
Herts.
(Referred to) Lay Subs., 120/32; from Mich. 25
Edw. III to Mich. 26 Edw. III.
† Repyngale, Repynghale, John de Kesteven (Linc.)
27 pt. 1, m 24 d; 4 May.
28 pt. 1, m 22 d; 8 May.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
Newark
30 pt. 1, m 17 d; 27 May.

Restwold, Ralph de Berks.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.

Reynes, Thomas de Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb.

† Richemond, Richemound, Rychemond, Rychemound, Rychemund, Peter de York, N. R.
L. & P. 25 pt. 1, m 14 d; 15 March.
30 pt. 1, m 17 d; 12 July.

Wap. of Allerton, Birdforth and Richmond, N. R.
28 pt. 1, m 22 d; 2 July.

Wap. of Bulmer and Rydale, N. R.
28 pt. 1, m 22 d; 2 July.

Wap. of Herthill and Hovedenshire, E. R.
28 pt. 1, m 22 d; 2 July.

Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.
28 pt. 1, m 22 d; 2 July.

Wap. of Cleveland and Pickering, N. R.
28 pt. 1, m 22 d; 2 July.

County of Richmond
28 pt. 1, m 22 d; 10 Feb.

Lib. of Holderness
28 pt. 1, m 22 d; 2 July.

Lib. of Ripon of archbishop of York
30 pt. 1, m 17 d; 28 April.

† Richemond, Richemound, Richard (de) York, N. R.
31 pt. 1, m 20 d; 5 Feb.; ibid., 26 Nov.
33 pt. 1, m 27 d; 12 Sept.

Lib. of abbot of St. Mary of York
29 pt. 1, m 28 d; 20 June.

Rissebrok, William de Suffolk
28 pt. 2, m 13 d; 20 Nov. (assoc.).

† Roches, John de Wilts.
L. & P. 25 pt. 1, m 13 d; 28 May (assoc.).
27 pt. 1, m 24 d; 27 May.
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
31 pt. 1, m 20 d; 5 Feb.

Somerset
Claus. 32 m. 6; 12 Nov. (writ for wages).

† Rodeneye, Walter de Somerset
29 pt. 2, m 8 d; 20 Dec.
30 pt. 1, m 17 d; 20 Oct.
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 26 Jan.

Roderham, Roderam, William de Kent
28 pt. 2, m 13 d; 25 Sept.
31 pt. 1, m 20 d; 5 Feb.

Surrey
Claus. 30 m. 13; 8 June (writ for wages).

Rokele, John de la Essex
29 pt. 2, m 8 d; 20 Oct. (assoc.).
30 pt. 1, m 19 d; 15 Feb. (assoc.).
APPENDIX

† Rokele, Robert de la Essex
27 pt. 1, m 24 d; 3 June. 27 pt. 2, m 25 d; 8 Nov. 28 pt. 1, m 22 d; 2 July.


Roston, Henry de Scarborough 30 pt. 3, m 17 d; 30 Oct.
† Rouclif, Rouclyf, Robert (Richard) de Wap. of Bulmer and Rydale, N. R. 28 pt. 1, m 22 d; 2 July. Wap. of Cleveland and Pickering, N. R. 28 pt. 1, m 22 d; 2 July.

Scarborough 28 pt. 2, m 13 d; 3 Oct. 29 pt. 1, m 28 d; 14 Feb.

Rougham, Richard de Norfolk Mem. L. T. R., 35, Pasch., Recorda, rot. 10 d; referred to for 33 Edw. III.

Roulegh, Roulee, John de Surrey County Placita, no. 8; for 24th year. App. C, 2. L. & P. 25 pt. 1, m 15 d; 15 March. (“Quibusdam certis de causis coram consilio nostro propositis . . . duximus amouendum . . .”); Claus. 25 m. 15, 15 Sept. P. atte Wode also removed.)

Ry, Nicholas de Holland and Kesteven (Linc.) L. & P. 24 pt. 1, m 23 d; 20 Feb.


Ryngeburne, William de Isle of Wight 31 pt. 1, m 20 d; 5 Feb.

Rys, William de York, E. R. 32 pt. 1, m 34 d; 20 Nov.


Sadelyngstanes, Sadelingstanes, Hugh de City of York L. & P. 25 pt. 3, m 19 d; 3 Nov.

Newcastle-on-Tyne L. & P. 26 pt. 1, m 28 d; 8 Feb.
† † Sadyngton, Robert de Leicester L. & P. 25 pt. 1, m 14 d; 15 March. 28 pt. 1, m 22 d; 2 July. 28 pt. 2, m 13 d; 20 Oct.
† † Salford, Peter de Bedford 27 pt. 2, m 25 d; 22 Nov.

Salkeld, John de Cumberland 31 pt. 1, m 20 d; 5 Feb.

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‡ Sancto Botulpho, William de Kesteven (Linc.)
   30 pt. 1, m 17 d; 30 May (assoc.).
   31 pt. 1, m 20 d; 5 Feb.

Sandford, Thomas de Westmoreland
   29 pt. 2, m 8 d; 20 Dec.; ibid., 17 Jan.

Sandford, William de York, W. R.
   30 pt. 3, m 17 d; 26 Oct. (assoc.).

Saumon, Richard, mayor Town of Nottingham
   30 pt. 1, m 17 d; 25 May.

‡ Savage, Arnald Kent
   28 pt. 2, m 13 d; 26 Sept. (repeated).

Scalby, Thomas de Scarborough
   29 pt. 1, m 28 d; 14 Feb.

Scorby, Henry de, mayor City of York
   L. & P. 25 pt. 3, m 19 d; 3 Nov.

Scrop, Henry de York, N. R.
   L. & P. 25 pt. 1, m 14 d; 15 March.

Scrop, Richard de
   Wap. of Allerton, Birdforth and Richmond, N. R.
   28 pt. 1, m 22 d; 2 July.

Scrop, William de
   Wap. of Allerton, Birdforth and Richmond, N. R.
   28 pt. 1, m 22 d; 2 July.

‡ Selby, Robert de
   Kingston-on-Hull
   27 pt. 1, m 24 d; 12 Feb.

Semere, Adam, of Scarborough
   Scarborough
   L. & P. 26 pt. 1, m 21 d; 20 Feb.

‡ Sergeant, John, (the younger)
   Gloucester
   L. & P. 25 pt. 1, m 14 d; 15 March.
   32 pt. 1, m 34 d; 12 Feb. (in place of Richard de Lye).

Sergeant, Robert
   Kingston-on-Hull
   L. & P. 26 pt. 1, m 15 d; 15 Feb.

‡ ‡ Seton, Thomas de
   Cumberland
   L. & P. 25 pt. 1, m 14 d; 15 March.
   Lancashire
   24 pt. 3, m 13 d; 20 Oct.
   Westmoreland
   L. & P. 25 pt. 1, m 14 d; 15 March.
   York, E. R.
   ditto

York, N. R.
   ditto
   30 pt. 1, m 17 d; 12 July.

York, W. R.
   L. & P. 25 pt. 1, m 14 d; 15 March.
   Wap. of Allerton, Birdforth and Richmond, N. R.
   28 pt. 1, m 22 d; 2 July.
   Wap. of Bulmer and Rydale, N. R.
   28 pt. 1, m 22 d; 2 July.
   Wap. of Hertford and Hovedenshire, E. R.
   28 pt. 1, m 22 d; 2 July.
   Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.
   28 pt. 1, m 22 d; 2 July.
   Wap. of Cleveland and Pickering, N. R.
   28 pt. 1, m 22 d; 2 July.
APPENDIX

Lib. of Pickering and Wap. of Rydale, N. R.
30 pt. 3, m 17 d; 30 Oct.
Lib. of Holderness
L. & P. 26 pt. 1, m 21 d; 20 Feb.
28 pt. 1, m 22 d; 2 July.

Beverley

Kingston-on-Hull
L. & P. 26 pt. 1, m 15 d; 15 Feb.

Newcastle-on-Tyne
L. & P. 26 pt. 1, m 28 d; 8 Feb.

Scarborough
L. & P. 26 pt. 1, m 21 d; 20 Feb.
29 pt. 1, m 28 d; 4 July.

Seymor, Nicholas de
Somerset
L. & P. 25 pt. 1, m 15 d; 15 March.

† Seymor, Thomas
Wilts.
28 pt. 2, m 13 d; 2 July.

‡ Shakenhurst, Shakenhirst, Walter de
Worcester
L. & P. 26 pt. 1, m 9 d; 2 July.
27 pt. 1, m 24 d; 12 Feb.
27 pt. 2, m 25 d; 3 Aug.
28 pt. 1, m 22 d; 18 May; ibid., 1 July.
29 pt. 2, m 8 d; 3 Dec.

‡ Shareshull, Adam de
Oxford
27 pt. 1, m 23 d; 13 Feb. (assoc.).
28 pt. 2, m 13 d; 2 July.

Gloucester
Claus. 31 m. 25; 20 April (writ for wages).

† † Shareshull, William de
Berks.
L. & P. 25 pt. 1, m 14 d; 15 March.

Cornwall
L. & P. 26 pt. 1, m 9 d; 15 July.

Devon
L. & P. 25 pt. 1, m 14 d; 15 March.

Dorset
L. & P. 25 pt. 1, m 15 d; 15 March.

Northants.
L. & P. 26 pt. 1, m 8 d; 20 May (assoc.; names do not accord with previous commission).

Oxford
L. & P. 25 pt. 1, m 14 d; 15 March.

Shropshire
L. & P. 26 pt. 1, m 9 d; 15 May.

Somerset
L. & P. 25 pt. 1, m 15 d; 15 March.

Southampton
L. & P. 25 pt. 1, m 15 d; 15 March.

Stafford
L. & P. 25 pt. 1, m 14 d; 6 Dec.
29 pt. 1, m 28 d; 16 May.
29 pt. 2, m 8 d; 2 Nov.; ibid., 20 Dec.

Wilts.
L. & P. 25 pt. 1, m 15 d; 15 March.

Worcester
L. & P. 26 pt. 1, m 9 d; 2 July.
29 pt. 2, m 8 d; 20 Dec.

Shawe, Stephen de
Kesteven (Linc.)
30 pt. 1, m 17 d; 22 Oct. (assoc.).

† Sheffeld, Shefeld, John de
York, W. R.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 1, m 24 d; 3 July.
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‡ Shilvyngton, William de
Stamford
27 pt. 1, m 24 d; 12 Feb.

Shirburn, John de
Wap. of Ainsty, Barkston and Claro, W. R.
28 pt. 1, m 22 d; 20 Jan. (in place of John de Chaumont).

Shirburn, William de
Lancashire
24 pt. 3, m 13 d; 20 Oct.
‡ Skelton, Clement de
Carisle
26 pt. 3, m r d; 1 Jan.

Skelton, Thomas
Cumberland
29 pt. 2, m 8 d; 30 Nov.
‡ ‡ Skipwith, Skippewth, Skippewyth, Skipwyth, William de
Derby
L. & P. 25 pt. 1, m 14 d; 15 March.
Leicester
ditto
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Holland (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 2 July.
Kesteven (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
Lindsey (Linc.)
24 pt. 3, m 10 d; 12 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 8 May; ibid., 3 July.
29 pt. 2, m 8 d; 1 Dec.

Northants.
L. & P. 25 pt. 1, m 14 d; 15 March.

DOCUMENTS, LISTS AND TABLES

‡ Skirbek, John de
Cornwall
28 pt. 2, m 13 d; 16 Dec.
‡ Skynnere, William (le)
Shrewsbury
30 pt. 1, m 17 d; 28 May; ibid., 18 Sept.

Slochter, Sloghtre, Thomas (de)
Gloucester
28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.).
29 pt. 2, m 8 d; 20 Dec.
Worcester
28 pt. 2, m 13 d; 3 Feb. (29th year; assoc.).
30 pt. 1, m 17 d; 1 April.
31 pt. 1, m 20 d; 5 Feb.
32 pt. 1, m 34 d; 15 Dec.
‡ Slyngesby, William de
York, W. R.
27 pt. 1, m 24 d; 3 July.
Somersby, Walter de
Kesteven (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
APPENDIX

Somercothes, John de
Lindsey (Linc.)
24 pt. 3, m 10 d; 12 Nov.
Lib. of St. Mary's church of Lincoln
30 pt. 1, m 17 d; 27 Oct.
† Somerford, Richard de
Stafford
31 pt. 1, m 20 d; 5 Feb.
Spaigne, William de
Boston
29 pt. 2, m 8 d; 16 Oct.
Spaldynge, John. See Rybred.
† Sparry, John
Warwick
28 pt. 1, m 22 d; 18 May.
31 pt. 1, m 20 d; 5 Feb.
Spenser, William le, knight
Worcester
32 pt. 1, m 34 d; 24 July (assoc.).
Spycer, John
Exeter
30 pt. 3, m 17 d; 20 Nov.
† Spynye, Spynne, William
Warwick
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.
Stafford, Ralph de, baron and earl of
Leicester
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Stafford
L. & P. 25 pt. 1, m 14 d; 15 March; ibid., 6 Dec.
Stafford, Richard de
Leicester
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Stafford
L. & P. 25 pt. 1, m 14 d; 15 March.

Staunford, Nicholas de
Stamford
27 pt. 1, m 24 d; 12 Feb.
† Staunton, Geoffrey de
Notts.
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 26 Jan.
29 pt. 2, m 8 d; 1 Aug.; ibid., 20 Dec.
30 pt. 1, m 17 d; 15 April.
31 pt. 1, m 20 d; 5 Feb.
Staunton, John de
Essex
28 pt. 1, m 22 d; 2 July.
(At his death his place is taken by R. Mount-
koy, 10 July, 30th year; 29 pt. 1, m 28 d.)
† Stayne, Stayn, William de
Lindsey (Linc.)
24 pt. 3, m 10 d; 12 Nov.
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 1, m 22 d; 8 May; ibid., 3 July.
29 pt. 2, m 8 d; 1 Dec.
31 pt. 1, m 20 d; 5 Feb.
Staunton, Robert de
York, W. R.
L. & P. 25 pt. 1, m 14 d; 20 May.
† Steynton, William de
Derby
33 pt. 1, m 27 d; 12 July (assoc.).
† Stirklond, Thomas de
Westmoreland
Stodeye, John de
London
31 pt. 1, m 20 d; 1 Aug.
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Stonleye, Stonle, Richard de
Warwick, except Coventry
29 pt. 2, m 8 d; 1 Aug.
Warwick
30 pt. 3, m 17 d; 8 Nov.
† Stouford, John de
Berks.
L. & P. 25 pt. 1, m 14 d; 15 March.
Cornwall
L. & P. 26 pt. 1, m 9 d; 15 July.
Devon
L. & P. 25 pt. 1, m 14 d; 15 March.
Dorset
L. & P. 25 pt. 1, m 15 d; 15 March.
Oxford
L. & P. 25 pt. 1, m 14 d; 15 March.
Somerset
L. & P. 25 pt. 1, m 15 d; 15 March.
Southampton
ditto
Wilts.
ditto
Strangman, William
Manors, etc., of St. Paul's in Essex, Herts. and Midd.
30 pt. 1, m 17 d; 11 Sept.
Strete, John atte
Manors, etc., of St. Paul's in Essex, Herts. and Midd.
30 pt. 1, m 17 d; 11 Sept.
† Stryvelyn, John de
Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
29 pt. 2, m 8 d; 20 Dec. (void).
† Sturmy, Henry
Southampton
28 pt. 2, m 13 d; 2 July.
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
31 pt. 1, m 20 d; 5 Feb.

† Sturmy, John
Lib. of Holderness
28 pt. 1, m 22 d; 2 July.
29 pt. 1, m 28 d; 1 March.
† Stury, John
Shrewsbury
30 pt. 1, m 17 d; 28 May; ibid., 18 Sept.
† Styuecle, John de
Hunts.
L. & P. 25 pt. 1, m 13 d; 20 July (assoc.).
27 pt. 2, m 25 d; 1 Dec.
31 pt. 1, m 20 d; 5 Feb.
(At his death his place is taken by J. de Harewedon; ibid., 3 Nov.)
† Styuecle, Nicholas de
Hunts.
L. & P. 25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 1 Dec.
Styuecle, Richard de
Hunts.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Sudbury, John de
Essex
31 pt. 1, m 20 d; 5 Feb.
33 pt. 1, m 27 d; 6 March.
Suffolk, earl of. See Ufford.
Surflet, William de
Holland (Linc.)
L. & P. 25 pt. 1, m 13 d; 20 June (assoc.).
28 pt. 1, m 22 d; 12 March (assoc.).
29 pt. 1, m 28 d; 7 July (30th year; assoc.).
31 pt. 1, m 20 d; 5 Feb.
("Certis de causis," his place is taken by R. de Meres and T. de la Laund.
33 pt. 1, m 27 d; 18 Feb.)
† Sutton, John de
  Essex
     L. & P.  25 pt. 1, m 15 d; 15 March.
     27 pt. 1, m 24 d; 3 June.
     27 pt. 2, m 25 d; 3 Aug.  (Vacat quia aliter
     inferius.)
† Sutton, John de, of Dudley
  Stafford
     29 pt. 1, m 28 d; 16 May.
     29 pt. 2, m 8 d; 2 Nov.; ibid., 20 Dec.
Sutton, John de, of Holderness
     Lib. of Holderness
     L. & P.  26 pt. 1, m 21 d; 20 Feb.
     (His place is taken by R. de Hilton; 26 pt. 1,
     m 8 d; 20 May.)
Sutton, Lawrence de
     Manors, etc., of St. Paul's in Essex, Herts. and
     Midd.
     30 pt. 1, m 17 d; 11 Sept.
† Swynfen, John
  Town of Huntingdon
     28 pt. 2, m 13 d; 20 Jan.
     29 pt. 1, m 28 d; 20 June.
Swynford, Thomas de
  Bedford
     L. & P.  24 pt. 1, m 23 d; 20 Feb.
     Holland and Kesteven (Linc.)
     ditto
Swynnerton, John de, (of Hulton)
  Leicester
     L. & P.  24 pt. 1, m 23 d; 20 Feb.
  Stafford
     L. & P.  25 pt. 1, m 14 d; 15 March.
Swynnerton, Thomas de
  Leicester
     L. & P.  24 pt. 1, m 23 d; 20 Feb.
  Stafford
     L. & P.  25 pt. 1, m 14 d; 15 March.
† Symeon, Simon
  Holland (Linc.)
     28 pt. 1, m 22 d; 8 May; ibid., 2 July.
Lindsey (Linc.)
     28 pt. 1, m 22 d; 8 May.
Syngleton, Robert de
  Palatinate of Lancaster
     Duchy of Lanc., Chanc. Rolls, ii, no. 10; 1 Aug., 5
     duke Henry.
     Ibid., ii, no. 19 d; 3 May, 6 duke Henry (assoc.).
     Ibid., ii, no. 24 d; 10 Oct., 7 duke Henry.
Taillour, Henry, of Hedon
     Lib. of Holderness
     L. & P.  26 pt. 1, m 8 d; 20 April (27th year; assoc.).
Talbot, Richard, of Goderiche Castell
  Gloucester
     L. & P.  25 pt. 1, m 14 d; 15 March.
Hereford
     ditto
† Tamworth, John de
  Middlesex
     28 pt. 1, m 22 d; 12 April (assoc.).
Surrey
     28 pt. 1, m 22 d; 20 June.
† Teye, Robert de
  Essex
     L. & P.  25 pt. 1, m 15 d; 15 March.
     27 pt. 1, m 24 d; 3 June.
     27 pt. 2, m 25 d; 3 Aug.  (Vacat quia aliter
     inferius.)
     27 pt. 2, m 25 d; 8 Nov.
     28 pt. 1, m 22 d; 2 July.
     29 pt. 2, m 8 d; 28 Aug.
Thoresby, Richard de
  Lib. of abbot of Peterborough
     28 pt. 1, m 22 d; 20 June.
† Thornes, Robert del Shrewsbury
30 pt. 1, m 17 d; 28 May.

† Thorpe, Thorp, Robert de Bedford
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.

Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb. (repeated).
L. & P. 25 pt. 1, m 15 d; 15 March.

Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.

Hunts.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.

Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.

Suffolk
L. & P. 25 pt. 1, m 14 d; 15 March.

† Thorpe, William de Leicester
(Referred to) L. & P. Orig. 24 m. 33; 12 June.

Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.

† Threlkeld, William de Cumberland
29 pt. 2, m 8 d; 30 Nov.; ibid., 20 Dec.

Tilneye, Tilneye, John de Norfolk
28 pt. 1, m 22 d; 11 July (assoc.).

Except Lynn
29 pt. 2, m 8 d; 30 Nov.

Tochewyk, Thomas (de)
Bucks.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 15 d; 15 March.
26 pt. 3, m 7 d; 17 Dec.
28 pt. 2, m 13 d; 2 July.

Toft, Robert de Holland (Linc.)
33 pt. 3, m 27 d; 26 March.

Topclyf, William de Middlesex
30 pt. 1, m 17 d; 15 Sept. (assoc.).

Trenchaunt, Edward Southampton
L. & P. 25 pt. 1, m 15 d; 15 March.

† Trewynare, Trewynard, Henry (de)
Cornwall
L. & P. 26 pt. 1, m 9 d; 15 July.
28 pt. 2, m 13 d; 16 Dec.

Tristrem, Richard Shropshire
31 pt. 1, m 20 d; 5 Feb.

Trussebut, William Notts.
L. & P. 25 pt. 1, m 15 d; 15 March.

† Tughale, Tugal, Robert de Northumberland
L. & P. 25 pt. 1, m 14 d; 15 March.
29 pt. 2, m 8 d; 20 Dec. (void).

† Turbervill, Richard (de)
Dorset
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 20 Jan.
29 pt. 2, m 8 d; 20 Dec.

Twyer, Robert de York, E. R.
L. & P. 25 pt. 1, m 14 d; 15 March.
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‡ Tybey, Robert
Carlisle
26 pt. 3, m 1 d; 1 Jan.

Tyndale, William de
Northants.
28 pt. 2, m 13 d; 26 Nov.
30 pt. 1, m 17 d; 26 March.

‡ Tyrel, Tirel, Tyrell, Thomas
Essex
27 pt. 1, m 24 d; 3 June.
28 pt. 1, m 22 d; 2 July.
31 pt. 1, m 20 d; 5 Feb.
33 pt. 1, m 27 d; 6 March.

Tyrel, Thomas, the elder
Essex
27 pt. 2, m 25 d; 8 Nov.
("Quibusdam certis de causis," his place is taken
by J. de Goldyngham and B. de Ditton. 27 pt.
2, m 25 d; 22 Jan.)

Ufford, John de
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.

Ufford, Robert de, earl of Suffolk
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.

Suffolk
L. & P. 25 pt. 1, m 14 d; 15 March.

‡ Ughtred, Oughtred, Thomas (de)
York, E. R.
L. & P. 25 pt. 1, m 14 d; 15 March.

York, N. R.
ditto
("Certis de causis coram consilio," he is ap-
pointed to do other business of the king;
therefore he is no longer to act on either of
the two above commissions. Claus. 26 m. 25
d; 10 March.)

Scarborough
28 pt. 2, m 13 d; 3 Oct.
29 pt. 1, m 28 d; 14 Feb.
30 pt. 3, m 17 d; 30 Oct.

Umfravvill, Gilbert de, earl of Angus
Holland and Kesteven (Linc.)
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Holland (Linc.)
L. & P. 25 pt. 1, m 14 d; 15 March.
Lindsey (Linc.)
(Referred to) L. & P. for 24 Edw. III, Assize Roll,
524, Lincoln; app., C, 2.
25 pt. 1, m 14 d; 15 March.

‡ Upsale, John
York, N. R.
31 pt. 1, m 20 d; 5 Feb.

Kingston-on-Hull
27 pt. 1, m 24 d; 12 Feb.

Usflet, Ousseflete, Usflete, Illard de
York, E. R.
L. & P. 26 pt. 1, m 8 d; 6 May (in place of J. de
Bentele.)
29 pt. 2, m 8 d; 20 Dec.

Wap. of Herthill and Hovedenshire, E. R.
28 pt. 1, m 22 d; 2 July.

Hospital of St. Leonard of York
30 pt. 1, m 17 d; 20 July.

Lib. of Holderness
L. & P. 26 pt. 1, m 8 d; 6 May (in place of J. de
Bentele.)
29 pt. 2, m 8 d; 20 Dec.

Prince of Wales' manor of Kirton in Lindsey (Linc.)
30 pt. 1, m 17 d; 20 May.
30 pt. 3, m 17 d; 15 Nov.

Vache, Richard de la
Bucks.
28 pt. 2, m 13 d; 2 July.
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† Vavasour, John le
York, W. R.
27 pt. 1, m 24 d; 3 July.

Vepount, Robert de
Cumberland
29 pt. 2, m 8 d; 30 Nov.; ibid., 20 Dec.

† Vepount, Robert de
Cumberland
29 pt. 2, m 24 d; 20 June.

Verdon, Verdoun, John de
Northants.
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 2, m 13 d; 25 July. (Vacat quia
restitute sunt.)

† Virly, Roger (Virby in the first two instances, perhaps by a
clerical error)
Norfolk
L. & P. 24 pt. 1, m 23 d; 20 Feb.
25 pt. 1, m 14 d; 15 March.
27 pt. 2, m 25 d; 22 Nov.
28 pt. 1, m 22 d; 26 June.
Except Lynn
29 pt. 2, m 8 d; 30 Nov.; ibid., 20 Dec.

† Vykers, John atte
Retford-in-the-Clay
27 pt. 1, m 24 d; 20 June.

Vyneter, John
Northants.
L. & P. 25 pt. 1, m 14 d; 15 March.

Vyneter, Robert
Kent
L. & P. 25 pt. 1, m 15 d; 15 March.

† Wade, William
Rutland
L. & P. 25 pt. 1, m 14 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 12 July.
29 pt. 2, m 8 d; 20 Dec.
31 pt. 1, m 20 d; 5 Feb.

† Wakebrigge, Wakebrigg, Wakebrugg, Wakebrugge, William de
Derby
L. & P. 25 pt. 1, m 13 d; 20 July (assoc.).
28 pt. 2, m 13 d; 2 July.

Notts.
L. & P. 25 pt. 1, m 15 d; 15 March.
28 pt. 2, m 13 d; 2 July.
29 pt. 1, m 28 d; 26 Jan.
30 pt. 1, m 8 d; 20 Dec.

Retford-in-the-Clay
27 pt. 1, m 24 d; 20 June.

Walden, Andrew de
Essex
L. & P. 26 pt. 1, m 8 d; 6 May (assoc.).

Waley, John
Leicester
L. & P. 25 pt. 1, m 13 d; 27 Oct. (assoc.).

Walton, Adam de
Northumberland
31 pt. 1, m 20 d; 5 Feb.

† Walton, Hugh de
Norfolk
28 pt. 1, m 22 d; 26 June.

Wandesford, Wandisford, John de
York, E. R.
31 pt. 1, m 20 d; 5 Feb.
Wap. of Bucrose, Derwent, Dickering and Ouse, E. R.
28 pt. 1, m 22 d; 2 July.

Ward, Simon, knight
York, W. R.
32 pt. 1, m 34 d; 18 June.

† Warde, Simon
Northants.
29 pt. 1, m 28 d; 26 April.
32 pt. 1, m 34 d; 28 Nov.
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† Warde, William
Cambridge
L. & P. 25 pt. 1, m 15 d; 15 March.
27 pt. 2, m 25 d; 3 Nov.

Wartheccoppe, Wardecopp, Warthecop, William de Westmoreland
29 pt. 2, m 8 d; 20 Dec.; ibid., 17 Jan.
31 pt. 1, m 20 d; 5 Feb.
Warwick, earl of. See Beauchamp.

† Waryn, William
Town of Leicester
30 pt. 3, m 17 d; 16 Nov.

Wascelyn, Wacelyn, William
Lindsey (Linc.)
L. & P. 25 pt. 1, m 13 d; 26 May (assoc.).
Prince of Wales' manor of Kirton in Lindsey (Linc.)
30 pt. 1, m 17 d; 20 May.
30 pt. 3, m 17 d; 15 Nov.

Wassingle, Wassyngle, John de
Hunts.
L. & P. 24 pt. 1, m 23 d; 20 Feb.
L. & P. 25 pt. 1, m 14 d; 15 March.

† Watere, Robert atte
Herts.
L. & P. 25 pt. 1, m 15 d; 15 March.
Middlesex
L. & P. 25 pt. 1, m 14 d; 15 March.
(His place and that of J. de Munden are taken
by J. de Tamworth and W. de Colbrok; 28 pt.
1, m 22 d; 12 April.)

Surrey
L. & P. 25 pt. 1, m 15 d; 15 March.

Wauton, Adam de
Newcastle-on-Tyne
L. & P. 26 pt. 1, m 28 d; 8 Feb.

† Wavere, William
Kent
29 pt. 2, m 8 d; no date. 20 Dec. Orig.
Cinque Ports
32 pt. 1, m 34 d; 20 Oct.
Wealde, Richard atte
Lib. of archbishop of Canterbury in Kent
30 pt. 1, m 17 d; 16 Sept.
Welles, Thomas
Lib. of bishop of Ely
32 pt. 1, m 34 d; 14 July.
Welton, John de
Cambridge
L. & P. 24 pt. 1, m 23 d; 20 Feb.
Wentbrigg, John de
Manors and towns of Cheshunt and Bassingbourn of the
earl of Richmond.
30 pt. 1, m 17 d; 20 March.
† Wentelond, Wentlond, William
Town of Huntingdon
28 pt. 2, m 13 d; 20 Jan.
29 pt. 1, m 28 d; 20 June.
Wessyngton, William de
Palatinate of Durham; wards of Chester, Darlington, East-
ington and Stockton, and wap. of Sadberg.
Cursitors' Records, 30, rot. 1, Hatfield, m. 5 d, no. 6;
15 June, 5th year.
Westhorp, Thomas de
Lib. of Pickering and wap. of Rydale, N. R.
30 pt. 3, m 17 d; 30 Oct.
Weston, John de, the younger
Surrey
31 pt. 1, m 20 d; 5 Feb.
† Weston, Thomas de
Surrey
Claus. 32 m. 23; 20 Jan. (writ for wages).
Whelere, Robert le, mayor
  Wycombe
  30 pt. 1, m 17 d; 20 March.

‡ Whitwebbe, Walter
  Coventry
  28 pt. 1, m 22 d; 28 Feb.; ibid., 28 June.

Whitewell, John (de)
  Herts.
  33 pt. 1, m 27 d; 10 Aug.
  Surrey
  31 pt. 1, m 20 d; 5 Feb.

Wideryngton, Roger de
  Northumberland
  31 pt. 1, m 20 d; 5 Feb.

Wilby, Robert de
  Leicester
  L. & P. 25 pt. 1, m 13 d; 7 July (assoc.).

‡ Wilton, John de
  Wap. of Herthill and Hovedenshire, E. R.
  28 pt. 1, m 22 d; 2 July.
  Lib. of Holderness
  L. & P. 26 pt. 1, m 21 d; 20 Feb.
  28 pt. 1, m 22 d; 2 July.
  Kingston-on-Hull
  27 pt. 1, m 24 d; 12 Feb.

Wilughton, Peter de
  Lib. of St. Mary's church of Lincoln
  30 pt. 1, m 17 d; 27 Oct.

‡ Wode, Peter atte
  Surrey
  L. & P. 25 pt. 1, m 15 d; 15 March.
  (Removed; Claus. 25 m. 15, 15 Sept. See Rou-
  legh.)
  28 pt. 1, m 22 d; 20 June.
  29 pt. 2, m 8 d; 20 Dec.

Wolf, Hugh
  Bucks.
  L. & P. 24 pt. 1, m 23 d; 20 Feb.

‡ Worsop, John de
  Retford-in-the-Clay
  27 pt. 1, m 24 d; 20 June.

Wortley, Nicholas de
  York, W. R.
  L. & P. 25 pt. 1, m 14 d; 20 May.

‡ Wychyngham, William de
  Norfolk
  L. & P. 25 pt. 1, m 14 d; 15 March.
  (Commission revoked; Claus. 28 m. 29, 1 Feb.
  See J. de Berneye.)

Wydevill, Richard de
  Northants.
  28 pt. 1, m 22 d; 26 April.

‡ Wyk, Robert de, of Stamford
  Stamford
  27 pt. 1, m 24 d; 12 Feb.

Wykham, William de
  Lib. of King's Chapel of Windsor
  30 pt. 1, m 17 d; 8 June.

‡ Wylughby, John de
  Lindsey (Linc.)
  28 pt. 1, m 22 d; 3 July.

Wylughby, Wilughby, Richard de
  Essex
  L. & P. 25 pt. 1, m 15 d; 15 March.
  Herts.
  ditto
  Kent
  ditto
  Surrey
  ditto
  Sussex
  ditto
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II. Divisions of counties.
   a. Lincolnshire; Holland, Kesteven, and Lindsey.
      Yorkshire; East, North and West Ridings.
      Isle of Wight.
      Total, 7.
   b. Groups of wapentakes and liberties.
      Yorkshire.
      East Riding.
      Bucrose, Derwent, Dickering, and Ouse.
      Hertford and Hovedenshire.
      North Riding.
      Allerton, Birdforth and Richmond.
      Bulmer and Rydale.
      Cleveland and Pickering.
      Pickering and Rydale.
      West Riding.
      Ainsty, Barkston, and Claro.
      Claro, Ewecross, Skyrack and Staincliffe.
      Total, 8.

III. Towns. (The ‡ indicates those that received a commission of the peace separate from that of the county.)
   ‡ Beverley, Boston, ‡ Carlisle, Cinque Ports, ‡ Coventry, Exeter, ‡ Grimsby, ‡ Huntington, ‡ Kingston-on-Hull, ‡ Leicester, Lincoln, London, ‡ Lynn, ‡ Newark, Nottingham, Oxford, ‡ Retford-in-the-Clay,
   ‡ Scarborough, ‡ Shrewsbury, Southwell, ‡ Stamford, Wycombe.
   Total, 22.

IV. List of franchise owners and their franchises and dates of commissions. (The ‡ indicates those who appeared in the exchequer to claim the penalties; cf. pt. i, ch. iii, s. 2, B; the last number in each date is the regnal year.)
   ‡ Abbot of Peterborough, in Northants. 20 June/28.
   ‡ Abbot of Reading, in Berks. 12 Jan./29.
   Leominster in Hereford 1 May/30.
Abbot of St. Mary of York. 20 June/30.
‡ Archbishop of Canterbury, in Kent. 16 Sept./30.
Bishop of Durham, Howden. 12 Oct./30.
Dean and chapter of St. Mary’s church of Lincoln, Asgarby, Frysthorpe, Navenby and Welton. 27 Oct./30.
Dean and chapter of St. Peter of York. 8 Nov./28.
‡ Duke of Cornwall, honours of Wallingford, St. Valery, and Berkhamstead, and all other hundreds, towns and hamlets belonging to above in Bedf., Berks., Bucks., Herts., Midd., and in Lincolnshire. 8 July/30.
‡ Duke of Lancaster, all manors, hundreds, towns, hamlets, lands and fees in Lincolnshire. 8 June/30.
in West Riding of York. 16 Oct./30.
all manors, hundreds, towns, hamlets, lands and fees in Essex, Kent, Midd., and Sussex. 28 Oct./30.
Earl of Albemarle, Liberty of Holderness. 2 July/28.
1 March/29.
‡ Earl of Richmond, Liberty of Richmond. 10 Feb./28.
manors and towns of Cheshunt and Bassingbourn. 20 March/30.
Hospital of St. Leonard of York, in Yorkshire. 20 July/30.
‡ Prince of Wales, manor of Kirton in Lindsey (Linc.). 20 May/30.
15 Nov./30.

† Often called "county."
C. LOCAL COURTS UNDER CROWN-APPOINTED JUSTICES. (Cf. pt. i, ch. ii.)

1. Quarter sessions records.
2. Records illustrating the supervision of the justices in session.

I. Quarter sessions records. (Cf. pt. i, ch. ii, 1-6.)

INTRODUCTORY NOTE.

The commonly accepted opinion has been that, with the exception of one wages assessment for 1431, no quarter sessions records of earlier date than the 16th century are in existence;¹ at any rate none have been discovered by the author of the latest treatise on the justice of the peace.² Further, there is no reference to this class of records in Gross' summaries (cf. app., 4), in Scargill-Bird's Guide, or in the preface and table of contents of the List of Plea Rolls of various courts preserved in the Public Record Office, prepared by the latter. My suspicions were, however, aroused by Palgrave's statement, made as recently as 1836, that rolls of justices of the peace and of justices of labourers were included among the Treasury records.³ With the thought of a possible mis-classification in my mind, I examined the List of Plea Rolls, under the heading "Eyre Rolls, Assize Rolls," etc., and there found seven rolls for the decade 1349-1359 described as containing proceedings before justices of labourers. Moreover, a roll for Rutland clearly noted in an old list of Assize Rolls ⁴ as consisting of proceedings before the justices of labourers, re-appears in the List of Plea Rolls, listed in such a fashion that its nature cannot be inferred. This incident convinced me that there were more such rolls that had similarly escaped identification, and that an examination of all the so-called "Assize Rolls" for every county for the decade 1340-1359 would be well worth while. The result was the discovery of eight more sessional records, which, with the Rutland roll and with the seven that had been correctly described, gave a total of sixteen. One of these had been translated and printed in a local archaeological journal, but as far as I know had never attracted attention.¹

It also seemed advisable to examine Ancient Indictments, classed in Scargill-Bird's Guide under "King's Bench, Crown side," the manuscript list giving no clue to contents, but merely the county and regnal year of each roll. The series is in a very bad condition; the membranes are crumpled and thick with dust, and are fastened together by parchment strings through holes in the middle of each, so tightly drawn that the manuscript is easily torn and that deciphering the portions near the strings is almost impossible. An examination of the whole series for the decade, as far as was possible under these adverse conditions, revealed the fact that in addition to many rolls of indictments coram Rege for offences against the statutes of labourers, there are also two rolls of proceedings before justices of labourers. Several rolls of the keepers of the peace for this decade were likewise identified, quite by chance, as well as several for a later period; ⁵ it is, therefore, probable that for the next century more such records are in existence and will be discovered by an exhaustive search through Assize Rolls and Ancient Indictments.

There are also references to, or transcripts of, particular proceedings before justices of labourers in the pardons for outlawry recorded on the Patent Rolls,⁶ and in the rolls of exigends of offenders convicted before the justices to be proceeded against.

¹Cf. app., C, i, no. XVI.
²Assize Rolls, Bedford, 32; Ancient Indictments, Somerset, 104. For a fuller account of these cf. my article in E. H. R., 515, note 139.
³Assize Rolls, Bucks., 76; Warwick, 976; Ancient Indictments, Norfolk, 80 (called to my attention by Mr. Edgar Powell); Oxford, 98. Cf. my article, loc. cit., note 140.
⁴Cf. e. g., app., C, i, no. XVIII.
claimed in the county courts. One roll of exigends appears unexpectedly among Ancient Indictments, and three others among Coroners' Rolls, although the description given in List of Plea Rolls does not adequately indicate the nature of these last three. The Gaol Delivery Rolls undoubtedly contain more information as to convictions before justices of laborers, but unfortunately have not been included in my search. It has already been shown that in connection with the supervision of the justices in session, exercised by the central government, proceedings before them were sometimes removed into a higher court and were thus preserved; a few of these are given in app., C, 2. There has also proved to be evidence in exchequer documents that, for a while at least, sessional records similar to those actually discovered were in existence, but for the decade 1349-1359 these eighteen rolls are the only ones that I have found that can legitimately be described as records, more or less complete, of sessions of justices of labourers, of the separate or of the joint commissions. It is unnecessary to repeat here the proof of the theory that there is a special explanation of the survival of each of these rolls and of the belief that at this date there was no regular system for the preservation of sessional records. In the following pages extracts from each of the eighteen rolls are given, with the exception of the one in print; and also when possible the particular reason for its survival. The title of each roll as it stands in the official catalogue is given, the asterisk indicating the rolls that are at present inadequately described; the Roman numerals refer merely to the order in my list.

1 Cf. app., C, 1, no. XVIII.
2 Ibid. One naturally infers that only the rolls described as containing exigends belong to this class. Gross in Select Cases from Coroners' Rolls, 118, prints an example of an exigend of an offender against the statute for the year 1363.
3 Cf. List of Plea Rolls.
4 Pt. 1, ch. ii, s. 1, and s. 7.
5 Ibid.
6 Ibid.

1 Quarter sessions records.
Extracts from Ancient Indictments and Assize Rolls.

† I. Chester, Palatinate of; Eyre Roll, 13. 11-25 Edw. III. 84 membranes.
Placita coram Thoma de Ferraeis Justiciario Cestriac, in itinere suo apud Macclesfield.
Indictamenta Hundredi de Macclesfield.
Placita et Deliberatio Gaolae.
Intermixed with the membranes containing proceedings before de Ferraeis and stitched to them, are membranes of proceedings before the justices of labourers. Similarly in the two following rolls, II and III, there is an intermixture of the records of de Burgerssh with those of the justices of labourers.

m. I. Indictamenta coram Roberto de Leghe de operariis et servientibus per commissionem domini comitis apud Macclesfield, die Lune proximo post festum Sancti Marci Euaangeli, anno regni Regis Edwardi tercii a conquestu vicesimo sexto.
(Presentments under oath by jurors.)

et quod Ioannes le Tayllour de Wylmeslowe fre-git statutum ad dampna populi xl d. Et quod Ricardus filius Roberti filii Gybbe fre-git statutum ad dampna ii s.

Et quod Thomas Boney noluit servire et fre-git statutum ad dampna xl d. . . . Et quod Robertus filius Walteri del Mor, Henricus de Hyrdefeld, Nicholaus filius capellani exierunt a patria ad operandum ad dampna, quilibet eorum ii s.

1 I have been unable to find on the Recognizance Rolls a reference to any commission until that of 1360; cf. pt. 1, ch. i, s. 1.
2 Throughout these sessional records the mark ‡ indicates that in the original "finis" or "finem fecit" or "lecit finem" is written over the name.
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Et quod Margeria filia Roberti, Iohanna le Webster, Cecilia de Ashton, Benedictus le Strenger, Alicia de Hargreve, Willelmus filius Roberti fregerunt statutum et exierunt a patria ad damna, quilibet eorum vi d.

‡ II. Chester, Palatinate of; Indictment Roll, 19. 27-38 Edw.

III. 47 membranes.

Indictamenta Villae et Hundredi de Macclesfield coram Bartholomaeo de Burgersh.

m. 3. Indictamenta apud Macclesfield coram Roberto de Legh et Willelmo de Maynwaryng.

m. 9b. Indictamenta operariorum et seruiencium coram Roberto de Legh et Willelmo de Maynwaryng iusticiariis assignatis ad inquirendum de operariis et artificibus qui statutum domini Edwardi Regis nunc de eisdem nuper editum fregerunt, die Mercurii proximo post festum Sancti Andree apostoli anno regni . . . . tricesimo.

(Many presentments for the receipt of excess wages.)

Thomas de Tydryntone, capellanus, cepit mercedem superfluam ad damna populi x l d.

Dicunt . . . . quod Dykon Dryebred, triturator, cepit mercedem superfluam ad damna populi vi d. . . . . Et quod Ricardus de Bouland (manucaptus), communis operarius, cepit mercedem superfluam ad damna vi d.

Et quod Adam Duncalf, sutor, fregit statutum ad damna populi xii d.

Et quod Ricardus Filiaster, Henricus le Fycher ceperunt salarium excessuum ad damna vi d.

Et quod Adam (manucaptus) Brid, salter, dedit salarium excessuum ad damna vi d.

Et quod Emma (manucapta ponit se) Walrane cepit

ii d. quadam die in autumno ab hora prima diei vsque noctem et fregit statutum.

Indictamenta ville de Macclesfeld coram Roberto de Legh et Willelmo de Maynwaryng die et anno infrascriptis.

(Many presentments for the receipt of excess wages.)

Et quod Ricardus, filius Ricardi filii Hamonis, operarius, exiuit a patria et procurat alios exire . . . . Et Radulphus de Shelladon, falcator, Willelmus filius de Hetylyehgh, falcator, Thomas de Shagh, falcator, Thomas, filius Ricardi filii Roberti de Hulm, messor, Thomas de Denebrok, messor, exierunt a patria . . . .

Et Henricus, filius Symonis le Mulward, noluit servire Hugoni del Sherd et erat vacant . . . .

Et Ricardus de Bouland (manucaptus), tasker, cepit mercedem superfluam.

m. 16 b. (X). Hundredum de Macclesfeld.

Inquisicio capta coram Roberto de Legh et Willelmo de Maynwaring iusticiariis assignatis apud Macclesfeld ad inquirendum de operariis et artificibus per commissionem domini comitis Cestr, die Lune pro
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im post festum Invencionis Sancte Crucis anno regni . . . . tricesimo primo.

(Presentments under oath by jurors of a long list of both takers and givers of excess wages.)

Dicunt quod Henricus Hennerissone, mower, manens in Aldurlegh, cepit salariam excessivam . . . .

Et quod Williamus de Wakefeld, barker, fregit statutum et dat operariam mercedem excessivam . . . .

Et quod Johannes, filius Ricardi de Oversealurlegh, falcator, cepit mercedem excessivam et exiuit a patria.

Henricus le Fyscher, messor, cepit mercedem excessivam et cepit tres denarios cum prandio per diem.

Et quod Williamus le Ledbetere dat mercedem Thome de Heghlegh pro opere suo vnius diei absque convencione septem denarios cum prandio.

m. xiii and m. 22 b (xvi) contain similar indictments, "coram Roberto de Legh et sociis suis," for the 32nd and 33rd years.

† III. Chester, Palatinate of; Indictment Roll, 4. 27 Edw. III —1 R. II. 45 membranes.

Indictamenta de Officio ad Comitatum Cestriae.

m. 10 [33rd year].†

Indictamenta operariorum et servientium coram Roberto de Leghe per sacramentum Petri de Ardene et aliorum, qui dicunt super sacramentum suum quod Hamo le Roder, laborer, et Ricardus filius Ioannis exierunt de patria. Et quod Tille, filia Radulphi del Clyf, exiuit a patria. Et quod Johannes Wykurtill, labarator, cepit mercedem excessivum. Et quod Isabella Wybot et Elena del Hurro, messor, exierunt de patria.


IV. Assize Roll, Cornwall, 125. 32-33 Edw. III. 8 membranes.

Recorda et processus Sessionis W. Polglas et R. Ceriseaux Justiciariorum ad ordinationes et Statuta de Operariis et Artificibus custodienda.

m. 1. Cornub'. Recorda et processus sessionum Willelmi Polglas et Ricardi Ceriseaux le pier iusticiariorum domini Regis ad ordinacionem et statuta de operariis et artificibus ac eciam mensuris et ponderibus custodienda in comitatu predicto assignatis.

De terminis Annunciationis Domini, Sancti Margarete, Sancti Michaelis et Sancti Nicholai anno regni Edwardi terci 33id., Annunciationis Dominice, Sancte Margarete et Sancti Michaelis anno eiusdem Regis tricesimo tercio.

On 20 Feb., 1358, the above were appointed justices of labourers and of weights and measures; see "List of justices,"
APPENDIX

On 4 Nov., 1359, the writ of supersedeas was issued; app., 31-32.

This roll contains seven sessions of ten days each, one of the most complete records that I have found; for this reason one of these sessions has been chosen for printing in full.

m. 2. Sessiones predictorum iusticiariorum apud Penryn, die Lune proximo post festum Sancte Margarete, anno Regis nunc xxxii.

Quo die vicecomes retornauit preceptum suum ad plenum. Iurati diuersorum hundredorum presentant quod decennarius et decenna de Arwythel, decennarius et decenna de Keucl, decennarius et decenna de Treuewith, decennarius et decenna de Rosnetthon, decennarius et decenna de Trelyuer, decennarius et decenna de Trelan, decennarius et decenna de Treleweran, decennarius et decenna de Lisbard, decennarius et decenna de Lucyes, decennarius et decenna de Carmynon, nullos cippos habuerunt in decennis predictis. Qui quidem decennarii cum decennis predictis exacti venerunt et allocuti inde hoc contradictere non putuerunt; ideo ipsi in misericordia, vt patet in extractis liberatis scaccario domini Regis et sic similiter patet in eisdem extractis de omnibus americiamentis, finibus, excessubus et exitibus foris factis coram prefatis iusticiariis de omni tempore huiusmodi recordi et processus. Et predicti decennarii cum decennis suis statim postea cippos suos parauerunt et duxerunt etc.

Decennarius et decenna de Cleer, decennarius et decenna de Sancto Mangano, decennarius et decenna de Wynyanoton, decennarius et decenna de Prisypynnoc, separatim exacti ad deseruendum curie et responsuri pro decennis suis non venerunt quando exacti sunt; ideo ipsi in misericordia die patet in extractis. Et postea venerunt et fecerunt presentatementum suum etc.

Iohannes de Trethewy, Robertus Trefuis, Iohannes Cararthek, Ospertus Tremogh,1 constabularii in diu-

1 Five others named. In this list and in those following I have printed all the names in connection with which there is any clue to the occupation of the offender.

12Twelve others named.

Decennarii et decenna manerii de Helliston, decennarii et decenna de Risiaren, exacti ad presentamentum etc., non venerunt; ideo ipsi in misericordia. Et postea venerunt predicti.

Die Martis.

Iurati diuersorum hundredorum presentant quod Ricardus Knap, molendinarius, Nicholasc Rosauon, David Godolghan, Rogerus Baker, molendinarius, Radulphus Cail, Iohannes Peron, Iohannes Osporn de Kenegy, decennarius et decenna de Pengersek, Iohannes Hikka, Iohannes Baret, Henricus Wydel, Fabianus, molendinarius, Elia, molendinarius,1 Iohannes Iargorn, carpenterius,2 decennarius et decenna de Treiros, decennarius et decenna de Penseghnans, decennarius et decenna de Minstre, decennarius et decenna de Tucos, decennarius et decenna de Predannoc, decennarius et decenna de Methele, decennarius et decenna de Quenna, decennarius et decenna de Treychthial, Iohannes Fraunces, Alanus Tregelfest,4 Iohannes Man, molendinarius, decennarius et decenna manerii de Helliston, Galfridus Tresaglarq,5 Gilbertus Webb,6 Ricardus, molendinarius de Lisbard, Thomas de Treworly, Rogerus West, Adam West, Robertus Corny vtebantur diuerrs falsis mensuris et ponderibus contra formam statuti domini Regis de mensuris et ponderibus editi. Ideo preceptum est vicecomiti quod attachiat omnes prenominatos contra diem Mercurii proximum apud Penryn.

Die Mercurii.

1 Ten others named.
2 Repeated.
3 Seven others.
4 Fourteen others.
5 Four others.
Quo die vicecomes respondit quod predicti Ricardus Knap, Nicholaus et ceteri omnes supranominati attachiati sunt per separatas pleuinas etc. Qui omnes exacti venerunt. Et allocuti super presentamentum predictum dicunt quod non sunt inde culpabiles et ponunt se super patriarch. Ideo predictum est vicecomiti quod statim venire faciat xii etc. /juratores inter domini num Regem et personas predictas electi, triati et iurati, dicunt quod predicti Rogerus West, Adam West et Robertus Corny non sunt culpabiles. Ideo consideratum est quod eant quieti. Set predicti Ricardus Knap, Nicholaus Daudi et ceteri prenominati culpabiles sunt; ideo ipsi arrainiantur et fecerunt finem per diueras pleuinas, vt patet in extractis etc. Compertum est quod Iohannes Luky et Thomas Bosnail, constabularii parochie Sancti Maimani concellant diuersos operarios et seruitores. Ideo constabularii in misericordia etc. Compertum est quod Henricus Payn et Benedictus Clak, constabularii parochie Sancti Rumeni, concellant diuersos operarios et seruitores ac eciam mensuras et pondera falsa. Ideo dicti constabularii in misericordia etc.

m. 2 d

Iurati presentant quod Iohannes Clegh, iunior, Nicholaa Karn, Dionisia Trethak, Thomas Tremenhir, Iohanna Nichol, Ricardus Gorben, Iohannes Coiy, 1 Iohannes Sebill, taillour, Iohannes Henri, 2 Iohannes, serviens Henrici Nanfan, Ricardus Polgrim, 3 Iohannes, serviens Thome Mewes, ceperunt salaria, mercedes et lucra excessiua in diuersis artificiis et mercandisiis suis contra formam statuti domini Regis etc. Ideo preceptum est vicecomiti ipsos attachiare contra diem Veneris apud Penryn, quod tunc sint coram prefatis iusticiariis etc.

Compertum est quod decennarius et decenna de

1 Sixteen others. 2 Thirty-one others. 3 Five others.

Trewrabo mutauerunt quemdam bussellum in presencia iusticiariorum ad deceptionem curie; ideo ipsi in misericordia.

Die Veneris.

Vicecomes respondit quod predicti Iohannes Clegh, Nicholaar Karn et ceteri omnes prenominati attachiati sunt separatim per diueras pleuinas; et tunc ipsi exacti etc. Predicti Iohannes Clegh, junior, Nicholaa Karn, Dionisia Trethak et Thomas Tremenhir non venerunt. Ideo plegii eorum in misericordia etc. Et preceptum est vicecomiti ipsos capere contra diem Sabbathi proximum apud Helleston coram prefatis iusticiariis etc. Et predicti Iohanna Nichol, Ricardus Gorben, Johannes Coiy et ceteri prenominati veniunt et dicunt quod non sunt culpabiles de hoc quod predicti iurati superius presentant et ponunt se super patriarch etc. Ideo preceptum est vicecomiti quod venire faciat xii etc. apud Helleston die Sabbati proximo coram predictis iusticiariis etc.

Iurati diuersorum hundredorum presentant quod Petrus Trewethyn, Reginaldus Gelon, 1 Baldwinus, molendinarius de Trelan, 2 Thomas, molendinarius de Teyntheus, 3 Reginaldus Beonyle, molendinarii, 4 decennarius et decenna de Merthyn, Walterus Trestan, decennarius et decenna de Keuel, 5 Radulfus vicarius Sancti Constantis, Nicholaus Mols, 6 prior Sancti Iohannis, Iohannes Godlyven, 7 vtebantur falsis mensuris et ponderibus diuersis contra formam statuti domini Regis inde prouisi etc. Ideo preceptum est vicecomiti ipsos attachiare contra diem Sabbati proxime futurum apud Helleston coram prefatis iusticiariis etc.

Die Sabbati.

Vicecomes respondit quod predicti Iohannes Clegh,
junior, Nicholaa Karn, Dionisia Trethak et Thomas Tremenhir capti sunt et sunt in custodia sua. Qui exacti venerunt et allocuti super presentamento predicto dicunt quod non sunt culpabiles et ponunt se super patriam etc. in quam predicti Iohanna Nicol, Ricardus Gorben, Johannes Coly et ceteri socii sui prenominati se posuerunt etc. Ievo preceptum est vicecomiti quod statim venire faciat xii etc. ad faciendum iuratum etc. Iuratores inter dominum Regem et partes predictas electi, triati et iurati, acquietant predictos Iohannem Clegh, Nicholaam Karn, Dionisiam Trethak et Thomam Tremenhir de excessubus et transgressionibus superius presentatis. Ievo ipsi quieti recedant etc. Et predicti Iohanna Nicol, Ricardus Gorben, Johannes Coly et ceteri socii sui prenominati culpabiles sunt. Ievo ipsi arrainiantur et fecerunt finem vt patet in extractis liberalis seaccario Regis.

Et quod predictos, Petrus Trewethynck, Reginaldus Gelon, Johannes Lauri et ceteri socii sui superius nominati exacti venerunt. Et allocuti super presentamento predicto dicunt quod non sunt culpabiles et ponunt se super patriam. Ievo preceptum est vicecomiti quod statim venire faciat xii etc. Iuratores, electi, triati et iurati, dicunt quod predicti Petrus, Reginaldus et alii superius nominati culpabiles sunt. Ievo arrainiantur et fecerunt finem vt patet in extractis.

Ricardus Moil et Daniel Treueldras, constabularii parochie Sancte Wendrone, exacti ad deseruiendum curie non venerunt. Ievo ipsi in misericordia etc.

Robertus Cararthek conuictus de contemptu et le sione statuti etc. fecit finem vt patet in extractis.

Iurati diuersorum hundredorum presentant quod Gregorius, seruiens Willelmi Brit, Johannes, seruiens Ioannes Gros et ceteri socii prenominati, attachiati sunt per diuersas pleuinas. Qui exacti venerunt omnes mane, preter Thomam Eir cuius plegius in misericordia quia ipsum non habet etc. Et postea eodem die predicti Gregorius et ceteri omnes illa vice nominati exacti venerunt, et allocuti super presentamento predicto, dicunt quod non sunt culpabiles et ponunt se super patriam. Ievo preceptum est vicecomiti quod venire faciat xii etc. contra diem Martis proximum apud Hel leston etc.


Daniel Treueldras et Ricardus Moil, constabularii parochie Sancte Wendrone, exacti ad reddendum rerornum suum, non venerunt debito tempore; ieo ipsi in misericordia.

Radulfus Cayl et Iohannes Peron exacti ad reddendum diuersas mensuras suas non venerunt; ieo ipsi in misericordia. Et preceptum est vicecomiti ipsos distriingere contra diem Lune proxime futurum.

Iohannes Ospern de Kenegy, exactus ad reddendum mensuras suas, non venit quando fuit exactus; ieo ipsi in misericordia. Et postea tarde venit et reddidit.

Die Lune.

Quo die vicecomes respondit quod predicti Gregori us, seruiens Willelmi Brit, Iohannes, seruiens Io nannis Gros et ceteri socii prenominati, attachiati sunt per diuersas pleuinas. Qui exacti venerunt omnes mane, preter Thomam Eir cuius plegius in misericordia quia ipsum non habet etc. Et postea eodem die predicti Gregorius et ceteri omnes illa vice nominati exacti venerunt, et allocuti super presentamento predicto, dicunt quod non sunt culpabiles et ponunt se super patriam. Ievo preceptum est vicecomiti quod venire faciat xii etc. contra diem Martis proximum apud Hel leston etc.

1 Four others.
Radulfus Cayl et Iohannes Peron exacti ad reddendum mensuras suas non venerunt. Ideo manucaptores sui in misericordia. Et ipsi foris fecerunt excessus; et preceptum est vicecomiti ipsos distringere contra diem Martis proxime futurum etc.

Iohannes Marsely, seruant, et Iohannes Roby, convicti de transgressione, videlicet de excessu capto contra statutum, fecerunt finem etc.

Iacobus de Beson et plegii sui in misericordia quia non prosecutus est versus Odonem Beson in placito transgressionis.

Iohannes Penros et plegii sui in misericordia quia non prosecutus est versus Aliciam Coly in placito transgressionis.

Willelmus Kakylieck et plegii sui in misericordia quia non prosecutus est versus Aliciam Treuaichny in placito transgressionis.

Walterus Drew de Treuane et plegii sui in misericordia quia non prosecutus est versus Iohannam Oen in placito transgressionis.

Henricus Synter et Iohanna Synter, convicti de transgressione et excessu facto contra statutum, fecerunt finem etc.

Willelmus Polhorman presens in curia exactus et preceptus iurare recusauit hoc facere; ideo ipse in misericordia etc. Et postea iuravit.

Compertum est quod Willelmus Polhorman affirmavit falsam querelam versus Iohannam Peruel in placito transgressionis, videlicet de eo quod ipsa recusavit ei deserreire; ideo ipse in misericordia. Willelmus Trelower affirmavit falsam querelam versus Nicholaum Sken in placito transgressionis, videlicet de excessu ab eo capto, prout compertum est; ideo ipse in misericordia.

Robertus Cararthek et plegii sui in misericordia quia non prosecutus est versus Isabellam Aly in placito transgressionis.

Die Martis viii die secunde sessionis anno xxxiiidō.


Petrus Antrenon, Willelmus Tyrel de Tuomern hac die mane exacti ad inquirendum pro Rege non

1 Four others. 2 Eight others. 3 Fourteen others. 4 Constables of four other parishes named. 5 Seven others.
VERERUNT; IODE IPSI IN MISERICORDIA. ET POSTEA EODEM
DIE VERERUNT ET IURATI ETC.

Iohannes Trefuruo et Iohannes Day, constabularii
parochie Sancti Budoci, exacti mane ad reddendum re-
tornum suum, non vererunt; iode ipsi in misericordia.
Et postea vererunt et reddunt modo.

Decennarius et decenna de Luces exacti ad redden-
dum returna preceptorum sibi directorum non vene-
runt quando exacti fuerunt; iode ipsi in misericordia.
Et postea vererunt etc.

Die Mercurii.

Decennarius et decenna de Prispynnoc exacti ad
presentandum coram iusticiariis non vererunt; iode
ipsi in misericordia etc. Ricardus Rosewyk convic-
tus de transgressione et contemptu in presencia iusticiari-
orum fecit finem etc. vt patet in extractis etc.

Philippus Iakis, webb, Odo Brasigonna, Nicholaus
Bon, piscator et Hillarius Webb de Sancta Stediana,
convicti de diuersis excessubus per recognicionem suam
propriam arrainiantur et postea fecerunt

Et quoad Iohannam Filet, Galfridum Treuethec et ceteros
socios suos prenominatos, vicecomes respondit quod
ipsi omnes attachiati sunt per diuersas pleuinas etc. Qui
exacti venuerunt omnes preter Hamundum Hara-
non et Robertum Treyntheno quorum plegii
in misericordia quia ipsos hac vice non habent. Et postea
codem die ipsi iidem Hamundus et Robertus simul cum
alis superius nominatis exacti venuerunt; iode ipsi allo-
cutii de excessubus predictis dicunt quod non sunt cul-
pabiles et ponunt se super patriam etc. Iode precep-
tum est vicecomiti quod statim venire faciat xii etc.;
iuratores inter dominum Regem et predictas personas
electi, triati et iurati, dicunt quod predicti Hamundus
et Robertus Treyntheno non sunt culpabiles de excess-
sibus predictis. Iode ipsi quieta recedant, set omnes
alii predicti superius nominati sunt culpabiles. Iode
arrainiantur et postea fecerunt finem etc.

Villata de Penrin exacta et allocuta si haberent
standarda parata prout alias eis preceptum fuit sub
quadam pena. Inde ad presens nichil habent paratum.
Ideo forisfacient penam illam etc. prout patet in ex-
tractis etc.

Iurati diuersorum hundredorum presentant quod
Iohanes Watte, webb, Iohannes Bonsohn, Willelmus
Bodek, Iohannes Andru, webb,1 Iohannes Hamely,
piscator,2 ceperunt diuersas mercedes, salaria et lucra
excessuia in pluribus artificiis et operibus suis in con-
temptu statuti domini Regis etc. Iode preceptum est
vicecomiti quod ipsos attachiat contra diem Iouis prox-
imum apud Helleston etc.

Die Iouis.

Quo die vicecomes respondit quod predicti Iohannes
Watte, Iohannes Bonsohn, Willelmus Bodek et ceteri
omnes superius nominati attachiati sunt per diuersas
pleuinas etc. Qui exacti omnes venuerunt et allocuti de
excessibus et transgressionibus predictis, dicunt quod
non sunt culpabiles et ponunt se super patriam etc.
Et statim ipsi omnes per iuratam triatam et captam
convicti sunt. Iode arrainiantur et fecerunt finem ut
patet in extractis liberatis scaccario domini Regis etc.

DATES AND PLACES OF SESSIONS.

32nd year.

m. 1. Lostwythiel. Monday after Annunciation.
(25 March).
Tuesday to Saturday.

m. 1 d. Truru. Monday to Thursday.

m. 2. Penryn. Monday after St. Margaret (20 July).
Tuesday to Saturday.

m. 2 d. Helleston. Monday to Thursday.

m. 3. Marghasyon. Monday after St. Michael (29 Sept.).
Tuesday to Saturday.

1 Eighteen others.
2 Six others.


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m. 3 d. Mousehole. Monday to Thursday.

m. 4. Medeshole. Monday after St. Nicholas (6 Dec.).

m. 4 d. Oldestowe. Monday to Thursday.

m. 5. Bodmin. Monday after Annunciation.

m. 5 d. Cameleford. Monday, Tuesday.

m. 6. Launceton. Monday after St. Margaret (20 July).

m. 6 d. Callyngton. Friday to Thursday.

m. 7. Leskirred. Monday after St. Michael (29 Sept.).

m. 8. Lostwythiel. Monday to Thursday.

V. Assize Roll, Derby, 170. 31-32 Edw. III. 5 membranes.

Placita coram Godefrido Foljaumb et sociis suis (de Artificibus, etc.).

The following enrollments explain the preservation of this roll:


Godefrido Foliaumb et sociis suis.

Rex dilectis et fidelibus suis Godefrido Foliaumbe, Rogero Michil et Johanni Foucher nuper iusticiarios etc. per omnes terras etc. Ita etc. a die Pasche proxime futuro in vnum mensem ad liberandum ibidem omnia recorda et processus coram ipsis iusticiariis facta in sessionibus suis iusticiarie predicte.

Teste ut supra [G. de Wilford x° die Novembris per barones.]

Ante quem diem predictus Godefridus venit et habet diem alibi in hiis Memorandis inter Dies Datos de hoc termino. Iebo dictum breue revocatur et cesset.

Derb'

Preceptum est vicecomiti quod distingat predictos Godefridum Foliamb, Rogerum Michel et Johannem Foucher nuper iusticiarios etc. per omnes terras etc. Ita etc. a die Pasche proxime futuro in vnum mensem ad liberandum ibidem omnia recorda et processus coram ipsis iusticiarii facta in sessionibus suis iusticiarie predicte.

Teste ut supra [G. de Wilford x° die Novembris per warrantum predictum].

Postea videlicet antequam breue emanuit dictum breue revocatur et cesset eo quod dictus Godefridus venit et habet diem in Memorandis inter Dies Datos de hoc termino.

Cf. also Communia, Mich., rot. 6 d, Derb' De Die Dato; Datus est dies Godefrido Foliaumbe etc.

The first membrane of the roll contains a copy of the letter patent of 5 Feb., 1357, appointing Foljambe and the others justices of labourers and of weights and measures. See “List of justices,” app., B, 3.

m. 1. Pretextu cuius breuis preceptum fuit vicecomiti Derb' quod venire faceret coram prefatis iusticiariis tribus vel duobus eorum apud Derb' die Lune proximo ante festum apostolorum Philippi et Iacoby de qualibet wapentactia hallive sue xxxii* etc., de qualibet villa quatuor homines et prepositum, et preter illos tot et tales etc. ad inquirendum et excercendum ea que ex parte domini Regis eis ibidem iniungentur. Et vicecomes fecit inde execucionem etc.

1 MS. factis.
Placita coram Godefrido Foliaumbe et sociis suis iusticiariis domini Regis ad omnia ordinaciones et statuta de operariis et artificibus et servientibus ac de mensuris et ponderibus et aliss in comissione domini contentis in comitatu Derb' illata audienda et terminanda assignatis apud Derb' die Lune proximo ante festum apostolorum Philippus et Iacobi, anno regni Regis Edwardi tercii post conquestum xxxi.

Derb'

Presentatum est quod Elias Wareyn, Willelmus Gerard, Radulfus le Clerk, Isolda Louell habent mensuras, videlicet, quilibet eorum unum busselurn standardo domini Regis non concordatum propter minuitatem eorundem etc.

(The sheriff is ordered to produce the above; i. e., "venire faciat.")

Die Martis proximo ante festum Sancti Dunstani anno supradicto etc.

Ad quem diem vicecomes retornat quod attachiati sunt etc. Et modo veniunt per vicecomitem ducti et allocuti sunt sigillatim de eo quod ipsi habent bussellos standardo domini Regis non concordatos propter minuittatem eorum. Qui dicunt quod non possunt dedicere et ponunt se in graciam domini Regis, et petunt se admissi ad finem cum domino Rege etc. Et admittuntur quilibet eorum ad xii d., prout patet in rotulo finium etc.

m. 1 d.

Die Lune proximo post festum Sancti Barnabe apostoli, anno supradicto etc.

Morleyston.

Presentatum est per xii iuratos eiusdem wapentachie quod Iohannes ‡ de Walley cepit ad quarterium fru-

1 Forty-five other names.

m. 2.

Morleyston.

Presentatum est quod Henricus, ‡ filius Henrici de Kydesley, cepit in excessu pro vendicione carbonis xi d.

Item dicunt quod Robertus de Tikhull ‡ de Chelafton cepit in vendicione calceti contra formam etc. i marcam.

Item dicunt quod Thomas le Walker ‡ de Beaureper cepit in excessu pro falcacione calceti contra formam etc. i marcam. Item dicunt quod Robertus de Burley cepit in excessu pro fullacione pannorum contra formam statuti ii s.

Item dicunt quod Alicia ‡ que fuit vxor Ricardi le Baxter de Long Eyton cepit in excessu contra formam etc. in furnacione panis etc. dimidiam marcam. Item dicunt quod Johannes Staff ‡ cepit in excessu contra formam statuti etc. videlicet pro furnacione calceti per vii annos iii s. iii d. Item dicunt quod Johannes, ‡ filius Petri, cepit in excessu pro fraccione calcati contra formam statuti etc. iii s. iii d.

Alterna Presentacio

Presentatum est quod Willelmus le Mulner, ‡ falcator, cepit in excessu contra formam statuti etc. xii d.

Item dicunt quod Rogerus de Beaumanere, carpenter, cepit in excessu contra formam statuti xii d.

Item dicunt quod Thomas Woluet, ‡ couper, cepit in excessu contra formam statuti x d.

Item dicunt quod Johanna Welnet, ‡ seruiens, cepit in excessu contra formam statuti x d.
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Item dicunt quod Rogerus Clement, melemaker, cepit in excessu contra formam statuti iii d.

Item dicunt quod Ricardus de Hethcote, minour, cepit in excessu contra formam statuti vi d. Item dicunt quod Sampson le Minour, cepit in excessu contra formam statuti pro consimili vi d.

m. 2 d. Placita coram prefatis iusticiariis etc. apud Bauquell die Lune proximo ante festum Sancti Petri ad Vincula anno supradicto.

Scaresdale.

Item Ricardus Baxter, Alicia, vxor eius, Robertus, filius Roberti de Whatton, Margeria, vxor Thome de Ainslay, Thomas Cissor, Cecilia Rauen, recesserunt a servicio in autumpno etc.

m. 3. Placita coram prefatis iusticiariis etc. apud Derb' die Mercurii proximo post festum Sancti Andree apostoli anno supradicto xxxio.

(Long list of presentments for receipt of excess wages and prices.)

Repyngdon.

Item Elena, vxor Thome Haicokene, non vult seruire vicinos set aliis pro maioris salario etc.

m. 5. Placita coram prefatis iusticiariis etc. apud Derb' die Mercurii proximo post festum Sancti Marci ewangeliste anno xxxii d0.

DATES AND PLACES OF SESSIONS.

31st year.

m. 1. Derby. Monday before St. Philip and St. James (1 May).

m. 1 d. " Tuesday before St. Dunstan, archbishop (19 May).

m. 2. " Monday after St. Barnabas (11 June).

m. 2 d. " Tuesday after St. Peter and St. Paul (29 June).

m. 3. Derby. Wednesday after St. Andrew Apostle (30 Nov.).

Now Bakewell.

1 Nine others, all of whom paid fines.
APPENDIX

32nd year.

m. 3 d. 1 Derby. Monday after Purification (2 Feb.).

m. 5. “ Wednesday after St. Mark (25 April).

Thursday after St. Barnabas (11 June).

† VI. Assize Roll, Devon, 195. 25-27 Edw. III. 8 membranes.

Inquisitiones et Indictamenta coram H. de Courteneye et sociis suis.

m. 1. Devon’

Dominus Rex mandauit literas suas patentes Hugoni de Courteneye, comiti Deuon’, Willelmo de Shareshulle, Iohanni de Stouford, Willelmo Daumarle, Ricardo de Birton, Iohanni Dabernoun, Ricardo de Branckescombe et Rogero Piperel ad inquireendum de felonii etc. et ad audiendum et terminandum in comitatu predicto secundum tenorem literarum dicti domini Regis patencium in presenti rotulo irrotulatarum in his verbis . . . .

(then follows a copy of the letter patent of 15 March, 1351, appointing the above to the joint commission of the peace and for labourers; see “List of justices,” app., B, 3).

Virtute cuius mandati iidem Hugo et socii iusticiarii predicti inquisierunt et inquisitiones et indictamenta ceperunt prout patet in rotulis huic annexis.

m. 2. Deuon’

Item sequitur de inquisitionibus et indictamentis captis coram Hugone de Courteneye, comite Deuon’, et sociis suis iusticiariis domini Regis etc. apud Barnestable, die Mercurii in festo Sancti Marie Magdalene anno regni . . . vicesimo quinto . . .

(Presentments by jurors.

Most of the offences recorded on this roll are felonies.)

m. 4. Deuon’

Inquisitiones et indictamenta capta coram Hugone de Courteneye comite Deuon’ et sociis suis . . . apud Exon’ die Mercurii post festum conversionis Sancti Pauli, anno regni . . . vicesimo sexto . . . .

Item presentant quod Almaricus fitz Waryn, nuper vicecomes Deuon’, die Lune proximo post festum Inuensionis Sancte Crucis anno xxiiio colore ordinacionis et statuti domini Regis de seruientibus, operariis et artificibus editum apud Westmonasterium cepit diversos fines et redempciones ad opus suum proprium, videlicet de Iohanne Greya xl d., Ricardo Stone ii s., Willelmo Plokenet, fabro, v s., et de aliis operariis et artificibus c s.

m. 5. Deuon’

Item sequitur de inquisitionibus et indictamentis captis coram Hugone de Courteneye, comite Deuon’ et sociis suis . . . apud Exon’ die Lune proxima post festum Sancti Swithini anno regni . . . vicesimo sexto.

(Presentments by jurors.)

1 M. 4 is much narrower and shorter, sewn into the bottom of m. 3, and seems to be part of another roll.
APPENDIX

Item dicunt quod quedam nauis de Ispania carcata.

sale applicuit in portu de Plympmouthe die Sabbati proximo ante festum Sancti Iacobi apostoli anno regni Regis Edwardi tercii xxvi; et predictum sal per magistrum et mercatores eiusdem nauis vendicione et alterius predicti merchandi venditatem fecerunt duci ad partes exteras ad grave dampnum domini et populi sui. Et quod predicti Walterus, Thomas, Johannes et Simon consueti sunt impedire adventum carcatarum sale et aliarum mercandiarum viam in portus in comitatu Devonie et sunt communes torstallatores salis, piscium, ferri et aliarum mercandiarum. Et quod predicti Walterus et alii simul cum Ricardo de Wynkeleghe, Galfrido Coche et Isabella Bolda de villa de Plymmouthe vendunt vina sua in ea carius quam debent capiendo rationabile lucrum, videlicet, quamlibet lagenam ad ii d.

m. 8. Devon'

Inquisiciones et indictamenta capta coram Hugone de Courteneye et sociis suis . . . . apud Hatherleghe die

Lune in crastino Sanctorum Ciricii et Iulitae anno regni . . . . . vicesimo septimo . . . . . . . . . . .

Item presentant quod vbi Robertus de Holeweye virtute commissionis domini Regis ac precepti iusticiarorum cepit Margeriam Bagge, seruientem et operatricem et eam iuxta formam mandati sui in cippis ponere voluit apud Hatherleghe die Lune proximo post festum Sancti Petroci anno regni Regis Edwardi xxvii; venit Robertus de Northleghe et cepit predictam Margeriam de predicto Roberto Holeweye vi et armis et contra pacem domini Regis, impediendo mandatum domini Regis.

DATES AND PLACES OF SESSIONS.

In addition to the three sessions printed, the roll includes the following: 25th year, Exeter, Monday after St. Peter ad Vincula (I Aug.); m. 3. 26th year, Honiton, Wednesday after St. Hilary (13 Jan.); m. 6. 27th year, Barnstable, Monday after St. Petroc (4 June); m. 7.

† VII. Assize Roll, Essex, 268. 25 Edw. III. 27 membranes.

Praesentationes Juratorum.

It is difficult to determine the character of this roll. It is full of presentments for offences against the statutes of labourers, and while many of them are coram Rege presentments,1 the note on m. 10 as to Hubert and House seems to prove that at least some of the membranes include proceedings before the justices of the peace and of labourers. On 6 May, 1352, they were associated to the joint commission, from which Hubert was removed on 10 Jan., 1353; see "List of justices," app., B, 3.

1 For evidence that both this roll and Assize Roll, Essex, 267, contain indictments coram Rege. cf. app., F, 1.
APPENDIX

m. 1. Hundredum de Chelmsford.

(Presentments by jurors.)

xii\textsuperscript{3}m presentant quod Arnulphus le Hierde de Maldon, nuper seruiens Iohannis Dodebroke, a festo sancti Michaelis anno regni Regis nunc xxiii\textsuperscript{a} vsque festum Sancti Michaelis proxime sequens xxv per i annum et per i quarterium vnius anni proxime sequens et per totum illud tempus dictus Arnulphus cepit vnum quarterium frumenti ad xii septimanas et v solidos per annum pro stipendio suo. Item cepit a festo Sancti Petri Aduincula vsque ad festum Sancti Michaelis proxime sequens xxv per i annum et per i quarterium vnius anni proxime sequens. Et super hoc dictus Arnulphus ab officio suo ante finem termini recessit ad damnum dicti Iohannis xl S. contra statutum etc.

Transgressio.

Domini eodem tempore x s. vltra ea que superius cepit. Et super hoc dictus Arnulphus ab officio suo ante finem termini recessit ad damnum dicti Iohannis xl S. contra statutum etc.

Item presentant quod Robertus Grys de Daneweby, pottere, facit ollas areas et vendit ad triplex contra gressio. statutum etc. quam solebat in oppressionem populi.

Transgressio.

Item dicunt quod Johannes Sextayn, junior, sissor, Iohannes Banestrat, cissor, Rogerus atte Tye de Magna Badewe, capiunt salaria pro laboribus suis de diversis gentibus contra statutum etc. et hac tripliciter quam capere consueabant.

Item dicunt quod Willelmus Denk, seruiens Galfridi Fabri, le Smyth, cepit de dicto Galfrido xx s. per annum et est ad mensam et iuratus fuit coram Iohanne de Sutton et sociis suis seruire secundum statutum etc. vbi non caperet nisi viii s. etc.

Transgressio.

m. 7. Magna Inquisicio.

Item ils presentent que par la ou ordeine est par monsire Iohan de Sotton e ces compagnouns iustysis nostre seignur le Roy que nul c'aggre ne deuoit prendire petit ostres apelles brodis en destruccion dil ewe la ou, Iohan Blood, Iohan Chercheman puisne\textsuperscript{1} prys teles petyte ostres en destruccioun del ewe nient countre esteant le ordinaunce auantdit e refusant seruyr come ils soleuint faire cause de leur graunt gayn . . . . . .

Transgressio.

Item ils presentent que Thomas Morman de Tillyngham est vn fauchour des prees e vn commun laborere e ad prys de diuercie geanz outragousement pur son louer puis cele temps que il fust iure deuaunt monsire Iohan de Stotton e ces compaignouns, ceste a sauoir de Iohan Gold de Tillyngham e de Thomas Schort, e des autres pur le acre de pree a faucher ix d. bien a la mountance de xx s. ou plus outre ceo que il deuoit auoir pris par lestatut.

Transgressio.

Item ils presentent que Robert Totereg de Burnham, laborer, Iohan Totereg, couerour des mensouns, Iohan Coregh, laborer, Thomas Sare, laborer, refusunt douerer aucun manere douereine saunz ceo que ils porrount prendre a double outre ceo que est ordeine par lestatut en enpouericernent du puple.

m. 8. Magna Inquisicio.

Item ils presentent que Iohan Galion, vicare de Nasyng, ne veut feare a nuly le sacrernent des epposaylis si il ne eyt de chescun baroun v s. ou vi s., e en ceste manere par extorcioun ad le dit Iohan pris de Iohan Wakerild iii s. x d., de William Gurbteber v s., de Iohan Mabely ix s., e de plusieurs autres a la mountance de xx s. en oppressioun du puple attort et en-cuntre la pes.

Item presentant quod Johannes Hindercle cepit de sti-

\textsuperscript{1} Five others.
APPENDIX

pendio de Rectore de Perudon pro tempore Augusti

hoc anno contra statutum x s.

m. 9. Magna Inquisicio.

Transgressio.

Item ils presentent qe Peris Poynaut de Epyning est

un tenour de carwis e prent ble e salari e encontre

lestatut.

Transgressio.

Item ils presentent qe Iohan Skennere de Morton est

pelleteere et vend pelure et gauns trocher encontre

lestatut.

m. 10. Magna Inquisicio.

(Many trespasses “contra pacem,” thefts etc.)

Itém dicunt quod Iohannes Hankyn est communis

laborator et fuit in seruicio prioris de Hatfeld Regis

a festo Sancti Michaelis Archangeli anno Regis nunc

xxiiii vsque festum Pasche tunc proxime sequens

per dimidium annum ad mensam dicti prioris. Et

cepit de eodem priore pro stipendio dimidii anni xviii

s. contra statutum domini Regis de laboratoribus et

artificibus ordinatum.

Item dicunt quod Iohannes Hardrybb Pypere de

Parua Waltham est communis laborator et capit ex-

cessuie contra statutum domini Regis de laboratoribus et

artificibus ordinatum, videlicet, capit per diem iii d.

Et eciam idem Iohannes de seruicio Iohannis Clyue

ante terminum suum contra statutum domini Regis

recedit. Et eciam idem Iohannes statutum domini

Regis de laboratoribus et artificibus ordinatum con-

tradicit in contemptum Regis et in fauorem aliorum

laboratorum.

Prima cedula liberatur per Thomam Hubert et I.

House.

VIII. Assize Roll, Hereford, 312. 29-31 Edw. III. 8 mem-

branes.

Placita (de Operariis, etc.) coram Willelmo de Frome

et aliis.

Writ attached to the roll:

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hi-

bernie diletis et fidelibus suis Willelmo Frome et socis suis

ad statuta de artificibus, laboratoribus et seruientibus ac de

ponderibus et mensuris abusis edita conservanda in comitatu

Hereford’ assignatis, salutem. Cum certis de causis per breue

nostro nobis mandauerimus quod execucioni commissionis

nostre nobis de premissis facte vltierius faciendo supersederetis,

nobis mandamus firmiter iniuengentes quod omnia

recorda, rotulos, memoranda et processus sessiones vestras de premissis

tangencia nobis in cancellariam nostram citra quindenam Sancti

Hillarii proxirne futuram vel in eadem quindena ad vltimum,

mittatis et hoc breue. Et hoc sub pena centum librarum nullan-

tenus omissatis.

Teste Thoma filio nostro carissimo custode Anglie apud

Westmonasterium, quinto die Nouembris, anno regni nostri

Anglie tricesimo tercio, regni vero nostri Francie vicesimo.

The first membrane contains a copy of a letter patent, dated

2 Sept., 29 Edw. III, appointing Frome, Oldecastel and Mony-

ton justices of labourers and of weights and measures; the

Patent Rolls for this year show duplicate commissions, dated

2 Oct. and 20 Dec. respectively; see “List of justices,” app.,

B, 3.

m. i. Pretextu cuius commissionis preceptum est vicecomiti

quod venire faciat coram nobis apud Hereford’ die Lune

proxima post festum Nativitatis beate Marie proxime

futurum viginti et quatuor probos et legales homines de

quibuslibet ciuitate et hundredo tocius comitatus, con-

stabulos et subconstabulos pacis ad audiendum et faci-

endum quod ex parte domini Regis eis esset inuenge-

dum.


*MS. fauore.
Placita coram Willelmo de Frome, Iohanne de Oldecastel et Hugone de Monynton iusticiariis domini Regis ad ordinacionem et statutum de operariis et artificibus in comitatu Hereford' conservandae assignatis apud Hereford' die Lune proximo post festum Natiuitatis beate Marie anno regni Regis Edwardi tercii a conquestu vicessimo nono.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem viginti probos et legales homines de quibuslibet ciuitate et hundredo tocius comitatus, constabularios et subconstabularios pacis ad audiendum et faciendum partem domini Regis eis esset iniungendum.

Et modo vicecomes respondet quod mandatum istud in omnibus est executum.

Hereford'.

Iuratores presentant quod Iohannes Monyword de Hereford, textor, cepit de Iohanne Spicer de eadem excessum pro artificio suo anno xxviii, videlicet pro vina ii d. obolum, et quod est communis captor excessus. . . .

Nicholaus le Webbe, textor, Robertus Plassh, textor, . . . 1 cepereunt plus pro artificio suo contra ordinacionem etc., quam capere solebant annis regni Regis Edwardi trecii xx et xxi, et sunt communes et notorii captores excessus.

(One hundred and two 2 other individuals are presented for similar offences, representing the following occupations: carpentarius, daubere, filatrix, communis operarius, kembestre, communis operatrix, netrix, operarius diurnus, aquebaniatrix, cardestere, seruiens triennalis, textor, hokestere, cissor, bourdour, falctor, textrix, triturator, skynnere, shapustere, mestrix, membranator, cirotecarius, fullo, tegulator.)

Ideo preceptum est vicecomiti quod venire faciat omnes prenominatos artifices, operarios et seruitores coram nobis hic die Martis sequente ad respondendum domino Regi de excessubus et transgressionibus predictis. Et omnes predicti textores, ful-

1 Eight other "textores."

* One hundred and twelve in all therefore.

lones et carpentarii gratis veniunt et allocuti qualiter se velint acquietare de excessubus et transgressionibus quibus indicati sunt ut patet supra, excessus non dedicunt, se[d] petunt se admitti in gracia domini Regis. Et admissi sunt ad finem faciendum etc. Plegii de finibus. . . .

(Five pledges are named; then follow the sums of the fines of 43 delinquents, beginning with Iohannes Monyword, 10 s.; half mark, 5 s., 2 s., 5 s., 40 d., 12 d., 15 d., 3 s., 3 s., 2 s., 2 s., half mark, 3 s., 40 d., 40 d., 3 s., 3 s., 2 s., 6 d., 6 d., 6 d., 40 d., 18 d., 2 s., 2 s., 12 d., 2 s., 12 d., 2 s., 12 d., 4 s., 40 d., half mark, 4 s., 8 s., 12 d., 4 s., 8 s., half mark, 8 s., 12 d., 3 s.)

m. 1 d. Placita coram prefatis iusticiariis apud Hereford', die Martis proxima post festum Natiuitatis beate Marie, anno supradicto.

(The sheriff is ordered to produce the rest of those indicted.) Et modo vicecomes respondet per returnum Walteri de Ayleston, balliui libertatis ville Hereforde, quod omnes predicti plastiarii, tegulatores, Rogerus de Stafford 3 et cirotecarii attachiati sunt etc. Et de omnibus aliis operarios, seruitores et artificibus respondet quod nichil habent per quod possunt attachiari. Ideo preceptum est vicecomiti quod capiat predictos operarios, seruitures et artifices et cos salvo custodiri [faciat] ita quod habeat corpora eorum hic coram nobis die Mercuri proxime sequente ad respondendum domino Regi de transgressionibus et excessubus predictis. Et Rogerus de Stafford et omnes aliis plastiarii, tegulatores et cirotecarii veniunt et allocuti qualiter se acquietabunt de excessubus et transgressionibus de quibus indicati sunt respondent et dicunt quod non sunt culpabiles et super hoc ponunt se super patriam. Postmodum predictus Rogerus et omnes aliis per iusticiarios examinati separatim de excessubus predictis eodem excessus non dedicunt. Et quia compertum est pre-

1 "Menbranator"; the only one.
dictum Rogerum et omnes alios transgressiones suas
recognouisse, ideo adiudicantur priscione quousque
finem fecerint de predictis excessubus. Et predicti
Rogerus et alii finem fecerunt pro excessubus suis per
plegium Henrici Baggere, Willemi Carles et cuisiislibet alterius,
videlicet, Rogerus de Stafford, ii s. (Twenty-four
names follow of delinquents fined various sums: 6 d.,
12 cl., 2 S., 6 d., 6 d., half mark, 40 d., 2 S.,
2 S., 2 S., 2 S., 4 s., 4 s., 12 d.)
Placita coram prefato Willelmo et
sociis iusticiariis etc. apud Hereford', die
Mercurii proximo post
festum beate Marie anno supradicto.
(Sheriff ordered to produce those who could not be
attached.) Et modo vicecomes respondet per
Wal-
terum de Ayleston balliuum libertatis ville Hereford'
quod Cristina atte Walle (etc.) . . . capti sunt etc.
Et de omnibus aliiis operariis, seruientibus et artificibus
respondet quod non inuenti sunt etc. Ideo preceptum
est vicecomiti quod
exigi faciat omnes prenominatos
operarios et seruientibus de comitatu in comitatum qua-
sue etc. si non comparuerint, et si comparuerint tune
eos capiat et saluio etc. quod habeat corpora eorum hic
coram nobis, die Lune proximo post festum Purifica-
cionis beate Marie Virginis ad respondendum domino
Regis de transgressionibus et excessubus contra statutum
domi Regis etc.

m. 2. (Christina atte Walle (6 d.), Philippus Ewyas (12
d.) etc., had been "capti," had pleaded not
guilty and asked for a trial by jury.)

Ideo preceptum est vicecomiti quod venire faciat
coram nobis hic ad diem Veneris proximum post festum

1 A tiler.
2 Fifteen others; see supra, p. 175a.
3 The fourteen others just referred to; all have fines entered over their
names.

Sancte Lucie Virginis xii liberos et legales homines de
visneto de Hereford' et qui predictos Cristinam, Philippum
et alios nulla affinitate attingant ad faciendum
recognitionem illam. Et interim predicti Cristina, Philippus et alii liberantur per iusticiarios per manu-
capecionem Iohannis de Maurdyn, Iohannis Whitfeld et
Edwardi le Webbe. Ad quem diem Veneris predicti
Cristina, Philippus et alii veniunt. Et iurati de con-
sensu parciem electi et triati veniunt et dicunt quod
omnes predicti sunt culpabiles de excessubus predictis.
Ideo consideratum est quod predicti indictati committ-
tantur priscione quousque finem fecerint etc. Et vltierius
idem iurati onerantur ad plenius inquirendum de
operariis, seruientibus et artificibus etc. iuxta formam ordi-
nacionis et statuti domini Regis inde factorum, et ad
reddendum veredictum suum inde hic coram nobis die
Sabbati proximo sequente sub periculo quod etc. Et
Cristina atte Walle et omnes alii finem faciunt cum
domo Rege pro excessubus predictis.

Pleigii de fine continentur in extractis et fines eorum
intitulantur supra etc.

Placita coram prefatis iusticiariis apud Hereford' die
Sabbati proximo post festum Sancte Lucie Virginis
anno supradicto.

(Meanwhile there had been more presentments of
"seruientes et operarii" for receipt of excess wages.)

Ideo preceptum est vicecomiti quod venire faciat
omnes prenominatos seruientes et operarios hic coram
nobis die Veneris proximo post festum Sancti Hillarii
ad respondendum domino Regi de exitubus predictis.
Ad quem diem Veneris vicecomes respondet per Wal-
terum de Ayleston ballium libertatis ville Hereford'
quod Henricus le Hope (etc.) nichil habent per quod

1 Twenty-five others.
possint attacniari. Ideo preceptum est vicecomiti quod capiat predictos Henricum, Isabellam et omnes alios si etc., et eos saluo etc. ita quod habeat corpora eorum hic coram nobis die Sabbati proxime sequente ad respondentum domino Regi de placito predicto. Et de alius respondet quod attachiati sunt etc. Et . . . . veniunt. Et allocuti qualiter se acquietabunt de excessibus etc. dicunt quod non sunt inde culpabiles. Et ponunt se super patriam. Ideo preceptum est vicecomiti quod venire faciat hic coram nobis ad diem Sabbati in crastino xii liberos et legales homines de ciuitate Hereford' qui nec predictos etc. ad faciendum recognicionem illam. Et idem dies datus est partibus predictis. Ad quem diem Sabbati predicti seruientes et operarii veniunt et iurati remanent in defectu Ricardi de Aileston (vi d.), Iohannis le Tannere (vi d.), Thome Loue (vi d.), Iohannis de Brugge (vi d.), Thome Salesbury (vi d.) et Henrici Clere (vi d.). Ideo ipsi et manucaptores eorum in misericordia. Et preceptum est vicecomiti quod distringat predictos Ricardum, Iohannem etc. iuratos per omnes terras etc. Ita quod etc. et quod de exitibus etc. Et quod habeat corpora eorum hic coram nobis die Lune proxima post festum Sancti Mathie apostoli ad faciendum recognicionem illam. Et vicecomes apponit sex tales ne etc. Et predictus Philippus Heen et omnes alii veniunt. Et idem dies Martis datus est eis ad audiendum veredictum suum. Et interim Willelmus le Hostilere et Alicia vxor eius etc. qui se posuerunt in inquisicionem illam veniunt et ponunt se in gracion domini Regis etc. Plegii de finibus. . . .

Adhuc placta coram prefatis iusticiariis apud Hereford' die Martis proximo post festum Sancti Mathie apostoli, anno supra dicto. Philippus Heen et Matillis vxor eius etc. . . . qui se posuerunt in inquisicionem modo veniunt et iuratores electi et triati veniunt et dicunt quod omnes predicti sunt culpabiles de excessibus predictis. Et omnes pre-

1 Supra, p. 176*.
2 See supra, p. 178*.
3 Eleven others; see ibid.
4 Seven pledges named.
5 Twenty-six others; see supra, p. 178*.
dicti veniunt et petunt se admissi ad finem faciendum pro excessibus illis. Et admissi sunt per plegium . . . vt plenius patet in extractis.

Henricus le Hopere . . . in exigendo positi, vt patet supra, modo veniunt et reddunt se iusticie. Et petunt se admissi in graciae domini Regis pro excessibus predictis. Et admissi sunt in graciae per plegium . . . et aliorum quorum nomina plenius continentur in extractis.

Adhuc placita coram prefatis iusticiariis apud Hereford', die Veneris in septimana Trinitatis, anno supra didiecto.

Preceptum fuit vicecomiti quod exigere faceret Henricum le Hopere . . . de comitatu in comitatum etc. quousque si non etc. Et si comparuerint etc. tunc eos caperet. Et modo vicecomes respondet quod omnes predictos exigi fecit de comitatu in comitatum etc., videlicet ad comitatum tentum in castro Herefordie die Sabbati proximo post festum Sancti Vincencii anno . . . xxix primo exacti fuerunt et non comparuerunt; ad comitatum tentum in eodem castro Herefordie die Sabbati proximo post festum Sancti Valentini anno . . . xxx, secundo exacti fuerunt. Et Henricus le Hopere . . . comparuerunt et tulerunt sibi mandatum predictorum iusticiariorum de supersedendo. Et ideo nichil ulterius de eis actum fuit. Processus quorum patet supra. Et respondet quod omnes aliis non comparuerunt ad comitatum tentum in eodem castro die Sabbati proxima post festum Sancti Gregorii Pape anno xxx; [ideo] tercio exacti fuerunt, et non comparuerunt ad comitatum tentum in eodem castro die Sabbati in septimana Passionis Domini anno supra didiecto; [ideo] quarto exacti fuerunt. Et Johanne de

1 Seven pledges.  
2 Fourteen others; see supra, pp. 177*-178*.
3 Nine pledges.  
4 Twenty-five others; see supra, pp. 177*-178*.
5 Fourteen others; see note 2.
(xii d.), Iohannes Keysham (vi d.), Iohannes Colebrugge (ii s.), Iohannes le Beest (ii s.), Walterus le Taillour (ii s.), Walterus Blanchard, Iohannes Blisse, Hugo Symondes (xii d.), Willelmus le Longe (xii d.), messores, seruientes et operarii de eadem villata.

Item presentant quod Iohanna Sterre (xii d.), Marcus Prat (xii d.), Iohanna Goche (xii d.), Alicia in le More (x d.), Alicia, vxor Iohannis le Holdere (vi d.), textrices et filatrices de villata de Maurdyne, Stephanus le Webbe (vi d.), Walterus le Smyth (xviii d.), Ricardus Hoseye (vi d.), Dauid, seruiens Willelmi le Walkare (xii d.), fullonarii; Walterus in le Lone (vi d.), Willelmus Love (xii d.), Ricardus Dygon, Rogerus Meysey (xii d.), Walterus le Longe (xii d.), cissores; Rogerus le Webbe (xii d.), Iohannes le Walshknaue (xl d.), Thomas Pouke (xl d.), carnifices; Iohanna in le More (xii d.), et Alicia Loue (xii d.), seruientes, plus ceperunt pro artificiis et serviciis suis etc.

Item presentant quod Rogerus le Webbe, Ricardus Chede, textores; Walterus de Nasshe, Walterus, seruientem Roberti Knyth, Iohannes le Walsch et Willelmus Walford, seruientes et operarii de villata de Sutton, Agnetem Thorald, Alicia de Stone, Isabella, vxor Roberti le Dryuer (xii d.), et Margeriam Gladewyn, messores de eaclem villata, plus ceperunt pro serviciis et artificiis contra ordinacionem etc. quam solebant annis ante pestilen-ciam etc. Et omnes predicti seruientes et artifices de villatis de Bodenham et Maurdyne gratis veniunt et faciunt finem, plegii de fine Hugo Hayward . . . et plures alii sunt quorum nomina patent in extractis.

Ad quem diem Lune proximum post festum Sancti Egidii, Iohannes Blys (vi d.), Walterus Blanchard (ii s.), Ricardum Dygun et omnes alii seruientes et operarii de villata de Sutton attachiati sunt preter Margeriam Gladewyn et de ipsa vicecomes respondet quod nihil habet per quod potest attachari: ideo preceptum est vicecomiti quod nihilo habet per quod potest attachari: ideo preceptum est vicecomiti quod capiat prefatam Margeriam si etc. et ipsam salvo etc. Ita quod habebat corpus eius coram nobis hic ad diem Martis sequentem ad respondendum domino Regi de excessubus predictis. Et omnes alii veniunt et ponunt se in graciam domini Regis, preter Ricardum Dygun et Walterum de Nasshe qui veniunt et allocuti qualiter se acquietabunt de transgressionibus et excessubus vnde indictati sunt, dicunt quod in nullo sunt culpabiles et de hoc ponunt se super patriam. Ideo preceptum est vicecomiti quod venire faciat hic coram nobis ad diem Martis proxime sequentem xii liberos et legales homines de visneto de Maurdyne et Sutton qui nec etc. ad faciendum iuratam illam. Et predicti Iohannes Blys et alii qui se posuerunt veniunt et faciunt finem per plegium Iohannis Lene. . . .

Ad quem diem Martis, predicti Margeriam Gladewyn (xii d.), Ricardum Dygun (xii d.), et Walterum de Nasshe (xii d.) veniunt et petunt se admitti ad finem

1 Five others named.
APPENDIX

faciendum cum domino Rege. Et admissi sunt, plegii de fine Philippus le Bailiff, Ricardus Tudeneye et Wal-terus, filius Willelmi de Stōke.

m. 4 d. Placita coram prefatis iusticiariis apud Hereford', die Sabbati in septimana Pasche, anno xxxmO.

(The sheriff had been ordered to exact John de la Chirch, Isabel Wynne, Robert le Tyler, Peter le Smyth and Philip le Walsh in the county court. They appeared at the county court held at Hereford Castle on Saturday before Christmas, 20th year (first time ex-acted) and surrendered themselves to prison. They plead not guilty and ask for a jury:)

Set postea idem seruientes et operarii per sacramenta sua astricti excessus suos sponte recognoscunt.

m. 5 d. Adhuc placita coram prefatis iusticiariis apud Alma-lie die Mercurii proximo post festum Sancti Marci evangile anno . . . . xxxmO.

(A long list of delinquents indicted for excess wages had asked for a jury:)

Et postea idem seruientes et operarii per examinationem iusticiariorum per eorum recognicionem de excessibus predictis sunt conviicti et prisoine domini Regis mancipati; postmodum faciunt finem pro excessibus predictis per plegium etc.

(m. 6 and m. 6 d contain presentments and processes similar to those already given. . . . . )

m. 7. Et quia compertum est Johannem le Taylor, Hen-ricum le Taylor, et Johannem Hichemones iuxta eorum recognicionem propriae alias fuisse convictus de huius-modi excessus coram R. Talbot et socii suis etc.,

1 Now Almeley; on this occasion eighteen jurors had been summoned.

2 MS. has “quod” after “est.”

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DOCUMENTS, LISTS AND TABLES

ideo consideratum est quod habeant prisonam quadranieta dierum et communiantur vicecomiti custodiendi.

m. 8. Placita apud Hereford’ die Sabbati proximo post festum Annunciacionis beate Marie, anno xxx.

Ricardus le Murie (vi d.) querens optulit se in placito convencionis contra statutum versus Iohannem nuper seruientem Rogeri le Cat, plegius de pros-equendo Willelmus Esegar.

Et predictus Iohannes venit et queres non est pro-se-cutus. Ideo ipse et plegii sui de prossequendo in misericordia.

Stephanus, nuper seruiens Dauid ap Ieunan, attachia-tus est ad respondendum predicto Dauid de placito convencionis contra statutum vnde idem Dauid quer-itur et dicit quod predictus Stephanus conuenit cum predicto Dauid die Lune proximo post festum Natalis Domini anno xxix apud Scholle quod sibi deserueret a festo Annunciacionis tunc sequente vsque festum Sancti Michaelis proxime sequens in officio tentoris capiendo salarium iuxta formam statuti etc. Et inde producit sectam.

Et predictus Stephanus venit et defendit vim inuiaram et damnum, et dicit quod nullum fecit convencionem cum predicto Dauid sicut idem supponit etc. et paratus est hoc verificare etc.

Ideo preceptum est vicecomiti quod venire faciat coram nobis hic ad diem Sabbati proxime sequentem xii liberos et legales homines de visneto de Scholle qui nec etc. ad faciendum iuratam illam.

Willelmus le Shipward querens optulit se per plegium Iohannis Dasely versus Iohannem Westwales de pla-cito convencionis etc. vnde queritur et dicit quod predictus Iohannes conuenit cum predicto Willelmo die Lune proximo post festum Sancti Fabiani apud By-ford quod sibi deserueret a festo Annunciacionis beate
Marie anno xxx° vsque festum Sancti Michaelis proxime sequens in officio fugatoris capiendo etc. [et] idem Iohannes a seruicio ipsius Willelmi se elongauit, vnde Willelmus deterioratus est et dampnum [habet] ad valenciam dimidie marce. Et predictus Iohannes venit et conuencionem non dedicit. Ideo consideratum est quod predictus Willelmus [habet] dampna sua que taxantur per iusticiarios ad ii s. vi d. et predictus Iohannes (vi d.) in misericordia, plegius Iohannes de Kynarde.

m. 8 d. Placita apud Hereford, coram prefatis iusticiariis die Sabbati proximo ante festum Sancti Georgii, anno supradicto.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem xii liberos et legales homines de visneto de Scholle qui nec Dauid ap Ieunan nec Stephanum nuper seruientem suum aliqua affinitate attingant, ad recognoscendum super sacramentum sui si idem Stephanus conuenit cum predicto Dauid ad sibi deserviendum etc., vt patet supra vel non etc. Et modo vicecomes respondet quod mandatum hoc est executum, et partes et iurati veniunt qui dicunt quod predictus Stephanus nullam fecit conuencionem etc. Ideo consideratum est quod predictus Dauid (iii d.) sit in misericordia et predictus Stephanus eat sine die.

DATES AND PLACES OF SESSIONS.

Dates marked ‡ are those ascertained by the words “ad quem diem, etc.,” but where the roll has no heading; dates in brackets are those on which the sheriff is to have the accused but which are not followed by “ad quem diem.”

‡ MS. torn.

m. 1. Hereford. 29th year. Monday after Nativity of Blessed Mary (8 Sept.).

m. 1 d. “ Tuesday ditto.

‡ “ 30th year. Monday after Purification (2 Feb.).]

m. 2. ‡ “ Friday after St. Lucy (13 Dec.).

‡ “ Saturday ditto.

‡ “ Friday after St. Hilary (13 Jan.).

‡ “ Saturday ditto.

m. 2 d. “ Monday after St. Mathias (24 Feb.).

“ Tuesday ditto.

‡ Norton. 29th year. Friday in week of Holy Trinity.

‡ Foxeleye. Thursday after All Saints’ (1 Nov.).

‡ Bourghull. Tuesday after St. Martin (11 Nov.).

‡ Hereford. Wednesday ditto.

‡ Kyngestone. 30th year. Saturday after St. Hilary (13 Jan.).

‡ “ Monday after Nativity St. John the Baptist (24 June).

‡ “ Tuesday ditto.

[Hereford. Friday after St. Lawrence (10 Aug.).]

m. 3 d. [Kyngestone. Saturday after St. Clement, Pope (23 Nov.).]

Bodenham. Saturday after St. Bartholomew (24 Aug.).

‡ Sutton. Monday after St. Giles (1 Sept.).

‡ “ Tuesday ditto.
APPENDIX

<table>
<thead>
<tr>
<th>Week</th>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>m. 4</td>
<td>29th</td>
<td>Monday after St. Michael (29 Sept.)</td>
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<td></td>
<td></td>
<td>Tuesday ditto.</td>
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<tr>
<td>m. 4 d</td>
<td>30th</td>
<td>Saturday in Easter week.</td>
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<td></td>
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<td>Monday after close of Easter.</td>
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<td></td>
<td></td>
<td>Tuesday ditto.</td>
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<tr>
<td>m. 5</td>
<td>29th</td>
<td>Thursday before St. Michael (29 Sept.).</td>
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<tr>
<td>m. 5 d</td>
<td>30th</td>
<td>Monday after St. Luke (18 Oct.).</td>
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<td></td>
<td></td>
<td>Wednesday after St. Mark (25 April).</td>
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<td></td>
<td></td>
<td>Thursday ditto.</td>
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<tr>
<td>m. 6</td>
<td>29th</td>
<td>Tuesday after St. Vincent (22 Jan.).</td>
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<tr>
<td></td>
<td>30th</td>
<td>Saturday after Annunciation (25 March).</td>
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<tr>
<td></td>
<td></td>
<td>Saturday after Whitsunday.</td>
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<tr>
<td>m. 6 d</td>
<td>Frome</td>
<td>Morrow of St. Agatha (5 Feb.).</td>
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<td></td>
<td>Canon</td>
<td>Wednesday after St. David (1 March).</td>
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<td></td>
<td></td>
<td>Tuesday after St. Gregory (12 March).</td>
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<td></td>
<td></td>
<td>Saturday after Annunciation (25 March).</td>
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<td></td>
<td></td>
<td>Saturday in Trinity week.</td>
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<tr>
<td>m. 7</td>
<td>29th</td>
<td>Morrow of All Saints (1 Nov.).</td>
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<tr>
<td></td>
<td>30th</td>
<td>Thursday after St. Valentine (14 Feb.).</td>
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<tr>
<td></td>
<td></td>
<td>Saturday after Whitsunday.</td>
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<tr>
<td></td>
<td></td>
<td>Bishop’s Upton. Monday after St. Swithin (2 July).</td>
</tr>
<tr>
<td>m. 7 d</td>
<td>31st</td>
<td>Saturday after Conversion of St. Paul (25 Jan.).</td>
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<tr>
<td></td>
<td></td>
<td>Landmabon. Friday ditto.</td>
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<td></td>
<td></td>
<td>Hereford. Saturday ditto.</td>
</tr>
<tr>
<td>m. 8</td>
<td>30th</td>
<td>Saturday after Annunciation (25 March).</td>
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<tr>
<td></td>
<td></td>
<td>Saturday before St. George (23 April).</td>
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<td></td>
<td></td>
<td>Saturday after St. Michael (29 Sept.).</td>
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<td>Monday ditto.</td>
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IX. Assize Roll, Hereford, 313. 30-33 Edw. III. 6 membranes.

Placita (de Operariis, etc.) coram eisdem.

The following enrollment explains the survival of this roll; Mem. L. T. R., 34, Hill., Communia, Presentaciones, etc., rot. 2 d.

Hereford

Willelmus de Frome unus iusticiarius operariorum ponit loco suo Ricardum de Frome ad liberandum ad scaccarium extractas finium, exituum, excessuum et amerciamenorum coram
APPENDIX

eodem Willelmo et sociis suis iusticiariis adiudicatorem de annis xxxii et xxxiii, necnon recorda et processus inde, per Willelum de Peck de licencia baronum.

This roll is, for the most part, legible only in a small portion of the middle of each membrane. Since I have quoted at length from the preceding Hereford roll, I give very little of this.

The first membrane contains a copy of the letter patent of 5 Feb., 1357, appointing Frome, Oldecastel and Monyton justices of labourers and of weights and measures. See "List of justices," app., B, 3.

m. 6. Placita apud Leomynistre coram prefatis iusticiariis die Lune proximo post festum Sancti Georgii, anno xxxij.

Preceptum fuit vicecomiti quod venire faceret coram nobis hic ad hunc diem de Leomynistre ad audiendum et faciendum quod ex parte domini Regis faciat omnes prenominatos seruientes et artifices coram domini Regis per plegium Iohannis Broun, Roberti Body, Iohannis de la —— de Ederey.

DATES AND PLACES OF SESSIONS.

Thirty years during the regnal years 31, 32 and 33; none deciphered for 30th year.1

1 In spite of the heading in List of Plea Rolls.
faded to read. I give only those that do not occur in the preceding roll: Malmushull (m. 1), Staundon (m. 1 d.), Bredenhull (m. 1 d.), Maddeleye (m. 1 d.), Petrischirche (m. 2), Wormelowe (m. 2 d.), Obeton (m. 3 d.), Leominster (ms. 6, 6 d.).

‡ X. Ancient Indictments, Lancaster, 54. 24 Edw. III.

The roll contains proceedings held during the summer of 1350 before de Lathum, Basset and their companions. On 20 Oct. of this year they and ten others were appointed to inquire into the violence of malefactors and to enforce the ordinance of labourers; see “List of justices,” app., B, 3. There is, therefore, a slight discrepancy as to dates, which I have been unable to explain.

m. 2. Presentatum est per inquisitores ville Lancastri’ quod Agnes que fuit vxor Iohannis, filii Elie de Chorlegh, conduxit Emmam, filiam Ade le Wright de Chorlegh essendi in servitio suo de festo Sancti Iohannis Baptiste anno regni Regis Edwardi tercii a conquestu vicesimo quarto vsque ad festum Natalis Domini tunc proxime sequens, et dicta Emma in servitio suo intrare noluit set omnino contradixit contra formam statuti.

m. 11. Inquisicio de Preston capta apud Lancastri’ coram Thoma de Lathum et sociis suis iusticiariis domini Regis in comitatu Lancastri’ die Martis proximo post festum Assumpti’ beate Marie Virginis, anno regni Regis Edwardi tercii post conquestum xxiii° per sacramentum

Item dicunt quod Robertus Alcockesknaue, le Marschall, manens in Eccliston non vult locari nemini 1 nisi habeat superficiam mercedem, et quod ipse fregit convencionem quem fecerit cum Cecilia que fuit vxor Alcock le Marshal.

(Indorsment.)

1 MS. nemo, nisi si.

Inquisicio de Preston liberata 1 apud Lancastri’ die Mercurii proximo post festum Assumpti’ beate Marie anno xxiii° et habent diem predictam.

m. 14. Inquisicio de Salfordhs’ capta apud Lancastri’ die Mercurii proximo post festum Sancti Laurencii anno xxiii° coram Willelmo Basset et sociis per sacramentum . . . .

qui dicunt quod Willelms Tunson Kemmeson cepit vi s. et vnam tunicam cum capucio contra formam statuti per dimidium annum.

Iohannes, filius Thome Doggeson, ii s. contra statutum per dimidium annum.

Et Ricardus de Trafford quia dedit predictis operariis salarium contra statutum. . . . . .

Item dicunt quod Henricus le Lister, Henricus, filius Galfridi del Brigg, carnifices, lucrati fuerunt utra assisam in boue vno xviii d.

Item dicunt quod Iohanna, filia Ricardi Hameson, cepit per dimidium annum ii vi d. maius quam capere solet et Hik de Lymme, Henricus, filius Bobelyn, suores, capiunt pro quolibet pari solutarum utra id quod capere solet per ii d. vnde lucrati fuerunt per annum utra antiquum lucrum xx s.

Item dicunt quod Henricus le Lister, Henricus, filius Galfridi del Brigg, carnifices, lucrati fuerunt utra assisam in boue vno xviii d.

Item dicunt quod Ricardus de Wyndhull soluit operariis plus solito vno homini per diem i d. . . . . .
Item dicunt quod Roger le Yhong, walker et sheremon, et Ricardus, filius Hugonis, walker et sheremon, capiunt pro cissure vnius virge tele plus solito per obolum et Adam le Walker de Bury, walker et sheremon, capit eodem modo predicto etc.

m. 23. Inquisicio de Wygan capta die Louis apud Wygan, in festo Sancti Oswaldis Regis coram domino Thoma de Latham et sociis suis.

Item dicunt quod Adam le Lystersone de Wygan, Willlemus, filius Iohannis le Lyster, capellanus, Willelmus de de Wygan, Thurstanus, filius Rogeri le Baxter, sunt per noctem vagantes et vacabundi et nolunt operare.

m. 29. Derb'

Iurati dicunt quod Iohannes Toppynk cepit de Ricardo de Litherlond vii S. a festo Sancti Iohannis Baptiste vsque Natale Domini contra formam statuti.

Item dicunt quod Ricardus Wafte recusat se conduci vbi oblatus fuit per Ricardum le Waley s pro iii s. et se abstraxit in partibus Cestrensibus quia noluit conduci nisi per dietas contra formam statuti.

Item dicunt quod Iohannes Schad, Willelmus Cottok, Adam del Wodis (cognouerunt; in prisona), oblatis per seruientem domini Thome de Latham quemlibet eorum iii solidis et recusant capere contra formam statuti.

Item dicunt quod Willelmus le Dauber (prisona) cepit de diuersis hominibus pro labore suo iii d. et victum suum per diem vbi magis non solebat capere nisi vnum denarium et victum per diem.

Item dicunt quod Symon Clobbe de Derby recusat se conduci nisi per diem et hoc per iii d. cum victu per diem et hoc cepit de Willelmo, filio Ade de Litherpoll.

Item dicunt quod Thomas Colle de Derby cepit de diversis magistris iii d. pro opere suo cum victu per diem contra formam statuti.

Item dicunt quod Willelmus le Bakester, Henricus del Bakhous (prisona), Henricus Staines, Willelmus, filius Alani de Schirwalactris; vendunt carnes et pisces contra formam statuti.

† XI. Assize Roll, Lincoln, 524. 26-27 Edw. III. 3 membranes.

Placita Coronae coram eisdem (i. e. Willelmo de Skypwyth et sociis suis).

Praesentationes et Indictamenta.

It is not easy to determine the nature of this roll; but it is my belief that proceedings before justices of labourers were recorded on membranes that also contained proceedings before justices of oyer and terminer and before the keepers of the peace, the confusion being the result of the fact that the same men, William de Skipwith and William de Stayn, had been appointed in these three separate capacities within the district of Lindsey. On 26 Oct., 1353, they were appointed justices of labourers (see "List of justices," app., B, 3), and on 15 Dec. of the same year, keepers of the peace. Pat. 27, pt. 2, m. 26 d.

m. i d. contains a copy of the king's writ to Skipwith as justice of oyer and terminer in Lindsey, bidding him deliver his records into chancery; dated 7 Nov., 28 Edw. III.

m. i d. Placita corone apud Lincoln' coram prefatis Willelmo de Skipwith et sociis suis iusticiariis etc., die Lune proximo post festum Sancti Michaelis, anno regni . . . . xxvii. . . .

1 In my article I did not venture to include this roll, and as a matter of fact it is not safe to make dogmatic statements about the nature either of this roll or of that for Essex, no. vii.
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m. 2. Item presentant quod quidam Iohannes Skit fuit in seruicio domini Iohannis Dargentene carucarius tempore estinali vltre preterito et quidam Rogerus S wynflete custos manerii abbatis de Seleby apud Stalyngburgh conduxit predictum Iohannem Skit extra seruicium suum tempore iemali nunc pro sex solidis et propter frumentum purum et tantam terram quantum posset seminare cum duobus busellis London' frumenti pro vna vestura et eciam vnam acram pisarum seminatam pro vna vestura, et propter tam magnum lucrum recessit de seruicio dicti domini Iohannis ad festum Sancti Martinii ultime preteritum. Et postmodum predictus Iohannes Skit dubitauit indictari coram iusticiariis, ita quod non fuit ausus morari sed recessit in extraneis partibus et sic predictus dominus Iohannes amisit seruicium predicti seruientis per defectum et maliciam predicti Rogeri et contra statutum domini Regis.

Item presentant quod Willelmus de Caburn de Lymbergh, carucarius, non vult seruire nisi per dietas et ad mensem et non vult comedere carnes salias set recentes et propter hoc recessit de villa quia nemo audebat eum conducere tali modo et contra statutum domini Regis.

m. 3. Presentaciones facte apud Ludam coram Willelmo de Skypwith et Willelmo de Stayn iusticiariis domini Regis etc. die Sabbati proximo post festum Epiphanie Domini anno regni . . vicesimo septimo.

xii iurati hundredi de Louthesk presentant quod Simon de Steping de Luda, textor, operatur contra statutum, videlicet, vbi solebat capere pro tribus vlnis i d. nunc capit pro qualibet vlna i d. Item idem Simon recusat ire ad carucam et ad alia opera excercendae in quibus solebat operari pro maiore stipendio habendo et excessuio. Item presentant quod Alexander Tasker de Luda est communis triturator et laborator et capit quolibet die in excessu i d. ob.

Item presentant quod Iohannes Gentill de Burwell et Ricardus, filius Ade Panyarman de Somercotes, die Sabbathi proximo ante festum Epiphanie Domini anno regni domini Regis nunc Anglie vicesimo septimo apud Ludam vi et armis in Henricum Clere, capellanum et Thomam filium Galfridi West de Walesby insultum fecerunt et ipsum Thomam verberauerunt, whnerauerunt et male tractauerunt contra pacem domini Regis. Per quod preceptum est vicecomiti quod venire faciat eos etc.

‡ XII. Assize Roll, Rutland, 731. 25-27 Edw. III. 10 membranes.

Placita coram Galfrido de la Mare et sociis suis.

Fines et Americiamenta.

Praesentationes et Indictamenta.

An earlier list of Assize Rolls gives the following heading: Rutland. Rotulus presentationum de excessis, etc. contra Statutum de Laboratoribus, temp. Edw. III.1

On 15 March, 1351, de la Mare and five others were appointed on a joint commission of the peace and for labourers. See "List of commissions" and "List of Justices," app., B, 2 and 3.

m. 1. Coram Galfrido de la Mare et sociis suis iusticiariis domini Regis in comitatu Rotel' ad statuta Northamptoniae et Wintonie necnon ad statutum artificum et laboratorum et conservandi pacis conservanda 2 apud Keton die dominica proxima post festum Decollacionis Sancti Iohannis Baptiste anno regni Regis Edwardi tercii post conquestum xxv.

1 Cf. app., 142, note 4.
2 Perhaps a more accurate rendering than that given in my article, in E. H. R., 532; the manuscript is badly faded.
APPENDIX

m. 2. Coram Galfrico de la Mare et sociis suis, die Martis in festo Sancti Nicolai apud Vppingham, anno regni . . . vicesimo quinto.

Vppingham.

Constabularius presentat [quod] Thomas Smyt (ii s.) cepit contra statutum, videlicet, pro pecia ferri vi d. et pro vno punctu 1 i d. et fecit finem.

m. 6. Coram G. de la Mare et sociis suis iusticiariis domini Regis apud Okham die Iouis proxima post festum Sancti Michaelis anno regni . . . vicesimo septimo.

Elizabeth, filia Henrici Screffington, . . . 2 attachate fuerunt ad respondendum domino Regi ad hunc diem quare in prima septimana autupni exiebant villa de Northlufnam in qua maneant et ibant apud Berendon et ibi serviebant domodo oblatum fuit eis competens servicium in villa de Northlufnam supra dicta, et omnes preter Amiciam, vxorem Henrici Tiler, veniunt et dicunt quod non sunt culpabiles. Ideo preceptum est balliuo quod venire faceret xii contra etc. incurrere etc., et predicta Amicia non venit; ideo preceptum capere eam.

m. 6 d. Coram G. de la Mare et sociis sui iusticiarii domini Regis apud Okham die Lune in festo Sancte Katerine anno regni . . . vicesimo septimo.

(Twenty-four women and one man are indicted for selling beer contrary to the statute): braciatores veniunt et allocuti sunt per iusticiarios quia vendunt servici um contra statutum; et Emma et alie dicunt quod non sunt culpabiles et hoc parate sunt verificare per patriam, et postea compertum est quod non sunt culpabiles et iurate sunt quod amodo consequent statutum.

m. 7. (A copy of the letter patent referred to above.)

Pretextu cuius breuis preceptum fuit vicecomiti quod venire faceret coram prefatis iusticiariis etc. apud Okham die Mercurii proximo post festum Corporis Christi anno regni Regis Edwardi tercii post conquestum xxm quinto de quolibet hundredo comitatus sui tam infra libertates quam extra viginti quatuor nam milites quam alias liberos et legales homines etc. ad inquirendum super sacramentum suum in premisis etc., et vicecomes faciet in die executionem ut patet in sequenti etc. Rotel'.

Presentaciones et indictamenta facta coram prefatis iusticiariis apud 1 ———— die et anno supradictis. xii iurati hundredi de Martinesle presentant quod Thomas Writh cepit in excessu x d., per plegium Walteri, filii Roberti et Henrici Gregorii.

Item presentant quod Adam Skot, falcator, fecit finem [cum] domino Regi pro excessu vi d., per plegium Walteri, filii Roberti et Henrici Gregorii. Et per plegium predictorum in excessu versus Robertum de Helwelle de excessibus ab eo captis.

Item presentant quod Petrus Boneface . . . 2 sunt rebelles et nimis exessiue capiunt tam per dies quam per septimanas, et postquam iurati fuerunt ad seruendum in villa predicta, exierunt in alias villas et noluerunt laborare in villa predicta nisi possent excedere formam statuti.

1 A blank space on the roll; it is more than probable that the place and date are those named in the order to the sheriff.

2 Five others.

1 MS. pæco; punctu is merely a guess.

2Five other women.
m. 7 d. Presentaciones et indictamenta facta apud Ouerton in festo apostolorum Petri et Pauli anno . . . vicesimo quinto coram prefatis Galfrido et socii sui.

Rotel'

xii iurati presentant quod Rogerus Hood cepit pro stipendio in excessu ii s. ii d. excedentes ordinacionem et provisionem prefatas etc. et de dictis denariis solvendi inuenit plegium consimilem.

Item diceunt quod Symon, balliuus domini, ibidem questus fuit de Iohanne Garde quod ipse cepit stipendium excessuum ab eo; per cognitionem ipsius Iohannis inuentum est quod cepit in stipendio excessuuo pro tempore iemali xii d. contra ordinacionem etc.

Item presentant quod Thomas Chapman cepit in excessu in opere autumni xvii d. de Roberto Seusex et hoc inuentum est ad sectam eiusdem Roberti. Ideo liberatus eadem.

m. 8. Assessio coram G. de la Mare et sociis suis apud Okham die Lune proxima post festum apostolorum Petri et Pauli, anno regni . . . vicesimo septimo.

Ordinatum est per iusticiarios quod nullus carectarius seruiens capiet plus quam octo solidos per annum integrum et hoc sub pena imprisonamenti.

Memorandum.

Incumere et dictis dictis supradictis et aliorum domorum inveniti.

Finis iii d. Excessus xii d.

Ricardus Skymer de Wisundeyn, carectarius, cepit de Roberto Elwelle xii d. in excessu et manucautor eius de excessu et fine Johannes Schowne.

Finis vi d. Excessus xii d. Robertus Geke de Wisyndeyn indictatus est quia ipsum capitant per diem ii d. et prandium, et non vult esse in servicio aliuuis et venit in presenciam iusticiarium et ideo adjudicatus in prisonam et postea venit et fecit et manucautor eius Willelmus Witede.

Finis iii d. Excessus xii d. Robertus Palmer de Aswelle dedit in excessu Willelmo de Enderby xii d. in excessu, et manucautor eius de excessu et fine, Thomas Palmer.

Finis vi d. Excessus xii d. Constabarius, Henricus de Branston, presentat quod Rogerus Bailly vendidit serviciam contra placita statutum bis, videlicet, lagenam pro i d. et obolo, et predictus Rogerus dicit quod non vendidit lagenam nisi pro i d. et hoc paratus est verificare per patriam; et ideo preceptum est ballium quod venire faciat xii.

Finis iii d. Excessus xii d. Constabarius de Grecham presentat quod attahiat omnes laboratores et seruientes et non veniunt; ideo preceptum est constabulario quod attahiat eos.


m. 9. Coram G. de la Mare et sociis suis apud Northluf die Martis proximo post festum Sancti Mathei anno supra. 1

1 Probably the same year as the next entry.
Caldecote.
Constabularius presentat quod omnes laborarii et artifices capiunt secundum statutum et iurati sunt.

Bissebrok.
Omnes laborarii et artifices examinati sunt et bene.

Coram G. de la Mare et sociis suis apud Hamylndon, die Mercurii proximo post festum Sancti Mathei annio vicesimo sexto.

Kilpsam.
Inuentum est per recognicionem Mariorie Virgin quod ipsa cepit excessive vi d., manucaptor de fine iii d. et excessu Ricardus Miln.

Pikworth.
Inventum est quod Iohannes atte Kirche dedit Mariorie Foliamyn a festo Pasche vsque ad festum michaelis v. et sic in excessu xviii d., manucaptor de excessu et fine (iii d.) Iohannes predictus.¹

m. 9 d. Coram G. de la Mare et sociis suis apud Okham die Martis proxima post festum Epiphanie annio vicesimo sexto.

Lidington.
Constabularii presentant quod non sunt laborarii nec artifices qui capiunt ultra statutum.

DATES AND PLACES OF SESSIONS.
m. 1. Keton. 25th year. Sunday after the Beheading of St. John Baptist (29 Aug.).

Ocham.²

m. 2. Uppingham. Tuesday, St. Nicholas (6 Dec.).

Northluffnam. Saturday after Conception of Blessed Virgin Mary (8 Dec.).

m. 3 d. Tinewell. Thursday ditto.

m. 4. Exton. torn. Monday after St. Thomas (21 Dec.).

m. 5. Ocham. 25th year. Wednesday after Corpus Christi.

m. 6. " 27th year. Thursday after St. Michael (29 Sept.).

m. 6 d. "

m. 7. blank. no date.¹

m. 7 d. Overton. 25th year. Feasi of St. Peter and Paul (29 June).

m. 8. Okham. 27th year. Monday after St. Peter and Paul (29 June).

m. 8 d. Northluffnam. Saturday, St. Margaret (20 July).

m. 9. " 26th year.³

Hamyldon.

m. 9 d. Okham. Tuesday after St. Matthew (21 Sept.).

Assewell.

m. 10. illegible. 27th year. Wednesday ditto.

m. 10 d. Ockham. 27th year. Tuesday after Epiphany (6 Jan.).

Bradtoft.

m. 11. blank. no date.¹

m. 12. Blank. no date.¹

m. 13. Blank. no date.¹

m. 14. Blank. no date.¹

m. 15. Blank. no date.¹

m. 16. Blank. no date.¹

¹ It is not clear who this "Iohannes" is.
² Spelt in the roll with either "c" or "k;" now Oakham.
³ See app., 199, note 1.
⁴ See app., 201, note 1.
APPENDIX

XIII. Assize Roll, Somerset, 773. 32-33 Edw. III. 12 membranes.

Indictamenta et processus tangentia operarios, artifices, et servientes.


Somerset'

Preceptum est vicecomiti quod distingat Edmundum de Clyveden, Walterum de Rodeneye et Thomam Fitz James iusticiarios ad ordinaciones et statuta de operariis et artificibus ac servientibus necnon de ponderibus et mensuris in comitatu Somersetei custodienda assignatos per terras etc., ita etc., in xv° Sancti Hillarii ad librandum ibidem omnes extractas finium, excessuum, exituuln et amercialnentorum coram eisdem iusticiariis ad iudicatium in sessionibus suis iusticiarie predicte vt execucio fiat pro commodo Regis ad leuandum fines, exitus et amerciamenta prout decet.

Teste vt supra [Teste G. de Wilforde quarto die Decembris] per warrantum predictum.

Extracte de quibus supra fit mencio liberantur hic xxviii die Ianuarii hoc anno et sunt in custodia clerici extractarum hic in scaccario. Ideo dictum breue emanatum reuocetur et cesse.

A long list of similar writs to the sheriffs of other counties follows. In the case of this roll the penalties and the placita were recorded on the same membranes, and therefore the latter also were sent to the exchequer.

The roll is particularly full and clear, containing numerous lists of exactly the same type as those selected for printing.

The first membrane contains a copy of the letter patent, dated 26 Jan. 1358, appointing Husee, Clyvedon, Rodeneye and Fitz James justices of labourers and of weights and measures; see "List of justices," app., B, 3.

m. I. Virtute cuius commissionis iisdem iusticiariis mandauerunt precepta sua vicecomiti comitatus predicti quod venire faceret de quolibet hundredo, burgo tam infra libertates quam extra xii liberos etc. de meliore etc. per quos rei veritas etc. ita quod sint coram nobis apud Well' die Lune in prima septimana Quadragesime anno predicti Regis Edwardi xxxii ad audiendum et faciendum etc. Quo die inquisitiones capite fuerunt de hundredis etc. qui dicunt per sacramentum suum quod etc.

Item iurati hundredi de Welwe dicunt quod Margareta Rakers, Alicia Sprakes, Editha Deye, Agnes Clerkes, Willelmus Rosesone, Alesia Taillour, Iuliana Lauynton, Iuliana, vvor Walteri atte Broke, Johannes Benet, sunt communes laborarii et quilibet eorum ceperunt excessiuvi d.

Item quod Agnes Adekynes, Elena Gould et Editha Edward, filatrices, quilibet eorum ceperunt excessiuvi d.

Item quod Hugo Masson, Radulfus Lange, Cecilia, vxor Johannis Payn, Agnes le Reue, Johannes Goudrich, Ricardus Houwes, Johannes Palton, Walterus Soutere, Johannes Simond, Editha Cornere, textrices, ceperunt quilibet eorum excessiuvi d.


(Many more indictments.)

m. I d. Super quo prefati iusticiarii mandauerunt precepta sua vicecomiti comitatus predicti quod attachiaret predictos Iohannem.1

1 A long list follows of the indicted of various hundreds including the names printed supra.
m. 2. . . . . . ita quod haberet corpora eorum coram nobis apud Somerton die Lune in tercia septimana quadragesime tunc proxime sequente etc. ad respondendum domino Regi de dueris transgressionibus contra formam statuti vnde indictati sunt etc.
Ad quem diem predictus vicecomes respondet quod predicti Ioannes Denemede, Margeria Thrabbe et omnes alii in breue nominati in omnibus hundredis predictis capti sunt et in custodia etc.
Super quo veniunt predicti Ioannes Denemede, Margeria Thrabbe et omnes alii superius nominati coram prefatis iusticiariis allocuti qualiter se vellent acqui- tari de transgressione predicta.
Et predicti Ioannes Denemede, Margeria Thrabbe et omnes alii in breue nominati de transgressione predicta cognouerunt quod inde sunt culpabiles et posu- erunt se in gracion domini Regis.
Et super hoc accepti fuerunt ad faciendum finem vt sequitur etc.

Hundredum de Welwe.
Margareta Rakers de fine per plegium Ricardi Houwes pro eadem vi d. [i. e. pro dueris transgressionibus contra formam statuti].

Finis Alicia Sprakes de fine per plegium Iohannis Moun- fort pro eadem vi d.
Finis Editha Deye de fine per plegium Iohannis Hynebest pro eadem xii d.
Finis Agnes Clerkes de fine per plegium predicti pro eadem xii d.
Finis Willelmus Rosesone de fine per plegium Iohannis Mounfort pro eadem vi d.
Finis Alesia Taillour de fine per plegium predicti pro eadem vi d.
Finis Iuliana Lauynton de fine per plegium Iohannis Hyne- best pro eadem xii d.
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Iohannes Caudron de fine per plegium Iohannis Sotton pro eadem vi d.
Finis

Iohanna Cole de fine per plegium Roberti Beauchamp pro eadem xii d.
Finis

Willelmus Lange de fine per plegium Iohannis Taillour pro eadem xii d.
Finis

Isabella, seruiens Iohannis Felauwe, de fine per plegium Roberti Beauchamp pro eadem vi d.
Finis

Editha Tracy de fine per plegium Willelmi Priwet pro eadem xl d.
Finis

Editha Cosse de fine per plegium predicti pro eadem xii d.
Finis

Editha Goky de fine per plegium Willelmi Lange pro eadem ii d.
Finis

Radulfus Cole de fine per plegium Nicholai Halberton pro eadem ii s.
Finis

Johannes Smalestret per plegium Ricardi Couk pro eadem xii d.
Finis

Agnes Fagon de fine per plegium Willelmi Prywet pro eadem xii d.
Finis

Ad sessionem tentam apud Welliam, die Lune proximo post festum Nativityatis beate Marie anno regni ... tricesimo tercio.

(Usual order to sheriff.)

Item iurati hundredi de Frome dicunt quod Robertus Bryan, Rogerus Hulleman, Iohannes Churchey, Walterus Webbe, Rogerus Lysoun, et Alicia, vxor Iohannis Corslegh, sunt textrices et alii communes laborarii et qui libet eorum ceperunt excessive contra formam statuti xii d.

m. 5 d. (Presentments are made for offences in other hundreds; then the justices order the sheriff to attach the indicted, including those named, to be at Taunton on Monday after St. Matthew; on this day the sheriff returns that they are in custody. They plead guilty and are fined.)

m. 6. Hundredum de Frome.

Robertus Brayn de fine pro eadem [i. e. pro transgressione contra statutum] per plegium Laurencii atte Welle ii s.

Rogerus Hulleman de fine pro eadem per plegium Walteri Whirligan xii d.

Iohannes Churchei de fine pro eadem per plegium predicti vi d.

Walterus Webbe de fine pro eadem per plegium Willelmi Cayner vi d.

Rogerus Lisoun de fine pro eadem per plegium Iohannis Corslegh xl d.

Alicia, vxor Iohannis Corslegh, de fine pro eadem per plegium Rogeri Lisoun xl d.

m. 8. Ad sessionem tentam apud Welliam, die Lune in prima septimana Quadragesime anno ... tricesimo tercio.

Item xii electi et iurati de hundredo de Whyston dicunt per sacramentum suum quod Editha Quintrel, Iohanna, vxor Iohannis Bal, Iohanna Longespy sunt communes filatrices et Willelmu Aleyn, Willelmus Malyn, Willelmus Girard, Iohannes Drake, Walterus Halyete, Willelmus Chynnoke, Editha Paynot, sunt communes textores, et Ricardus Chas, Willelmus Chas, Thomas Chas, Iohannes Baker, Alicia, vxor Iohannis Skot, Ricardus Lynsted, Robertus Burman, et Adam Soutere sunt carbonarii et vendunt carbones et ceperunt excessive lucrum, sic qui libet eorum cepit excessive xii d.

m. 9 d. (Sheriff ordered to attach them to appear on Monday after feast of St. Nicholas at Bridgewater. All appear on that day and plead guilty.)

m. 10 d. Hundredum de Whitston.

Editha Quintrel de fine pro eadem per plegium Iohannis Cole vi d.
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Finis Iohanna, vxor Iohannis Bal, de fine pro eadem per plegium Thome Bal xii d.
Finis Iohanna Longespey de fine pro eadem per plegium Iohannis Boteler xviii d.
Finis Willelmus Aleyn de fine pro eadem per plegium Iohannis Souterman xii d.
Finis Willelmus Malyne et Editha vxor eius de fine pro eadem per plegium Clementis le Eyr ii S.
Finis Iohannes Drake de fine pro eadem per plegium Rogeri Gonyz xl d.
Finis Willelmus Chynnokes de fine pro eadem per plegium Willelmi Samuel ii S.
Finis Editha Paynot de fine pro eadem per plegium Iohannis Palmere xii d.
Finis Ricardus Chaz de fine pro eadem per plegium Thome Chaz xii d.
Finis Thomas Chaz de fine pro eadem per plegium predicti xii d.
Finis Willelmus Chas de fine pro eadem per plegium predicti xii d.
Finis Iohannes Bakere de fine pro eadem per plegium Iohannis Skot xl d.
Finis Alicia, vxor Iohannis Scot, de fine pro eadem per plegium Iohannis Bakere ii s.
Finis Ricardus Lynstede de fine pro eadem per plegium Willelmi Samuel xii d.
Finis Robertus Burnam de fine pro eadem per plegium Ricardi Petyuyn xviii d.
Finis Adam Soutere de fine pro eadem per plegium Iohannis Souterman ii s.

The dates and places of sessions are all noted in the extracts printed; four Mondays in the 32nd year, and two Mondays in the 33rd year, at four different places.

\'This seems to make Thomas Chaz his own ‘plegium;’ probably Ricardus Chaz is meant.

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XIV. Assize Roll, Surrey, 907. 25-26 Edw. III. 4 memoranes.

Praesentationes et Indictamenta coram Ricardo de Birton et alis.
Placita de quibusdam servitoris tribus et laboratoribus apud Limenesfeld. ¹

Two distinct rolls.

Roll I.

The first membrane contains a copy of the letter patent, dated 15 March, 1351, appointing Huse, de Wylughby, de Grene, de Notton, de Birton, de Bekwell, de Roulegh, atte Wode and atte Watere on the joint commission of the peace and for labourers; de Loxleye was associated to the commission on 27 Nov. of the same year. On 15 Sept., also 1351, de Roulegh and atte Wode were removed from the commission and were ordered to deliver to Huse and de Bekwell any records in their possession; see “List of justices,” app., B, 3.

Attached to this roll is the following writ:

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilecto et fideli suo Henrico de Bekewelle, salutem.

Volentes certis de causis cerciorari super omnibus indictamentis, recordis et processibus coram vobis et sociis vestris iusticiariis nostris ad diversas felonias et transgressiones in comitatu Surrreie audiendum et terminandum assignatis habitis, inchoatis et non terminatis et in custodia vestra, vos, prefate Henrice, existentibus, vobis mandamus quod omnia huiusmodi indicamenta, recorda et processus penes vos residiencia habeatis coram nobis in crastino Sancti Martini ubi cumque tunc fuerimus in Anglia, vt hiis inspectis ulterius inde facere valeamus quod de iure et secundum legem et consuetudinem regni nostri Anglie inde fore viderimus faciendum. Et habeatis ibi hoc breve.

¹ Now Limpsfield.
Teste W. de Shareshull apud Kingston super Thamisiam, quarto die Novembris anno regni nostri Anglie vicesimo septimo, regni vero nostri Francie quarto-decimo.

m. 1. Presentaciones et indictamenta facta coram prefatis Ricardo de Birton, Henrico de Loxele et Henrico de Bekewell iusticiariis etc. apud Guldeford predicto die Lune proximo post festum Sancti Hillarii anno regni . . . . . . . vicesimo quinto.

m. 1 d. (Presentment against de Roulegh for breaking his oath as justice of labourers in the 24th year; see pt. i, ch. i, s. 5.)

m. 2. Presentaciones et indictamenta facta apud Guldeford coram prefatis Ricardo de Birton, Henrico de Loxele et Henrico de Bekewell iusticiariis etc. die Martis proximo post festum Annunciationis beate Marie anno regni . . . . . . . vicesimo sexto.

Surr

Iuratores diversorum hundredorum comitatus predicti . . . presente quotu Iohannes de Rowele extiterat unum iusticiariorum domini Regis ad inquirendum de dueris felony et transgressionibus et ad statutum de operatoribus conservandum et ad alia maleficia audiverat et terminanda in comitatu predicto, ibi Iohannes de Rowele pluribus vicibus solus sedebat sine warranto, videlicet apud Certeseye, Kyngeston, Guldeford et alibi in comitatu predicto et populum regni coram eo iustice vexavit et indictamenta cepit et indicat in prisoine et tali colore de hominibus sic indicat qui diversorum fines ad opus suum proprium, sciens de quidom Henrico de Roppele de Chidyngfold x s, de Willelmo de Twynam de Kynges-

\textsuperscript{1} Names of jurors.

DOCUMENTS, LISTS AND TABLES

ston dimidiam marcam per manus cuiusdam Iohannis Burcebrige, clerici sui et de pluribus alis ad magnam pecuniarum summam et de quolibet laborario ad minus v d.; que se excedit ad summam xxxv li. et plus in oppressionem et graue dampnum tocius populi domini Regis et in ipsius Regis contemptum. (There are also other charges against him.) . . . Per quod preceptum fuit vicecomiti quod coperet eum etc.

Coram Rege Roll, 27, Mich., Rex, rot. 52, Surrey.

A long and important process against de Roulegh includes, among numerous charges, specific reference to his extortions from labourers. He is finally convicted and committed to prison.

Ibid., Rex, rot. 46, Surrey.

Jurors indict John Bushbrugg, lately clerk of John atte Roughle, for taking a bribe to conceal an accusation against a certain man for sale of leather at an excessive price. He is convicted and “fecit finem.”

Roll II.

m. 2. Lymenesfeld.

Placita diuersorum artificum et aliorum laborariorum tenta ibidem \textsuperscript{1} coram Iohanne de Hadresham infra libertatem abbatis de Bello die Mercurii proximo ante festum Carniprii anno regni Regis Edwardi tertii post conquestum xxvii incipiente.

(The earliest record of the appointment of Hadresham is 20 June, 1354, as justice of labourers for Surrey; see “List of justices,” app., B, 3.)

Finis vi d. Iohannes Croucheman, rotarius, venit et ponit se in graciam domini Regis. Et est finis vi d.

\textsuperscript{1} I. e. at Lymenesfeld.
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Finis vi d. Robertus Terselyn, potter, venit et ponit se. Et est finis vi d.

Finis Symond Duraunt inuenit plegium ad seruiendum infra libertatem, Symonem de Excebre.

Finis Walterus Ed et ponit se in graciam domini Regis per plegium Willelmi atte Quarere. Et est finis xii d.

Finis Johannes Merre venit et ponit se in graciam domini. Et est finis.

Finis Symond de Stonehamme venit et pro excessiva donacione ponit se, per plegium Roberti Nuttilde et R wyndenne; finis vi d.

m. 2 d. Placita diuersorum artificium et laborariorum tenta apud Lymnesfeld coram Iohanne de Haderesham infra libertatem abbatis de Bello die Sabbati proximo ante festum Sancte Marie Magdalene, anno regni . . . xxvii incipiente.

Edonia de Lyde liberata est Thome vicario de Caterham seruiendum eidem Thome usque finem [termini sui] secundum statutum etc.

Finis Johannes Profette quia retraxit Edoniam de Lyde, seruiement Thome, vicario de Caterham, ponit se in graciam domini Regis.

Inquisicio capta secundum ordinacionem statuti per sacramentum Ricardi de Staffurst, . . . iuratorum qui dicunt . . . quod Ricardus Taillour, carpentarius, seruit extra feodum domini contra ordinacionem. (Et eat quietus eo quod est in servicio domini Regis.)

1 MS. faded.  
2 Probably to be thus read.  
3 Names of eleven other jurors.

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Iohannes Crouchman, Alexander Potter (ponit se. vi d.), Andreas Crouchman (ponit se.), rotarii, vendunt contra statutum.

Ricardus Terselyn (ponit se. vi d.) et Robertus Terselyn (ponit se. vi d.), potteres, vendunt contra statutum; Hugo Horsman (capitator), carbonarius, seruit extra feodum domini, Robertus Mowere (ponit se. vi d.), Lucia Frere (finis iii d.), braciatrix, vendunt pro ii d. contra statutum. Nicholas Payn (finis iii d.), faber, negauit seruire patriam, Walterus Ed, Thomas atte Mede (finis vi d.), faciunt carbones et vendunt extra dominicum (ita quod libere 1 non potest seruire, finem), Robertus Lyngelegh faci ut dictus Thomas, Nicholas Payn, Walterus Ed, Thomas atte Mede, contra ordinationem. Ideo preceptum est attachaire omnes supradictos quod sint coram Iohanne de Haderesham die Lune in festo Sancte Marie Magdalene proxime futuro ad audiendum et faciendum ea que 2 ex parte domini Regis eis iniungentur.

m. 4.

Surr’. Lymenesfeld.

Placita de seruitoribus, artificibus et alis laborariis tenta ibidem coram Roberto de Belknappe infra vide licet libertatem abbatis de Bello virtute quorumdam literarum patencium predicto abbati inde directarum. 3

Et eciam virtute eiusdem libertatis coram Rogero Huse et sociis suis iusticiariis allocatis apud Geldeford die Iouis in Octabis Assensionis, anno regni . . . vicesimo quinto. . . .

(On 15 March, 1351, Huse was appointed on the joint commission of the peace and for labourers for Surrey, and on 20 June, 1354, on the commission for labourers; see “List of justices,” app., B, 3. Of Belknap’s appointment I have found no trace.)

1 A doubtful reading; MS. lib.  
2 MS. quod.  
3 MS. directo.
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Volentes certis de causis cerciorari que et quot fines, americamenta et exitus foris facienda in sessionibus vestris anno regni nostri Anglie tricesimo primo vsque ad Clausum Pasche eodem anno quo die parliamentum nostrum incepit, facta, affirata et adiudicata fuerunt, et de quibus personis, volvis mandamus quod scrutatis rotulis vestris de sessionibus predictis nos inde sub sigillis vestris in cancellaria nostra reddatis distincte et aperte sine dilacione cerciores, hoc breue nobis remittentes.

Teste me ipso apud Westmonasterium, xvi die Octobris, anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

Cf. with the above writ the following enrollment:


Rex thesaurario et baronibus suis de scaccario ac camerario suis, salutem. Quandam bagam cum diversis rotulis et recordis in easdem inclusis nobis in cancellaria nostra per Iohannem de Conyngesby et socios suos nuper iusticiarios nostros ad statuta de artificibus et seruientibus ac de ponderibus et mensuris abusis edita in comitatu Warr' custodienda assignatis de mandato nostro liberatam vobis mittimus, mandantes quod bagam predictam recipiatis et inde fieri faciatis quod fore videritis faciendum.

Teste Thoma filio nostro carissimo custode Anglie apud Westmonasterium, xxvi die Ianuarii, anno regni nostri Anglie tricesimo quarto, regni vero nostri Francie vicesimo primo.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilectis et fidelibus suis Io-

1 In MS. quod is repeated.
banni Sparry et sociis suis iusticiariis ad excessus operariorum et seruiencia in comitatu Warr' audiendos et terminandos assignatis, salutem.

Querelam dilecti nobis in Christo abbatis de Pippewell recepimus continentem quod cum ipse habeat diversas grangias et alia loca ad domum suam pertinencia quorum terrae pro defectu operariorum et seruiencia iacent frisce et inculte, et licet idem abbas diuersos habeat tenentes in villis, grangiiis, et locis predictis contiguis qui terras suas colere et sibi deseruire possent et pro ceteris deseruire deberent, vos, nichilominus, ad hunc consideracionem non habentes, tenentes huiusmodi ad procuracionem quorundam emulorum ipsius abbas alii deseruire compellitis et per alios compelliti facitis minus iuste, quamquam prefatus abbas sepius et cum instancia vobis supplicauerit huiusmodi tenentes suos ad tleseruiendum ei pro competenti salario sibi liberari, super quo supplicauit sibi per nos de remedio congruo prouideri. Nos advertentes non esse consonum racioni quod tenentes ipsius abbas aliis deseruire cogantur dumtamen idem abbas de eorum serviciis indigent, vobis mandamus quod habito respectu ad necessitatem ipsius abbas in hac parte ei tot operarios et seruiencias tenentibus suis et alii quo ei pro terris suis coelendis et aliis operibus suis performendi rationabiliter sufficeret poterunt habere faciatis prout de iure et secundum formam ordinacionis in hac parte facte fuerit faciendum.

Teste me ipso apud Westmonasterium, secundo die Maii, anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

An order addressed to the justices for the making of standard weights and measures, on complaint of Walter Gutyng, of Evesham, whom the same justices had proceeded against for selling wool by the old weights; 16 March, 32 Edw. III.

On complaint of the mayor, the justices are forbidden to interfere with the assize of bread and ale within the town of Coventry, this assize having been granted by Queen Isabel to the mayor, bailiffs and men of Coventry; 3 April, 31 Edw. III.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, iusticiariis suis ad ordinacionem et statuta de operatoribus, seruiencia et vitelariis et de mensuris et ponderibus edita in comitatu Warrewichie, salutem. Monstrauit nobis Iuliana, comitissa Huntyngdon', domina manerium de Alleslee, Filonglee, Burthyngbury, Aston, Cauntelou, et Stodleyely, in comitatu predicto quod cum ipsa habeat et habere debet ipsaque et omnes alii domini manerium predictorum a tempore cuius contrarii memoria non existit, habere consueuerint visum franciplegii ibidem de omnibus hominibus et tenentibus suis in eadem maneriis residentibus et emendas assise panis et ceruisie ibidem tracta et omnia alia ad huiusmodi visum franciplegii pertinencia; et licet eadem comitissa per balliuos suos manerium predictorum pistores et braciatores ac alios infra maneria predicta residentes pro assisa huiusmodi panis et ceruisie fracta et pro abusi mensurarum et ponderum in maneria predictis per amerciamenta et alio modo per ministros suos puniri et amerciamenta illa ad opus suum levari fecerit, vos tamen eosdem pistores et braciatores et alios residentes predictos pro huiusmodi assisa panis et ceruisie fracta et abusu mensurarum et ponderum predictorum, ac si prius ea de causa puniti non

1 A mistake for Stodleye, now Studley.

2 MS. absu.
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fuissent, per amerciamenta graua alias punire intenditis, quod si fieret in ipsi comitisse prejudicium, ac hominum et tenencium suorum predictorum oppressionem cederet manifeste. Et quia in magnno consilio nostro apud Westmonasterium anno regni nostri Anglie vicesimo septimo tento extitit concordatum quod in inquisicionibus et punicionibus pro transgressionibus huismoj faciendi, libertates dominorum et aliorum semper saluentur, nolentes prefate comitisse aut hominibus seu tenentibus supradictis iniuriari in hac parte, vobis mandamus quod si vobis legitime constare poterit prefatam comitissam visum franciplegii in manerijs predictis et eorum oppressione facta, nolentes prefant comitisse aut hominibus seu tenentibus supradictis iniuriari in hac parte.

vobis mandamus quod si vobis legitime constare poterit prefatam comitissam visum faciendi in manerijs predictis et eorum oppressione facta, nolentes prefant comitisse aut hominibus seu tenentibus supradictis iniuriari in hac parte.

The following six writs deal with the same matters:

No. 6. On complaint of the mayor of Coventry within the town of Coventry; 2 Aug., 31 Edw. III.

No. 7. Within the jurisdiction of the prior of Coventry; 28 July, 31 Edw. III.

No. 8. On complaint of John de Mohun within the manors of Great Compton and Whichford; 15 Nov., 31 Edw. III.

No. 9. On complaint of the prioress of Eton; 18 May, 31 Edw. III.

No. 10. On complaint of the prior and convent of Kirkeby "monachorum;" 18 May, 31 Edw. III.

No. 11. On complaint of Fulk de Bernyngham, lord of the manors of Bernyngham; 3 July, 31 Edw. III.

m. 1. Sessio Iohannis Sparry et sociorum suorum apud Warr', die Lune proximo post festum Sancti Gregorii Pape anno Regis Edwardi terci post conquestum tricesimo primo.

Kyngton.

Mandatum fuit vicecomiti ex parte domini Regis quod venire faceret coram Iohanne Sparry et sociis suis iusticiaribus domini Regis per commissionem suam eis directam ad excessus operarioorum, servientium et artificium ac defectus ponderarum et mensurarum in comitatu Warr' punitendos assignatis his die hunc diem xxiiii probos et legales homines de hundredo de Kyngton ac omnes constabularios villatarum et hameletarum eiusmodi hundredi ad faciendum etc. Et vicecomes modo returnaut xxiii etc. et similiter constabularios etc. secundum tenorem dicti mandati. Set inquisicio illa remanet capienda pro defectu

1 MS. statuorum.
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iuratorum. Ideo preceptum est vicecomiti quod distingat predictos iuratos, scilicet Henricum de Pipe et alios per omnes terras etc. et quod de exitibus etc. ita quod habeat corpora eorum apud Warr' die Lune proximo post festum Annunciationis beate Marie proxime futurum ad faciendum etc.

Constabularii dicti hundredi venerunt et fecerunt sacramentum. Et onerantur per eorum sacramentum ad inquirendum de omnibus articulis in ordinacionibus et statutis de operariis, seruientibus et artificibus ac de ponderibus et mensuris editis, et de nominibus illorum qui in abusu ponderum seu mensurarum deliquerint. Et ad capiendum sacramentum omnium et singulorum operario rum, seruiencium et artificum in balliuis suis commoranciam ad dictas ordinaciones et statuta observanda. Et habent diem ad presentandum et certificandum hic ut supra, quiliber constabularius sub pena xx s.

Venerunt eciam xii liberi de villatis de Warr' qui fuerunt iurati et onerati ad inquirendum de articulis predictis. Et habent diem hic vt supra, quiliber iuratus sub pena xx s. ad presentandum etc.

Couentre.

Sessio Iohannis Sparry et sociorum suorum apud Couentre die Lune proxima ante festum Annunciationis beate Marie anno supradicto.

Knyghtlow.

Ad quem diem veniunt xxiiii etc. de hundredo de Knyghtlow per magnam districcionem, de quibus xii fuerunt triati, iurati et onerati ad inquirendum etc. qui nichil presentant ad hunc diem. Et datus illis dies ad presentandum apud Couentre die Mercurii in septimana Pasche, cuilibet eorum sub pena xx s.

Presentacio constabulariorum hundredi de Knyghtlow.

Caldecote.


Folkeshull.

Constabularius presentat quod Iohannes Wolf, Thomas Holbrok, habent bussellos non concordatos standardo.

Item Iohanna, vxor Thome Rondulf, Hauicia, uxor Iohannis Vynsent, braciatrixes, vtuntur mensuris non concordatis standardo.

Item presentat quod Robertus, quondam seruiens Ricardi Vynsent, Iohannes Curly, Iohannes, seruiens Willelmi Bandy, Iohannes othe Lane, wyrdrawere, Ricardus Vynsent, wyrdrawere, Iohannes, seruiens Iohannis Scot, Henricus Boclyn et Iohannes Marchal, faber, recusarunt iurare coram constabulario et sunt rebelles.

Item Willelmus Bown de Cleybrok recessit a servicio Iohannis Wolf ante finem termini sui contra formam ordinacionis etc.

DOCUMENTS, LISTS AND TABLES

die Mercurii in septimana Pasche, cuilibet eorum sub pena xx s.

Presentacio constabulariorum hundredi de Knyghtlow.

Caldecote.


Folkeshull.

Constabularius presentat quod Iohannes Wolf, Thomas Holbrok, habent bussellos non concordatos standardo.

Item Iohanna, vxor Thome Rondulf, Hauicia, uxor Iohannis Vynsent, braciatrixes, vtuntur mensuris non concordatis standardo.

Item presentat quod Robertus, quondam seruiens Ricardi Vynsent, Iohannes Curly, Iohannes, seruiens Willelmi Bandy, Iohannes othe Lane, wyrdrawere, Ricardus Vynsent, wyrdrawere, Iohannes, seruiens Iohannis Scot, Henricus Boclyn et Iohannes Marchal, faber, recusarunt iurare coram constabulario et sunt rebelles.

Item Willelmus Bown de Cleybrok recessit a servicio Iohannis Wolf ante finem termini sui contra formam ordinacionis etc.

Seven others named.
APPENDIX

m. 1 d.  Adhuc Knythlow.

Lodbroke.

Constabarius presentat quod . . . Rogerus le Coltherde non vult seruere per terminum set per diem.

. . . . . . . . . . . . . . . . . . . . .

Wyleby.

Constabarius presentat quod . . . . .

Item Willelmus le Cok, Thomas Crok, Hugo le Cartere, Ricardus de Keresleye, Thomas Bithe Brok, et Hugo Pant non tenent nisi quartronam terre et nolunt seruire etc.

. . . . . . . . . . . . . . . . . . . . .

Presentacio iuratorum et constabulariorum villate de Couentre ad eundem diem.

Couentre.

Diversi constabularii presentant quod Willelmus Typet recessit a seruicio suo ante finem termini et cepit per diem iii d.

. . . . . . . . . . . . . . . . . . . . .

Johannes de Bilneye et Henricus, seruiens Willelmi Marchal, negauerunt iurare et sunt rebelles.

. . . . . . . . . . . . . . . . . . . . .

Agnes que fuit seruiens Willelmi Bray non vult seruire per annum pro minore quam xxx s. . .

. . . . . . . . . . . . . . . . . . . . .

Reginaldus de Tete recusat iurare et est rebellis et cepit per diem v d.

. . . . . . . . . . . . . . . . . . . . .

Couentre.

Sessio . . . apud Couentre, die Martis proxima ante festum Annunciationis beate Marie anno regni Regis supradicto.

Knythlow Presentacio iuratorum.

. . . . . . . . . . . . . . . . . . . . .

Kirkeby.

Item presentant quod . . . Cristiana, vxor Regeri Ferst, exiit in aliam villam in autumpno post-

DOmENTS, LISTS AND TABLES

m. 2. quam requisita fuit ad metendum in eadem villa qua morabatur et cepit in excessu xii d.

. . . . . . . . . . . . . . . . . . . . .

Bulkynton.

Rogerus de Barton cepit in excessu in autumpno ii s. et est vacuus et non vult operare nec seruire et aias finiuit.

Willelmus Martyn est a longo vacuus et potuit operare set illud recusat omnino.

Margeria Martyn elongauit et retinuit Willelmum Martyn, seruientem Iohannis de Couentre, a seruicio dicti Iohannis etc.

. . . . . . . . . . . . . . . . . . . . .

(A long list of presentments for receipt of excess wages follows, most of the offenders belonging to Coventry.)

Sessio Iohannis Sparry et sociorum suorum apud Solyhull die Veneris in septimana Pasche, anno regni . . . tricessimo primo.

. . . . . . . . . . . . . . . . . . . . .

Presentacio constabulariorum hundredi de Humel'.

. . . . . . . . . . . . . . . . . . . . .

Aston.

. . . . . . . . . . . . . . . . . . . . .

Pollesworth.

. . . . . . . . . . . . . . . . . . . . .

Item David Walsheman recusauit artem suam. Adam, seruiens Willelmi Dodenhale, est rebellis et recusauit iurare coram dicto constabulario.

. . . . . . . . . . . . . . . . . . . . .

1 MS. ain.
APPENDIX

m. 2 d. Presentatio constabulariorum hundredi de Kynpton.

Pabyngton.

Willelmus Marchal cepit pro operacione unius pecie ferri ii d. obolum et pro ferro equino i d. obolum.

m. 3 Path' Sessio Johannis de Conyngesby et sociorum suorum apud Stretford die Sabbati proximo post festum Exaltacionis Sancte Crucis anno xxxiiii.

Stretford.

Constabularius presentat quod dominus Iohannes Rydel, monachus de Sounger, Henricus, balius de Clifford Chaumberley, . . . 1 conduxerunt messores in autumpno per diem pro vi d. vel vi d. contra formam ordinacionis et statuti etc.

(Presentments follow for hiring "messores in autumpno pro duplici salario solito, videlicet pro vi d. per diem.")

Barlichway. Sessio Johannis de Conyngesby et sociorum suorum apud Alyncestre die Lune proximo post festum Exaltacionis Sancte Crucis anno supradicto.

Stodleye.

Constabularius presentat quod Margeria, serviens Iohannis Buryman, recessit a villa de Stodleye in autumpno pro maiore salario habendo. . .

Alyncestre.

Constabularius presentat quod Iohanna Cherle-

1 Nine others.

Snytenfeld.

Constabularius presentat quod nulli servientes, operarii nec artifices fecerunt contra statutum etc.

Inquisicio de Alyncestre. Iuratores hundredi de Barlichway, vicelict Radulfus Pauncefot et socii sui presentant [etc].

Item prepositus de Cherlecote allocuit messores per diem in autumpno pro vi d. publice.

m. 3 d. Path' Sessio Johannis Conyngesby et sociorum suorum apud Henleye, die Martis proximo post festum Sancte Fidiei virginis anno xxxiii.

Barlichway . . . . . . Iuratores hundredi de Barlichway Inquisicio. presentant . . . . . . . . . .

Item presentant quod Alicia Portreve, 2 vxor Willelmi Portreve de Henleye, dat excessuia salaria mulieribus filantibus.

Item presentant quod Galfridus de Welneford, rector ecclesie de Kynenarton, dedit duobus filialis suis pro termino yhemali viii s. cum liberacionibus eorum et cibo cotidiano percipiendo in aula sua.

DATES AND PLACES OF SESSIONS.

m. I. Warwick. 31st year. Monday after St. Gregory, Pope (12 March).

Coventry. Tuesday ditto.

Monday before Annunciation of Blessed Virgin Mary (25 March).

1 Town of.
APPENDIX

m. 1 d.
Colleshull.
Warwick.
Coventry.
Warwick.
Solyhull.
Stratford.
Alyncestre.

m. 2.
Solyhull.

m. 3.
Stratford.
Alyncestre.

m. 3 d.
Henleye.
Alyncestre.

13 days; 7 places.
Endorsement of roll.
Memorandum quod prefati iusticiarii tenuerunt ses-

m. 7 contains the following heading:

Responsum Iohannis de Flory et Walteri de Littlecote de-

m. 7 includes the 28th year.

† XVII. Ancient Indictments, Wiltshire, 131. 29 Edw. III. 1

This roll consists entirely of proceedings on the statutes of

† XVI. Assize Roll, Wiltshire, 1018. 26 Edw. III. 16 mem-

m. 3 contains the following heading:

Anonymous, le Soutere de Netherworfton terram qui alias iuratus fuit ad excercendum artem suffi-

m. 3. Responsum deputatorum de Candon et Cadeworth.

Finis. Et quod Willelmu Burgh, stonleggere, cepit excessiue pro arte sua xii d . . . . . .

Finis. Et quod Stephanus Hobecok, tannere, cepit excessiue de diuersis hominibus ii s.

m. 2. Kynbridge.

Presentationes et examinaciones facte coram Wil-

m. 2. Kyngbridge.

Presentaciones et examinaciones facte coram Wil-

m. 7 includes the 28th year.

Finis. Et quod Willelmu Burgh, stonleggere, cepit excessiue pro arte sua xii d . . . . . .

Finis. Et quod Willelmu Burgh, stonleggere, cepit excessiue pro arte sua xii d . . . . . .

Finis. Et quod Willelmu Burgh, stonleggere, cepit excessiue pro arte sua xii d . . . . . .

Finis. Et quod Willelmu Burgh, stonleggere, cepit excessiue pro arte sua xii d . . . . . .

Finis. Et quod Willelmu Burgh, stonleggere, cepit excessiue pro arte sua xii d . . . . . .

Finis. Et quod Willelmu Burgh, stonleggere, cepit excessiue pro arte sua xii d . . . . . .
nitus fuit coram deputatis apud Netheraton et noluit venire.

Idem Alexander de villa summonitus fuit coram deputatis apud Notten et noluit venire.

m. 4. Noua Sarum.

Iohannes Stut elonguit et receptuit Cristinam Conynge a servicio Iohannis Iustice ante finem termini inter eos concordati sine causa racionabili vel licencia recedendi etc.; manucaptores Iohannes Scut, Iohannes Cole, Thomas Webbe.

Iohannes Charlemayn non est prosecutus versus Ricardum Pateneye de placito noui statuti.

Plegii de prossequendo, Thomas Tuffe, Iohannes de Langeforde.

(ms. 5, 6, 7, contain lists of labourers and craftsmen, weavers, butchers, etc., in various districts who were guilty of the receipt of excess wages and prices.)

m. 8. Hundredum de Werminstre.

Finis Alicia Pryns, braciatrix, cepit excessuie prius indictata xi d.

Finis. Agnes Stiles, braciatrix, cepit excessuie vi d.

Finis. Emma Bledon, braciatrix, cepit excessuie xii d.

Margareta Taillour, filatrix, cepit excessuie xii d.

Finis. Alicia Rattes, filatrix, cepit excessuie iii d.

m. 9. Worwelesdon.

'MS. recedent.'
per Iohannem de Roches et socios suos nuper iusticiarios nostros ad statuta de operariis, seruientibus et artificibus ac de mensuris et ponderibus abusis in comitatu Wilt custodienda assignatos de mandato nostro missam, vobis mittimus, mandantes quod dictam bagam cum rotulis et recordis predictis recipiatis et inde faciatis quod fore videritis faciendum.

Teste Thoma filio nostro carissimo custode Anglie, apud Redynges, xxx die Ianuarii anno regni nostri Anglie tricesimo quarto, regni vero nostri Francie vicesimo primo.

m. 1. Inquisicio capta apud Deuyses die Mercurii in septemana Pasche coram Iohanne Euerard et sociis iusticiariis domini Regis assignatis per commissionem domini Regis anno regni Regis Edwardi tercii post conquestum xxxiò per sacramentum 1 qui dicunt super sacramentum suum quod omnes subsequentes nominati vendiderunt [et] emerunt per mensuras non concordantes ad standardum et excessive ceperunt.

(On 5 Feb. 1357, Everard, de Roches and atte Bergh were appointed justices of labourers and of weights and measures; see "List of justices," app., B. 3.)

Quedhampton.

Finis. Iohannes le Fysschere, senior, pistor, cepit excessiue vi d.

Finis. Iohannes Oldebury, dobbere, cepit excessiue vi d.

Finis. Robertus Muleward, carpentarius, cepit excessiue vi d.

Sharreneton.

m. 1 d. Tydolueshyde.

Rogerus Haydon, braciator, cepit excessiue iii d. finis.

Walterus Pullyng, carnifex, cepit excessiue iii d.

Willelmus Floxhalkere, triturarius, cepit excessiue iii d.

m. 3. Inquisicio capta coram Iohanne de Roches, Waltero Attebergh et Iohanne Everard die Lune proxima ante festum Annunciacionis beate Marie anno regni Regis Edwardi tercii a conquestu xxxiò iusticiariis domini Regis ad audiendum et terminandum omnes transgressiones factas in comitatu Wiltes' per mensuras excessivas cuiuscumque mensure seu ponderis contra ordinacionem domini Regis nunc, et eiam predecessorum suorum a tempore quo non extitit memoria, et eiam super operarios, laborarios et alios contentos in ordinacione domini Regis capientes mercedes excessivas de nouo constituta et edita et de assensu communis consilii magnatuum regni sui per sacramentum. . . . . .

(Presemtions by jurors of a long list of "venditores" and of five "emptores" guilty of excess prices.)

Omnes isti infrascripti et extra, venditores et emptores vnusquisque in gradu suo, vendiderunt et emerunt per buschellos excessivos. Set dicunt dicti iurati quod dicti venditores quicquid vendiderunt ex-

1 Names of the jurors.

1 Probably 27 Edw. III, st. 1, c. 3; cf. app., 17.
cessiue contra voluntatem suam hoc fecerunt quia
totum ad dampnum eorum. Set dicunt eciam quod
emptores infrascripti et extra, ut in ciuitatibus et
burgis et alis villis mercatoriis, pistores, braciatores et
ali mercatores emptores fecerunt buschellos suos ita
excessiuos et per longum tempus sic eos continuant
et adhuc continuant, ita quod nullus venditor aliter
testet blada sua vendere et sic mensuram rectam
domini Regis et predecessorum suorum spreuerunt et
omnino deliquerunt ad graue [dampnum] domini Regis, magnatum suorum et aliorum terras tenencium regni sui.
In cuius rei testimonium sigilla sua apposuerunt.

m. 3 d. Isti subscripti sunt qui ceperunt mercedem excessiue
in eadem villa (Fouente).
Robertus Warde, laborarius, cepit excessiue vi d.
Iohannes Silke, victualarius, cepit excessive xii d.
Iohannes Coke, victualarius, cepit excessive xii d.
Willelmus Mulewarde cepit in excessu vi d.
Iohannes Rede, laborarius, cepit in excessu xii d.
Rogerus Chalunners, laborarius, cepit in excessu ii s.
Iohannes Rolfe, braciator, cepit in excessu vi d.
Ricardus Tiverton, victualarius, cepit in excessu iii d.
Iohannes Bocher, laborarius, cepit in excessu iii d.

(An undated writ at end of roll.)
Thomas Hungerford, vicecomes Wilt', balliuo hundredi de
Alwardby, salutem. Ex precepto Johannis de Roches et sociorum suorum iusticiariorum domini Regis tibi mando quod
switching the language to English and summarizing the content: The document is a list of alleged offenders who committed excesses against certain lords. They are accused of buying buschellos in an excessive manner and maintaining it for a long time, preventing any seller from selling their wheat and thus manipulating the standard measure of the king and his predecessors. The lords of the realm, and all those holding lands, were seriously harmed by the actions of these individuals.

Ancient Indictments, 164. Divers Counties.

Edwardus, Dei gracia Rex Anglie et Francie et dominus
Hibernie, vicecomitij Wiltres', salutem. Precipimus tibi quod
exigi facias Walterum atte Bergh, braciatorum hundredi de
Calne, Ricardum Barleger, braciatorum, et Cristiniam, vxorem
Willelmi Thomelyn, braciaticem de eodem hundredo, Willelmum
le carpenter de Immere, hundredi de Swan-

borough, Cristiniam Tabours de Schawe, Margeriam Sylle de
Wylecote, vitellarias, Willelmum Doungy de Escoate, carpen-
tarium, et Margaretam Magotes de eodem hundredo de Swan-

borough, Willelmum Ioye, triturarium hundredi de Calne, Willelmum
Muleward, messorem hundredi de Alwardby, Cristiniam
Dorsete, Iohannah Cox, Editham Muleward, Iuliana
le Batyere, Radulftum Lollow, Rogerum Waley, Tho-
mam le Taylour, Ricardum le Webbe de Westdeone, Isabel-

lam Laurentz, messorem, Cristiniam le Freynsche,
mesorem, Robertum Boucher Westdeone, Aliciam la Deye,
mesorem, Elenam Wylles, messorem, et Streche atte Forde
de eodem hundredo de Alwardby, Iohannah Chesman, tayl-
loor, Iohannah le Smith de Deusies et Nicolaum le Smith
de Nyweburk, de comitatu in comitatum quousque secundum
legem et consuetudinem regni nostri Anglie vtlagentur si non
comparuerint. Et si comparuerint tunc eos capias et salvo
custodiri facias ita quod habeas corpora eorum coram

1 I print extracts from the roll for Wilts. as completing the process already given in the three preceding Wilts. rolls.
2 The ‡ indicates that ‡, meaning "supersedeas," is written over the name in the original.
Martis proximo post festum Sancti Iohannis ante Portam Latinam ad respondendum nobis de diuersis excessibus vnде indictati sunt. Et habeas ibidem inde resonsum tuum et hoc breve.

Teste 1. de Roches, apud Deuises, viō die Nouembris, anno regni nostri Anglie vicesimo octauo, regni vero nostri Francie quinto decimo.

(On the dorse of above writ):

Ego Iohannes Euerard vicecomes exigi feci Walterum atte Bergh, braciatorum hundredi de Calne et omnes alios in isto breui nominatos quoque quidam eorum venerunt et tulerunt brevia domini Regis de supersedeas, quidam vtagatī fuerunt et quidam Iohannes le Smyth de Deuises venit et reddidit se pristone domini Regis prout in recordo et processu inde habitis huic brevi annexatis plenius continetur; que quidem brevia de supersedendo sunt huic breui consuta. Et corpus predicti Iohannis le Smyth habebo coram diem et locum infrascriptos prout in isto breui michi precipitur.

Ad comitatum tentum apud Wilton die Martis proximo post festum Sancti Martini episcopi primo exacti sunt.

Edwardus, Dei gratia Rex Anglie et Francie et dominus Hibernie, vicecomiti Wiltes', salutem. Cum nuper tibi preceperimus per breue nostrum quod exigi faceres Walterum atte Bergh, braciatorem hundredi de Calne, Ricardum Barleger, braciatorem et Cristiniam, vxorem Willelmī Thomelyn, braciatorcim de codem hundredo, de comitatu in comitatum quouseque secundum legem et consuetudinem regni nostri Anglie vtragentur, si non comparuisserunt. Et si comparuisserunt, tunc eos caperes et salvo custodiri faceres, ita quod haberes corpora eorum coram diletcis et fidelibus nostris Willelmo de Schares-hull et sociis suis iusticiariis nostriis ad omnes excessus in comitatu tuo facto audiendo et terminandos assignatis apud Nouum Sarum die Martis proximo post festum Sancti Iohannis ante Portam Latinam ad respondendum nobis de diuersis excessibus vnде indictati sunt: ac postmodum predicti Walterus, Ricardus et Cristinia venerunt coram prefatis iusticiariis et

satisfecerunt nobis pro excessibus predictis. Ideo tibi preceperimus quod de eisdem Waltero, Ricardo et Cristina viertiōs exigendo, capiendo, vtlagando, seu quouismodo molestando occasione predicta supersedeas ommino.

Teste G. de Berewyk, apud Nouum Sarum, xxvō die Nouembris, anno regni nostri Anglie vicesimo octauo, regni vero nostri Francie quinto decimo.

(There follow similar writs of supersedeas for William Muleward, Cristina Dorsete, John Coo, Edith Muleward, Ralph Lollow, Isabella Laurentz, Christina le Freynsche, Robert Boucher and Ellen Wylles, dated at New Sarum, 24 Feb., 29th year, and for William the carpenter of Immere, and Alice la Deye, dated at New Sarum, 4 March, 29th year.)

Wilton Comitatus tentus apud Wilton, die Martis proximo post festum Sancti Martini, anno regni Regis Edwardi tercio post conquestum vicesimo octauo.

Ad hunc comitatum dominus Rex mandauit hic breue suum in hec verba. Edwardus, Dei gracia etc. (the above writ of exigend is quoted in full); virtute cuius breuis predictus Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius ad hunc diem primo exacti fuerunt. Et non comparuerunt. Ideo secundo exigantur ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis proximo post festum Sancte Lucie virginis, anno supradicto [anno vicesimo octauo].

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati secundo exacti fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessibus vnде indicati sunt. Et non comparuerunt. Ideo tercio exigantur ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis in festo Sancti Hilarii, anno supradicto.

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati tercio exacti
fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessubus vnde indictati sunt. Et non comparuerunt. Ideo quarto exigantur ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis in festo Sancte Scolastice virginis, anno vicesimo nono.

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati quarto exacti fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessubus vnde indictati sunt et non comparuerunt. Sed quidam Johannes Broun venit et manucepit eos de habendo ipsos ad proximum comitatum.

Comitatus tentus apud Wilton, die Martis proximo ante festum Sancti Gregorii Pape, anno xxix° supradicto.

Ad hunc comitatum Walterus atte Berwe, braciator hundredi de Calne et omnes alii superius nominati quinto exacti fuerunt per breue domini Regis ad respondendum domino Regi de diuersis excessubus vnde indictati sunt. Et ipsi omnes preter Cristina Tabours de Shawe, Margeriam Sille de Wilcote, vitellarias, Willelmum Dounyng de Escote, carpentarium, Margaretam Magotes, Willelmum Ioye, triturarium, Iulianam le Batiere, Rogerum Waleys, Thomam le Taillour, Ricardum le Webbe de Westdeone, Streche atte Forde, Iohannem Chesman, tailour, Iohannem le Smyth de Deuises et Nicholaum le Smyth de Nywebury, venerunt et tulerunt breuia domini de supersedendo; virtute quorum breuium Iohannes Euerard, vicecomes, de ipsis vterius exigeundo, vtlagando seu capiendo occasione premissa omnino supersedit. Et predictus Iohannes le Smyth venit et reddit se prisone domini Regis et predicti Cristina Tabours, Margeriam Sille, Willelmus Dounyng, Margaretam Magotes, Willelmus Ioye, Iuliana le Batiere, Rogerus Waleys, Thomas le Taillour, Ricardum le Webbe, Streche atte Forde, Iohannes Chesman et Nicholaus le Smyth non comparuerunt. Ideo secundum legem et consuetudinem regni Anglie vtlagati et weyliate in presencia Roberti de Echelhampton et Roberti de Remmesbury coronatorum domini Regis.

For an excellent example of a pardon for outlawry of an offender convicted before the justices of labourers in Wilts., cf. Pat., 27, pt. 2, m. 14; Cal., ix, 485.¹ For an example of a certificate of the process of outlawry sent into chancery by the justices and always mentioned in the pardon, cf. County Placita, York, W. R., no. 61.

The roll described in List of Plea Rolls under “Coroners’ Rolls” as Rotulus Coronatoris, Wilts., 198, 7 membranes, proves to be a roll of exigends of a long list of offenders convicted before the justices of labourers during the years 28-31 Edw. III. It includes the same full details of process as does the roll just quoted, but gives very many more names of offenders. Likewise, Coroners’ Rolls, Suffolk, 175, 28-31 Edw. III, 12 membranes, and 176, 29 Edw. III, 7 membranes, each described as Rotulus Coronatoris, prove to be rolls of exigends; they include instances of offenders against the statutes of labourers convicted before the justices of labourers as well as in the upper courts.²

2. Records illustrating the supervision of the justices in session.
(Cf. pt. 1, ch. ii, 7.)

INTRODUCTORY NOTE.

Assize Rolls.

These have already been referred to as catalogued in List of Plea Rolls, in some cases with inadequate description of their character. My examination of the series was with the specific purpose of identifying sessional records, and therefore included only a cursory glance at rolls that were plainly rolls of oyer and terminer; but even this slight investigation showed several instances where the justices were under indictment for misdeeds in session, and there are probably more such instances.

Chancery as a Court of Law.

The latter half of the fourteenth century is the period dur-

¹ Cf. also app., F, 2. ² Pt. ii, ch. ii, s. 1, and app., F, 2.
ing which the process of separation of the jurisdiction of the chancellor from that of the council began,—a process that was not completed until the next century. Cf. Palgrave, *The King's Council: Spence, Equitable Jurisdiction of Chancery*, especially v. i, pt. 2, bk. 1, chs. 2, 3 and 4; and Baildon, *Select Cases from Chancery*, especially introduction, xvi et seq., xxix-xxx, and xlv. See also Mr. Baldwin's article on the council in *Trans. Royal Hist. Soc.*, xix, 47-54, for an account of the judicial side of the council at a little earlier date.

The case recorded by Burton, in *Chron. de Melsa* (see pt. i, ch. ii, s. 7), is an excellent example of the difficulty during this transition period of making clear-cut distinctions between the jurisdiction of the king, the king's council, and the chancellor; undoubtedly further study will show similar cases.

Judicial proceedings on the equity side are usually said to have been formally recorded only from the reign of Richard II; cf. Baildon, *op. cit.*, and *List of Early Chancery Proceedings*, v. i, *Lists and Indexes*, no. xii.

The series known as County Placita are classified by Scargill-Bird, *op. cit.*, under "Chancery, common law side"—a classification which according to Mr. Pike ("Common Law and Conscience" in *Law Quarterly Review*, i) is not always correct. He analyzes one of the documents in the series to show that it comes under the head of equity, not common law, and quotes it as proof of his contention that at this date there is no broadly marked distinction between the two types of judicial functions.

The County Placita include transcripts of proceedings brought into chancery by writ of certiorari and often sent hence by a mittimus into other courts. A manuscript catalogue gives county, regnal year, and a brief summary of contents. For this decade there are three rolls of transcripts of proceedings before the justices of labourers, one of which seems to be merely a part of the regular outlawry process.

King’s Bench.

Coram Rege Rolls. *Cf. pt. ii, ch. ii, s. 1, for description.*

A very slight search through these rolls showed several interesting proceedings before the justices of labourers, and an exhaustive examination would undoubtedly discover more.

The series known as Ancient Indictments contains several instances where justices are indicted "coram Rege" for extortion in their sessions.

*Extracts from Assize Rolls, Coram Rege Rolls and County Placita.*


Indictamenta capta apud Preston coram eisdem (i. e. Thoma de Seton et sociis suis).

Placita querelarum et Coronae.

"Cokayn."

m. 1. Indictamenta capta coram T. de Seton et sociis suis iusticiariis domini ducis Lanc’ apud Preston die Mercurii post festum Sancti Matthei apostoli anno ducatus quarto.

. . . . . . . . . . .

m. 2 d. Derbishiir. Secunda Inquisicio de eadem sessione.

. . . . . . . . . . .

(William de Chorley, clerk of the wapentake of Derby, is indicted for conspiracy.) Et dicunt quod Trans- cum Iohannes de Linleigh indicatus fuit coram Io- hanne Hauerington et sociis suis iusticiariis de novo statuto de excessu, predictus Willelmus de Chorlay, clericus iusticiariorum predictorum, ipsum Iohannem de indicamento predicto recusauit et vnnum alium Iohannem de Legh per falsitatem ipsius Willelmi in- trauit, die Martis proximo post festum Sancti Hil- farii, anno xxvii°.
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Indictamenta capta apud Preston coram I. Cokayn et sociis suis iusticiariis domini ducis Lanc' die Lune proximo ante festum Sancti Laurencii, anno ducatus Lanc' quinto.

Ammundernesse.

Item dicunt quod [cum] quidam Iohannes de Lynleigh, seruis, et indictatus coram iusticiariis seruicium et per processum exigatus fuit in comitatu, tune Willelmus de Chorley, clericus predictorum iusticiariorum, rasuram fecit del Lyn in decepcion cuiusdam Iohannis del Legh; qui quidam Iohannes del Legh vlagatus fuit in loco predicti Iohannis de Lynleigh causa decepcionis predicti Willemi et predicte rasure del Lyn pro qua causa predictus Iohannes del Legh omnia bona sua amisit.


Placita Coronae coram eisdem (i.e. de Skypwyth et sociis suis).

Praesentationes et Indictamenta.

(For the composite nature of the roll, see app., 195.)

m. 10. Presentaciones facte apud Ludam coram Willelmo de Skypwyth et sociis suis iusticiariis etc. venit predictus Hugo in propria persona sua et quesitum est per prefatos iusticiarios a predicto Hugo qualiter se velit de premissis super ipsum acquietare. Dicit quod ipse alias die Mercurii proximo post Clausum Pasche anno regni Regis nunc Anglie vicesimo sexto, coram Willelmo de Skypwyth et Iohanne de Moubray iusticiariis domini Regis etc. apud Lincoln' exitit indicitus de eo quod ipse cepit colore officii sui viginti libras sterlingorum pro feodo suo de operatoribus et artificibus qui coram predicte comite et sociis suis iusticiariis etc. de diuersis excessubus indicati fuerunt et occasionibus illis finem cum domino Rege fecerunt; pro quibus quiem viginti libris ipse coram prefato Willelmo de Skypwyth et Iohanne de Moubray die et anno predictis finem.

m. 3. Presentaciones facte apud Ludam coram Willelmo de Skypwyth et sociis suis iusticiariis domini Regis ad diuersos felonias, transgressiones, oppressiones, extorsiones, damna, grauamina, contemptus et excessus in comitatu Lincoln' facta, audienda et terminanda assignatis die Lune proximo post festum Sancte Trinitatis, anno regni . . . . vicesimo septimo . . .

Iurati diuersorum wapentaciiorum presentant quod Hugo Cressy, constabularius castri Lincoln', cepit per extorsionem et colorum officii sui decem et nouem libras argentii pro feodo suo de Roberto atte Beck et multis aliis indictatis coram Gilberto de Umframvill, comite de Ane-

1 There is some difficulty about Umframvill's appointment. In the commission for labourers of 12 Nov., 1350 for Lindsey (cf. pt. 1, ch. i, s. i.) he is referred to as keeper of the peace for the district, but his name does not appear in the commission of the peace of 10 Feb. of that year (Cal. Fat. Rolls, viii, 516) although a few days later (ibid., 527, and app., 33) he was appointed on the joint commission for Holland and Kesteven.

MS. factos.
fecit cum domino Rege prout patet per rotulos predictorum Willelmi de Skypwyth et Iohannis de Moubray; qui quidem rotuli affiliantur inter rotulos predictorum Willelmi et Iohannis de deliberacionibus gaole Regis castri Lincoln etc. Et dicit quod predicte decem et novem librum unde ipse indicatus est fuerunt parcella de predictis viginti libris; et quod postquam per consilium domini Regis ordinatum fuit quod nullus minister, iusticiarius nec alius officiarius feoda aliqua de operariis et servientibus caperet, ipse colore officii sui nullos denarios cepit, nec postquam ipsum fecit finem cum domino Rege occasione predicta per extorsionem prout per presentacionem predictam supponitur, et hoc paratus est verificare etc.

Ideo fiat inde iurata. Iurati super premissis electi, . . . . . . . . . . . . . . Ideo ipse eat inde sine die etc.

County Placita, Bedford, no. 9.

Edwardus, Dei gratia Rex Anglie et Francie et dominus Hibernie, dilecto sibi Iohanni Mareschal, salutem.

Quia quibusdam certis de causis cerciorari volumus super tenore recordi et processus loquele que fuit coram vobis et sociis vestris iusticiariis ad omnia et singula que contra formam ordinacionis et statuti de operariis, artificibus et servientibus attemptata fuerint in comitatu Bed' audienda et terminanda assignatis sine breui nostro inter Rogerum Atte Welle de Couteshale et Iohannem de Sekford, seniorem, de cluadam transgressione eodem Rogero per prefatum Iohannem illata, vt dicitur, super tenore recordi et processus loquele que fuit coram vobis et sociis vestris predictis sine breui nostro inter Thomam Atte Welle de Couteshale et prefatum Iohannem de quadam transgressione eodem Thome per prefatum Iohannem illata, vt dicitur, ac eciam super tenore recordi et processus loquele que fuit

1 Cf. app., 16.

coram vobis et sociis vestris predictis sine breui nostro inter Stephanum Atte Welle de Couteshale et prefatum Iohannem de quadam transgressione eodem Stephano per prefatum Iohannem illata, vt dicitur, et similiter super tenore recordi et processus loquele que fuit coram vobis et sociis vestris predictis sine breui nostro inter Galfridum Atte Welle de Couteshale et predicatum Iohannem de quadam transgressione eodem Galfrido per prefatum Iohannem illata, vt dicitur, necon super tenore recordi et processus loquele que fuit coram vobis et sociis vestris predictis sine breui nostro inter Iohannem Atte Welle de Couteshale et prefatum Iohannem Sekford de quadam transgressione eodem Iohanni Atte Welle per predicatum Iohannem de Sekford illata, vt dicitur, vos mandamus quod tenores recordorum et processuum predictorum nobis in cancellaria nostra sub sigillo vestro distincte et aperte sine dilacione mittatis et hoc breue.

Teste me ipso, apud Westmonasterium, quinto die Nouembris, anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

(Endorsed.)

Per David de Woll ad instanciam Iohannis de Herlyng.

Virtute istius breuis tenorem recordorum et processuum infranominatorum in quadam sedula huic consuta coram vobis mittimus.

Bed' Placita coram Iohanne Mareschal et Iohanne de Rokesdon iusticiariis domini Regis super statutum de servientibus, operariis et artificibus in comitatu Bed' assignatis apud Pullokeshull, die Veneris proximo post festum Assumpcionis beate Marie, anno regni . . . tricesimo secundo.

Bed' Iohannes de Sekford, senior, attachiatus fuit ad respondendum Rogero atte Well de Couteshale de eo quod cum idem Rogerus conuenit cum Simone Challye de
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Cadyngdon in comitatu Bedford' ad seruiendum eidem Simoni apud Cadyngdon ad metenda blada sua et prata sua falcanda ac alia necessaria eidem facienda a festo Sancte Margarete virginis, anno regni Regis Edwardi tercii post conquestum tricesimo secundo, vsque festum Sancti Michaelis tunc proxime sequens, capiendo de predicto Simone decem solidos et mensam, et predictus Johannes de Sekford venit et eum cepit et abduxit vsque ad manerium de Sharpenho et eum ibidem diu detinuit per quod predicto Simoni seruire non potuit prout illi conuenit, contra formam statuti de seruientibus editi, vnde deterioratus est et dampnum habet ad valenciam viginti solidorum et inde producit sectam.

Et predictus Johannes dicit quod predictus Rogerus responderi non debet quia dicit quod idem Rogerus est natius suus ut de manerio suo de Couteshale et ipse et antecessores sui a tempore quo non extat memoria de predicto Rogero et antecessoribus suis semper seisiti fuerunt ad talliandum ad altum et bassum [et] faciendum prepositum etc.

Et predictus Rogerus inde examinatus non potuit hoc dedicere, imo expresse cognovit; ideo consideratum est quod predictus Rogerus nichil capiat per billam suam set sit in misericordia.

Bed' Johannes de Sekford, senior, attachiatus fuit ad respondendum Stephano atte Well de Couteshale de eo quod cum idem Stephanus convenit cum Willelmo Whitynge de Luton in comitatu Bed' ad seruiendum eidem Willelmo apud Luton a festo Sancti Petri Aduincula anno regni Regis Edwardi tercii post conquestum tricesimo secundo vsque ad festum Sancti Michaelis tunc proxime sequens ad metendum blada sua ac alia necessaria eidem facienda, capiendo de predicto Willelmo octo solidos et mensam, ac venit predictus Johannes de Sekford et eum cepit et abduxit vsque ad manerium de Sharpenho et eum ibidem diu detinuit, per quod predicto Willelmo seruire non potuit prout illi conuenit neque stipendium suum capere, contra formam statuti de seruientibus editi, vnde deterioratus est et dampnum habet ad valenciam xx s. et inde producit sectam. . . . (The remainder is identical with the first entry, mutatis mutandis.)

Bed' Johannes de Sekford, senior, attachiatus fuit ad respondendum Galfrido atte Welle de Couteshale de eo quod cum idem Galfridus convenit cum Ioanne atte Park de Luton in comitatu Bed' ad seruiendum eidem Ioanni in officio carucarii apud Luton a festo Annunciationis beate Marie anno regni Regis Edwardi tercii post conquestum tricesimo secundo vsque ad festum Sancti Michaelis tunc proxime sequens, capiendo de predicto Ioanne in duodecim septimanas vnum quarteterium bladi et sex solidos et octo denarios pro stipendio suo et venit predictus Johannes de Sekford et eum cepit et abduxit. . . . (The remainder is identical with the first entry, mutatis mutandis.)

Bed' Johannes de Sekford, senior, attachiatus fuit ad respondendum Ioanni atte Welle de Couteshale de eo quod cum idem Ioannes atte Welle convenit cum Ioanne Draper de Sancto Albano ad deseruiendum eidem
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Iohanni Draper in artificio mercatoris a festo Anunciationis beate Marie anno regni Regis Edwardi tercii post conquestum tricesimo secundo vsque festum Sancti Michaelis tunc proxime sequens, capiendo de predicto Iohanne Draper viginti solidos et mensam, et venit predictus Iohannes de Sekford et eum cepit et abduxit. . . . (The remainder is identical with the first entry, mutatis mutandis.)

County Placita, Surrey, no. 8.

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilecto et fidei suo Thome de Brewes, salutem. Volentes certis de causis cerciorari super quaedam cognicione quam Willelmus atte Mere de Merwe nuper fecit coram vobis et sociis vestris nuper iusticiariis nostris ad ea quae contra formam ordinacionis et statuti de operariis, artificibus et servitoribus factorum attemptata fuerint in comitatu Surr' audienda et terminanda assignatis, de seruitute ipsius Willelmi, vobis mandamus quod scrutatis rotulis vestris et sociorum vestrorum predictorum de tempore predicto que sub custodia vestra existunt, vt dicitur, nos in cancellaria nostra de eo quod inde inueneritis sub sigillo vestro distincte et aperte certificetis indilate.

Teste me ipso apud Westmonasterium, xxvi die Novembris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Surr'

Placita tenta apud Guldeford coram Thoma de Brewes, Reginaldo Forster, et Iohanne de Roulee die Martis proximo post octabas Sancte Trinitatis, anno regni Regis Edwardi tercii post conquestum xxiii°, virtute cuiusdam commissionis predictis Thome et aliis in commissione predicta nominatis ad inquirendum de omnibus et singulis que contra formam ordinacionis et statuti de operariis, artificibus et servitoribus factorum attemptata fuerunt in commissione predicta audienda et terminanda assignatis.

Wokyngg.

Willelmus atte Merre de Merwe attachiatus fuit ad respondendum Petro Semere de placito quare quod cum ordinatum sit quod quilibet homo et femina regni domini Regis Anglie, potens in corpore et infra etatem sexaginta annorum, non viuens de mercatura nec certum exsercens artificium nec terram propriam circa cuius culturam se poterit occupare et alteri non seruiens, si deseruendo considerato statu suo in servicio congruo fuerit requisitus, seruire teneatur illi qui illum sic duxerit requirandum et percipient dum taxat vadia, liberaciones, mercedas seu salaria que in locis vbi seruire debeant constituata sunt prestari anno domini Regis Anglie xx° vel annis communibus quinque vel sex precedentibus. Et vnde idem Petrus dicit quod ipse die Lune proximo post festum Purificacionis beate Marie anno supradicto vicesirno quarto apud Merwe in presencia Iohannis atte Dene et Willelmi Hereward predicto Willelmo servium congruum deseruiendo predicto Petro in villa de Merwe optulit, capiendo de predicto Petro predictus Willelmo pretium absque debito predicto Petro servire querendum et percipiat dum taxat vadia, liberaciones, mercedas seu salaria que in locis vbi seruire debeant constituta sunt prestari anno domini Regis Anglie xx° vel annis communibus quinque vel sex precedentibus. Et inde predictus Willelmu defendit vim et iniuriam etc. et quicquid est in contemptu domini Regis et statuti etc., et dicit quod ipse non potest predicto Petro seruire quia dicit quod ipse est natius prioris et confessus ecclesie beate Marie de Boxgraue de maneria suo de Merwe et

1 There should be a "habens" here; cf. the ordinance; app., g.

2 MS. predict Willelum.
quod dictus prior ecclesie predicte qui nunc est, fuit seistus de eo vt de natuuo suo et de seruiciis suis natuiuis vt de iure ecclesie sue predicte, et quod idem prior et omnes predecessores sui predicte ecclesie a tempore cuius contrarii memoria non existit, seistis fuerunt de eo et de omnibus anteccessoribus suis vt de natuiuis suis ad talliandum eos ad alnum et bassum et ad capiendum de eis redempciones pro filiabus suis maritandis vt de iure ecclesie sue predicte de manerio suo predicto, et dicit quod predictus prior et conuentus dimiserunt dictum manerium cum omnibus pertinencibus Iohanni Chene de Tortyngton habendum et tenendum ad terminum vite sue. Et quod predictus Iohannes Chene habet ipsum Willelmum in seruicio suo necessarie in manerio predicto. Et petit iudicium si predicto Petro seruire debeat etc. Et quia predicti iusticiarii dubitauerunt de cognicione dicti Willelmi optulerunt ei librum ad iuran- dum dicendi veritatem de factis predictis; qui sacramento prestito dixit et cognouit vt prius, per quod consideratum est quod predictus Petrus nichil capiet per querelam suam predictam, et quod predictus Willelms seruiet predicto Iohanni Chene tanguam suo et super hoc liberatur Waltero de Wernham, balliuo dicti Iohannis Chene, ad seruiendum ei secundum statutum predictum et consuetudinem manerii predicti.

(Endorsed)

Recordum iusticiariorum de operariis pro Petro Semere.

A chanceller nostre seignur le Roy
par Thomas de Breouse.

Coram Rege Roll, no. 454.

super recordo et processu coram vobis habitis de
loquela que fuit coram vobis inter Robertum de Meres
de Soterton et Rogerum Roper de eo quod idem
Rogerus prefato Roberto deseruire iuxta formam
statutorum et ordinacionum inde editorum recusauit,
vobis mandamus quod recordum et processum pre-
dicta cum omnibus ea tangentibus nobis in cancellaria
nostra sub sigillis vestris vel alcuuius vestrum distincte
et aperte sine dilacione mittatis et hoc breue, vt
ultius inde fieri faciamus quod de iure et secundum
legem et consuetudinem regni nostri Anglie fuerit
faciendum. Ac vicecomiti nostro consilium predicti
detis in mandatis quod capcioni corpus predicti Rogeri
occasione premissa faciende supersedeat et si ipse ex
hac causa captus existat tunc ipsum a prisona qua sic
deinatur deliberet indilate.

Teste me ipso, apud Westmonasterium, viii die
Iunii, anno regni nostri Anglie quadragesimo octauo,
regni vero nostri Francie tricesimo quinto.

Placita domini Regis tenta apud Sanctum Botolphum
coram Willelmo de Spaigne, Rogero Top, Thoma de Pynchebek et Ricardo de Launde iusticiariis
domini Regis pacis necnon ad statuta et ordinaciones de
operatoribus, seruientibus et artificibus in
partibus de Holancl in comitatu Lincoln' audienda et
terminanda assignatis, die Mercurii proximo post
fes tum Sancte Trinitatis, anno regni Regis Edwardi
tercii post conquestum quadragesimo octauo.

Lincoln' Robertus de Meres de Soterton qui sequitur tam
pro domino Rege quam pro se ipso queritur de
Rogero Roper de Soterton de eo quod cum idem
Rogerus vacuus fuit et nulli seruiens nisi per dietas
idem Robertus die dominica in octabis Pasche anno
regni Regis Edwardi tercii xlviii apud Soterton re-
quisuit dictum Rogerum dum vacuus fuit ad seruien-
dum sibi in villa de Soterton in officio carucarii et
alis seruiciis, videlicet a predicto die per annum in
tegrum proxime sequentem, idem Rogerus seruire
eidem Roberto penitus condixit et recusauit contra
statutum et ordinacionem de operatoribus editos in
contemptum domini Regis et damnum ipsius Roberti
xl li., plegi de prosequendo, Iohannes Batson et Ro-
bertus, filius Rogeri.

Placita Regis tenta apud Sanctum Botolphum
coram prefatis Willelmo de Spaigne et Ricardo de
Launde iusticiariis, die Veneris proximo post festum
Sancte Trinitatis, anno regni Regis Edwardi tercii
xlvi.

Preceptum fut vicecomiti quod attachet Rogerum
Roper de Soterton ita quod habeat corpus eius coram
prefatis iusticiariis etc. apud Sanctum Botolphum die
Veneris proximo post festum Sancte Trinitatis, anno regni Regis Edwardi tercii
xlvi.

Et ipsum non venit. Et vicecomes retornauit quod
mandavit balliuo libertatis comitis Richemundie in
wappentachio de Kirketon cui execucio precepti Regis restat facienda qui sic respondit quod
predictus Rogerus Roper non est inuentus in
balliuu sua. Ideo preceptum est vicecomiti quod
capiat eum si etc. et salvo etc., ita quod habeat cor-
pus eius coram prefatis iusticiariis etc. apud Sanctum
Botolphum die Mercurii proximo ante festum Sancte
Margarete virginis proxime sequens ad responden-
dum tam domino Regi quam prefato Roberti de Meres
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de placito contemptus et transgressionis contra statutum etc. Postea, scilicet quinto die Iulii isto eodem termino, venit predictus Rogerus Roper et reddidit se etc. occasione predicta. Et super hoc venerunt Ricardus de Pereres, Iohannes de Wabham, Iohannes de Sledmer de Beuerle et Robertus Ragemill et manu-ceperrunt habendi corpus predicti Rogeri coram domino Rege a die Sancti Michaelis in xv dies ubique etc. Ideo preceptum est vicecomiti quod per probos etc. scire faciat predicto Roberto de Meres quod sit coram domino Rege ad prefatum terminum ad sequendum si etc.

DOCUMENTS, LISTS AND TABLES

D. EXCHEQUER. (Cf. pt. 1, ch. iii.)

INTRODUCTORY NOTE.

The greater part of the material dealing with the work of the exchequer is, of course, preserved in the exchequer; but there are some important documents connected with exchequer processes that appear among chancery enrollments. Examples of these are the writs for the payment of the justices’ wages on the Close Rolls; commissions to collectors of the subsidy, occasionally on the Patent Rolls, regularly on the Fine Rolls; special commissions of investigation as to arrears of penalties or as to instances of peculation, and special grants disposing of the penalties, on the Patent Rolls. Many of these chancery enrollments are, however, duplicated in that branch of exchequer enrollments known as Originalia which for convenience I included under “Chancery;” cf. app., 19.

The main classes into which the exchequer material is divided are: the Memoranda Rolls, the Placita de Scaccario, Accounts, both original and enrolled, and the records of the exchequer of Receipt.

Memoranda Rolls of the two Remembrancers, the King’s and the Lord Treasurer’s.

The contents of these rolls have been described by Madox, in Hist. of Exchequer, by Scargill-Bird, op. cit., and by Gross in his summaries, op. cit. For this decade there is nothing in print except a few summarized selections in Jones’ Index to the Originalia and the Memoranda.

In my search through these two series of rolls from 23 Edw. III to 35 Edw. III, I made an attempt to note all references to the statutes of labourers; but the rolls are so voluminous and the amount of material on the statutes so great that my search cannot be called exhaustive.

The entries having to do with the statutes are of many kinds: commissions to the collectors of the subsidy, and additional instructions to them; innumerable writs of the great seal and
of the treasurer directed to the various officials concerned with the statutes, both as to the proper levying and final disposition of the penalties and as to the payment of the justices' salaries; statements as to the penalties in "states and views of accounts" both of sheriffs and of collectors; numerous actions brought by the exchequer against all these officials for failure to do their duty in regard to the penalties; and finally the claims of the lords of franchises. These latter are recorded in great detail and are important for many reasons, and more especially because they often include long schedules of accounts of the penalties imposed under the statutes, entered on separate membranes, and attached to the Memoranda Rolls.

It is essential to remember in using this material that according to the exchequer's method of computation of dates for Edward's reign Michaelmas term precedes Easter term; so that e.g., Mich. 29th year on the Memoranda Rolls is really only Mich. 28th year.¹

Exchequer Proceedings subsidiary to the Memoranda Rolls.

Cf. Scargill-Bird, op. cit., 213. This series has not been included in my search.

Placita de Scaccario.

The List of Plea Rolls includes merely a catalogue of these, classified by regnal year and law term. The roll for the 34th year is omitted from the printed list; by accident I found it misplaced among the Memoranda Rolls, K. R. It has now been transferred to its proper place, as 82a. My examination has covered only a few of these rolls; these few contained many important proceedings connected with the levying of the penalties under the statutes.

Accounts, original and enrolled.

A distinction between these two types of accounts, important for purposes of investigation, is that the former include specific details — the amount of the penalty imposed on an individual offender, often the exact nature of his offense, and the character of his occupation; while the latter include only the total sums for which a given official is responsible.

Original.

Fines and Amercements; Exchequer, K. R.

The manuscript list contains dates and brief summaries of the contents of each roll. A thorough examination revealed only a few of the accounts of the penalties under the statutes of labourers.

Sheriffs' Accounts.

The manuscript list gives only the regnal year; I did not examine this series at all.

Lay Subsidies; the original accounts of the collectors.

For a description of these cf. app., D, 4. A printed list is in progress of all the above.

To these must be added the schedules of accounts handed in at the exchequer by the lords of franchises, already referred to; cf. app., D, 6.

Enrolled.

Enrolled Subsidies.

For a description of these cf. app., D, 4.

"States and views of accounts" of both sheriffs and collectors, enrolled on Memoranda Rolls.

Pipe Rolls.

Until 42 Edw. III, these included Foreign accounts (i.e., those foreign to the jurisdiction of the sheriff except subsidy accounts), as well as those for which the sheriff was responsible; cf. Scargill-Bird, op. cit., 4. They are exceedingly valuable both for total sums of penalties under the statutes and for amounts paid as salaries to

¹ Cf. Ramsay, "Expenditure of Edw. III" in Antiquary, i, 156.
the justices; but they are so bulky and voluminous, with no guide to contents except as furnished by the regnal year and the county, that my search has included only a few.

Exchequer of Receipt.
Issue Rolls.
These have been examined but contain nothing important for my purpose.
Receipt Rolls.
Praestita Rolls.
Neither of the above has been examined.
It will appear from this account of the exchequer material that nearly all the sources utilized for ch. iii on the disposition of the penalties are included in this section of the appendix.

1. Extracts from Assize Rolls, Memoranda Rolls and Originalia Rolls.
2. Extracts from Lay Subsidies and Memoranda Rolls.
3. Extracts from Memoranda Rolls.
4. Accounts of collectors of the triennial of 1352.
   A table of figures taken from Enrolled Subsidies.
   Extracts from Accounts, K. R., Enrolled Subsidies and Lay Subsidies.

1. Extracts from Assize Rolls, Memoranda Rolls and Originalia Rolls. (Cf. pt. i, ch. iii, 1, A.)

Originalia, 23 Edw. III, m. 25.
De leuando quintamdecimam de seruientibus.
Rex taxatoribus et collectoribus decime et quintedecime nobis per laicos vltime concessarum in comitatu Cumb', salutem.
cuiuscumque videlicet status aut condicionis fuerint, plus pro laboribus, seruisii et artificiis suis, quam anno vicesimo et aliis annis supradictis soli sunt percipere, capientes, ad totam illum summam quam utra receperint cum aliis laiciis, tam pro tempore preterito, quo sic stipendia, salaria, liberaciones et precia augmentata fuerint, quam pro tempore iam futuro assideantur, totaque ipsa summa sic utra recepta a singulis eorumdem leuetsur et colligatur ad opus nostrum, in alielacionem singularum villarum unde dicti artifices, seruitores et operarii fuerint in auxilium solucionis summarum ad quas eodem ville seu homines earum ad decimam et quintadecimam iam currentes sunt assessor; ita semper quod finitis decima et quintadecima iam currentibus, tota illa pecunia, precia et liberaciones siue valor liberacionum earundem, utra vt premittitur extunc pecierint et receperint, ab eis et eorum singulis ad opus nostrum in subuenionem supportacionis onerum regni nostri per illos quos ad hoc in comitatu predicto duxerimus assignandas leuentur et colligantur, et quod illi qui forsan propter hoc renuents deseriere vel summas per ipsos utra perceptas, et super eos esses soluere vel artificialia sua et opera exercere statim per vos vel aliquem vestrum seu alios per vos vel aliquem vestrum in singulis villis ad premissa exequenda deputandos vel per ballius locorum seu constabularios villarum cum de hoc constiterit, aresentur et carceri committantur in eodem detinendis, quod utra percepersit iuxta ordinaciones easdem vel donec aliud inde duxerimus demandandum.

Intencionis tamen nostre existit quod secundum dictam primam ordinacionem licet cuiilibt contra excedentes eandem, vel ei non parentes prosequi et applicare suo vsui, quod per ipsam conceditur prosequenti. Et ideo vobis committimus et mandamus quod dictos operarios, seruitores et artifices vniuersis in comitatu predicto, tam infra libertates quam extra, ad summas quas utra receperint ut premititur per vos seu deputatos vestros assideatis seu assideri faciatis et eas ab eis ad opus nostrum leuets et colligatis in forma predicta et alia premissa ordinata faciatis et exequiamini, prout superius est expressum, inquisita super premissis quociet et quando opus fuerit per sacramentum proborum et legalium hominum de comitatu predicto, tam infra libertates quam extra, plenius veritate. Et hoc nullatenus omitatiss sub periculo quod incumbit. Mandamus autem vicecomiti nostro comitatus predicti quod aresstatos huiusmodi a vobis et vestrum volublet et deputatis predictis recipi in carceri detinendos, quousque paruerint, et feecerint cum effectu iuxta ordinaciones predictas, vobisque et vestrum cuilibet ac deputandis vestris predictis circa premissa facienda et exequenda quociet opus fuerit vel ei inde scire feceritis ex parte nostra pareat et intendat; et vt ordinaciones predictae pateant vniuersis, eas, prout in mandato nostro sibi directo contingatur, in ciuitatibus, burgis et villis mercatoriis et aliis locis in ballia sua vbi expedire viderit infra libertates et extra publice proclamari faciat, et quantum ad ipsum attinet observari.

Teste Rege apud Westmonasterium, xxi die Nouembris.

Consimilia breuia diriguntur collectoribus dictarum decime et quintedecime in singulis comitatibus Anglie, sub eadem data.

Originalia, 24 Edw. III, m. 4.

Essex' De stipendiis operariorum leuandis.

(To the assessors and collectors of the tenth and fifteenth; substantially the same as the above but condensed (prout in literis nostris predictis plenius continetur) continues): Ac iam intelleixerimus quod quamplures operariorum, seruiument et artificem predictorum huiusmodi pecunie summas utra stipendia et salaria consueuta receptas, pro maiore parte iam expenderunt et consumpturunt, ita quod ad solucionem illarum pecunie summarum per ipsos utra receptarum, sufficer non poterunt, et si in pristina detinenterur magis depauperentur et homines comitatus illius seruiici et laboribvs eorumdem operariorum, seruitorum et artificem frustrarentur. Nos aduertentes paucitatem operariorum, seruitorum et artificem huiusmodi in comitatu predicto, et quod homines de eodem comitatu seruiici et laboribvs eorumdem commodo carere non
possunt, ac proinde volentes remedium congruum poni in hac parte, vobis mandamus quod receptis a seruitoribus, operaris et artificibus qui sufficientes et potentes fuerint pecuniarum summis per ipsos ultra stipendia et salaria consueta vt premititetur receptis, reliquis seruitoris, operarios seu artifices qui ad solucionem integre summe per ipsos sic ulcer recepte patenter sunt impotentes, ad illud dumtaxat quod solvere poterunt, per incarceracionem corporum suorum, et alii vis et modis quibus poteritis, compellatis, capta ab eis sufficiente securitate de sunt impotentes, ad illud dumtaxat quod soluere poterunt, per solucionem uiendo exnunc pro stipendiis et salariis dictis annis soluistis.

Volumus eciam et vobis decime et quintedecime predictarum remanente soluentis decima et quintadecima predictis.

omnes et singulos iuratores quos per returna status premunitos, et qui iuxta premunicionem huiusmodi coram vobis casubus secundum et districiones necnon forisfacturas uerint vt sic venire cogantur fieri faciatis, prout in consimilibus ad scaccarium nostrum mittenda, vt de leuacione eorundem ad opus nostrum ordinari faciendum, eadem amerciamenta et tri vtilitate procedentes iuxta vim et effectum literarum cionem dicte ordinacionis nostre pro nostra et dicti populi dictarum.

Middlesex Memoranda Roll, L. T. R., no. 120.

Adhuc Communia de termino Sancti Michaelis anno xxxix Regis Edwardi tercii. Adhuc Presentationes, Attornatus, Dies dati et Respectus; rot. 12.

Surr’ De die dato.

Memorandum quod Henricus de Bekwell, vnus iusticiariorum operariorum in comitatu Surr’ venit hic coram baronibus, xxviii\* die Nouembris hoc termino, et liberavit curie hic xiii rotulos de finibus, excessubus, exitibus et americanentis huiusmodi operarius, quorum rotuli sunt in custodia huius rememoratoris, et recordatur quod liberavit transscriptum eorumund rotulorum Thome de Weston, Nicholao atte Welle, Ade de Sancto Albano et Iohanni de Godestou nuper collectoribus tercii anni solucionis x\* et x\* triennalium Regi a laici anno xxii\* concessarum in comitatu predicto die Sabbati proximo post festum Natiuitatis Sancti Iohannis Baptiste anno xxv\*o, per inden turam cuius alteram partem ostendit, videlicet pro denariis in transcripto illo contentis leuandis in exoneracionem communia tis dicti comitatus. Super quo predicti Thomas de Weston et Iohannes de Godestou, presentes hic in curia super premissis allocuti, bene concedunt quod ipsi simul cum predictis Nicholao et Adam receperunt transcrptionem predictum et quod distribuerunt magnam partem inter pauperes villatas dicti com itatus in allocacionem, videlicet, solucionis dicti tercii anni solucionis x\* et x\* predictarum dicto anno xxii\* concessarum, asserentes ipsi Thomas et Iohannes quod in absencia predicti Nicholai atte Welle et heredis et executoris predicti Ade in premissis computare non possunt petentesque proxinde quod veniant etc.

Et viso statuto per quod Rex concessit huiusmodi fines etc in auxilium communitatis regni etc., quod quidem statutum factum fuit in parliamento Regis apud Westmonasterium con uocato in octabis Purificacionis beate Marie Virginis, anno xxv\*o et resedit in custodia alterius rememoratoris, compertum est in eodem quo Rex inter cetera concessit quod vicecomites, constabularii, balliui et gaolarii, clerici iusticiariorum vel vicecomitum, nec alii ministri quicumque, nichil capiant racione officiorum suorum de huiusmodi operaris pro feodis, sectis prisonum vel alio modo, et si quid inde ceperint modo predicto id liberent collectoribus x\* et x\* in auxilium communitatis pro tempore quo eodem x\* et x\* currunt tam pro tempore prevento quam futuro, concordatum est quod dicti collectors compostent etc.
Ideo preceptum est vicecomiti Surr' quod distingat pre-dic-tum Nicholaum atte Welle et Adam de Sancto Albano vel heredes et executores suos si ipsi mortui fuerint ac tenentes terrarum et tenementorum que fuerunt ipsorum Nicholai et Ade in feodo per terras etc.; ita etc. a die Sancti Hillarii in xv dies ad computandum, vna etc. Et idem dies datus est prefatis Thome et Iohanni ad computandum, vna etc.

Ad quem diem predicti Thomas de Weston et Iohannes de Godestou ac Nicholaus atte Welle veniunt. Et quod predictum Adam de Sancto Albano vicecomes retornauit quod idem Adam obiit et quod Iohannes de Sancto Albano, filius et heres predicti Ade de Sancto Albano, vnus executorum testamenti predicti Ade ac tenens terrarum et tenementorum que fuerunt eiusmodem Ade, et Radulfus Hert et Henricus atte Cauce de Croydon, coexecutores ipsius Iohannis de Sancto Albano testamenti predicti Ade, districti sunt et exitus etc.

Et predictus Radulfus Hert venit et tam ipse quam predicti Thomas de Weston, Iohannes de Godestou et Nicholaus atte Welle cognoscunt et concedunt se velle et debere computare tam pro se ipsis quam pro predictis Iohanne de Sancto Albano et Henrico atte Cauce in premissis; qui quidem computus remanet in custodia ingrossatoris, particule vero dicti compoti remanent in custodia huius rememoratoris, per quem computum nichil debetur.

Assize Roll, Sussex, 941. 26 Edw. III. 63 membranes.

Placita (de transgressionibus, etc.) coram J. de Molyns et sociis suis.

m. 1. Item dicunt quod Edmundus de Nortot cepit de villa de Fynchingfeld de laboratoribus et servitoribus de...

m. 8. Item dicunt quod Iohannes de Sutton, anno regni domini Regis nunc vicesimo tercio, quo anno exitit collector quindecimem domini Regis in comitatu Sussex' et habuit commissionem ad inquiriendum de labora-riis et salarriis suis excessuissi et ad eadem3 salaria ponenda in exoneracionem quindecimem villatarum in quibus illa salaria capta fuerunt, idem2 Iohannes de Sutton per extorsionem cepit de Thome de Preston, laborario, viginti sex solidos octo denarios pro quibus denarii idem Iohannes de Sutton liberavit in prisione domini Regis in castro de Lewes corpus predicti Thome custodiendum ibidem quousque plenarie satisficerit de summa predicta; quam quidem summam3 idem Thomas postea solvit prefato Iohanni, qui eam retinuit ad opus suum proprium sine aliquo inde solendo seu ponendo in avangium quindecimem domini Regis, tenente Regina villatam de Preston in qua dicta summa levata fuerat.

(m. 23 contains more presentments against de Sutton for extorsion as collector; he pleads guilty and is fined.)


Praesentationes apud Chelmsford.

(For evidence that these are "coram Rege" indict-ments, see app., F, r.)

m. 1. (No heading.)

Item dicunt quod Edmundus de Nortot cepit de villa de Fynchingfeld de laboratoribus et servitoribus de...
anno Regis nunc xxviii, x li. vnde dominus Rex nichil habuit.

m. 7. Item dicunt quod dictus Edmundus de Northhofts per consilium et assensum Iohannis Houel in omnibus sessionibus suis habuit mariscallum, videlicet Iohannem Northhofts, qui cepit de qualibet laborario iurato fere iii d. (Item Thomas de Haueryng, clericus, i d. Item Iohannes Castel, crier, i d.) et inprinsonauit omnes laborarios et seruitores qui soluere dictum feodum soluere quousque etc., ad anullacionem et pauperacionem hominum et feminarum hundredi et contra ordinaciones domini Regis inde factas.

m. 51. Essex. Magna Inquisicio.

m. 54 d. Item ils presentent qe com Esmund de Northtuft vn des iustices sur laborers, le Iudy proscheyn apres la feste de Seynt Matheu lan du regne nostre Seignur le Roy qore est xxiiii, fuist asis en le Chaustel Daungre, et fist apeller deuant luy toutz les artificers et laborers de chescun ville del hundred Daungre, et Waulter Salkyn deuant le dit Esmund pour exces par fyn deuers le Roy puny; al ysser de mesme celuy Waulter a la porte du chastel auandict, Iohan de Bamptone, seneschal et baillif du dit hundred, le dit Waulter arestut et enprisona et de luy prist v deners par extorsion encontre lestatut, et par mesme la cause et en mesme la manere de William Tracp v d. [etc.] et de plusurs autrers artificers et laborers et seruantz a la mountaunce de c. souldz par voie de extorsion prist encountre lestatut.


Praesentationes Juratorum.

(For an account of the probable character of this

1 Ten others.

m. 6. Magna Inquisicio.

Rugford.

Item presentant quod Edmundus Nortoft, collector quindecime comitatus Essex, cepit de villa de Sturmere xxxii s. ii d. de laboratoribus eiusdem ville et nilominus lxxviii s. pro integra solucione quindecime predicte, et pro qualibet acquietancia vi d. anno Regis nunc xxv.

m. 6 d. Item presentant quod Edmundus Nortoft, collector quindecime Regis in comitatu Essex, cepit de villa de Wetheresfeld xii s. de laborariis ville et nilominus integram summam quindecime ville anno xxv.

m. 16. Hundredum de Dunmawe.

Item presentent quod Johan Walter de Fifhyde fut iure deuaunt Edmund de Nortoft et son compaignoun qe il Translaboreyt et prendreyt soloun la ordinancie de nouele gressio. estatut, la ou il prist en lan nostre seignur le Roy qe ore est xxviii en Aust vi d. manger et beyure de iour en iour par viii semaygnes encontre lestatut, et est rebel et ne wlt estre iustifise par le conestablis de la ville.

Cf. Mem. K. R., 26 Edw. III, Trin., Recorda, Essex. A long process against Thomas de Lacy, Edmund de Northtoft and John Waleys, collectors of the grant of the 22nd year, who had failed to account for

1 MS. laboribus.
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the third year of the payment; they were convicted, imprisoned, and fined.

2. Extracts from Lay Subsidies and Memoranda Rolls.
(Cf. pt. i, ch. iii, 1, B, a.)


Adhuc Communa de termino Sancti Michaelis anno xxvii Regis Edwardi terti. Adhuc Recorda, rot. 20.
(Enrolled Mem. K. R., 26, Trin., Recorda, Anglia; and Orig., 26, m. 27, Anglia.)

Essex Forma leuacionis et distribucionis finium et amerciamentorum operariorum.

Leo de Bradenham et socii sui collectores xve et xe triennialium Regi a laicis anno xxvto concessarum in comitatu Essex exibuerunt curie literas Regis patentes quas peciuntur irrotulari in hec verba: Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, dilectis et fidelibus Leoni de Bradenham et Iohanni de Deneclen, salutem. Sciatis quod cum duces, comites, barones, milites et communitates comitatuum regni nostri Anglie quintadecimam, ac cives et burgenses ciuitatum et burgorum eiusdem regni mobili in presenti parlamento nostro apud Westmonasterium ad diem Veneris in festo Sancti Hillarii proxime futuro conuocato, pro triennio tunc proxime futuro in auxilio expressarum quas pro expedicione guarrarum nostrarum et salvacione et defensione dicti regni facere nos oportet, concesserint eodem modo quo huiusmodi decime et quintadecime nobis ultimo concessae decime fuerunt leuandas et nobis ad terminos Pasche et Sancti Michaelis quolibet dicti triennii per equales porciones soluendas, et nos habita consideracione quod quamplura ville et hameletta tam per pestilenciam quam ex alii variis causis in multo depauperantur quam pluraque alia

doubtedly, therefore, the same date as that of the offences referred to in the "coram Rege" indictments.
Et ideo vobis mandamus quod, statim visis presentibus, vos de villa ad villam et loco ad locum infra comitatum predictum tam infra libertates quam extra prout expedire videritis personaliter diuertatis et venire faciatis coram vobis et de qualibet ciuitate et burgo eiusdem comitatus maiorem de qualibet villa dicti comitatus duos homines et prepositum et ad certos dies et

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homines porciones ipsos inde contingentes solvere recusantes vna vobiscum distinguat et ad solucionem huiusmodi compellat quociens et quando per vos vel aliquem vestrum super hoc fuerit premunitus.

In cuius rei testimonium, has literas nostras fieri fecimus patentes.

Teste me ipso, apud Westmonasterium, xxv° die Februarii, anno regni nostri Anglie vicesimo sexto, regni vero nostri Francie terciodecimo.

Per ipsum Regem et consilium.

Exhibuit eciam hic prefatus Leo de Bradenham formam leuacionis et concessionis de quibus fit vterius mence in breui in hec verba: (duplicated in Miscellanea of the Exchequer, no. 4/39; printed from a British Museum transcript in Statutes of the Realm, as 25 Edw. III, st. vii, Statutum de Forma leva
tionis Decimequinque.)

Come notre seignur le Roi, prelatz, ducs, countz, barons et autres grantz assembleyz en cest parlement tenuz a Wey-
monster en la feste de Seint Hiller lan du regne meisme nostre seignur le Roi Dengleterre vintisme quint et de Fraunce dous-
zime eient grantez as les communes de dit roialme Dengle-
terre en eide des disme et quinzisme queles les ditz communes ouunt grantez au nostre dit seignur le Roi, pur lesploit de sa guerre de France et defense de son dit roialme Dengleterre, pur trois aunz proscheinz ensuantz, toutz les fynes, iussez, for-
faitz, americiemt et toutz altres profitz que sont ou seront leuex ou prises des laborers, artificers, regraters, vitailiers, hos-
tillers et totes manere dez ouersours et dez suerantz en toutz pointz, (comme pleinement est contentuz en lestatut ent fait au dreyn parlement tenuz a les octaues de la Chaundeloure lan susditz,) de la feste du Pasche drayne passe tanques a dreyn terme du payement des dismes et quinzimes susditz. Et oues-
quzes cco si rien soit aderie dez dites fynes, americiemt et autres profitz susditz de la fesaunce de dit estatut, que nest mye paye a les communes en eide de lour disme et quinzime cur-
rantz deuant sez heures (ou des summes de queles le Roi nest mye respondez), adonges eient les dites communes cee que issint est adereere en eide de leur disme et quinzisme triennales a cest parlement grantez; les ditz communes prient a nostre dit seignur le Roi et a les grantz, que commissions dez laborers soient faites as certeignes gentz en chescunc countee nompez par les ditz communes en meisme le parlement, denquere et de fair droit solonq lestatut auantdit; et meisme les iustices preignent gagez resonablez, chescun parissint est soient faites as certeignes gentz en chescune countee nomez rount liuerer hors de lour gard as ditz coillours; et liuerer lour extretz as coillours de les dismes et quinzismes es seignur le Roi et a counteez ou ils liueretz en lescheqier soient liueretz as ditz iustices, qi les fair droit solonq lestatut auantdit; et que meismes les iustices affirez soient touz les iustices auant lour leuer en chescun session la mieltz vaus de pays, et hundred soient certeynes gentz eslut deuant mesmes des ditz iustices, coillours et des chiualers et des sergeantz des hundred en la forme qensuit: cest assauoir que de chescun serement des bones et loials chiualers et altres de chescune ville del hundred et de chescun hamel le gast mischiefes et par serement des ditz tanque il bosoignera iuretz a monstrer et a dire de chescune pouerissement des yceles, sibien deinz franchise come dehors, saunz celer ou fauere fair a nully, et que lour necessite demande cione entre lez ditz villes et hameles par laus dez ditz iustices et par serement des ditz coillours et altres soussnomez solone lestat des ditz villes et hamels et leur mischiefes et solonc cee que leur necessite demande; issint que a chescune ville et hamel soit allote sa porcioune, et mys en certeyne, et la cause dyceel, deuant les ditz iustices, et mys en lour recordes, et recoupe in partye du payement del aunciene taxe des ditz villes et hamels; et que le remenant du taxe des dites villez et hamels soit leue par les ditz coillours outre les extretes liueretz a eux par les ditz iustices solone laporcionement susdite, et nient pluys, sour peyne de perder la treble as parties des queux les choses serront leuetz, et qui de ce se senterent greuez et destre retynte a la volente le Roi; et que les ditz iustices eient poair a oier et terminer, si bien a la suyte du parte come a la suyte le Roi, des coillours, soutcoillours, taxours et altres ministres ecumques, et de toetz altres qui ferrount ou vendront contre leur ordinances susdites, et afaire sour ceo redde punissement, et que toutz les profitz issantz des tieux punissementz en qecomque manere, que serront auiggetz deuant les ditz iustices des tieux laboriers. ouerours et artificers, ou par cause de eux, soient en eide de la commune, pur porter la charge de leur disme et quinzisme auantdites. Et contenz soit en les commissions en faites, que touz ministres, seignurs des franchises et lour bailliffs soient attendantz a les ditz iustices sour gref payne; as queux choses susdites nostre seignur le Roi, prelatz, ducs, countes et altres grantz au dit parlement donez lour assent pleinerement; issint que a chescune ville et hamel apporcione en lour recordes, et les iustices auantdites. Et contenuzIssint que a chescune ville et hamel apporcione en lour recordes, et les iustices auantdites. Et contenuz autantz, et que les ditz iustices eient poair a oier et terminer, si bien a la suyte du parte come a la suyte le Roi, des coillours, soutcoillours, taxours et altres ministres ecumques, et de toetz altres qui ferrount ou vendront contre leur ordinances susdites, et afaire sour ceo redde punissement, et que toutz les profitz issantz des tieux punissementz en qecomque manere, que serront auiggetz deuant les ditz iustices des tieux laboriers. ouerours et artificers, ou par cause de eux, soient en eide de la commune, pur porter la charge de leur disme et quinzisme auantdites. Et contenz soit en les commissions en faites, que touz ministres, seignurs des franchises et lour bailliffs soient attendantz a les ditz iustices sour gref payne; as queux choses susdites nostre seignur le Roi, prelatz, ducs, countes et altres grantz au dit parlement donez lour assent pleinerement; issint que a chescune ville et hamel apporcione en lour recordes, et les iustices auantdites. Et contenuz


Adhuc Communia de termino Sancti Hillarii anno xxvii° Regis Edwardi terci post conquestum. Adhuc Recorda, rot. 19.

Anglia, De modo et forma admissionis compotorum de finibus etc. operarios, seruentium et artificum.

Memorandum quod cum in quodam statuto . . . (i. e. statute of labourers of the 25th year; there follows, first, a brief summary of both the ordinance and the statute, and second, a literal quotation in Latin of the clause of the statute beginning “Item que viscontes”1) datum est curie intelligi quod denarii . . .
amerciamentis predictis concellantur per diversos ministros Regis qui denarios illos leuare et sibi ipsis appropriare ac in vsubus suis propriis consuerere intendunt, absque eo quod quicumquam solutum sit Regi inde in exoneracionem communis regni Anglie de predicta xv°, videlicet, triennali concessa quicquam solutum sit Regi inde in exoneracionem vsubus suis propriis conuertere intendunt, absque eo quod Regis qui denarios illos leuare et sibi ipsis appropriare ac in Regis et dicte communitatis.

Soluantur tando dicto et celeriori solucione xv° predicte, pro commodo Regis penes eosdem iusticiarios remansuras post confecciones earundam est quod mandetur omnibus huiusmodi iusticiariis per Angliam quod extractas suas liberent collectoribus xv° predicte per indenturas et quod mandetur sicut predictis parte desinuerunt illarum penes eosdem iusticiarios remansuras post confecciones earundem mittant hic sub sigillis suis de tempore in tempus prout etc. Mandetur eciam collectoribus dicte xv° et x° triennalium in singulis comitatibus Anglie quod dictas extractas a prefatis iusticiariis recipiant per indenturas in forma predicta et denarios in eiusmod extractis contentos leuent et inde respondeant hic proportionaliter in exoneracionem communis singulorum comitatuum Anglie in quibus leuati fuerint singulis xv° predicte. Ipsique collectores computent iusticiariis recipiant per indenturas in forma predicta et pothis condiciis.

Concordatum est insuper quod auditis compositis illis hic in forma predicta capiantur pedes compotorum illorum et respondant collectores statim de summis suis antequam rece- dant in exoneracionem, videlicet, dicte communis regni Anglie de predicta xv° et x° predictarum, dictique componi non ingressentur quoque etc. Set remaneant in custodia ingrossatoris huius scaccarii et quod extracte super eosdem compota restituta ac particule compotorum ipsis remaneant in custodia rememorat- oris; que quidem extracte innouentur de tempore in tempus cum necessitas requiratur currentibus xv° et x° predictis. Ita quod cessantibus ipsis xv° et x° satisfactoque Regi inde, id quod superfuertur non leuatum per extractas predictas leuetur ad opus Regis.

Memoranda Roll, K. R., no. 129.

Adhuc Brevia directa baronibus de termino Sancte Trini- tatis anno xxvii° Regis Edwardi tercii; rot. 5 d.

Pro collectoribus xv° et xv° Regi anno xxv° concessarum in comitatu Buk pro primo anno solutionis earundem.

Rex thesaurario et baronibus suis de scaccario, salutem. Cum nuper in parlemento nostro apud Westmonasterium con- uocato, concordatum fuisset quod omnes pecuniarum summe de finibus, amerciamentis et exitibus operariorum, seruiuientis et artificium provenientes per collectores decime et quintedecime per extractas iusticiariorum nostrorum ad inquirendum de huiusmodi operariorum, seruiuientis et artificium assignatoris eis liberandas leuarentur et inter villatas vbi magis indigerit in auxilium solutionis decime et quintedecime predictarum distribuenterunt, ac iam ex parte collectorum dictarum decime et quintedecime in comitatu Buk pro primo anno concessionis earundem nobis sit ostensum quod, licet vos extractas huius- modi finium, amerciamentorum et exituum operariorum, seruientum et artificium coram Willemo de Shareshull et sociis suis iusticiariis nostris ad placita coram nobis tenenda assignatiis in sessione sua in comitatu predicto factorum et adjudica- torum prefatis collectoribus de mandato nostro liberaeritis ad eosdem fines, amerciamenta et exitus per extractas illas leuanda et distribuenda in forma predicta, vos tamen iam pretendentis fines, amerciamenta et exitus predictos coram prefato Willemo et sociis suis predictis factos et adiudicatos ad nos pertinere debere, dictos fines, amerciamenta et exitus per ipsos collectores per extractas predictas leuatos eis allocare distulistis et diversas pecuniarum summas de finibus, amerciamentis et exitibus predicte ad opus nostrum leuari fecestis contra formam concordie supradicte. Et quia intencionis nostre et consili nostri extitit...
et existit quod omnes huiusmodi fines, amerciamenta et exitus operariorum, seruientum et artificum tam coram iusticiariis ad placita coram nobis tenenda assignatis quam alii iusticiarii nostris quibuscumque facti et adiudicati in auxilium solucionis decime et quintadecime predictarum conueruntur, vobis mandamus quod prefatis collectoribus omnes pecuniarum summas de huiusmodi finibus, amerciamentis et exitibus coram prefato Willelmo et sociis suis predictis factis et adiudicatis tam per ipsos collectores quam per vos leuatias eisdem collectoribus in alienationem porcionum pauperis villatis comitatus predicti de decima et quintadecima predictarum contingenciam ad scaccarium predictum allocetis iuxta intensionem nostram supra dictam.

Teste me ipso, apud Westmonasterium, vi die Iunii, anno regni nostri Anglie vicesimo septimo, regni vero nostri Francie quartodecimo.

Cf. ibid., Trin., Recorda, Bucks.; De allocacione facienda collectoribus xvme.

Lay Subsidy, 242/81, Derby.¹

No. 2. Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, collectoribus decime et quintadecime in comitatu Derb’ salutem. Mandamus vobis quod dilecto et fidei nostro Hugoni de Meignill vni iusticiariorum nostrorum ad inquirendum de operariis, seruientibus et artificibus in comitatu predicto assignatum, recepisse de Iohanne de Greseley et sociis suis collectoribus xv et xe secundi anni triennalium domino Regi concessarum in comitatu Derb’ viginti marcas sterlingorum de feodo meo pro me et clericis meis, ab ultimo die Marci anno regni Regis nunc xxvto vsque festum Michaelis anno xxvito, pro xl diebus quibus sessiones meas feci in hac parte, percipiendo per diem dimidiam marcam, virtute breuis domini Regis dicto Iohanni et sociis inde directi. De quibus vero viginti marcis fator me fore pacatum et dictos Iohannem et socios suos quiescos per presentes.

In cuius rei testimonium, presentibus sigillum meum apposui. Data apud Derb’ die Veneris proximo post festum Sancti Michaelis Archangeli, anno regni Regis Edwardi tercii post conquestum vicesimo septimo.

Similar writs as follows: no. 6, to William de Wakebrugg, 12 May, 26th year; Henry de la Pole, 12 July, 26th year; enrolled on Close Rolls, ut supra, with slight differences of dates of the months; no. 4, to John Colseyn, 20 July, 27th year. Receipts from all the above. All these are the original documents, consisting of small pieces of parchment fastened together in one bundle.

¹App., D, 4.

Adhuc breuia retornabilia de termino Sancti Michaelis anno xxvii° Regis Edwardi terci post conquestum.

Bed' Rex dilectis et fidelibus suis Iohanni Morice et Iohanni Mareschal iusticiariis ad transgressiones et excessus operariorum, seruientum et artificum in comitatu Bed' puniendos assignatis, salutem. Mandamus vobis quod omnes extractas finium, exituum, amerciamentorum et excessuum coram vobis et sociis vestris adiudicatorum penes vos adhuc existentes et collectoribus primi et secundi anni solutionis xv et xe triennalium nobis a laicis anno regni nostri Anglie xxvto concessarum in comitatu predict0 nondum liberatas, dilectis nobis collectoribus tercii anni solutionis xve et xe predictarum per indenturas inde debite conficiendas liberetis, vt ipsi collectores tercii anni fines, exitus, amerciamenta et excessus predictos in alleviacionem communitatis dicti comitatus de solucione eiusdem tercii anni ad opus nostrum leuare et super compotum suum inde nos responder[im] juxta formam concessionis nostre et statuti inde editi et prouisi. Et partes indenturarum illarum penes vos remansuras post confectionem earundem habeatis siue mittatis ad scaccarium nostrum apud Westmonasterium, a die Pasche in xv dies sub sigillis vestris vel vnus vestrum et hoc breve, vt per partes illas per vos sic mittendas et liberandas dicti collectors tercii anni super compotum suum de eodem tercio anno onerari valeant, prout decet.

Teste G. de Wilford, apud Westmonasterium, ix die Decembris.

Per Originalia de anno xxvto quoad commissionem iusticiariorum et formam concessionis et statuti predictorum, et per barones.

Memoranda Roll, K. R., no. 129.

Breuia irretornabilia de termino Pasche anno xxvii° Regis Edwardi tercii.
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habeatis ibi tunc alteram partem dicte indenture penes vos remansuram, dictas quatuor cedulas et hoc breue. Teste G. de Wyldford, apud Westmonasterium, vio die Maii. Per rotulum Memorandorum de eodem anno xxviiæ, Pasce; Visus compotorum.

Memoranda Roll, L. T. R., no. 120.

Adhuc Breuia retornabilia de termino Sancti Hillarii, anno xxix Regis Edwardi terci post conquestum. Norff'

Rex dilectis sibi Hugoni Peuerell, Edmundo de Reynham et Roberto atte Park, collectoribus xvæ et xæ triennialium nobis a laicis anno regni nostri Anglie xxxvæ concessarum in comitatu Norff', videelicet, de tercio anno solucionis earundem, salutem. Mandamus vos firmiter iniungentes quod omnes fines, exitus, amerciamenta et excessus per vos leuatos seu leuandos per extractas vobis liberatas de tempore ante festum Sancti Michaelis proxime superius dictum et aliis iusticiariis atachiatis pro liberacione extraciarum. Comperto in Originalibus de anno xxvæ Regis nunc quod Rex per litteras suas patentes datas xv die Marcii eodem anno, assignavit Ioannem de Grey de Codenore, Hugonem de Meynill, Nicholauam de Langeford, Willelmum de Skypwyth, Ioannem de Moubray, Rogerum Michael de Breyedston, Ioannem Cokayn et Thomam Adam de Ashheburn ad pacem et statuta apud Wyntoniam et Norhamptoniam pro conservacione pacis eiusdem edita in omnibus et singulis articulis suis in comitatu Derb' custodienda et custodiri facienda et eam ad ordinaciones de operatoribus per Regem et consilium suum pro communi utitate regni tam in consilio Regis quam in ultimo parlamento apud Westmonasterium tentis factas in omnibus et singulis suis articulis in comitatu predicto infra libertates et extra custodiendas et custodiri faciendas et ad omnes illos quos contra formam earundem inuenirent in aliquo delinquentes castigandos et puniendos prout secundum formam earundem foret faciendum, et ad ordinandum, superuidendum et faciendum quod omnes et singuli articuli in dictis ordinacionibus contenti in comitatu predicto infra libertates et extra debite execucioni demandentur; et quod postmodum, videelicet, xx die Iuli proximse sequente, Willelmus de Wakebrugg et Henricus de la Pole et eorum alter associati fuerunt dicto Ioannii de Grey et sociis suis predictis et eorum cuilibet ad præmissa omnia et singula in eodem comitatu facienda et explenda in forma predicta; preceptum fuit vicecomiti dicti comitatus quod disteringeret predictos Ioannem de Grey, Hugonem de Meynill et executores testamenti predicti Nicholai de Langeford, Willelmum de Skypwyth, Ioannem de Moubray, Rogerum Michael, Ioannem Cokayn, Thomam Adam, Willelmum de Wakebrugg et Henricum de la Pole per terras etc.; ita quod haberet corpora eorum hic modo in crastino Sancti Michaelis ad liberandum hic extractas de finibus, exitibus, amerciamentis et excessibus coram eiusdem iusticiariis Regi adiudicatis in sessionibus per ipsos factis pretextu literarum predictarum.
Et ad predictum crastinum dictus vicecomes retornauit breue quoad predictum Iohannem de Grey et executores testamenti predicti Nicholai de Langeford et mandauit quod predictus Iohannes de Grey et Alicia quae fuit vxor predicti Nicholai et Nicholaus de Langeford, jnior, executores testamenti predicti Nicholai, districti sunt et exitus etc. Et prefatus Iohannes de Grey per Iohannem de Wodehous et predicti Alicia et Nicholaus, executores etc., per Iohannem de Edenesouere attornatos suos veniunt. Et idem Iohannes de Grey pro se dicit quod dicte litere patentes ad manus suas nunquam deuenerunt nec ipse de aliqua sessione pretextu literarum illarum in dicto comitatu Derb' se intromisit, nec aliquie extracte penes ipsum remanent. Et hoc pretendit verificare etc. Et predicti Alicia et Nicholaus, executores etc., dicunt quod dicte litere patentes nunquam deuenerant ad manus predicti Nicholai nec ipse aliquam sessionem fecit aut se inde in aliquo intromisit nec aliquie extracte penes ipsum remanerunt. Et hoc pretendunt similiter verificare etc. Et quoad predictos Hugonem de Menyl, Willelum de Skywpwyth, Iohannem Moubray, Rogerum Michel, Iohannem Cokayn, Thomam Adam, Willelum Wakebrugg et Henricum de la Pole, vicecomes non retornauit breue. Set prefatus Henricus de la Pole, inuentus hic in curia et super premisis allocutus, recordatur quod ipse intromisit se de sessione predicta et quod nulle extracte inde penes ipsum remanent, set quod omnes extracte de sessionibus illis remanent penes predictum Hugonem de Menyl. Predictique Willelum de Skywpwyth, Iohannem de Moubray, Willelum de Wakebrugg, inuentus in curia et super premisis allocutus, recordatur quod in nullo se introximerunt se sessione predicte iusticiaricie nec aliquie extracte inde remanent penes ipsos Willelum, Iohannem et Willelum. Ideo tam ipsi Willelum de Skywpwyth, Iohannes de Moubray et Willelum de Wakebrugg quam predictus Henricus de la Pole inde ad presens sine die. Et quoad predictos Hugonem de Meynill, Rogerum Michel, Iohannem Cokayn et Thomam Adam, preceptum est vicecomiti Derb' quod distingat eos per terras etc.; ita etc. in octabis Sancti Hillarii ad liberan-
poto, videlicet, Iohannis de Gresely et sociorum suorum collectorum xv et x triennalium Regi anno xxvο conessarum in dicto comitatu Derb', de secundo, videlicet, anno solutionis earundem, quod idem collectores onerant se et respondent de lxi li. xiiiis s. xi d. de finibus operariorum etc. quos computant liberasse diuersis villatis et burgis dicti comitatus in suuuenione xv et x predictarum, videlicet, per vii rotulos et vnam cedulam indenatas eiusdem collectibibus per dictos iusticiarios liberatos et continentem ci li. xiiii xi. d., videlicet, de sessione dictorum iusticiariorum de predictis annis xxvi et xxviiο; de qua liberatione predictorum lxii li. xiiiis s. xi d. ipsi collectores liberarunt curie ccxvi indenturas inter ipsos collectores ex parte vna et subcollectores suos ex altera confectas. Residuum vero dictorum ci li. xiiiis s. xi d. ipsi collectores computant se liberasse prefatis Hugoni de Meynill, Iohanni Cokayn, Willemo de Wakebrugg et Henrico de la Pole, iusticiariis, pro vadiis suis sicut continetur in computo ipsorum collectorum de finibus predictis etc. per ipsos collectores lenatis per vii rotulos et vnam cedulam indenatas supradiectos eiusdem collectibibus per dictos iusticiarios liberatos de sessione sua de predictis annis xxvi et xxviiο; qui quidem computos residet in custodia ingrossatoris hic in scaccario. Set non inuenitur penes scaccarium hic quod dicti iusticiarii liberarunt hic iuxta formam statuti etc. aliquid Originale de predictis finibus continens predictos ci li. xiiiis s. xi d. de eiusdem annis xxvο et xxviiο neque de aliquibus huiusmodi finibus operariorum de supradicto anno xxvο. Ideo preceptum est vicecomiti Derb' quod distingat predictum Henricum de la Pole, Rogeri Michel, Iohannis Cokayn et Thome Adam versus quos fit execucio vt prius, adiournantur vterius vsque crastinum Sancti Michaelis.

Ad quem diem predicti Iohannes de Grey, Hugo, Alicia et Nicholaus veniunt per dictos attornatos suos. Et vicecomes Derb' retournat quod predicti Henricus de la Pole, Rogerus Michel, Iohannes Cokayn et Thomas Adam districti sunt et exitus etc. Et ipsi non veniunt. Ideo distingantur sicut pluris, ita etc. in crastino Sancti Hillarii. Et idem dies datus est prefatis Iohanni de Grey, Hugoni, Alicie et Nicholao ad faciendum et recipiendum inde quod etc.

Ad quem diem predicti Iohannes de Grey, Hugo de Meignill, Alicia et Nicholaus de Langeford veniunt per dictos attornatos suos. Et predicti Henricus de la Pole et Rogerus Michel veniunt in propriis personis suis. Et predicti Iohannes Cokayn et Thomas Adam non veniunt. Et predicti Iohannes de Grey, Hugo de Meignill, Alicia et Nicholaus pro se ipsis dicunt vt prius. Et predicti Henricus de la Pole et Rogerus Michel pro se ipsis dicunt quod non habent penes se aliquas extractas de predictis annis xxv, xxvi et xxviiο. Dicunt enim quod non fuerunt alique extracte prouenientes de sessione sua dicte iusticiarie de predicto anno xxvο et quod alie partes dictorum vii rotulorum et vnius cedule indentatorem de extractis de predictis annis xxvο et xxviiο dependerunt in custodiâm Iohannis Beek, clerici sui, et postmodum casualiter sunt desperdite vt intelligunt. Set dicunt sub omni periculo quod etc. quod dicte partes vii rotulorum et vnius cedule indentate sic desperdite non continebant maiorem summam denariorum quam predictos ci li. xiiiis s. xi d. contentos in dictis vii partes rotulorum et cedule indentatorum de extractis de predictis annis xxvο et xxviiο faciantur ad scaccarium liberatis. Ad quem diem predicti Iohannes de Grey, Hugo de Meignill, Alicia et Nicholaus de Langeford veniunt per dictos attornatos suos et per defallam predictorum Henrici de la Pole, Rogeri
nem Cokayn et Thomam Adam per terras etc. ita etc. ad dictum mensem. Et idem dies datus est predictis Iohanni de Grey, Hugoni, Alicie et Nicholaou ad recipiendum quod etc. 

Ad quem diem predicti Iohannes de Grey, Hugo, Alicia et Nicholaus veniunt per dictos attornatos suos. Et vicecomes retornauit breue et mandauit quod predicti Iohannes Cokayn et Thomas Adam districti sunt et exitus etc. Et idem Iohannes Cokayn venit in propria persona sua et cognoscit quod intromisit de quibusdam sessionibus, set dicit quod nulle extracte penes ipsum remanent nec alique extracte ad manus ipsius Iohannis vnum quam deuenerunt, et quia idem Iohannes assignatus fuit iusticiarius et premissa recordatur, dictum est ei quod eat ad presens inde sine die, salua accione Regis si alias etc. Et prefatus Thomas Adam non venit. Ideo distrauit ita etc. in crastino Sancte Trinitatis sicut continetur in ligea breuium de termino Pasche anno xxxiii O. Et idem dies datus est prefatis Iohanni de Grey, Hugoni, Alicie et Nicholaus et Rogerus Michel veniunt per dictos attornatos suos. Et prefatus Henricus de la Pole venit similiter in propria persona sua. Et vicecomes non retornauit breue quoad prefatum Thomam Adam.

Memoranda Roll, L. T. R., no. 120.

Adhuc Communia de termino Sancti Michaelis anno xxix Regis Edwardi terci.

Adhuc Presentaciones, Attornamenta, Dies Dati et Respectus; rot. 7 d.

Bed' Willelmus Mordaunt, Robertus Diper et Simon de De die Loryng, collectores tercii anni solucionis xxv et xxvii tridato. ennium Regi a laicis anno xxxv concessarum in comitatu Bed', qui presentes hic admiserunt diem essendi hic in crastino Purificacionis beate Marie proxime futuro ad computandum de tercio anno predicto, sicut continetur inter Dies Datos de hoc termino ex parte alterius rememoratoris, allocuti sunt per barones super leuacione finium, excessuum, exituum et amerciamentorum operariorum, servientum et artificum etc., [et] dicit quod nichil inde leuauerunt eo quod nullas extractas inde receperunt, petentes quod demandetur Galfrido de Lucy et sociis suis iusticiariis ad transgressiones huiusmodi operariorum etc. pro deliberacione extractarum etc. Ideo mandatum est eisdem iusticiariis per breue, cuius data est secundo die Novembris hoc termino, quod omnes extractas penes ipsos iusticiarios adhuc remanentes de huiusmodi finibus etc. liberent predictis collectoribus per indenturam etc. et partem indenture illius habeant hic ad dictum crastinum Puri-
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ficacionis liberandam vt per eandem partem dicti collectores onerentur super compotum prout etc. Quod quidem breue liberatur dictis collectibus iiiis die Novembris hoc termino deferendum etc. Et inuentum est eisdem collectibus quod sequantur cum ea celeritate qua etc. penes dictus iusticiarios pro dictis extractis habendis et quod habitis extractis illis leuari faciant omnes denarios contentos in eisdem, eosdemque denarios fideliter distribuendo inter pauperes villatas dicti comitatus et quod sint hic ad dictum crastinum Purificacionis ad computandum inde prout etc. quem diem inde admiserunt sub periculo quod etc.

Ad quem diem predicti collectores venerunt. Et predictus Galfredus de Lucy, iusticiarius, venit et liberavit hic x rotulos indentatos de huiusmodi finibus operariorum, continentes lxxiii li. iii s. viii d.; quorum rotulorum alteram partem indentatam recordatur idem iusticiarius se liberasse prefatis collectibils circiter festum Sancti Trinitatis anno xxviiio; super quo dicti collectores allocutis cognoscerunt quod receperunt alteram partem indenture predicte et se leuasse pro maiori parte predictos lxxiii li. iii s. viii d. et eos distribuerunt inter pauperes villatas dicti comitatus iuxta formam statuti etc. ante festum, videlicet, Sancti Michaelis proxime predictum; super quo dictus iusticiarius est testatus. Et quia in statuto edito super punicione huiusmodi operariorum inter cetera continetur quod si dicti fines, redempciones, amerciamenta et excessus operariorum non soluantur in auxilium xve predici et cessante xve illa id quod tunc restat leuandum de huiusmodi finibus etc. leuatur ad opus Regis et inde respondatur Regi per vicecomitem comitatus in quo leuandum fuerit, inuentum est prefatis collectibils quod id quod restat leuandum de predictis lxxiii li. iii s. viii d. leuari faciant indilate et inde respondant Regi super compotum suum de finibus predictis; ad quem compotum Regi reddendum datus est dies dictis collectibils hic a die Pasche in xv dies quam diem inde admiserunt sub periculo quod etc. Ad quem diem predicti Willelmus, Robertus et Simon venerunt et prestiterunt de fidliter computando etc. Postea percomputarunt; qui quidem compotus liberatur ingrossatori custodiendis xxvto die Aprilis hoc termino.


Adhuc Communia de termino Sancti Michaelis anno xxviiio Regis Edwardi tercii; adhuc Recorda, rot. 28.

Suht' De collectibils xve et xe commissis prisone pro transgressionibus.

Preceptum fuit vicecomiti Suht' quod distriberet Johannem Botiller, Johannem Wodelok, Stephanum de Wesleyk, Iohannem Sely de Andeure, Iohannem de Kyngeston et Willelmum de Ryngeburn, collectores secundi anni solucionis xve et xe triennalium Regi a laicis anno xxvto concessarum in comitatu predicto, per terras et catalla sua etc., ita quod habet corpora eorum hic modo a, die Sancti Martini in xv dies ad reddendum Regi compotum de finibus, exitibus, amerciamentis et excessubus operariorum, seruiencium et artificum assignatos in comitatu predicto, pretextu, videlicet, cuiusdam commissionis de magno sigillo dictis collectibils inde facte, cuius tenor annotatur in quodam rotulo extracto de rotulis Cancellarie de anno xxviiio et liberato hic, qui adhuc remanet in custodia rememoratoris Regis. Et ad dictam quidenam Sancti Martini predictus vicecomes non retornat breue. Set omnes dicti collectores veniunt, videlicet, predicti Iohannes Botiller, Johannes Wodelok, Stephanus de
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Welowyk et Iohannes Sely in propriis personis suis et predicti Iohannes de Kyngeston et Willelmus de Ryngeburn per Iohannem de Holt, attornatum suum, et dicunt quod in premissis computare non debent. Dicunt enim quod predicti iusticiarii nondum liberarunt eis aliquas extractas pro huiusmodi finibus, exitibus, amerciamentis et excessubus leuandis nec ipsi collectores vel eorum aliquis quicquam inde leuaverunt aut se inde aliiqualiter intromiserunt. Set quia suspicato quod predicti collectores receperunt extractas predictas et eas concellarunt etc., ipsi collectores de precepto curie iurati et postmodum diligencius examinati super recepcionem earundem extractarum, predictus Iohannes Botiller cognouit quod ipse recepit ex liberacione Willelmi Coumfold, clericis dictorum iusticiariorum, quandam extractam continentem circiter xl li. et quod dicti socii sui, videlicet, Iohannes Wodelok, Stephanus et Iohannes Sely inde bonam habent noticiam, quod ipsi Iohannes, Stephanus et Iohannes Sely non dedicunt assentientes omnes ipsi iiior collectores se quicquam inde nondum leuasse nec predictos Iohannem de Kyngeston et Willelmum de Ryngeburn qui intromiserit se de collectione xv et x predictarum in Insula Vecta in nullo sciuisse vel se intromisisse de leuacione finium, exituum, amerciamentorum et excessuum predictorum, eo quod predicti iusticiarii nullam fecerunt sessionem in insula predicta. Et vnde Ricardus de Byrton qui est unus dictorum iusticiariorum per commissionem Regis irrotulatam in Originalibus de anno xxvto et predictus Willelmus Coumfold, clerici ipsius iusticiarii, et Willelmi de Fifhyde, alterius dictorum iusticiariorum, presentes hic in curia et super premissis allocutii dicunt precise quod nullam fecerunt sessionem in dicta Insula Vecta et quod idem Willelmus Fifhyde per manus dicti clerci liberauit dictis collectoribus extractas de sessione sua quas tunc haberunt arraiaetas,

set de summa denarium contentorum in eisdem dicunt quod non constat eis ad presens.

Et habita deliberacione super responso ipsorum collectorum quia ipsi collectors primo responderunt quod nullas extractas receperunt et postmodum iurati tam per cognitionem suam quam per testimonium dictorum iusticiariorum et clerici convicti sunt quod receperunt extractas predictas sicque variarunt in eisdem responsis et cognitionibus suis in illusionem et deceptionem curie et retardacionem solutionis finium etc. predictorum, nec non depauperacionem communitatis dicti comitatus, consideratum est quod ipsi collectors adeant prisonam.

Flete 1
Et committuntur prisone de Flete, predictique Iohannes de Kyngeston et Willelmus de Ryngeburn inde eant sine die. Postea predicti iiior collectors fecerunt fines cum

Finis Rege pro transgressionibus predictis, videlicet, predicti xxx s. Iohannes Wodelok, Stephanus et Iohannes Sely per in ex-
xxx s., quilibet, videlicet, eorum per x s., et predictus extractis. Iohannes Botiller per dimidiam marcam et eo minus quam dicti socii sui eo quod primo cognouit recepcionem extractarum contra voluntatem dictorum socii.

Finis dimidia orum suorum vt apparuit per examinacionem predicemarca tam. Et datus est dies eisdem iiior collectors hic a in ex-
die Sancti Hillarii in xv dies ad computandum de fin-
tructis. ibus, exitibus, amerciamentis et excessubus predictis per dictas extractas per eos iam receptas et interim reci-
piendas et ad soluendum Regi predictos xxxvi s. viii d. Et inunctum est prefato iusticiario, manda-
tumque est per breue tam iusticiario quam dicto Willelmo de Fifhyde alteri dictorum iusticiariorum quod omnes extractas penes eos adhuc remanentes de sessionibus suis predictis nondum dictis collectoribus liberatis, liberent eisdem iiior collectoribus indilate per indenturam etc. vt ipsi collectors fines etc. leuare et inde respondere valeant ad dictam quindenam iuxta

1Crossed through in MS.
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formam concessionis Regis et statuti inde editi etc. et quod ipsi iusticiarii habeant vel mittant hic ad dictam quindecim alteras partes indenture etc., vt dicti collectores onerari valeant per easdem, proct etc.

Quia eciam tam predictus Ricardus de Byrton, iusticiarius quam predictus Willelmus de Coumfold, clericus iusticiariorum, testati sunt quod predictus Willelmus de Fifhyde, vnus dictorum iusticiariorum, liberavit collectoribus primiti anni solucionis x\textsuperscript{v} et x\textsuperscript{vi} predictarum diversas extractas de predictis sessionibus suis continentis magnum pecuniae summam leuandam in exoneracionem dictae communis et quod ipsi collectores leuaverunt multos denarios inde, et pennes se detinuerunt nondum distributos inter pauperes villatas dicti comitatus iuxta formam statuti predicti, visus est compotum ipsorum collectorum primiti anni et compertum est in eodem quod ipsi collectores non responderunt de aliqua dniaribus prouenientibus de finibus, exitibus et americiamentis operariorum in comitatu predicto eo quod iusticiarii Regis ibidem nullas extractas eisdem collectoribus inde liberant, nec idem collectores inde quicquam leuaverunt vt tunc asserebant per sacramentum suum. Et sic apparat concelementum etc. Iste concordatum est quod ipsi collectores primiti anni, videlicet, Rogerus 'Gerueys, Ricardus de Harnhull et Willelmus Helion veniant etc. Et preceptum est vicecomiti Suht' quod distringat eos per terras etc.; ita etc. ad dictam quindecim Sancti Hillarii ad computandum etc. et ad respondendum etc. Et mandatum est dictis iusticiariis quod habeant vel mittant hic ad eadem quindecim partes indenturam de extractis eisdem collectoribus primiti anni sic liberatis vt onerari valeant per easdem partes indenturam proct etc. et quod certificent hic quod die dictas extractas eis liberarent. Postea predicti collectores secundi anni adiornabant viterius vsque a die Sancte Trinitatis in xv dies ad computandum etc.,

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memoranda roll, l. t. r., no. 119.

adhuc brevia returnabilia de termino Sancti Michaelis anno xxvii\textsuperscript{o} Regis Edwardi tercii.

cant' rex dilectis et fidelibus suis Willelmo de Lauenham et sociis suis iusticiariis ad transgressiones et excessus operariorum, seruiendarum et artificium in comitatu Cant' puniendos assignatis, salutem. Cum Iohannes de Schardelow, Iohannes de Ellesworth et Johannes Cheyni, nuper collectores primiti anni solucionis x\textsuperscript{v} et x\textsuperscript{vi} triennalium nobis a laicis anno regni nostri Anglie xxvto concessarum in comitatu predicto, computauerint ad scaccarium nostrum de primo anno solucionis x\textsuperscript{v} et x\textsuperscript{vi} predictarum et super eundem comptum non responderint de aliqua pecuniae summa per eos leuata de finibus, exitibus, americiamentis et excessibus operariorum, seruiendarum et artificium predictorum, eo quod nullas extractas inde a vobis receperint pro leuacione proct tunc asserebant; ac iam acceperimus quod licet vos quasdam extractas diuersos fines, exitus, americiamenta et excessus vsque ad non modicum pecuniae summam continentis prefatis collectoribus iuxta formam statuti inde editi a diu est liberaturis ipsique collectores fines, exitus, americiamenta et excessus illos
plene leuauerint, iidem tamen collectores denarios illos per eos sic leuatos sibi ipsis appropriantes et in vsibus suis propriis convertentes eos in dicto compoto suo conceamarunt et nobis inde in alleluacionem et exoneracionem communitatis dicti comitatus iuxta formam concessionis nostre inde et statuti predicti nobis respondere recusarunt in curie nostre illusionem et dicte communitatis depauperacionem manifestam.

Super quo nobis est supplicatum vt festinum remedium in hac parte apponi iubere velimus. Nos tantam transgressionem si taliter fuerit perpetrata pertransire nolentes impunitam, vobis mandamus firmiter iniungentes quod si aliquas huiusmodi extractas prefatis collectoribus liberaueritis tunc de numero rotulorum et summis particularibus in eisdem rotulis contentis ac nominibus summis illas singulatim debentibus, necnon de die et anno quibus extracte ille per vos dictis collectoribus liberate fuerunt, thesaurario et baronibus de scaccario predicto apud Westmonasterium citra crastinum Sancti Nicholai proxime futurum vel tunc ad ultimum, distant et aperte certificetis, vt habita huiusmodi certificacione vestra ulterius tam pro commodo dicte communitatis quam pro punicione dictorum collectorum valeamus quod fuerit racionis. Et si forte aliquas huiusmodi extractas prefatis collectoribus non liberaueritis, tunc omnes extractas finium, exitium, amerciamentorum et excessuum huiusmodi coram vobis in sessionibus vestris in exoneracionem dicte communitatis vocum assecratis per aliquas huiusmodi examen in eisdem rotulis contentis adutum custodiis predictis collectoribus tercii anni super compotum suum de eodem tercio anno in exoneracionem dicte communitatis onerari valeant vt est moris. Et quid inde feceritis prefatis thesaurario et baronibus ad dictum crastinum Sancti Nicholai distincte et aperte reddatis cerciores, hoc breue tune ibidem remittentes.

Teste G. de Wilford, apud Westmonasterium, xxii die Novembris.

Per rotulum compotorum de taxacionibus quoad nomina predictorum collectorum et non responsum aliqui summe de finibus, exitibus, amerciamentis et excessibus operariorum, et per Originalia de predicto anno xxvio quoad statutum et nomina iusticiariorum, et per barones quoad alia in breui.


Adhuc Status et visus compotorum de termino Sancti Hillarii anno xxvii; rot. 10.

Cant' Audito compoto Iohannis de Ellesworth et Iohannis Cheyny, collectorum xvii et xvi triennalium in comitatu Cant' de finibus, exitibus et amerciamentis seruiuentum, operariorum et aliorum artificium in comitatu predicto per ipsos leuatis per extractas coram Willemo de Lauenham et sociis suis iusticiaris ad inquirendum de huiusmodi finibus, exitibus et amerciamentis seruiuentum, operariorum et aliorum artificium assignatis anno xxviio prefatis collectoribus per prefatos iusticiarios liberatas et de episcopo Eliensi per indenturam predictis collectoribus liberatas per manus Ricardi de Midelton, persone ecclesie de Littlebury, pro se, Iohannis de Conygdon, attornati Iohannis de Shardelowe, alterius collectoris xvi et xv predictarum in comitatu predicto, videlicet, de predictis finibus, exitibus et amerciamentis sic leuatis et receptis per indenturam predictam a festo Sancti Michaelis, anno xxviio vsque idem festum anno xxviiio, habent superplusagium xvii d.

1 MS. communitatus.
Et quia annotatur in rotulo compotorum de taxacionibus in compoto, videlicet, dictorum collectorum primi anni solucionis xv* et x* predictarum, quod intra summan ipsorum collectorum de eisdem xv* et x* continentur cccvii li. xi s. vi d. de finibus, exitibus et mercediis seruentur et operariorum unde dicti collectors liberarunt hic quendam rotulum de particulis qui remanet in quadam baga in custodia huius rememoratoris; in quo rotulo inseritur quod predicti collectors distribuerunt predictos cccvii li. xi S. vi d. de finibus, exitibus et amerciamentis servientur et operariorum unde dicti collectors liberarunt hic quendam rotulum de particulis qui remanet in quadam baga in custodia huius rememoratoris; in quo rotulo inseritur quod predicti collectors distribuerunt predictos cccvii li. xi S. vi d. de finibus, exitibus et amerciamentis servientur. 


1 Perhaps the discrepancy in the amount; cf. note 1, supra.
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eis quod predictos lxxi li. xvii s. viii d. leuari et distribui faciant in forma predicta, ita quod inde respondant hic super compotum suum proximum ad scaccarium de xv* et x* predictis in exoneracionem communitatis comitatus predicti, videlicet, in octabis Sancti Hillarii quem diem inde admiserunt sub periculo quod etc. Et quia dicti collectores dicunt quod prefati iusticiarii adhuc habent penes se diversas extrac- tas finium etc. noundum eisdem collectoribus liberatas, petentes deliberacionem inde sibi fieri, mandatum est prefatis iusticiariis per breue huius scaccarii cuius data est xx die Novembris super dicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per inden- turam liberent indilate et quod parum indenture illius penes se remansuram habeant hic ad dictas octabas liberandam; quod quidem breue liberatur prefatis collectoribus tercii anni per breue huius scaccarii cuius data est xx die Novembris supradicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per inden- turam liberent indilate et quod partem indenture illius penes se remansuram habeant hic ad dictas octabas liberandam; quod quidem breue liberatur prefatis collectoribus tercii anni per breue huius scaccarii cuius data est xx die Novembris supradicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per inden- turam liberent indilate et quod partem indenture illius penes se remansuram habeant hic ad dictas octabas liberandam; quod quidem breue liberatur prefatis collectoribus tercii anni per breue huius scaccarii cuius data est xx die Novembris supradicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per inden- turam liberent indilate et quod partem indenture illius penes se remansuram habeant hic ad dictas octabas liberandam; quod quidem breue liberatur prefatis collectoribus tercii anni per breue huius scaccarii cuius data est xx die Novembris supradicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per inden- turam liberent indilate et quod partem indenture illius penes se remansuram habeant hic ad dictas octabas liberandam; quod quidem breue liberatur prefatis collectoribus tercii anni per breue huius scaccarii cuius data est xx die Novembris supradicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per inden- turam liberent indilate et quod partem indenture illius penes se remansuram habeant hic ad dictas octabas liberandam; quod quidem breue liberatur prefatis collectoribus tercii anni per breue huius scaccarii cuius data est xx die Novembris supradicto, quod omnes huiusmodi extractas penes ipsos iusticiarios adhuc remanentes prefatis collectoribus tercii anni per inden- turam liberent

1 Rot. 9 d. Cant*: "... Et iniquitum est eisdem collectoribus quod
tam predictos lxxi li. xvii s. viii d. ob. ... quam denarios contentos
in extractis per ipsos collectors sic recipiendi leuari et fideliter distribui
faciant inter pauperes villatas dicti comitatus iuxta formam statuti etc.,
ita quod inde respondant hic ad dictas octabas Sancti Hillarii . . . ." The collectors of the third year finally account for all their arrears at a
date not long after Hilary, 29th year.

1 Statutes, 36 Edw. III, st. 1, c. 14.

2 MS. communitatus.
memoria, amerciamentis et aliis proficuis laboriorum de predictis tribus annis tam leuatis quam leuandis sint leuati ad opus communitatis comitatus predicti et distributi inter eandem communitatem, et quod collectores eorum commodum non compellantur ad computandum coram baronibus de scaccario de recepiente denariorum predictorum; ideo revocetur commissio predicta et non fiat ulteriori execucio in premissis.


Adhuc Communia de termino Pasche anno xxxi\textsuperscript{mo} Regis Edwardi terti post conquestum. Adhuc Recorda; rot. 6.

Buk'

De collectoribus xv\textsuperscript{e} et x\textsuperscript{e} triennalium concessarum anno xxv\textsuperscript{to} commissis prisone pro concelamento. Memorandum quod cum Galfridus de Lucy, vnum iusticiariorum ad transgressiones et excessus opera-riorum, seruientum et artificium in comitatu Buk' punitendos iuxta formam statuti inde editi assignatorum, alias, videlicet, xxv\textsuperscript{to} die Ianuarii anno xxviii\textsuperscript{o} Regis nunc, liberauerit hic xii rotulos indentatos de finibus, excessubus, exitibus et amerciamentis huiusmodi operariorum etc. coram ipso Galfrido et sociis suis iusticiariorum adiuvandis et recordatus fuerit quod liberauit contra iurisprudentias inde Thome de Reyens, Iohanni de la Penne, Hugoni de Kynebell et Iohanni de Bergh, collectoribus xv\textsuperscript{e} et x\textsuperscript{e} triennalium Regis a laicis anno xxv\textsuperscript{io} in dicto comitatu Buk' concessarum, de tercio, videlicet, anno solucionis earundem, pro dictis finibus, excessubus, exitibus et amerciamentis iuxta contentionem leuandis in exoneracionem communitatis pauperum villatarum dicti comitatus de solucione xv\textsuperscript{e} et x\textsuperscript{e} predictarum; qui quidem fines, excessus, exitus et amerciamen-ta ad cviii li. vi d. particulariter se extendunt sicut continetur in xii rotulis predictis et in indorsamento eorumdem, qui sunt in custodia huius memoratoris, factum est scrutinium super responsione dictorum collectorum de finibus, excessubus, exitibus et amerciamentis predictis et comperatur est quod dicti collectores termino Sancti Hillarii anno xxiv\textsuperscript{o} computarunt ad scaccarium hic de xv\textsuperscript{e} et x\textsuperscript{e} predictis de dicto tercio anno solucionis earundem sicut continentur in Memorandis de eodem anno xxiv\textsuperscript{o} inter Visus compotorum de eodem termino. Compertum est eiam in rotulo compotorum de taxacionibus, in compoto, videlicet, dictorum collectorum de predicto tercio anno quod quod ipsi collectores non respondunt in eodem compoto de aliquibus finibus operariorum etc. ob causam annotatam in rotulo de particulis eiusdem compoti. Quibus quidem particulis residentibus in custodia re-memoratoris Regis inspectis, inuentum est annotari in eisdem quod dicti collectores non onerant se infra summas dictarum xv\textsuperscript{e} et x\textsuperscript{e} de aliquibus denariis provenientibus de finibus, exitibus seu amerciamentis ser-uentium, operariorum vel artificium in dicto comitatu Buk' eo quod iusticiarii ad hoc assignati sessionem suam adtunc non fecerunt in eodem comitatu super ordinacione et auisamento inter eos et alios de communitate eiusdem comitatus ad distribuendum particulatarior per villatas comitatus et burgorum tocius comitatus predicti iuxta formam, vim et effectum statuti inde editi in auxilium xv\textsuperscript{e} et x\textsuperscript{e} predictarum, ut ipsi collectores tunc per sacramentum suum assuerunt. Et sic per scrutinium predictum evidenter apparat quod dicti predicted falsa respondent super compotum predictum contra debitum sacramentui sui et in deceptionem curie maxime cum dictus iusticiarius recordatus fuerit, ut est dictum, quod liberauit dictis collectoribus rotulos predictos dui, videlicet, per vnum annum ante reedictionem compoti predicti, infra quod tempus dictum distributionem fecisse potuerunt si voluissent; per quod pro eo quod dicti collectores pluries districti et manuca-
cionem iusticiarii non curauerant ad computandum de predictis finibus et ad respondendum de falsa respon- sione predicta set comptum et responsionem inde diffugierunt in contemptum Regis etc., preceptum fuit vicecomiti dicti comitatus quod attacheret ipsos collectores per corpora etc., ita quod eos haberet hic modo a die Pasche in xv dies ad audiendum iudicium suum de contemptu predicto, necnon ad computandum de predictis finibus etc.

Et ad diem illum predicti quatuor collectores veniunt et allocuti per barones super premissis non dedicunt quin receperunt de prefato iusticiario dictos rotulos de finibus etc. continentes cviii li. vi d. in forma per dictum iusticiaritun superius recordata, nec quicquam allegarunt in excusacionem sui de falsa respon- sione predicta. Ideo ipsi quatuor collectores pro eadem falsa respon- sione committuntur prioni de Flete, moraturi etc. Postea inuenerunt manucaptes, videlicet, Galfridum de Lucy, Iohannem de Olneye, Willelmum de Sudbury, Radulfum Fettesho, omnes de comitatu Buk', et Thomam de Sayton de comitatu Norht', qui presen- tes manueperunt habere corpora predictorum quatuor collectorum hic de die in diem et termino in terminum quosque computauerint de finibus predictis et fecerint finem cum Rege pro falsa respon- sione predicta, necnon satisfecerint de arreragio eiusdem compoti et fine predi- cto, alienum ipsi manucaptes onerentur versus Regem de compoti arreragio et fine predictis. Et pre- textu manucapcionis illius, dicti iii colectores de- liberantur a prisona.

Postea datus est dies dictis quatuor collectibus hic in octabis Sancte Trinitatis ad computandum et finem faciendum, necnon ad satisfaciendum de arreragio dicti compoti et de fine predicto per manucapcionem predic- tam. Ad quem diem predicti iii colectores venerunt et computarunt de finibus predictis per quem comptum onerant se de lx li. receptis de huiusmodi finibus per dictas, videlicet, extractas continentes cviii li. vi d. De residuo vero denariorum illorum, videlicet, lxvi li. v d. non responderunt eo quod nichil inde leuauerunt nec leuasse potuerunt propter breuitatem temporis, vt di- cunt per sacramentum suum et sicut continetur in dicto compoto qui remanent penes ingrosassetorem; per quod concordatum est quod extracte per quas dicti collectores reddiderunt dictum comptum liberentur Wil- lelmo de Wellum, custodi extractarum hic in scaccario pro noua summunio facienda de predictis lxvi li. v d. leuandis ad opus Regis. Et super hoc extracte predicte libertantor dicto Willelmo de Wellum in forma predicta quinto die Iulii hoc anno. Et quand quod predictas lx li. idem collectores computarunt se liberasse Gal- fridum de Lucy et Thome de Tochemyk, iusticiariis etc., xi li. pro feodis suis per duo breuiu Regis et duas acquietancias ipsorum iusticiariorum separatim de recepione; post quam liberacionem dicti collectores de- bient xx li. quas quidem xx li. dicunt per sacramentum suum de assensu communitatis villatarum dicti comi- tatus quibus eas distribuisse debuerant soluisse Gerardo de Brabrok, Galfrid de Lucy, Alano Carbonel, Io- hannii de Hamen et Ricardo de Arches nomine re- gardi pro laboribus et expensis ipsorum Gerardi et sociorum suorum factis circa expedicionem negociorum ipsarum villatarum, sub tali, videlicet, condicione quod si contingeret ipsos collectores impetrir ad sectam Regis vel aliorum racione predictarum xx li., quod ipsi Gerar- dus et socii sui responderent inde pro ipsis collectoribus et in exoneracionem eorum.

Vnde quesitum est a dictis collectoribus quibus die et anno communitas dictarium villatarum concessit et asentuiut quod solucio fieret dictis Gerardo et sociis sui de predictis xx li. et quibus die et anno eedem xx li. solute fuerunt eisdem Gerardo et sociis
suis per ipsos collectores, dicunt quod dicta communitas villatarum concessit et assensum prebuit anno xxvii\textsuperscript{a} Regis nunc quod solucio sic fieret et quod solucio illa facta fuit postmodum, videlicet, secundo die Ianuarii anno xxvii\textsuperscript{a} Regis nunc. Super quo, dicti Gerardus et Iohannes de Hameden presentes hic coram baronibus et super premissis allocuti cognoscunt se vna cum predictis Galfrido de Lucy, Alano Carbonel et Ricardo de Arches recepisse cle prefatis iii\textsuperscript{a} collectoribus predictas xx li. dicto secundo die Ianuarii anno xxvii\textsuperscript{a}, modo quo ipsi collectores allegarunt, asserentes ipsi Gerardus et Iohannes habere in partibus suis factum ipsarum villatarum de concessione eisdem Gerardo et Iohanni ac predictis Galfrido, Alano et Ricardo de eisdem xx li. Et habita deliberacione inde, quia predicti fines et excessus operariorum etc. concessi fuerunt communitati dicti comitatus in auxilium solucionis xx et xe predictarum currentibus eisdemGerardo et Iohanni ac predictis Galfrido, Alano et Ricardo de eisdem xx li. pro se et clicitis sociis suis de eisdem xx li. et terminus solucionis ipsarum xx et xe finiebatur et cessabat ad festum Sancti Michaelis proximum ante dictum secundum diem Ianuarii anno xxvii\textsuperscript{a}, sicut continetur in rotulo de taxacionibus et in Memorandis de anno xxvii\textsuperscript{a} inter Recorda de termino Sancte Trinitatis ex parte rememoratoris Regis et dicti collectores nichil ostendunt per quod liquere potest curie dicta villatas recepisse de ipsis collectoribus predictas xx li., ita quod eadem villatae nichil aliud habuerunt inde tempore dicte concessionis per ipsas villatas inde facte nisi accionem petendi fines et excessus predictos, accioque aliena aliqui dari vel vendi non potest, consideratum est quod predicti collectores exonerentur versus Regem de predictis xx li. et quod predicti Gerardo et Iohannes de Hameden pro se et dictis sociis suis de eisdem xx li. one-rentur pretextu cognicionis sue predicte et aliorum premissorum quatenus sufficientes fuerint ad solucionem etc.; alioquin dicti collectores respondent vna etc. Et pro dicta falsa responsione dicti collectores fecerunt xi s. finem cum Rege per xi s. Ad quos soluentes datus est eis dies in crastino Sancti Michaelis. Et preceptum est vicecomiti Buk' quod de terris et catallis predictorum Gerardi et Iohannis de Hameden fieri faciat, ita etc. in crastino Sancti Michaelis.

Ante quem diem, videlicet, x die Iulii hoc anno, predictus Galfridus de Lucy, inuentus hic in curia et super recepcione predictarum xx li. de fnibus operariorum etc. allocutus, cognoscet se vna cum prefatis Gerardo, Iohanne de Hameden, Alano Carbonel et Ricardo de Arches recepisse de prefatis collectoribus predictas xx li. supradicto secundo die Ianuarii anno xxvii\textsuperscript{a} modo quo dicti Gerardo et Iohannes de Hameden superius cognoverunt. Ideo consideratum est quod idem Galfridus oneretur versus Regem simul cum eisdem Gerardo et Iohanne de Hameden de eisdem xx li., pretextu cognicionis ipsius Galfridi supra dicte. Et preceptum est vicecomiti Buk' quod fieri faciat easdem xx li. tam de eodem Galfrido quam de predicti Gerardo et Iohanne, ita etc. ad dictum erastinum Sancti Michaelis.


Facto visu compoti Iohannis de Hampden, vice-comitis, de ultimo dimidio anno xxxi\textsuperscript{a} oneratur per curiam de . . . et debet xx li. de precio catallorum Gerardi de Braybrok, Iohannis de Hameden et Galfridi de Lucy per ipsum vicecomitem captorum in manum Regis pro tot denariis quos ipsi Gerardus, Iohannes et Galfridus receperunt de Thoma de Reynes et sociis suis . . . .

\footnote{The sheriff was therefore levying a portion of this money on himself; cf. pt. 1, ch. i, s. 7.}
APPENDIX


Adhuc Communia de termino Sancte Trinitatis anno xxxi° Regis Edwardi tercii. Adhuc Recorda, rot. 5.

Ebor' Westrithyng. De Iohanne de Rotherfeld et Willelmo de Beston collectoribus tercii anni solutionis xv° et x° commissis prisone pro falso compoto.

Iohannes de Bukyngham, nuper thesaurarius garde—robe Regis, alias, videlicet, xv° die Marci anno xxxio Regis nunc, liberavit thesaurario et baronibus hic quandam billam quam dicit porrectam fuisse domino Regi, et ipsum Regem per manus suas proprias eam sibi liberasse deferendam ad scaccarium hic precepisse executionem fieri super contentis in eadem billa que est inter billas et peticiones de termino Sancti Hillarii dicto anno xxxio. Et in qua billa inter cetera continetur quod Ricardus de Goldesburgh, Iohannes de Rotherfel et Willelmu de Beston qui fuerunt collectores xv° et x° triennalium Regi a laicos anno xxvto concessarum in partibus de Westrithyng in comitatu Ebor', videlicet, de tercio anno solutionis earumdem, integre receperunt excessus operariorum in partibus illis et inde computarunt ad scaccarium quod soluerunt villatis parcium illarum excessus illos in auxilium solutionis xv° et x° predictarum vbi nullum denarium inde eis soluerunt, prout apporcionacio inde facta fuit per iusticiarios etc. et sic excessus illae adhuc remanet in manibus ipsorum collectorum dictis villatis inde nondum satisfacto.

Pretextu cuius billae factum est scrutinium etc. et compertum est in rotulo compotorum de taxacionibus, in compoto, videlicet, Ricardi de Goldeburgh, Iohannis de Rotherfeld et Willelmi de Beston nuper collectorum xv° et x° predictarum de tercio, videlicet, anno solutionis earundem, quod ipsi collectores onerarunt se et responderunt infra summas oneris sui de eisdem xv° et x° de xlv li. xvii s. xi d. q°. de finibus, exitibus et americamentis et excessubus operariorum, seruientum et artificum etc.

Compertum est eiam in Memorandis de anno xxix° Regis nunc inter Visus compotorum de termino Sancti Hillarii quod dicti tres collectores venerunt hic ad quin-denam Pasche eodem anno xxix° et computarunt de predictis finibus operariorum etc.; qui quidem compotus remanet in custodia huius rememoratoris inter particulares dicti compoti et in quo compoto continetur quod ipsi collectores onerarunt se de iii ii li. iii s. vii d. q°. receptis de huiusmodi finibus etc. et quod inde computarunt se soluisse Willelmo de Fyncheden, Willelmo de Mirielde et Iohanni de Northland, iusticiariis ad excessus dictorum operariorum etc. puniendis assignatiis, xxxviii° li. viii d. proportionaliter pro feodis suis et quod residui xlv li. xvii s. xi d. q°. distribuuntur inter villatas et hameletas de Westrithyng per visum dictorum iusticiarii per ipsos collectores et per xii probos homines de comitatu predicito iuratos, in auxilium dictarum xv et x vii maius necessa erat; de qua distribucione ipsi collectores non ostenderunt acquietancias siue indenturas villatarum vel hameletorum.

Quibus compertis, quia per naturam compoti quelibet soluco denarium fieri debet de iure per acquietancias vel per indenturas super huiusmodi compoti liberandas et allocandas, et dicta soluco siue distribuco de predictis xlv li. xvii s. xi d. q°. fit sine huiusmodi acquietancis vel indenturis, vt appareat per premissa, suspicatur quod dicti collectores non soluerunt dictis villatis et hamelettis eisdem xlv li. xvii s. xi d. q°. modo quo computarunt etc., per quod et pro eo quod dicti duo collectores, videlicet, Iohannes de Rotherfeld et Willelmu de Beston pluries districts et manuapti veniendi hic ad plures dies preteritos ad recitandum compotum suum de finibus predictis etc. et per huiusmodi distric-
cionem et manucapcionem se iusticiari non curauerant, preceptum fuit vicecomiti dicti comitatus quod attachiaret ipsos Iohannem et Willelum per corpora eorum etc., ita quod eos haberet hic modo in crastino Sancti Iohannis Baptiste ad audiendum iudicium etc. et ad recitandum dictum compotum etc., et quod interim caperet in manum Regis terras et catalla ipsorum duorum collectorum nomine districcionis. Pro eo eciam quod dictus vicecomes alias retornauerat quod predictus Ricardus de Goldesburgh nichil habet etc., preceptum fuit vicecomiti quod caperet ipsum Ricardum, ita etc., ad dictum crastinum ad recitandum dictum compotum, vna etc.

Et ad diem illum vicecomes retournauerat quod predicti tres collectores non sunt inuenti etc. et quod cepit in manum Regis terras et catalla ipsorum Iohannis et Willelmi quorum terrarum et catallorum valor patet in eodem returno; et iidem Iohannes et Willelmus venenunt et predictus Ricardus non venit et dicti Iohannes et Willelmu super premisis allocuti dicunt quod de predictis xlv li. xvii S. xi d. q₆. distribuerunt per superuisum dictorum iusticiariorum diversis villatis de Westrithyng lxxi s. tantum; de qua distribucione dicunt se non cepisse aliquas acquitianias vel indenturas de villatis quibus distribucionis illa fiebat preterquam de xv s. tantum, vnde ostendunt tres indenturas que sunt inter billas de hoc termino, set dicunt sub periculo quod etc. quod iidem lxxi s. fideler distribuuntur iuxta forman ordinacionis predicte absque eo quod iidem lxxi s., vel aliqua pars inde, remanent penes ipsos Iohannem et Willelum vel eorum alterum, et hoc pretendunt verificare.

Dicunt eciam quod xxii li. xvii s. ii d. de summa predicta adhuc remanent penes dictum Ricardum de Goldesburgh nondum distributi absque eo quod iidem xxii li. xvii s. ii d. vel quicquam inde aliquid adeunit ad manus ipsorum Iohannis et Willelmi vel alterius eorum. Cognoscunt ulterius ipsi Iohannes et Willelmu quod adhuc habent in custodia sua residuum dictae maioris summe, videlicet, xix li. ix s. ix d. q₆. nonandum distributos iuxta ordinacionem predictam. Vnde submittunt se gracie Regis, asserentes se habere in promtu eosdem xix li. ix s. ix d. q₆. soluendos domino Regi vel aliib iuxta ordinacionem curie.

Quibus visis et intellectis, quia dicti Iohannes et Willelmu tempore quo admissi fuerunt ad dictum compotum reddendum prestiterunt sacramentum de fideliter computando et de petendo nullam allocacionem nisi bonam et veram in premisis ipsique Iohannes et Willelmu simul cum dicto Ricardo de Goldesburgh pecierunt et admiserunt super eundem compotum allocacionem de predictis xiv li. xvii s. xi d. q₆. integris quos asserabant se tunc distribuisset quamquam nisi lxxi s. inde distribuisissent prout iam cognoscent, retinendo penes se residuum, videlicet, xlii li. vi s. xi d. q₆. non distributos, contra debitum sacramenti sui et in depanperacionem villatarum predictarum ac contra formam statuti inde et in deceptionem curie etc.; consideratum est quod iidem Iohannes et Willelmu pro falsitate predicta adeant prisonam et quod dictus Ricardus capiat, tamque idem Ricardus quam dicti Iohannes et Willelmu onerentur versus Regem de predictis xlii li. vi s. xi d. q₆. pretextu premissorum. Et super hoc predicti Iohannes et Willelmu committuntur prisone de Flete, moraturi quousque etc.

Et preceptum est vicecomiti quod capiat dictum Ricardum de Goldesburgh, ita etc. in crastino Sancti Michaelis.

Ante quern diem, videlicet, xxviii° die Iunii hoc termino, venerunt hic coram baronibus Elyas de Byrton, Iohannes de Drouefeld, Willelmu de Fincheden et

1 Crossed through in MS.
APPENDIX

Thomas de Podeseye, omnes de predicto comitatu Ebor et manuçeperunt, quilibet videlicet eorum, corpus pro corpore habere corpora predictorum Iohannis de Rotherfeld et Willelmi de Beston coram baronibus hic de die in diem durante hoc termino Sancte Trinitatis ad satisfaciendum Regi de predictis xlii li. vi s. xi d. q² et ad faciendum finem cum Rege pro falsitate predicta ac ad recipiendum d. quod curia consideret de predictis lxxi s. Et pretestu manuacpcionis predicte, dicti duo collectores interim deliberantur a prisona predicta.

Postea dicti collectores soluerunt predictos xlii li. vi s. xi d.² per duas tallias leuatas xxvii die Iunii hoc anno quas ostenderunt. Et postmodum, videlicet, primo die Iulii hoc termino, predicti Iohannes de Rotherfeld et Willelmu de Beston fecerunt finem cum Rege pro transgressione predicta per xx li., salua eis accione versus dictum Ricardum inde si que et eo minus quia dicti xlii li. vi s. xi d. q². tempore quo ipsi collectores eos leuauerant et receperant non pertinerunt ad Regem, set ad villatas dictarum parciac de Westrythng quibus concessi erant per Regem in auxilium solutionis xv h et xö triennalium Regi a laeis conces sarum anno xxvio currentibus eiusdem xv h et xö; que quidem villate habent accionem in euentu petendii a dictis collectoribus damna suu pro detentione denariorum illorum hucusque, et qui quidem denarii pro eo quod dicte xvö et xo adiu est cessabant et solucio inde tempore debito factura non fuerat, pertinent ad Regem, sicut continetur in statuto inde edito dicto anno xxvio.²

Et datu est dies predictis Iohanni de Rotherfeld et Willelmo de Beston hic die Martis proximo post octabas Sancti Iohannis Baptiste per manuacpcionem predictorum Willelmi de Fyncheden et Elie de Birton, qui presentes manuçeperunt habere corpora ipsorum Iohan-

¹ MS. ac receperint. ²MS. omits the farthing this time. ³App., 16.
Nicholao predictas xx li. quem diem dicti collectores admiserunt sub periculo quod etc. et per manuacpcionem predictorum Willelmi de Fyncheden et Elie de Birton.

Postea predicti collectores soluerunt predictas xx li. et inde Hugo de Appleby dictam talliam ex parte dictorum collectorum ostendit. Et ad dictam quidem Sancti Michaelis predicti Johannes de Rotherfeld et Willelms de Beston, collectores, venerunt et librarunt curie hic ix acquietancias continentes lvi s. et dicunt per sacramentum suum se bene et fideliter distribuisse et liberasse eosdem lvi s. particulariter villatis in dictis acquietaniciis contentis prout eadem acquietancie testatur, que quidem acquietancie sunt in baga de particularis compoti dictorum collectorum de finibus operariorum supradictorum. Ideo tam ipsi collectores quam predicti manucaptores sui recedant inde quieti, nisi aliud etc.

4. Accounts of Collectors of the Triennial of 1352.\(^1\) (Cf. pt. i, ch. iii, i, B, especially c.)

A table of figures taken from Enrolled Subsidies.

Extracts from Accounts, K. R., Enrolled Subsidies and Lay Subsidies.

INTRODUCTORY NOTE.

Enrolled accounts, known as Enrolled Subsidies; a complete series giving the date of the collections, the names of the collectors, and the totals of the tax as well as the totals of the penalties for each county.

Original accounts, known as Lay Subsidies; by no means a complete series; but each account in existence gives full details of both tax and penalties, district by district within the county.

Manuscript list called “Descriptive Slips;” attempts to give the date and a brief summary of the nature of the account.

\(^1\) It has been pointed out in pt. i, ch. iii, s. 1, A., that the accounts of the collectors of the grant of 1348 contain no reference to the penalties.

Hunter’s Inventories, printed in R. D. K., ii, app. ii, 165-167, iii, app. ii, 99, show some instances for the grant of 1352 where the penalties under the statutes of labourers are noted as “allowances,” and the “Descriptive Slips” show more such instances; but an exhaustive examination of this whole series revealed many more occasions where the penalties are recorded in the accounts, or at least referred to, than is indicated either by Hunter or by the “Descriptive Slips.” Further, in many cases where the heading of the original account is torn away and the date and the names of the collectors thus destroyed, the makers of the “Descriptive Slips” have been able to assign the account to a given subsidy only by the nature of the grant or by the character of the handwriting. It is possible, however, by noting references to the application of penalties and by a comparison with the totals of penalties given in Enrolled Subsidies to date the account with absolute correctness. This series also includes many subsidiary documents, such as writs and receipts for the payment of justices’ wages, as well as memoranda of the apportionment of the penalties.

There have been references by various modern writers to the disposition of the penalties;\(^1\) but, except by Hunter, these accounts do not seem to have been thoroughly examined until Mr. J. F. Willard, while working on methods of taxation in the fourteenth century, went through this whole series some months before I reached London. He had himself intended to print some of these accounts, but with great generosity he has allowed me to use them instead, and has lent me his figures with which to check mine.

In the following pages I give a table, based on Enrolled Subsidies, i4, of the totals of both tax and penalties, county by county, supplemented by information from Lay Subsidies. I also print a series of extracts from all the original accounts in Lay Subsidies and in Accounts, Exchequer, K. R., where a detailed comparison of the tax and penalties district by dis-
APPENDIX

strict within the county can be made—in 28 instances out of a possible 135. The asterisk indicates those accounts that appear in the "Descriptive Slips" as of uncertain date, and that I have been able to date with absolute certainty—six in all. To these must be added two others which are not represented in my extracts: 158/21, Northumberland, is assigned by "Descriptive Slips" to the 3rd collection of the grant of the 22nd year, but the familiar formula of "no estreats of penalties under the statutes of labourers," added at the end, proves conclusively that it is the grant of the 25th year; 211/25, York, N. R. is assigned to the 2nd collection of the grant of the 25th year by character only; a similar formula at the end puts the matter beyond doubt.

In printing these extracts I give the full heading of the first tax printed, that for Bedford, and after that only the names of the collectors, unless, as sometimes happens, the phraseology of the heading differs from that usually found; I print the tax first in each case and the apportionment second, even when this is not the original sequence. The references, unless otherwise specified, are to Lay Subsidies; the Roman numerals refer merely to the order in my list.

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### APPENDIX

**Triennial Grant of 1352.—Continued.**

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**DOCUMENTS, LISTS AND TABLES**

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<td>l. s. d. ob. q.</td>
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<tr>
<td>2</td>
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<tr>
<td>3</td>
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<td>6</td>
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*For three years.*
### APPENDIX

**Triennial Grant of 1352.—Continued.**

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<th>Penalties.</th>
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<td>l. s. d. ob. q.</td>
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<tr>
<td><strong>London</strong></td>
<td>1 733 6 8 0 0</td>
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</tr>
<tr>
<td></td>
<td>2 733 6 8 0 0</td>
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</tr>
<tr>
<td></td>
<td>3 733 6 8 0 0</td>
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<tr>
<td>Total</td>
<td>2200 0 0 0 0</td>
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<tr>
<td><strong>Middlesex</strong></td>
<td>1 341 19 7 0 1</td>
<td>146 4 10 0 0</td>
</tr>
<tr>
<td></td>
<td>2 341 19 7 0 1</td>
<td>11 9 6 0 0</td>
</tr>
<tr>
<td></td>
<td>3 341 19 7 0 1</td>
<td>2 2 11 1 0</td>
</tr>
<tr>
<td>Total</td>
<td>1035 18 9 1 1</td>
<td>159 17 3 1 0</td>
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<tr>
<td><strong>Newcastle on Tyne</strong></td>
<td>1 133 6 8 0 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2 133 6 8 0 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3 133 6 8 0 0</td>
<td></td>
</tr>
<tr>
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<td>400 0 0 0 0</td>
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<tr>
<td><strong>Norfolk</strong></td>
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<td>206 2 11 0 0</td>
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<td>2 3485 16 7 0 0</td>
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<td></td>
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<td></td>
<td>2 1161 0 6 0 1</td>
<td>No estreats.</td>
</tr>
<tr>
<td></td>
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<td>38 14 5 0 0</td>
</tr>
<tr>
<td><strong>Northumberland</strong></td>
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<tr>
<td></td>
<td>2 333 10 7 1 0</td>
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</tr>
<tr>
<td></td>
<td>3 333 10 7 1 0</td>
<td>No estreats.</td>
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<tr>
<td>Total</td>
<td>1000 11 10 1 0</td>
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<tr>
<td><strong>Notts.</strong></td>
<td>1 706 2 3 0 1</td>
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<tr>
<td></td>
<td>2 706 2 3 0 1</td>
<td>Promise to account next year.</td>
</tr>
<tr>
<td></td>
<td>3 706 2 3 0 1</td>
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<tr>
<td>Total</td>
<td>2118 6 9 1 1</td>
<td>42 6 9 0 0</td>
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### DOCUMENTS, LISTS AND TABLES

**Triennial Grant of 1352.—Continued.**

<table>
<thead>
<tr>
<th>Collection</th>
<th>Tax.</th>
<th>Penalties.</th>
</tr>
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<tbody>
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<td>l. s. d. ob. q.</td>
<td>l. s. d. ob. q.</td>
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<td><strong>Oxford</strong></td>
<td>1 1403 8 6 0 0</td>
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<tr>
<td></td>
<td>2 1403 8 6 0 0</td>
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<td>4210 5 6 0 0</td>
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<td>2 215 18 6 1 0</td>
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<tr>
<td></td>
<td>2 644 12 0 0 1</td>
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</tr>
<tr>
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<td>3 644 12 0 0 1</td>
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</tr>
<tr>
<td>Total</td>
<td>1933 16 0 1 1</td>
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<td><strong>Somerset</strong></td>
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</tr>
<tr>
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<td>3 1357 19 2 1 0</td>
<td>135 4 3 0 0</td>
</tr>
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<td>4073 17 7 1 0</td>
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<td></td>
<td>2 1187 16 2 1 1</td>
<td>12. Had not levied penalties.</td>
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<td>1 575 18 3 1 1</td>
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<tr>
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<td>4317 15 2 0 1</td>
<td>147 6 2 1 1</td>
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### APPENDIX

**Triennial Grant of 1352.—Continued.**

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<td>l. s. d. ob. q.</td>
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<td>Warwick</td>
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<td>4787  0 1 1 0</td>
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<td>1053  13 0 0 0</td>
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<tr>
<td>York, E. R.</td>
<td>1053  13 0 0 0</td>
<td>44 15 10 0 0</td>
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<td>1053  13 0 0 0</td>
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<tr>
<td>Total</td>
<td>3160  19 0 0 0</td>
<td>182 8 4 0 0</td>
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<table>
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<tbody>
<tr>
<td>York, N. R.</td>
<td>616  13 9 0 0</td>
<td>No estreats.</td>
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<td>616  13 9 0 0</td>
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<td>1053  13 0 0 0</td>
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<tr>
<td>York, E. R.</td>
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<td>137 12 6 0 0</td>
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**Triennial Grant of 1352.—Concluded.**

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<td>York, N. R.</td>
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**Total tax.**

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</tr>
<tr>
<td>York, E. R.</td>
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</tr>
<tr>
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**Total penalties.**

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<td></td>
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<td></td>
</tr>
<tr>
<td>York, E. R.</td>
<td>1053  13 0 0 0</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>3160  19 0 0 0</td>
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</tbody>
</table>

1 I am indebted to Mr. J. E. G. Bryant for verifying the totals.
APPENDIX

Extracts from Accounts, K. R., Lay Subsidies and Enrolled Subsidies.

I. Bedford. First collection.

71/25  
Bed' Particule compoti Willelmi Mordaunt, Roberti Dyper, Simonis Loryng, et Iohannis Creuker, collectorum xvme et xme triennialium Regi a laicis concessarum anno xxvle in comitatu Bed' de primo anno solucionis earundem xvme et xme.

Hundredum de Bereford.
Villata de Eton x li. xii s.
Villata de Wyboldeston vii li. vii s. i d. ob.

Hundredum de Clifton.
Villata de Shefford cum Camelton vii li. iii s. iii d.
Villata de Henlowe vi li. ix s. i d.
Villata de Clifton iii li. iii s. vii d. ob.
Villata de Mepershale c s. viii d.
Villata de Stotfold vi li. xii S. X d.

71/28  
Particule Willelmi Mordaunt [etc.] in comitatu Bed' de denariis liberatis diuersis villatis et burgis comitatus predicti in subuencionem xv* et x* de denariis prouenientibus de finibus, exitibus et amerciamentis seruientium, operariorum et aliorum artificum in comitatu predicto, videlicet, cuilibet ville vt inferius.

De quibus computantes liberauerunt subcollectoribus villatarum subscriptarum per porciones iuxta ordinacionem de communi consilio factam.

Names the same as in 71/25.

II. Berks. First collection.

73/33  
Apporcinacio de cccii vi li. iii s. denariorum emergencium de excessubus et finibus seruientium, operariorum, victualariorum, artificum, diuersarum villatarum comitatus Berk' a xv die Marci anno regni Regis Edwardi tercii post conquestum vicesimo quinto per vnun annum integrum, facta apud Wane-tyng anno regni domini Regis nunc vicesimo sexto coram Radulfo de Grey et sociis suis iusticiariis ad statutum de seruientibus, laborariis, victualariis et artificibus editum in comitatu Berk' predicte conseruandum assignatis, per sacramentum Willelmi Ninon et sociorum suorum collectorum decime et quintodecime domino Regi a laicis in comitatu predicto concessarum, et per sacramentum Ricardi Herebard, Thome Gereberd, Roberti de Worth, Iohannis Southbury, Nicholai Payn, Ricardi Persone, Walteri de Norton, Iohannis Dalron, Iohannis Crook, Ingelrami Rossel, Willemi Harewell, Alexandri Apsolon, Wil-

1 MS. Bek'.
lelmi de Latton, Roberti de Malkeneye, Walteri de la Ryuere, Iohannis Marie, Willelmi Saunford, Philippi Rioth, Iohannis de Buden, Henrici Kersy, Willelmi Baron, Willelmi Ward, Willelmi Rossel, Gilberti Vyel, Thome de Stok, Iohannis atte Chaumbre, Radulfi de Tyle, Iohannis Fraunkeleyn, Roberti de Schiplak et Gilberti de Benham de omnibus hundredis tocius comitatus predicti per communitatem tocius comitatus predicti ad hoc electorum et ordinatorum, et per auisamentum iusticiariorum predictorum; que quedam apporciacio facta est modo subscripto, videlicet, de predictis lii. iii s. subtrahuntur pro vadiis Radulfi de Grey, vnius iusticiarii, pro xl diebus hoc anno xiiii li. vi s. viii d. et pro vadiis Iohannis Loudeney, alteriius iusticiarii, pro xl diebus eodem anno x li. Summa xxiii li. vi s. viii d. et sic remanent de summa predicta ccclxxii li. xvi s. iii d.; que quedam summa diuiditur in diuersis villatis et hamelettis in comitatu predicto in alleuiacionem decime et quintedecime predictarum in forma que sequitur, videlicet:

Hundredum de Farnden.
Farndon lx s.
Westbroke xxx s.
Langeford viii s. vi d.
Parua Farnden v s. vii d. ob. q.
Schulton ix s. vi d.
Magna Kokeswell et Parua Kokeswell xvi s.
Summa vii li. ix s. viii d. ob. q.

(Cf. with the tax for the same district given in 73/32 for the second collection.)

(At end of roll:)

Rotulus de particulis denariorum liberatorum diuersis villatis

It is to be remembered that the amount of the tax with very few and very slight exceptions remains the same.

Quia omnes villate et hamelette predicte ob defectum tenen-
cium et agriculture depauperantur et sic summa predicta de cccxxii li. xvi s. iii d. apporcionantur in villis et hameletitis predictis secundum maius et minus prout eis indigebat secundum quod talis summa paupertati et necessitati earum extende potuit.

III. Berks. Second collection.

73/32.

Apporciacio de cccxx li. xiiii s. x d. denariorum emergen-
tium de excessibus, finibus et amerciamentis seruiuentium, operariorum, viciualiorum et artificum diuersarum villatarum in comitatu Berk' a xv die Marci anno regni Regis Edwardi tercii post conquestum vicesimo sexto per vnum annum integrum et ex tunc vsque festum Sancti Michaelis tunc proxime sequens, facta coram Radulfo de Grey et sociis suis iusticiariis ad statutum et ordinacionem de seruiuentibus, laborariis, viutalariis et artificibus edita in comitatu predicto conservanda assignatis, per sacramentum Iohannis de Beckote, Ade atte Wyke, Roberti Fynk, Willelmi Noroun, Ade atte Castel, Iohannis Northern, Iohannis Marie, Iohannis de Latton, Nicholai de la Croys, Walteri de la Ryuere, Roberti Arthur, Rogeri Loe-
kyn, Philippi Ryot, Iohannis de Buden, Edwardi Giffard, Ric-
cardi Bot, Iohannis Cleet, Iohannis de Somerford, Willelmi Barfot, Ricardi Boton, Willelmi Baroun, Gilberti Benham, Roberti Crokford, Iohannis Somynghull et Roberti Sheplake de omnibus hundredis tocius comitatus predicti per communitatem tocius comitatus predicti ad hoc electorum et ordinatorum et per sacramentum comitatorum x e et x e in comitatu predicto et per auisamentum iusticiariorum predictorum; que quidem apporciacio facta est modo subscripto, videlicet, de predictis cccxx li. xiiii s. x d. subtrahuntur pro vadiis iusticiariorum per tempus et burgis in comitatu Bark' per collectores x e et x e predictarum in comitatu predicto in subuencionem x e et x e predictarum.
APPENDIX

predictum lxx li. Et sic remanent de summa predicta ccc li. xiii s. x d.; que quidem summa diuiditur in diversis villatis et hamelettis in comitatu predicto in aleuiacionem x\textsuperscript{e} et x\textsuperscript{v} predictarum in forma que sequitur, videlicet:

Tax.\textsuperscript{1}

\textbf{Hundredum de Farndon.}
- Farndon de x\textsuperscript{e} et xv\textsuperscript{a}  xlv li. xi s. xi d. q\textsuperscript{a}.
- Westbrok  x li. xvi s. v d.
- Inglesham  lxxiii s. viii d. q\textsuperscript{a}.
- Langeford  vii li. q\textsuperscript{a}.
- Parua Farnndon  iii li. xi s. ix d. ob.
- Bernyngton  iii li. iii s. vii d.
- Shulton  vi li. vii s. ix d. q\textsuperscript{a}.
- Magna Cokeswell  cvi s. ix d.
- Parua Cokeswell  iii li. ii s. vi d.

\textbf{Summa lx li. xv s. vi d. ob.}

\textbf{Hundredum de Slotesford.}
- Bastelden  vi li. xv s. ii d. ob. q.
- Stretle  vii s. vi d. ob. q.
- Molesford  iii li. v s. xi d. ob. q.
- Sottewell  lix s. ix d. ob. q.

\textbf{Summa xix li. vii s. vii d.}

\textbf{Apportionment.}

\textbf{Farendon.}
- Burgo de Farendon  xi li.
- Westbroc  xxx s.
- Inglesham  xxx s.
- Langeford  xx s.
- Parua Farendon  xxxiii s.
- Bernyngton  x s.
- Shulton  xxx s.

\textsuperscript{1} No heading to the tax.
APPENDIX

Particule compoti Gafridi de Lucy, Gerardi de Braybrok, militum, Iohannis de Hamden et Ricardi Darches, collectorum xv & x in comitatu Buk', de denariis provenientibus de excessu servientium, operariorum et aliorum artificum, finibus, exitibus et amerciamentis corundem in comitatu predicto et liberatis diversis villatis et burgis in subuencionem xv & x vt patet inferius.

Hundredum de Bynstowe.

- Villata de Hampslape
  - vi li. ii s. iii d.
- Villata de Raueneston
  - xl s.
- Villata de Haueresham
  - 1 s.
- Villata de Tyringham cum Philingraue
  - xxxiii s. iii d.
- Villata de Stokegoldynpton cum Ikole
  - xxx s.
- Villata de Garhurst cum Parua Lynford
  - xxxv s.
- Villata de Olneye cum membris
  - iii li. x s.
- Villata de Weston
  - xxxv s.
- Villata de Lauenden cum Snellestone
  - 1 s.
- Villata de Latebur'
  - llii s.

Summa xxvi li. xvii s. vii d.

Enrolled Subsidies, 14; Buk'.

Summa recepte dciii. viii li. v s. iii d. In thesauro dvi li. xv s. in vi talliis per collectores. Item in thesauro ciii li. vii d. ob. per predictum Gafridum. Et idem collectores respondent in Rotulo xxvi in Residuo Bed' de cxiii s. v d. ob. q., qui requiruntur ibidem de diuersis de quibus idem collectores onerantur, sicut continetur in dicto rotulo de particulis debitis, inde respondent per ix breuia Regis allocata in hoc compoto. Et eisdem collectoribus in compensacionem xlix li. xviii s. de quo Johannes Chastiloun, vicecomes Bed' et Buk', leuauit de finibus diuersorum laborancium et artificum et de quibus xlix li. xviii s. idem vicecomes oneratur, videlicet, de xlviii li. xiii s. in rotulo de finibus coram Regge de terminis Pasche et Michaelis anno xxiiip & terminis Hillarii, Pasche, Trinitatis et Michaelis anno xxiiiio & terminis Hillarii, Pasche, Trinitatis anno xxvio, et de xxv s. in rotulo de finibus, exitibus et amerciamentis coram Rege termino Michaelis anno xxv; et de quibus xlix li. xviii s., videlicet, in dictis particulis idem vicecomes satisfecit Regi sicut continetur in Rotulo xxvi in Bed' et in Memorandis de anno xxvii in termini Hillarii xlix li. xviii s. per breue Regis irrotulatum in Memorandis de dicto anno xxvii termino Trinitatis per quod Rex mandauit baronibus quod omnes pecuniarum summas de huissmodi finibus, exitibus et amerciamentis operariorum, servientium et artificum tam coram iusticiariis ad placita coram Regis tenenda assignatis quam alii iusticiarii quibuscunque, in auxilio solucionis xv & x predictarum tam eas, videlicet, que ad opus Regis leuata quamque adhuc leuande existant, prefatis collectoribus in alleviacionem porcimionum pauperes villata comitatus predicti contingencium ad scaccarium allocent, vel eis de tanta summa quanta inde ad opus Regis leuata existit recompensacionem habere faciant. Et eisdem collectoribus pro misis et expensis suis c. s. Et debent xvi li. xvii s. ii d. ob. q. Idem reddunt compotum de codem debito. In thesauro nichil. Et eisdem collectoribus in consimili compensacione vt supra de consimilibus finibus laborariorum xvi li. xviii s. vii d. per breue Regis allocatum supra et per consideracionem baronum annotatam in Memorandis de anno xxvii Regis huius inter Recorda de termino Trinitatis. Et habent de superplusagio.1

V. Cumberland. Third collection.

90/18.

Particule compoti Willelmn de Stapleton et Gilberti de Otwhit, collectorum [etc.].

Libertas de Penreth.

- Villata de Penreth
  - xvii li. xix s. x d.
  - Inde de excessu laborariorum ix li. v d.
- Villata de Salkeld
  - iii li.
  - Inde de excessu laborariorum xxiii s. v d.

1 Cf. app., 275-276.
APPENDIX

Villata de Longwartby lii s.
Villata de Carlton xx s. vi d.
Villata de Stotby ix s.
Villata de Carleton iuxta Penreth xx s.
Villata de Sourby cvi s. viii d.
Inde de excessu laborariorum xi s.
Inde de excessu laborariorum xxiii s. xi d.
Villata de Stotby lii s.
Villata de Carlton xx s.
Villata de Stotby ix s.

Summa xxxii li. vii d.
Inde de excessu laborariorum xxxii li. viii

VI. Derby. Second collection.

91/21.

Derb'

Particule compoti Iohannis de Greseley, Iohannis de Sheye, Thome Bakepuz, Willelmi Curson et Ricardi Foliaumbe, collectorum [etc.].

Scarnesdale.

De Kynwaldmersch xxxviii s. vii d. Inde xxxiii s. vii d. de xvii
De Norton xxxvi s. vii d. Inde xxvi s. vii d. de xvii
De Ekynton xlv s. viii d. Inde xxxix s. de xvii
De Brakenthweit et Wistinton xii s. x d. Inde viii s. x d. de xvii
De Elmeton xii s. Inde viii s. de xvii
De Oxcroft vii s. iii d. Inde vi iiii d. de xvii
De Barleborough et Whitewell iii li. ix s. iifi d. Inde iii li. xiii d. de xvii
De Stauleye xxxii s. vi d. Inde xxvi s. de xvii

De Barley et Aston xxxviii s. vi d. Inde xxvii s. vi d. de xvii
De Wyngerworth li s. ix d. Inde xi s. ix d. de xvii
De Scardeclif xli s. vii d. Inde xxxvi s. vii d. de xvii
De Shirlaund xx s. x d. Inde xvii s. x d. de xvii
De Essouer xliii s. i d. Inde xxxvi s. v d. de xvii
De Stretton xxv s. vii d. Inde xxvi s. vii d. de xvii
De Holmesfeld xliii s. i d. Inde xxxv s. i d. de xvii
De Bollesour pro x, cx s. iii d. Inde iii li. xvi s. iii d. de xvii
De Sutton in Dal xvii s. vi d. Inde xiii s. vi d. de xvii
De Beyghton lvi s. v d. Inde xliii s. v d. de xvii
De Plesley lxvi s. viii d. Inde lvi s. viii d. de xvii
De Tybshelf xxxviii s. i d. Inde xxxv s. i d. de xvii
De Oxcroft xxxviii s. vii d. Inde xxxv s. vii d. de xvii
De Morton li s. vii d. Inde xlvi s. de xvii

De excessu laborariorum iii s.
De excessu laborariorum viii d.
De excessu laborariorum xvi s.
De excessu laborariorum xxxi s.
De excessu laborariorum xii s.
De excessu laborariorum v s.
De excessu laborariorum v s.
De excessu laborariorum v s.
De excessu laborariorum v s.
De excessu laborariorum v s.
De excessu laborariorum v s.

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De Barley et Aston xxxviii s. vi d. Inde xxvii s. vi d. de xvii
De Wyngerworth li s. ix d. Inde xi s. ix d. de xvii
De Scardeclif xli s. vii d. Inde xxxvi s. vii d. de xvii
De Shirlaund xx s. x d. Inde xvii s. x d. de xvii
De Essouer xliii s. i d. Inde xxxvi s. v d. de xvii
De Stretton xxv s. vii d. Inde xxvi s. vii d. de xvii
De Holmesfeld xliii s. i d. Inde xxxv s. i d. de xvii
De Bollesour pro x, cx s. iii d. Inde iii li. xvi s. iii d. de xvii
De Sutton in Dal xvii s. vi d. Inde xiii s. vi d. de xvii
De excessu laborariorum iii s.
De excessu laborariorum viii d.
De excessu laborariorum xvi s.
De excessu laborariorum xxxi s.
De excessu laborariorum xii s.
De excessu laborariorum v s.
De excessu laborariorum v s.
De excessu laborariorum v s.
De excessu laborariorum v s.
De excessu laborariorum v s.

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De Staynesby lxi s. iii d. ob. q. Inde iiiii s. vii d. de xv\(^4\).

De Cloune Roberti Foliuille xv d.

De Blakwelle xxviii s. viii d. Inde xxvi s. viii d. de xv\(^4\).

De Toteley et Dore liiiii s. Inde liiiiiii s. de xv\(^4\).

De Whitinton et Bryninton xxxiii s. iiiii d. Inde xxvi s. viii d. de xv\(^4\).

De Walon xxxiii s. iiiii d. Inde xxvi s. viii d. de xv\(^4\).

De Chesterfeld pro x\(^a\), vi li. xv s. vii d. Inde lxxv s. vii d. de xv\(^4\).

De Derley pro x\(^a\) xxx li. Inde xxi li. v s. de xv\(^4\).

De Alicia de Staueley per plegium Roberti le Souter, Radulphi del Clay, xviiii d.

De Iohanna, filia Iohannis Parker, per plegium Willelmi filii Willelmi, Ricardi filii Gafridi, xviiii d.

De Petro Esmond per plegium predictorum Willelmi et Ricardi, xviiii d.

De Roberto atte Water per plegium Willelmi Broun, Ricardi Dawkyns, xviiii d.

De Ricardo, filio Raduli, per plegium Roberto atte Water, Gregorii Dawkyns, xviiii d.

De Willelmo, filio Willelmi Gamel, per plegium Petri Esmond, Roberti le Souter, ii s.

De Petro Abbot de Staueley per plegium Willelmi del Cotes, Ricardi Basse, ii s.

De Roberto le Ward per plegium Willelmi Brone, Roberti, Willelmi del Loue, ii s.

De Roberto Berchour per plegium Roberti de Giappewell, Henrici Bate, ii s.

De Willelmo le Barker per plegium Willelmi le Bryth, Inrez le Reve, xiiii d.

De Ricardo de Chastershire per plegium Rogeri de Wygeley et Rogeri Caus, xii d.

De Ricardo Alebeyn, sutore, per plegium Willelmi Alcok et Thome de Kenworth, iii s.

De Rogero de Notingham per plegium Thome de Burgh et Willelmi, filii Iohannis, iii s.

De Thoma de Silkeston per plegium predictorum, ii s.

De Willelmo Maynard de Brenscle, sutore, per plegium Ade de Godham et Iohannis de Wodhous, ii s.

De Roberto de Newwerk, sutore, per plegium Henrici Bate, Iohannis de Sutton, ii s.

De Ricardo de Hulme, laborario, per plegium Thome Baret, Elie de Newbolt, xii d.

DOCUMENTS, LISTS AND TABLES

1 Slight discrepancies in addition and subtraction are not uncommon.

2 m. 1. Hundredum de Sallowe; m. 2. Hundredum de Repeindon; m.

3. Hundredum de Wirkesworth.

1 Perhaps Iurez.
De Iohanne le Plastrer, laborer, per plegium Iohannis le Stedeman, Willelmi le Walsh, xii d.
De Willermo Denne, pistore, per plegium Iohannis Heyne, Willelmi le Walsh, xl d.
De Roberto, filio Roberti Wayfeire, per predictum, ii s.
De Willermo le Mulner, pistore, per predictum, ii s.

Summa xxi li. v s. iii d. 

Derby. Second collection (continued).

91/21.

De Beaureper xxx s. Inde xxv s. de xv6. Et v s. de excessibus laborariorum.

De Sallowe xvii s. iii d. Inde xv s. iii d. de xv6.

De excessu laborariorum ii s.

91/22a. A file of 210 acquittances.

Hec indentura testatur quod Iohannes de Gresley et socii sui collectores xv6 et x6 secundi anni triennalium domino Regi in comitatu Derb' concessarum anno regni sui xxvto deliberauerunt Thome de Odyam de Beureper v s. de finibus et excessibus servientium et laborariorum in auxilium xv6 ville de Beureper.

In cuius rei testimonium partes predicte sigilla sua apposuerunt. Data apud Derb' die Veneris proximo post festum Sancti Gregorii anno xxviiio. (Seal.)

VII. Derby. Third collection.

Enrolled Subsidies, 14.

(No account of fines:) eo quod tota summa denario proueniencium de eisdem finibus, exitibus et amerciamentis per ipsos collectores leuatis liberata fuit pro vadiis iusticiariorum assignatorum ad huibusmodi servientes, operarios et alios artifices in comitatu predicto pumiendos, absque eo quod aliqui denariorum proueniectis de eisdem finibus, exitibus et amerciamentis pinos ipsos collectors remanent, vt dicunt super sacramentum suum et sicut continetur in compoto inde in thesauro liberato.


m. I. Extracte finium, excessuum, exituum et amerciamentorum forisfactorum coram Hugone de Meignill et sociis suis iusticiarius [domini Regis] ad statuta de operatoribus et servientibus in comitatu Derb' audienda et terminanda assignatis, videlicet die Lune, die Martis, die Mercurii, die Iouis, die Veneris et die Sabbati prout sessiones fecerunt in diversis locis dicti comitatus a festo Sancti Michaelis archangeli anno regni Eduardi tertii post conquestum xxvi0 vsque festum Sancti Michaelis tunc proxime sequens, videlicet, in tercio anno triennalium Regi concessarum anno xxv1o. 

1 A slight difference between this sum and that of Lay Subs., 91/21; in Accounts, 110/18 the writing is so small and so faded that the mistake is very likely there.

2 See app., 330, for heading and for the whole district of Scarnesdale; I have here picked out two small districts so as to compare them with the acquittances.

1 Cf. app., 276-277.

*The portions in brackets crossed off in original.
APPENDIX

m. 3. Sallowe.

(The offence is "pro excessu et fine.")
De Willelmo Tenerey quia non venit. iii d.
De Simone de Grenhull pro simil. iii d.
De Willelmo Ponge quia non venit. iii d.
De Willelmo Faunell quia non venit. iii d.
De Iohanne de Offinton quia non venit. iii d.
De Roberto de Thrumunton quia non venit. iii d.
De Roberto Waleys quia non venit. iii d.
De Willelmo Tybbald quia non venit. iii d.
De Willelmo Anot quia non venit. iii d.
De Iohanne, filio Iohannis et Ada, filio Ricardi, quia non habent. iii d.
De plegiis Iohanne et Adam, quia non habent. iii d.
De Roberto Gamell, Willelmo Faunell, quia non habent. iii d.
De Ricardo Sturdy, Galfrido, filio eius, quia non habent. iii d.
De Ricardo Carter et Willelmo Suter, quia non habent dictum Iohannem.iii d.
De predictis Ricardo et Willelmo, quia non habent. iii d.
De Petro Sekot, Willelmo, filio Ricardi, quia non habent. iii d.
De Willelmo Suter, Ricardo, filio Adam, quia non habent. iii d.
De Iohanne North, Ricardo Suter, quia non habent. iii d.

Summa oneris ii s. xi d. probatur.

(Endorsement.)

Summa istorum trium rotulorum tam infra quam extra, vbi preponitur litera T xxiiii li. vi s. vii d. Quos computant se liberasse iusticiariis assignatis ad punien-

dum seruientes, operarios et alios artifices in comitatu Derb per quinque breuia de magno sigillo Regis et tres literas acquietancie dictorum iusticiariorum receptas et liberacionem predictam testificantes, sicut continetur in compoto dictorum collectorum inde in thesauru liberato. Qui quidem computos remanet in custodia ingrossatoris.3

VIII. Essex. First collection.

107/41.

Essex'

Particule compoti Lionis de Bradenham et Iohannis de Dependen, collectorum [etc.].

Hundredum de Tendryng.

De villata de Bradefeld xliii s. iii d. ob. q. vnde xv* iii s. iii d. ob. q. fines operariorum xl s.

Hundredum de Lexeden.3

... .

... .

De villa de Coppeford li s. vi d. ob. q*. vnde xv* xxi s. vi d. ob. q*. fines operariorum xxx s.

De villa de Teye Magna cxii s. iii d. q*. de finibus operariorum eiusdem ville. (vnde de xv* honorum Iohannis fitz Wauter in eadem villa xiiii s.)

De villa de Fordham iv s. vii d. de finibus operariorum eiusdem ville.

De villa de Bures ad Montem xxiiiiii s. i d. ob. de finibus operariorum eiusdem ville.

De villa de Colne Alba xxxv s. i d. q*. vnde xv* xx s. i d. q*. fines operariorum xv s.

De burgo Colcestr' cum hamelettis de Lexeden', Mi-

breue lande, Grynstd et Westdonyland. xxvi li. ii s. ix d. de finibus laborariorum eiusdem

1 Most of the entries have the letter "T" before them; others (but fewer) have a small "e."

1 Last six entries in this hundred.
APPENDIX

burgi quia nihil de xv* et x*. [vnde xiii s. pro bonis Iohannis fitz Wauter in Lexeden.] ¹

Exchequer, K. R., Accounts, 110/16.²

Extracte finium, exituum et amerciamentorum factorum coram Iohanne de Sutton et sociis suis iusticiariis domini Regis ad diuersas felonias et excessus laboriorum in comitatu Essex' audiendo et terminandos assignatis anno regni Regis Edwardi tercii post conquestum xxv⁶.

Hundredum de Tendryng.

Villata de Bradefeld.

De Ricardo le Ferour pro eodem (i. e. de fine pro excessu) v s.

De Willelmo Welybelyn pro eodem v s.

De Stephano Adekyn " xii d.

De Thoma Adekyn " xii d.

De Rogero Alfreyd " xii d.

De Gosccline atte Nassh " ii s.

De Iuota, sorore dicte Gosceline pro eodem xii d.

De Dionisio Balton pro eodem xii d.

De Clemente Welybet pro eodem xii d.

De Rabilia Maykyn " xii d.

De Waltero Welybete " xii d.

De Iohanne Oralle " xii d.

De Christina Balton " xii d.

De Iohanne le Thecche " ii s.

De Agnete Brok " vi d.

De Hugone Balton " xl d.

De Hugone Welybete " ii s.

Summa xxix s. x d. probatur.

¹The portion in brackets crossed out in original.
²This exceedingly voluminous and very valuable account was discovered out of its proper place by Professor Edwin F. Gay.

DOCUMENTS, LISTS AND TABLES

Hundredum de Lexeden.

Villata de Teye Magna.

(54 names; largest amount 10 s.) Summa cxii s. viii d. probatur.

Villata de Copford.

(30 names; largest amount 40 d.) Summa xliii s. viii d. probatur.

Villata de Fordham.

(34 names; largest amount 5 s.) Summa lvi s. ii d.

Villata de Burus ad Montem.

(14 names; largest amount 40 d.) Summa xxx s. probatur.

Villata Colestr'

(275 names; largest amount 20 s.) Hameletta de Cole' (30 names; largest amount 20 s.) Hameletta de Grensted.

(4 names; largest amount 40 d.) Hameletta de Milland.

(8 names; largest amount 40 d.) Hameletta de Westdonland.

(2 names; largest amount 5 s.) Summa iii li. viii s. iii d.¹

Summa totalis finium laboriorum decxix li. x s. De qua quidem summa liberatur diuersis villis in diuersis hundredis per discretionem iusticiariorum et aliorum iuratorum in aleu- iacionem x⁸ et xv⁶ per collectores earundem x⁸ et xv⁶ ob causam paupertatis et inopie post pestilenciam accidentum

¹Hamlets included. ¹This word is faded and doubtful.
(Note at end of account.)

Summa distributionum villatarum supradictarum de denariis operariorum per discrecionem iusticiariorum dclxxv li. xi s. Et in vadia iusticiariorum per diversas sessiones et diversa tempora anno regni Regis Edwardi tercii post conquestum vicesimo sexto, videlicet, domini Iohannis de Sutton, vnius iusticiarii, xiii li. xiii s. iii d. per xliii dies capientis per diem vi s. viii d.; domini Iohannis de Coggeshale, alius iusticiarii, vii li. xiiii s. ii d. per xliii dies capientis per diem vii s. vii d.; et Roberti de Teye, alterius iusticiarii, xiii li. vii s. xiiii d. per xliii dies capientis per diem vi s.; vt patet per indenturam inter predictos iusticiarios et dictos collectores inde factam dictos denarios testificantem.


120/29.

Particule compoti Iohannis de Chilterne, Iohannis Galwe et Willelmi atte Hoo de Ware, collectorum [etc.].

Hundredum de Hertford.

Tax

De Berkhamstede Parua

iii s. v d. ob.

Hundredum de Braugh.

De Westmulin
lxi li. i s. d. q.
De Braugh
v li. vii s. ii d. q.
De Stondon
ix li. xiii s. vii d.
De Honisdon
iii li. iii s. vii d.
De Stanstude
lxvii s. x d.
De Estwyk
xxxii s. vi d.
De Wideford
xxviii s. vii d.
De Ware
xxvi s.
De Godelestone
xxxvi s.
De Thorleye
lxx s. iii d. q.

De Sabrichisworth
ix li. ix s. x d. ob.

Burgus de Storteford
ix li. xii s. v d. ob. q.

De Wicham hamletta
xxxix s. viii d. ob. q.

Summa totalis hundredi lxvii li. xi s. iii d. q. probatur.

Particule compoti Iohannis de Chilterne, Iohannis Galwe et Willelmi atte Hoo de Ware, collectorum xv* et x* triennalium Regi a laicos anno xxvfo concessarum in comitatu Hertford', videlicet, de denariis prouenientibus de finibus operariorum et aliorum artificum in comitatu predicto.

Appor- tionment

Willelmo de Berenden subcollectori xv* ville de Berkhamstede Parua.

Hundredum de Hertford.

De Sabrichisworth
ix li. ix s. x d. ob.

Burgus de Storteford
ix li. xii s. v d. ob. q.

De Wicham hamletta
xxxix s. viii d. ob. q.

Summa totalis hundredi lxvii li. xi s. iii d. q. probatur.

Hundredum de Brath.

Galfrido Ball et Iohanni Milis subcollectori

xv* ville de Westmull

Radulfo atte Watere et Roberto Cosin subcollectori

xxii s.

Iohanni Strode et Henrico Baldewell subcollectori

xxxiii s. vii d.

Thome Bacon et Iohanni Makewiliam subcollectori

xxxvi s.

Willelmo, Roberto et Willelmo Rokisburwe subcollectori

De Standon

xvi s. vii d.

Iohanni Germayn subcollectori

xv* ville de Estwyk

Iohanni le Taylour subcollectori

xv* ville de Wydeford
APPENDIX

Thome de Godisfeld et Iohanni atte Watere subcollectoribus xv° villate de Ware v li.
Iohanni Panel et Nicholaio Deyere subcollectoribus xv° villate de Gudliston viii s.
Walthero Baldewyn et Roberto Bole subcollectoribus xv° villate de Thorleye xv s.
Heli Herebard et Roberto Rome subcollectoribus x° hamelette de Wykham viii s.
Summa xi li. xix s. vi d. probatur.

X. Herts. Second collection.

120/30. A file of 30 or 40 indentures; to be compared with the tax for the first collection for the corresponding districts; see app., 340.

Hec indentura testatur quod Radulfus Cressy et Iohannes de Chilterne, taxatores et collectores secundi anni xv° et x° domino Regi anno regni sui Anglie xxv° in comitatu Hertford' concessarum, liberauerunt Willelmo Werden subtaxatori et subcollectori eiusdem xv° villate de Berkhamsted Parua, de secundo anno predicto, quatuor solidos et sex denarios de finibus, exitibus et amerciamentis prouenientibus de extractis exituum et amerciamentorum diversorum operariorum, laborariorum et artificibus factorum coram Waltero de Mauny et sociis suis iusticiariis dicti domini Regis in comitatu predicto de huiusmodi operarios, laborarios et artificibusc prouenientium in auxilium solucionis xv° predicte eandem villatam contingentis.

1 Cf. also Lay Subs., 120/31, Herts.; it contains a file of writs to the collectors of this same collection directing them to pay the justices' wages and a file of receipts from the justices, similar to those for Derby; app., 276-277.

MS. proueniend.

DOCUMENTS, LISTS AND TABLES

Data apud Sanctum Albanum die Sabbati proximo post festum Purificacionis beate Marie, anno Regis Edwardi tercii post conquestum Anglie xxv°.

XI. Kent. First collection.

123/24.

Particule compoti Symonis de Lee, Iohannis Champayne et Willelmi de Wyghtrishamme, collectorum [etc.].

Lastus de Shypweye.

Tax Hundredum Sancti Martini.
De Symone Dolsele v s.
De Iohanne Godwerk v s.
De Stephano Thomelyn iii s.
De Roberto Sampson vi s.
De Laurencio, filio Iohannis Maheu, xviii d.
De Iohanne Landriche iii s.
(33 more names; amounts vary between 6 s. and 1 s.)

Summa ciii s. viii d.

Summa totalis forisfacturarum ciii s. viii d. preter liii s. laborariorum.

Hundredum de Langeport.

Summa xv s. vi d.

Summa totalis forisfacturarum xv s. vi d. preter ii s. laborariorum.

Hundredum de Allowesbregg.

Summa totalis forisfacturarum xv li. ii s. i d. ob q°. preter xxxix s. laborariorum.

Hundredum de Newecherch.
APPENDIX

Summa forisfacturarum xiii li. xi s. vi d. ob. q\(a\), preter xxxv s. laboriarii.

Hundredum de Stontyng.

Summa totalis forisfacturarum ix li. v s. x d. ob. q\(a\), preter xxv s. de laboriariis.

Hundredum de Lombergh.

Summa totalis forisfacturarum xxvi li. xix s. xi d. ob q\(a\), preter lx s. laboriarii.

Hundredum de Hean.

Summa forisfacturarum iii li. xii s. iii d. ob q\(a\), preter xxxvii s. laboriarii.

Hundredum de Bircholte.

Summa totalis forisfacturarum iii li. xvii s. d. cum xviii S. ii d. laboriarii.

Hundredum de Hamme.

Summa vii li. ix s. ii d. cum xviii s. ii d. laboriarii.

Hundredum de Worth.

Summa totalis forisfacturarum vi li. xi s. iii d. q\(a\), preter xlii s. ii d. laboriarii.

Hundredum de Oxene.

Summa totalis forisfacturarum xiii li. xix s. ix d. preter xxxvi s. laboriarii.

Hundredum de Folkestane.

Summa totalis forisfacturarum xxxiii li. iii s. i d. q\(a\), preter vii li. iii s. laboriarii.

Hundredum de Strete.

Summa totalis forisfacturarum xi li. iii s. v d. ob. q\(a\), preter xxxix s. laboriarii.

Hundredum de Sancti Martini liiii s.

Hundredum de Langeporte ii s.

Aporciacio de finibus et amerciamentis diversorum laboriarii et artificum in comitatu Kanc' facta per Henricum de Valoyns, militem, Nicholaum de Sandwico, militem, Thomam Chieche, militem, Io- hannem de Cobeham, militem ac alios militum et proborum hominum communitatis comitatus Kanc' predicti per assencionem comitis Huntyngdon' et sociorum suorum iiusticiariorum.

Lastus de Shippeweye.

Hundredum Sancti Martini liiii s.

Hundredum de Langeporte ii s.

The separate hundreds have each "summa v portuum" entered after their own sum, and then "summa coniuncta."

MS. suis.
APPENDIX DOCUMENTS, LISTS AND TABLES

Hundredum de Allowesbregg xxxix s.
Hundredum de Oxene xxxvi s.
Hundredum de Lonybrgh lx s.
Hundredum de Stontyng xxv s.
Hundredum de Heen xxxvii s.
Hundredum de Strete xxxix s.
Hundredum de Worth xli s. ii d.
Hundredum de Newecherch xxxv s.
Hundredum de Bircholte xiii s.
Hundredum de Hamme xviii s. ii d.
Hundredum de Folkstane vi li. iii s.

XII. ‡ Lancaster. Third collection.

130/26.

(Heading wanting. Described in official catalogue as of doubtful date but as probably belonging to Edw. III because of character.

The following note at end proves that it belongs to this subsidy:

Infra quam summam continentur ———— 1 servientium et artificem particulariter distributa et liberata diuersis burgis et villatis ———— attachatur.

Enrolled Subsidies, 14, shows that only for the third collection of the grant of 1352 were the penalties accounted for.

The heading of the district of Derbyshire is torn off, and also the names of the first three places; a comparison with 130/25, containing the account of an earlier grant of Edw. III, makes it safe to supply the missing names as follows: *)

* x

De Burgo de Wygan iiii li.
De Burgo de Leuerpoll lx s.
De Crosseby Magna xxi s.
De Knouselegh xlvi s.

1 Badly torn.

1 I am indebted to Miss M. T. Martin for this information.

De Hagh ix s.
De Hyndealeg xx s.

130/21.

Particule compoti Willemi de Clifton et Willemi de Heskeyth, collectorum tercii anni xv* et x* triennalium Regi a lacis anno xxv* in comitatu Lan' concessarum, videlicet de finibus pro excessibus et amerciamensis diuersorum opera-rorum, servientium et artificem factis coram Iohanne de Haueryngton, Willelmo Laurence et sociis suis justiciariis assignatis in comitatu predicto ad punitendum huiusmodi opera-rios, servientes et artifices pro excessibus, annis xxvi* xxvii* et xxviii* particulariter distributis et liberatis burgis et villatis infrascriptis, in auxilium solutionis xv* et x* predictarum. Et de quibus quidem finibus et amerciamensis nichil fuit prius distributum, solutum vel liberatum villatis infrascriptis in auxilium solutionis primi vel secundi anni earundem xv* et x*.

Derbyshire.

Willelmo, filio Ricardi et Willelmo le Clerk, subcollectoribus xme trienalis burgi de Wygan Regi concesse in ducatu Lan' anno xxv* in auxiliu, videlicet, solucionis x* predictarum dictum burgum contingentium, videlicet, pro dicta x* trienali [ad quam prius non habuit allocacionem] 1 cui prius nichil solutum fuit sicut supraposita de aliquibus finibus vel amerciamensis servientium, operariorum vel artificem xii d.

Alexandro Comyn et Willelmo, filio Ade, subcollectoribus xe predicte burgi de Lyuerpull, in auxilio solutionis x* predictarum ix li.

Willelmo Madersoule et Roberto del Tourn, subcollectoribus xv* predicte villate de Knouselgh, in auxilio solutionis x* predictarum xii s. x d.

Iohanni le Walker et Ricardo Brommegh, subcollectoribus xv* predicte villate de Hagh, in auxilio solutionis xv* predictarum vi s.

1 The portion in brackets crossed through in the original.
APPENDIX

Ade, filio Rogeri et Ade, filio Ricardi, subcollectoribus xv* predicte villate de Hyndelegh, iil auxilio solucionis xv*rum predicatarum xxiii s. iii d. ob.

XIII. † Lincoln, Holand. Second collection.

135/53.
(Described in the official catalogue as of doubtful date, but probably of the reign of Edw. III. The penalties prove that it is the grant of 1352; the names of the collectors are the same as in Enrolled Subs., 14, for the second collection.)

Particule compoti Willelmi de Surflete de Gosberkirk et Iohannis de Luttelbury, collectorum xv* et x* triennalium Regia a laicis anno xx* in partibus Holand in comitatu Lincoln' concessarum, videlicet, de secundo anno solucionis earundem.

De villata de Wrangil xv li. xiii s. iii d. Inde de xv* x li. xiii s. iii d. Et de excessu c s.

De villata de Leke xxi li. Inde de xv* xviii li. x s. Et de excessu l s.

De villata de Leurton xiii li. vi s. viii d. Inde de xv* xii li. vii s. vi d. Et de excessu xix s. ii d.

De villata de Benington xiv li. Inde de xv* xii li. vii s. iii d. Et de excessu xxxii s. vii d.

De villata de Bolerwike vi li. Inde de xv* cxxiii s. Et de excessu vii s.

De villata de Freston xi li. xv s. Inde de xv* x li. xvii s. iii d. Et de excessu xvii d.

De villata de Tofte x li. Inde de xv* ix li. xii s. vi d. Et de excessu vii s. vi d.

De villata de Skirbecke xi li. Inde de xv* x li. xiii s. x d. Et de excessu vii s. ii d.

De villata de Sancto Botolpho lxiii li. vi s. viii d. Inde de xv* lxvii li. xvi s. viii d. Et de excessu cx s.

Summa clxxvi li. xx d.

DOCUMENTS, LISTS AND TABLES

XIV. Lincoln, Kesteven. Second collection.

135/57.
Particule compoti Roberti Vlf de Grantham, Johannis de Tame de Gretford et Iohannis Slonv de Sleford pro se et Riccardo de Hebden, collectoribus [etc.].

Vffington cum Casewyk xi li. x s. vi d. Inde de xv* xi li. iii s. x d. Et de excessu vi s. vii d.

Langetoft xi li. xiii s. x d. q. Inde de xv* xi li. iii s. x d. q*. Et de excessu x s.

Talyngton ix li. iii d. Inde de xv* viii li. x s. iii d. Et de excessu x s.

Brasyngburn cum Branthorp iii li. xvi s. vi d. Inde de xv* iii li. vii s. i d. Et de excessu vii s. v d.

Baston viii li. xvi s. iii d. ob. Inde de xv* vii li. x s. iii d. ob. Et de excessu xxx s.

Bythorp cum Vseby lx s. Inde [de] xv* l s. iii d. Et de excessu laborariorum x s.

Mlynethorp lxiii s. Inde [de] xv* lx s. vii d. Et de excessu xiii s. iii d.

Repyngale xi li. x s. vi d. Inde de xv* xi li. vi d. Et de excessu x s.

XV. Lincoln, Lindsey. Third collection.

135/58.
Particule compoti Willelmi de Belesby, Gilberti Day et Willemi Wasselyn, collectoribus [etc.].
APPENDIX

Braddele.
De villata de Grymesby de x
Grymesby de x
De villata de Castre de x
De villata de Southkellesey de x
De villata de Cade de x
De villata de Grissey de x
De villata de Hakeneye de x
De villata de Fulham de x
De villatis de Westsmethefeld, Stokeneuton, Iseldon, Fynesbury et Shordich de x
De villata de Northkellesey de x
De villata de Castre de x
De villata de Southkellesey de x
De villata de Cade de x
De villata de Grissey de x
De villata de Hakeneye de x
De villata de Fulham de x
De villatis de Westsmethefeld, Stokeneuton, Iseldon, Fynesbury et Shordich de x

Summa huius wappentachii xxxi li. xiii d. ob. Inde de denariis laboriorum vi li. xiii s. vi d.
Summa xvi huius wappentachii xxxii li. xiii s. iii d. ob. Inde de denariis laboriorum vii li. xiiii s. vi d.

(The above account lacks the wapentake of Hill, but in 135/72, a bundle of undated fragments, there is a loose membrane containing an account for this wapentake, with the penalties arranged exactly as in the above extract, evidently the missing portion.)

Wappentachium de Hill.
Particule compoti —— 1 Pounz et Simonis ——— Regi a laicis anno xxv60 in comitatu Midd' concessarum, videlicet, de ——— xvi et x.
Hundredum de Oselneston.
De villata de Hakeneye 2 xiii li. xiii s. vii d. ob.
De villata de Fulham xi li. vii s. v d.
De villatis de Westsmethefeld, Stokeneuton, Iseldon, Fynesbury et Shordich xviii li. ix s. q.

(Note at end:)
Infra quas summas continentur cxli vii li. vii s. vi d. de excessibus et finibus pro eisdem excessibus factis per diversos laborarios, operarios et artifices coram Iohanne Bray et sociis suis iusticiariis ad inquirendum de diuersis feloniis et ad diuersos transgressiones et excessus laboratorum, artificum, servitorum et ad alia in commissione Regis contenta audienda et terminanda assignatis anno xxv60. De quibus respice in rotulq sequenti.

Exchequer, K. R., Accounts, 110/34.
No heading.
Hundredum de Ouselston.
Item computantes liberauerunt Willemo Salman et Nicholao

1The blanks represent faded words.
2On the margin of the original the sums paid by individuals are noted.
APPENDIX

Forster, subcollectoribus xv* et x* villate de Hakeneye, in auxilium solutionis predictarum xv* et x* eiusdem villate de finibus, excessusbus et amerciamentis laboratoriorum et aliorum artificium in comitatu predicto foris factis per indenturam cxviii s. v d.

Item liberauerunt Johanni Dawe et Willelmo Knot, subcollectoribus villate de Foulham, in auxilium solutionis earundem xv* et x* de finibus et excessusbus predictis per indenturam iiiii li. xvi s. viii d.

Item liberauerunt Petro atte Gate et Iohanni Flaunden, subcollectoribus villatarum de Westsmethefeld, Stokeneuron, Iseldon, Fynesbury et Shordich de finibus et excessusbus predictis per indenturam iiix li. xvi s. v d.

Summa hundredi lxii li. x s. vi d.
Summa totalis cxvi li. iiiii s. x d.

XVII. Norfolk. First collection.

149/33.

Particule compoti Iohannis de Coleby, militis, Iohannis de Hales, militis et Edmundi Noon, collectorum [etc.].

Hundredum de Gildecross.

Tax
De Garboldesham vii li.
" Snareshull xli s.
" Kemhale li x s.
" Estherling lii li.
" Ridelesworth liii li.
" Lepham cxxii s.
" Catesthorp i s.
" Westherling li x s.
" Blouerton i s.
" Russshworth liii li.
" Quidenham liii li.
" Banham liii li.
" Media Herling xl s.

Summa hundredi lii li. xii s.

1 In this heading "Edwardi tercii" is mentioned.

DOCSUNTS, LISTS AND TABLES

Particule compoti Iohannis de Colby, collectoris xv* et x* in comitatu Norff', de denariis prouenientibus de excessibus seruentium, operariorum et artificium, exitibus et amerciamentis eorundem in comitatu predicto et liberatis diversis villatis et burgis in subuencionem xv* et x* vt inferius patet.

Appor- Villata de Qwydenham ix s. viii d.
 tionment. Villata de Banham xii d.
 Villata de Garboldesham xv s. viii d.
 Villata de Lopham viii d.
 Villata de Estherling iii s.
 Villata de Westerhelyng vi d.
 Villata de Redelisworth ii s. vii d. ob.

XVIII. Norfolk. Second collection.

149/35.

Norff' De quindena, anno regni Regis Edwardi tercii a conquered xoviiimo.

Happingg.
Stalham ix li. Inde soluti de xv* vi li. xix s. vi d. et de excessu xx s. vi d.
Catefelde vi li. xiii s. Inde soluti de xv* vi li. ix s. ix d. et de excessu iii s. iii d.
Hapisburgh ix li. x s. q* Inde soluti de xv* vii li. iiii s. iii d. et de excessu iii s. iii d.
Horseye xviii s. iii d. et de excessu nichil.
Ludham vii li. xv s. Inde soluti de xv* vii li. vi s. et de excessu ix s.
Potterechegham cv s. Inde soluti de xv* ciii s. iii d. et de excessu vili d.

Weppwade.
Bownewelle vi li. Inde soluti de xv* vi li. xvii s. iii d. et de excessu xx d.
Multone cxxii s. Inde soluti de xv* cxxi s. iii d. et de excessu xx d.
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Waketone xlvi s. viii d. Inde soluti de xve xlv s. et de excessu xii d.

Stratten vi li. s. Inde soluti de xvvi vi li. iiii s. et de excessu vi s.

(Note at end: Total penalties xxi li. xix s. x d.
Enrolled Subsidies, 14, shows a larger sum.)

XIX. Norfolk. Third collection.

149/34.
Norff' Particule compoti Hugonis Peuerel et Roberti del Parke et sociorum suorum, collectorum [etc.]

Lodene x li. ix s. ix d. Vnde de xvii x li. xxii d. ob. de exitibus labararium vii s. x d. ob.

Hardelee lx s. Vnde de xvii lvii s. ii d. q. de labararis ii s. ix d. ob. q.

Langele cx s. ii d. Vnde de xvi iii li. v s. iii d. q. et de exitibus xxiii s. ix d. ob. q.

Mundham cx s. vi d. Vnde de xvii v li. ix s. et de exitibus xviii d.


161/30.

Particule compoti Iohannis Crok, Iohannis Mundy de Wode-stok et Iohannis de Croxford, collectorum [etc.]

Hundredum de Thame.

Noua Thame x li. iii s. vii d.
Villata de Tetesworth lxxiv s. iii d.
Villata de Ascote lvi s. vii d.
Villata de Morton et Atindon iiii li. xviii s. xi d.

Villata de Midelton Magna et Parua vii li. ii s. x d.
Villata de Waterstoke lii s. iii d.
Villata de Vetere Thame lxxiv s. ix d.
Villata de Weston iiii s. vi d.

Summa istius hundredi xxxviili li. iii s. xi d.

161/30.

Apporcionacio hundredorum Pough, Dork, Thame et iiior hundredorum et dimidii Giltr 1facta anno xxviii in alloc- cionem xvii et xviii eiusdem anni vt patet.

Hundredum de Thame.

Noua Thame xl s.
Vetus Thame cum Prestend xl s.
Waterstok iii s.
Milton Magna xv s.
Milton Parua xl d.
Tettesworth xxx s.
Weston vi s.
Morton iii s.
Attyndon vi s.
Ascote xv s.

Summa vii li. ii s. iii d.

XXI. † Suffolk. Third collection.

180/26.

(Described in the official catalogue merely as belonging to the reign of Edw. III. The note at the end as to penalties proves the exact date; the amount of the penalties and the names of the collectors being checked by Enrolled Subs., 14.)

Suff' Particule compoti Willelmi de Russhebrok, Ricardi Forester et Ricardi de Marchesham, collectorum xvi et xii tri- ennalium Regi a laicis in comitatu Suff' anno xxvii conces- sarum de tercio anno solutionis earundem.

1Chiltern Hundreds.
APPENDIX

Mutford.

Kessynglond
Pakefeld cum Kyrkele
Gyslyngham cum parte de Risshenden
Mutford cum Barneby et parte de Risshynden
Carleton

cvii s. vi d. ob. q.
Inde de excessu iii s. vi d.
lx s. ii d. ob.
Inde de excessu iii s. vi d.
lxxiii s. iii d.
Inde de excessu iii s. vi d.
lxxii s.
Inde de excessu iii s. vi d.
lxxi s.
Inde de excessu iii s. vi d.

Summa xvii li. vii s. i d. q.
Summa excessus xxii s. vi d.

(Note at end.)

Infra quas quidem summas continentur cxxv li. ii s. x d. ob. q. de denariis provenientibus de finibus, exitibus et amerciamentis seruientium et aliorum artificum in comitatu predicto sicut continentur in dicto rotulo de particulis xv° et x° predic-tarum.

XXII. Warwick. Second collection.

192/16.

Warr’ Particule compoti Ricardii de Whitacre, Iohannis de Vaa, Iohannis Comyn et Hugonis de Brandeston, collectorum [etc.].

Hundredum de Kyngton.

Walton Deyuill xli s.
Walton Mauduth xxxv s.
Wellesburn Hastang lx s.
Wellesburn Montford iii li.

Warr’

Aporcinacio de xlv li. ix s. ii d. de denariis provenientibus de diuersis finibus, exitibus et amerciamentis operariorum et artificum pro excessu in comitatu Warr’ coram Iohanne Bote-

tourt iusticiarior et sociis suis ad huiusmodi excessus et transgressiones assignatis, per Ricardum de Whitacre, Iohannem de Vaal, Hugonem de Brauncetan et Iohannem Comyn, collectores xv° et x° triennalitum Regi a laicis anno xxv° concessarum de secundo anno solutionis earundem et per auisamentum Wil-lelmi de Spineto, Iohannis de Conyngesbi, Willelmi Waldeyeue, Willelmi Doddyngesele, Roberti de Crowenhal, Roberti de Wautere, Iohannis de Vpton, Thome de Compton, Iohannis Bardolf, Iohannis de Moul, Thome Mollying, Iohannis de Stan-ford et aliorum dicti comitatus facta diuersis villatis subscriptis vnde predicti iusticiarii pro vadiis suis nichil adhuc receperunt.

Hundredum Kyngton.

Villata de Walton Deuyle iii s.
Villata de Walton Maudyt iii s.
Villata de Wellesbourn Hastang iii s.
Villata de Wellesbourn Montford iii s. iii d.


200/15.

Particule compoti Thome de Luttelton, Iohannis de Sidynton, Edmundi de Dunclel, collectorum [etc.].

Wygorn’ xx li.
Holte et Wyttele lxxi s. iii d.
Elmeley Beauchaump lxii s. viii d.
Kemeseye cum membri cvii s. iii d.
Bredon xlii s. viii d.
Herdewyk xlv s. viii d.

Apporcinacio de lviii li. xiii s. x d. facta die Martis proximo post festum Circumcisionis Domini anno regni Regis Edwardi tercii xxviiio coram Waltero de Schakenhurst et sociis suis iusticiariis domini Regis per sacramentum Edmundi Dunkelent et sociorum suorum, collectorum x° et xv° domino Regi a laicis concessarum, Thome Foliot, Iohannis Beuchaumpe, Rogeri Bessopeston, Edmundi de Brugg, Ricardi Ruyhale, Philippi
APPENDIX

Spechesleye, Iohannis Kekyngwych, Alexandri de Besford, Ricardi de Reodyng, Willelmi Spechesleye, Willelmi de Stone, Iohannis Spenser, Iohannis de la Mare, Simonis Gros, Thome Tolwardye, Rogeri Porter, Thome de Burton, Ricardi Farmon, Iohannis de Gretton, Iohannis de Hamburi, Willelmi Broun, Willelmi de Melynton, Iohannis Wuybbe, Henrici Wynturnold et Thome de Abyndon, ad hoc per communitatem comitatus ad hoc electorum et ordinatorum et per auisionem Walteri de Schakenhurst et Rogeri de Brugg, iusticiariorum domini Regis ad inquirendum de seruientibus, operariis, victualariis, artificibus in comitatuum predictorum, et per communitatem comitatus predicti. Que quadam apporcinacioni facta est modo subscripto, videlicet:

Wygorn' cx s.
Holt et Wytteleye xxiii s. iii d.
Elmelye Beauchampe xii s. viii d.
Kemesseye v s. iii d.
Breoton dimidia marca.
Herdwyk xi s. iii d.

(Endorsement.)
Summa totalis distribucionis huius comitatus particulariter per villatas lv li. vii s. x d. Et debent xl s. qui eis non debent allocari per consideracionem baronum prout patet in hoc rotulo infra, vbi proponitur et cancellatur per barones.

XXIV. York, E. R. Second collection.

202/52.
Particule compoti Roberti Twyere, Iohannis de Cotom, Gerardi de Grimmeston, collectorum [etc.].

Waxham xxxix s. Inde de xv* xxv s. vii d. Et de excessu laboratorium xiii s. v d.
Loset cum Parua Kelk xx s. Inde de xv* xii s. vi d. Et de excessu laboratorium vii s. v d.


202/53.
(The heading is somewhat misleading.)
Compotus Gerardi de Grymmeston et Iohannis Burton, collectorum xv et xv* tercii anni trienialium domino Regi ultime a laicis concessarum in Estrythingo in comitatu Ebor', anno regni Regis Edwardi tercii post conquestum Anglie xxviii°, videlicet, de tercio anno solutionis earundem.

Bukross.
Estheslarton xxxiii s. Inde de excessu laboratorium xiii s. iii d.
Multhorp xxx s. Inde de excessu laboratorium xvi s.
Kirkeby xxxviii s. Inde de excessu laboratorium xv s.
Dugleby xxxiii s. Inde de excessu laboratorium xvi s.
Neuton iuxta xxxvi s. vi d. Inde de excessu laboratorium xvi s. iii d.
Wynteryngham xxxiii s. Inde de excessu laboratorium xvi s.
XXVI. York, N. R. Third collection.

(Described in official catalogue as a grant of the 25th year of Edw. III because of character; but as collected in the 26th year. The heading and the amount of the penalties prove that this latter date is erroneous.)

Particule compoti Willelmi Lassels pro se, Thoma de Eton de Gylyng, Christofero Mallore et Willelmo de Holthorp, collectoribus xv* et x* triennalium Regi a laicis in Northerithingo in comitatu Ebor anno xxvi° concessarum, per breue Regis patens de xxvi° die Ianuarii anno xxviii°, videlicet, de tercio anno solutionis earundem.

Bradford.
Whelbergh                xxiii s. Inde in subuencionem xv* et x* de finibus, exitibus et americiamentis operariorum vi d.

Estherlsay                xxvi s. viii d. Inde in subuencionem xv* et x* de finibus, exitibus et americiamentis operariorum ii s.

Parua Silton              xvii s. Inde in subuencionem xv* et x* de finibus, exitibus et americiamentis operariorum xii s.

Silton Paynell            xx s. Inde in subuencionem xv* et x* de finibus, exitibus et americiamentis operariorum xii s.

Keppwyk                  xxviii s. Inde in subuencionem xv* et x* de finibus, exitibus et americiamentis operariorum xii s.

Cousesby                 xvii s. Inde in subuencionem xv* et x* de finibus, exitibus et americiamentis operariorum x s. ii d.

Kyrkebyknoll              xiii s. Inde in subuencionem xv* et x* de finibus, exitibus et mericiamentis operariorum xii d.

(Note at end.)

Infra quas quidem summas continentur xv li. xiii s. vii d. de finibus, exitibus et americiamentis seruientium, . . . . . . .

Extracte finium, seruientium et artificium liberate per Thomam de Seton collectoribus de Northrithingo in comitatu Ebor'.

Villa de Welbergh.
 De Cristiana Scot quia cepit contra statutum per plegium Roberti Attounend et Johannis atte Style. vi d.
 Summa vi d.
 Summa xv* xxiii s. Et sic deficiunt xxiii s. vi d.

Villa de Estherlesay.
 De Willemo Couherd quia cepit contra statutum per plegium Roberti, filii Stephani, et Nicholai de Scotton. xii d.
 De Nicholao de Scotton pro eodem per plegium predictum. xii d.
 Summa ii s.
 Summa xv* xxvi s. viii d.
 Et sic deficiunt xxvi s. viii d.

Villa de Parua Silton     Summa xiiii s. Summa xv* xvii s. Et sic deficiunt xiii s.

Villa de Silton Paynlel   Summa xii s. vi d. Summa xv* xx d. Et sic deficiunt vii s. vi d.

Villa de Kepewyk          . . . . . . . . . Summa vi s. Summa xv* xxviii s. Et sic deficiunt xxii s.

Summa totalis istius rotuli xix li. iii d. Et sic deducte expense iusticiariorum, videlicet, lxvi s. viii d.
Et sic remanent xv lii xiii s. vii d.

Formerly Exchequer, K. R., Accounts, 110/24, but Miss Martin reports that the document is broken up and not yet re-arranged; therefore no reference can be given.
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XXVII. York, W. R. Second collection.
26/27.

Particule compoti Willelmi, filii Thome de Deuyill, Willelmi de Derley et sociorum suorum, collectorum . . . . . . . . in partibus de Westrithing anno xxvto concessarum, videlicet, de secundo anno solucionis earundem.

Wapentachium de Barkeston.
Villata de Shirburn vi li. Inde xv s. iii li. x s.
Et de excessu laboratorum x s.
Villata de Tolleston xviii s. Inde xv s. ix s.
Et de excessu laboratorum ix s.
Villata de Cawode iii li. x s. Inde xv s. l s.
Et de excessu laboratorum l s.
Villata de Birkyn xxiii s. Inde xv s. xvii s.
Et de excessu laboratorum x s.
Villata de Mikelfeld xxvi s. Inde xv s. xii s.
Et de excessu laboratororum xii s.
Villata de Kyrkeby xv s. Inde xv s. vi d.
Et de excessu laboratorum ii s. vi d.

XXVIII. † York, W. R. Third collection.
206/26. No heading.

(Described in official catalogue as belonging to one of the triennial grants of Edw. III, either of the 22nd or of the 25th year; decision from character merely. The reference to the penalties proves conclusively that it is the grant of the 25th year; and since for the first collection, Enrolled Subs., 14 reports that there were no estreats, and since 206/27 is clearly for the second collection, it follows that this account is for the third collection.)

Wapentachium de Barkeston.
De villata de Saxton lx s. Inde xv s. iii li. s.
Et de excessu laboratorum vii s.
De villata de Richere ii marce. Inde xv s. xxi s. vii d.
Et de excessu laboratorum ii s.
De villata de Toueton lx s. vii d. Inde xv s. lvi s. vii d.
Et de excessu laboratorum xii s.
De villata de Clifford xxxi s. Inde xv s. xxxi s.
Et de excessu laboratorum xii d.
De villata de Whistowe cvi s. viii d. Inde xv s. xiii s. vii d.
Et de excessu laboratorum xii s.
De villata de Sutton xxxv s. Inde xv s. xcv s.
Et de excessu laboratorum x s.
De villata de Stutton ii marce. Inde xv s. xxv s. vii d.
Et de excessu laboratorum xii d.

5. Extracts from Accounts, K. R., Close Rolls, Memoranda Rolls and Pipe Rolls. (Cf. pt. 1, ch. iii, 2, A.)

Memoranda Roll, L. T. R., no. 120.

Adhuc Breuia retornabilia de termino Sancte Trinitatis anno xxix Regis Edwardi; rot. 6.

Salop'
Rex diletto et fideli suo Johanni de Cherleton et sociis suis iusticiariis ad transgressiones et excessus operariorum, servientum et artificem in comitatu Salop' puniendos assignatis, salu-
Mandamus vobis quod omnes extractas finium, excessuam, exituam et ameriamentorum dictorum operariorum, seruientum et artificium coram vobis, adiudicato penes vos adres remanentes et collectibus xve et xe triennialium nobis a laicis anno xxyv° concessurum in comitatu predicto minime liberatas, habeatis siue mittatis sub sigillis vestris vel vnius vestrum ad scaccarium nostrum apud Westminsterum in octabis Sancti Michaelis thesaurario et baronibus eiusdem scaccarii ibidem liberandas, vt execucio pro finibus, excessubus, exitibus et ameriamentiis illis leuandis ad opus nostrum celeriter fiat prout decret.

Teste thesaurario, xviiio die Iulii. Per rotulum compotorum de taxacionibus vbi annotatur quod predicti collectores computarunt de tercio anno solucionis xve et xe predictarum et per Originalia de annis xxvb et xxviiio quoad iusticiariorum.

Ad quem diem predictus Iohannes vobis respondit quod non se intromisit de aliqua sessione iusticiariorum virtute alicuius commissionis Regis sibi facte prout supponitur in isto breui. Ideo nulle extracte finium, exituam et ameriamentorum penes se remanent vobis liberande.

(Similar writs to justices of labourers in many other counties.)


Adhuc Communia de termino Sancte Trinitatis anno xxxii° Regis Edwardi terci post conquestum. Adhuc Recorda; rot. 5.

Hereford' De extractis liberandis per Willelum Frome et alios.

Preceptum fuit vicecomiti Hereford' per breue datum secundo die Maii hoc anno quod distingueret Willelum de Frome, Iohannem del Oldecastel et Hugonem de Monyton, iusticiarios ad excessus operariorum, seruientum et artificium in comitatu predicto puniendos assignatos, per terras et catalla sua; ita quod de exitibus etc. et quod haberet corpora eorum hic modo in crastino Sancti Iohannis Baptiste ad liberandum hic omnes extractas finium, exituam et ameriamentorum coram iusticiariis in sessionibus suis iusticiarie Regis predicte adiudicatorum, pretextu, videlicet, commissionis Regis eis inde facte, cuius tenor irrotulatur in Originalibus de anno xxxixmo Regis nunc.

Et ad dictum crastinum predicti Willelms, Iohannes et Hugo non venerunt. Set quidam Griffithus le Walsh venit et liberavit hic quendam rotulum continentem quatuor membra titulatum sic Extracte finium, exituam et ameriamentorum forisfactorum coram Willelmo de Frome et sociis suis iusticiariorum domini Regis ad ordinaciones et statuta de operariorum, seruientibus et artificibus ac eciam de ponderibus et mensuris in comitatu Hereford' assignatis anno xxxmo et xxxi° intrante. Super quo habita deliberacione quia in rubeo libro huius scaccarii residente in custodia rememoratoris Regis folio xlmO sub titulo Ex quibus summoniciones fiant inter cetera scribitur quod caueant iudices vt correctos rotulos thesaurario liberent etc. et non constat curie hic vtrum dicte extracte per dictum Griffith sic liberate sint vere et factum dictorum iusticiariorum necne, concordatum est quod ipsi iusticiariorum distringantur vt prius ad liberandum hic extractas etc. vel ad advocandum dictas extractas per dictum Griffith liberatas tanquam veras et bonas etc. Et preceptum est vicecomiti Hereford' sicut pluries quod distingatur per dictum Griffith sic liberate sint vere et factum dictorum iusticiariorum necne, concordatum est quod ipsi iusticiariorum distringantur vt prius ad liberandum hic extractas etc. vel ad advocandum dictas extractas per dictum Griffith liberatas tanquam veras et bonas etc. Et preceptum est vicecomiti Hereford' sicut pluries quod distingatur per dictum Griffith liberat necne, concordatum est quod ipsi iusticiariorum distringat per dictum Griffith liberatas tanquam veras et bonas etc. Et preceptum est vicecomiti Hereford' sicut pluries quod distingatur per dictum Griffith liberates tanquam veras et bonas etc.

Et interim dicte extracte per dictum Griffith liberates tanquam veras et bonas etc. Postea, videlicet, xxiiii die Novembris dicto anno xxxio, predicti iusticarii venerunt per Iohannem de Stretton et Stephanum de Lugwardyn, attornatos suos, et liberarunt hic extractas predictas tanquam bonas et veras quas pro talibus aducarunt in omni euentu; que quidem extracte liberantur Willelmo de Wello, clerico extractorum hic in scaccario summoniende prout etc.

Adhuc Communia de termino Pasche anno xxx° Regis Edwardi terci. Adhuc Recorda; rot. 7.

Northumbr' De Henrico de Percy et alii attachiatis pro extractis de seruientibus liberandis ad seccarium.

Comperto in quodam rotulo de extractis commissionum de audiendo et terminando in cancellaria Regis nunc de diversis annis quod Henricus de Percy, Iohannes de Stryuelyn, Willelmus de Felton, Willelmus Basset, Iohannes Fenwyk, Thomas de Fencotes et Robertus de Tughale assignati fuerunt per literas Regis patentes de xxvto Norhamtoniam pro conservacione pacis edita necnon ad custodienda et ad delinquentes in vicecomiti dicti comitatus Northumbr' quod distringeret formam etc., ita quod dictos Henricum de Percy et socios suos Domini adiudicatorem tuum, quod festum xva et xa triennales Regi a cessarent et a quo festo huiusmodi fines, ciamenta et tibus etc. sicut continetur in predictis statuto et ordinacione de executorem testamenti eiusdem per Radulfum de Hull, natum suum, Iohannes de Stryuelyn per Percy optulit se vt filium et persona sua; et dicunt quod huiusmodi extractas liberare non possunt; dicunt enim quod dictus Henricus iam defunctus et

\[1\] MS. adiudicatorem.
de predictis patentibus ex causis premissis de communi assensu omnium ipsorum iusticiariorum et communitatis tocius dicti comitatus Northumbr'; ita quod nulle extracte penes ipsos iusticiarios vel aliquem eorumdem remanent pretextu patencium predictorum. Ideo ipsi Henricus, filius Henrici, Iohannes de Stryuelyn, Robertus de Tughale, Willelmus de Felton, Iohannes de Fenwyk et Thomas de Fencotes inde sine die.

Memoranda Roll, K. R., no. 132.

Adhuc Breuia directa baronibus de termino Sancti Hillarii anno xxxio Regis Edwardi tercii; rot. 7.

Pro Radulfo de Middelnye.

Rex thesaurario et baronibus suis de scaccario, salutem. Mandamus vobis quod dilecto et fideli nostro Radulfo de Middelnye, vni iusticiariorum nostrorum ad ordinacionem et statutum de operariis, servientibus et artificibus in comitatu Somerset custodienda assignatorum, videlicet, de finibus, redempcionibus et exitibus tam ad magnates et alios virtute libertatum eis per nos et progenitores nostros concessarum et per ipsos vsitatarum quam ad nos pertinentibus, per vicecomitem comitatus predicti solui et habere faciatis.

Teste me ipso, apud Baumburgh, xi die Februarii anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

(Enrolled, Claus., 30, m. 23; under date of 10 Feb.)

Rotuli Literarum Clausarum, 30 Edw. III, m. 13.

Rex vicecomiti Somerset', salutem. Precipimus tibi quod directo et fidei nostro Radulfo de Middelnye, vni iusticia-
tem. Cum nuper per diversa breuia nostra preciperimus vicecomiti nostro Somerset' quod dilectis et fidelibus nostris Radulfo de Middelnye, Edmundo de Clyuenden, Iohanni Hugon et Waltero de Rodeneye, iusticiariss nos-

tris in dicto comitatu ad inquirendum de seruientibus, operariis et artificibus, videlicet, Radulfo de Middelnye pro se et clerico suo decem libras, Edmundo de Clyuenden pro se et clerico suo decem libras, Iohanni Hugon decem marcas a festo Sancti Michaelis anno regni nostri Anglie vicesimo octauo, et Waltero de Rodeneye decem marcas pro anno regni nostri Anglie tricesimo, pro vadiis suis circa contenta in commissionibus nostris eis de premissis factis per annum illum intendisset ac sessiones suas per quadraginta dies per annum fessent iuxta ratam temporis et summaram predictarum de exitibus extractarum finium et redemptionem et exituum forisfactorum de sessionibus iusticiarum predicte pro occurrentibus solui et habere faceret, vobis mandamus quod visis breuibus ac literis acquietancie in hac parte factis, summas quas vobis constare poterit dilectum et fidelem nostrum Iohannem de Sancto Lando, tunc vicecomitiem nostrum comitatus predicti, prefatis Radulfo, Edmundo, Iohanni et Waltero virtute mandatorum nostrorum predictorum rationabiliter soluisse, eidem Iohanne de Sancto Lando in compoto suo ad scaccarium predictum allocetur et literas acquietancie supradicta.

Teste me ipso, apud Westmonasterium, xxvi die Novemberis anno regni nostri Anglie tricesimo secundo, regni vero nostri Francie decimo nono.

Hoc breue allocatur in Magno Rotulo de anno xxxii°.
APPENDIX

De Alicia, filia eiusdem Alicie, pro eodem, per plegium predicti Roberti,
vi d.
De Alicia, vxore Willelmi Saym, pro eodem, per plegium predicti Roberti,
vi d.
De Juliana, vxore Ricardi le Paueour, pro eodem, per plegium predicti Roberti,
vi d.
De Johanne Ters pro eodem, per plegium Ricardi Beler, xii d.
De Margareta, vxore Rogeri le Horner, pro eodem, per plegium Roberti de Lapworth, vi d.
De Johanna Bagot pro eodem, per plegium Rogeri Iade et Rogeri Smyth,
vi d.
De Johanna de Colleshull pro eodem, per plegium Willelmi Smyth,
xi d.
De Johanna de Warrewyk et Matille, vxore eius, pro eodem, per plegium Willelmi de Burton,
vi d.
De Johanna Sexteyn pro eodem, per plegium Roberti de Lapworth,
xii d.
De Johanna, vxore Henrici Wydrawere, per plegium Iohannis Mareschal,
iii d.
De Johanna, vxore Iohannis Bladesmyth, per plegium Roberti de Lapworth, iii d.
De Willelmo Twycros pro eodem, per plegium Willelmi Smyth,
iii d.
De Henrico Forsmyter et Isabella, vxore eius, pro eodem, per plegium Thome de Breiford, vi d.
De Willelmo Cook atte Whiteseler pro assiservisie fracta, per plegium Henrici Dilcock, ii s.
Fined, exitus et amerciamenta coram Hugone de Aston et sociis suis iusticiariis domini Regis ad pacem Regis nec non
ad statuta apud Wyntoniam et Norhamptoniam pro conservacione eiusdem pacis edita in omnibus et singulis suis articulis
in villa de Couentre custodienda et custodiri facienda assignatis, a festo Sancti Bartholomei apostoli anno regni Edwardi Regis
Anglie terci a conquestu vicesimo octauo vsque ad festum Natitiuitatis Sancti Iohannis Baptiste anno regni eiusdem Regis
Anglie vicesimo nono.

(12 entries.)

Has duas cedulas liberauit hic Hug de Aston, vnus iusticiariorum infrascriptorum, ix die Iuli anno xxi Regis Edwardi
terci post conquestum, et summonit fuerunt xvii die Iuli
mensis.

6. Extracts from Accounts, K. R., Memoranda Rolls, Patent
Rolls and Pipe Rolls. (Cf. pt. I, ch. iii, 2, B.)

Memoranda Roll, K. R., no. 133.

Adhuc Breuia directa baronibus de termino Sancti Mich-aelis anno xxxio Regis Edwardi terci; rot. 8.

Pro Simone archiepiscopo Cantuariensi.

Rex thesaurario et baronibus suis de scaccario, salutem.
Cum nuper per cartam nostram concesserimus bone memorie
Iohanni de Stretford, tune archiepiscopo Cantuariensi, quod
ipse et successores sui habeant imperpetuum omnes fines pro
transgressionibus et aliis debitis quibuscumque et eciam fines
pro licencia concordandi ac omnia amerciamenta, redempciones
et exitus forisfactos ac forisfacturas, annum, diem et vastum et
streppum et omnia que ad nos et heredes nostros pertinere
poterunt de huiusmodi anno, die et vasto et murdris, de om-
nibus hominibus et tenentibus de terris et feodis suis in quibus-
cumque curiis nostris et heredum nostrorum homines et tenentes
illos, tam coram nobis et hereditibus nostris in cancellaria nostra et heredum nostrorum ac coram thesaurario et baronibus nostris et heredum nostrorum de scaccario ac coram iusticiariis nostris et heredum nostrorum de banco ac coram senescallo et mariscallo seu clero mercati hospicii nostri et heredum nostrorum qui pro tempore fuerint et alios curis nostris et heredum nostrorum quam coram iusticiariis itinerantibus ad communia placita et ad placita foreste et quibuscumque alios iusticiarii et ministri nostris et heredum nostrorum de scaccario ac coram nostris et heredum nostrorum de banco ac coram senescallo et mariscallo munia placita et ad placita foreste et quibuscumque aliis dum nostrorum quam coram iusticiariis itinerantibus ad presencia nostra et heredum nostrorum quam in absencia nostra iusticiariis et ministri nostris et heredum nostrorum, tam in et heredum nostrorum fines facere, vastum siue streppum, forisfacture et murdra ad nos vel here-adjudicari contigerit des nostros possent pertinere si prefato archiepiscopo et successorum archiepiscopus et successores sui predicti per se vel per bailiuos et ministros suos fines, amerciamenta, redempciones, erunt de soribus forisfacturas huiusmodi hominum et tenencium suorum predicemto leuare percipere et torum, patrem nius continetur, et licet vobis mandauerimus quod venerabilem fines, amerciamenta, redempciones, ministrorum quorumcumque, prout in fines, amerciamenta, redempciones et inum et tenencium suorum predictorum et artificum coram iusticiariis nostris ad inquirendum de excessibus huiusmodi artificium et seruiunciam assignatis adudicata et affrata, eodem archiepiscopo ad dictum scaccarium allocare non curatis, vt accepirimus, in ipsius archiepiscopi dampnum non modicum et contra tenorem carte nostre supradicte. Nos no-lentes eodem archiepiscopo inuiarii in hac parte, vobis mandamus quod eodem archiepiscopo fines, amerciamenta, redempciones et exitus forisfactos huiusmodi hominum et tenencium suorum laboratorum, seruiunciam et artificium ad scaccarium predictum allocari faciatis iuxta formam carte nostre supradicte. Et si causa subfuerit quare id facere minime debeatis, tunc nos de causa illa reddatis sub sigillo scaccarii predicti distin-tete et aperte sine dilacione cerciores, hoc breue nobis remitentes.

Teste me ipso, apud Westmonasterium, xvii die Octobris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Hoc breue remittitur cancellarie unacum certificacione de causa vnde fit mencio superius in breui, sicuti continetur alibi in his Memorandis inter Recorda de hoc termino.

Ibid., rot. 13.

Pro Iohanne de Stretford archiepiscopo Cantuariensi.

Rex thesaurario et baronibus suis de scaccario, salutem. Cum nuper per cartam nostram concesserimus . . . . (Then follows a copy of the charter given in rot. 8 as far as “et licet”) et licet vobis mandaerimus quod venerabilem patrem Simonem iam archiepiscopum Cantuariensem huiusmodi fines, amerciamenta, redempciones, exitus forisfactos et forisfacturas hominum et tenencium suorum laboratorum, seruiunciam, artificium et regratatorum ad scaccarium allocari faceretis iuxta formam carte nostre supradicte, vos nichilominus asserentes ea ad nos ex certis causis pertinere debere, predicta fines, amerciamenta, redempciones, exitus et forisfacturas prefato archiepiscopo ad dictum scaccarium allocare non curatis; super quo idem archiepiscopus nobis supplicavit sibi per nos de remedio prouideri. Et quia super dicto negocio ex certis causis coram nobis et consilio nostro propositis volumus plenius informari, vobis mandamus quod exaccionem quam facitis prefato archiepiscopo aut hominibus et tenentibus de terris et feodis suis pro huius-
modi finibus, redempcionibus, exitibus forisfactis aut forisfacturis hominum et tenением suorum laboratorum, seruientum, artificium aut pistorum, braziatricium et victualium venditorum quorumcumque, ponatis in respectum vsque ad proximum parliamentum nostrum vt tunc dictum negocium Discuti valeat p Clei us et terminari.

Teste me ipso, apud Westmonasterium xxviii die Octobris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Ibid.

Adhuc Breuia directa baronibus de termino Sancti Hillarii, anno xxxi Regis Edwardi terci; rot. 2 d.

Pro Simone archiepiscopo Cantuariensi.

(A month later, on further complaint of the archbishop, a writ of the great seal is issued to the treasurer and barons, stating that certain justices of assize, gaol delivery and of oyer and terminer had "subtiliter" marked certain estreat rolls of penalties as due to the king instead of to the archbishop, and had then appropriated them to their own use. The archbishop's claim to these penalties is based on the charter above quoted.)

Et quia cum consilio 1 nostro super premissis deliberacionem habere volumus, volis mandamus quod demande prefato archiepiscopo aut eius tenentibus pro huiusmodi denariis Regis leuatis aut pro finibus, amerciamentis, redempcionibus, exitibus forisfactis aut forisfacturis pro extorcionibus, oppressionibus, excessibus, transgressionibus, catalissi felonum et fugitivoorum dictum archiepiscopum aut homines et tenentes suos, licet eorum aliquia de allocacionibus et respectibus per vos factis seu faciendis supersedeatis vsque ad quinquenam Sancte Trinitatis proxime futuram vt interim habito inde cum dicto consilio nostro pleno asisamento vltierus de premisis, fieri faciamus quod de iure fuerit faciendum.

Teste me ipso, apud Westmonasterium, xxx die Novembris, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Ibid.

Adhuc Communia de termino Sancti Michaelis, anno xxxi Regis Edwardi terci a conquestu; adhuc Recorda.

Kanæ

Certificatio facta domino Regi in cancellaria sua pro archiepiscopo Cantuariensi.

Dominus Rex mandauit hic breue suum de magno sigillo suo quod irrotulatur inter Breuia directa baronibus de hoc termino Rotulo viii in hec verba: (see copy, app., 373).

Quod quidem breue remittitur cancellarie, vncum certificacione de causa vnde fit mencio superius in breui in hec verba. Non est processum ad allocationem faciendam archiepiscopo Cantuariensi de finibus, amerciamentis, redempcionibus et exitibus forisfactis hominum et tenением ipsius archiepiscopi laboratorum, seruientum et artificium iuxta tenorem breuis huic cedule consulti, eo quod in statuto anno regni domini Regis nunc Anglie vicesimo quinto super malicia seruientum et labor-arium restringenda edito inter alia continetur quod . . . . . . . . . . . . . . . . . . . . . . . . .

(There follows a literal translation in Latin of the clause of the statute of labourers beginning "Item que viscontes" and ending "soit leue al oeps le Roi et respondu a lui par le vis-cont du countee;" app., 16.)

Pretextu quorum verborum, apparat quod fines, redemp- ciones, excessus et amerciamenta dictorum seruientum et labor-
APPENDIX

ariorum leuanda sunt ad opus Regis, absque aliqua allocacione inde facienda alicui libertati, eo quod quintadecima iam cessuit.


Adhuc Breuia directa baronibus de termino Pasche, anno xxxiiio Regis Edwardi tercii; rot. 9 d.

Pro vicecomiti Kanc'.

Rex thesaurario et baronibus suis de scaccario, salutem. Cum nuper per cartam nostram concesserimus bone memorie Iohanni, archiepiscopo Cantuariensi, inter cetera sibi per nos concessa quod ipse et sucessores sui imperpetuum habeant omnes fines . . . (There follows a summary of the charter as already given, ending with "prout in carta predicta plenius continent.") et in statuto nuper apud Westmonasterium ad diem Lune proximum post septimanam Pasche, anno regni nostri Anglie tricesimo primo, quod domini libertatum qui fines, exitus et amerciamenta per cartas regias aut alio modo habent, extunc huiusmodi fines, exitus et amerciamenta laboratorum, artificem et operarium que ad ipsos dominos de iure pertinient, quamdiu iusticiari huiusmodi laboratorum duraret, habeant; ita semper quod dicti domini contribucionem solucionis feodorum huiusmodi iusticiariorum laboratorum iuxta ratam profeccionem que inde percipient faciant, vobis mandamus quod venerabili patri Simoni nunc archiepiscopo Cantuariensi omnia exitus forisfactos, fines et amerciamenta de omnibus hominibus et tenentibus de terris et feodis suis coram dilectis et fidelibus nostris Radulfo de Frenyngham et sociis suis nuper iusticiariis ad inquirendum de laboratoribus, artificibus et operariis in comitatu Kanc' assignatis qui sessiones suas inde die Lune proximo post festum Sancti Michaelis, dicto anno tricesimo primo, apud Dertford, primo inceperunt, sicut per certificacionem Willelmi de Roderham, nuper vnius iusticiariorum pre-

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DOCUMENTS, LISTS AND TABLES

dictorum, in cancellariam nostram de mandato nostro missam plenius poterit apparere, ab eodem die Lune affirata et adjudicata liberari et habere et omnes et singulas libertates et quietancias in dicta carta nostra contentas iuxta vim et effectum carte illius eidem archiepiscopo ad dictum scaccarium de tempore in tempus allocari faciatis, ita tamen quod predictus archiepiscopos solucionis feodorum dictorum iusticiariorum ab eodem die Lune contribuant vt premititur, iuxta formam statutii supradii.

Teste Thoma filio nostro carissimo, custode Anglie, apud Westmonasterium xvi die Maii, anno regni nostri Anglie tricesimo quarto, regni vero nostri Francie vicesimo primo.


Facta summa Roberti Vynter, senescalli archiepiscopi Cantuariensis . . . . . .

(The archbishop obtains 28 l. 7 s. 8 d. in penalties before Frenyngham and his companions, per schedule attached to the roll, the allowance being granted on the basis of his charter and of the above writ.)

Cf. also ibid., Trin., Precepta; Surrey and Sussex, for a similar claim.


Adhuc Michaelis Precepta anno xxxiiio; rot. 12.

Norht'

Precepta facta super computum Walteri Parles vicecomitis computantis hic modo in crastino Sancti Martini de toto anno xxxiiio.

Libertas ducis Lanc' capta fuit in manum Regis et adhuc remanet, sicut continetur inter Precepta de termino Sancti Michaelis anno xxxio.

(Schedule attached to the roll.)

Norht'

De extractis finium et amerciamentorum opera-

1 MS. Linc'; so clearly a slip on the part of a clerk that I have ventured to change it. See "in comitatu Kanc'" infra.

2 MS. artificiis.
APPENDIX

riorum, artificum et servientum coram Iohanne de Alueton et sociis suis iusticiariis eorundem in diuersis comitatibus infra libertatem ducis Cornub' audiendum et terminandum assignatis a xiiii die Marcii, anno xxxo vsque ad eundem diem anno xxxio. Charwalton.

De Thoma Fleysheuer, falcatore, pro excessu, per plegium Iohannis Eyr, xii d.
De Ricardo Milneward, mettore, pro eodem, per plegium predictum, xii d.
De Thoma Honte, falcatore, pro eodem, per plegium predictum, xii d.

Summa iii s.

Eston cum Hulcote.

Walterus De Iohanne Attehalle, mason, pro eodem, per plegium Iohannis Roberti, xl d.
Parles vicecomes De Iohanne Keyfot, falcatore, pro eodem, per plegium Willelmi Hobbis, vi d.
Norht' oneratur De Iohanne Amysone, s[eruiente], pro eodem, in Rotulo per plegium Willelmi Colin, ii s.

xxxio de debitis in ista cedula contentis.

De Waltero Warde, triturario, pro eodem, per plegium predictum, ii s.
De Thoma Bankar, carnisce, pro eodem, per plegium Willelmi Hobbis, ii s.
De Emma, vxore eius, mettore, pro eodem, per plegium predictum, vi d.
De Galfrido Knotte, seruiente, pro eodem, per plegium predictum, ii s.

Blacolnesle.

De Thoma Smyth, fabro, pro eodem, per plegium Willemi Hay, ii s.

1 The omission of the "ad" before the gerund or gerundive has already been referred to; cf. app., 28, note 1.

DOCUMENTS, LISTS AND TABLES

De Henrico Howes quia non venit, iii d.
De Iohanne Taylour et Thoma Smyth quia non habent, iii d.
De Iohanne Warde pro eodem, iii d.
De Simone Knyght et Elia Soc quia non habent, iii d.
De Elia Wryghte pro eodem, iii d.
De Nicholao Leche et Iohanne Petifer quia non habent, iii d.
De Hugone Simound pro eodem, iii d.
De Iohanne Norton et Iohanne Lincden quia non habent, iii d.
De Petro Howes pro eodem, iii d.
De Willelmo Hay et Ricardo Campyoun quia non habent, iii d.

Summa xx s. iii d.

(Endorsed.)

Ista cedula extracta est de Originali de quo titulus scribitur ex alia parte istius cedule et examinatur ac liberatur hic per Willelmum de Wellum, custodem extractarum hic in scaccario, xxiii die Nouembris, anno xxxi Regis Edwardi terci post conquestum.

Facta summa dicti vicecomitis debentis xlvii li. xiii s. xi d. ob. q*.

Infra quam summam oneratur de xx s. iii d. de excessibus et amerciamentis operariorum per extractas finium, excessuum et amerciamentorum operariorum, artificum et servientum coram Iohanne de Alueton et sociis sui iusticiariis eorundem in diuersis comitatibus infra libertatem ducis Cornubie audiendum et terminandum assignatis a xiiii die Marcii anno xxxo vsque ad eundem diem

1 For the omission of the "ad," cf. app., 28, note 1.
anno xxxi\(^{\circ}\), videlicet, pro diuersis de quibus dicit principem Wallie per ballius et ministros suos leuasse eosdem xx s. iii d. ad opus ipsius principis particulariter; quorum particule et nomina eorum de quibus leuantur extrahuntur de extracta predicta et liberantur hic per Willelum de Wello, custodem extractarum hic in scaccario, in quadam cedula huic rotulo tachiata; super quo dictus princeps presens hic per Willelum de Spridelyngton, attornatum suum, admissum ad cognoscendum receptionem huiusmodi finium, excessuum, exituum et amerciamentorum operariorum et ad onerandum ipsum principem inde, sicut continetur alibi in hiis Memorandis inter Attornatos de hoc termino, et super premisis allocutus cognouit se per ballius et ministros suos leuasse et recepisse predictos xx s. iii d. et proinde se velle et debere onerari versus Regem de eisdem xx s. iii d. in exoneracionem dicti vicecomitis. Ideo concordatum est quod idem vicecomes exoneretur erga Regem de eisdem xx s. iii d. et quod dictus princeps inde oneretur pretexit cognicionis sue predicte.


Adhuc Trinitatis Precepta anno xxxiii\(^{\circ}\); rot. 6.

Surr', Sussex.

Precepta facta super compotum Thome de Hoo nuper vicecomitis computantis hic modo in crastino Sancti Iohannis Baptiste de toto anno xxxiii\(^{\circ}\), Rogero Daber nunc vicecomite presenti per Walerum atte Broke, attornatum suum.

Abbas Fiscampi clamat et vicecomes oneratur.

Sussex.

De finibus, excessibus, exitibus et amerciamentis coram Andrea Peuerrell et sociis suis iusticiariorum Regis ad inquirendum [de] operariis, artificibus, servientibus, vittellariis ac eciam de ponderibus et mensuris in comitatu Sussex' audiendum et terminandum assignatis, annis xxxi\(^{\circ}\) et xxxii\(^{\circ}\).

Burgus de Horsham. De Waltero Feldere de excessu et fine, per plegium Roberti Frenshe, xii d.

Hundredum de Stenyng. De Agnete de Muleward de excessu et fine, per plegium Willelmi Calewe, xii d.

De Iuliana Quay de excessu et fine, per plegium predictum, xii d.

(All the entries are similar to the above; there are sixteen for the Hundred of Stenyng, twenty-five for the Burg of Stenyng, seven for Terryng and two for the Hundred of Britford. The amounts are usually 12 d. and 6 d.; but there are a few larger ones.)

Summa iii li. iii s. ii d.

Et oneratur infra summam predictam de iii li. iii s. ii d. de excessubus et finibus diuersorum per rotulum, videlicet, de finibus, excessibus, exitibus et amerciamentis coram Andrea Peuerrell et sociis suis iusticiariorum in comitatu Sussex' assignatis annis xxxi\(^{\circ}\) et xxxii\(^{\circ}\); quos quidem iii li. iii s. ii d. abbas de Fiscampo presens per Iohannem de Holt, attornatum suum, clamat ad ipsum abbatem pertinere debere per cartas Regis, vt de finibus hominum et integre tenencium suorum apud Horsham, Stenyng et alios locos \(^{1}\) in comitatu

\(^{1}\) MS. aliiis locis.
Sussex' et quorum quidem iiiii li. iiiii s. ii d. particule et nominaeas debencium continentur in quadam cedula quam dictus abbas per dictum attornatum suum liberavit hic, et que taciatur huic rotulo; super quo clameo dicit dictus nunc vicecomes, videlicet, Rogerus Daber presens hic per Walterum atte Brok, attornatum suum, allocutus, iuratus et examinatus dicit per sacramentum suum quod omnes debitores quorum nomina continentur in dicta cedula sunt homines et integre tenentes dicti abbatis in diversis locis in comitatu Sussex'. Nichilominus, nondum fit allocacio dicta cedula sunt homines et integre tenentes dicti abbatis in apud Westmonasterium die Lune proximo post septimanam Pasche anno xxxix, concordatum fuit quod . . . . . (There follows a literal translation in Latin of the clause giving the penalties to the lords excessubus, non fit mencio in eodem titulo anno dicti iiii li. iiii ante dictum diem Lune tum de eisdem iiii li. iiii detur prefatis iusticiariis quod certificent tum est eis per breve cuius transscriptum dicte cedule tachiatur pro informacione etc., ita quod certificent dum, faciendum et recipiendum inde quod etc. Et tam dictus quod certificacionem dictorum iusticiariorum abbatis quam dictus vicecomes interim Iniunctumque est eidem abbati quod interim sequatur, ita ad dictas octabas alioquin tem de predictis iiii li. iiii Michaelis predicti iusticiarii operariorum non certificarunt pro

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1 There follow here statements as to the payment of the salaries of the justices of labourers as well as some other accounts, none of them concerned with the abbot's claim.
APPENDIX

De clameo abbatis de Burgo Sancti Petri, for examples of the writ and certificate referred to.)

Edwardus [etc.], Hugoni de Northburgh et sociis suis [etc.]
Volentes certis de causis cercliorari que et quot fines, america-
menta et exitus forisfacti in sessionibus vestris anno regni nos-
tri Anglie tricesimo primo vsque ad clausum Pasche eodem
anno, quo die parliamentum nostrum incepit, facta, affirata et
adiudicata fuerunt et de quibus personis, vobis mandamus
volentes certis de
causis
circiorari
que et quot fines, amercia-
menta et
exitus
forisfacti
in sessionibus
vestris
predictis nos inde sub
sigillis vestris in cancellaria nostra reddatis distincte et aperte
certiores, hoc breue nobis remittentes.2
Teste me ipso [etc.].

Quod quidem breue indorsatur sic. Responsum Hugonis de
Northburgh, iusticiarii etc.
Omnia fines, america menta et exitus forisfacti de sessione
nostra de anno xxxio mandauimus ad scaccarium domini
Regis per extractas nostras que versus curiam remanent, vt
patet per
rotulos et extractas nostros predictos. Set ante clausum
Pasche eodem anno xxxio nulla fuerunt fines, amerciamenta,
nec
exitus
forisfacti
coram
nos inde
sub
sigillis
vestris
in cancellaria nostra reddatis distincte et aperte
certiores, hoc breue nobis remittentes.2
Teste me ipso [etc.].

(The following writ recorded in the latter claim usually
appears:)
Edwardus [etc.], thesaurario et baronibus de scaccario,
salutem. Quandam certificacionem nobis in cancellaria nostra ad
mandatum nostrum missam vobis mittimus sub pede sigilli
nostri presentibus interclusam, mandantes vt inspecta certifica-
cione predicta viterius ad processionem dilecti nobis in Christo
abbatis de Burgo Sancti Petri coram vobis in scaccario predic
to facere valeatis, quod de iure et secundum legem et consuetu-
dinem regni nostri Anglie fore videritis faciendum.
Teste me ipso [etc.].

1 The usual form.
2 In some cases the separation of fines from excess is also mentioned.

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Glouc' Abbys de Fiscampo clamat et oneratur.

De extractis finium, exitum et americamentorum coram
Thoma de Berkeley de Cubberle et sociis suis iusticiarii domini
Regis de laboraris, artificibus et seruiotoribus ac de ponderibus
et mensuris in comitatu Glouc' audiendum et terminandum
assignatis, a festo Sancti Michaelis anno xxxio vsque festum
Sancti Michaelis anno xxxiiie.

Summa totalis xxxii. vi s. viii d.; quam quidem summam
abbas de Fiscampo per Willelmum Mayel, balliuum suum,
clamat ad ipsum abbatem pertinere debere per libertatem dicti
abbatis vt de hominibus et integre tenentibus suis in diuersis
villis et locis in comitatu predicto.

(Endorsement.)

Has iii cedulas liberauit hic abbias de Fiscampo per Willellum
Mayel, attornatum suum, super compotum vicecomitis
Glouc' ad quindenam Purificacionis beate Marie Virginis, anno
xxxiiie Regis Edw. terci, et clamat omnia debita in pre-
dictis cedulis contenta ad ipsum abbatem pertinere per libertatem,
vt de finibus hominibus et integre tenencium suorum in
diersis villis et locis in comitatu predicto.

(Parts of the roll are illegible, but nearly all the legible
entries are "de fine pro eodem," i. e. "excessu," or merely
"pro fine.")

Pipe Roll, 204, 33 Edw. III. Glouc'.

Abbys de Fiscampo per Willellum Mayel, attornatum suum,
reddit compotum de xxii li. vi s. viii d. de pluribus debitis sicut
infra continetur, videlicet, de finibus diuersorum hominum et
tenencium ipsius abbatis in diuersis villatis huius comitatus,
quorum hominibus et tenencium nomina et summe finium illorum
continetur in tribus cedulis vnde idem abbas oneratur inter
totalia sua in rotulo de extractis finium, exitum et america-
mentorum coram Thoma de Berkele de Cubberle et socii suis iusticiariis Regis de laborariis, artificibus et seruitoribus ac de ponderibus et mensuris in eodem comitatu audiendum et terminandum assignatis, a festo Sancti Michaelis anno xxxi vsque festum Sancti Michaelis anno xxxiiio\(^6\); quas quidem cedulas idem abbatis per dictum attornatum suum super hunc compotum liberavit et quae inter billas de termino Sancti Hillarii anno xxxiiio\(^6\) Regis huius vt de clameo ipsius abbatis super compotum vicecomitis Glouc' de hoc anno xxxiiio\(^9\) redditum ad quodem Purificationis beate Marie dicto anno xxxiiiiio\(^9\), sicut continetur in Memorandis de eodem festum Sancti Michaelis breue Regis irrotulatum in Memorandis de dicto tribus cedulis contenti integre sunt sicut vicecomes testatur, xxii\(^o\) monachi per glie clamant monachos et eorum procuratores libertatibus et quietanciis Ipsi et predecessores sui abbates et pore confeccionis cartarum predictarum vsi sunt, sicut dicunt, Rex per libertatem cartarum Regis adiudicatam per dominos monachi de Fiscampo in Rotulo xvi Regis Henrici in Sussex'. Ricardum, comitem marescallum, et sicut allocatum est eisdem toniensem, Bathoniensem, Dunolmiensem et Cicestriensem, anno episcopos, et per dominos S. de consideracionem baronum annotatam uti et gaudere consueuerunt, et per scrutinium inde factum et tarum, prout ipsi et predecessores ac eorum procuratores permittant, eas eis allocantes iuxta abbati et monachi in Rotulo Henrici, in Item Sussex'. Et quietus est.

**APPENDIX**

Rotuli Literarum Patencium, 32 Edw. III, pt. i, m. 19.

Pro priori et fratribus de Henton, ordinis Cartusiensis.

Rex omnibus ad quos etc., salutem. Supplicarem nobis dilecti nobis in Christo prior et fratres de Henton, ordinis Cartusiensis, vt cum domus sua in loco solitudinis situetur, et iuxta ordinis sui regulam, extra domum predictam pro victum suorum necessariis querendis personaliter exire nequeant et paucos aut nullos tenentes ad deseruendum eis pro terris suis excolendis de quarum proventibus sustentatio sua pro maiori parte provenit habeant, dictique tenentes et ali qui circa culturam terrarum suarum et alia necessaria sua laborant ad prosectionem quorumdam eosdem tenentes et seruientes grauare machinancium, adeo coram iusticiariis nostris ad statutum et ordinacionem de operariis, seruientibus et artificibus conservanda per amerciamenta et grauamina diuersa, racione more sue in servicio dictorum prioris et fratrum infestati sint et inquietati, quod in eorum servicio morari non audent, et si forsan ipsi tenentes et seruientes taliter ab eorum servicio recederent, de eorum prioris et fratrums sustentacione disperaretur, velinus indemnitati eorumdem prioris et fratrums ac tenencium et seruantum suorum ne per huiusmodi callidas machinaciones pregrauentur prouidere gracie. Nos statui dictorum prioris et fratrums qui semper in domo sua sustentatione disperaretur, velimus eorumdem tenentes et alii qui circa cul merenti, armae et per amerciamenta et grauamina diuersa, ratione more quietati, quod in eorum seruicio morari non audent, et si fuerant postu sunt ad deseruiendum eis pro terris suis

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predictorum coram predictis iusticiariis adiudicata et adiudicanda per extractas ipsorum iusticiariorum eisdem balliuis liberandas leuare, colligere et percipere possint sine occasione vel impedimento nostri vel heredum nostrorum, iusticiariorum, vicecomitum, coronatorum aut balliuarum seu ministrorum nostrorum quorumcumque. Concessimus eiam prefatis priori et fratribus quod ipsi vel fratres conuersi eiusdem domus, aut alii servientes sui pro coriis de animalibus suis propriis vel pro alis coriis per ipsos ad opus ipsorum prioris et fratum emptis vel emendis et in tannaria domus sue predicte tannatis vel tannandis, et postmodum pro eorum commodo pro precio inter ipsos et dicitorum coriorum emptores concordato venditis seu vendendis racione empcionis vel vendicionis huiusmodi coram prefatis iusticiariis aut alis ministris nostris non impetantur, molestentur in aliquo seu grauentur.

In cuius etc., teste Rege, apud Westmonasterium, xiiii die Aprilis.

Per ipsum Regem.

Consimiles literas Regis habent prior et fratres de Witham eiusdem ordinis, sub eadem data.

(Cf. Mem. K. R., 35, Mich., Breu. Baron., rot. 1 d; Prae (prie) de Henton A writ of the great seal to the treasurer and barons ordering the allowance to be made in accordance with the letter patent.\textsuperscript{1})

\textsuperscript{1}In this enrollment the letter patent is referred to as dated 14 Aug., instead of 14 April.

E. Records of the Old Local Courts. (Cf. pt. ii, ch. i.)

For an account of the sources, see app. 3, and pt. ii, ch. i.

Extracts from Assize Rolls and Court Rolls.

Chester, Palatinate of. Indictment Roll, 4 - 27 Edw. III - I R. II. 45 membranes.\textsuperscript{3}

Indictamenta de Officio ad Comitatum Cestriae.

m 4 d. Inquisicio capta apud Wycum Malbum coram Thoma de Dutton, vicecomite, die Lune proximo ante festum Convencionis Sancti Pauli, anno regni Regis Edwardi tercii a conquestu tricesimo primo, per sacramentum Ricardi de Munshull et aliorum etc. qui dicunt super sacramentum suum quod Agnes Tope, reper, nuper manens in Worleston, Matheus le Walshemon, tasker et communis malefactor, manens in Hurdeleston, Matildis, filia Ricarcli Hobbekynessone, ceperrunt nimium stipendium contra statutum. Et quod Willelmus Blundel, cartewright, cepit duos solidos communiter pro factura unius carecte, ii s. contra statutum etc. Et quod Willelmus Arthur, laborer, est communis transgressor et cepit nimium stipendium contra statutum etc.

(Similar presentments on the following Wednesday.)

m. 9 d. Comitatus Cestr', die Martis proximo post festum Sancte Trinitatis, anno regni . . . . xxxiii.\textsuperscript{5}

Coram vicecomite.

Inquisicio capta apud Goldbournford coram Thoma de Dutton, vicecomite etc., die Veneris proximo post festum Sancti Iohannis ante Portam Latinam, anno . . . . tricesimo tercio.

\textsuperscript{3}List of Plea Rolls, under the heading: "Assize Rolls,"
APPENDIX

(Presentments by jurors.)

Et quod Mad* le Taxeser, manens in Salghton, fregit statutum per mercedem incongruum. . . . .

Inquisicio capta coram prefato vicecomite, predictis die et loco per sacramentum. . . . .


(Presentments for felonies interspersed among these for excess wages.)

Court Rolls, Portfolio 176, no. 6.2

Gloucester, Slaughter Hundred.2 28-29 Edw. III.

1 The asterisk indicates that ''finis'' is over the name.

2 List and Index of Court Rolls preserved in the Public Record Office. The remaining references in this section are to this same List and Index.

At this period Slaughter hundred was held by the abbey of Fiscampe of William de Clinton, earl of Huntingdon; Rudder's Gloucestershire (1779), 665, 6. I am indebted to Miss M. T. Martin for this reference.

m. 6. Sloughtr' hundredum tentum ibidem die Martis tercio die Marcii, anno regni Regis Edwardi terci post conquestum vicesimo nono.

m. 6 d. Johannes Nowers optulit se per attornatum suum, supra,1 versus Hugonem Symond de placito convencionis, vnde queritur quod idem Hugo detenuit Iohannem, seruientem dicti Iohannis, a festo Sancti Michaelis ultimo vsque festum Sancti Michaelis proxime sequens, contra convencionem inde inter eos factam, eo quod convenit inter eos, certo die et anno apud Cherhull, quod predictum seruientem adduxisse debuisse apud Cherhull predicta die festi Sancti Michaelis predicto, ad seruiendum predicto Iohanni vnde nichil actum fuit, ad damnum predicti Iohannis Nowers de xx s. v dicit, vnde predictum sectam etc.

Et predictus Hugo venit et dicit quod nullam convencionem inde cum dicto Iohanne fecit et hoc paratus est defendere per legem, vnde habet diem vsque ad proximam hic ad faciendum legem se xii manu et sunt plegii de lege, Richardus Marchal et Walterus Ianyns.

m. 11. Sloughtre hundredum tentum ibidem die Martis in vigilia festi Marie Magdalene, anno regni . . xxixro.

Iohannes Flour et Alicia, vxor eius, attachati sunt per plegium Iohannis Watt (iii d.) et Iohannis Hickes (iii d.) ad respondendum Roberto Westmocote, hallitu Gilberti Chasteleyn, apud Sloughtr' de placito transgressionis contra formam statuti de victualariis etc.; et modo non veniunt predicti Iohannes Flour et Alicia; ideo plegii predicti in misericordia, et preceptum est sicut pluries distringere dictos Iohannem et Aliciam quod sint ad proximam etc., ad respondendum etc.

1 The attorney had been named in a previous entry.
APPENDIX

Portfolio 156, no. 10. 29-30 Edw. III.

Chester.

m. 5 d. Northwich. Curia tenta die Mercurii x die Marcii, anno tricesimo.

m. 6. Misericordia i d. Seruiens in misericordia quia non fecit officium suum, videlicet, quia non distingueret Matildem, vxorem Willelmi del Giphole, ad respondendum Willelmo Greggesone in placito convencionis, et nichilominus preceptum est distingueri et proximam.

Misericordia vi d. Willelmu del Giphole est ad legem ad sectam predicti Willelmi in placito predicto etc. per plegium Hugonis de Leghton et Iohannis de Merbury. Postea dictus Willelmu de Giphole cognouit hic in curia quod vxor eius fecit convencionem cum predicto Willelmo Greggesone ad desersuiendum sibi bene et fideliter per vnum annum, prout ipse pro ea manuecepit. Ideo consideratum est per iudicium quod dictus Willelmu Greggesone habeat convencionem predictam, et nichilominus predicti Willelmu del Giphole et Agnes, vxor eius, in misericordia, plegii tam de convencion quan de misericordia.

Misericordia iii d. Johannes Cady queritur de Edde Carnefray de placito noui statuti, plegius de prosequendo Willelmu Batessone, plegius de respondendo Iohannes Cady, et vnde queritur quod fregit convencionem sibi ad dampna etc. Et defendens cognoscit; ideo consideratum est quod predictus Iohannes habeat convencionem etc. et predicta Edde in misericordia per plegium dicti Iohannis etc.

m. 10. Magna curia tenta die Mercurii xiii die Iulii, anno tricesimo.

m. 10 d. Robertus le Crouther per attornatum suum queritur de Alicia que fuit vxor Roberti Dobessone in placito noui statuti. Et vnde dicit quod cepit seruientem predicti Roberti de seruicio suo infra terminum quo conductus fuit cum ipso Roberto, ad damnum xx s. etc.

Et defendens negat; ideo ad legem, per plegium Michaelis Skot et Iohannis de Merbury.

Portfolio 156, no. 26. 29-30 Edw. III.

Cornwall.

m. 3. Blakemore. Adhuc de Curia Stannarii de Blakemore tenta apud Lostwithiel die Martis in vigilia Sancte Katerine Virginis, anno xxix°.

m. 3 d. Inquisicio. Inquisicio inter Iohannem Rydet, iuenerem, querentem (non prosecutus est) et Willelmu Trilleway, de placito convencionis ipsum seruiendi per certum tempus, ad damnum suum x s. Remanet pro defectu iurate.

Portfolio 176, no. 43. 24-27 Edw. III.

Hereford.

m. 3. Curia fratris Willelmi de Belhous, prioris de Clyford, tenta die Sabbati proximo post festum Annunciationis beate Marie, anno . . . vicesimo sexto.
APPENDIX

m. 4. Adam Bercarius attachiatur per plegium balliui pro eo quod ablongauit seruientes domini ad dampnum etc., et pro eo quod pascuit vi oues. Et dictus Adam essoniatus est supra 19. Et sic remanet.

(At the same court "tena die Sabbati xix die mensis Maii.")

Ad istam curiam Adam Bercarius allocutus de eo quod ablongauit Iohannem Vynch et Iohannem, filium Walteri, seruientes domini, de servicio domini, qui dicit quod nullos seruientes ablongauit vt impositum est eidem, et ad hoc vadiauit legem per plegium balliui

Portfolio 182, no. 17. 32-33 Edw. III.

Kent.

m. 3 d. Wy Curia tenta ibidem in crastino Sancti Martini, anno regni . . . xxxii.

Compertum est per inquisicionem quod Iohannes Delman iniuste cepit contra statutum domini Regis seruientem Willelmi atte Toune extra servicum suum ad dampnum viii d. et dictus Iohannes Delman in misericordia. Et preceptum est fieri facere de bonis et catallis ipsius Iohannis dictos viii d. ad vsum ipsius Willelmi taxatos per inquisitionem.

Portfolio 203, no. 29. 29-30 Edw. III.

Suffolk.

m. 1 d. Curia de Chilton tenta xxviii die Octobris, anno xxix.

Misericordia Compertum est per inquisicionem in quam Iohannes le Skynnere (vi d.) et Ricardus le Whyghte (vi d.) se posuerunt ad sectam domine

Documents, Lists and Tables

m. 2. Curia de Chilton tenta xviii die Nouembris, anno xxix.

Adhuc preceptum est venire bonam inquisitionem ad certificandum curie de hiis qui capiunt ultra statutum ex quacumque causa etc.

Portfolio 197, no. 120. 27-28 Edw. III.

Shropshire.

m. 1. (Heading of court missing. Next court on same membrane is "patria de Ruyton," in 27th year.)

Exi facias Margeriam, filiam Ricardi Nicols, Iohannem (quietus est), filium Iohannis Bette [etc.] de curia in curiam si non comparuerint et si comparuerint tunc eos capias et saluo custodias

Proxima.

Exi facias Margeriam, filiam Ricardi Nicols, Iohannem (quietus est), filium Iohannis Bette [etc.] de curia in curiam si non comparuerint et si comparuerint tunc eos capias et saluo custodias

ita quod eos habeas ad proximam curiam ad respondendum domino de statutis laborancium per ipsos fractis etc. hic in curia.

No. 121. 29-30 [Edw. III].

m. 2 d. Curia ville de Ruyton tenta die Iouis in festo Sancti Barnabe apostoli, anno xxix.

45 others named, more women than men; "ponit se," "ponit plegium," or "ex" over some of the names.
APPENDIX

Misericordie Inquisicio capta super seruientes et artifices qui vi s. viii d. de ser- uientibus.

No. 122. 30-32 [Edw. III].
m. 3. Ruyton. Curia laborancium patrie tenta die Iouis proximo post festum Purificacionis beate Marie, anno xxxiimo.

Misericoenda Ricardus Holigost et Elena vxor eius, ponunt se in graciam domini et affidaverunt, et inueniunt hos plegios, videlicet, Henricum Cutte et Nicholaum de Monford.

Misericoenda Johannes, seruiens Ieuan, ponit se et affidauit vi d. per plegium Ieuan ap Iorum.

Misericoenda Isabella, seruiens Iohannis Aleyns, ponit se et affidauit per plegium ipsius Iohannis Aleyns.

Misericoenda Willelmus Iankyns ponit se et affidauit per nulla. plegium Iohannis Aleyns.

Misericoenda Willelmus de Coton ponit se et affidauit per nulla. plegium Philippi Aleyns.

m. 7:

Curia patrie de Ruyton tenta die Lune proximo ante festum Sancti Michaelis Archangeli, anno xxxiimo.

1 Three jurors.

2 Eleven names. I leave the clerk’s infinitive after “quod.”

3 “Ponunt etc.,” “affid.” written above the names.
APPENDIX

F. RECORDS OF THE CENTRAL COURTS.  (Cf. pt. ii, ch. ii.)

For an account of the sources, see pt. ii, ch. ii, s. 1.

1. Extracts from Ancient Indictments and Assize Rolls.
3. List of 44 reports from Year Books and abridgments and of the corresponding records from Coram Rege and De Banco Rolls.
5. Cases 10, 17, 28, 32 and 36.
6. Cases 9, 38 and 43.

1. Extracts from Ancient Indictments and Assize Rolls.

For an account of this series of documents, see app., 143; also pt. ii, ch. ii, s. 1 and s. 3.

Ancient Indictments, Dorset, no. 19.

(A bundle of about 40 crumpled membranes.)

Whitewey.

Inquisicio capta apud Shirebourn coram Rege die Mercurii proxima post festum Sancte Petronille, anno regni Regis Edwardi tertiae post conquestum xxxii, per sacramentum . . . .

Shafton.

Iurati dicit quod . . .

Item dicit quod Thomas Trente cepit extorsionem pro xl bussellis mensurandis et sigillandis apud Shafton xx s.; videlicet, pro quolibet bussello vi d., videlicet, de Iohanne Chirchey vi d. et sic de pluribus aliis ad summam predictam anno xxxii . . . .

Item dicit quod Walterus Penystrong et Willelmus Russel et Ricardus Chaldewell de Okford Fitzpayn et Willelmus de Assh vendunt pisces nimirum care, a dampnum populi et contra statutum domini Regis et vsi sunt per ii annos elapsos etc.

DOCUMENTS, LISTS AND TABLES

ASSIZE ROLL, ESSEX, 267. 25 EDW. III. 66 MEMBRANES.

Præsentationes apud Chelmsford.
m. 39 d. has the following entry: Presentaciones coram Rege termino Michaelis, anno regni Regis Edwardi tertiae post conquestum Anglie xxvi, apud Chelmersford in comitatu Essex'.

Coram Rege Roll, no. 365, Mich. term of the 25th year, is headed "Westminster and Chelmsford."

In view of this evidence it is clear that the above classification as an "Assize Roll" is erroneous and that the roll belongs with "coram Rege" indictments. It also seems probable that those membranes of Assize Roll, Essex, no. 268,1 that do not include proceedings before justices of labourers, contain "coram Rege" presentments similar to those in no. 267. For convenience of treatment the indictments against a subsidy collector recorded in both these rolls have been taken out of their proper place and printed in the section on the subsidy.2

m. 9 d.

Hundredum de Aungre.3

Transgressionio.

Item presentant quod cum Robertus Gyppe et progressio. Iohannes, filius eius, accusati fuerint de artificio tannatoris coram Iohanne de Sutton et sociis suis iusticiariis domini Regis super laborariis et artificariis apud Chelmesford anno xxvi, venit quidam Willelmus Page, ballius Thome de Lucy, tunc vicecomitis Essex', apud Aungre, die Lune in septima Pentecostes, anno supradicto, et attachavit predictos Robertum et Iohannem de diuersis transgressionibus et felonias, ita quod nisi voluerint in-

1 See app., 169.
2 App., 265-267. Since a number of selections from no. 268 are printed under both the heads just referred to, none are given in this section.
3 "Inquisicio ibidem presentat" is understood before the presentments in the hundred of Aungre; "iuratores presentat" before the others.
4 For his appointment, cf. app., 126.
uenisse sufficientem manucapcionem essendi ad proximam deliberacionem tunc proxime sequentem, volebat ipsos duxisse vsque ad castrum Colecest'; ad quam deliberacionem idem Robertus et Johannes venerunt coram Ricardo de Wyllughby et Willelmo de Nottion ad standum recto iuxta attachmentum predictum et nullum indictmentum felonie nec transgressionis tunc super ipsos fuit inuentum; ita quod dicti iusticiarii super iniuria predicta vehementer mirabantur; set super excessu artificii sui predicti finem fecerunt coram dictis iusticiarius et presentant quod idem Robertus, causa dicti attachmenti inuerte facti, expendit in denariis numeratis \( x \) marcas.

Item presentant quod Edmundus Coliere, Iohannes, dictus Longeion, Petrus Esthey et Thomas le Hirde, vocatus Marchal, solebant esse communes laboratores et nunc negant laborare nisi excessiue capiant etc.

Item presentant quod Iohannes Leuenoch de Stanford Ryuers, coopertor domorum, non minus operare quam pro qualibet dieta tres denarios et bona cibaria et bonum potum.

Item presentant quod Simon Pykard, carnifex et piscenarius et candelarius de Aungre, Johannes Scot, piscenarius et candelarius et puliarus et facit recia, et Willelmus le Cook, carnifex de eadem villa, vendunt contra ordinacionem.

Item presentant quod Alicia, vxor Willelmi Sayer de Westwode, Margareta atte Strete, Matillis, vxor Willelmi Walkok, dryuere, de eadem, bene et fortiter sciant metere et nolunt facere causa gleniandi, ad magnum dampnum.

Transgressio.

Item presentant quod Iohannes Pynchon,\(^1\) ro-tarius, manens apud Brendewode, facit artificio suum nimis care et vendit contra ordinacionem, videlicet, par rotarum pro \( x \) s. vbi solebat vendere pro \( iii \) s.

Transgressio.

Item presentant quod Iohannes Coke, faber de Northwelde, smith de hundredo de Herlawe, nimis capit pro artificio suo, ad magnum dampnum et contra statutum etc.

Transgressio.

Item presentant quod Thomas Faukoner de Morton, carpentarius, negat facere artificio suum ad magnam dampnum et quando facit et laborat nimis excessiue capit pro labore contra ordinacionem etc.

Item presentant quod Ricardus Beneyt de Northwelde de hundredo de Herlawe, plastarius, est nimis carus de artificio suo et non vult laborare nisi excessiue capiat pro labore suo etc.

Transgressio. Libertas Episcopi Eleriensi.

Item dicunt quod Rogerus Fresch,\(^*\) salterius de Wodeham Ferers, vendidit i quarterium salis pro \( xii \) s. contra statatum ad graue dampnum patrie in forma predicta et contra sacramentum suum.

Transgressio.

Item dicunt quod Willelmus Vyncent \(^*\) de Wodeham Ferers iuratus fuit coram iusticiariis domini Regis ad vendendum lagena ceruisie pro i d. ob., et post iuramentum suum vendidit i lagenam cerue-sie pro ii d. et per falsam mensuram contra ordinacionem et contra sacramentum suum.

Transgressio.

Hundredum de Bekyn tre.

\(^1\) In all the extracts in this section the asterisk indicates that in the original "finem fecit" is written over the name.
APPENDIX

Item dicunt quod Alicia de Tademere,* Margeta Tademere,* et Isabella Hamondes,* sunt emptoress et venditores bladorum in locis secretis et non manifeste in mercatis, nec volunt cum aliquo in autumpno metere nec aliquod alium opus extra autumpnum facere nisi capere valeant in triplum plus quam percipere solabant. Et siquid lane filauerint, capiunt pro i libra lane filanda vi d. et anti-quitus capere solabant pro huiusmodi filacione ii d. tantum, contra ordinaciones Regis.

Item dicunt quod Henricus Caps,* whelere, vendidit vnum par rotarum ad vii s. uel ad viii. s. nec vult cum aliquo operari per vnum diem nisi capet per diem sustentacionem ciborum et potuum et pro suo stipendio per vnum diem vi d. contra ordinacionem etc.

m. 37 d. Item dicunt quod Iohannes Bansted,* tyghelere,* Iohannes Holenam,* carpentarius, Iohannes Hamond, sawer* et falcator, noluerunt operari secundum formam statuti, sed de villa de Berkyne vsque ad London' recesserunt et ibidem moram trahunt; set vicissim redeunt, set laborare nolunt, contra ordinaciones domini Regis inde factas, in magnam oppressionem et dampnum populi, et quilibet illorum facti nisi habeant meliores, in oppressionem populi et contra statutum etc.

m. 39. Item iuratores dicunt quod Ricardus Lepere * de Stratford facit sportas et vannas et ellas vendidit contra assisam, videlicet, vnam vannam pro xviii d. uel ii s., vbi vendere solebat pro x d. uel viii d., ad

1 Written above "rotarius" which has a line through it.
2 Written above "tegulator" which has a line through it.
3 Written above "sarrator" which has a line through it.

DOWCNENTS, LISTS AND TABLES

Item dicunt quod Iohannes Poggere,* senior, Iohannes Poggere,* junior, Iohannes Brok,* Galfridus Haryngeye,* Willelmus Speer,* Stephanus Mayi,* sunt fullones et capiunt pro fullacione iii pannorum ad molendinum iii s. et solabant capere nisi xvi d., ad dampnum tocius patrie et contra assisam etc.

m. 43a. Chelmersford. Magna Inquisicio.

(A long list of bakers, bottlemakers, brewers, butchers, carpenters, chandlers, cobbler, cooks, drapers, fishermen, glovers, pelterers, sadlers, smiths, tailors, tavern-keepers, and woolmongers, with the following note on dorse:)

Quilibet in artificio suo in ista cedula infra con-
APPENDIX DOCUMENTS, LISTS AND TABLES

tentus nimis excessiu cepit contra statutum etc.
postquam fecit fnem.

(Heading torn off.)

Item ils presentent qu le Lundy proscheyn de-
uaunt le feste de Seynt Michel, lan du regne nostre
seignur le Roy qore est xxiii en la ville de God-
cheste, Roberd ate Tye de mesme la ville coue-
naunt fist auesqe Thomas Huberd au manoir le dit
Thomas en la ville susdita tenyr la carue le dit
Thomas. Et pur ce qu le dit Thomas ne voilleit
doner au dit Roberd belle e salarie excercyue en-
couatre lestatut, le dit Roberd refusa et desent le
dit Thomas de soun seruice; par qui le dit Thomas
perdist la value de xx liures de tearre par vn an,
a tort et en contempt du Roy et encouentre lestatut
W. de nadgers ordeyne pur seruauntz et laborers.
(A list follows including brewers, butchers, cooks,
cordwainers, inkeepers, shoemakers, one tanner,
tailors, and vendors of ale; the sum taken in excess
is noted after each name.)

Ancient Indictments, Hertford, no. 38. 27 membranes.

(Endorsement.)

Indictamenta coram domino Rege apud villam de
Sancto Albano in comitatu Hertford', termino
Michaelis, anno regni Regis Edwardi tercii post
conquestum Anglie vicesimo octauo.

Item dicunt quod tinctores, pannarii et tannatores
commorantes in villa de Ware, vbi non solebant esse
nisi infra burgum de Hertford', ad graue dampnum
domi Regis et domine Isabelle Regine, domine
eiusdem ville Hertford' et tocius communitatis ville
de Hertford' predicte et contra libertatem predicte
Regine, et quod iidem tinctores et tannatores nimis
excessiu vtuntur artificial suo, videlicet, predicti
tinctores capiunt pro panno, aliquando dimidiam
marcam, aliquando x1 d. et aliquando plus, vbi sole-
bant capere pro panno vi d. tantum, et predicti
hannatores emurt corea bounia et alia diuersa corea
ad lene precium, et ea vendere nolunt nisi lucrantur
super vendicione in quadriplum ad maximam oppre-
sionem ad dampnum tocius populi.

(A list follows including brewers, butchers, cooks,
cordwainers, inkeepers, shoemakers, one tanner,
tailors, and vendors of ale; the sum taken in excess
is noted after each name.)

Ancient Indictments, Middlesex, no. 66. (A bundle of about
75 crumpled membranes so tightly fastened together that it
is almost impossible to read them.)

(Endorsement on last membrane.)

Presentaciones coram domino Rege apud Westmonasterium
de annis regni Regis Edwardi tercii post conquestum Anglie
vicesimo tercio et quarto et quinto. Midd'.

(Many of the presentments are without headings, although
usually the names of the jurors are given. Various dates are
recorded on those membranes where the headings are pre-
served; e. g.: termino Trinitatis anno xxviii, termino Hillarii
xxvii, termino Hillarii xxvi, etc.)

Middlesex. Magna Inquisicio.

Item presentant quod Johannes Bedeman de Kensyngton,
messor, Johannes le Foulere de eadem, falcator, Hugo Mers-
sheman de eadem, messor, et Isabella, vxor eius, wedere, Ri-
cardus Hankyn, Iohannes atte Hache, Robertus Freke, Robert-
us Tyngewych, Henricus Toot, Robertus Pynce, laboratores,
qui iurati fuerunt ad seruiendum diuersis magistris suis ante
autumnun, et noluerunt seruire aliqui nisi per diem contra
statutum et ceperunt quilibet eorum per excessum in autumna
vltimo, ii s.
Nicholaus de Hefton et socii sui.

Omnes subscripti vsi sunt artificibus suis contra nouas ordinaciones Regis in extorsionem et oppressionem populi Regis, videlicet, a testo Pasche anno xxv to vsque diem Lune proximum ante festum Ascensionis Domini tunc proxime sequentem, et quilibet eorum cepit per excessum infra predictum tempus prout patet in sequenti. . . .

De termino Michaelis.

Walterus de Leghton et socii sui.

Midd’

Iurati presentant quod Robertus Porter de Herefeld,* Willemus Mecheleburn de eadem,* et Ricardus Baker * de eadem et Galfridus Payn de eadem,* communes laboratores, capiunt, videlicet, quilibet eorum quaque die quatuor denarios pro laboribus suis, vbi capere solesant per diem nisi duos denarios.

Et Willemus Frensh, tyghelere de Deneham, verberauit, vulnerauit et male tractauit Henricum Goday, tyghelere, die Lune proximo ante festum apostolorum Simonis et Iude, anno regni Regis nunc xxiiiito, apud W0xebrigg. Et idem Willemus Frensh et Henricus Goday sunt communes laboratores, et quilibet eorum capiit per diem sex denarios et prandium suum pro laboribus suis.

Et quod Willemus Poynt * de Farleston et Iohannes Pulder de eadem, falcatores, vbi solebant capere sex denarios per diem pro laboribus suis, modo capiunt duodecim.

Et quod Stephanus de Stratford * de Couele, communis laborator, vbi solebat capere per diem vnum denarium capit quatuor denarios.

Midd’

Iurati diuersorum hundreorum presentant quod cum per ordinacionem et consilium domini Regis ordinatum sit quod nullus seruiens, cuiuscumque generis sit, in servicio alicuius re-

tentus ante finem termini concordati a servicio suo sine licencia sua recedat nec plus pro stipendiis suis quam anno Regis nunc vicesimo vel annis precedentibus perciperant capiant, sub foris factura bonorum suorum domino Regi forisfaciendorum, Adam D———1 manens in parochia de Hadleye, nuper seruiens Henrici de Frowyk, ante finem termini inter eos concordati sine licencia et voluntate ipsius Henrici recessit, pro eo quod ipse noluit dare ei plus quam solitus fuit dare in predictis anno vicesimo Regis nunc et annis proxime precedentibus, contra statutum Regis etc., et ad graue dampnum ipsius Henrici et contra ordinacionem predictam etc.

Ancient Indictments, Suffolk, no. 114.

One of the membranes has the following endorsement: Inquisicio capta coram domino Rege apud Bury in comitatu Suff’ termino Sancti Michaelis anno regni . . . vicesimo sexto.

Gula.

(Presentment against Thomas Savage for a violent attack on a servant of the vicar.)

Wayneford.2

Item presentant quod predictus Thomas die Lune proxima post festum Sancti Iohannis Baptiste, anno regni Regis Edwardi tercii a conquestu vicesimo quinto, apud Soterleye vi et armis, scilicet, gladio et pelta, domum Iohannis le Neuman contra pacem domini Regis et contra voluntatem predicti Iohannis intrauit et eundem Iohannem ipsius contra pacem domini Regis et contra voluntatem predicti Iohannis intrauit et eundem Iohannem ibidem ————3 verberauit, vulnerauit et male tractauit et a verberacione predicta non cessauit quousque predictus Iohannes se obligauit et manucepit

1 Illegible because a parchment string is drawn tightly through the name.
2 Now Wangford.
3 Hole through the parchment.
 predicto Thome deseruire in officio carpentarii continue per
vnum mensem absque aliquo salario.

(Heading torn away.)

Item dicunt quod cum Thomas le Clerk de Prestone et Simon
Aleyn, subconstabularii ville de Prestone, anno xxiiiio
presipuerunt et assignauerunt Ricardum Digg, communem
laborarium, ad seruiendum diuersis hominibus ville de Prestone in
ecclesia de Prestone, ibi venit Thomas, perpetuus vicarius de
Prestone, et inquirit de predictis constabulariis quo
precepto predicti constabularii precipuerunt predicto Ricardo ad
seruiendum, et predicti constabularii responderunt quod fecerunt
precepto Regis et iusticiariorum suorum, et predictus Thomas,
perpetuus vicarius, dixit in facie ecclesie quod omnes iusticiarii
fuerunt excommunicati, ita quod postea predictus Ricardus
noluit deseruire nisi ad voluntatem propriam per abandacionem
predicti Thome.

Thinghowe.

Item dicunt quod cum Galfridus Sped de Somerton
fecit connuencionem cum Nicolao Pikard ad deseruiendum
dicto Nicholao in officio carucarii et de aliis min-
utis officiis sibi assignandis a festo Sancti Micaelis
Arkangeli anno Regis nunc xxvitO vsumque ad finem
anodi completi, venit Adam de Gatisberi et dictum Galfridum
procuravit quod frangeret connuencionem factam
cum dicto Nicolao et secum moram feceret in dicto
officio sibi deseruendo et sic ipsum Galfridum abduxit
et ipsum retinuit in iustae. Et cum ad querelam dicti
Nicolay, balliusus hundredi de Risebridge, habens man-
datum ad dictum Galfridum eapiendum et ducendum
coram iusticiariis sedentibus super laborarios, venit vt
ipsum caperet, et dictus Adam venit et rescussum fecit

2. Form of writs, counts, exigends, etc.

Extracts from the Registrum, Novae Narrationes, Coroners’
Rolls and Patent Rolls.

Registrum Brevium Originalium,1 119; cf. Fitzherbert, New

Attachiamentum factum super quadam ordinatione A. 25.
contra servientes.

Rex, vicecomiti Lincoln’ salutem. Si A. fecerit, etc. tunc
attachies I. de B. ita quod eum habeas coram nobis in octavis
santii Michaelis ubicunque etc. ad respondendum tam nobis
quam praefato A. quare curn per nos et consilium nostrum pro
communi utilitate regni nostri Angliae ordinatum sit, quod si
aliquis messor, falcator, aut alius operarius vel serviens cujus-
cunque status fuerit seu conditionis in servitio aliqua
reteritus, ante finem termini concordati, a servitio praedicto sine
causa rationabili vel licentia recesserit, poenam imprisonamenti
subeat, et nullus sub eadem poena talem in servitio recipere vel
retinere praesumat, nec ullos vadia, liberationes, mercedes, seu
salaria majora quam solita tunc praestari anno regni nostri
Angliae vicesimo vel annis communibus quinque aut sex
proximis praecedentibus, alicui servienti solvat vel solvere
promit: praedictus Johannes de B. Richardum nuper servientem
praedicti Adulphi, qui a servitio ejusdem Adulphi ante finem
termii inter eos concordati, facta sibi promissione per ipsum
Johannem de salario plus solito recipiendoe, sine causa ration-
abili vel licentia praedicti Adulphi recessit in servitium ipsius
Johannis, quamquam ipse de praefato Richardo eidem Adulphi
restitutendo requisitus fuerit, admisit, et retinuit, in nostri con-
temptum, et ipsius Adulphi grave damnum, et contra formam

1 For the edition of the Registrum, see my bibliography.
ordinationis praedictae. Attachies etiam praefatum Richardum, ita quod eum habeas tunc ibidem, ad respondendum tam praefatoo Adulpho [quam nobis], quare a servitio eiuisedem Adulphi sine licentia sua, ut praedictum est, recessit, ad grave damnum, etc. et contra ordinationem praedictam. Et habeas ibi hoc breve.

Teste etc. Breve de ordinatione.

Ibid., 189; cf. Fitzherbert, New Nat. Brev., 389.¹

De attachiando non habentes unde vivant qui recusant servire. Rex, vicecomiti salutem. Si A. fecerit, etc., tunc attachies B. et C. ita quod eos habeas coram justitiariis, etc., ad respondendum tam nobis quam praefato A. quare cum per dominum E. nuper regem Angliae, etc., et consilium suum, pro communi utilitate eiuisedem regni ordinatum sit, quod quilibet homo et foemina eiuisedem regni cujuscunque conditionis fuerit, liberae vel servilis, potens in corpore, et infra aetatem sexaginta annorum, non vivens de mercatura, nec certum exercens artificium, nec habens de suo proprio unde vivat nec terram propriam circa cujus culturam se poterit occupare, et alteri non serviens, si de servito pro statu suo congruo fuerit requisitus vel requisita, servire teneatur illi qui ipsum sic duxerit requirendum et perciptiat duntaxat vadia, liberationes, mercedes, seu salaria, quae in locis, ubi servire debeat, anno regni dicti avi nostri vicesimo, vel annis communibus quinque vel sex proximis praecedentibus solita sunt praestari, et si talis vir et mulier, qui vel quae de sic serviendo requisitus vel requisita fuerit, hoc facere noluerit, statum capiatur, et proximae mittatur gaolae et ibidem sub arcta moretur custodia quousque securitatem invenerit de sic serviendo in forma praedicta, ac idem A. praefatis B. et C. qui ad servitium juxta formam ordinationis praedictae tenentur, servitium pro statu suo competens ac hujusmodi competens salarium frequenter obtulerit: praedicti B. et C. pro hujusmodi competente salario penitus servire recusarunt vel recusaverint, in nostri contemptum, et praedicti A. grave damnum, et contra formam ordinationis praedictae. Et habeas ibi hoc breve.

Teste etc.

Novae Narrationes in Natura Brevium, ed. 1534, p. 275.

De Statutis de Laboris.¹

Ceo vous monstre A. etc. que C. etc. que come ordaine soit per le Roy E., nadgairs Roy d’Engleterre, aiel nostre syre le Roy quore est et son counsayle, pur le comen profyte de mesme le royalle, si ascu servaunt en le servyce d’ascu soyt retenus, et devant la fyn de terme accordes, de mesme le service sans cause reasonable ou licens departye, le payne d’empryonment doyt southaler: mesme cesty D. en le servyce le dit A., a tiel lieu deins mesme le counte ou le briefe est porte nadgairs retenus, scilicet, a la fest de Saynte Mychel lan nostre syre le Roy que ore est le tierce, tanques a mesme la fest adonques prochein ensuant per un an entier, de servyer en office de carter, preignant pour son labour avauntdit, 2 marcz per an, et un hoppelande,² rencontre la feste de Pasques mesme l’an le dit D. tiel jour, an et lieu, departy hors du dit service sans licens et charge le dit A., a tort et as damages etc. et encountre la purveaunce avauntdit.

Rotulus Coronatoris, Suffolk, 175, 28-31 Edw. III. 12 membranes.³

Edwardus, Dei gracia Rex Anglie et Francie et dominus Hibernie, vicecomiti Suff,’ salutem. Precipimus

¹I am indebted to Professor J. B. Ames for collating my transcript of this document, made from an edition in the Harvard Law library.

²Houppelande, a great coat.

³The inadequate description in the official list of this roll and of the succeeding roll for Suffolk has already been mentioned; app., rqq; 239.

In the same list of Coroners' Rolls, there is a roll for Lincoln correctly described, Rotulus de Exigendis, 65, 17-28 Edw. III; it contains instances of the exigends of offenders against the statutes convicted in the upper courts.

¹The form given by Fitzherbert is against one offender only.
tibi quod exigi facias Thomam Goche de Stonham et Thomam Burrich, shepheard, de comitatu in comitatum quousque secundum legem et consuetudinem regni nostri Anglie vtlagentur, si non comparuerint, et si comparuerint, tunc eos capias et eos saluo custodias ita quod habeas corpora eorum coram iusticiariis nostris apud Westmonasterium in octabis Sancti Iohannis Baptiste ad respondendum tam nobis quam priori Hospitalis Sancti Iohannis in Jerusalem in Anglia, de placito quare cum per nos et consilium nostrum et pro communi vtilitate regni nostri Anglie ordinatum sit quod si aliquis servuiens, cuiuscumque status seu conditionis fuerit, in seruicio alicuius retentus ante finem termini concordati a dicto seruicio sine licencia aut causa racionabilis recesserit, penam imprisonamenti subeat, et nullus sub eadem pena talen in seruicio suo recipere vel retinere presumat, predictus Thomas Goche predictum Thomam Burrich nuper seruentem predicti prioris in seruicio suo apud Batysford retentum, qui a seruicio eiusdem prioris ante finem termini inter eos concordati sine causa racionabilis et licencia ipsius prioris recessit, in seruicium predicti Thome Goche, quamquam idem Thomas Goche de prefato Thoma Burrich eadem priori restituendo requisitus fuerit, admisit et retinuit, in nostri contemplum et predicti prioris graue dampnum et contra formam ordinacionis predicte. Et de placito quare predictus Thomas Burrich a seruicio eiusdem prioris ante finem termini inter eos concordati sine causa racionabilis et licencia ipsius prioris, vt predictum est, recessit in nostri contemplum et predicti prioris graue dampnum et contra formam ordinacionis predicte. Et de placito quare predictus Thomas Burrich a seruicio eiusdem prioris ante finem termini inter eos concordati sine causa racionabilis et licencia ipsius prioris, vt predictum est, recessit in nostri contemplum et predicti prioris graue dampnum, ac contra ordinacionem predictam. Et vnde tu ipse mandauisti iusticiariis nostris apud Westmonasterium in octabis Sancti Hillarii quod predicti Thomas et Thomas non sunt inuenti in balliua tua etc. Et habeas ibi tunc hoc breue.

Teste Rogero Hillar', apud Westmonasterium, xxviii die Iunarii, anno regni nostri Anglie tricesimo, regni vero nostri Francie decimo septimo.

Ro. xxix 1 vnde.

(The whole series of exactions is given, resulting in outlawry.)

Rotuli Literarum Patencium, 28 Edw. III, pt. 1, m. 26; De pardonacione vtlagarie.

Rex omnibus balliuis et fidelibus suis ad quos etc., salutem. Sciatis quod cum Adam de Shareshull, chiualer, nuper implacasset coram nobis per breue nostrum Walterum le Keue et Ricardum le Keue de eo quod ipsi Iohannenl Deuensshire, seniorem, et Iohannem Deuensshire, iuniorem, nuper seruientes predicti Ade in seruicio suo apud Escote retentos, qui ab eodem seruicio ante finem termini inter eos concordati sine licencia ipsius Ade et causa racionabilis recesserunt, in seruicio ipsorum Walteri et Ricardi admissurunt et retinuerunt contra formam ordinacionis per nos et consilium nostrum inde facte, ac idem Walterus et Ricardus pro eo quod non venerunt coram nobis ad respondendum inde tam nobis quam prefato Ade secundum legem et consuetudinem regni nostri Anglie in exigendis possiti iuissent in comitatu Oxon' ad vtlagandum et ea occasione post-modum vtlagati, sicut per tenorem recordi et processus vtlagariarum predictarum quem coram nobis in cancellaria nostra sub sigillo Willelm de Shareshull, capitalis iusticiarii nostri, venire fecimus nobis constat, ac prefati Walterus et Ricardus prionse marescalcie nostre coram nobis se reddiderint occasione predicte, sicut idem Willelmus nos in dicta cancellaria nostra de mandato nostro certificauit; nos, pietate moti, pardonauimus eiusmodi Waltero et Ricardo vtlagarias predictas et firmam pacem nostram eis inde concedimus; ita tamen quod stent recto in curia nostra, si nos vel predictus Adam versus eos loqui voluerimus vel voluerit de premisiss.

11" Ro. xxix" refers to De Banco, 30, Hill., 29 d., where this case begins.
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In cuius etc., teste Rege, apud Westmonasterium, xxix die Januarii.

Cf. Coram Rege, 28, Hill., Rex, 6 d, Oxford, for the record of the issue of the writ of exigend against the three defendants named in the above pardon, and of the whole process that resulted in their outlawry. They finally surrendered themselves to the prison of the Marshalsea, and were then brought into court by the marshal and showed the letter patent of pardon for their outlawry. The outlawry is removed; later Adam de Shareshull, the plaintiff, appears and says that he does not wish to prosecute; therefore "eant sine die."

3. List of 44 reports from Year Books and abridgments and of the corresponding records from the Plea Rolls.

ABBREVIATIONS USED IN THIS LIST.

D. B. = De Banco Roll.
C. R. = Coram Rege Roll.
F. H. = Fitzherbert’s abridgment.
B. = Brooke’s abridgment.
S. = Statham’s abridgment.
Y. B. = 1678-80 edition of the Year Books.
Ass. = Liber Assisarum in this same edition.
B. M. = British Museum.

Of these 44 cases 15 are now in print, namely, cases 6, 9, 10, 17, 20, 28, 31, 32, 36, 38, 42, 43 and 44 in app., F; the record of case 39 in app., C; and case 7 in Villainage in England.

1 27 Ass., Mich., pl. 15. Record not found.
3 Y. B., 28 Mich., 18, f. 21; F. H., Laborers, 50.
4 Y. B., 29 Hill., f. 5-6; F. H., Briefe, 901.
D. B., 29 Hill., 138, Southampton.

5 Y. B., 29 Pasch., f. 18; F. H., Proses, 213 (113 by error in Y. B.).
6 Y. B., 29 Pasch., f. 27; F. H., Laborers, 54.
D. B., 29 Pasch., 59 d, Midd.
7 Y. B., 29 Trin., f. 41; F. H., Laborers, 53 and 55.
8 Y. B., 30 Hill, f. 6.
9 Y. B., 30 Mich., f. 31.
10 F. H., 33 Hill, Laborers, 56.
D. B., 33 Mich., 183, Nortants.
11 F. H., 33 Mich., Laborers, 57. Record not found.
12 Y. B., 38 Hill., f. 5. Report shows that it is a D. B. case; D. B. roll wanting for this term.
14 Y. B., 39 Pasch., f. 6-7; F. H., Briefe, 505; B., Ioynder in accion et in plee, 41.
D. B., 39 Hill., 367 d, Norfolk Case begins; roll for Trin. term wanting.
15 Y. B., 39 Trin., f. 14; B., Laborers, 34, General briefe et special declaracion, 10, Parliament et Statutes, 25. Report shows that it is a D. B. case; D. B. roll wanting for this term.
17 Y. B., 39 Mich., f. 37; B., Trespas, 196.
18 Y. B., 40 Pasch., f. 24. Record not found.
19 Y. B., 40 Mich., 2, f. 35; S., Laborers, 3; F. H., Briefe,
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527; B., Ioinder in accion et in plee, 6. Record not found.


21 Y. B., 41 Hill., 2, f. 1; S., Laborers, 5; F. H., Laborers, 22; B., Lieu et Countie, 11.

22 F. H., 41 Hill., Laborers, 25.
D. B., 41 Hill., 139 d, Herts.

D. B., 41 Hill., 30, York.

24 F. H., 41 Hill., Laborers, 27.
D. B., 41 Hill., 316 d, Norf.


26 F. H., 41 Pasch., Laborers, 29.
D. B., 41 Pasch., 29 d, Southampton.

27 Y. B., 41 Mich., 1, f. 17; F. H., Laborers, 23; B., Laborers, 6. Record not found.

28 Y. B., 41 Mich., 4, f. 20; F. H., Laborers, 24 and 36; B., Laborers, 7, Trauers per sauns ceo, 319.

D. B., 41 Mich., 463, Kent.

D. B., 45 Hill., 70 d, Berks.

31 Y. B., 45 Mich., 11, f. 13-14; F. H., Laborers, 32 and 49; B., Laborers, 8.
D. B., 45 Trin., 72, Notts.

32 Y. B., 45 Mich., 15, f. 15; F. H., Monstrans de Faits fines et records, 151; S., Condictions, 3.

33 Y. B., 46 Hill., 10, f. 4; F. H., Laborers, 33; B., Laborers, 9.
D. B., 46 Hill., 251, Norf.

34 Y. B., 46 Pasch, 19, f. 14; F. H., Laborers, 35; B., Laborers, 10.

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35 F. H., 46 Pasch., Laborers, 36.

D. B., 47 Pasch., 203 d, Kent.

37 Y. B., 47 Mich., 23, f. 16; B., Laborers, 12, Ioinder in accion et plee, 15. Report proves that it is a C. R. case; record not found.

D. B., 47 Trin., 230, Essex.

C. R., 48 Trin., Cavendish, 87, Linc. Possibly the beginning of the case; it proves to be a case appealed from quarter sessions.

40 Y. B., 47 Mich., 53, f. 22; F. H., Laborers, 40; B., Laborers, 15.

41 Y. B., 49 Hill., 3, f. 2; B. Aide, 35, de son tort desmesne, 35. Record not found.

42 Y. B., 50 Trin., 3, f. 13; F. H., Laborers, 41; B., Laborers, 16.
D. B., 50 Pasch., 100 d, Hunts.


44 Y. B., Add. MSS. B. M., 32,087, 38 Pasch.
D. B., 38 Pasch., 142, Kent.

4. Cases 44, 31, 6, 42 and 20. (Cf. pt. ii, ch. ii, 4.)

Case 44.
British Museum, Add. MSS., 32,087; Year Book, f. 59.
Pas. xxxviii. diuers carpinter de le terme de ii ans.

Nota qun homme suyst vn bref sur lestatut de labores de-
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uers vn carpynter et counta qil couenaunt destre oue luy de faire ouereignes de carpenter par ii. ans et il ale hors etc.

Belknap Vous veiez bien coment il ad pris cest bref sur lestatut de labores et il ad counte deuers nous come deuers carpenter et lestatut ne restrent pas carpynters mes qils ne preneront pur le iourne outraieusement mes accordant al estatut ou ceo bref est done il est done deuers nulle forsque deuers labores; iugement si tiel bref deuers nous gise.

Wychingham Vous veiez bien coment nous auons dit qil fuist en nostre seruice et qil fist couenaunt ouesque nous vt supra et qil departist hors de seruice a qil il ne respond riens, iugement.

Et puis Belknap dit qil ne fist nulle couenaunt oue luy, prest et alii encontra etc.

De Banco Roll, no. 417.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiarisiis domini Regis de Banco de termino Pasche, anno regni Regis Edwardi terciii a conquest~ tricesimo octauo.

Rot. 142.

Kane' Johannes de Otteford, carpenter, attachiatus fuit ad respondendum tam domino Regi quam Iohanni Pecche, cuii London', de placito quare cum per Regem et consilium suum pro communi vtilitate regni sui ordinatum sit quod si aliquis seruiens in seruicio alcuuius retentus ante finem termini concordati a dicto seruicio sine causa rationabili vel licencia recesserit, penam imprisonamento subeat, predictus Johannes de Otteford, nuper seruiens predicti Iohannis Pecche, in seruicio suo apud Lullyngston retentus, ab eodem

\[1\] MS. Iohannes.

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servicio ante finem termini inter eos concordati, sine causa rationabili et licencia ipsius Iohannis Pecche recessit, in Regis contemptum et ipsius Iohannis Pecche graue dampnum et contra formam ordinacionis predicte etc.

Et vnde idem Iohannes Pecche qui sequitur etc. queritur quod cum predictus Johannes de Otteford retentus fisset cum prefato Iohanne Pecche apud Lullyngston, die Lune proximo post festum Sancti Bartholomei, anno regni domini Regis nunc tricesimo sexto, ad deseruiendum eidem Iohanni Pecche ibidem in officio carpentarii a festo Sancti Michaelis Archangeli tunc proxime futuro per duos annos integros tunc proxime sequentes, predictus Johannes de Otteford die Lune proximo ante festum Sancti Petri ad Vincula anno regni domini Regis nunc tricesimo septimo, ante finem termini predicti sine causa rationabili vel licencia etc. a seruicio predicti Iohannis Pecche recessit, in Regis contemptum et ipsius Iohannis Pecche graue dampnum et contra formam ordinacionis predicte etc. vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et predictus Johannes de Otteford in propria persona sua venit et defendit vim et iniuriam quando etc. et quicquid etc. et dicit quod ipse non fuit retentus cum predicto Iohanne Pecche ad deseruiendum ei per tempus predictum, prout idem Iohannes Pecche superius queritur, et de hoc ponit se super patriam; et predictus Iohannes Pecche similiter.

Ideo preceptum est vicecomiti quod venire faciat hic a die Sancte Trinitatis in xv dies per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc. Et super hoc Iohannes Colpeper, Iaccus: Groshurst, Willelmus Burkynghale et Iohannes Sacre de comitatu Kane' manupeurent pre-
dictum Iohannem de Otteford habendi corpus eius hic ad prefatum terminum et sic de die in diem ad quem diem placiti quousque predicta iurata inde inter eos transierit et iudicium inde redditum fuerit, vide licet, quilibet eorum corpus pro corpore etc.

Ad quem diem venerunt partes etc. et vicecomes non misit breue. Ideo sicut prius preceptum est vicecomiti quod venire faciat hic in octabis Sancti Michaeis per iusticiarios xii etc. ad recognoscendum etc. in forma predicta etc.

Case 31.

Briefe sur le statute de Labourers fuit port vers un home, et suppose par son demonstrance, que lou il avera reteine un son servant de luy server, en office de cellery, et auters choses affaire, et monstra en certein, que per vi ans la avera le defendant deteinus mesme celuy a tort, etc. et auxy il fuit porte vers le servant.

Kirton.
Celuy que il suppose que luy detient, nous diomus, que mesme cesty fuit son apprentice, et nient son servant allowe, come il ad suppose, prist etc.

Fencot dit pur le pleintife è contra, et ceo fuit tenus pur bon response.
Et puis dit Kirton pur l'auter, sir, vous veies bien coment il ad suppose, que nous fuimus reteinus ove luy par vi ans, en quel case nous entende que le statute ne done pas action, mes lou il est reteinus per un an, par que judgement.

Fencot.
Et nous judgement, de puis que vous ne deditis pas, que il fuit allowe en nostre service, et que nous avomus counte, que il departist le primer an, et nous demande judgement si nostre briefe ne soit assets bon, etc.

Fitzherbert, Laborers. 49.

Home navera accion sur lestatut de laborers vers vn qui est reteigne ouste vn an etc. vt patet in laboriis etc.

De Banco Roll, no. 443.

Placita apud Westmonasterium coram W. de Fyncheden et sociis suis iusticiariis domini Regis de Banco de termino Sancte Trinitatis, anno . . . . quadragesimo quinto. . . .

Rot. 72.

Nott' Iohannes Harsyk de Sancto Bartholomo et Iohannes Hardy attachiati fuerunt ad respondendum tam domino Regi quam Henrico Sadeler de Newerk de placito quare cum per dominum Regem et consilium suum pro communi vtilitate regni surn ordinatum sit quod si aliquis seruiens, cuiuscumque status seu conditionis fuerit, in seruicio alicuius retenus ante finem termini concordati a dicto seruiicio sine causa racionabili vel licencia recesserit, penam imprisonamenti subeat, et nullus sub eadem pena talem in seruicio suo recipere vel retinere presumat, predicti Iohannes et Iohannes Willelmu, filium Henrici, in Roughton nuper seruientem ipsius Henrici in seruicio suo apud Newerk retentum, qui ab eodem seruiicio ante finem termini inter eos concordati sine causa racionabili et licencia ipsius Henrici recessit, in seruicium ipsorum Iohannis et Iohannis, quamquam ipsi de prefato Willelmo eidem Henrico restituendo requisiit fuerint, ad miserunt et retinuerunt, in Regis contemptum et ipsius Henrici graue dampnum et contra formam ordinacionis predicte etc.
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Et unde idem Henricus qui sequitur etc. per Io-
nanem Batheleye, attornatum suum, queritur quod
cum predictus Willelmus retentus fuisse cum ipso
Henrico apud Neuwerk ad deseruendum ei ibidem in
officio communis seruentis et ad sellas faciendas aux-
iliandam a festo Sancti Michaelis Archangeli, anno
regni domini Regis nunc Anglie quadragesimo tercio.
Vnde ad finem septem annorum tunc proxime sequen-
cium, predicti Ioannes et Ioannes, die Lune in festo
Sancte Marie Magdalene anno regni domini Regis
nunc Anglie quadragesimo quarto, prefatum Wille-
lum qui a servicio eiusdem Henrici ante finem etc.
recessit quamquam etc. in servicio eorum
retinuerunt, in Regis contemptum et ipsius Henrici graue
dampnum et contra formam etc. Vnde dicit quod
deterioratus est et dampnum habet ad valenciam centum
librarum, et inde producit sectam etc. Et predicti
Ioannes et Ioannes per Ioannem Nuttyng, attornatum suum, veniunt et defendunt vim et
iniuriam quando etc. et quicquid etc. Et predictus
Ioannes Harsyk dicit quod prefatus Willelmus, filius
Henrici, retentus fuit cum predicto Henrico Sadeler et
eidem ligatus ad commorandum cum eo
quamquam eius apprenticius, ad artificium cellarii eru-
diendum per tempus prefatum, absque quod idem
Ioannes, filius Henrici, retentus fuit cum eodem
tanquam communis servientes ad deseruendum ei iuxta
formam ordinacionum et statutorum de servitioribus et
seruitoribus, prout predictus Ioannes Harsyk superius
narrat, et hoc paratus est verificare vnde petit iudicium etc.

Et predictus Henricus quoad placitum predicti Io-
nannis Harsyk dicit quod prefatus Ioannis, filius
Henrici, retentus fuit cum eodem Henrico ad deser-
uendum ei in officio communis seruientis siue laborarii
prout ipse per narracionem suam supponit, absque
hoc quod ipse retentus fuit cum eodem Henrico et
ligatus ad commorandum cum eo tanquam eius ap-
prenticius, prout predictus Ioannes Harsyk superius
allegavit, et hoc petit quod inquiratur per patriam, et
predictus Ioannes Harsyk similiter.

Et quoad placitum predicti Ioannis Hardy dicit
quod in ordinacione de servitioribus et operarioris etc.
generaliter et expresse continetur quod si aliquis ser-
uientes etc. in servicio aliquius retentus ante finem ter-
mini concordati a servicio magistri sui sine causa
racionabili vel licencia recesserit, accio datur eidem
magistro a cuius servicio sic recessit per breue funda-
datum super eodem ordinacione et in ordinacione illa
aliquod certum tempus retencionis siue conduciosis
huiusmodi seruentium in certo non limitatur, nisi solo-
modo quod quidam seruientes seruire dehent per
annum, dimidium anni siue quarterium anni, et non
per dietas, et sic bene liceat cuicumque huiusmodi
seruientes tam per unum annum et duos vel tres
quam per plus longum tempus, prout inter retentorem
et retentum concordati poterit, conducere et retinere,
et pecunio per statutum tam versus servientes qui sic recesserint quam versus eos qui illos admirerent datur pro conquerente, non habito respectu ad terminum concordatum siue per vnum annum vel duos aut plures. Et ex quo prefatus Iohannes Hardy non dedicit quin predictus Iohannes, filius Henrici, cum ipso Henrico Sadeler ad deseruendum ei per tempus in narracione sua contentum, videlicet, per septem annos retentus fuit, nec quin ante finem termini predicti a servicio suo recessit, nec quin idem Iohannes Hardy simul etc. ipsum Iohannem, filium Henrici, seruientem suum admisit et retinuit prout per narracionem suam supponitur, petit judicium et dampna sibi in hac parte adiudicari etc.

Et quia iusticiarii hic nondum ausuantur ad judicium reddendum quoad hoc vnque predicti Henricus et Iohannes Hardy placitauerunt in judicium, dies datus est eis de audiendo inde iudicio hic a die Sancti Michaelis in xv dies. Et preceptum est vicecomiti quod venire faciat hic ad prefatum terminum xii etc. per quos etc. et qui nec etc. tam ad recognoscendum de exitu placiti vnque predicti Henricus et Iohannes Harsyk placitauerunt ad patriam quam de damnis eiusmodem Henrici occasione retencionis et admissionis predicti Iohannis, filii Henrici, si iudicium inde versus eum redditum fuerit etc.

Case 6.

Y. B., 29 Pasch., f. 27.

Briefe sur l'estatut de servants.

Laborers. Fitz., 54.

Un William Brewer de Holborne porte brief fonde sur l'estatut de Laborers, devers un home et sa feme, et devers un M. lour fille. Et suppose que l'ou mene cest M. avoit fait covenant certein jour et an, aver demurre en son service per vii ans procheins ensuants,

la fuit el departy deedeins le terme sans cause reason-able, et le baron et sa feme l'avoit retenus contre l'estatut, a tort etc. et monstre a quel jour il departit; issint que un an fuit avenu de son terme.

Gower.

Sir, l'estatut voet, qu'ils feront covenant de servir par termes usuels que ne puit passer le terme d'un an; et il ad counte d'un covenant fait pur vii ans, que n'est pas garraunte par l'estatut. Jugement de count.

Finchden ad idem.

Si ceco count soit maintenu, par mesme le reason poit il counter d'un covenant fait a demurer pur terme de sa vie, ou a terme de mille ans, que passerent le vie d'un home; que ne puit estre garraunte par l'estatut.

Wil[ughby].

Dits questre; et ceco serra save a vous.

Et puis le brief fut challenge, pur ceco que il fuit porte vers la feme, suppose que eux ont retenus, etc. en lour service, ou feme covert ne puit nul home recever en son service: car tout sera dit le fait le baron: ovesques ceco la nature de la suit voet, que si lez defendants soient attainzt, ils seront enprisone, et issint sera la feme enprisone, ou en Ley ceco sera dit le fait le baron.

Finchden ad idem.

Si un servant soit esloigne, le baron avera le suit vers luy, et vers celuy qui retient et jammes sera le briefe maintenu pur le baron et pur sa feme devers eux. Q. d. non.

Wilb. [Wilughby]

Vous suppose par vos reasons, qu'il ne purra my estre retenu en service per le baron et sa feme. Et
s'il soit en le service l'un, de comen entent il est en service de l'un et l'auter. Purque respondes. Puis Finchden monstra M. a la court, et dit:

Sir, veies cy le serviant que n'est que d'age de ix ans, que ne poit per nul contract estre lie. Purque nous demandomus jugement, si etc.

Judicium.

Et la Court luy vist, et examina et trove fuit de tiel age.

Wilb. [Wilughby]

L’enfant n’est que d’age de ix ans, que ne poit a covenant estre lie; et auxi per count est suppose que le covenant se fist long temps passe, a quel temps ele fuit de meindre age. Per que devers luy parnes riens per votre brief; et pur les auters dient ceo qu’ils voillent.

Gower.

Sir, le gros de son action depend tout sur le departir del serviant; car s’il n’ust unques demurre ovesques luy, constat qu’il n’ust unques ew accion devers nous del retener. Et depuis que le serviant est ajuge tiel, que ne poit a covenant estre lie, per le departir hors de lour service nul tort en luy sera ajuge: et depuis que en le departir, que est principal, il n’y ad paz tort, per consequens nec en retener de luy tort en nous puit estre ajuge. Pur que etc.

Moubray.

Nient plus list il prendre mon serviant hors de mon service que est deinz age, que celuy que est de plein age. Et depuis que ne deditz per que ele fuit en notre service tanques ele fuit retenu per vous; et il est defendu per l’estatut que nul home prendre auter serviant; et mesques ele fuit deins age, vous per tant n’estes pas excuse; et le tort a nous fait est conu; nous priomus nos damages.

Finchden.

Si vous eusses pris accion per tiel voy, scilicet, que nous luy prouemus hors de votre service, per cas le matter seroit auter, et le Ley donmeroit devers nous votre rec[overer], mes votre action est pris de ceo qu’il fuit retenu en votre service, et departi devant le terme limitte sanz cause reasonable, et que puis nous luy recevomus en nous service; ou al reteiner en votre service et al departir de cel diomus que vous estes pleinement servy. Car de ceo tort n’est que pas ajuge en nous, eo que ceo ne puit estre ajuge retener, pur ceo que le serviant ne fuit pas liable, par que il sembla quant el puit departir et servir, (ou el voudra) que en le reteiner nul tiel tort puit estre ajuge, nient plus que si el n’ust unques este retenue devant.

Wilb. [Wilughby]

Opinio

Quides vous mesques covenant ne la puit lier per nonage, que list a vous purtant luy traire hors de service? Certein est que non. Purque respondes.

Gower.

Nous ne luy retenomus pas. Prest.
Et alii e contra.
Vide qu’ils demurre devant in Ley, etc., et a ore sont a issu in fait etc.

De Banco Roll, no. 381.

Placita apud Westmonasterium coram Rogero Hillary et
APPENDIX

sociis suis iusticiariis de Banco de termino Pasche,
anno . . . vicesimo nono. . . .

Rot. 59 d.

Midd' Robertus Brewere de Holebourn et Elena, vxor eius, et Matilldis, filia Philippi de Cornwaille, nuper seruiens Thome Cheris, coteler, attachiati fuerunt ad respondendum tam domino Regi quam Thome Cheris, coteler, de placito quare cum per Regem et consilium suum pro communi utilitate regni Regis Anglie ordinatum sit quod si aliquis seruiens, cuisscumque status seu condicionis fuerit, in serviciu aliiuis retentus ante finem termini concordati a dicto serviciu sine licencia vel causa racionabili recesserit, penam imprisonamenti subeat, nec aliquis sub eadem pena talem in serviciu suo recipere vel retinere presumat, predicti Robertus et Elena predictam Matilldem in serviciu ipsius Thome apud London', videlicet, in parochia Sancti Stephani in warda de Colemanstrete retentam ad seruiendum eidem Thome a die dominica proxima ante festum Nativitytatis Sancti Johannis Baptistce, anno regni domini Regis nunc Anglie vicesimo tercio, per septem annos integros tunc proxime sequentes, que ab eodem serviciu ante finem termini etc. sine licencia etc. recessit, videlicet, die dominica proxima post festum Sancti Michaelis anno regni eiusdem domini Regis nunc Anglie vicesimo octauo in parochia Sancte Marie de Arcubus in warde de Chepe, in serviciu ipsorum Roberti et Elene in warda de Farndon in parochia Sancti Andree in Holebourn admiserunt et retinuerunt, in dominis Regis contemptum et ipsius Thome graue damnum et contra formam ordinacionis etc., et eciam de placito quare predicta Matilldis a serviciu eiusdem Thome predicta die dominica proxima post festum Sancti Michaelis anno vicesimo octauo, sine licencia etc. ante finem termini etc. recessit, in ipsius Regis contemptum etc. et contra ordinacionem etc., vnde dicit quod deterioratus est et damnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et Robertus et Elena veniunt et defendunt vim et injuriam etc. et quia tam per examinacionem predicta Matilldis hic in curia in propria persona sua comperantis quam per inspeccionem corporis sui constat curie hic quod predicta Matilldis est infra etatem modo et non fuit nisi solomodo etatis trium annorum, tempore quo predictus Thomas supponit ipsam Matilldem cum eo retentam fuisse, quo tempore eadem Matilldis nullo pars esse potuit ad aliquem contractum seu ad aliquam confusionem faciendam, consideratum est quo ad ipsam

1 MS. predictis.
Matilldem quod predictus Thomas nichil capiat per breue suum, set sit in misericordia pro falso clameo etc. Et Matilldis inde sine die etc.

Et predicti Robertus et Elena bene defendunt quod predicta Matilldis non fuit retenta cum predicto Thoma in forma qua idem Thomas superius versus eos narravit. Et de hoc ponunt se super patriam et predictus Thomas similiter.

London' octabis Michaelis. Ideo preceptum est vicecomitibus London' quod venire faciant hic in octabis Sancti Michaelis de warda predicta de Colemanstrete xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc.

Case 42.


Le statute de labourers 81.

Le statute de labourers vers Thomas F. Chaplein, et counta coment il fist covenant ove luy a servir en le Office de seneschal, et d'estre son chaplein parochial a certeins temps etc. Et que il fuit en son service, et depart sans cause reasonable.

Hanimer.

Quant a ceo que il ad count que nous femosus covenant d'estre son seneschal, et que nous sumus en son service de seneschal, nous diomus que nous ne femos unques tel covenant ove luy, prists:

Et ali è contra.

Et quant a ceo que voe surmistes, que femosus covenant ove luy d'estre Chaplein parochial; et que nous departomus hors de son service, nous entendomus que le statute n'est a auter entent, mes a ceux que sont labourers artificers, et ceo n'est l'un ne l'auter, mes le servant de Dieu, issint ne fuit il pas lie per le statute, issint n'entendomus ny que devers nous cest accion gist, car chescun auter servant s'il soit en sanite et power de corps, il est tenus de faire son service, et son labour de jour en jour, mes le Chaplein n'est tenus de chaunter chescun jour, s'il ne voille, pur divers causes que gissent en son conscience, et issint poct cesser de chaunter par un demaine ou deux, issint que il est tout en auter degree que labourer ou artificer.

Clopton.

Cestuy que est son Chaplein parochial, poet estre plus tost ajudge labourer, que auter Chaplein que doit servir solement ou Parson singuler; car Parson parochial ad plusors choses a faire que de chaunter sa messe, et auters divine services; car il covient a luy de visiter les maladies de son paroche a lour meas, de lour faire aver les droits de Saint Esglise, et auxy il covient que les Parsons de Saint Esglise eiount iour service necessaries, car ils ne point my faire ils mesmes; per que il semble a divers regards que il est auxint avant en case de statute come auter persone de people.

Belknap.

Cest fuit utl case et matter adjourne en l'auter terme a ore, et il nous est avis et a nous compagmons de bank le Roy auxy, que n'est lie per statute, come auter person est; per que quant a ceo point nous vous dischargeomus, et quant au remanent de que vous estes a issue, gardes vostre jour, etc.

De Banco Roll, no. 462.

Placita apud Westmonasterium coram R. de Bealknapp et sociis suis iusticiariis . . de Banco de termino Pasche, anno . . quinquagesimo.

Rot. 100 d.

1 Error for 41.
Hunt' Willelmus Can de Brampton attachiatus fuit ad respondendum tam domino Regi quam Willelmo, persona ecclesie de Ripton Abbatis, de placito quare cum per dominum Regem et consilium suum . . . (departure clause, cf. app., 420) predictus Willelmus Can, nuper seruiens ipsius Willelmi, persone, in servicio suo apud Ripton Abbatis retentus ab eodem servicio . . . (identical with app., 421, mutatis mutandis) et contra formam ordinacionis predicte.

Et vnde idem Willelmus, persona, in propria persona sua queritur quod predictus Willelmus Can, die Iouis proximo post festum apostolorum Petri et Pauli anno regni domini Regis nunc Anglie quadragesimo anno, apud Ripton Abbatis retentus fuisset cum prefato Willelmo, persona, essendi capellanus parochialis ac procurator suus ad ecclesiam suam de Ripton Abbatis a festo Sancti Michaelis anno regni eiusdem domini Regis nunc supradicto usque idem festum Sancti Martini in yeme infra terminum predictum a dicto servicio sine causa racionabili et licencia ipsius Willelmi, persona, recessisse etc. quidem Willelmus, persona, certis de causis fuit imprisonatus in gaola de Neugate, pro cuius quidem deliberacione facienda quidam Johannes de Ditton, clericus, adtunc firmarius dicte ecclesie de Ripton, per scriptum suum obligatorium obligauit se cuidam Iohanni Vpheys in centum libris soluendis certis die et loco in dicto scripto obligatorio contentis; quiquidem Iohannes Vpheys postea obiit, post cuius mortem quidem Walterus Rudham, executor testamenti predicti Iohannis Vpheys, prosecutus fuit quoddam breue de debito versus prefatum Iohannem de Ditton de debito predicto; super quo concordatum fuit quod idem Iohannes de Ditton rehaberet predictum scriptum suum obligatorium et quod idem Willelms Can obligaret se prefato Waltero Rudham in centum libris soluendis eadem cum Waltero apud Huntyngdon' in festo Natalis Domini anno regni domini Regis nunc Anglie quadragesimo anno vnam medietatem, et aliam medietatem ad festum Pasche proxime sequens, et dicit quod ipse conuenit cum prefato Willelmo, persona, sub tali condicione quod idem Willelms Can obseruaret ipsum erga prefatum Walterum de summa predicta acquietaret; quiquidem Willelms, persona, nullam dictarum condicionum perfecti, per quod ipse a servicio predicto recessit prout ei bene licuit, vnde petit iudicium etc.

1 In MS. "quod" is repeated.
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Et predictus Willelmus, persona, quo ad hoc quod prefatus Willelmus Can superius placitauit et allegavit pracionem capellanorum etc. ad ordinarium loci etc. et non ad curiam hic pertinere etc., dicit quod ordinatio de servitoribus et operariis et artificibus etc. generalis est, nulla excepcione in eadem facie de capellanis siue de aliquis aliis personis cuisscumque status seu condicionis fuerit; et sic intelligi debet quod accio datur per eandem cuilibet homini qui huiusmodi capellanos retinuit si a seruicio suo recesserint et punicio in illo casu, tarn de capellanis illis castigandis quam de aliis personis cuiuscumque status etc., et sic intelligi debet. Et ex quo idem Willelmus Can superius expresse cognoscit quod ipse cum eodem Willelmo, persona, retentus fuit et non dedicit quin a seruicio suo ante finem termini etc. et sine causa racionabili etc. recessit, petit iudicium et damnum sibi in hac parte adiudicari etc. Et quo ad hoc quod prefatus Willelmus Can superius placitando allegauit ipsum convenisse cum prefato Willelmo, persona, dicit quod simpliciter convenit cum eo, absque aliqua tali condicione, prout ipse superius per breue et narracionem sua supponit, et hoc peti quod inquiratur per patriam et predictus Willelmus Can similiter.

Ideo preceptum est vicecomiti quod venire faciat hic a die Sancte Trinitatis in xv dies per iusticiarios xii etc. per quos etc. ad cognoscendum etc. quia tam etc. Et super hoc Nicholaus de Styvecke, senior, Iohannes de Styvecke, Ricardus Faron et Iohannes Bullok de comitatu Hunt' manueperunt predictum Willellnem Can habendi corpus eius hic ad prefatum terminum et sic de die in diem ad quemlibet diem placiti quisque iurata inde inter eos transierit et iudicium inde redditur fuerit, vide licet, cuilibet eorum corpus pro corpore etc.

Idem dies datus est predictis Willemo et Willelmo audituris iudicium suum etc. quo ad hoc quod placitauerunt ad iudicium etc. Ad quem diem venit tam predictus Willelmus Meuryk per Thomam Meis, attornatum suum, quam predictus Willelmus Can in propria persona sua etc. et nichil inde fecit vice comes non misit breue etc. Ideo sicut prius, preceptum est vicecomiti quod venire faciat hic a die Sancti Michaelis in xv dies per iusticiarios xii etc. ad cognoscentum in forma predicta etc.; ad quem diem venerunt partes etc. et vicecomes non misit breue. Ideo sicut pluries preceptum est vicecomiti quod venire faciat hic a die Sancti Michaelis in vnum mensem per iusticiarios xii etc. ad recognoscendum in forma predicta etc. Idem dies datus est partibus predictis per attornatos suos hic etc.

Et quo ad hoc vnde partes predicte superius placitarunt in iudicium, consideratum est quod predictus Willelmus, persona, nichil capiat per breue suum predictum in misericordia pro falso clameo suo. Et predictus Willelmus Can eat inde sine die etc. Ad quem diem mensis Michaelis vicecomes non misit breue. Ideo sicut pluries preceptum est vicecomiti quod venire faciat hic in octabis Sancti Hillarii per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum in forma predicta etc.

Case 20. (Record not found.)


Laborers 21. 23 E. 3, cap. 1, de Laborers, et le briefe fuit tiel:

Stat. 4. comme ordieiein fuit que touts ceux que fueront deins l'age de lx. ans, et ne scavoient muffister, et ne teignent terres, ne tenements entre queux que ils
poient occupier, que ils devoient server sils soient re-
quise, et dit que il requist le defendant de luy server
en office, etc.

Moris.
La ou il dit que nous n'avomus terres ne tenements,
Nous diomus que nous avomus xv acres de terre, pur
quel nous devomus faire xx overaignes, et aulters
besoignes chescun an, al Evesque de Londres a son
manor de W. et avomus jour que il ad suppose le
request, judgement si action poit aver il.

Belknap.
Sir, il ad dit que il n'ad que vi acres terre, quel
n'est pas sufficient occupation, per que.

Finchden.
Il ad dit que il doit faire pur mesme la terre xx
overaignes, et cel est sufficient occupation, per que, etc.

Belknap.
Nous diomus que il n'ad que vi acres de terre, et
il ne doit faire que vi overes, que poient este fait en
un semaigne, issint n'ad il pas sufficient cause d'estre
excuse, per que nous demaundomus judgement.

Moris.
Et del heure que vous aves conus que nous avomus
terres, pur queux nous devomus tant des overes per
quel heure que ceo pleist al Seignior, issint ne po-
omus vous server, et auxy faire les services dues al
Evesque, per que judgement.

Belknap.
Nous avomus dit que vous ne deves faire que vi
overes, queux poient este fait en poy de temps, et
auterment chescun home pur un tiel petit value, sera
excuse de chescun service.

Finchden.
Sir, le statute fuit fait en advantage des Seigniors,
que ils n'avoient pas default des servants, et il est
necessary a chescun Seignior de lesser parcel de sa
terre pur faire les services dues a son manor, et per
tant est il occupie en son service pur le temps, per
que vous plente ne preignes riens per votre briefe,
etc. Quel person sera dit sufficient de terre que il ne
servira, Nota bene.

5. Cases 10, 17, 28, 32 and 36. (Cf. pt. ii, ch. ii, 5.)

F. H., 33 Hill., Laborers, 36.

Un T. port briefe Denprisonment vers K. et auters
deux et count que toutz luy prist et enprison.

Clam. [Claymond]
Pour K. diomus que deuaunt le iour denprison-
ment suppose, nous allomus le pleintife de
nous seruyr etc. par vne an, et deins lan et deuaunt len-
prisonment, le pleintife depart hors de nostre seruice
sains conge etc. ou cause resonable, ou apres nous
fesomus nostre pleint al Constable del ville ou etc.
que est vn de les auters nosme etc., et il vient oue
nous et nous ii. vous prisomus, et puis vous reteno-
mus en nostre seruice tanques al fyne del terme etc.,
jugement etc. lauter vient en aide de luy etc.

Skipwith.
Ceo que vous ditz nest enprisonment, quar vn ser-
uaunt comenment est arge de faire ses seruices, par
que.

Clam. [Claymond]
Ceo que vous suppose lenprisonment est le prise
et le retenir en nostre seruice, encontre vostre gre
que est congeable par ley.
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Skipwith.
Unce duisse traurerser chescun auter enprisonment.

Thorp.
Ne besoigne, par que respondes.

Skipwith.
Del heure que il nad monstre que il nous dereygne par suist fait come lestatut voit, etc., jugement quar al comen ley auter reçoyer ne fuit don en ceo cas forsque briefe de Couenaunt, par que il ad comus lenprisonment, etc.

Grene.
Ieo die que al comen ley que si ieo sue apperceu que mon seruaunt se voyle esloigner etc. que ieo luy pourre reteigner magre le seen pur le terme.

Skipwith.
Mes sil soit esloigne, ne poies luy prendre et reamesne encounter son gree al comen ley.

Seton.
Tout est vn, et tout fuit il issint al comen ley, il est auter ore, quar lestatute voit que il serre pris et demourre en prison tanques il troue suerte de server son mester pur le terme, par que coment que il le prent mesme lou il est parnable par ley il ne fait offens etc. et puis par auise de toutz les Justiz agarde fuyt que il prist ryens par son briefe et cetera.

De Banco Roll, no. 397.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiarisi domini Regis de Banco de termino Sancti Hillarii, anno . . . tricesimo secundo finiente et tricesimo tercio incipiente. . . .

Rot. 183 d.

DOCUMENTS, LISTS AND TABLES

Norht’ Katerina Latymer, senior, et Iohannes of the Graunge in misericordia pro pluribus defaltis etc.

Iidem Katerina et Iohannes et Ricardus Katerinesprest Latymer attachati fuerunt ad respondendum Iohanni, filio Ricardi Iones, de placito quare vi et armis ipsum Iohannem, filium Ricardi, apud Wardon ceperunt, imprisonauerunt et male tractauerunt et alia enormia ei intulerunt ad graue dampnum ipsius Iohannis, filii Ricardi, et contemptum Regis etc.

Et vnde idem Iohannes, filius Ricardi, per Adam de Cherleton, attornatum suum, queritur quod predicti Katerina et alii die Lune proximo ante festum Natalis Domini anno regni domini Regis nunc Anglie tricesimo vi et armis, scilicet gladiis, arcubus et sagittis, ipsum Iohannem, filium Ricardi, apud Wardon ceperunt, imprisonauerunt et male tractauerunt et alia enormia etc. et contra pacem etc.; vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et Katerina et alii per ——— attornatum suum veniunt et defendunt vim et iniuriam quando etc. et quo ad venire vi et armis etc. dicunt quod ipsi in nullo sunt inde culpables etc. et quo ad residuum transgressionis etc. eadem Katerina dicit quod predictus Iohannes, filius Ricardi, fuit seruiens ipsius Katerine cum ipsa ad deseruendum ei tanquam laborarius apud Wardon retentus, videlicet, a festo Sancti Michaelis, anno regni domini Regis nunc Anglie tricesimo, vsque idem festum Sancti Michaelis tunc proxime sequens, et quia predictus Iohannes, filius Ricardi, predicto die Lune a seruicio ipsius Kate- rine iniuste et maliciose et absque causa racionabili recessit et se elongauit, eadem Katerina per auxilium predicti Iohannis of the Graunge, tunc constabularii ville predicte, arestari fecit predictum Iohannem, filium Ricardi, ibidem ad deseruendum ipsi Katerine prout ei bene liuict.

Et predictus Iohannes of the Graunge dicit quod ipse tunc temporis fuit constabularius ville predicte et ad requisicionem predicte Katerine venit ibidem racione officii sui ad predictum

1 Blank left for name.
Iohannem, filium Ricardi, occasione premissa arrestandum et ipsum arrestauit et ad seruicium ipsius Katerine reduxit prout iuri convenit in huiusmodi casu.

Et predictus Ricardus dicit quod ipse tunc erat seruiens predictae Katerine et venit in auxilium eiusdem ad arrestum predictum faciendum in forma predicta, vnde petunt iudicium si predictus Iohannes, filius Ricardi, iniuriam in personis suis affirmare possit etc.

Et Iohannes, filius Ricardi, dicit quod ex quo ipse liber et libere conditionis existit non fuit licitum nec iuri consensum ipsum capere nec imprisonare occasione superioris per predictam Katerinam et alios allegata, set in casu quo aliquid liber homo in servicio alius retentus ab eodem seruicio ante finem termini sui recesserit, competit accio per breue vel querelam de convencione fracta et ex quo ipsi superioris cognouerunt capcionem et detencionem corporis ipsius Iohannis, petit iudicium et damnum sibi adiudicari.

Et predicti Katerina et alii petunt iudicium ex quo predictus Iohannes, filius Ricardi, superius cognouit ipsum in servicio ipsius Katerine fuisse retentum et ab eodem sine causa recessisse \(^1\) vt preallegatum est; in quo casu bene licitum fuit ipsum arestare et ad seruicium suum reducere; petunt iudicium et prius si iuriae in eis assignari possit.

Et super hoc habitu auisamento super placito predicto, consideratum est quod idem Iohannes, filius Ricardi, nichil capiat per breue suum, set sit in misericordia pro falso clameo. Et predicti Katerina et alii eant inde sine die etc.

Case 17.


Hillard Ufflet port bref de Transgressione vers un Th. Et counta que il vient a force et armes, et amena son servant hors de son service.

Et le defendant per Claymond demanda jugement de count: car il n’ad pas counte combien il fuit hors de son service.

\(^1\) Probably for recessisse.
Regis nunc tricesimo octauo, predictus Willelmus retentus fuit cum ipso Rogero ad seruiendum ei a predicto festo Sancti Martini in yeme tunc proxime sequente per vnum annum duraturum apud Normanby Claxby in officio carucarii et carectarii et in eodem seruicio extitit vsque diem Lune proximum post clausum Pasche proxime preteritum, quo die idem Willelmus ab eodem seruicio sine causa racionabili recessit et apud Walcote mansit; et dictus Rogerus eum diligenter inquirens ibidem inuenit et ipsum secum in seruicium suum reduxit prout ei bene licuit; vnde petit iudicium si idem Illardus aliquam injuriam in persona sua assignare possit etc.

Et Illardus dicit quod idem Rogerus predictum Willelmum sepius verberauit et ei victum necessarium dare aut salarium sibi debitum solvere non curauit, per quod idem Willelmus a seruicio predicti Rogeri recessit et predictus Illardus eum conduxit et in seruicio ipsius Illardi apud Walcote exitit quousque predictus Rogerus ipsum Willelum cepit et abduxit, prout idem Illardus per breue suum supponit, ad damnum ipsius Illardi quatuor marcarum.

Ideo consideratum est quod predictus Illardus recuperet versus eum damna sua predicta et predictus Capiatur. Rogerus capiat.

Postea in quindena Sancti Michaelis anno regni domini Regis nunc quadragesimo priino, venerunt tam predictus Illardus quam predictus Rogerus in propriis personis, et idem Rogerus satisfecit Finis v.s. eidem Illardo de denariis predictis et super hoc idem Rogerus fecit finem actione predicta de quinque solidis, per plegium Iohannis Miles de Lincoln' et Iohannis de Rasen de eodem comitatu. Ideo idem Rogerus deliberet etc.

Case 28.


Briefe fuit port sur le Statute de Labourers, et le plaintiffe counta, que le defendant fist covenant a

Labour- S. in comitatu Herford, et que il departa hors de ers 24, son service a T.

Br. 7. Moris.

Cest briefe est port par cause del deporter hors de son service, et vous diomus que T. est en le countie d'Essex, et cest briefe est port en le countie Herford, judgement de cest briefe.
Candish.

Et puis que c'est action est prise sur le covenant, sur quel un issue poit est prise auxibien, come sur le departer, et S. est en le county de Herford, jugement si nostre breve ne soit assets bon.

Wichingham.

Si vous usses especialty, et vostre action fuit pris sur le covenant, donques le briefe port en S. serroit bon, mes ore l'action est pris sur le departer.

Candish.

Le covenant est triable en cest cas, auxibien come en briefe de covenant: car s'il ne fist nul covenant ovesque nous, donque ne fist il nul tort.

Moris.

Passa oustre, et dit, que il ne fuit unques en son service, prist.

Candish.

Depuis que vous ne dedits pas, que vous fistes covenant ovesque luy, mains tenant vous fuistes retenue en son service, et si vous allastes a un auter, et refusastes de luy server, cee fuit un departer hors de son service, per que voilles auter chose dire.

Moris.

Il ne fuit pas retenus ovesque luy, prist, etc.

Et alii è contra, etc.
Ideo preceptum est vicecomiti quod venire faciat hic in octabis Sancti Martini per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc.

Case 32.
Y. B., 45 Mich., 15, f. 15.

Covenant
Un home port briefe de covenant sur le statute de Labourers vers un auter, suppose que il aver fait covenant ove luy, de luy servier en Lound' a Ludgate en un certain office, et que il departist sans conge.

Condicion
Nous diomus que nous fesomus covenant ove luy sur tiel condition, que si mes parentes et mes amies voille a tiel covenant assenter, et diomus que ils ne voille a cew assenter, per que nous departomus de luy, come bien a nous list.

Wichingham.
Vous ne les averes pas, mes lou le plaintiff ad alledge, et ita fuit, sed seus, issint si imprisonment ust estre alledge et plede encounter son fait per le plaintiff, donques serra trie lou l'enprisonment serra alledge, etc.

De Banco Roll, no. 443.

Placita apud Westmonasterium coram W. de Finchedon et sociis suis iusticiariis domini Regis de Banco de termino Sancte Trinitatis, anno ... quadragesimo quinto ... Rot. 371.

London' Thomas the Personescosyn of Wanstedec attachiatus fuit ad respondendum tam Regi quam Roberto Mussenden, marchal, de placito quare cum per dominum Regem et consilium suum ... (departure clause, cf. app., 420) predictus Thomas in servicio ipsius Roberti apud London' nuper retentus ab codem servicio ... (identical with app., 421, mutatis mutandis).

Et vnde idem Robertus in propria persona sua queritur quod cum predictus Thomas in festo Pasche anno regni domini Regis nunc Anglie quadragesimo quinto apud London' in parochia Sancti Martini in warda de Faryngdon Extra conuenisset cum prefato Roberto ad deseruiendum ei ibidem in officio marescalci a dicto festo Pasche per vnum annum tunc proxime sequentem, predictus Thomas in festo Pentecostes infra terminum predictum a dicto servicio suo sine causa racionabili et licencia ipsius Roberti recessit, in Regis contemplum et ipsius Roberti graue dampnum et contra formam ordinacionis predicte, vnde dicit quod deterioratus est et dampnum habet ad valenciam decem librarum, et inde producit sectam.

Et predictus Thomas in propria persona sua venit et defendit
vim et inuriam quando etc. et quicquid etc. et dicit quod ipse
dictis die et anno convenit cum prefato Roberto ad deservien-
dum ei in officio predicto per tempus predictum sub tali con-
dicione quod pater et mater ipsius Thome ad convencionem
illam consentire voluissest, et dicit quod statim cum idem
Thomas de convencionilla predictis patri et matri suis nuncia-
asset, idem pater et mater ad convencionem illum non con-
sencerunt, et eam omnino renuerunt, per quod ipse a dicto
seruicio recessit prout ei bene licuit, et petit iudicium si pre-
dictus Robertus inuriam in hoc casu in persona sua assignare
possit.

Et predictus Robertus dicit quod ipse per aliqua preallegata
ab accione sua precludi non debet, quia dicit quod
predictus Thomas retentus fuit ad deseruiendum ei in forma
predicta per tempus predictum simpliciter, absque aliqua huiusmodi
condicione, prout ipse superius per breue et narracionem sua sup-
ponit, et hoc petit quod inquiratur per patriam et predictus
Thomas similiter.

Ideo preceptum est vicecomitis quod venire faciant hic a
die Sancti Michaelis in xv dies per iusticiarios xii etc. per
quos etc. et qui nec etc. ad recognoscendum etc. quia tam
etc. Et super hoc Johannes Trentemarze, Johannes Croydon,
Johannes Hender et Willelmus Passelewe de comitatu Cantan
manueperunt predictum Thomam habendi corpus eius hic ad
prefatum terminum et sic de die in diem ad quemlibet diem
placiti quousque iurata inde inter eos transierit et iudicium
inde reddidit, videlicet, quilibet eorum corpus pro
corpore etc.

Case 36.


Br. 11. parter, la est mesme le Henry, vers que ceo briefe
est port, depart hors de son service sans cause, a
tort, et a ses damages, et mist en certein quant le
terne comence et quant il departe.

Bellknapp.

Nous ne fuimus unques en vostre service, prist, etc.

Tanke.

Ceo n'est pas plee, si vous ne deditis la reteine en
nosten service, car maintenant apres la reteinue, vous
estes aijuge nostre servant par la ley, coment que
vous ne venuistes unques en nostre service, par que,
depuis que il ne responde pas a nous, nous demaunde
judgment, et priomus nous damages.

Persy.

A ceo que vous dits, que comment que il ne fuit
unques en vostre service, que il fuit aijuge vostre
servant, eo ipso, il n'est pas issint, car maintenant apres la
retenue, vous estes ajudge nostre servant par la ley,
coment que il ne responde pas a nous.

Finchden.

Un home port briefe de Trespas sur le statute de
Labourers devers un Henry Prié, et counta, que comme
par le statute est ordeigne, que list a nul home en
auter service reteinus, deins la fine de terme enter
eux accorde, sauns la volonte de son master de-

Trespas Un home port briefe de Trespas sur le statute de
Labourers devers un Henry Prié, et counta, que comme
par le statute est ordeigne, que list a nul home en
auter service reteinus, deins la fine de terme enter
eux accorde, sauns la volonte de son master de-
APPENDIX

Lay—Belknap.

Donques nous diomus, que nous ne fuimus unques reteinus de luy server, prist, etc.

Tanke.

E contra, et sic ad patriam.

De Banco Roll, no. 459, 47 Pasch., rot. 203 d., Kanc', is probably the same case in spite of the difference in the surname of the defendant. Henricus Kary, carucarius, was attached to answer Margeria on the charge of departure within the term; his plea is simply: non fuit retenus cum prefata Margeria prout ipse per breue et narracionem sua superius supponit, et de hoc ponit se super patriam et predicta Margeria similiter. Usual order to the sheriff to summon a jury; verdict not recorded.

6. Cases 9, 38 and 43: (Cf. pt. ii, ch. ii, 6.)

Case 9.

Y. B., 30 Mich., f. 31.

In un briefe sur le Statut de laborers vers un Richard C. de ceo que il reteina un son servant, et luy avoit esloigne hors de son service enconter le Statut.

Wichingham.

Le servant fuit villein a W. D. de son manor de A. quel W. morust, et pur ceo que son heir fuit deins age, et il tient part de ses terres del Roy il seisit la gard, et ce granta a Sir Michel de Poninges, quel M. granta le gard a nous. Et diomus que celuy fuit en nostre service, et nous luy defendamus que il ne se departist, et il ala a vous. Et pur ceo que nous avomus besoign de son service, nous luy prisomus a nous, come bien nous list. Jugement si de ceo tort, etc.

Burton.

Vostre respons est double: un, de ceo que il est villein d'un de que vous aves le gard: auter, que il fuit en vostre service, et departa enconter vostre gre; en quel cas mesques il ust este frank, vous luy purres aver pris.

Wichingham.

Nous ne fondomus rien sur ceo que il fuit en nostre service devant.

Burton.

Donques nous diomus que vous n'aves pas besoign de son service, pur ceo que vous aves auters asses. Prest, etc. Et puis il adda, sans ceo que il luy defenda de servir aillours.

Wichingham.

Ou vous dites que il n'avoir pas besoign de son service, il avoit besoign. Prest, etc.

Green.

Mesques vous soiez a un de prendre ce issu, nous vomus le Statut, si l'issu soit acceptable, etc.

De Banco Roll, no. 388.

Placita apud Westmonasterium coram Roberto de Thorp et sociis suis iusticiariis domini Regis de Banco de termino Sancti Michaelis, anno . . . tricesimo . . .

Rot. 193.

Sussex' Robertus Quetche attachiatus fuit ad respondendum tam Regi quam Andree Peuerel, chiualer, de placito quare cum per Regem et consilium suum . . . (retention clause, cf. app., 423) predictus Robertus Iohannem Bruggere, nuper seruiementem predicti Andree in servicio suo apud Blachyngton retentum . . . (identical with app., 423, mutatis mutandis).

Et vnle idem Andres per Willelmum de Neubiri, attornatum suum, queritur quod cum predictus Iohannes ad festum Sancti Michaelis anno regni domini Regis nunc Anglie vicesimo nono apud Blachyngton
APPENDIX

retentus esset in servicio ipsius Andree ad seruiendum sibi ibidem per vnum annum tunc proxime sequentem certa convencionc inter eos concordata, idem Iohannes sine causa racionabili a servicio ipsius Andree infra tempus illud, scilicet die Lune proximo ante festum Sancte ¹ Margarete anno regni eiusdem domini Regis nunc Anglic tricesimo, a servicio ipsius Andree ante finem termini inter eos concordati sine licencia sua recessit in servicium predicti Roberti, et idem Robertus ipsum Iohannem in servicio suo aput Stenyngg a predicto die Lune vsque diem impetracionis breuis etc. retinuit et ipsum idem Andree licet sepius requisitus etc. reddere recusauit, in Regis contempsum et predicti Andree graue damnum etc. et contra ordinationem supradictam etc., vnde dicit quod deterioratus est et damnum habet etc.

Et Robertus per Walterum de Warnham, attornam suum, venit et defendit vim et injuriam quando etc. et quicquid etc. et dicit quod predictus Iohannes Bruggere de quo predictus Roberto inodo queritur fuit villanus predicti Willelmi, filii Willelmi heredis etc.; qui quidam Iohannes sic villanus etc. in servicio ipsius Roberti sic custodis etc. extiterat et a servicio suo recessit, idem Robertus vt custos predicti heredis sicut predictum est ipsum Iohannem in servicium suum recept et reduxit sicut ei bene licuit; et petit iudicium si predictus Andreas in iurium in ipsum inde assignare possit etc.

Et Andreas dicit quod predictus Iohannes Bruggere non est villanus predicti heredis sicut predictus Robertus placitando allegauit, et de hoc ponit se super patriam et predictus Robertus similiter.

Ideo preceptum est vicecomit quod venire faciat hic ¹ a die Pasche in xv dies xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc.

Case 38.

Y. B., 47 Mich., 24, f. 16.

Briefe sur le statut de laborers de Bedford, de John at Roe en l'office de carter, de Michel lan xlv. teneant le feast de S. Br. 13.

Henri Sparke suist un briefe sur le statut de laborers de Bedford, de John at Roe en l'office de carter, de Michel lan xlv. teneant le feast de S. Br. 13.

1 MS. Sancti.

1 In MS. hic is repeated.
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Hasty, pur le plaintiff dit, que il fuit frank, et de
frank estate, prist.
Et alii è contra.

De Banco Roll, 451.
(No heading to roll.) 47 Edw. III, Trin.

Rot. 230.¹

Essex

Willelmus Whaykryle attachiatus fuit ad respondendum tam domino Regni quam Henrico Spark de placito quare cum per Regem et consilium suum . . . (retention clause, cf. app., 423) predictus Willelmus Iohannem atte Ree, dryure, nuper seruientem ipsius Henrici in serviciuo apud Berkyng retentum . . . (identical with app., 423, mutatis mutandis).

Et vnde idem Henricus in propria persona sua queritur quod cum predictus Iohannes retentus fuisset cum ipso Henrico apud Berkyng ad deseruendum ei ibidem in officio carucarii a festo Sancti Michaelis, anno regni domini Regis nunc Anglie quadragesimo quinto, vsque idem festum tum proxime sequens per vnum annum integrum, idem Iohannes a servicio ipsius Henrici ante finem termini predicti, videlicet, die Martis in septimana Pasche, anno regni domini Regis nunc Anglie quadragesimo quinto [recessit], prefatus Willelmus eundem Iohannem quamquam eit in serviciuo suum admisit et retinuit, in Regis contemptum et ipsius Henrici graue dampnum et contra formam ordinacionis predicte, vnde dicit quod deterioratus est et dampnum habet ad valenciam viginti librarum, et inde producit sectam etc.

Et predictus Willelmus in propria persona sua venit et defendit vim et inuiarium quando etc. et quicquid etc. et dicit quod prefatus Iohannes atte Ree est villanus abbatis de Waltham Sancte Crucis vt de man-
erio suo de Wodeford; quodquidem manerium idem abbas eodem Willelmo dimisit ad firmam tenendum ad terminum annorum; quodquidem terminus nondum est elapsus et quia idem Willelmus non habuit seruientes sufficientes pro carucis et correctis suis infra manerium predictum tentis tenendi, occupandis et fuggandis, idem Willelmus eundem Iohannem qui villanus manerii predicti exit et predictitor, et potens ad laborandum non habens vnde de suo proprio se occupare potuit, ad deseruendum ipsi Willelmo infra manerium predictum arestuuit, vnde dicit quod ipse non intendit quod aliqua iniuria in hac parte assignari possit etc.

Et predictus Henricus dicit quod ipse per aliqua preallegata ab accione sua predicta repelli non debet, quia dicit quod prefatus Iohannes atte Ree liber est et libere conditionis et non villanus predicti abbatis. Prout predictus Willelmus superius allegavit et hoc petit quod inquiratur per patiam, et predictus Willelmus similiter.

Ideo preceptum est vicecomiti quod venire faciat hic in octibus Sancti Michaelis per iusticiarios xii etc. per quos etc. et qui nec etc. ad recognoscendum etc. quia tam etc. Et super hoc Iohannes Lichfeld, Willelmus Wretheman, Robertus Daundeuyle et Iohannes Wrotch, junior, manuceptur predictum Willelum habendi corpus eius hic ad prefatum terminum et sic de die in diem ad quemlibet diem placiti quousque iurata predicta inde inter eos transierit et iudicium inde reddidit fuerit, videlicet, quilibet eorum corpus pro corpore etc.

Case 43.


John Brid porte briefe de Trespas vers John Do-
APPENDIX

Labourers 42.

beine, et counta que il avera ove force et armes prise et amesne Thomas Sole et W. Sole son vil- leins en son service esteant a H. en le counte de Somerset.

Persay.

Nous diomus que mesme ceux T. et W. viendront a Herflet en le county de Devon', et fueront vagraunts hors de chescun service: et nous a eux proferromus service, et ils fieront covenant ove nous, de nous servir de le feast de S. Michael tanques al feast de Saint Michael prochein ensuant, deins quel temps vous suppose par vostre count, que ils fueront prises et amesnes, deins quel temps vous venustis a Herd- flete en le county de Devon', et pristes nostre servants hors de nostre service, et les amenastes en le county de Somerset a Hewiche, a que vous estes, et nous aillomus, comme bien a nous list, et demaundomus judgement, si de tie1 prise tort en nostre person poies assigne.

Perle.

A ceo diomus nous, que longe temps devant ceo covenant, d'ont vous parles, que nous conus pas, nous commaundomus nostre dits villeins de nous servir bien, l'un en l'office de carver, et l'auter en office de fowlere, et des auters overaignes faire, des queux les seigniour averont mitre, devant a eux cerreur salary, et certein summe pur viver et vesture, et que puis nous receivomus eux come nostre servants et il ad conus le prise de nous a force et armes, per que nous demaundomus judgement, et priomus nostre damage.

Persay.

Et depuis que nous avere allege que ils viendront a nous en le county de Devon' come vagraunts, et fieront covenaut ove nous, et fueront en nostre service, et que vous les prises de nous, en quel case nous entendomus que fuit congeable a nous d'eux reprendre, nous demaundomus judgement, et priomus que vous soies barre.

Belknap.

Si mon villein soit fuiant de mon seigniory, ou en auter county, ci ilonques soit vagraunt hors de chescun service, il est congeable de chescun de luy faire servir, et devant tanques il soit apprise, que il soit servant a un autre, ou auter villein, il n'est tenus de faire restitution a nul home de luy, et coment que son primer maister, ou son seigniour luy preigne hors de son service sans faire notice a luy, que est son maister, a que il fuit son servant devant, que il est congeable chose pur luy reprendre, et vous n'urette my allege que vous fistes notice, ne que il avera notice de lour person, come de vostre villein, et nous aveillomus, comme bien a nous list, et demaundomus judgement, si de tiel prise tort en nostre person poies assigne.

Notice B. 2.

Persay.1

Il avera notice que ils fueront ses ii villeins, prist.

Belknap.

Coment avera il notice, etc. quaere ceo matter.

Fitzherbert, Laborers, 42.

Nota que Belknap dit, si mon villen ale de ma seignorie a vn auter counte, et ilonques est vagarant hors de chescun service, il est congeable a chescun home de compel luy de servier luy tanques il soit apprise que il est auter servant ou auter villeen il nest tenus de faire restitution a nul home de luy, et mesque son prim mester ou seignor luy preigne hors de son seruyce

1 Apparently an error for Perle.
APPENDIX

sauns notice faire a luy que est son mayster deuaunt il est congeable pour luy de luy reprendre, par que les partyes plendent accorde.

Brooke, Notice, 2.

Vide title labores 17 que seignior de villein ou master que primes reteine servuant, ne eux prende hors dauter seruice sans donner notice al master que ad le servuant in possession. post 4. (21 H. 6, 9). 50 E. 3. 21.

Villenage, 13.

Vide title laborers 17 par Belknap et Persey, seignur ne prendra son villein hors dauter seruice ne mastre son servuant pur former retaynder sans donner notice del villenage ou former retaynder. 50 E. 3, 21.

De Banco Roll, no. 460.

Placita apud Westmonasterium coram R. Bealknapp et sociis suis iusticiariis domini Regis de Banco de termino Sancti Michaelis, anno . . quadragesimo nono . . . . . . . .

Rot. 302.

Somerset’ Iohannes Michel, persona ecclesie de Baunton, Adam Wade, Iohannes Cruse, Robertus Smyth et Johannes Mannyng, smyth, attachiati fuerunt ad respondendum Simoni Brut de placito quare vi et armis Iohannem Bruere et Walterum Bruere, natius ipsius Simonis in servicio suo apud Huwyssh Chaumflour existentes, ceperunt et abduxerunt per quod idem Simon seruicium natuorum suorum predictorum per magnum tempus, videlicet, a predicto die Iouis vsque festum Sancti Michaelis tunc proxime sequens amisit et alia enormia etc., ad graue dampnum etc. contra pacem etc. vnde dicit quod deterioratus est et dampnum habet ad valenciam quadraginta marcarum et inde producit sectam etc.

Et predicti Iohannes Michel et omnes alii per Hugonem Worthie, attornatum suum, veniunt et defendunt vim et iniuriam quando etc. Et idem Iohannes Michel, Robertus et Iohannes Mannyng dicunt quod ipsi in nullo sunt culpabiles de transgressione predicta et de hoc ponunt se super patriam et predictus Simon similiter.

Et predicti Adam et Iohannes Cruse quoad venire vi et armis dicunt quod ipsi in nullo sunt culpabiles, et de hoc ponunt se super patriam et predictus Simon similiter. Et predictus Adam quoad capcionem predicti Iohannis Bruere etc. et prefatus Iohannes Cruse quoad capcionem predicti Walteri non cognoscunt ipsos fore natuors ipsius Simonis set contrarium verificare pretendendo si etc., separatim dicunt, videlicet, idem Adam quod ipse ad festum Sancti Michaelis anno regni domini Regis nunc Anglie quadragesimo septimo apud Baunton in comitatu Deuon’, inuenit eundem Iohannem Bruere ibidem vagantem et extra quodlibet seruicium et similiter predictus Iohannes Cruse quoad ipse inuenit ibidem predictum Walterum vagantem et extra quodlibet seruicium, per quod ipsi separatim conuenicionem cum eis fecerunt ad deseruiendum eis ibidem
ab eodem festo Sancti Michaelis vsque idem festum tunc proxime sequens et dicunt quod prefatus Simon infra terminum predictum, videlicet, predicto die Louis quo ipse supponitur transgressionem predictam sibi factam fuisse, venit apud Baunton et eosdem Iohannem Bruere et Walterum extra corum servitium vi et armis cepit et abduxit et ipsi eodem die eundem Simonem recenter prosecuti fuerunt vsque Huwyssh Chaumflour in comitatu Somerset' et servientes suos predictos ceperunt et secum vsque Baunton reduxerunt prout eis bene licuit, absque hoc quod ipsi tunc temporis in servizio ipsius Simonis fuerunt, et hoc parati sunt verificare vnde petunt iudicium etc.

Et predictus Simon dicit quod ante predictum festum Sancti Michaelis anno regni domini Regis nunc Anglie quadragesimo septimo, retentio cum ipsis Iohanne Bruere et Waltero per preceptum eiusdem Simonis facta fuit ad comorandum et deseruiendum eodem Simoni apud Huwyssh Chaumflour ab eodem festo Sancti Michaelis vsque festum Pentecostes tunc proxime sequens et deinde vsque festum Sancti Michaelis tunc proxime sequens, infra quem terminum idem Iohannes Bruere et Walterus a servizio ipsius Simonis recesserunt et a servicio suo se elongauerunt, per quod ipse eosdem [Iohannem] Bruere et Walterum natiuos et servientes suos prosecuti fuit, ipsos cepit et ad iudicium suum proprium reduxit et in servicio suo ibidem retinuit quousque predicti Adam et Johannes ipsos Iohannem Bruere et Walterum in servicio ipsius Simonis apud Huwyssh Chaumflour sic existentes vi et armis ceperunt et abduxerunt, et hoc paratus est verificare, vnde petit iudicium etc.

Et predicti Adam et Johannes Cruse dicunt quod vbi prefatus Simon superius in manutencionem ac-
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