

The estates of the Clare Family 1066-1317.

Ward, Jennifer Clare

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THE ESTATES OF THE CLARE
FAMILY, 1066 - 1317

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Jennifer Clare Ward. ↵

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A B S T R A C T

Throughout the early Middle Ages, the Clare earls of Hertford and Gloucester were prominent figures on the political scene. Their position as baronial leaders was derived from their landed wealth, and was built up gradually over two hundred and fifty years. Richard I de Clare arrived in England in 1066 as a Norman adventurer, and was granted the honours of Tonbridge and Clare. The family more than doubled its lands during the twelfth and thirteenth centuries, mainly by inheritance, the greatest acquisition being the honour of Gloucester in 1217.

Only in the first half of the twelfth century was the honour an autonomous unit. In the honour of Clare, the earls relied on their own tenants as officials in the twelfth century, but in the thirteenth the administration was professional and bureaucratic. The earl's relations with his sub-tenants are unknown before the early fourteenth century; then, in contrast to other estates, the Clare honour-court was busy, strong and fairly efficient. In contrast to the honours of Clare and Gloucester, held of the king in chief, Tonbridge was held of the archbishop of Canterbury, and the relationship between archbishop and earl was the subject of several disputes. As to franchises, the earl exercised the highest which he possessed in England at Tonbridge; elsewhere he appropriated franchises on a large scale during the Barons' Wars of 1258-1265, but most of these were surrendered as a result of Edward I's quo warranto proceedings.

In the thirteenth century, the Clare earls of Gloucester were important Marcher lords. They strengthened their authority in Glamorgan by expelling most of the Welsh princes in northern Glamorgan, and they long avoided royal interference in their liberties. Nevertheless, in the notorious case of the earls of Hereford and Gloucester in 1291-2, Edward I temporarily succeeded in breaking down March custom.

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LIST OF ABBREVIATIONS

<u>B.I.H.R.</u>	<u>Bulletin of the Institute of Historical Research</u>
B.M.	British Museum
<u>Brut y T. (Peniarth MS. 20)</u>	<u>Brut Y Tywysogyon. Peniarth MS. 20 version. Ed. T. Jones. (Board of Celtic Studies, History and Law Series, XI)</u>
<u>Brut y T. (Red Bk. of Hergest)</u>	<u>Brut Y Tywysogyon. Red Book of Hergest version. Ed. T. Jones. (Board of Celtic Studies, History and Law Series, XVI)</u>
<u>Cal. Chanc. War.</u>	<u>Calendar of Chancery Warrants</u>
<u>Cal. Chart. R.</u>	<u>Calendar of Charter Rolls</u>
<u>Cal. Close R.</u>	<u>Calendar of Close Rolls</u>
<u>Cal. Doc. Ireland</u>	<u>Calendar of Documents relating to Ireland</u>
<u>Cal. Fine R.</u>	<u>Calendar of Fine Rolls</u>
<u>Cal. Inq. p.m.</u>	<u>Calendar of Inquisitions post mortem</u>
<u>Cal. Inq. Misc.</u>	<u>Calendar of Inquisitions Miscellaneous</u>
<u>Cal. Justic. R. Ireland</u>	<u>Calendar of the Justiciary Rolls for Ireland</u>
<u>Cal. Lib. R.</u>	<u>Calendar of Liberate Rolls</u>
<u>Cal. Pat. R.</u>	<u>Calendar of Patent Rolls</u>
<u>Cal. Var. Chanc. R.</u>	<u>Calendar of Chancery Rolls, Various</u>
Cant. and York Soc.	Canterbury and York Society
<u>Chron. of Edw. I and Edw. II</u>	<u>Chronicles of the reigns of Edward I and Edward II, ed. W. Stubbs. 2 vols. R.S.</u>
G.T. Clark, <u>Cartae</u>	<u>Cartae et alia munimenta quae ad dominium de Glamorgancia pertinent, by G.T. Clark. Ed. G.L. Clark. 6 vols. (1910)</u>
<u>Close R.</u>	<u>Close Rolls</u>

<u>Complete Peerage, G.E.C.</u>	<u>The Complete Peerage of England, Scotland, Ireland, Great Britain and the United Kingdom, extant, extinct or dormant, by G.E.C. New edition, ed. V. Gibbs, and H.A. Doubleday. (1910-59)</u>
<u>Diceto</u>	<u>The Historical Works of Master Ralph de Diceto, dean of London, ed. W. Stubbs, 2 vols. R.S.</u>
<u>Dom. Bk.</u>	<u>Liber Censualis vocatus Domesday Book. I, II, ed. A. Farley; III, ed. H. Ellis (Rec. Comm.)</u>
<u>E.H.R.</u>	<u>English Historical Review</u>
<u>Econ. H.R.</u>	<u>Economic History Review</u>
<u>Feudal Aids</u>	<u>Inquisitions and Assessments relating to Feudal Aids</u>
<u>Florence of Worcester</u>	<u>Florentii Wigorniensis monachi chronicon ex chronicis, ed. B. Thorpe. 2 vols. English Historical Society</u>
<u>Flores Historiarum</u>	<u>Flores Historiarum, ed. H.R. Luard, 3 vols. R.S.</u>
<u>Gervase of Canterbury</u>	<u>The Chronicle of the reigns of Stephen, Henry II, and Richard I, by Gervase the monk of Canterbury, ed. W. Stubbs. 2 vols. R.S.</u>
<u>Gesta Regis Henrici Secundi</u>	<u>Gesta Regis Henrici Secundi Benedicti Abbatis. The Chronicle of the Reigns of Henry II and Richard I. 1169-1192. Ed. W. Stubbs. 2 vols. R.S.</u>
<u>Hovedene</u>	<u>Chronica Magistri Rogeri de Hovedene, ed. W. Stubbs. 4 vols. R.S.</u>
<u>Materials for Hist. of Becket</u>	<u>Materials for the History of Thomas Becket, archbishop of Canterbury, ed. J.C. Robertson. 7 vols. R.S.</u>
<u>Mon. Ang.</u>	<u>Monasticon Anglicanum, by W. Dugdale. Edition by J. Caley, H. Ellis, and B. Bandinel</u>
<u>P.R.O.</u>	<u>Public Record Office</u>
<u>Paris, Chronica Majora</u>	<u>Matthaei Parisiensis, monachi Sancti Albani, Chronica Majora, ed. H.R. Luard. 7 vols. R.S.</u>

<u>Parl. Writs</u>	<u>Parliamentary Writs and Writs of Military Summons</u> , ed. F. Palgrave. Rec. Comm.
<u>Pat. R.</u>	<u>Patent Rolls</u>
<u>Pipe R.</u>	<u>The Great Roll of the Pipe</u>
<u>Plac. Abbrev.</u>	<u>Placitorum in Domo Capitulari Westmonasteriensi asservatorum Abbreviatio</u> , Richard I - Edward II. Ed. G. Rose and W. Illingworth. Rec. Comm.
<u>Plac. de Quo War.</u>	<u>Placita de Quo Warranto</u> , ed. W. Illingworth and J. Caley. Rec. Comm.
R.S.	Rolls Series
Rec. Comm.	Record Commission
<u>Rishanger</u>	<u>Willelmi Rishanger Chronica et Annales, 1259-1307</u> , ed. H.T. Riley. R.S.
<u>Rot. Chart. (Rec. Comm.)</u>	<u>Rotuli Chartarum in Turri Londinensi asservati, 1199-1216</u> , ed. T.D. Hardy. Rec. Comm.
<u>Rot. Hund.</u>	<u>Rotuli Hundredorum</u> , ed. W. Illingworth and J. Caley. 2 vols. Rec. Comm.
<u>Rot. Lit. Claus.</u>	<u>Rotuli Litterarum Clausarum in Turri Londinensi asservati</u> , ed. T.D. Hardy. 2 vols. Rec. Comm.
<u>Rot. Parl.</u>	<u>Rotuli Parliamentorum</u>
<u>T.R. Hist. S.</u>	<u>Transactions of the Royal Historical Society</u>
<u>Trivet</u>	<u>Fratris Nicholai Triveti Annales Sex Regum Angliae, 1136-1307</u> , ed. T. Hog. English Historical Society
<u>V.C.H.</u>	<u>Victoria County History</u>
<u>Roger of Wendover</u>	<u>Rogeri de Wendover Chronica sive Flores Historiarum</u> , ed. H.O. Coxe. English Historical Society

Public Record Office Reference Numbers

C.47	Chancery Miscellanea
C.81	Chancery Warrants
C.132-4	Chancery Inquisitions <u>post mortem</u> , Henry III - Edward II
C.146	Ancient Deeds, Series C
C.P.25 (1)	Feet of Fines
D.L.29	Duchy of Lancaster Ministers' Accounts
D.L.30	Duchy of Lancaster Court Rolls
E.142	Ancient Extents (Exchequer)
E.159	King's Remembrancer Memoranda Roll
S.C.1	Ancient Correspondence
S.C.2	Court Rolls (General Series)
S.C.6	Ministers' Accounts (General Series)
S.C.8	Ancient Petitions
S.C.11	Rentals and Surveys (General Series)

INTRODUCTION: THE CLARE FAMILY

The Clare family ranks among the greatest English baronial houses of the early Middle Ages.¹ After the Norman Conquest, Richard son of Count Gilbert, the founder of the family, and his sons rose rapidly to wealth and power. By the early twelfth century, the family held lands in eastern England, South Wales and Normandy, and their estates were extended further in the late twelfth and thirteenth centuries. Most of the younger branches of the family soon died out, and their lands often passed into other families through the marriage of heiresses; but the eldest branch, the lords of Clare, with whom alone this thesis is concerned, continued to increase in wealth and influence until Gilbert V fell at Bannockburn in 1314. By the early fourteenth century, the Clares were one of the few survivors of the powerful families of the Norman age.

They were always in the forefront of politics, better known for their opposition to the Crown than for loyal service. Occasionally the younger members of the family were the most prominent, notably in the twelfth century when the Clare earls of Pembroke, Gilbert and Richard Strongbow, played an

1. Accounts of the eldest branch of the family and of the Clare earls of Pembroke are given in the Dictionary of National Biography (1908) IV, pp. 375-83, 389-97, and in Complete Peerage, G.E.C. (1910-59) III, pp. 242-6; V, pp. 694-715; VI, pp. 498-503; and X, pp. 348-57. The early history of the family was described by J.H. Round, "The Family of Clare", in Archaeological Journal, LVI, 1899, pp. 221-31, and "Walter Tirel and his wife", in Feudal England (1895) pp. 468-79. Richard IV's and Gilbert IV's activities during the Barons' Wars are given in detail by F.M. Powicke, King Henry III and the Lord Edward, and The Thirteenth Century (1962), and by R.F. Treharne, The Baronial Plan of Reform, 1258-1263.

important part in the civil war of Stephen's reign and in the Norman conquest of Ireland. The lords of Clare itself are best known for their participation in the opposition before and after Magna Carta, for their activities during the Barons' Wars from 1258 to 1267, and for Gilbert IV's famous quarrel with the earl of Hereford in the Welsh Marches, finally settled in 1292.

Richard son of count Gilbert, the founder of the Clare family, was a distant cousin of duke William.¹ His grandfather, Godfrey, count of Brionne and Eu, was the illegitimate son of Richard the Fearless, and the county of Brionne was inherited by his father, Gilbert, who was also at some time count of Eu. In 1035, Gilbert was appointed one of duke William's guardians during his minority, but he was murdered in a private quarrel about 1040. His two sons, Richard and Baldwin,² fled to Flanders, but returned to Normandy after William's marriage to Matilda, the daughter of count Baldwin, in 1053, and rose high in the duke's favour. William granted Bienfaite and Orbec to Richard, and Le Sap and Meules to Baldwin. Moreover, they married advantageously, Richard's wife being Rohais, the daughter of Walter Giffard the elder. Brionne itself however was not restored, and it is probable that both Richard and Baldwin hoped to obtain land in England to compensate

1. He is also known as Richard de Bienfaite or de Tonbridge; only once in the Suffolk Domesday (Dom. Bk. II, f. 448a) was he called Richard de Clare. This surname was rarely used before the twelfth century.
2. It is not clear which was the elder. Baldwin is sometimes called Baldwin de Meules; otherwise, Baldwin son of count Gilbert, Baldwin the sheriff, or Baldwin of Exeter.

for its loss; there is good reason to suppose that Richard at least was present at the battle of Hastings.¹

Both brothers were rewarded for their service by the grant of wide estates. Baldwin obtained the honour of Okehampton in Devon, and became sheriff of the county, while Richard received the honours of Tonbridge and Clare, thus becoming one of the wealthiest and most powerful Norman barons in England. He acted with Lanfranc as justiciar in the king's absence abroad in 1075, and was responsible for suppressing the widespread revolt of that year. When he died some fifteen years later, it was as a monk at St. Neot's priory which he had taken from the abbey of Ely and re-established with monks from Bec.²

Richard's lands were divided between his two eldest sons, the Norman estates passing to Roger, and the English to Gilbert de Tonbridge. In the first half of the twelfth century, the landed interests of the lord of Clare were limited to England, for, when Roger died childless some time after 1131, his lands were inherited by his nephew Gilbert, the younger son of Gilbert de Tonbridge, who was created first earl of Pembroke in 1138. It was not until Roger, second earl of Hertford, acquired the barony of St. Hilary, and, more important, his son obtained half of the honour of Giffard, that the Clare lords again had estates in Normandy.

1. D.C. Douglas, "Companions of the Conqueror", in History, N.S. XXVIII, 1943, pp. 143-5, 147. Regesta Regum Anglo-Normannorum, ed. H.W.C. Davis, I, p. 1, no. 1.
2. The Domesday Monachorum of Christ Church, Canterbury, ed. D.C. Douglas, pp. 39-41. He probably retired from the world in 1087, and died before 1090.

The accession of William Rufus in England in 1087 was unpopular with a large section of the English baronage, and the Clares were never on good terms with him; very few of his charters were attested by Gilbert de Tonbridge, who, moreover, took part in the rebellion of Odo of Bayeux in 1088, holding his castle of Tonbridge against the king. Gilbert was involved in the revolt of Robert de Mowbray in 1095, but he apparently lost his nerve on the king's march to the north, for he asked the king for a pardon for all his offences and then confessed that a group of men were concealed in a wood in front of the army and were ready to kill the king as he passed through. In view of these two instances of disloyalty, it is likely that the Clares were involved in the plot, if such there was, which resulted in the death of William II in 1100. Both Gilbert and his brother Roger were hunting with William in the New Forest at the time, and Walter Tirel who killed the king was their brother-in-law. Moreover, the high favour shown them by Henry I immediately after his accession indicates that he may have felt himself indebted to them.

Gilbert was rewarded for his loyalty and service to Henry I by the grant of Ceredigion in West Wales in 1110; according to the Welsh chronicler, he had often asked the king for Welsh lands.¹ The younger sons of the family also received lavish grants and preferment from the king; Richard I had left a family of five sons of whom only the two eldest had been provided with land. Almost immediately after Henry's accession, the fourth son, Richard, was created abbot of Ely. He was however deposed by Anselm in 1102; he appealed

1. Brut y T. (Red Book of Hergest), p. 71.

to the pope, but died in 1107. The third son Walter was granted the lordship of Gwent in South Wales, and, on his death childless in 1138, the inheritance passed to his nephew Gilbert, who was soon after created earl of Pembroke. The honour of Baynard's Castle was granted to the fifth son, Robert, the founder of the Fitz Walter family; it included valuable estates in eastern England as well as the stronghold of Baynard's Castle in London. The grant was made at some time between 1110, when William Baimard forfeited his lands, and 1135.

It is immediately obvious that the power of the family, although considerable in the eleventh century, was enormously enhanced by these grants of Henry I. The family certainly deserved the titles conferred early in Stephen's reign, although by then the lords of Clare had lost their possessions in Ceredigion. Gilbert, the younger son of Gilbert I, who had succeeded to the estates of his uncles Roger and Walter in Normandy and south Wales, was created earl of Pembroke in 1138, and at some time between 1138 and 1141 Gilbert II, the representative of the main Clare line, was given the title of earl of Hertford.

From the death of Henry I until the late twelfth century, the earls of Hertford were overshadowed by the two Clare earls of Pembroke, Gilbert and Richard Strongbow. They again became important figures in politics in the reign of John. By that time their wealth and influence had increased through their acquisition of the barony of Saint Hilary and half the honour of Giffard. Although their estates were still limited to east and south-east England,

Richard III, by his marriage to Anice, the second daughter of William earl of Gloucester, had a nominal claim to the Gloucester earldom, although in 1176 William had made his third daughter Isabel sole heiress of his lands. It is likely that Richard's part in the opposition to John was at least partly due to the grievance that John kept the honour of Gloucester in his own hands after his divorce from Isabel. In 1199, the government was doubtful of Richard's loyalty to John, but he swore fealty to him at an assembly of barons at Northampton. Richard and his eldest son, Gilbert, surrendered charters as a pledge of faithful service in 1213, and, two years later, both were on the side of the barons, and were members of the committee of twenty-five to enforce Magna Carta. They took part in the civil war against John, the Clare stronghold of Tonbridge being captured by the king's forces in November, 1215; four months later Richard's lands were declared forfeit, and granted to Robert de Béthune. Gilbert was taken prisoner by William Marshal in 1217 at the battle of Lincoln. Both father and son made their peace with Henry III in 1217, the year of Richard's death.

The year 1217 constitutes the main turning-point in the history of this branch of the Clare family. As the only surviving descendant of earl William's three daughters, Gilbert III then succeeded to the earldom of Gloucester as well as to his father's earldom of Hertford. The family's landed wealth was more than doubled, and its influence was extended throughout the southern half of England. Gilbert acquired particularly valuable estates in the west of England, and he also became one of the principal lords in the Welsh Marches through his inheritance of Glamorgan and Gwynllwg. The

Gloucester earldom transformed the status of the family. It was now in the forefront of the English nobility, and, after the extinction of the Avranches earls of Chester in 1237, the Clares may fairly be described as the leaders of the baronage. When Gilbert IV married Joan of Acre in 1290, one chronicler called him the most noble and powerful magnate in the kingdom,¹ a description which may be applied with equal justice to Richard IV and Gilbert V.

It was in the time of Richard IV and Gilbert IV, in the second half of the thirteenth century, that the Clares reached the apogee of their power. After his participation in the events of 1215-1217, Gilbert III took no conspicuous part in politics; he died in Brittany on Henry III's French expedition in 1230. His eldest son, Richard IV, was then only eight years old, and did not receive seisin of his lands until 1243. Richard is the only one of the earls of whom we have a personal description; Matthew Paris wrote of him that in 1253: "Erat enim comes juvenis, elegans, facundus, providus, et legum terrae peritus, et talis per omnia, ut omnium Angliae nobilium [spes] in sinu ejus merito reponeretur, et omnium gratiam optineret et favorem".² He is the only one of the earls known to have gone on pilgrimage; in 1249 he went to the shrine of Saint Edmund Rich at Pontigny, and in the following year visited the shrine of Saint James of Compostella. He was fond of tournaments, and in 1252 went abroad to restore the honour of his brother William who had been worsted in one and lost his horses and arms;

1. Annales de Oseneia, in Annales Monastici, IV, p. 323.
2. Paris, Chronica Majora, V, p. 363.

the earl succeeded in recovering these and returned home with great credit. Matthew Paris recorded with glee that in the following year the earl and William de Valence had been soundly beaten in a tournament in honour of the marriage of the earl's son to Alice de la Marche, of which wedding Paris thoroughly disapproved; both men, he said, needed baths and poultices for a long time.¹

In the years before the outbreak of the Barons' Wars, Richard was often employed on diplomatic missions. He and John Mansel were sent to Edinburgh in 1255 to bring the king and queen of Scotland to Henry III, and to enlist the support of a new Scottish body of counsellors. In 1256 and early in the following year, he went to Germany on behalf of Richard earl of Cornwall who was elected king of the Romans in the spring of 1257. His attitude to the king is shown in his speech in the parliament of 1254, when he promised to help Henry III in Gascony if he were in personal danger, but refused aid for the conquest of new lands. He accompanied the queen to Gascony after the barons had been informed by Simon de Montfort that a war with Castile was out of the question.

The earl enjoyed a quasi-royal estate, and the marriages of some of his children were virtually royal alliances. In 1253 his eldest son, Gilbert IV, married Alice de la Marche, daughter of Hugh le Brun de Lusignan, count of la Marche and Angoulême, and niece of Henry III. Matthew Paris deplored the

1. ~~Ibid. p. 367.~~ Paris, Chronica Majora, V, p. 367.

marriage, saying that it was Richard's greed for Alice's dowry of 5,000 marks that made him consent to it. It is more likely that the earl was anxious for a royal alliance, and that Henry III hoped thereby to secure the support of the Clares. In 1258, the earl's eldest daughter, Isabella, was married to William, marquess of Montferrat in northern Italy; Richard gave her a dowry of 4,000 marks.

Richard is best known for his activities in the most critical years of the reign. He was one of the seven barons who in 1258 made a sworn compact to reform the state of the realm; he was a member of the committee of twenty-four to effect the reform, and of the council of fifteen. He and Simon de Montfort however were uneasy allies. The first split between them occurred in February, 1259, over the investigation of grievances by the justiciar; several of the magnates including Richard were anxious that their franchises should not be disregarded, and de Montfort accused Richard of going back on his promises. It was finally decided that grievances against seignorial bailiffs should be dealt with in the same way as those against officials of the Crown. Richard's objection may not have been serious, and the quarrel does not necessarily signify that he was permanently opposed to the Provisions of Westminster. The conduct of his bailiffs in East Anglia was in fact investigated in July, 1259, and no similar action is known to have been taken by any other magnate.

Richard spent much of 1259 negotiating the treaty of Paris, and he was present when it was ratified in December. He quarrelled again with de Montfort during the negotiations, and bitterly attacked his persistence in upholding his wife's interests. He remained with Henry III in France into

the spring of 1260, transferring his support to the king's side. The time which the barons had been allowed for the reform of the realm was now over, and Richard must have seen the necessity of restoring the king to power and handing over the government to him. After hearing disquieting rumours about the activities of Simon de Montfort and prince Edward, Richard was sent back to England in March, and it was he who was largely responsible for keeping the peace and preventing an outbreak of civil war until the king's return.

Richard probably presumed that Henry would continue to abide by the spirit of the Provisions. Undoubtedly it was the papal absolution of the king from his oath to keep the Provisions, published in July, 1261, which caused Richard to make a new alliance with Simon de Montfort. A baronial parliament was summoned to St. Albans in September. Richard, however, had no desire for civil war, and made his peace with the king. Simon could do little without his support; he therefore departed to France and did not return to England until after Richard's death.

Richard died in the following July, having turned the Barons' Wars to his own considerable advantage. The disturbances had enabled him to usurp franchises on a large scale on all his English estates. He was able to transform his custody of Portland, Wyke Regis and Weymouth into permanent possession. Moreover he received valuable grants from the king to secure his adherence. Henry once considered granting him return of writs in the honour of Clare, but this was never put into effect.¹ He was however given licences to fortify Portland, to build and fortify castles at Manhall in Walden (Essex) and Southwold (Suffolk), and to build walls round Southwold

1. See below, p. 194.

and Tonbridge.

Like Richard I, Richard IV left a family of eminent sons. Thomas and Bogo became almost as well known as Gilbert IV. Thomas was a friend of prince Edward; he helped him to escape from Simon de Montfort before the battle of Evesham, he accompanied him on crusade, and in 1272 he was sent to Gascony as Edward's special representative. Four years later, he was rewarded by the grant of Thomond in southern Ireland. His two sons, Gilbert and Richard, succeeded him there, but on Richard's death in 1318 his line became extinct. Bogo, who entered the Church, was the most notorious pluralist of the thirteenth century; at his sudden death in 1294, one chronicler described him as "multarum rector ecclesiarum, vel potius incubator",¹ and another wrote, "Si eius vita laudabilis fuerat, Deus novit, quia nulli imitabilis videbatur".²

Gilbert IV, the eldest son, was far more impulsive and hot-headed than his father. It was his wealth and power which largely determined the course of events in the second half of the Barons' Wars. Henry III's tactless treatment of him on the death of his father was probably the main reason why he joined Simon de Montfort. In July 1262, Gilbert had crossed to Boulogne to see the king about the redemption of his lands, but Henry at first refused to see him, and when he was prevailed on to grant an audience, Gilbert accomplished nothing. He was then only nineteen years old, and Henry was

1. Flores Historiarum, III, p. 93.

2. Annales de Wigornia, in Annales Monastici, IV, p. 517.

entitled to the custody of his lands; in view of Gilbert's reckless nature, however, the king made a serious mistake. Gilbert certainly supported Simon de Montfort on the latter's return to England in 1263, but not openly. He emerged in force on Simon's side in the spring of 1264 when he was present at the siege of Rochester, and played a prominent part in the king's defeat at the battle of Lewes; afterwards he was appointed one of the three electors of the council of nine.

In less than a year, however, dissension arose between him and Simon de Montfort. Jealousy of Simon and his sons was the root cause of his desertion; the tournament fixed for February, 1265, at Dunstable had to be called off, because it was feared that trouble would arise between Simon's sons and the Clares. The arrest and imprisonment of Robert Ferrers, earl of Derby, caused general alarm, and several chroniclers assert that Gilbert thought that he would be the next victim, and therefore withdrew to the Marches. The seriousness of his threat to Simon was doubled when he was joined by prince Edward who escaped from Simon's custody at the end of May. After campaigning in Wales and the West Country all the summer, they defeated the young Simon's forces at Kenilworth on 31 July, five days before their victory at the battle of Evesham.

Gilbert's position after the battle of Evesham was not enviable. Most of the Marcher lords - and Roger Mortimer in particular - who had been on the side of prince Edward since 1263 viewed him with dislike, whilst many of his friends who had not changed sides at the same time as himself suffered disinheritance. At the parliament of Winchester in the autumn of 1265

Gilbert insisted on the disinheritation of the rebels, but he soon came to advocate a more lenient course. His efforts on behalf of the disinherited culminated in his occupation of London in 1267. He had been summoned to London by the legate Ottobuono and arrived with an army on 8 April. To the legate's horror he was joined three days later by John d'Eyville and the disinherited from Ely who had known of Gilbert's plans. The legate withdrew to the Tower and later escaped to the king, whilst Gilbert fortified the city, and held it for two months. The occupation was finally brought to an end in June by an amicable settlement, not by the earl's defeat, and the king re-entered London on June 18. Gilbert's position was such that he was able to insist on the speedy enforcement of the Dictum of Kenilworth. Although it was a reckless action, and might have led to further war, the occupation hastened a general peace in England, and eased the plight of the disinherited.

It was almost inevitable after his record in the Barons' Wars that Gilbert and prince Edward should be hostile. At the end of his father's reign, Edward was afraid of Gilbert's power and wealth, and his ability to raise rebellion; when he was king himself he no longer feared him, though he sought opportunities to reduce his independence. The two men quarrelled in 1269, and a further dispute arose in 1270 over Gilbert's unwillingness to accompany Edward on crusade. Gilbert's plea of the necessity of defending his lands in Glamorgan against the attacks of Llywelyn ap Gruffyd was genuine, but Edward suspected that he would stir up trouble in his absence. In fact, Gilbert was the first to swear fealty to Edward on the death of Henry III.

Despite the notoriety of his quarrel with the earl of Hereford, Gilbert was not a conspicuous figure in Edward's reign. Apart from a mission to France in 1275 on royal business, he took little part in politics. He served the king in the Welsh Wars, and for a short time in 1282, before his defeat at Llandeilo Fawr, was captain in south and west Wales. His reputation was such however that in 1287 one chronicler thought that he was helping the Welsh.¹ Gilbert's marriage to Edward's second surviving daughter, Joan of Acre, on April 30, 1290, was a tribute to his status rather than to his good relations with the king; Edward I followed the policy of linking the great earldoms with the royal house.

By his first marriage to Alice de la Marche, Gilbert had only daughters, and he is said to have been divorced from her at Norwich in 1271. This divorce does not appear to have been official, however, for, when the agreement for his marriage to Joan was first drawn up in 1283, it was stipulated that he should obtain a divorce from Alice; this was finally settled in 1285 when lands were granted to her for life for her maintenance. Several circumstances conspired to delay the marriage to Joan; Edward I was absent in Gascony from 1286 to 1289, and the dispensation for the marriage, because of consanguinity between the parties, was not issued by Honorius IV until May, 1287.

At Easter, 1290, Gilbert swore to abide by Edward's ordinance regulating the succession by which prince Edward was to follow his father, and if he died

1. Annales de Oseneia et Chronicon Thomae Wykes, in Annales Monastici, IV, p. 311.

childless the throne was to pass to Edward I's daughters in order of age. Gilbert had to surrender all his lands so that he and Joan might be jointly enfeoffed by the king. The arrangements concerning the succession to the estates were much less favourable to Gilbert than had originally been agreed in 1283; they were to pass in the first place to the heirs of Gilbert and Joan, but if there were no children they were settled on Joan's heirs and not on Gilbert's. There is no evidence that Edward gave Joan any maritagium.

In spite of these drawbacks, the marriage to Joan marks the fulfilment of Richard IV's ambition for a royal alliance. It also provided Gilbert with a son and heir, Gilbert V, and with three daughters who each inherited one-third of the Clare estates in 1317. It is ironical that Gilbert's greatest humiliations should have followed shortly on the royal alliance. In 1291 and 1292 he was imprisoned for a short time for his offences in raiding the earl of Hereford's liberty of Brecon in defiance of the king's orders. In 1294, Gilbert with his wife and children were driven from Glamorgan by a sudden Welsh rebellion; he was deserted by most of his vassals and the revolt was suppressed by Edward I, the rebels being brought into the king's peace against the earl's will. Gilbert died soon after, in December, 1295.

Because of the joint enfeoffment of Gilbert and Joan, the lands were not taken into royal custody during the minority of Gilbert V, but remained under the control of the countess. They were in the king's hands only for a short time in 1297, after Joan's marriage to a mere knight, Ralph de Monthermer; the king who was negotiating for her marriage to Amadeus of Savoy was furious, although he later came to like and trust Ralph. Ralph was given the title

of earl of Gloucester and Hertford during his wife's lifetime, and he served the king well in the Scottish campaigns at the end of the reign.

Soon after the accession of Edward II, Gilbert V was granted seisin of his lands, although he was only sixteen years old. In character, he resembled his grandfather more than his father, being cautious in his political dealings. He was the childhood companion of Edward II, and became the brother-in-law of Peter Gaveston in 1307 when the latter married his second sister, Margaret. In the early part of Edward's reign he took little part in the opposition, remaining neutral when Gaveston was banished in 1308, and, although he joined the opposition in 1310 and was appointed one of the Lords Ordainers, he avoided his responsibilities by taking part in a Scottish campaign. In March, 1311, on the death of the earl of Lincoln, and again in 1313, he was made regent of England during the king's absence abroad; he was one of the few magnates whom the king could trust. On Gaveston's return in 1312, Gilbert was on the baronial side and was appointed to defend London and south-east England. However, he held himself aloof from the events leading to Gaveston's murder, and he afterwards acted as mediator between Edward and the earls.

Gilbert was slain at the battle of Bannockburn in 1314. According to the Vita Edwardi Secundi, he had advised the king not to join battle, but to let the army recuperate; Edward however rejected his advice, charging him with treachery and deceit. A dispute broke out between him and the earl of Hereford over their precedence in the line just before fighting began;

Hereford claimed it because he was constable of England, and Gilbert on the grounds of the custom of his ancestors. While they were arguing the Scots advanced; Gilbert dashed forward to seek the glory of the first encounter, and was almost immediately killed.¹

Gilbert left no children to succeed him; his only son John had been born and died in 1312. The lands therefore passed to the three daughters of Gilbert IV and Joan of Acre, Eleanor, Margaret and Elizabeth. Although it was not as complicated as the division of the Marshal lands in 1247, the council clearly dreaded making the partition, and postponed it on the grounds of the countess Matilda's possible pregnancy far longer than was justifiable. It is hardly surprising that the heirs became impatient, and in 1315 Hugh le Despenser the younger, Eleanor's husband, seized the honour and castle of Tonbridge. The partition was finally made in 1317. All the husbands of the heiresses then belonged to the predominant Middle Party; Margaret had married Hugh d'Audley, and Elizabeth Roger d'Amory. In England, the honour of Gloucester was divided between Eleanor and Margaret, except for the Dorset manors which were assigned to Elizabeth; Margaret became lady of Tonbridge, and Elizabeth succeeded to the honour of Clare as the main part of her inheritance. In Wales, Glamorgan was granted to Eleanor, Gwynllwg to Margaret, and Usk to Elizabeth. All three received a share of the Clare lands in Ireland. It is noteworthy that Edward II did not dare to give the

1. Vita Edwardi Secundi, ed. N. Denholm-Young, pp. 52-3.

title of earl to any of the heirs.

Throughout their history, the Clares were prominent in politics, and were among the most important members of the English baronage. They were allied by marriage to most baronial families. It was dangerous for the Crown to lose their support, as is illustrated by the events in the reigns of John and Henry III; Edward I was strong enough to humiliate Gilbert IV, but had Gilbert been alive in 1297 he would undoubtedly have been in the forefront of the opposition. Obviously, an earl's political activities partly depended on his character and on circumstances. His place in the political field however depended especially on his landed wealth and power; by the early fourteenth century the earl received an income of over £6,000 a year from his lands. The Clare estates had been built up in slow stages throughout the early Middle Ages until they were to be found in most of the counties in the southern half of England, and extended to south Wales and Ireland. The sphere of influence of the last three Clare earls was therefore immense, and they can rightfully be described as the greatest subjects of the king.

CHAPTER I.

THE ESTATES OF THE CLARE FAMILY IN DOMESDAY BOOK WITH SPECIAL REFERENCE TO THE DEMESNE LANDS.¹

Richard son of count Gilbert of Brienne, the founder of the Clare family, remained high in the favour of William the Conqueror throughout his reign, and by 1086 had been rewarded by the grant of extensive estates in eastern and southern England. He had not held all these lands from the time of the Conquest; Domesday Book probably conceals many changes of tenure which had taken place earlier in William's reign, and it would appear from scattered indications that Richard did not acquire his land in eastern England until several years after 1066. Most of his manors were presumably granted to him by the king; Sir Frank Stenton has remarked that the Norman settlement "never degenerated into a scramble for land".² Yet Richard, like the better-known Norman baron, Odo of Bayeux, had no scruple about appropriating the holdings of others. This is particularly obvious in Kent where he encroached on the lands of the archbishop of Canterbury and the bishop of Rochester, and in Essex and Suffelk where freemen and sokemen were powerless to oppose him.

Richard's most important possessions in 1086 were the honours of Tonbridge and Clare, comprising land in twenty-seven villages in Kent,

1. The subinfeudated lands will be considered in conjunction with the twelfth and thirteenth century evidence, in order to trace the development of the knights' fees.
2. F.M. Stenton, Angle-Saxon England (1947), p. 618.

thirty-four in Surrey, fifty in Essex, and eighty-five in Suffolk.

Altogether, he held land in ten counties, and his wife Rohais was a tenant-in-chief in two others.¹ It has been pointed out that the lords who were most often at court were also those who possessed lands in the greatest number of counties, since the king had much to gain from extending the influence of the barons in whom he had special confidence;² in six of the counties where he held land, however, Richard's holdings were negligible.³

Richard's estates can be compared with those of other lords on the basis of Domesday values. Maitland, Round and Ballard considered that the values represent the actual produce and money received by the lord of the

1. Dom. Bk. I, f. 142b, 207a; Rohais had Standon in Hertfordshire and Eynesbury in Huntingdonshire. It is not clear why she was holding in chief; there does not appear to be any obvious connection between her and her predecessors, Robert son of Wimar, and archbishop Stigand. Possibly it was her dower land, since in 1113 she granted the manor of Eynesbury to the priory of St. Neets which her husband had taken away from the abbey of Ely and re-established with monks from Bec. (Mon. Ang. III, p. 473.)
2. Stenton, *op. cit.* p. 620.
3. He was lord of Lympstone, Devon (Dom. Bk. I, f. 113a); Sutton Mandeville, Wiltshire (*Ibid.* f. 72a); Worth, Sussex (*Ibid.* f. 34b; this was included in the Survey of his Surrey lands); Harefield, Middlesex, (*Ibid.* f. 130a); and Eaton Seccon, Bedfordshire (*Ibid.* f. 216a). In Cambridgeshire, he held land in Papworth St. Agnes, Harseheath, West Wickham, and Whaddon, but it only amounted to three virgates. (*Ibid.* f. 196b).

holding;¹ this hypothesis is supported by frequent inexplicable rises in value during William I's reign, notably on the Essex lands. The totals are necessarily approximate because of the differences between the values of gold and silver, and between the pound reckoned by tale or weight, blanchéd money, and rents in kind valued in money. Moreover, there are a few emissions in Domesday, notably the manor of Tenbridge in Kent. Woodland is often valued in terms of swine, either the number for which there was fodder, or the number rendered to the lord as pannage.² The values given in the table are for the holdings that Richard held in 1086; the few encroachments which were then in the king's hands have not been included. The usurpations only include those found in the Domesday lists of Invasiones which are probably not complete.

1. F.W. Maitland, Domesday Book and Beyond, (1907), p. 413.
J.H. Round, "Introduction to the Essex Domesday", in V.C.H. Essex, I, p. 364. A. Ballard, The Domesday Inquest, (1906), p. 237.
2. Pannage was rendered for the mast in the woods on which the swine were fattened.

The value of the estates of Richard fitz Gilbert in 1086.

		<u>Demesne</u>	<u>Subinfeudated</u>
		£. s. d.	£. s. d.
Deven.			8. 0. 0.
Wiltshire.			6. 0. 0.
Sussex.			1. 0. 0.
Middlesex.		12. 0. 0.	
Cambridgeshire.			16. 0.
Bedfordshire.			11. 0.
Hertfordshire.		34. 0. 0.	
Huntingdonshire.		21. 0. 0.	5. 10. 0.
Kent.	In chief.	24. 0. 0.	
	Of Odo of Bayeux.	42. 0. 8.	
	Of the archbishop.	38. 18. 6. (1)	
	Of the bishop of Recheſter.	2. 12. 0.	
	<u>Total</u>	<u>107. 11. 2.</u>	
Surrey.		<u>78. 1. 9.</u>	<u>161. 12. 4.</u>
Essex.	Demesne land of Wiſgar, T.R.E.	83. 0. 0.	33. 10. 0.
	Demesne land of Phin, T.R.E.	4. 0. 0.	15. 0. 0.
	Lands of freemen etc.	41. 11. 9.	64. 7. 2.
	Uſurpations.	10. 19. 3.	26. 14. 0.
	<u>Total</u>	<u>139. 11. 0.</u>	<u>139. 11. 2.</u>
Suffolk.	Demesne land of Wiſgar, T.R.E.	137. 17. 0.	-
	Demesne land of Phin, T.R.E.	3. 17. 0.	-
	Lands of freemen etc.	67. 10. 1.	74. 6. 6.
	Uſurpations.	10. 2. 6.	18. 0.
	<u>Total</u>	<u>219. 6. 7.</u>	<u>75. 4. 6.</u>
<u>Total</u>		<u>611. 10. 6.</u>	<u>398. 5. 0.</u>

Sum total: £1,009. 15s. 6d.

1. This total would amount to 2d. more if the value for Meepham in the Domesday Monachorum of Christ Church Canterbury, ed. D.C. Douglas, p. 94, were preferred to the figure of 18s. 6d. in Dom. Bk. I, f. 4b.

Richard was in fact one of the wealthiest tenants-in-chief in England in 1086. Apart from William I's two half-brothers, Odo bishop of Bayeux and Robert count of Mortain, whose estates were together worth £5,050, Corbett has reckoned that there were only eight baronies worth over £750 a year.¹ In order of wealth, these were held by William fitz Osbern, Roger of Montgomery, William of Warenne, Hugh of Avranches, Eustace of Boulogne, Richard himself, Geoffrey bishop of Coutances, and Geoffrey de Mandeville. Richard had certainly bettered his position by coming to England in 1066, and he had obtained considerably more land than his brother Baldwin whose estates only amounted to £321 a year.² The proportion of demesne to subinfeudated land varied widely from county to county, but, of the whole, approximately one-third was held by his mesne tenants. In an examination of Oxfordshire estates, R. Lennard came to the conclusion that between one-third and two-thirds of the land was subinfeudated;³ presumably Richard's extensive lands enabled him to provide for his quota of knight service without excessive subinfeudation.

In the eleventh century, the honour of Tonbridge comprised lands in Kent and Surrey.⁴ The table of Domesday values shows clearly that the two

1. W.J. Corbett, "The Development of the Duchy of Normandy and the Norman Conquest of England", in Cambridge Medieval History, V, pp. 508, 510-11.
2. S. Painter, Studies in the History of the English Feudal Barony, p. 17.
3. R. Lennard, Rural England, 1086-1135, p. 50.
4. See below, p. 218 for later changes.

counties were treated as a unit; all the land in Kent was retained in demesne whilst in Surrey an unusually high proportion was held by mesne tenants. According to Round, a large part of Surrey was treated as an appanage of Kent, and the Surrey estates of Ode of Bayeux as well as of Richard were granted to enable these lords to provide for the defence of Kent and to secure the approach to London.¹

In view of the reductions of geld assessment and the great decrease in value of the Surrey lands at the time when Richard received them, it appears likely that he acquired the honour soon after the battle of Hastings. The fall in value of many of the manors was largely due to William's march from Hastings to London, and to the accompanying devastation by which the Normans probably hoped to hasten the submission of the English.² It is not clear how far the devastation accounted for the reduction in assessment; Round thought it equally possible that William I's followers extorted from him a remission of their geld obligations in the early days of the Conquest.³

1. J.H. Round, "Introduction to the Surrey Domesday", in V.C.H. Surrey, I, p. 280.
2. F.H. Baring, "The Conqueror's Footprints in Domesday" in E.H.R. 1898, XIII, pp. 17-25. This view was accepted by F.M. Stenton, Anglo-Saxon England, (1947), p. 588. Surrey was not affected by the later troubles William's reign, so that the devastation cannot well be later.
3. J.H. Round, "Danegeld and the Finance of Domesday", in Domesday Studies, ed. P.E. Dove, I, p. 113. The reduction is only found in Surrey, Sussex, Hampshire and Berkshire, by no means in all the counties where there was devastation.

Richard was certainly lord of the honour before the trial at Penenden Heath in 1075 or 1076, since in one of the accounts of the case he is named Richard de Tonbridge.¹

In Kent, at the time of the Survey, Richard only held Yalding and East Barming in chief, and the rest of his lands as a sub-tenant, but it is most likely that he held more estates in chief earlier in the reign.² It is interesting to find that he held land of both the archbishop of Canterbury and of Ode of Bayeux. Kent under William I was a "welter of dispute" with Ode leading the opposition to Lanfranc;³ the issue was finally determined by the revolt of 1088 when Richard's son, Gilbert I, sided with Ode against William II. It is fortunate that Domesday Book can here be supplemented by the Domesday Monachorum and by charter evidence, since Domesday Book conceals the extent to which Richard encroached on Church lands. Ode was undoubtedly the greatest culprit in the spoliation of ecclesiastical property, but Richard was closely associated with some of his encroachments.

Although the banlieu of Tonbridge is often mentioned in Domesday Book and the Domesday Monachorum, neither source gives any account of Tonbridge itself, the family's stronghold in the south-east and the caput of the Kent

1. H. Wharton, Anglia Sacra (1691) I, p. 335. Richard probably obtained Tonbridge before his other stronghold of Clare, since the surname of Tonbridge is quite frequently used in the late eleventh century, whilst that of Clare was not usual until the twelfth.
2. See below, p. 37 .
3. The Domesday Monachorum of Christ Church, Canterbury, ed. D.C. Douglas, p. 32.

and Surrey lands, which lay in the scantily populated Weald; one historian has placed it in the manor of Hadlow,¹ but this is unlikely, as Richard held Hadlew of Ode, and Tonbridge was later held of the archbishop. The banlieu in the Domesday Survey comprised a collection of dens, and its primary purpose at this time was the maintenance and defence of the castle.² It is most probable that several of the small holdings had been obtained by encroachment. At first sight, it appears that the manors where Richard held lands lay at a considerable distance from Tonbridge, but these places would have outlying pasture in the Weald which could be easily appropriated.

Two different accounts exist of the acquisition of Tonbridge and its banlieu. According to the chronicle of William of Jumièges, Richard received it as compensation for the castle of Brionne, which had been held by his father but never restored to him, and the banlieu of Brionne was measured in order to ensure that he received the same amount of land at Tonbridge;³ the king is not mentioned, but such an exchange, involving the abandonment of a claim to part of the ducal demesne would be bound to be a royal act. The Tintern Abbey Genealogia on the other hand states that he obtained it by

1. E.S. Armitage, The Early Norman Castles of the British Isles, p. 220.
2. W.V. Dumbreck, "The Lowy of Tonbridge", in Archaeologia Cantiana, LXXII, 1958, pp. 142, 147.
3. Guillaume de Jumièges, Gesta Normannorum Ducum, ed. J. Marx, p. 289. This episode was one of the interpellations by Robert de Terigny. The banlieu is once styled a castellany, in the account of Darenth in The Domesday Monachorum of Christ Church, Canterbury, ed. D.C. Douglas, p. 88.

exchange with the see of Canterbury.¹ The combination of these accounts in the Victoria County History, where it is stated that the exchange with the archbishop was the castle of Brienne, is not feasible, since Brienne was then part of the ducal demesne.² The Tintern account is supported by the fact that in the thirteenth century the banlieu was held of the archbishop. Moreover, Gilbert I, Richard's son, owed a service of four knights to the archbishop according to a list compiled in the early years of Anselm's primacy.³ This service must have been due from the banlieu, as nearly all Richard's holdings of the archbishop in Domesday were said to lie within it,⁴ and it is interesting to find that in 1258 the archbishop renounced his claim to a service of four knights from the banlieu.⁵ One important factor however indicates that this was a royal grant. Tenbridge formed a fortified point on the upper Medway between the castles of the rapes of Sussex, Hugh de Montfort's castle of Saltwood and Dover Castle, and William would be anxious to have this position defended by one

1. Mon. Ang. V, p. 269.
2. N. Neilson, "Introduction to the Kent Domesday", in V.C.H. Kent, III, p. 191.
3. The Domesday Monachorum of Christ Church, Canterbury, ed. D.C. Douglas, pp. 63-4, 105. The list was drawn up after Dec. 1093, and before the end of 1096.
4. Only East Peckham, worth £4, was not said to belong to the banlieu either in Domesday Book or the Domesday Monachorum. This may be an accidental omission, as some places are said to belong to the banlieu in one source, and not in the other.
5. P.R.O. C.47/9/59.

of his chief lords.¹

Possibly this case is similar to those cited in the Bury documents when William I prevailed on the abbot to enfeoff one of his men.² It is most likely however that the grant of Tonbridge was similar to that of Saltwood, although there is no evidence on the subject in the litigation of William I's reign. Saltwood was granted to Hugh de Montfort by the Conqueror, but was recovered by Lanfranc at the trial of Penenden Heath; in 1086 it was held by Hugh of the archbishop together with 225 burgesses of Hythe by the service of two knights.³ A similar account of Tonbridge would bear out the main statements of the two authorities; with regard to the exchange of lands, the Tintern writer might have been thinking of Richard's grants to the abbey of Le Bec with which Lanfranc was closely connected.

In the banlieu, Richard held land of the archbishop of Canterbury, of the bishop of Rochester, and of Odo bishop of Bayeux. He held only two manors in chief of the king in Kent, East Barming, which was worth £4 in 1086,⁴ and Yalding. According to Domesday Book, Yalding had been worth £30 in the time of king Edward, but in 1086 it was only worth £20, because

1. N. Neilson, "Introduction to the Kent Domesday", in V.C.H. Kent, III, p. 191.
2. Feudal Documents from the abbey of Bury St. Edmunds, ed. D.C. Douglas, pp. xcv-vi. Professor Douglas concluded that William's endowment of his followers with land comprised not only grants of land to be held in chief, but also gifts of estates carved out from Church lands.
3. The Domesday Monachorum of Christ Church, Canterbury, ed. D.C. Douglas, p. 67.
4. Dom.Bk. I, f. 14a.

the land had been despoiled of stock.¹ Without supplementary evidence there would be no suspicion that the manor had been obtained by encroachment. It was not mentioned in the trial at Penenden Heath, but is referred to in a document drawn up by a royal clerk in 1078 or 1079. The relevant entry reads, "Pimpe et Chinton et Uestyaldingis Adralredus de archiepiscopo tenebat. Et modo Richardus habet."² In 1086 Pimp was held by Adam and Bayner of Odo of Bayeux,³ and Yalding continued to be held in chief by the Clare family in the twelfth and thirteenth centuries. This account points to close association between Richard and Odo, and also to the changes in land tenure which must have taken place during the Conqueror's reign.

The charters concerning the lands held of the bishop of Rochester provide a complete account of appropriation and recovery. In Domesday Book, Richard held land of the bishop in Southfleet, Stone, Halling and Frindsbury of a total value of 52s;⁴ no hint of encroachment was given. It is therefore of especial interest to find an agreement between bishop Gundulf of Rochester, and Richard's son, Gilbert I, made in the presence of archbishop Lanfranc;⁵ it can be dated fairly precisely between 1087, and

1. Dom.Bk. I, f. 14a.
2. D.C. Douglas, "Odo, Lanfranc and the Domesday Survey", in Historical Essays in honour of James Tait, pp. 52-4. These places are now Pimp in East Farleigh and West Yalding. "Chinton" has no modern equivalent, but was probably situated near Yalding.
3. Dom.Bk. I, f. 8b.
4. Ibid. f. 5b. The list in the Domesday Monachorum omits Stone.
5. Textus Roffensis, ed. T. Hearne, p. 149.

Lanfranc's death in 1089.¹ It stated that, by the judgement of the archbishop, Gilbert was to give the bishop 50s. a year for the land which he held belonging to Rochester cathedral; this rent was to be paid until Gilbert gave the bishop an equivalent amount of his own land. Presumably, Richard had usurped the land in the first place, and Lanfranc was acting as mediator on behalf of Rochester. The next step in the matter is shown in a charter in the Registrum Roffense.² At the wish and with the consent of archbishop Anselm, Gilbert granted and confirmed to Rochester cathedral the church of Rotherfield in Sussex and the chapel of Frant which belonged to it, with all lands, tithes, oblations and appurtenances; he also promised one stag at the feast of Saint Dionysius, some land which was to be quit of all service due to him, and he agreed that the son of one of his men should be a monk at Rochester. Moreover, Gilbert recorded that he had given back the cathedral's lands which lay in the banlieu of Tonbridge.

1. The Domesday Monachorum of Christ Church, Canterbury, ed. D.C. Douglas, pp. 39-41; Richard retired from the world, probably to the monastery of St. Neots, in 1087, or very shortly after the death of William I. He did not witness any of the surviving charters of William II, and had presumably been replaced in his lordships by his son Gilbert by April, 1088, when Gilbert was holding Tonbridge castle against William II.
2. Registrum Roffense, ed. J. Therpe, pp. 590-1. A royal confirmation charter (Textus Roffensis, ed. T. Hearne, p. 160) shows that the grant was made in the reign of William II. It must have been drawn up between Anselm's consecration as archbishop on 4 December, 1093, and November, 1097, when Anselm left England for Rome.

Richard was one of the largest landowners in Surrey, and his estates lay in eleven hundreds.¹ In comparison with Kent, Essex and Suffolk, little is heard of appropriations.² He had little land in the south of the county, which would have been covered by the Weald in 1086, but his manors were scattered over the rest of the shire with no concentration in any particular area. The Conqueror's grant to Richard must have actually named the manors which he was to have, for these had been held by a large number of men in the time of king Edward. Altogether twenty-four different names are given for Richard's predecessors, and it is likely that two or more people had the same name.³ It should not be assumed that the lands of a single Saxon thegn or freeholder passed to one Norman lord; most of the lands of the Kentish noble, Bricci Cild, passed to Odo of Bayeux, but Richard obtained his Surrey manor of Stoke Dabernon. Some of the holders in the time of king Edward were able to seek what lord they pleased, but it is not clear whether this applied to their land or only to themselves.⁴ In the instance

1. The hundreds of Tendridge, Brixton, Reigate, Wallington, Copthorne, Emleybridge, Kingston, Effingham, Blackheath, Woking and Wotton. J.H. Round, "Introduction to the Surrey Domesday", in V.C.H. Surrey, I, p. 280.
2. Land was possibly usurped at Apps Court (Dom. Bk. I, f. 35a), and at Wotton (Ibid. f. 35b); and there were three cases where Richard's title was in dispute, (Ibid. f. 35a,b).
3. In addition, an unnamed freeman is entered as a predecessor at Effingham, (Ibid. f. 35b), "another homager" at Immerworth, (Ibid. f. 35a), two brothers at Shalford, (Ibid. f. 35b), and nine thegns at Apps Court (Ibid. f. 35a).
4. E.g. at Apps Court (Dom. Bk. I, f. 35a), and Shalford (Ibid. f. 35b).

of the four men of West Betchworth who were attached to Richard's demesne manor of Thorncroft in Leatherhead, and were so free that they could seek any lord, it is probable that this only comprised personal commendation;¹ their land would come under the jurisdiction of the lord of Thorncroft. Few examples have been found of men being able to put their land under any lord they pleased.²

Richard's demesne manors in Surrey and elsewhere may be examined in the light of R. Lennard's conclusions from the great Oxfordshire estates.³ He found that the most valuable manors were retained by the lords; the governing consideration was their value, and little effort was made to keep in demesne manors which were geographically concentrated. Richard's demesne lands lay in central Surrey, but by no means formed a compact block. The reduction in their geld assessments varied greatly; Baring considered that the assessments of demesne manors were possibly the most drastically reduced,⁴ but on Richard's estates the reductions were frequently as sweeping on subinfeudated as on demesne lands. The most valuable estate to be held in demesne was Bletchingley which continued to be an important demesne manor

1. ~~Ibid. f. 35b.~~ Doms. Bk. I, f. 35b.
2. E.g. at Apps Court (Ibid. f. 35a), Ockley (Ibid. f. 35b) and Wotton (Ibid.)
3. Lennard, *op.cit.* p. 51.
4. F.H. Baring, Domesday Tables, p. 6.

throughout the twelfth and thirteenth centuries. It was surveyed in two parts in Domesday, Bletchingley itself and Chivington in Bletchingley.¹ In both places the geld assessment had been drastically reduced, at Chivington from twenty hides to six, and at Bletchingley from ten hides to three. They had dropped in value considerably after the Conquest, and no startling rise is found in 1086. Chivington had fallen from £11 in the time of king Edward to £6, and was worth £10 at the time of Domesday, and Bletchingley from £13 to £8 and had risen to £12. It is interesting to find that land worth 73s. 4d. was held by three Norman sub-tenants, and a further half hide by Roger; this practice of assigning small holdings to Norman retainers on principal demesne manors has been pointed out by Round, and other instances will be seen later.²

The other demesne manors were considerably less valuable, and there seems to have been no idea of retaining in demesne all the holdings in one place in order to make the manor as valuable as possible.³ At Stoke

1. Dom.Bk. I, f. 34b.
2. J.H. Round, "Introduction to the Essex Domesday", in V.C.H. Essex, I, p. 386. See below, p. 48.
3. In descending order, the other demesne holdings were Walton Leigh, worth £14, with an additional £4 for land in Apps Court (Dom.Bk. I, f. 35a); Woodmansterne (Ibid.) and Betchworth (Ibid. f. 35b), £8 each; Thorncroft in Leatherhead together with lands in Betchworth £7. 10s. (Ibid.); Stoke Dabernon (Ibid. f. 35a) and Ockham (Ibid. f. 35b) £5 each; ?Hartshurst in Wotton, 45s. (Ibid.); "Dritcham", 40s. (Ibid.); and one hide probably in Long Ditten, 6s. 9d. (Ibid. f. 35a). This hide was held by Almar who also held Long Ditten T.R.E. Malden thought that this hide was adjacent to Long Ditten but in the next hundred. H.E. Malden, "The Text of the Surrey Domesday" in V.C.H. Surrey, I, p. 316.

Dabernon, Richard amalgamated the fifteen hides of Ericsi Cild and the five hides of Othe,¹ but at Apps Court, Richard held six hides, while Picet held one hide of him worth 17s;² and in Hartshurst in Wetton Richard held two hides,³ and Corbelin one hide of him in Wetton itself, worth 10s.⁴ Moreover, Richard by no means kept all the most valuable places in his own hands. Shalford which was worth £20 in 1086 was held by Robert de Watevile,⁵ Tandridge, worth £11, by the wife of Salie,⁶ Beddington, worth £10, by Robert de Watevile,⁷ two holdings in Chelsham, worth £15, by Robert de Watevile,⁸ and Albury, worth £9, by Roger.⁹

In complete contrast to the Surrey estates, Richard inherited his lands in Essex and Suffolk from only two predecessors, Wisgar, son of Aelfric, an Essex thegn, and Phin the Dane. The two counties present several similar features, and the estates form a fairly compact block, being situated in north-west Essex and in the modern division of West Suffolk, mostly to the south of a line drawn from Bury St. Edmunds to Newmarket. The centre of

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| 1. <u>Dom. Ek.</u> I, f. 35a. | 6. Ibid. f. 34b. |
| 2. Ibid. | 7. Ibid. f. 34b - 35a. |
| 3. Ibid. f. 35b. The identification of Hartshurst is not certain. | 8. Ibid. f. 34b. |
| 4. Ibid. f. 36b. | 9. Ibid. f. 35b. |
| 5. Ibid. f. 35b. | |

Richard's influence in Suffolk lay in Risbridge hundred, and in Essex in the hundred of Hinckford.¹ Wisgar's estates were by far the more valuable, and he had rights of lordship over a greater number of freemen and sokemen. Richard did not inherit all Phin's land; the manor of Cheddington in Buckinghamshire was divided between Robert d'Oilgi and Suerting,² and Phin's widow was holding two Essex manors in 1086, of which one at least had previously been held by her husband.³

1. Richard's Essex lands lay in the hundreds of Hinkford, Tendring, Harlow, Dunmow, Lexden, Freshwell and Rochford, and his Suffolk lands in the hundreds of Risbridge, Samford, Babergh and Cosford on the Essex border, and in the hundreds of Thingoe, Thedvastre, Lackford, Blackbourn, Hartismere, Bosmere, Claydon, Stow, and Wilford, and the borough of Ipswich. Most of his land in Suffolk was situated in the Liberty of the abbey of Bury St. Edmunds, in which the abbey held all the special pleas of the Crown, known in Domesday as the six forfeitures. The Liberty covered 8½ hundreds, namely Thingoe, Thedvastre, Blackbourn and Bradmere (known as the double hundred of Blackbourn from the twelfth century), Lackford, Risbridge, the double hundred of Babergh, and the half-hundred of Cosford. Several disputes broke out between the abbey and the Clares in the twelfth and thirteenth centuries.
2. Dom. Ek. I, f. 149b, 153a.
3. Ibid. II, f. 98a, b. Pitsea and Latchingdon, the second place being previously held by Phin.

Both Wisgar and Phin continued to hold most of their lands after the Conquest.¹ Clare itself, which was possibly the caput of Aelfric's estates,² was seized by William after he came to England;³ this is at first sight surprising, as the manor had been given by Aelfric to the collegiate church which he had founded at Clare,⁴ but it is likely that the grant did not include the whole manor. Possibly William was anxious to minimise the risk of rebellion by taking fortified places into his own hands; perhaps he seized it as a guarantee of Wisgar's good behaviour.

There is no indication of how or when Phin lost his lands. With regard to Wisgar, the list of Suffolk encroachments refer at one point to his agreement with Richard,⁵ and at another to his forfeiture.⁶ Possibly the lands were confiscated after the rebellion of 1069; this series of confiscations has been described as completing the depression of the English

1. E.g. Dom. Ek. II, f. 393b-394a; Ringsett: to this place Phin added T.R.W. 3 freemen with 20 acres. Ibid. f. 448a; Cornard: Alurie Campe held 2 freemen under commendation only, in St. Edmund's soke, T.R.E. But after king William came, Wisgar encroached, before the agreement with Richard who now holds. And the freemen had 2 carucates of land and 40 acres.
2. J.H. Round, "The family of Clare", in Archaeological Journal, LVI, 1899, pp. 229-30.
3. Dom. Ek. II, f. 389b.
4. B.M. Add.MS. 14, 847, f. 20. Aelfric's foundation was re-established in Clare castle in 1090 by Gilbert I, and was moved to Stoke by Clare in 1124 by his son Richard.
5. Dom. Ek. II, f. 448a.
6. Ibid.

interest in the south.¹ It is tempting in Wisgar's case to imagine that he lost his lands during the rebellion of the earls in 1075, when Richard was acting as one of the justiciars in the king's absence; according to Orderic, he fought against Ralph Wader in East Anglia, and took part in the siege of Norwich.² This would explain Wisgar's forfeiture, and why an agreement was made with Richard; if the king had been in England the agreement would surely have been made with him.

The most striking features of these lands in Domesday are the extremely valuable demesne manors at one end of the scale, and at the other the numerous small holdings of freemen and sokemen over whom Richard inherited a variety of rights. All of these rich demesne manors had been held previously by Wisgar.³ There were seven in all, Clare, Ipswich, Hundon, and Desning in Gazeley in Suffolk, and Thaxted, Great Bardfield and Little Sampford in Essex. To them must be added the manor of Standon in Hertfordshire, held by Richard's wife Rohais in 1086, but always regarded as part of the honour of Clare. Clare itself headed the list of Richard's

1. F.M. Stenton, Angle-Saxon England, (1947), p. 617.
2. Orderici Vitalis, Historiae Ecclesiasticae, ed. A. le Prevost, II, pp. 262-3.
3. Wisgar's less valuable holdings comprised 1½ carucates in Tuddenham rendering 50s; 30 acres in Barton worth 3s; 1½ hides and 30 acres in Panfield worth £10; 1 hide in Little Bentley worth 50s; 4 hides less 30 acres in Hempstead worth £16. The first two places are in Suffolk, the rest in Essex.
Phin's manors consisted of 2½ hides in Langham worth £12 T.R.E. and £15 in 1086; 1½ hides in Barrow Hall worth 40s. T.R.E. and £4 in 1086. (Both of these are in Essex.) 13 burgesses in Ipswich; and a holding of 23 acres in Shelland worth 5s. in 1086.

Suffolk lands,¹ and a castle of the motte and bailey type had been built by 1090.² The place was developing as a small seignorial borough; there had been a market in the time of king Edward, and forty-three burgesses lived there in 1086 and may have been newcomers since the Conquest.³ The manor was worth £40 both before the Conquest and in 1086; in view of the fall in the number of ploughs from forty-eight to thirty-one, it may be assumed that Richard had increased rents and dues. The only other borough in which Richard inherited land was Ipswich, where Wisgar had held Saint Peter's Church to which belonged six carucates of land.⁴ Richard's possession had apparently been disputed, as a later entry referred to the time when Richard made good his claim to the church against bishop Herfast of Thetford (1070-85).⁵ Some of the land was in dispute in 1086,⁶ but the half hundred of Ipswich testified that it belonged to the church before the Conquest and that Wisgar held it. The whole manor had then been worth 100s. but had risen to £15 by 1086.

1. Dom. Bk. II, f. 389b.
2. B.M. Cotton MS. Appendix xxi, f. 63v.
3. F.W. Maitland, Domesday Book and Beyond, (1907), p. 214.
4. Dom. Bk. II, f. 392b - 393a. Moreover Richard held thirteen burgesses over whom Phin had various rights of lordship before the Conquest.
5. Dom. Bk. II, f. 394 a, b.
6. Roger Bigot the sheriff claimed 100 acres, 5 villeins and a mill as belonging to the royal manor of Bramford.

On all the demesne manors, it may be assumed that Richard had increased rents and dues, as at Clare, and was exploiting their resources to the full. It is often stated that the number of ploughs had fallen while the value remained the same or increased, or that conditions had remained constant and values risen. For instance, at Hundon, the number of ploughs had dropped from forty to thirty, but the value of the manor had risen from £30 to £40. 4s.¹ At Great Bardfield the plough-teams had decreased from twenty-five to thirteen, but at the time of the Survey the manor was worth £16, the same amount as before the Conquest.² There was a similar drop from twenty-four to thirteen ploughs at Little Sampford, but the value had risen from £12 to £17.³

As on the Surrey lands, a small portion of the demesne manor had frequently been subinfeudated. At Hundon, Hame held of Richard one sokeman with one carucate worth 20s.⁴ Three sokemen at Thaxted with two hides and fifteen acres, worth £6, were held of Richard by Garner.⁵ In Little Sampford, two Frenchmen held 1½ hides; this holding was not given a separate valuation.⁶ One hide in Bardfield worth 20s. was held of Richard by Wielard; it had been held before the Conquest by two servants of Wisgar.⁷ Richard had here added

1. Dom. Bk. II, f. 389b - 390a. The Domesday entry probably included a dependent hamlet, as two churches were mentioned in the same entry.
2. ~~Dom. Bk. II, f. 41a.~~ Ibid. f. 41a.
3. ~~Dom. Bk. II, f. 41a, b.~~ Ibid. f. 41a, b.
4. Ibid. f. 390b.
5. Ibid. 38b.
6. Ibid. 41b.
7. Ibid.

to and consolidated his demesne land; he had encroached on one hide and thirty acres which had not belonged to his predecessor; this land had been worth £4 before the Conquest, but was only valued at 60s. in the Survey.¹

It has recently been shown that in 1086 firmarii were renting large and valuable demesne manors over a great part of southern England.² Two of Richard's manors were farmed in this way. At Desning, the state of the manor was apparently the same as it had been before the Conquest, but its value had risen from £30 to £40.³ Richard had in fact given it to a reeve to farm for £65, but the manor could not sustain it. At Tharted the number of ploughs had dropped from forty-two to twenty-five.⁴ In the time of king Edward it had been worth £30, but Richard had given it to an Englishman on lease at £60, and he lost at least £10 every year. The French and English of the hundred⁵ agreed that the present value was £50. With reference to

1. Ibid. f. 102b. Dom. Bk. II, f. 102b.
2. Lennard, op.cit. p. 152.
3. Dom. Bk. II, f. 390a. Two churches were entered here as at Hundon. It had a berewick of five carucates at Cavenham (ibid. f. 391b - 392a); a berewick is an estate, often of considerable size, which from the administrative point of view was an outlying member of a manor. It had a further carucate in Lakenheath (ibid. f. 392a). Several sokemen were attached to Desning (ibid.): 2 at Mildenhall with 60 acres who could not sell their land, 3 at Herringswell with 60 acres, and 4 at Wangford with one carucate which was separately valued at 10s.
4. Dom. Bk. II, f. 38b. Ibid. f. 38b.
5. The men of the hundred were represented before the Domesday Commissioners by foreigners and natives in equal proportions.

the Englishman found at Thaxted, it is interesting to find that the three reeves of Richard's mentioned in the Essex Domesday were all English.¹ Nothing can be deduced concerning their duties, as the words gerefa and prepositus covered many types of official.² It may be supposed that in the exploitation of his lands Richard preferred to use men who knew the country and the language, and whom he could abandon if their encroachments came to the king's notice.

These demesne manors were considerably more valuable than the sub-infeudated holdings in Essex and Suffolk; the richest of these were Hempstead, worth £16, where Robert de Watevile had succeeded Wisgar, and Langham, worth £15, which Walter Tirel held of the land of Phin.³ At the other end of the scale, however, both Richard and his vassals had inherited rights of commendation or soke over freemen and sokemen which they turned to their own profit and advantage. Richard retained the majority of these in demesne, but his sub-tenants frequently became lords of the small holding of one or several freemen and sokemen. Altogether, in the Domesday Survey, Richard held 164 sokemen in demesne in Essex, and 13 freemen; in Suffolk, he

1. Alvret is found encroaching at Halstead (Dom. Bk. II, f. 103a); Letmar of Hempstead encroached at Braintree, but was abandoned by Richard (*ibid.* f. 101b, 103a); Ailmar seized the land of 2 freemen at Chawreth, vouched Richard to warranty, but Richard failed him. (*Ibid.* f. 103a).
2. Lennard, *op.cit.* p. 274.
3. J.H. Round, "Walter Tirel and his wife", in Feudal England, (1895), pp. 468-79. Walter, who is well known for killing William Rufus, was Richard's son-in-law, and Langham may have been granted to him in maritagio, i.e. as a gift of land from the bride's family which reverted to the family if the marriage was childless.

held 272 freemen and 44 sokemen. His vassals had rights over 29 sokemen and 11 freemen in Essex and 65 freemen and 15 sokemen in Suffolk.¹

A distinction between freemen and sokemen is difficult to draw,² and none can be made on the basis of the size of holdings. The term, freeman, was sometimes interchangeable with thegn on the one hand and sokeman on the other.³ The sokeman was generally less independent than the freeman; often the sokeman's inability to sell his land is stressed, but several examples have been found of freemen being unable to sell their land, and it is best not to insist on this distinction.⁴ The real difference lies in the various rights of lordship which Richard inherited or usurped. These were complicated and confused, and it is scarcely surprising that the Norman lords exceeded their rights. The variety of the rights of lordship has been described as mainly due to the lack of any uniformly organised seignorial control over a society which consisted mainly of free peasants who held their land by virtue of contracts which involved only loose ties with a lord.⁵

The slightest bond between a man and his lord was comprised in commendation; it was regarded as a personal tie, but could involve a

1. In addition, 8 men held by Richard in demesne and 5 held by vassals are unclassified in Essex, and 2 held in demesne and one subinfeudated, in Suffolk.
2. All the terms in the next few pages are discussed with reference to their meanings in Essex and Suffolk. In other counties they often had very different meanings.
3. B.A. Lees, "Introduction to the Suffolk Domesday", in V.C.H. Suffolk, I, pp. 403-4.
4. J.H. Round, Feudal England (1895), p. 35.
5. D.C. Douglas, The Social Structure of Medieval East Anglia, p. 218.

tenurial relation. A man might be commended to more than one lord; one lord might have the commendation and another the soke, and sub-commendation is also found. The bond of personal commendation could easily be broken. The slightness of the tie and the fact that it did not give the lord rights over the land are indicated by the list of Richard's encroachments on men who had only been commended to Wisgar; it is obviously implied that Richard had exceeded his predecessor's rights.¹

The term soke, or sake and soke, implied jurisdiction.² The bare statement that a lord had soke over property conveys no idea of its character, but it probably included pleas of land among the free peasants of the estate as well as the agrarian obligations later dealt with by the manorial court.³ References to the soke of the king and the earl in Domesday implied that a man was under the jurisdiction of the royal officers in the hundred court.⁴ Soke over both persons and land was distinct from commendation, and it should not be assumed that the lord had both if only one is mentioned in Domesday. The most extensive rights which a lord could possess were implied by the phrase, "held by commendation and soke with all customs". The last item

1. Essex list of Invasiones, Dom. Bk. II, f. 102a.
2. These terms are synonymous.
3. F.M. Stenton, Anglo-Saxon England (1947), pp. 490-1.
4. The Suffolk Domesday also refers frequently to a man's soke belonging to Berghelt. This was a royal manor which had jurisdiction over the 1½ hundreds of Samford.

involved payments and services to the lord which probably varied from manor to manor.¹

In the vast conglomeration of small lordships which Richard acquired, no generalisation can be made about the size of the holdings; they vary from the one geld acre held by Holt, a freeman, at Alphanstone,² to 3½ carucates and twenty-five acres held by seven freemen under Wisgar at "Coresfella".³ The values are a surer guide to the status of a holding than the geld assessments, and range from 7d. for a usurpation of three acres at Fordham,⁴ to £6 rendered by two freemen usurped by Wisgar at Cornard;⁵ the land of three sokemen at Thaxted was worth the same amount.⁶ Although few holdings approached either of these extremes, there was ample variety between them.

The freemen and sokemen most probably paid a rent to Richard, or to his tenant if the land had been subinfeudated, but there is little information on the subject in Domesday. At Cornard, Suffolk, the two freemen on whom Wisgar had encroached after the Conquest held two carucates and forty acres; the holding was worth 20s. in the time of king Edward and when Richard received the land, but was rendering £6 in 1086, and there seems no

1. F.W. Maitland, Domesday Book and Beyond (1907), p. 76. J.H. Round, Feudal England 1895, pp. 31-3.
2. Dom. Bk. II, f. 102a.
3. Ibid. f. 392b.
4. Ibid. f. 102b.
5. Ibid. f. 448a.
6. Ibid. f. 38b.

justification for such an increase.¹ Among the Essex encroachments, it was stated that a freeman at Halstead held $2\frac{1}{2}$ acres, worth 30d., in the time of king Edward, and that these pence had been received by Alvret, Richard's reeve;² in this case the value was clearly a rent. The encroachment of half a hide and fifteen acres held by four sokemen at Lawford had been recovered by the king in 1086; the land was worth 13s. before the Conquest and "hitherto Richard has had that rent".³ The best example comes from the hundred of Hinckford where a group of 152 sokemen, together with 5 burgesses in Sudbury, paid a fixed sum of £15. 6s. 6d;⁴ the men were all in Richard's demesne, and came from various villages in north Essex.⁵ This payment cannot be identified with profits from jurisdiction, as these would vary from year to year, whereas this sum was fixed. Richard's predecessor in this case was not mentioned, but there is no hint of usurpation, and conditions appear to be the same as before the Conquest.

1. Dom. Ek. II, f. 448a.

2. Ibid. f. 103a.

3. Ibid. f. 6b.

4. Ibid. f. 40a.

5. The sokemen have been counted from the point on f.39b at which no separate value is given for the holdings: 13 had holdings in Bures Hamlet in Bures St. Mary, 19 in Foxearth, 18 in Pebmarsh, 15 in Alphamstone, 13 in Middleton, 3 in Steeple Bumpstead, 11 in Finchingfield, 5 in "Celvestuna", 18 in Twinstead, 15 in "Cheneboltuna", and 22 in Halstead.

It is hardly surprising that the Norman lords encroached on small holdings whether through their greed for land, or through a misunderstanding of their predecessors' rights, and it is unfortunately not known how many were recovered. Although a few usurpations were made by Richard's predecessors and sub-tenants, he himself was responsible for the majority. The holdings usurped were generally small, and a large number was situated along the Essex-Suffolk border. Judging from the value of the encroachments in the list of Invasiones for each county, it would appear that the Essex usurpations were by far the more serious; they amounted to £37. 13s. 3d., while those in Suffolk totalled only £11. 0s. 6d.¹ But these figures are somewhat misleading, because some of the men mentioned in the Essex encroachments had been commended to Wisgar, and because the Suffolk list appears incomplete; Domesday suggests further encroachments at Badley,² Bricett,³ Ringsett,⁴ Ashbocking,⁵ Thurlow,⁶ Westley,⁷ and in the 1½ hundreds of Samford,⁸ to a value of at least £12. 1s. 8d.⁹

1. See the table of values on p. 31.
2. Dom. Bk. II, f. 393a.
3. Ibid. f. 393b.
4. Ibid.
5. Ibid. f. 394a.
6. Ibid. f. 397a.
7. Ibid. f. 391b.
8. ~~Dom. Bk. II, f. 395 a, b.~~ Ibid. f. 395 a, b.
9. Not all of the holdings are valued separately.

A little further information about the encroachments may be gleaned from ecclesiastical sources. The Inquisitio Eliensis mentioned four places in which Richard encroached on the abbey's land.¹ With regard to the abbey of Bury St. Edmunds, the account of one encroachment and recovery has survived; the restitution was made at about the same time as the return of lands to Rochester cathedral. Domesday recorded that in Westley (Suffolk), a freeman under St. Edmund by commendation and soke held half a carucate worth 10s., and in 1086 he was held by Richard;² the other three freemen there were under Wisgar by commendation and soke, except for the abbey's six forfeitures.³ The restitution was made by Richard's son, Gilbert of Tonbridge, who at some date between 1090 and 1098 granted to the abbey Wlwin and Wlmar, two freemen of Westley;⁴ their services to the abbey were to be the same as they had rendered to Rainald son of Ivo who held them of Gilbert, and who was presumably enfeoffed between 1086 and the date of the charter.

1. Inquisitio Eliensis in Inquisitio Comitatus Cantabrigiensis, ed. N.E.S.A. Hamilton, pp. 187, 111, 143, 156. The places were Papworth St. Agnes, Cambridgeshire, and Ashbocking, Badley and Higham in Suffolk. In addition, Richard took Broxted in Essex, (Regesta Regum Anglo-Normannorum, ed. H.W.C. Davis, I, p. 43, no. 156), and during the Ely rebellion drove the monks of Ely out of the priory of St. Neots and refounded it with monks from Bec. (Liber Eliensis, ed. D.J. Stewart, pp. 239-40).
2. Dom. Bk. II, f. 391b.
3. i.e. pleas of the Crown held by the abbey. See above, p. 44.
4. Feudal Documents from the Abbey of Bury St. Edmunds, ed. D.C. Douglas, pp. 152-3.

Disputes over land were inevitable when tenures were as complicated as in the eastern counties, but fewer disputes were mentioned in Domesday than might have been expected. This is probably due to the practice of the Domesday commissioners of entering the debateable land under both claimants and thus concealing the dispute.¹ The outcome of the Domesday disputes is not known; most, however, concerned small areas of land, each usually the holding of one or two freemen.² The most important disputes occurred at Ipswich where Richard had by 1086 made good his claim to the church of Saint Peter against bishop Herfast of Thetford,³ at Bricett where Roger de Ramis claimed all Richard's land,⁴ and at Great Dummow in Essex where Richard's estate was claimed by a knight, Vitalis, as having been held by a freeman before the Conquest, whereas according to Richard it had been part of Wisgar's fee.⁵

1. J.H. Round, Feudal England, (1895), p. 24. Feudal Documents from the Abbey of Bury St. Edmunds, ed. D.C. Douglas, pp. xciii-iv.
2. E.g. 2 of the freemen at Ashbocking were claimed by Roger de Ramis (Dom. Bk. II, f. 394a); half of the 24 acres worth 4s. at Stone Street was claimed by R.Pevrel, and it was stated that livery of it had been made to him (*ibid.* f. 397b); the 30 acres seized by Wisgar at Bendish Hall in Radwinter should have rightly belonged to the fief of Ingelric, which was held by count Eustace of Boulogne in 1086 (*ibid.* f. 102b).
3. *Ibid.* f. 394 a, b. See above, p. 47 for the other dispute at Ipswich.
4. *Ibid.* f. 393b.
5. ~~Dom. Bk. II, f. 38b-39a.~~ *Ibid.* f. 38b-39a.

The Domesday estates formed the nucleus of the Clare family's possessions which in the course of the next two centuries were to be widely extended. It was almost inevitable that by the early twelfth century Clare should become the main centre of the family's lands, situated as it was in the midst of the most valuable manors. The seven principal demesne manors in Essex and Suffelk - Thaxted, Great Bardfield, Little Sampford, Clare, Hundon, Desning and Ipswich - together with Standon in Hertfordshire, stand in strong contrast to the demesne lands south of the Thames, from the point of view both of value and of size. In 1086 they were said to be worth £255. 4s., considerably more than the Kent and Surrey demesne lands taken together. Tonbridge was an excellent centre for the southern lands, but the family would naturally reside within easy reach of the most valuable manors from which the lord would receive supplies; and the concentration of the main family interests in East Anglia became even more obvious after the acquisition of extensive estates in Norfolk in the course of the twelfth century.

CHAPTER II.

THE EXPANSION OF THE ESTATES IN ENGLAND AND IRELAND, 1086 - 1314.

The possessions of the Clare family did not long remain limited to those described in the Domesday Survey. They were more than doubled in extent in the twelfth and thirteenth centuries, and by the time of Richard IV the Clares held estates in most of the counties in southern England, as well as in south Wales and Ireland. The greatest change in the family's landed position came at the end of the twelfth and in the first half of the thirteenth century with the acquisition of half the honour of Giffard, the honour of Gloucester, and one-fifth of the Marshal inheritance. Especially important was the gain of the honour of Gloucester since it made the Clares a power in the west of England and the Marches, and put them in the forefront of the English nobility. Their acquisitions were, however, by no means confined to great honours; throughout the early Middle Ages they obtained a large number of individual manors which were incorporated into the large baronies. There was no idea of forming a concentrated block of estates; instead, the family displayed an insatiable appetite for land, wherever it might be. The lands were acquired by royal grant, by encroachment, by purchase, quitclaim or exchange from lay or ecclesiastical lords, or through maritagia and inheritance; the last was the commonest means of acquiring great honours, and the Clare claims to the honours of Giffard, Gloucester and Marshal were all derived from family ties.

Royal grants of lands were comparatively rare. It was probably at the end of William I's reign that the Clares were given the lands of Rainald son of Ivo in Norfolk which were incorporated into the honour of Clare. According to the confirmation charter of Theobald archbishop of Canterbury to the priory of Stoke by Clare, Rainald's lands were held by Gilbert I when he made the original grant to the priory in 1090;¹ it is however possible that Gilbert made more than one such grant and that Rainald's lands were given him by Henry I.² Little is known of Rainald himself. In 1086, he held considerable estates in Norfolk with valuable demesne manors at Barton Bendish, Crimplesham, Wereham, Upwell, Walsingham, Whitwell and Haveringland; he had also subinfeudated land and tenements held by freemen and sokemen in a large number of Norfolk villages.³

Further royal grants were made when the family was in high favour in the reign of Henry I. Gilbert I was then given Ceredigion in west Wales,⁴ and lands which had belonged to the bishop of Coutances in Northamptonshire.⁵

1. B.M. Cotton MS. Appendix xxi, f. 63v. Gilbert gave tithes from the demesne of his manors in Norfolk, namely Crimplesham, Wereham, Upwell and Barton Bendish; other places in Norfolk were also named in the charter of which Rainald had been lord in 1086.
2. The lands would not have been granted to the family by William II with whom the family was never in favour.
3. Dom. Ek. II, f. 230a - 235a.
4. See below, p. 234.
5. Land in Denford, Thrapston, Ringstead, Raunds, Lowick, and Cotes in Ringstead and Raunds. "The Northamptonshire Survey," ed. J.H. Round, in V.C.H. Northamptonshire, I, pp. 365-6, 377. Facsimiles of Early Charters from Northamptonshire Collections, ed. F.M. Stenton, (Northamptonshire Record Society, IV) no. XVIII. Mon. Ang. II, pp. 601, 603.

After that, however, no royal grant was made to the earls until the reign of Edward II. Not even between 1258 and 1265 when Henry III was extremely anxious to secure the earls' support were royal manors granted to them. In striking contrast to this policy Gilbert V was given in 1309 the royal manors of Fakenham, Aylsham, and Cawston, Norfolk, and Dalham, Suffolk, to be held by him and his heirs, for two knights' fees, in return for the earl's good service to the king.¹

In comparison with the numerous usurpations made by Richard I in the reign of William the Conqueror, only one permanent gain by encroachment appears to have been made later. It occurred during the Barons' Wars of 1258-65, and forms a strong contrast to the numerous temporary seizures by the earl and his officials after the battle of Evesham which are recorded in the Inquisitions Miscellaneous. In July, 1258, Richard IV was appointed custodian, during the king's pleasure, of the island of Portland, and of Weymouth and Wyke Regis in Dorset, lands belonging to the see of Winchester, which were in the king's hands because of the expulsion of Aymer, the bishop-elect;² in the following February, Richard was granted a licence to certify Portland.³ By October, 1258, the earl was clearly interfering with the rights of the monastery of Saint Swithin's, Winchester, in these manors.⁴

1. Cal. Chart. R. 1300-26, p. 130.

2. Cal. Pat. R. 1247-58, p. 640.

3. Ibid. 1258-66, p. 11.

4. Cal. Pat. R. 1247-58, p. 654.

Then, on February 10, 1259, we find an inspeximus and confirmation of a charter whereby this monastery gave to the earl the island of Portland, Wyke Regis, Weymouth and Elwell, to be held by the earl and his heirs in fee by rendering yearly one pound of cummin at Whitsun; the earl granted in exchange lands at Mapledurham in Buriton, Hampshire.¹ This was a most unequal exchange, barely disguising the encroachment. The earl's possession was unsuccessfully challenged in 1269 and 1279;² no judgement was recorded in either case, but the manors were still held in demesne by the family in 1317.

Grants to the Clares by lay or ecclesiastical lords were hardly more numerous than those by the king. Several individual manors were obtained in this way; for instance, Southwold, Suffolk, was acquired by Richard IV about 1259 from the abbey of Bury St. Edmunds as the settlement of his claim to the valuable abbey manor of Mildenhall. Glapthorn, Northamptonshire, was granted to Gilbert IV about 1285 by Humphrey de Bassingburne, and formed the maritagium of the earl's daughter, Joan, who married Duncan, earl of Fife. Land in Chipping Campden, Gloucestershire, was obtained in 1289 by quitclaim from Mabel, the widow of Walter de Sulleye.

In only one instance was a share in a barony granted to the Clares by lords with whom they had no apparent connection. They thus acquired in the mid-thirteenth century two-thirds of the honour of Lovetot; its lands lay mainly in Huntingdonshire, with outlying manors in Northamptonshire,

1. Cal. Chart. R. 1257-1300, p. 16.
2. Select Cases in the court of King's Bench, ed. G.O. Sayles, (Selden Society) I, pp. 52-61.

Cambridgeshire, Lincolnshire and Yorkshire. The barony had been held in the twelfth century by the Lovetot family, but after the death of Nigel II de Lovetot in 1219, it was divided among his three sisters or their descendants.¹ The share of one of the sisters, Amice, was granted to Richard IV by her son, Nigel Amundevill, in 1258.² Richard acquired a further third from John de Littlebury in the following year, comprising the share of John's wife Margaret, the daughter of Alice, another of the sisters.³ The earl's share included the caput of the barony at Southoe in Huntingdonshire, and six knights' fees.⁴

Sub-tenants continued to do suit at Southoe after its acquisition by the Clares. In contrast to the twelfth century when the barony would probably have been incorporated into the honour of Clare, it remained a separate entity. For instance, the manor of Sawtry, Huntingdonshire, was held by Sir Robert de Beumes for one fee; his predecessors used to do two suits only to the court of Southoe, but the earl's bailiffs in 1279 were compelling him to do suit every three weeks.⁵

1. I.J. Sanders, English Baronies, p. 80.
2. P.R.O. C.P.25(1) Huntingdon, case 92, file 11, no: 221; case 93, file 14, no: 11; *ibid.* Divers Counties, case 283, file 15, no: 361.
3. Sanders, *op. cit.* p. 81. P.R.O. C.132, file 27 (5), m. 45. P.R.O. C.P.25(1), Divers Counties, case 283, file 15, no: 362.
4. P.R.O. C.132, file 27 (5), m. 45.
5. Rot. Hund. II, p. 660. Suit was also due from a holding in Winwick, Huntingdonshire; *Ibid.* p. 628.

In 1317 the leets and court there were valued at £7 11s. 3½d.¹ Possibly the Lovetot organisation had been enlarged by 1317, since the pourparty listed under that honour fees in Bracebridge, Skellingthorpe, Kyme and Tathwell, Lincelnshire, which belonged to the honour of Gloucester or the Marshal lands;² these fees may have been incorporated into the honour of Lovetot for administrative convenience.

The most usual way in which the estates were expanded was by marriage and inheritance. Unless a girl was an heiress, as was Maud of Saint Hilary, the wife of earl Roger, grants in maritagio were small. Thus, the manor of Sundon in Bedfordshire comprised the maritagium of Isabella Marshal on her marriage to Gilbert III. Marriage to members of other great baronial houses was essentially a speculation; it meant that there might be a possibility in the future of benefiting from a division of land among co-heiresses or their descendants. On two occasions, there can have been no idea of the importance of the marriage for the future of the family; the partition of the Giffard lands took place over one hundred years after the death of Richard I from whose marriage to Rohais Giffard the Clares traced their claim, and, in the case of the Marshal inheritance, at the time of Gilbert III's marriage to Isabella, she had five brothers living.

1. P.R.O. C.47/9/23, m. 1.
2. Ibid. m. 4. The only holding of the honour of Lovetot in Lincelnshire was land in Carlton-le-Moorland.

It is far easier to trace the extent of these baronies than their organisation. Sir Frank Stenton has pointed out that if a lord acquired more than one honour a careful distinction was generally made between them; "the amalgamation of honours would often have meant an intolerable confusion of feudal custom."¹ On the Clare lands however it is clear that a contrast can be drawn between the twelfth and thirteenth centuries. In the twelfth, the new barony was incorporated into the existing administration, whereas in the thirteenth it was kept separate, even though it would probably have been simpler in some counties to amalgamate it with the family's elder possessions.

The first of the honours to be obtained by marriage or inheritance was the barony of Saint Hilary which was acquired in the mid-twelfth century by the marriage of Roger, second earl of Hertford, with Matilda, the daughter and heiress of James of Saint Hilary. It had been formed early in the twelfth century for Matilda's grandfather, Hasculf of Saint James, one of a group of barons from western Normandy who received land in England from Henry I. The date of Matilda's marriage to earl Roger is unfortunately not known, but her father probably died before 1154, soon after Roger succeeded to the earldom.² After Roger's death in 1173, she married William d'Aubigny, earl of Arundel (d. 1193) probably in 1175 or 1176, and she took her landed inheritance to her second husband.³ Her eldest son, Richard III, did not

1. F.M. Stenton, The first century of English feudalism, (1961), p. 57.
2. I.J. Sanders, English Baronies, p. 44.
3. While she was a widow, her lands in Northamptonshire and Oxfordshire were accounted for by the sheriff; Pipe R. 1175, in Pipe Roll Society, XXII, pp. 14, 47; Pipe R. 1176, in ibid. XXV, pp. 30, 47. It was usual for a second husband to hold his wife's inheritance by the curtesy of England; F. Pollock and F.W. Maitland, The History of English Law (1898) II, pp. 416-17.

obtain his mother's land until 1195; at Michaelmas in that year, he rendered account of £1,000 for having seisin of Matilda's lands, and of his share of the honour of Giffard.¹

The lands of the bareny cannot be listed in full, partly because of the absence of Domesday evidence, and partly because of the complete absorption of the barony into the honour Clare. In Normandy, the family of Saint Hilary held one fief d'haubert,² and 2½ knights' fees of the honour of Mortain.³ The caput of the barony in England is uncertain; Sanders suggested Field Dalling in Norfolk,⁴ as land there was granted to the abbey of Savigny in 1138 by James of Saint Hilary.⁵ Other demesne land belonging to the bareny lay at Tanser,⁶ and Rothwell, Northamptonshire,⁷ and at Shipton

1. Pipe R. 1195, in Pipe Roll Society, N.S. VI, p. 225. Details of the payment will be found below, p. 68 under the honour of Giffard. Presumably Richard received the lands on his mother's death.
2. In Normandy, a distinction was drawn between knights who served in war with full equipment and those who came with less. A knight from a fief d'haubert was of the former class.
3. Magni Rotuli Scaccarii Normanniae sub Regibus Angliae, ed. T. Stapleton, I, p. lxvi.
4. I.J. Sanders, English Baronies, p. 44.
5. Calendar of Documents preserved in France, 918-1206, ed. J.H. Round, p. 291.
6. 5 1/3 hides here was held by "Hacuil de Sancte Jacobe"; "The Northamptonshire Survey", ed. J.H. Round, in V.C.H. Northamptonshire, I, pp. 362-3, 387.
7. Rothwell was held by "Eudo de Haschull" in the Northamptonshire Survey whom Round thought was possibly Hasculf of Saint James; Ibid. pp. 363, 385. Earl Roger is known to have been lord of Rothwell; The Chartulary or Register of the Abbey of Saint Werburgh, Chester, ed. J. Tait. (Chetham Society Remains, N.S. LXXIX, LXXXII) Part I, pp. 140-1. A gift of Matilda, daughter of James of Saint Hilary, included land in Rothwell; Rot. Chart. (Rec. Comm.) 1199-1216, p. 180.

under Wychwood¹ and Chadlington² in Oxfordshire. In the Cartae of 1166, earl Roger stated that he held 9½ fees of the fee of his wife.³ These were included in the assessment of the aid due from him for the marriage of Henry II's daughter, Matilda, in 1168.⁴ It is only possible to identify some of these holdings tentatively, but it is clear that they lay in Norfolk and Northamptonshire.

The barony of Saint Hilary appears insignificant beside the acquisitions of the late twelfth and early thirteenth centuries, namely half the honour of Giffard, the honour of Gloucester and one-fifth of the Marshal inheritance. The honour of Giffard escheated to the Crown in 1164, after the death without heirs of Walter Giffard III, earl of Buckingham. It remained in the king's hands until the accession of Richard I, who in contrast to his father was ready to sell lands and offices to provide money for the crusade, and who divided the honour between two heirs, Richard III de Clare, and William Marshal who in August 1189 married Isabel, the heiress of the Clare earl of Pembroke, Richard Strongbow. They were the representatives of the two main Clare lines, and each traced his claim from the marriage of Richard son of count Gilbert of Brienne to Rohais Giffard. The charter granting the honour to them is undated, but the grant was probably made on 25 November, 1189.⁵

1. Facsimiles of early charters from Northamptonshire collections, ed. F.M. Stenton, (Northamptonshire Record Society, IV) no. XLIX.
2. Eynsham Cartulary, ed. H.E. Salter, I, p. 107.
3. Red Book of the Exchequer, I, pp. 406-7.
4. Pipe R. 1168, in Pipe Roll Society, XII, p. 20.
5. L. Landon, The Itinerary of Richard I, in Pipe Roll Society, N.S. XIII, p. 17. He considered that March, 1190, was also a possible date.

It was specified that earl Richard was to receive the caput of the lands in England, and William Marshal the caput in Normandy; the rest of the lands were to be divided equally between them.¹ There is however no evidence that the Clares were ever in possession of Long Crendon, Buckinghamshire, the head of the English lands.²

Each claimant proffered 2,000 marks for his share of the honour.³ William was pardoned 500 marks of his fine and had finished his payments by 1193.⁴ In 1195, a fresh fine was entered for Richard; the sum of £1,000 was due from him for having seisin of his mother's land (the barony of Saint Hilary) and of his share of the honour of Giffard.⁵ The earl claimed in 1200 that the fine for the Giffard lands should be included in the ~~larger~~ sum for the Giffard and Saint Hilary estates,⁶ but both continued to be demanded. The two were amalgamated in 1204,⁷ and in 1208 they were included

1. The Cartae Antiquae, rolls 11-20, ed. J. Conway Davies, in Pipe Roll Society, N.S. XXXIII, no. 564.
2. It was recorded in 1275 that Long Crendon had been held by Eleanor countess of Leicester as part of her dower from her first husband, William Marshal the younger; it was then assigned to the party of the heirs of Eva de Braose, the sister and one of the heiresses of Walter Marshal. It had temporarily been in the hands of Gilbert IV, but he gave no reason to the king for retaining it. (Cal. Fine R. 1272-1307, p. 58.)
3. Pipe R. 1190, in Pipe Roll Society, N.S. I, pp. 102, 144.
4. Pipe R. 1193, in Ibid. III, p. 144.
5. Pipe R. 1195, in Ibid. VI, p. 225.
6. Memoranda Roll, 1 John, in Pipe Roll Society, N.S. XXI, pp. 79-80.
7. Pipe R. 1204, in Ibid. XVIII, p. 26.

with the earl's other debts, the total due at the Exchequer being £1229 18s. 6d; 1500 marks were to be pardoned if the earl paid off 500 marks a year, but he was to pay the whole sum if he failed to keep up the instalments.¹ £20 was still owing in 1210, of which no mention was made on the later rolls.²

Lands of the honour of Giffard lay in both Normandy and England. In 1172, the honour in Normandy comprised nearly one hundred knights.³ Richard lost these lands in the French conquest of Normandy in 1204,⁴ but William Marshal succeeded in retaining his portion, including the caput at Longueville.

The Giffard lands in England were scattered over several counties, and the Clares succeeded to holdings in Bedfordshire, Berkshire, Cambridgeshire and Huntingdonshire. The most important Giffard estates however lay in Buckinghamshire and Norfolk; in Norfolk, the Domesday estates had been increased by the acquisition of the widespread Domesday lands of William de Scohies which are said to have been sold to the Giffards in the reign of Henry I.⁵ Lack of evidence makes it impossible to give a full list of the lands acquired in 1189. While the honour was in the hands of Henry II, its demesne lands in England were regularly farmed for £324 15s. 4d.⁶ According

1. Pipe R. 1208, in Ibid. XXIII, p. 5.
2. Pipe R. 1210, in Ibid. XXVI, p. 45.
3. Red Book of the Exchequer, II, p. 633.
4. Cartulaire Normand, ed. L.V. Delisle, no. 113.
5. F. Blomefield and C. Parkin, An Essay towards a topographical history of the county of Norfolk (1805-10) VIII, p. 285.
6. E.g. Pipe R. 1165, in Pipe Roll Society, VIII, p. 25.

to the Cartae of 1166, the barony had 98 knights' fees of the old enfeoffment and $1\frac{1}{2}$ of the new.¹ For the marriage of Henry II's daughter Matilda in 1168, aid was levied on $1\frac{1}{2}$ fees of the new enfeoffment and 86 of the old,² and the Clares regularly paid scutage on 43 fees for their share of the estate.³ No traces have been found of separate organisation in the Clare portion of the Giffard lands. Before the partition, the sub-tenants presumably performed suit of court at the caput, Long Crendon. The Norfolk fees were absorbed into the organisation of the honour of Clare, and possibly the organisation for Buckinghamshire and the neighbouring counties was amalgamated with that of the honour of Gloucester after the acquisition of that barony in 1217.

The vast estates of the honour of Gloucester formed the most important and the most valuable acquisition of the Clares. The honour had been created by William II for Robert fitz Hamon who died in 1107, leaving as his heiress his daughter Matilda. She married Robert, the illegitimate son of Henry I, who was created earl of Gloucester in 1122; on his death in 1147, he was succeeded by his son William. William's son died in 1166, and when William himself died in November 1183, he left three daughters,

1. Red Book of the Exchequer, I, pp. 312-3.
2. Pipe R. 1168, in Pipe Roll Society, XII, p. 13. Scutage was charged on 86 fees in Pipe R. 1187, in Pipe Roll Society, XXXVII, p. 26.
3. E.g. Pipe R. 1211, in Pipe Roll Society N.S. XXVIII, p. 145.

Mabel, Amice, and Isabel. The succession had been agreed on several years earlier, in 1176. Diceto states that earl William made prince John his heir, because he did not want his inheritance to be divided up among his daughters,¹ but probably the author of the Gesta Henrici was more correct in saying that earl William made John his heir at the king's instance.² It was arranged that John was to marry a daughter of the earl provided that a dispensation on grounds of consanguinity could be obtained from the Church. The king was to grant £100 rents in England to the other two daughters, Mabel, wife of Amaury count of Evreux, and Amice, wife of Richard earl of Hertford. If the earl of Gloucester had a legitimate son, he and John would halve the earldom between them. The honour was taken into Henry II's hands on the death of earl William, and remained so until John's marriage to Isabel in August, 1189, when it was granted to him; it was taken into the king's hands after John's rebellion in 1193, but was restored to him two years later.

John continued to hold the honour after his divorce from Isabel in 1199. Amaury count of Evreux, the son of Mabel, was given the title of earl of Gloucester, John apparently agreeing as part of the arrangements for

1. Diceto, I, p. 415.
2. Gesta Regis Henrici Secundi, I, pp. 124-5. Earl William was by no means in high favour with Henry II. According to Diceto, I, p. 385, his loyalty was doubtful in the rebellion of 1174; in 1183 he ended his life in prison because the king was suspicious of him.

the divorce to recognise this title in exchange for Amaury's hereditary county of Evreux in Normandy.¹ Amaury received a few of the Gloucester manors in England - Brasted in Kent, Petersfield and Mapledurham in Hampshire, and Burford in Oxfordshire - and he was granted the third penny of Gloucestershire,² and held twenty fees of the honour.³ He also received a large part of the Gloucester fiefs in Normandy.⁴ He died without heirs in 1213, and in the next year Isabel was married to Geoffrey de Mandeville, earl of Essex, to whom the honour was granted in return for a fine of 20,000 marks.⁵ The honour again reverted to the Crown on Geoffrey's death in 1216; about October 1217, Isabel was married to Hubert de Burgh who had had seisin of her lands since August,⁶ but she died in the same month.

By this time, only one of earl William's daughters was still alive and had heirs, namely Amice who had married Richard III de Clare at some time before 1176. She already possessed certain lands of the honour as her maritagium. These included the valuable manor of Sudbury in Suffolk,⁷

1. Complete Peerage, G.E.C. V, p. 692. Cartulaire Normand, ed. L.V. Delisle, no. 54.
2. Fragments of the Liberate Roll of 2 John, in Pipe Roll Society, N.S. XXI, pp. 89-90. Pipe R. 1200, in Pipe Roll Society, N.S. XII, p. 126.
3. Pipe R. 1202, in Pipe Roll Society, N.S. XV, p. 283.
4. F.M. Powicke, The Loss of Normandy 1189-1204 (1961) p. 340.
5. Rot. Lit. Claus. 1204-24, p. 209. Complete Peerage, G.E.C. V, p. 128.
6. Ibid. p. 319. Rot. Lit. Claus. 1204-24, p. 319.
7. Curia Regis Rolls, I, p. 186.

ten knights' fees in Kent,¹ and possibly one fee in Pimperne, Dorset, concerning which an assize of mort d'ancestor was brought in 1224.² After Isabel's death on 14 October, 1217, the honour of Gloucester apparently passed to Amice's son, Gilbert, and not to her husband. Richard III had returned to the king's fealty and service by 5 October, 1217,³ and he died before November 28 of the same year when arrangements were made for the custody of his lands.⁴ Gilbert was styled earl of Gloucester ten days earlier, probably before his father's death.⁵

What was the extent of the lands acquired by the Clares in 1217? In Wales, the honour included the lordships of Glamorgan, and Gwynllwg in Monmouth.⁶ In England, the most extensive lands lay in west and south-west England, mainly in Gloucestershire, Devon, Somerset and Dorset, but also including holdings in Cornwall, Warwickshire, Worcestershire, Herefordshire,⁷

1. Chancellor's Roll, 1196, in Pipe Roll Society, N.S. VII, p. 288. The number of fees is given as 9 and 15 in later Pipe Rolls. One of the Kent fees lay in Nettlestead, as is seen by the confirmation by Richard III of the charter between Michael de Wahull and Boxley abbey concerning pasture there. This was not, as the editors say, part of Amice's pourparty, since the honour was not divided, but part of her maritagium. Sir Christopher Hatton's Book of Seals, ed. L.C. Loyd and D.M. Stenton (Northamptonshire Record Society, XV) no. 83.
2. Pat. R. 1216-25, p. 480.
3. Rot. Lit. Claus. 1204-24, p. 327. This is the date of the letters announcing his return to fealty.
4. Ibid. p. 344.
5. Ibid. Amice was often styled countess of Gloucester until her death in 1225.
6. See below, p. 235.
7. Herefordshire was not mentioned in the list of estates in 1314, nor in 1317, but there were certainly small holdings there of the honour of Gloucester.

Wiltshire and Hampshire. The honour also comprised lands in the Midlands and eastern England, in Oxfordshire, Bedfordshire, Buckinghamshire, Hertfordshire, Cambridgeshire, Northamptonshire, Huntingdonshire, Lincolnshire, Norfolk, Suffolk, Essex, Kent and Surrey. The most important demesne manors were Brasted and Eltham in Kent; Great Marlow, Buckinghamshire; Tewkesbury, Thornbury and Fairford in Gloucestershire; Burford, Oxfordshire; Cranborne and Wareham in Dorset; Mapledurham and Petersfield in Hampshire; and Hanley Castle and Bushley in Worcestershire. Moreover, there were several chases of which the most extensive was Cranborne Chase in Dorset. The number of demesne manors increased during the thirteenth century, but the above manors continued to be the earl's main source of income in the honour.¹

The honour had been a highly valuable custody for the Angevin kings. In 1185-6, the farm of the honour was fixed at £550 7s. and two ounces of gold,² and in the following year at £562 7s. and two ounces of gold.³ The issues of Bristol amounted to £119 7s. 5d. in 1184-5,⁴ £134 4s. 9d. in 1185-6,⁵ and £142 3s. in 1186-7.⁶ These figures may well be compared with the £324 15s. 4d. for the honour of Giffard; remembering that the Clares received only half of the honour of Giffard, it is at once obvious how great an acquisition was the honour of Gloucester.

1. See below, p. 281, for the value of the honour in 1317.
2. Pipe R. 1186, in Pipe Roll Society, XXXVI, pp. 200-1.
3. Pipe R. 1187, in Ibid. XXXVII, p. 14.
4. Pipe R. 1185, in Ibid. XXXIV, p. 154.
5. Pipe R. 1186, in Ibid. XXXVI, p. 201.
6. Pipe R. 1187, in Ibid. XXXVII, p. 15. Bristol came to be regularly farmed for £145.

As to knights' fees, earl William had in 1166 $22 \frac{5}{6}$ fees in Kent,¹ and in his main Carta, (which however only contains a few of the Welsh fees) there were $265\frac{1}{2}$ knights of the old enfeoffment and 13 of the new.² For the scutage of Galway of 1187, at the rate of 20s. a fee, the honour of Gloucester owed £327 3s. for the old and new enfeoffments, and £41 15s. was remitted to barons of the honour enfeoffed in Wales.³ Later scutage was reckoned on $261\frac{1}{2}$ fees, as in the first scutage of John's reign.⁴

In the thirteenth century, there was no true caput of the English lands of the honour of Gloucester. For most of the preceding century, Bristol had been the centre of the earl's lands. The main court of the honour met there in the thirteenth century, and had presumably been held there in the twelfth. As well as being an excellent centre for the earl's lands in west and south-west England, Bristol was in an important strategic position; the earls of Gloucester could control the Bristol Channel in the twelfth century, as they held Bristol on one side, and lands in Glamorgan and Monmouth on the other. Moreover, Bristol was of considerable value; in the last years of Henry II's reign, the issues amounted to approximately $\frac{1}{5}$ of the honour.⁵

Apparently, Bristol came into the king's hands before the death of William earl of Gloucester. According to one chronicle, the king impleaded the earl in 1175 because, in the time of hostility, he expelled the king's

1. Red Book of the Exchequer, I, pp. 189-90.
2. Ibid. pp. 288-92. The summa in the carta of $13\frac{1}{2}$ for the new enfeoffment is incorrect.
3. Pipe R. 1187, in Pipe Roll Society, XXXVII, p. 142.
4. Pipe Roll, 1199, in Ibid. N.S. X, p. 37.
5. Ibid. p. 286. See above, p. 74.

keepers from Bristol castle, and held it himself for the duration of the war.¹ The earl, wishing to satisfy the king, gave him the castle back.² Roger of Hovedene however says that the king could never have the castle before.³ Bristol was granted to John with the rest of the honour of Gloucester at Midsummer, 1189, but he had to surrender the castle when peace was made between him and the chancellor, William Longchamp, in July, 1191;⁴ when the honour was regranted to John in 1195 after his rebellion, Bristol, and all John's other castles remained in royal custody.⁵ In John's reign, while the honour was in his hands, it is interesting to find that the Pipe Roll account for Bristol was kept separate from that for the honour, and when the honour was granted to Geoffrey de Mandeville in 1214, Bristol was excluded from the grant; the Clare grant presumably contained a similar exception.

There is ample evidence that the Clares did not regard this arrangement as final. The position was complicated by the fact that they still had various rights and interests in Bristol. The main court of the honour continued to meet there; the earls received at the royal exchequer

1. This is probably a reference to the rebellion of the young Henry in 1173-4.
2. Gesta Regis Henrici Secundi, I, p. 92.
3. Hovedene, II, p. 78.
4. Ibid. III, p. 136.
5. Ibid. p. 286.

£40 19s. 5½d. for the barton outside Bristol;¹ and they had the advowsons of the abbey of Saint Augustine, the priory of Saint James, and the hospital of Saint Martin.²

Undoubtedly the question of Bristol often embittered relations between the Crown and the earls. For instance, earl Richard was reported as saying in 1254 that he would not serve abroad until his rights were restored to him, and Bristol was mentioned in this connection.³ Hostility between Richard IV and Gilbert IV, and prince Edward between 1258 and 1267 was probably aggravated by Edward's lordship of Bristol castle. Early in 1259, a formal agreement was drawn up between earl Richard and Edward; the earl promised to maintain Edward in the enjoyment of his lands and castles, and each swore to maintain the rights of the companions of the other.⁴ The disputes however soon broke out again. There was considerable friction in the Welsh Marches in the autumn of 1259, culminating in a raid by the earl's men, some of whom

1. E.g. Cal. Lib. R. 1240-5, p. 267; Ibid. 1245-51, p. 81. The barton was considered separate from the borough in the early thirteenth century when its issues were recorded under the honour and not under Bristol. E.g. Pipe R. 1199, in Pipe Roll Society, N.S. X, p. 35; Pipe R. 1200, in Ibid. XII, p. 127.
2. Parl. Writs, I, p. 6. Close R. 1268-72, p. 7 gives the hospital of Saint Bartholomew instead of Saint Martin. In 1282 Edward I disputed the earl's right to the custody of Saint James' priory during vacancies. (Cal. Close R. 1279-88, p. 157; Cal. Pat. R. 1281-92, pp. 21-2.)
3. Annales de Theokesberia, in Annales Monastici, I, p. 155.
4. F.M. Powicke, King Henry III and the lord Edward, pp. 397-8. Report on MSS. of Lord Middleton, Historical Manuscripts Commission, 1911, pp. 67-9.

were captured by Edward's steward, Roger Leyburne, who hanged them without judgement.¹ The origin of the quarrel is obscure, but was probably at least partly due to the Clare claims to Bristol.

Gilbert IV obtained permission to sue for his right to Bristol in 1268.² It was not however till 1276 that his plea was overruled.³ The earl claimed against the king the castle and borough of Bristol, except for the rights he already had, as his inheritance, to hold of the king in chief; his claim was based on the right of William earl of Gloucester from whom it had descended to the Clares. In full king's council, judgement was given that, since Henry II, Richard I, John, and Henry III had all held the castle and borough, and died in seisin, Edward I on grounds of long seisin by his ancestors need not reply to the earl.

The honour of Gloucester comprised a loose federation of bailiwicks, and its organisation was much more centrifugal than that of the honour of Clare; this was probably due to the wider extent of the Gloucester lands. It is unfortunate that few court rolls and no central receivers' accounts survive, and very little is known of the financial administration in the

1. Annales Londonienses, in Chron. of Edw. I and Edw. II, I, p. 54.
R.F. Treharne, The Baronial Plan of Reform, 1258-1263, p. 193.
The settlement between the earl and Edward in June, 1260, is found in Cal. Pat. E. 1258-66, p. 79.

2. Close R. 1268-72, p. 7.

3. Parl. Writs, I, p. 6.

thirteenth century.¹ The honour presumably continued to have its own hierarchy of officials, and it certainly had its own steward. For instance, Gilbert IV wrote to the steward of the honour of Gloucester, Geoffrey de Mores, ordering him to hold an inquiry into the rights and obligations of the abbot of Saint Peter's at Gloucester.² This steward, Geoffrey de Mores, was referred to in the Hundred Rolls for misdeeds in Gloucestershire and Somerset, two of the most important counties in the honour.³ There is no reference to him in royal service, but he was steward of Robert de Chause, bishop of Carlisle, in 1259.⁴

As to the earl's relations with his sub-tenants, a special honour court at Bristol continued to meet in the thirteenth-century, but elsewhere the earl made use of hundred courts, as at Winkleigh and Cranborne, and of manorial courts. Little can be said of the efficiency of these courts, although it is probable that some were so small as to be ineffective. It would be exceptionally difficult in counties where the honour's fees were sparse to establish and maintain an effective honour court, and it is likely that the earls largely lost control of these tenants in the course of the thirteenth century.

1. See below, p. 219. Officials of the honour of Tonbridge were responsible for manors of the honour of Gloucester in Kent and Surrey.
2. Historia et Cartularium Monasterii Sancti Petri Gloucestriae, II, p. 26, no. CCCCLXIII. The letter is undated but was probably written early in Edward I's reign.
3. Rot. Hund. I, pp. 179, 180; II, p. 127.
4. Cal. Pat. R. 1258-66, p. 111.

The court at Bristol drew suiters from Gloucestershire and Somerset.¹ In 1317, it was said to be worth £16 9s. 8½d.² but the issues from five courts held there in 1328 only amounted to 16s. 6d.³ Only one reference to a thirteenth century case has been found; in 1276, Roger la Ware came before the king and sought to replevy his land and that of John la Ware in Brislington, Somerset, which had been taken into the king's hands for their default in Gilbert IV's court of Bristol against the abbot of Keynsham.⁴ Certain tenants performed suit of court at one of the demesne manors in Gloucestershire, and not at Bristol. The abbey of Tewkesbury was forced to do suit at the earl's court of Fairford for some of its possessions in Rendcomb, Gloucestershire, and elsewhere.⁵ Roger Corbet held the manor of Tytherington, Gloucestershire, of the earl by the service of ½ knight's fee, doing suit at the court of Thornbury every three weeks. He also held the manors of Chaddesley Corbet, Worcestershire, and Bickmarsh in Welford-on-Avon, Warwickshire, of the earl for one knight's fee, with one attendance

1. P.R.O. C.132, file 27 (5), m. 41. This inquisition post mortem of earl Richard IV in 1262 was probably referring to Bristol when it mentioned the court of knights and free tenants of the honour of Gloucester and of those from Somerset who owed suit.
2. P.R.O. C.47/9/24, m. 1.
3. P.R.O. S.C.6/969/24.
4. Cal. Close R. 1272-9, p. 424.
5. Annales de Theokesberia, in Annales Monastici, I, p. 156.

yearly at the court of Tewkesbury for all service.¹

Mesne tenants in Devon did suit at the hundred court of Winkleigh. No land was held here by the earl in demesne, but the hundred was held by one of his sub-tenants, and in the late thirteenth and early fourteenth centuries by members of the Keynes family. References have been found to two of the tenants who did suit there. William de Boys held the hundred of Halberton of the earl for one fee, and did suit at the court of Winkleigh every three weeks; Oburnford in Halberton was held by Peter de Greyneham for 1 fee, and he also performed suit at Winkleigh every three weeks.² The court was not very profitable; but in 1314 it was said to be worth £4,³ and three years later its value, together with views of frankpledge in Devon, amounted to £7 17s. 3½d.⁴

It is probable that, as in the honour of Clare, each county or group of counties in the honour of Gloucester had its own bailiff of fees. The name of one of these men in Devon is known. In 1235-6, William de Claville,⁵ bailiff, collected the aid for the marriage of the king's sister from the fees

1. Cal. Inq. p. m. II, no. 770. Cf. the suit due from Boddington and Kemerton in Gloucestershire; Ibid. II, nos. 123, 404; Ibid. III, no. 407.
2. Rot. Hund. I, p. 71.
3. P.E.O. C.134, file 42, m. 24.
4. P.E.O. C.47/9/24, m. 1.
5. He was an important sub-tenant of the earl in Devon or one of his family.

of the honour of Gloucester in Devon, and then foolishly [*fatue*] spent it. He was twice summoned before the barons of the Exchequer, and was cast into prison, and had to pay a fine of 40s. in addition to the £13 for which he was responsible.¹

Cranborne, Dorset, was the centre of the honour of Gloucester in Dorset and Wiltshire, and the phrase, "honour of Cranborne" was occasionally used.² The hundred court at Cranborne acted partly as an honorial court. John de Maundevill (d. 1275) held the manor of Sutton Mandeville, Wiltshire, of the earl for one fee, and owed suit to the earl's court of Cranborne;³ this example is especially interesting as Sutton was part of the Clare Domesday lands; its absorption into the honour of Gloucester must have taken place after 1217, presumably because Sutton was so isolated from the rest of the honour of Clare. John Mautravers held the manor of Witchampton, Dorset, of the honour of Cranborne for five knights fees, and owed suit every three weeks at the hundred court of Cranborne.⁴

Possibly the earls felt that they were losing control of some of the Midland tenants, for a new court was established in the mid-thirteenth century

1. P.R.O. E.159/15 m. 16, 21d, 22d.
2. E.g. P.R.O. C.133, file 77 (3), m. 11v. Tarrant Rushton Dorset, held in demesne in 1296, was said to be held of the honour of Cranborne for one knight's fee, rendering scutage when it occurred.
3. Cal. Inq. p. m. II, no. 154, p. 98.
4. Ibid. III, no. 404.

at Royston, a focal point for routes in the east midlands. According to the Hundred Rolls of 1274-5, Roger de Scaccario, the earl's steward, had established the court in Royston sixteen years before; it had formerly been at "Kitlington", probably Litlington in Cambridgeshire, a holding of the honour of Gloucester. Roger had appropriated one messuage in Royston, but the earl had no rightful fee there.¹ The Court was held for the earl's tenants every three weeks.² In 1317, it was said to be worth £11 15s. 3½d.³ Suit was due from holdings of the honour of Gloucester in Cambridgeshire and Huntingdonshire, for instance from Richard de Edenesore who held land of the earl in Gamlingay, Cambridgeshire,⁴ from Ralph Sanzaver who held 1/10 fee in Great Gransden, Huntingdonshire,⁵ and from John de Ovedale for ½ fee in Litlington, Cambridgeshire.⁶ In 1279, Alan de Charters, who held the manor of Woolley, Huntingdonshire, of the earl for ½ fee, was said to do suit at

1. Rot. Hund. I, p. 51.
2. P.R.O. C.133, file 77 (3), m. 17.
3. P.R.O. C.47/9/25, m. 1. The court is said here to belong to the honour of Clare, although it should be considered as a Gloucester court. By the early fourteenth century, the honour to which a place had originally belonged had often been forgotten.
4. Rot. Hund. II, p. 534.
5. Cal. Inq. p. m. V, no. 523.
6. Ibid. VI, no. 310. The fee is said to belong to the honour of Clare, but in fact it belonged to the honour of Gloucester.

Royston unjustly, because the suit had been enforced after 1230.¹

In Kent and Surrey, it is interesting to find that the Gloucester estates retained their own organisation, although in both these counties there were extensive Clare lands into which they could have been absorbed. As in the honour of Tonbridge, the administration of Kent and Surrey had been split by the late thirteenth century. In Surrey, some honorial business was done at Camberwell; Thomas de Tycheseye who held two fees in Titsey did suit there every three weeks,² and Robert Burnel, bishop of Bath and Wells, held land in Rotherhithe of the earl by the service of 2s. 2d. a year, suit at the court of Camberwell, and for $\frac{1}{2}$ fee when scutage occurred.³ The problem with regard to the honour of Gloucester in Kent is the difficulty of locating the court. It was obviously small, as the pleas were valued at 37s. 7d. in 1317.⁴ It is possible that the court was held at Eltham where land had been held in demesne in the first half of the thirteenth century, but was subinfeudated sometime between 1262 and 1279.⁵ Suit was due to the court of Eltham from freeholdings elsewhere in the county,⁶ and a fine concerning land in Eltham mentioned the court of the honour of Gloucester but did not say where it was held;⁷ this fine of 1253 indicates that the

1. Rot. Hund. II, p. 628. This date was the limit set by the statute of Marlborough of 1267.
2. Cal. Inq. p. m. III, no. 402. Cf. Ibid. VI, no. 310. The latter states that the fee belonged to the honour of Clare; in fact it was held of the honour of Gloucester.
3. Ibid. III, no. 65, p. 47.
4. P.R.O. C.47/9/23, m. 2.
5. The manor was held in demesne in 1262; P.R.O. C.132, file 27 (5), m.34. In 1279, it was held of the earl by John de Vesey; Plac.de Quo War. p.340.
6. Calendar of Kent feet of fines to the end of Henry III's reign, (Kent Archaeological Society, Records Branch) pp. 188, 288.
7. Ibid. p. 249.

earl was having trouble with enforcing suit, as he was distraining on the tenants of the mesne lord to compel the attendance of the mesne tenant himself.

The only Gloucester court for which rolls survive is that of Stambourne in Essex. This was a small court, dealing with tenants of both the honour of Gloucester and the Marshal lands in Essex, Suffolk and Hertfordshire; the amalgamation was probably a matter of administrative convenience as there were relatively few tenants of either honour in the eastern counties. It is not known which official presided over the court. In 1317, in the list of small *forinsec* courts of the honour of Clare, it was said to be worth £11 9s. 1½d;¹ its pleas and perquisites as a court of the fee of the Marshal amounted to 104s. 5½d.² The court roll for Stambourne dates from 6-7 Edward II; it gives four meetings of the court in the autumn and winter of 1312-13,³ and two in September, 1313.⁴ The court met every three weeks, generally on Friday or Saturday; a distinction was made on the roll between Gloucester and Marshal business. Probably most of the men who performed suit of court there in person were freeholders, since their names do not appear in the lists of military sub-tenants in the Inquisitions post mortem or in the royal inquiries of the thirteenth century. The military sub-tenants were

1. P.R.O. C.47/9/25, m. 1. This may comprise the Gloucester part of the court.
2. Ibid.
3. P.R.O. S.C.2/214/3, m. 1. lv. This source is preferable to P.R.O. D.L.30/116/1762 which gives extracts from a large number of courts at the end of Edward II's reign and the beginning of Edward III's, mainly of entry fines for small acquisitions of land, with a few fines for respite of suit, and one for respite of homage and fealty.
4. P.R.O. S.C.2/214/3, m. 3.

generally conspicuous by their absence; men such as John de Mounteneye and John de Munchensey, who had a share in three fees in North Mimms and Bygrave, Hertfordshire, and Denston, Suffelk, and John Botetourte, who held one fee in Gestingthorpe and Gosfield, Essex, were described as absent in the rolls.

The honour of Gloucester therefore emerges as a federation of bailiwicks covering the southern half of England. Whereas the honour of Clare could be easily administered from Clare itself, the honour of Gloucester was so far-flung that several centres would have been necessary, even if Bristol had not been surrendered to the Crown. It is interesting to find in the arrangements for suit of court that, as on the barony of Lovetot, the fees of different honours were kept separate in the thirteenth century; although some amalgamation had taken place at Stambourne, it is striking that in Kent and Surrey a clear distinction between Clare and Gloucester was maintained. Usually on the honour of Gloucester the honorial court was also a hundred or manorial court. The contrast between the profits of these courts, and the number of military tenants on the Gloucester lands (even taking it into account that a few counties were not covered by the courts mentioned above) together with the establishment of the new court at Royston and the evidence from Stambourne, indicates that the honorial courts of the honour of Gloucester were losing ground in the thirteenth century.

The last major acquisition by inheritance comprised one-fifth of the Marshal lands which were obtained in 1247 and included lands in England, Wales and Ireland;¹ of the three, the English estates were the least extensive. The Clare claim to a share in the inheritance stemmed from the marriage in 1217 of Gilbert III to Isabella, the third daughter of William Marshal, earl of Pembroke (d. 1219). William left five sons all of whom died without heirs; Walter earl of Pembroke, the fourth son, died in November, 1245, and his younger brother Anselm in the following month. The partition among the representatives of the five daughters was completed at the king's court at Woodstock on May 3, 1247.² Isabella had died in 1240, and her share passed to her son, Richard IV.³ Further lands in England were obtained after the death of Eleanor countess of Leicester in 1275;⁴ she held lands in dower from her first husband, William Marshal the younger.

1. See below, p. 238 for details of the estates in Wales.
2. G.H. Orpen, Ireland under the Normans, III, p. 79.
3. I.J. Sanders (English Baronies, p. 63) stated that after her death Isabella's lands remained in the hands of her husband, Richard of Cornwall till his own death in 1272 when they passed to her grandson, earl Gilbert; the statement is misleading because, although Richard of Cornwall kept Sundon, Bedfordshire, Isabella's maritagium, until his death, the Marshal inheritance went straight to the Clares.
4. These lands were divided among the heirs in 1249 and assigned in 1275. Some however appear to have passed to the Clares by the death of earl Richard in 1262 e.g. $\frac{1}{4}$ fee in Whitwell, Norfolk, Close R. 1261-4, p. 293. Because of the absence of the place-names of most of the Marshal fees, it is not possible to make a complete identification of Richard's share.

Richard received scattered fees in Gloucestershire, Somerset, Dorset, Wiltshire, Buckinghamshire, Bedfordshire, Berkshire, Essex, Suffolk and Norfolk; the total number amounting to 27½.¹ In theory, the Clares now obtained a further 1/10 of the honour of Giffard, but there is no evidence to show whether the Giffard lands were treated separately in the pourparty, and shared out on an accurate fractional basis. The Clares received demesne land in England worth £209 16s. 1½d.² Richard IV was granted Caversham, Berkshire, in 1247,³ and in 1275, his son, Gilbert, was assigned the manor of Wexcombe in Grafton, the town of Great Bedwyn, and the hundred of Kinwardstone, Wiltshire, held at fee-farm of the king in return for £32 a year due at the exchequer.⁴ The earl also received in 1275 the manor of Badgeworth, Gloucestershire, and land in Speenhamland, Berkshire.⁵

Few traces of specifically Marshal organisation have been found. Tenants from Essex and Suffolk did suit to Stambourne in Essex.⁶ It is possible that Caversham was a centre for some of the lands, as in 1314 Finmere in Oxfordshire, and North Denchworth in Hanney, Padworth, and West Hanney, Berkshire, were said to be held as of the manor of Caversham.⁷

1. In 1247, Richard was assigned 10½ fees, and, in 1275, approximately 17 fees were received. The account of the partition in Cal. Pat. R. 1364-7, pp. 263-76 has been used in preference to P.R.O. C.47/9/20, temp. Edward I, because it is fuller.
2. Cal. Pat. R. 1364-7, pp. 266-7, 273.
3. P.R.O. C.47/9/20, m. 1.
4. Ibid. m.3. Cal. Pat. R. 1364-7, pp. 266-7. P.R.O. C.133, file 128, m.11.
5. Cal. Pat. R. 1364-7, p. 267. P.R.O. C.47/9/20, m.3.
6. See above, p. 85.
7. P.R.O. C.134, file 44, m. 63.

This is perhaps an instance of amalgamation of organisation, for Finnere belonged to the honour of Gloucester and the others were probably Marshal fees.

In acquiring some of the Marshal lands, the Clares obtained a share in the conquests of Richard de Clare (Strongbow), earl of Pembroke, in Ireland, dating from the reign of Henry II. The five Marshal pourparties in Ireland consisted of the four counties of Earlow, Wexford, Kilkenny and Kildare, and the territory round Dunamase. Orpen has pointed out that it is an oversimplification to speak of the pourparties in this way;¹ earl Richard de Clare received the county, or rather the liberty of Kilkenny, but some of his holdings lay outside it, and land within the county was held by other Marshal co-heirs.

The county itself was valued in 1247 at £130 16s. 3d; this sum would include the pleas and perquisites of the county court and feudal dues. The demesne lands included the borough of Kilkenny, Danesfort, Loughmerans in the parish of Saint John near Kilkenny, Thomastown and Callan. Each Irish pourparty was estimated at a value of £343 5s. 6½d. a year;² the total of the items on the roll in fact only comes to £282 2s. 7½d. Orpen suggested

1. G.H. Orpen, Ireland under the Normans, III, p. 80.
2. The Clare total on the roll came to £346 7s. 4½d.; the excess of £3 1s. 10d. was assigned out of the vill of Callan to the pourparty of Dunamase. (Cal. Pat. R. 1272-81, pp. 352-3.)

that some of the lands assigned to the Clares had been omitted;¹ possibly, they had been assigned in dower.² The Inquisition post mortem of Joan of Acre in 1307 added to the demesne manors named in 1247 the old and new vills of Jerpoint, the manor of Palmerston near Kilkenny, the boroughs of "Coillauch" (? Coelaghmore) and Kilmanagh, the vill of Rosbercon, and lands at Ballycallan, Damma in Ballycallan, and Ballydowel in Ballinamara. Moreover, Ullid in Iverk had escheated to the countess, and Gilbert IV had purchased from William de Saint Leger the manor of Fermoyle in the parishes of Durrew and Rosconnel. The pourparty of 1247 had also assigned to Richard IV approximately 36½ fees. The one hundred services due to the king originally charged on Strongbow in the grant of Leinster were divided among the co-heirs on an apparently unequal basis. 33 1/3 services were due from the liberty of Kildare (or £66 13s. 4d. in money value, each service being reckoned at 40s.) The remaining 66 2/3 were divided equally between the liberties of Carlow, Wexford and Kilkenny, so that each owed £44 8s. 10½d.³

1. Orpen, op. cit., p. 91.
2. Three widows had to be provided for in the partition — Eleanor countess of Leicester, widow of William Marshal the younger; Margaret countess of Lincoln and Pembroke, widow of Walter Marshal; and Matilda de Bohun, widow of Anselm Marshal, and wife of Roger de Quency earl of Winchester. She is known to have held the old and new vill in county Kilkenny, possibly Jerpoint, on her death in 1252. (Cal. Doc. Ireland, 1252-84, no: 107.)
3. Orpen, op. cit. p. 106. P.R.O. C.134, file 43, m. 45, 47. P.R.O. S.C.6/1239/13.

SKETCH-MAP OF COUNTY KILKENNY

showing the demesne manors in 1314.



The Clare earls were absentee landlords. Richard IV went there for a short time in 1253 when he was out of favour with Henry III.¹ Gilbert IV, accompanied by his wife, Joan of Acre, made an expedition to Ireland in 1293, perhaps partly in a desire to avoid the king's court for a time after his humiliation over Glamorgan. According to one chronicle, he took an armed retinue, and triumphed over the Irish lords who, he had heard, were laying waste his lands.² Little else is known of his activities in Ireland.³

The liberty of Kilkenny appears to have been little touched by the resurgence of the Irish in the second half of the thirteenth century, but there was some trouble in the north of the liberty. John de Saunford, archbishop of Dublin, appointed keeper of Ireland in 1288, was mainly occupied in defending the English of Leinster from the Irish raids from Offaly and Leix. He summoned the whole service of Leinster to Kildare, and assigned the stewards of Kildare, Wexford, Carlew and Kilkenny to defend a particular part of the march.⁴ References are found to jurors who were defending the peace in the marches in 1305.⁵ The Inquisition post mortem of Joan of Acre

1. Annales de Theokesberia, in Annales Monastici, I, p. 153.
2. Annales de Oseneia, in Ibid. IV, p. 336.
3. Gilbert granted a charter to Rosbercon in 1294; Calendar of Ormond Deeds, 1172-1350, ed. E. Curtis, no. 314. He attended pleas before the justiciar and the king's council in Dublin on April 1, 1294; Cal. Doc. Ireland, 1293-1301, no. 147, p. 71. He also tried to extend the boundaries of the liberty; Cal. Justic. R. Ireland, 1295-1303, p. 126, and see below, p. 93.
4. Cal. Doc. Ireland, 1285-92, pp. 265-6. The passage dates from 1288-90.
5. Cal. Justic. R. Ireland, 1305-7, pp. 467-8.

in 1307 mentioned waste in Killermogh and in Castletown, Offerlane, in Upper Ossory, and part of Rosbercon had been destroyed in war.¹ Mention was made of defence against the Irish in the account of the custody of the earl's lands in 1314-1316.² Castletown, Offerlane, was not extended in the pourparty of Elizabeth de Burgh because it was in the march.³

Besides the conflict with the Irish, there were rivalries among the Anglo-Normans. In 1300, reference was made to the great discords between the English of county Tipperary in the parts of "Modeshil", and the English of the liberty of Kilkenny of the parts of Callan;⁴ the previous summer, the justiciar had ordered Hugh Purcel, the sheriff of the county, and Walter de Ivethorn, steward of the liberty, to go there to enforce the peace. The sheriff and steward made a truce, but did nothing effective, and the justiciar had to make his own inquiry; among the various acts of lawlessness, the jurors mentioned an attack on the steward by the sheriff's men. The justiciar took advantage of the presence of the jurors to inquire into the boundaries between the county and liberty; the jurors asserted that Gilbert IV had tried to advance his boundary into the county, and had often appeared to appropriate the land, but had not succeeded.

As may be imagined, the organisation of the Irish lands was self-contained. It is not certain how close a connection there was between the

1. P.R.O. C.133, file 130, m. 75v, 69.
2. P.R.O. S.C.6/1239/13.
3. P.R.O. C.47/9/25, m. 5.
4. Cal. Justic. E. Ireland, 1295-1303, pp. 350-3.

absentee earl and his officials. References are to be found of his sending a clerk to Ireland on business, and of his appointing attorneys to act for him in Ireland, but nothing is known in detail of what they did. Possibly, his auditors, like those of the earl of Norfolk, made a special journey to Ireland to audit accounts.¹

Much more is known of the legal and franchisal side of the administration of Kilkenny than of the economic.² The franchises on the Irish lands bear a stronger comparison to those in England than to Wales. Although certain areas in Ireland were undoubtedly March lands, there is little hint of Welsh Marcher privileges in Ireland. Ireland can however be compared to Wales in respect of taxation; in 1291 a fifteenth on moveables was granted to the king by the Irish lords, similar to the grant from the Welsh Marches, but it was stated that this was not to be to the prejudice of the grantors, nor a precedent.³

In 1248, Henry III ordered the justiciar of Ireland to allow earl Richard to have the same liberties and customs in his Irish lands as the Marshal earls had had.⁴ In spite of his extensive liberties, however, earl Richard attempted to usurp wider jurisdiction. A royal letter of February, 1254,

1. N. Denholm-Young, Seignorial Administration in England, p. 144.
2. One Minister's Account exists for 1314-16 when the lands were in the king's custody. (P.R.O. S.C.6/1239/13.) Frequent references to legal liberties were found in royal records, as in Cal. Doc. Ireland, and Cal. Justic. R. Ireland.
3. Cal. Doc. Ireland, 1285-92, no. 955. The city and county of Kilkenny paid £1051 13s. 8½d; Ibid. 1293-1301, *passim*.
4. Close R. 1247-51, p. 115. Cal. Doc. Ireland, 1171-1251, no. 2955.

to the Irish justices, referring to the complaint of the master of the Templars in Ireland to the king's justices of a false judgement in the earl's court of Kilkenny concerning the last presentation to the church of Gowran, stated that earl Richard had in his Irish lands his own justices.¹ These justices of the earl's were clearly new officials; in 1255, the steward of prince Edward in Ireland was reported as certifying that neither the earl nor his predecessors ever had justices in Ireland, but that pleas were always held before their stewards.²

Within the liberty the earl had the franchises of return of writs and collection of debts. The chief justiciar of Ireland and his colleagues would hold pleas at Kilkenny; these are occasionally said to be specifically for gaol delivery there.³ The earl had his own prison at Kilkenny.⁴ In a case of felony he might have the chattels of his tenants for flight and waste of their tenements for a year.⁵ For wrongful use of his liberties, the earl could be summoned before the royal justices of Ireland. Earl Ralph and Joan of Acre and their ministers in the liberty were sued before the justiciar in 1303 over the capture of four men and their detention in the earl's prison at Kilkenny.⁶ The case was finally heard in 1305.⁷ The four plaintiffs

1. Close R. 1254-6, pp. 158-9.

2. Ibid. p. 206.

3. E.g. 1 July, 1311, Cal. Justic. R. Ireland, 1308-14, p. 216; 16 January, 1314, Ibid. p. 312.

4. Ibid. 1295-1303, p. 141; Ibid. 1308-14, p. 216.

5. Cal. Doc. Ireland, 1302-7, no. 210.

6. Ibid. no. 248.

7. Cal. Justic. R. Ireland, 1305-7, pp. 59-60.

asserted that earl Ralph and Joan, Nicholas Blaunchevill, steward of the liberty, Simon Dunyng, treasurer, and John de Burgh, sheriff, took and held them captive, but they each gave the king $\frac{1}{2}$ mark for licence to withdraw from the case.

The court of the liberty was held under the presidency of the steward. The court had its own rolls, but none of these has survived, and we are therefore dependent on the cases which came before the royal justices at Dublin on writ of false judgement; as in England, all such cases went to the royal courts.¹ A plea would also be transferred if anyone involved held nothing in the liberty.² The disadvantage in this system of transfer lay in the fact that it was always possible for the losing party to re-open a completed case on the plea of false judgement.³

Little can be said about the suitors of the court. In theory, the earl's tenants by military service and probably some freeholders would owe

1. E.g. Cal. Justic. R. Ireland, 1295-1303, pp. 88-90.
2. E.g. Ibid. 1305-7, p. 98.
3. E.g. Jordan de Exeter and Imania his wife, in their case against William son of Philip le Ercedekne, procured a reversal of the verdict in favour of William by complaining to the royal officials of a false judgement in the court of Kilkenny; on the other hand, William during his lifetime, and Philip le Ercedekne in 1302 complained of error in the reversal of the judgement. (Cal. Justic. R. Ireland, 1295-1303, p. 380.)

suit of court, but it is likely that, as in England, by the late thirteenth century arrangements for suit were considerably more complicated in practice. Some freeholders certainly owed suit to the court; for instance Reginald de Dene held $7\frac{1}{2}$ carucates of land in Thomastown without service or rent, but did suit at the county court of Kilkenny.¹ With the franchisal as well as feudal business the court was very profitable; for the six months from June 1314, to January 1315, the pleas and perquisites in the liberty amounted to £43 13s. 4½d, and from January 1315 to February 1316 £78 19s. 6d. was received.²

Part of the business of the court would be feudal. Apparently the court was also used by sub-tenants to give publicity to changes in tenure.³ Final concords were made in the court; for instance, a fine was made in 1298, before the steward, sheriff and other lieges of the earl, between Walter de la Haye and Edmund son of Miles le Bret, concerning the castle and manor of Knocktopher.⁴ A further fine concerning the same manor was drawn up between Nigel le Brun and Amice his wife, and Walter de la Haye in 1309.⁵

Moreover, the court could take the petty assizes; a case of darrein presentment concerning the master of the Templars and the church of Gowran has already been mentioned,⁶ and cases of novel disseisin are also found.

1. *Ibid.* p. 403. Cal. Justic. R. Ireland, 1295-1303, p. 403.
2. P.R.O. S.C.6/1239/13.
3. E.g. Calendar of Carew Manuscripts, V, p. 350.
4. Calendar of Ormond Deeds, 1172-1350, ed. E. Curtis, no. 338.
5. *Ibid.* no. 435.
6. See above, p. 95.

Pleas of debt could also be heard in the court. In such cases the liberty would issue its own writs. For instance, in a letter from earl Ralph to the sheriff of Kilkenny of 8 January, 1300, it was stated that William, son of Simon le Poer, in the court of Kilkenny recovered against John son of William son of Simon le Poer £100, and later granted this to master Thomas de Cantoke; the sheriff was ordered to levy the debt for master Thomas.¹ Fuller details of the case are found in the rolls of the royal justices;² John son of William le Poer petitioned the justiciar in 1302. He said that he owed eight marks' rent to his father, sir William, for the manor of "Killyn", and sir William had brought an assize of novel disseisin against him, because John had unjustly deprived him of a distress he had taken for 10s. arrears of rent; the assize was taken before the steward of Kilkenny. While the plea of novel disseisin was pending, William brought a writ of debt before the sheriff of Kilkenny against John, and demanded the penalty of £100; at the inquest it was found that John had 10s. arrears of rent, and the suitors of the county court therefore adjudged that John was condemned to the penalty of £100, in addition to 10s. arrears, 8s. damages, and $\frac{1}{2}$ mark amercement; John asserted that this was contrary to law and right.

As in the banlieu of Tonbridge in Kent, the earl and his officials had to be ready to claim their court. In 1305, the bailiff of the liberty of

1. Calendar of Carew Manuscripts, V, p. 349.
2. Cal. Justic. R. Ireland, 1295-1303, pp. 392-3.

Kilkenny is found demanding the court of his lord.¹ For a short time in the same year, Thomas Darcy was appointed by the steward to demand and receive the earl's court for all his tenants before the Justiciar,² and on yet another occasion in 1305 the earl's court was demanded by the steward.³ In November, 1305, a claim of the court of the liberty was denied because the sheep mentioned in the charge were in the liberty of Carlow where the steward of the liberty of Kilkenny had no jurisdiction.⁴

Besides the hall of pleas, the earl had at Kilkenny a chancery and an exchequer;⁵ there had been an exchequer at Kilkenny in the time of William Marshal the elder.⁶ The hierarchy of the officials of the liberty is well illustrated by the scale of fees given in the account of the custody of Kilkenny from 1314 to 1316.⁷ The list was headed by Thomas le Butler, knight, steward of the liberty, who received £100 a year. £10 was paid to John Godyn the receiver, and ten marks to Hywel son of Stephen, the sheriff of the liberty. The constable of Kilkenny castle received ten marks a year;

1. Cal. Justic. R. Ireland, 1305-7, p. 38.
2. Ibid. p. 1.
3. Ibid. p. 71.
4. ~~Cal. Justic. R. Ireland, 1305-7, p. 470.~~ Ibid. p. 470.
5. P.R.O. S.C.6/1239/13. P.R.O. C.47/9/23-5.
6. Cal. Doc. Ireland, 1252-84, no. 861. Reference was made to the exchequer in the time of Hugh Rufus, bishop of Ossory, 1202-18.
7. P.R.O. S.C.6/1239/13. See Appendix IV, p. 352 for a list of officials.

on the other hand, the constable of Castletown, Offerlane, in the Marches, was paid £40. Payments were made to the bailiffs of demesne manors, and £10 a year was due to John de Newcastle for hearing the accounts of demesne manors. Other sources mention a treasurer,¹ and the janitor of Kilkenny castle.²

Occasionally, officials were transferred from one office to another in the liberty. Gilbert de Bohun was custodian of the liberty when it was in the king's hands in 1297,³ was steward in the following year,⁴ and was constable of Kilkenny castle at some time before 1305.⁵ Some of the men reported as going to Ireland on the earl's affairs may have been about to take up offices; in January, 1296, John de Tedemershe went to Ireland on the earl's affairs,⁶ and he was acting as steward in the same year.⁷

Of the various officials, the stewards were undoubtedly the most important; this is apparent in the size of their fee and in their multifarious duties. A deed of one of the stewards, David de Offington, of 1283, (probably on his appointment) stated that whereas earl Gilbert had delivered

1. Cal. Justic. R. Ireland, 1305-7, p. 60. Calendar of Ormond Deeds, 1172-1350, ed. E. Curtis, no. 435.
2. Stephen Treuedyn, 1305. Cal. Justic. R. Ireland, 1305-7, p. 67.
3. Cal. Doc. Ireland, 1293-1301, no. 381.
4. Ibid. no. 473; no. 550, p. 246. Cal. Justic. R. Ireland, 1295-1303, p. 207.
5. Cal. Doc. Ireland, 1302-7, no. 384.
6. Ibid. 1293-1301, no. 192.
7. Cal. Justic. R. Ireland, 1295-1303, p. 89.

to him the stewardship of Kilkenny, and the earl's castles, lands and liberties in Ireland, to be kept by him during the earl's pleasure, David had promised to maintain and defend these; he was to be subject to distraint by the king if the earl sustained any damage through David's fault.¹

Few of the stewards held office for long in the late thirteenth century or early fourteenth century, although it is possible that practice had been different earlier. Some of the stewards were probably the earl's sub-tenants, or were related to them, namely, Roger de Penbrok, William Graunt (the locum tenens of the steward in 1292), the Avenels, John Droill, and Thomas Butler; in addition, Fulk de Ash, Fulk de Fraxineto, and Nicholas de Blauncheville were knights of the county.² The earl relied on local families for his officials to a greater extent than in England, but, as in England, these men were also professional administrators. Several stewards are found acting elsewhere as royal sheriffs, and are occasionally described as stewards of other liberties. William de Caunteton was sheriff of Cork in 1301, 1303, and 1306-10;³ Roger de Penbrok was sheriff of Tipperary from 1289 until 1292,⁴ and Fulk de Fraxineto was sheriff there in 1308-9, and justice of gael delivery in 1310.⁵ William Cadel acted as steward of Carlew

1. Cal. Close R. 1279-88, p. 229.
2. Cal. Doc. Ireland, 1302-7, p. 124. Cal. Justic. R. Ireland, 1295-1303, p. 336.
3. Cal. Doc. Ireland, 1293-1301, p. 378. Ibid. 1302-7, no. 274. Cal. Justic. R. Ireland, 1305-7, pp. 234, 396. Ibid. 1308-14, pp. 27, 160. Cal. Fine R. 1307-19, p. 51.
4. Cal. Doc. Ireland, 1285-92, no. 499, pp. 352, 383, 456.
5. Cal. Justic. R. Ireland, 1308-14, pp. 50, 123, 157.

from 1284 to 1288.¹ Only one steward, David de Offington, rose high in the royal administration in Ireland; in 1294, he was appointed a baron of the Exchequer at Dublin,² and in the following year he was chosen as a royal justice to take assizes in Ireland.³

The steward's duties in the liberty were much more extensive than those of his counterpart in England. One of the most important was keeping the peace. He has already been mentioned as inquiring into disorders on the borders of Kilkenny and Tipperary;⁴ he had a more active military role in 1305 when he was said to be defending the marches.⁵ The steward acted as president of the earl's court at Kilkenny. He was not entitled to put another steward in his place, nor to hold the greater pleas except at two assizes a year.⁶ He was not solely responsible for the judgements; one case refers to judgement by the suitors,⁷ and another to an assessor, William de Weston, associated with David de Offington, the steward.⁸ It might have been expected that the sheriff would preside over the county court, but instead he was decidedly subordinate; it was his duty to execute the

1. Cal. Doc. Ireland, 1285-92, no. 45, pp. 113, 137, 165.
2. Cal. Pat. R. 1292-1301, p. 100.
3. Cal. Close R. 1288-96, p. 428.
4. See above, p. 93.
5. Cal. Justic. R. Ireland, 1305-7, p. 468.
6. Cal. Doc. Ireland, 1252-84, no. 1647.
7. See above, p. 98.
8. Cal. Justic. R. Ireland, 1295-1303, p. 89.

decisions of the court.¹

Because of the earl's extensive franchises, the steward performed many of the duties which a royal sheriff would have carried out elsewhere. He was responsible for accounting for money at the exchequer at Dublin. As the earl had the right to levy debts in the liberty, the steward would pay these in Dublin.² He also accounted for the service due from the liberty.³ He sometimes paid in the receipts of the fifteenth,⁴ but this was rare, since special collectors had been appointed. In 1299, Walter de Ivethorn accounted for 4s. treasure trove.⁵

Administrative and judicial orders were sent to the steward by the sheriff of Dublin who had no right to interfere in the liberty unless the steward failed to act. The steward did not always execute the king's commands; the most extreme example concerned the steward William de Athy who refused to receive a return from the sheriff of Dublin and threw it at his feet.⁶ The sheriff of Dublin was frequently ordered to intervene in the liberty.⁷ Occasionally officials would be summoned before the justiciar over failure to carry out royal orders. In 1305, Nicholas de Blanchevill,

1. Cal. Justic. E. Ireland, 1295-1303, pp. 89-90.
2. E.g. Cal. Doc. Ireland, 1285-92, pp. 54, 95; Ibid. 1293-1301, pp. 11, 180.
3. E.g. Ibid. 1293-1301, no. 473.
4. E.g. Ibid. no. 549.
5. Ibid. no. 587, p. 281.
6. Cal. Justic. E. Ireland, 1295-1303, p. 72.
7. E.g. Ibid. pp. 106, 266; Ibid. 1305-7, pp. 14, 85; Ibid. 1308-14, p. 16.

constable of Kilkenny, and Stephen Treuedyn, janitor of the castle, were summoned on a plea that when the sheriff had ordered the release of certain prisoners of earl Ralph, Nicholas and the others deforced him.¹ The officials however generally avoided appearing, and there was no effective means of compelling them to execute orders; the problem was the same as that encountered by Edward I in England over the franchise of return of writs.

The Irish lands present both similarities and contrasts to the earl's more valuable lands in England. The Irish organisation was on a similar feudal basis, and the franchises, though much more extensive than those generally found on the English lands, were of a similar type, in contrast to Welsh Marcher privileges. On the other hand, the earl's Irish lands were much more compact than the English estates. Warfare with the Irish in the north of the county constituted a threat, only slight in the thirteenth century but more serious later, to the stability of the liberty. The Clare earls apparently took little personal interest in their Irish estates, leaving affairs to their officials on the spot; they were among the absentee landlords who were denounced in 1297. Presumably they were mainly interested in their Irish revenues which, though not conspicuously large, were yet a useful part of their income.

1. Cal. Justic. E. Ireland, 1305-7, p. 67, Cf. Ibid. pp. 324-5; ibid. 1308-14, pp. 106-7, 111-2.

CHAPTER III.

THE HONOUR OF CLARE: I. THE CENTRAL ADMINISTRATION AND DEMESNE MANORS.

The honour of Clare, which comprised the earl's valuable lands in eastern England, had a relatively continuous history throughout the early Middle Ages. Clare, the caput of the honour, lay on the border of Essex and Suffolk; a castle had been built there by 1090¹ of which the keep and inner bailey can still be seen at the present day.² The honour was continually expanding; the Domesday lands in Essex and Suffolk formed its nucleus but by the thirteenth century they were equalled if not eclipsed in importance by the Norfolk acquisitions, the estates of Rainald son of Ivo, the barony of Saint Hilary, and half of the Giffard estates. The honour continued to expand in the thirteenth century but at a slower rate;³ at this time honours were kept distinct, and estates were not amalgamated as they had been in the twelfth century.⁴

1. B.M. MS. Cotton, Appendix xxi, f. 63v.
2. Excavations have recently been carried out. G.M. Knocker, "Clare Castle Excavations 1955", in Proceedings of the Suffolk Institute of Archaeology, XXVIII, pt. 2, 1959, pp. 136-52.
3. E.g. In demesne:- the manor of Claret in Ashen, Essex, acquired by Richard IV; the manor of Southwold and other lands in Essex and Suffolk granted to Richard IV c.1259 by the abbot of Bury St. Edmunds, in return for the earl's relinquishing his claim to the valuable abbey manor of Mildenhall, Suffolk.
Knights' fees:- 5½ fees in Norfolk granted to Gilbert IV in 1274 by John de Englefeld; a further grant of 2 fees is undated. A grant of 7 fees in Essex and Suffolk to Gilbert IV by Humphrey Hastyng in 1280.
4. See above, p. 65.

In its organisation, the honour of Clare stands in strong contrast to the honour of Gloucester. As the lands were concentrated in Essex and East Anglia, there was no need for the loose federation of bailiwicks which was essential on the Gloucester lands.¹ The officials at Clare controlled the whole of the honour. It is fortunate that much more evidence survives for Clare than for the honour of Gloucester, but even then the continuous series of Ministers' Accounts and Court Rolls do not begin until the fourteenth century. The main difficulty is to bridge the gap between Domesday and the thirteenth century. The problem is most serious in the case of the demesne manors for which nothing survives in the twelfth century; baronial charters, the Pipe Rolls and the Cartae of 1166, however, fill in the picture for the honorial officials, and the history of subinfeudation. The development of the honour can be traced in considerable detail from the time when it was granted to Richard I by William the Conqueror to the partition of Gilbert V's lands among his three sisters in 1317.

The Officials and Central Administration.

The organisation of the honour of Clare was very similar to that found on other great lay estates in the early Middle Ages.² A strong contrast can be drawn between the twelfth and thirteenth centuries. At first sight, the same features are apparent throughout this period, but the administration was altogether more professional and bureaucratic in the thirteenth century,³ a

1. See above, p. 78.
2. Illustration from other honours is occasionally useful to fill in gaps in the Clare evidence.
3. This feature is found on all lay estates at this time.

development which has been described as constituting a revolution.¹ This cannot be attributed to any one cause. It was doubtless partly due to the need for increasing manorial supervision in the great age of demesne exploitation; in the twelfth century, on the other hand, manors had often been let at farm.² Moreover the lords had to keep pace with changes in the royal courts, and in the thirteenth century professional pleaders were employed before the king's justices. On the feudal side, lords were losing control of their great tenants; they consequently had to rely more on their officials for advice and information. On the Clare lands in particular, the administration was bound to become more impersonal after the acquisition of the honour of Gloucester in 1217; the thirteenth century earls had far wider landed interests and were increasingly drawn into politics.

On two points especially the thirteenth century differed from the twelfth. In the twelfth, a large number of offices were held as serjeanties, and officials were probably rewarded by a grant of land rather than by a money fee.³ Some serjeanties are still found in the early fourteenth century,

1. E. Miller, The Abbey and Bishopric of Ely, p. 251. The contrast between the twelfth and thirteenth centuries is well brought out in the Ely organisation. In the twelfth century the bishop only had his ecclesiastical familia and a primitive feudal household at the centre, and a slight hierarchy on his estates; in the thirteenth century the administration was complex and professional.
2. See below, p. 126.
3. E.g. P.R.O. C. 146, C. 2179. Possibly one of these grants is implied in the reference to the life holding of John, the earl's clerk in a charter of earl Roger. (B.M. Cotton MS., Appendix xxi, f. 21). The references to serjeanties in the thirteenth century probably date from an earlier age.

but several had lapsed. William Forster, for instance, quit-claimed to Richard IV the custody of the park at Hundon.¹ In the late thirteenth century the park at Bardfield was kept by serjeanty, but the keeper was paid wages in 1308;² according to the receiver's account of that year, most of these keepers received a yearly wage. The bailiffs of fees however continued to hold their land by serjeanty.³

Secondly, a contrast is found in the type of official. In the twelfth century the officials were often drawn from the lord's tenants and their interests were predominantly local. In the thirteenth century however they were professional careerists; occasionally they held land of the earls, but they are most noteworthy for their administrative experience, both with the king, and with other lords.⁴ The change took place early in the thirteenth century, and reflects the growing prestige of the Crown; only in the eleventh and first half of the twelfth century was the honour a relatively self-contained unit; after over fifty years of Angevin government, royal service was generally the goal of honorial administrators.

The contrast between the twelfth and thirteenth centuries is especially marked in the development of the earl's council. There is no evidence that

1. B.M. Add. MS. 6041 f. 71. The deed is undated.
2. Ibid. f. 65, undated; P.R.O. S.C.6/1109/12.
3. See below, p. 175.
4. Cf. examples in L. Fox, The Administration of the Honor of Leicester in the fourteenth century, pp. 34-6.

the Clare lords had a special council in the twelfth century;¹ instead, the lord acted on the advice of his barons who were his most important sub-tenants.² The earl is found taking the advice of his men (probably his barons) in the course of a dispute with abbot Samson of Bury St. Edmunds.³ Important grants of land were made on the advice of the baronage; several of the grants and confirmations to the family priory of Stoke by Clare were made in this way.⁴ The barons would also inform the lord of grants made from the honour in the past, or of past events.⁵

In the thirteenth century the lord generally had a council to help him to supervise the work of his local officials. Possibly the development of a Clare council was quickened by the vast increase of their estates in the late twelfth and early thirteenth centuries. The earl probably had a permanent

1. F.M. Stenton, The first century of English feudalism, 1066-1166, (1961), p. 74, gives an example of a twelfth century council, but such instances are rare.
2. Ibid. pp. 90-1.
3. Jocelin de Brakelonde, Cronica, in Memorials of Saint Edmund's Abbey, ed. T. Arnold, I, pp. 261-2.
4. E.g. B.M. Cotton MS. Appendix xxi, f. 19, Gilbert II; f. 25, Richard II; f. 22, 22v., Roger; f. 24v, 25v, 26v, Richard III. The priory was established in Clare castle as a cell of the abbey of Bec in 1090 by Gilbert I, and was transferred to Stoke by Richard II in 1124. The Clares continued to make grants to the priory throughout the twelfth century.
5. Ibid. f. 28, 27.

council by the second half of the thirteenth century, although the early references are ambiguous. In 1249 the abbot of Tewkesbury was trying to affirm his right to *infangenetheof* at Wimborne St. Giles in Dorset, but was opposed by the earl's counsellors; on a later visit of the abbot, the earl summoned his counsellors on the morrow.¹ Obviously, these counsellors would not be sub-tenants who would meet only in the three-weekly honour court, but it is not clear whether they were a paid body of counsellors or members of the itinerant household called in to advise the earl.

The next piece of evidence is more definite. Walter de Scoteney, who was hanged for poisoning Richard IV and his brother William in the summer of 1258, was described by Matthew Paris as "*principalissimus et specialissimus consiliarius comitis Gloverniae atque senescallus*".² Walter was probably the earl's household steward. He was first mentioned as steward in 1255,³ and he was certainly not steward of the honour of Clare at the end of his life when the post was filled by Roger de Scaccario. One account of the poisoning referred to Walter as one of the earl's knights,⁴ and as such he would be a member of the household. He is often mentioned as being with the earl, and he accompanied him on pilgrimage.⁵ Since the steward was usually the president of the lord's council,⁶ it is probable that Richard IV had a

1. Annales de Theokesberia in Annales Monastici, I, p. 514.
2. Paris, Chronica Majora, V, pp. 737-8. The earl recovered, but William died.
3. Close R. 1254-6, p. 21.
4. Chronicon Thomae Wykes in Annales Monastici, IV, p. 120.
5. Cal. Pat. R. 1247-58, pp. 12, 61.
6. N. Denholm-Young, Seignorial Administration in England, p. 72.

formal council by this time.

An even more precise reference to the council is given in 1284. In writing to Gilbert IV about the disputes arising between their bailiffs, archbishop Peckham suggested that he and the earl should meet, accompanied by their councils, to settle the contentions.¹ By the early fourteenth century at least, the council was paid. In 1308-9 £31 was paid for the fees of the members of the earl's council,² an early instance of the payment of a baronial council.

One list of the earl's council survives, from a meeting of the county court of Glamorgan in 1299.³ It was a small body of eleven members, comprising seven knights and four clerks, but it is not clear who acted as president. Two were ^{officials} on the Welsh estates in the late thirteenth and early fourteenth century - sir Robert de Grendone, sheriff of Glamorgan, and master Henry de Lancarvan, treasurer of Cardiff - and were probably only temporary members. The professional element which has been stressed in other councils is also present here;⁴ the clerk John de Bruges was the earl's wardrober at Clare in 1308-9.⁵ The membership was probably elastic; in the honour of Leicester until the second half of the fourteenth century the council was an

1. Registrum Epistolarum Fratris Johannis Peckham, archiepiscopi Cantuariensis, (R.S.) II, p. 689.
2. P.R.O. S.C. 6/1109/12. This account is dated 1273-4 (2-3 Edward I) in P.R.O. Lists and Indexes, V. p. 346, and in Denholm-Young, *op. cit.* pp. 41-2. But it is clear from the names of the officials that the account belongs to 2-3 Edward II.
3. G.T. Clark, Cartae, III, p. 911.
4. A.E. Levett, "Baronial Councils and their relation to manorial courts", in Studies in Manorial History, p. 26.
5. P.R.O. S.C. 6/1109/12.

indefinable body of the earl's important officials and friends.¹

Apart from Pecham's reference to the council, nothing is known of its activities. Probably its most important duty was the general supervision of the earl's wide estates; the council was the central authority on the lands of Henry Lacy, earl of Lincoln, in the early fourteenth century.² General supervision was certainly necessary for the earl to keep in touch with his lands and exploit them to the full. In 1305, Robert de Chevington, a member of the council, travelled from London to Standon on his way to Clare, and he spent two nights at Standon on his return from Clare to Tonbridge to supervise the woods there.³

In addition to the council, the honorial officials in the thirteenth century were supervised by the auditors, about whom little is known on the Clare lands. The system of holding the view of account for half the year and the audit for the full twelve months from Michaelmas to Michaelmas operated there as on other thirteenth century estates.⁴ Occasional references are found to the auditors in the Ministers' Accounts; Robert de Chevington and Thomas de Staneford are mentioned as auditing the accounts at Standon.⁵ In

1. Fox, op. cit. p. 45.
2. J.F. Baldwin, "The Household Administration of Henry Lacy and Thomas of Lancaster" in E.H.R. XLII, 1927, p. 187.
3. P.R.O. S.C. 6/868/17.
4. Denholm-Young, op. cit. p. 143. P.R.O. S.C. 6/1109/14 in 4 Edward II is a view of the account of the bailiff of fees for Suffolk. A reference to the view is made in Ibid. 992/11.
5. P.R.O. S.C. 6/868/18.

contrast, bailiffs and reeves might be summoned to the audit at Clare,¹ but it was more usual for the auditors to visit the manors. The auditors were not confined to checking accounts; they heard complaints about officials, and might even alter the decisions of the steward; for instance, in a meeting of the honour court in 1308, a fine was pardoned by the steward by order of the auditor.²

Among the officials responsible for the administration of the honour, the most important was undoubtedly the steward. In the twelfth century he was supreme, and, although more closely supervised in the next century, he continued to be the most prominent official. The twelfth century steward was generally a man of influence in the honour;³ on the Clare lands he was often an important sub-tenant.⁴ Baldwin son of Geoffrey, a steward of Gilbert II, was one of the earl's barons,⁵ and Stephen de Danmartin, steward under Gilbert II and Roger,⁶ was the brother of the William de Danmartin who held 11½ knights'

1. Ibid. 992/11, 14-15 Edward II. The auditors were paid 55s. 2½d. for their expenses for coming to Clare to take the accounts of the bailiffs and reeves in the bailiwicks for a fortnight at the end of November.
2. W.O. Ault, Court Rolls of the Abbey of Ramsey and of the Honor of Clare, p. 80. Complaints were occasionally made about the auditors' activities, e.g. Rot. Hund. II, p. 179.
3. Stenton, *op. cit.* p. 77.
4. It is unfortunate that in many charters the officials only give their Christian names; in other cases, officials acted as witnesses without giving their offices.
5. B.M. Cotton MS. Appendix xxi, f. 19.
6. Ibid. f. 27 and 21-21v respectively.

fees of the earl in 1166.¹ John de Cornhierd, steward at the beginning of John's reign,² was again a sub-tenant but of lesser standing in the honour than the previous officials.³ Sir Frank Stenton has pointed out that on most honours the office of steward became hereditary long before the end of the twelfth century,⁴ but this was not the case on the Clare lands. Indeed, several stewards can have held office for only a relatively short time.⁵

That the change to professional stewards took place fairly soon after 1200 is indicated by the career of John de Cornhierd who was sheriff of Essex and Hertford in 1217-18,⁶ although he never took office in the central

1. Red Book of the Exchequer, I, p. 405. The relationship is given in B.M. Cotton MS., Appendix xxi, f. 20v.
2. Memoranda Roll, 1 John, in Pipe Roll Society, N.S. XXI, pp. 22, 55, 79-81.
3. In 1242, dower was to be assigned to John's wife, Alice, out of John's rents in Wickham and Sudbury, Suffolk. Close R. 1237-42, p. 450.
4. Stenton, *op. cit.* p. 75.
5. Whether this was the case in the early twelfth century cannot be said. But in the Stoke cartulary (B.M. Cotton MS. Appendix xxi) mention is made of four stewards under earl Roger:- Ralph son of Manerius (f. 20v, 24v; f. 170 where he is described as a clerk); Stephen de Danmartin (f. 21v); Reginald (f. 22); and Peter (f. 22), who must have held this office quite early in Roger's time because this charter was addressed to the earl's grandmother, Alice (sic) de Clermont.
6. Rot. Lit. Claus. I, p. 344. Pat. R. 1216-25, pp. 121, 139.

government. . Walter de Bradefeld, steward in 1207,¹ however, acted as a royal justice.² The change occurred at about the same time as on the Ely estates, where there were professional stewards by 1215.³

Of the thirteenth century stewards, it is likely that many entered the service of other lords,⁴ and several officials passed from the earl's service into that of the king;⁵ it is most surprising to find officials leaving the king's service for the earl's for a few years, although they generally re-entered royal service later.⁶ These thirteenth century stewards were mostly laymen and normally had legal experience; much of their work in the thirteenth century had to do with the baronial courts. Roger de Scaccario, for instance, who held the serjeanty of usher at the Exchequer,⁷ is found on judicial

1. Memoranda Roll, 10 John, in Pipe Roll Society, N.S. XXXI, p. 52.
2. Pat. R. 1225-32, p. 353. Walter was originally included among the justices to take an assize at Catshall, Suffolk.
3. Miller, *op. cit.* pp. 265-6.
4. Denholm-Young, *op. cit.* pp. 13 n.4, 140 on sir Richard de Loughborough.
5. E.g. Richard de la Lade who apparently went into royal service after the death of Gilbert III in 1230. He was acting as the earl's attorney in 1229 (Close R. 1227-31, p. 252); he was clerk of Peter de Rivaux in 1232 (Ibid. 1231-4, p. 118) and escheator in 1234-7 (Ibid. 1231-4, 1234-7, passim. Cal. Pat. R. 1232-47, passim). He was custodian of the earl's lands from 1234 until Richard IV came of age.
6. Thirteenth century stewards generally held office for only a short time. Denholm-Young's examples in Seignorial Administration in England, p. 70 cannot be accepted wholly, because there were different stewards on the different honours.
7. Cal. Inq. p.m. I, no: 763.

commissions from 1258.¹ Hervey de Borham, who succeeded Roger as steward of Clare,² was a clerk³ who had previously acted as steward of the abbot of Westminster.⁴ Like his predecessor he was a royal justice,⁵ and he later occasionally acted as custodian of land and castles.⁶ Hervey forfeited the king's favour over his support of Gilbert IV's occupation of London in 1267,⁷ but was again acting as a royal justice by 1270.⁸ Another steward, Richard de Heydon, was first mentioned as an attorney in 1268,⁹ and frequently acted

1. E.g. Cal. Pat. R. 1258-66, pp. 49, 53; both these concerned Tonbridge, and it was about this time that Roger was steward of the honour of Clare; he had been steward of Tonbridge in 1247 (see below, p. 347). Ibid. p. 101, 1260. Close R. 1256-9, p. 392, 1259; *ibid.* 1259-61, p. 312, 1260; he was one of the justices of the Jews.
2. Select Cases of Procedure without Writ under Henry III, ed. H.G. Richardson and G.O. Sayles (Selden Society), p. 97.
3. He was referred to as king's clerk in 1264 (Cal. Pat. R. 1258-66, p. 346) and Close R. 1261-4, p. 406) and was presented by Henry III to two livings in 1259 (*Ibid.* pp. 11, 35) and to another in 1274, (Cal. Pat. R. 1272-81, p. 41).
4. Close R. 1253-4, pp. 50, 132.
5. E.g. Cal. Pat. R. 1258-66, p. 146, 1261; p. 180, 1260; p. 476, 1264; p. 480, 1265; p. 666, 1266.
6. E.g. *Ibid.* p. 333, 1264.
7. He was one of those who advised the occupation (Chronicon Thomae Wykes, in Annales Monastici, IV, p. 198), and was excepted from the royal safe-conduct to the earl and his household in 1269. (Cal. Pat. R. 1266-72, p. 369.)
8. *Ibid.* p. 412, 1270, p. 715, 1272.
9. Close R. 1264-8, pp. 525-6.

as a royal justice.¹

Robert de Bures, steward at the beginning of Edward II's reign,² and a Suffolk landowner, is first found in the king's service in Wales in 1286.³ He was constable of Haverford West castle in 1291,⁴ and keeper of Cannock Chase from 1295 to 1306.⁵ In 1303 he was acting on a commission in Northumberland over footmen for the Scottish war.⁶ Throughout this period he was also sitting on judicial commissions.⁷ He stayed in the royal service probably until the death of Edward I,⁸ and even after that it is likely that he combined the stewardship of the honour of Clare with certain royal commissions.⁹

1. E.g. Cal. Pat. R. 1281-92, p. 102, 1283; p. 142, 1284; p. 200, 1285; p. 516, 1292; Ibid. 1292-1301, p. 516, 1300; p. 621, 1301.
2. W.O. Ault, Court Rolls of the Abbey of Ramsey and of the Honor of Clare, p. 78.
3. Cal. Pat. R. 1281-92, p. 232.
4. Cal. Fine R. 1272-1307, p. 287.
5. Ibid. p. 359; Cal. Close R. 1313-18, pp. 541-2.
6. Cal. Fine R. 1272-1307, p. 481.
7. Cal. Pat. R. 1292-1301, p. 476, 1299. Ibid. 1301-7, p. 193, 1303; p. 305, 1304; p. 543, 1307.
8. Cal. Close R. 1307-13, p. 415.
9. E.g. in 1309, he was on a commission to inquire into Welsh customs. (Cal. Pat. R. 1307-13, p. 239).

Returning to royal service probably before the death of Gilbert V,¹ he became keeper of the lands of the rebels in Norfolk and Suffolk from 1322 until 1324,² and died in 1331.³

The steward was responsible in both the twelfth and thirteenth centuries for the general administration of the whole honour. Stewards in the earlier century usually had certain household duties in addition,⁴ but there is no evidence of this on the Clare lands; by the thirteenth century, the offices of household and estates' steward were quite distinct. The steward has been well described as "the lord's executive officer within the honour at large".⁵ The extent of his powers in the twelfth century is indicated by a letter of Richard III which referred to the time when Stephen de Danmartin had the "senescalcia et magisterium" of all Gilbert II's land;⁶ the use of this phrase well illustrates the steward's supremacy under the lord.

It is fortunate that several documents survive in the cartulary of the priory of Stoke-by-Clare which illustrate the administrative responsibilities of the twelfth century stewards. The lord's letters on behalf of the monks

1. E.g. Cal. Pat. R. 1307-13, p. 530, 1312; p. 600, 1313. Ibid. 1313-17, p. 146, 1314; p. 678, 1317. Ibid. 1317-21, p. 363, 1319; p. 604, 1321. Ibid. 1321-4, p. 445, 1324. Ibid. 1324-7, p. 290, 1326. He was one of the commissioners of array and keepers of the peace in Suffolk in 1316 (ibid. pp. 462, 483).
2. These included the honour of Clare. E.g. Cal. Fine R. 1319-27, pp. 129, 283.
3. Ibid. 1327-37, p. 273.
4. Stenton, op. cit. p. 74.
5. Ibid. p. 76.
6. B.M. Cotton MS., Appendix xxi, f. 27.

were generally addressed to the steward; earl Roger however once sent a letter to his bailiffs ordering them to distrain sub-tenants who were refusing to pay their rents to the priory.¹ One letter in particular illustrates the steward's general responsibility. The earl wrote to one of his sub-tenants ordering him to reseize the monks of the tithe of Gestingthorpe in Essex as Gerard son of Renger gave them seisin by order of the steward; then, if he claimed anything against the priory, the case could be heard. If he did not do this, the order was to be carried out by Adam the steward, so that no complaint was made to the earl for lack of right.²

Outside the honour, the steward is occasionally mentioned as representing the earl at the Exchequer, paying debts,³ or acting as pledge for their future payment.⁴ The steward was not yet primarily a judicial official, and the lord was generally president of the honour court.⁵ He was responsible, however, for dispensing justice in the earl's absence; in the event of non-payment of rents and tithes, Reginald, earl Roger's steward, was to do justice to the monks of Stoke, just as he would do to the earl over his own rents.⁶

1. ~~Ibid. f. 21.~~ B.M. Cotton MS. Appendix xxi, f. 21.
2. ~~B.M. Cotton MS. Appendix xxi, f. 114v.~~ Ibid. f. 114v.
3. E.g. Pipe R. 1193, in Pipe Roll Society, N.S. III, p. 27.
4. Memoranda Roll, 1 John, in Pipe Roll Society, N.S. XXI, pp. 79-81. Memoranda Roll, 10 John, in Pipe Roll Society, N.S. XXXI, p. 52.
5. Stenton, op. cit. p. 77.
6. B.M. Cotton MS. Appendix xxi, f. 21v - 22.

The thirteenth century stewards continued to have the same administrative responsibilities, although it is likely that their powers were somewhat curtailed by the close supervision of the council and the auditors. They were however still the most important officials; in the early fourteenth century Robert de Bures received a fee of £26. 13. 4. a year,¹ a larger sum than the other official salaries. Contemporary treatises make much of the steward's supervision of the demesne manors,² but this part of their work hardly appears in the accounts.³ The stewards were most prominent in the thirteenth century as holders of courts. In contrast to the preceding century, the steward held the three-weekly court at Clare, and, occasionally, the forinsec courts of the honour in Norfolk.⁴ It was, moreover, usual for the steward to hold the courts leet. He was often responsible for conducting inquisitions; earl Gilbert ordered his steward to inquire into the lands which Nicholas Wymer held of him on the day he died, and into what he held by serjeanty for keeping the park of Great Bardfield.⁵ The steward, as well as other officials, was involved in the earl's lawsuits; Richard de Heydon claimed the earl's franchises at Standon in 1278,⁶ and in 1308-9 sir Thomas de Grey, Robert de Bures the steward, John de Chelmissford the attorney in

1. P.R.O. S.C. 6/1109/12.
2. E.g. Seneschaucie in Walter of Henley's Husbandry, ed. E. Lamond, pp. 84-9.
3. P.R.O. S.C.6/868/17, contains an agricultural order from the steward.
4. See below, p. 179.
5. B.M. Add. MS. 6041, f. 65.
6. Plac. de Quo. War. p. 278. He was nominated as the earl's attorney in 1279 (Cal. Pat. R. 1272-81, p. 298).

King's Bench, and Robert Abethorp the receiver went to Chelmsford for an assize between the earl and Sir William de Wauton.¹ Finally, the steward might be used for business outside the estates; Robert de Bures with Sir Thomas de Grey and John de Toucestre, the constable of Clare, are mentioned as going to two parliaments in London, after Michaelmas, 1308, and in Lent, 1309.²

It is hardly surprising in view of the stewards' powers that they sometimes exceeded their authority. It is unusual to find evidence of the steward's misdeeds in the twelfth century, although the problem was doubtless more serious than as his authority was greater. At one time it is clearly not only the steward who was at fault; earl Roger ordered his grandmother, steward and men of Norfolk to leave the monks of Stoke in peace and not lay a hand on their possessions.³ A more interesting illustration is provided by a letter of Richard III. Several of his men had been ordered to swear that they saw Stephen de Danmartin seized of land at Pitley farm in Great Bardfield as of his fee and inheritance. But the earl had evidence to the contrary, and wrote, "Nolo vos incurrere iram et maledictionem dei sicut de periurio." He had been told by some of his older tenants that, while Stephen was Gilbert III's steward, he had unjustly seized the land which had belonged to William the reeve of Bardfield and he had one of William's sons

1. P.R.O. S.C. 6/1109/12.
2. Ibid.
3. B.M. Cotton MS. Appendix xxi, f. 22.

murdered because he knew that he was his father's next heir.¹ As for the thirteenth century, the Hundred Rolls for Norfolk and Suffolk list at length the complaints against the earl's stewards and bailiffs; Roger de Scaccario was the worst culprit for the appropriation of franchises, although the largest number of complaints about illegal actions was made against a later steward, William de Osted. Further complaints about the misdeeds of officials were made after the death of Gilbert V.²

Little is known of the financial organisation of the honour before the early fourteenth century, and even then the evidence is scanty. Payments were made out of the chamber in John's reign,³ but in the early fourteenth century they were normally made out of the wardrobe, although wages and some expenses were entered on the receiver's account.⁴ Mr. Denholm-Young has however pointed out that at this time there was often no distinction between the wardrobe and the chamber.⁵ It was usual to have two financial officials, one with more authority than the other;⁶ in 1308-9, £81. 9. 8. was handed over by the receiver to the forinsec wardrober, Richard de Loughborough, whereas

1. B.M. Cotton MS. Appendix xxi, f. 27. This incident occurred in Stephen's reign; probably the steward would not have gone to such lengths under a stronger king.
2. Cal. Pat. R. 1313-17, p. 321.
3. Curia Regis Rolls, VIII, p. 62, 1219: In a case against Gilbert III, Philip de Hertford and Beatrice his wife claimed the arrears of a payment of £10 a year which Richard III had granted to Beatrice to be received from the chamber, until she was assigned ten librates of land.
4. P.R.O. S.C. 6/1109/12. A few payments were made direct to the wardrobe, e.g. in 1325-6, a fine was paid in this way. (P.R.O. D.L. 29/430/6902.)
5. N. Denholm-Young, Seignorial Administration in England, pp. 30-31.
6. ~~Denholm-Young, op. cit. p. 13.~~ Ibid. p. 13.

£729. 17. 2. passed to the wardrobe, John de Bruges. Richard's fee for the year amounted to £20, but no mention was made of the amount paid to John.¹

The financial official of whom most is heard is the receiver; payments from the demesne manors and bailiffs of fees were made to him, and he was responsible for paying the fees of the earl's central officials, the bailiffs and the park-keepers, together with various other warranted expenses.² It is interesting to find that Clare served as the receipt for lands outside the actual honour; in 1308-9, for instance, the reeve of Southoe, the caput of the honour of Lovetot, accounted at Clare,³ as did the chamberlain and bailiff of Sudbury. This was purely an arrangement for administrative convenience; in contrast, the Lovetot and Gloucester lands were not absorbed into the honour of Clare with regard to suit of court.⁴

The receivers appear to have rarely passed into the royal administration, although they probably entered the service of other lords.⁵ It is possible that they, like the stewards, only remained on the honour for a comparatively

1. P.R.O. S.C. 6/1109/12.

2. Ibid. In contrast to the later fourteenth century, the reeve of Clare accounted to the receiver at this time. G.A. Holmes, The Estates of the Higher Nobility in Fourteenth-Century England, p. 87, n. 1, has pointed out that later the reeve accounted directly to the household.

3. P.R.O. S.C. 6/1109/12.

4. See above, pp. 63, 84-5.

5. The only receiver found in royal service was John de Toucestre, receiver in 1304-5 and constable in 1308-9.

short time.¹ As on other estates,² the offices of receiver and constable were sometimes combined.³ The receiver's position was not an enviable one, because of his responsibility for arrears. When Simon de Henham brought a case against the earl for debts and expenses not allowed to him in his account of 1290 and 1291, it transpired that the earl had imprisoned him at Clare for arrears of £614. 4. 1½d.⁴

The constable continued to be one of the three main officials throughout the early Middle Ages, but his importance steadily declined after the first half of the twelfth century. Originally he commanded the knights of the lord's household,⁵ but the military importance of the lords was on the wane after Stephen's reign. The constable was bound to be more significant in the troubles under Stephen; thus, we find Gilbert II ordering his constable, Simon son of Lambert, and his familia at Desning, to keep Colchester abbey in the possession of an estate, granted by one of the earl's ancestors.⁶ Few names of constables are known. One in the twelfth century was a man of baronial family; Robert son of Humphrey was the brother of Walter son of

1. It is impossible to be certain on this question, as only five receivers have been found, and there is no continuous series of accounts. Robert de Abethorp however is only found in the accounts of 1308-12.
2. J.F. Baldwin, "The Household Administration of Henry Lacy and Thomas of Lancaster", in E.H.R. XLII, 1927, p. 183. At Tonbridge, see below, p. 220.
3. Robert de Penrich was receiver and constable in 1324-5. In 1308-9 the fees of the constable and receiver (then two people) were given together, as if the offices were often combined; it amounted to £11. 10s.
4. Denholm-Young, op. cit. pp. 158-9.
5. Stenton, op. cit. p. 79.
6. Cartularium Monasterii Sancti Johannis Baptiste de Colecestria, ed. S.A. Moore, I, p. 171. Stenton, op. cit, p. 81 interprets familia as a military household of knights and serjeants established at Desning under the constable's command.

Humphrey who held $5\frac{1}{2}$ knights' fees of the earl in 1166.¹ The constable's duties in the thirteenth century are obscure; besides acting sometimes as receiver, he is found serving as bailiff of a number of demesne manors.²

In addition to the steward, receiver and constable, twelfth century charters mention clerks and chaplains, the butler, chamberlain, and others,³ and it is likely that the number of officials increased with the growing bureaucracy of the next century. An examination of the honour of Clare shows that it was in major respects similar to the other great lay estates of the early Middle Ages whose records have been examined. The organisation had developed from the baronial household of the twelfth century to the professional body of the thirteenth; by the time we leave the central administration in the early fourteenth century it was well on its way to becoming the complicated bureaucratic unit which was usual in the later Middle Ages.

1. B.M. Cotton MS. Appendix xxi, f. 22. Red Book of the Exchequer, I, p. 403.
2. P.R.O. S.C. 6/1109/12. In Christmas term, the constable was bailiff of the manors of Clare, Hundon, Sudbury, Haverhill, Desning and Bardfield, and, for the rest of the year, of the manors of Clare, Hundon, Sudbury and Haverhill.
3. E.g. Feudal Documents from the abbey of Bury St. Edmunds, ed. D.C. Douglas, pp. 152-3.
B.M. Harley Charters, 76 F. 35.

The Demesne Manors

The earls derived the greater part of their income from their demesne manors. Many of the most important manors were held in demesne continuously from the time of William the Conqueror.¹ Their number increased with the extension of the family's lands in the twelfth and early thirteenth centuries, and were still being added to in the early fourteenth century.² The honour contained some of the most valuable demesne land which the earls possessed; they were thus able to become prominent among the twelfth century magnates, and the honour formed an appreciable contribution to their income when they were earls of Gloucester.

The history of the demesne manors in the twelfth century is unknown. It is quite likely that the manors were farmed. Some of the Clare manors were farmed in 1086,³ and this practice was general on other twelfth century estates.⁴ The movement towards the commutation of services and dissolution

1. Thaxted, Great Bardfield, Standon, Clare, Hundon and Desning. There is no further mention of the demesne manor of Ipswich after 1086.
2. In the thirteenth century, manors were held in demesne at Walsingham, Wells-next-the-Sea and Warham, and, less important, at Great Bixham, Wiveton and Crimplesham, Norfolk; and at Sudbury, Suffolk (the borough with the manor of Woodhall). Later acquisitions included Claret in Ashen, Essex, Pope's Hall in Buckland, Herts, and Southwold, Suffolk. The list is completed by Edward II's grant to Gilbert V in 1309 of the manors of Fakenham, Cawston and Aylsham, Norfolk.
3. See above, p. 49. Thaxted and Desning.
4. S. Painter, Studies in the History of the English Feudal Barony, p. 154. The demesne lands of the honour of Gloucester were farmed when they were taken into Henry II's hands in 1183 (Pipe R. 1184, in Pipe Roll Society, XXXIII, pp. 109-10.)

of the demesne¹ points to stable, or slightly falling, agricultural profits. Even if profits had been higher, the household administration of the twelfth century was not elaborate enough to tackle the direct exploitation of the demesne manors on the scale of the next hundred years.

The thirteenth century was indeed the great age of demesne farming. In the country as a whole, there was a rising population, expanding settlement, more intensified farming, and the growth of demesne land; Professor Postan has shown that out of about eight hundred manors which he has investigated, over six hundred and fifty had intensified or extended their demesne cultivation.² The great landlords produced for the market on a large scale, and wished to exploit their estates to the full; hence, the elaborate hierarchy of officials, the system of audit, and the number of thirteenth century treatises on farming and accounting.³

The Clare manors were farmed directly at least from the minority of Richard IV,⁴ and the Inquisitions post mortem of the last three earls and of

1. M. Postan, "The Chronology of Labour Services" in T.R. Hist. S. 4th ser. XX, 1937, pp. 184-5.
2. Ibid. p. 186.
3. D. Oschinsky, "Medieval Treatises on Estate Accounting", in Econ. H.R. XVII, 1947, pp. 52-61; "Medieval Treatises on Estate Management", in Ibid. 2nd ser. VIII, 1955-6, pp. 296-309.
4. A few Ministers' Accounts survive from this minority. (P.R.O. S.C. 6/1109/6-11). The accounts of Sudbury and Eltham for 1238-42 were entered on The Great Roll of the Pipe for 26 Henry III, 1241-2, (ed. H.L. Cannon), pp. 140-2. References to the bailiffs of demesne manors are found in Cal. Lib. R. 1226-40, p. 258; Ibid. 1240-5, p. 169.

Joan of Acre show that the manors continued to be thus treated for the rest of the thirteenth and in the early fourteenth century. Occasionally, the mills or other sources of manorial profits were put out to farm, but this practice was by no means universal.¹ In only two instances was land put to farm. Early in Edward II's reign, the land in Pope's Hall in Buckland was farmed for £8,² and the borough of Standon was farmed by the burgesses throughout the second half of the thirteenth century.³

The demesne at this time was constantly being increased by the acquisition of small parcels of land. This policy of expansion is a sure indication of the value of demesne land. The lands were bought by the earls for considerable sums of money, but after purchase the service to the former owners was generally only nominal.⁴ In a few cases where new acquisitions are mentioned in the Inquisitions post mortem, the rent due from the holding apparently exceeded its value, but most of the holdings yielded some profit even if it

1. E.g. Lottesford mill at Spondon (a late thirteenth century acquisition) was farmed. (P.R.O. S.C. 6/868/17, 18.)
2. Ibid. no. 18. This can only have been a temporary arrangement.
3. It was farmed for £6. 13s. 8d. and the earl received in addition half the perquisites of the borough court. (P.R.O. S.C. 6/868/17, 18). The farm is first mentioned in 1262. (P.R.O. C. 132, file 27 (5), m. 20).
4. E.g. at Lakenheath, earl Richard gave 18 marks for the grant of a messuage and 20 acres of land. (B.M. Harley MS. 1240, f. 94). At Standon, earl Gilbert paid 10s. for one acre, and 5s. for one rod (ibid. f. 81). As to service, the grants of William de Kaunville at Standon generally mention one gilly flower. (Ibid. f. 81-4).

was small.¹ It must be stressed that the acquisitions frequently comprised rents as well as small parcels of land; rents formed a considerable part of the earl's income in the thirteenth century, although they were to become more important in the next hundred years.² The impression is given that while the earls were eager to acquire small demesne holdings, they wished to expand their possessions in every possible way.

Expansion was most marked at Standon, where the acquisitions were all made by Gilbert IV, and the dated deeds limit the grants to the first half of Edward I's reign.³ The most striking feature here is the vast series of grants made by William de Kaunville. Nothing like this number of deeds is found on the other demesne manors, although the same process was going on. Indeed, it generally appears to have begun earlier than at Standon and to have gone on longer. Although the greatest expansion probably took place

1. P.R.O. C. 133, file 77 (3), m. 21: extent of Desning.
2. Cf. E. Miller, The Abbey and Bishopric of Ely, pp. 93-4.
3. The dated grants on every manor are in a minority, and it is often impossible to distinguish between Gilbert IV and Gilbert V. At Standon, the executors of Geoffrey de Leukenore made their grant in 1277 (B.M. Add. MS. 6041, f. 73v), Julian de Pilesdiss in 1280, (ibid.), Richard de Astone in 1282, (ibid. f. 74v), and William de Kaunville from 1282-5, (ibid. f. 74v - 77). The Standon expansion has been described by Holmes, op. cit. p. 88. Most of the honour of Clare eventually passed to the Mortimers; this explains why we find records of Clare transactions in the Mortimer Cartularies.

under Gilbert IV,¹ several acquisitions were made by his father.² At the end of the thirteenth and beginning of the fourteenth centuries grants were made to earl Ralph de Monthermer, the second husband of Joan of Acre, and to Gilbert V.³ The demesne expansion is found both on the large and small manors; although most noticeable at places like Clare, Hundon, Bardfield and Desning, it also took place at Bircham, Claret and Lakenheath. It is at first sight surprising that in some of the larger manors the expansion was not greater; for instance, only two grants have been found for Walsingham.⁴ But much must have depended on local circumstances, and notably on the willingness of freeholders to sell their holdings.

The demesne manors were run by bailiffs and reeves. Contemporary treatises extolled the rôle of the bailiff, the official appointed by the

1. E.g. The dated deeds for Clare came from 1290-2, (B.M. Add. MS. 6041, f. 61 - 63v); for Bardfield, 1292 and 1293, (ibid. f. 65); for Bircham, 1292 and 1293, (ibid. f. 72v); for Claret, 1272, (ibid. f. 82). The long list of small demesne holdings in the extent of Desning in 1296 presumably comprises recent acquisitions. (P.R.O. C. 133, file 77(3), m. 21.)
2. Acquisitions were made by Richard IV at Clare, (B.M. Add. MS. 6041, f. 61-62), Bardfield, (ibid. f. 64v), Sudbury, (ibid. f. 67), Bury St. Edmunds, (ibid. f. 67v), Hundon, (ibid. f. 71v - 72), Bircham, (ibid. f. 72v), Claret, (ibid. f. 82), and at Lakenheath (ibid. f. 83). Grants at Walsingham to his brother William, i.e. before 1258, (ibid. f. 70).
3. Grants to earl Ralph at Clare, (ibid, f. 63), Bardfield, (ibid. f. 64v), Claret, (ibid. f. 82). Grants were made to Gilbert V at Bury St. Edmunds in 1312-14, (ibid. f. 67v - 68).
4. Ibid. f. 70.

lord,¹ but it has been pointed out that in practice the reeve was indispensable for running the manor.² The reeve was a villein, but he had the advantage of intimate knowledge of the manor whereas the bailiff was an outsider. On most of the Clare manors, both a bailiff and a reeve are found, but the reeves usually had the most responsible task of accounting for the manor year by year.³ In all probability, the bailiff's duties amounted to general supervision of the manor. In the cases where a man was bailiff of several manors, his supervision cannot have been very detailed; he cannot have resided on the manor and known every detail of its working, as suggested in the treatises.⁴ Thus, in Christmas term, 1308, John de Toucestre, constable of Clare, was bailiff of the manors of Clare, Hundon, Woodhall in Sudbury, Haverhill, Desning and Bardfield, and, for the rest of the year, of Clare,

1. E.G. "Seneschaucie" in Walter of Henley's Husbandry, ed. E. Lamond, pp. 89-97.
2. H.S. Bennett, "The Reeve and the Manor in the fourteenth century", in E.H.R. XLI, 1926, p. 359.
3. In the Ministers' Accounts, reeves accounted for Clare and Claret (the same man was reeve of both manors), Hundon, Desning, Bardfield, Standon, Pope's Hall, Walsingham, Wiveton, Crimlesham, Bircham and Southoe; two bailiffs (men of the borough) accounted for the borough of Clare, and a chamberlain for the borough of Sudbury. A "serviens" accounted for Haverhill in 1308-9, and a bailiff for Southwold. A reeve and a "serviens" were accounting for Woodhall manor in Sudbury in 1308-9, but a bailiff in 1324-7. A reeve accounted for Lakenheath in 1291 but a bailiff in 1322 and 1326.

Hundon, Woodhall and Haverhill.¹ References to the bailiff in the Ministers' Accounts are rare. A Standon account mentions the bailiff, steward and others as being present before the royal justices at Hertford and Standon.² A sale by view of the bailiff is mentioned at Bircham.³ When the reeve was accounting, the bailiff probably had to testify to the accuracy of the expenses and receipts.⁴

The reeve was generally rewarded for his service by quittance of works, and, occasionally, by quittance of rent. The bailiffs were paid wages which varied in amount from manor to manor for no obvious reason; they were not based on the value of the manor. In Edward II's reign the bailiffs of Woodhall⁵ and Hundon⁶ received 45s. 6d. a year; the bailiff of Standon was paid 66s. 8d., the bailiff of Walsingham 95s., and, for the terms of Easter, Saint John and Michaelmas, the bailiff of Desning received 75s., and the bailiff of Bardfield 60s.⁷

1. P.R.O. S.C. 6/1109/12.

2. Ibid 868/17.

3. Ibid. 930/2.

4. Ibid. 1001/5.

5. Ibid. 1008/2, 3, 4.

6. Ibid. 999/20.

7. ~~P.R.O. S.C. 6/1109/12.~~ Ibid. 1109/12.

In assessing the earl's income from his demesne manors, three possible sources are available, namely, Ministers' Accounts, Inquisitions post mortem, and the division of the lands among the three co-heiresses in 1317. There are, however, few Ministers' Accounts for individual manors before 1317,¹ although these are useful for comparison with the extents; and the receiver's account for 1308-9 is of little use for an estimate of yearly income, since it does not distinguish between the arrears, which could be considerable, and the profits of the present year which would probably still be largely owing.

The late thirteenth and early fourteenth centuries are well covered by a series of Inquisitions post mortem, drawn up in 1262, 1296, 1307 and 1314 on the death of the last three earls and of Joan of Acre; the inquisition of 1262 is incomplete but extents survive for most of the Clare demesne manors, and the other inquisitions give detailed surveys of the earl's estates in England and Wales. The inquisitions are not however satisfactory for calculating baronial income. Their limitations are well known: they do not reflect the fluctuations of manorial revenue, and the juries were not necessarily well informed about the financial condition of the estate.² If the Clare agricultural profits were taken from the inquisitions alone, it would automatically be assumed that the age was one of decline and not of expansion. There are a few exceptions; in particular, the inquisition of 1262 reached more accurate totals than the later ones. The "decline" in

1. A few from the second half of Edward II's reign have also been examined, but the series does not become continuous until Edward III's reign.
2. C.D. Ross and T.B. Pugh, "Materials for the Study of Baronial Incomes in fifteenth century England", in Econ.H.R. 2nd. ser. VI, pp. 186-8.

value is most obvious on the larger manors; it was probably easier to "cook" the extent of a large manor than a small one.¹

We are therefore left with the values given in the partition of Gilbert V's lands among his three sisters in 1317.² On the whole, these figures are considerably higher than those in Gilbert's inquisition in 1314 but in the few cases where they can be compared with the Ministers' Accounts, it is clear that the 1317 figure is more accurate. It has still to be borne in mind that agricultural incomes were subject to wide fluctuations, and that in a year of low receipts and high expenses, the earl's profits would automatically fall considerably.

The total value of the demesne manors in 1317 was £1,118. 6s. 8½d., a little over one sixth of the earl's total revenue. The manors of Clare, Hundon, Desning and Walsingham were some of the wealthiest that the earl possessed, and, in contrast to his estates in South Wales and Ireland, were not liable to sudden devastation by rebellion. The demesne manors constituted the largest but not the sole source of income in the honour. The earl also derived income from his franchises, and, more important, from feudal dues, and from fines and amercements in the honour court at Clare.

1. E.g. for a small manor: Claret: 1262, £24. 15. 3½; 1296, £16. 2. 9; 1307, £13. 2. 2; 1314, £16. 19. 2; 1317, £18. 1. 2½.
Southwold: 1262, £10; 1296, £9. 14. 6; 1307, £7. 13s; 1314, £8. 13. 4; 1317, £15. 7. 3.
On large manors: Desning: 1262, £120. 8. 10½ (including Lakenheath); 1296, £55. 16. 7; 1307, £25. 3. 2½; 1314, £63. 1. 2½; 1317, £170.
Hundon: 1262, £109. 1. 7½; 1296, £79. 10. 9; 1307, £46. 5. 1; 1314, £61. 9. 6; 1317, £139. 6. 8.
2. P.R.O. C. 47/9/23-5.

CHAPTER IV.

THE HONOUR OF CLARE. II. SUBINFEUDATION WITH SPECIAL REFERENCE TO THE
HONOUR COURT IN THE EARLY FOURTEENTH CENTURY.¹

The late eleventh and first half of the twelfth century were the golden age of the honour, the time when it was virtually a self-contained unit. By the thirteenth century, the system was collapsing, although many attempts were made to strengthen it. Many of the feudal incidents had lost their meaning, the honour courts were declining, and lords had often lost control of their sub-tenants. Decline continued throughout the fourteenth century; feudalism then was really defunct, although vestiges survived until the Restoration of 1660. On the whole, the Clare evidence bears out these familiar generalisations, but the lord's position in the early fourteenth century was stronger than on many other lay estates.

At the time of the Domesday Survey somewhat over one-third of the Clare lands in Essex and Suffolk had been subinfeudated;² this seems to have been normal.³ It is interesting to find that even at this date sub-tenants might hold of more than one lord. Besides his holdings of Richard I in Essex and Suffolk, William Pecche held land in Belchamp Walter, Essex, of Aubrey de

1. Evidence from the honours of Gloucester and Tonbridge will be used in this chapter to supplement the Clare material.
2. See above, pp. 31-2.
3. S. Painter, Studies in the History of the English Feudal Barony, p. 21. R. Lennard, Rural England, 1086 - 1135, p. 50 (for Oxfordshire).

Ver,¹ had a house at Colchester,² and held land in Stoke Holy Cross, Norfolk, of Roger Bigod.³ Of these sub-tenants whose Norman origins are traceable, the majority came from the neighbourhood of Orbec, one of Richard's possessions before the Conquest.⁴ Possibly some were his vassals; others may have followed him because of his reputation as a favourite of the duke. The descendants of Roger de Abernon and Roger de Saint Germain were still sub-tenants of the Clares in ~~1314~~ the early fourteenth century.

The grants to the Clare sub-tenants consisted either of land or of rights over freemen or sokemen;⁵ in Essex, 29 sokemen and 11 freemen were held by sub-tenants; and, in Suffolk, they held 65 freemen and 15 sokemen. Presumably, vassals with rights over freemen and sokemen would receive from them a money rent.⁶ Like their lord, sub-tenants encroached on freemen and sokemen,⁷ but, apparently, not on such a large scale.

1. Dom. Bk. II, f. 77a.

2. Ibid. f. 105b.

3. Ibid. f. 175a.

4. E.g. Roger de Abernon came from Abenon, 5 kilometres south of Orbec, L.C. Loyd, The Origins of some Anglo-Norman families, Harleian Society, CIII, 1951, p. 1; Ralph de la Cressimera from La Cressonière, 3 kil. west of Orbec, ibid. pp. 34-5; Picot de Friardel from Friardel, 3 kil. south-west of Orbec, ibid. pp. 44-5; Roger de Orbec from Orbec, ibid. p. 75; Roger de Saint Germain from St. Germain-la-Campagne, 5 kil. north of Orbec and 5 kil. east of Bienfaite, the other possession of Richard I in Normandy, ibid. p. 94 - later, St. Germain was held by the service of castle-guard at Orbec castle.

5. See above, pp. 51-3 for discussion on freemen and sokemen.

6. Cf. above, pp. 53-4.

7. E.g. Roger de Orbec encroached on the land of a freeman in Greton, Suffolk. (Dom. Bk. II, f. 447b.)

On the honour of Clare, as elsewhere, there were two types of military tenant - the men of small importance, and the lords of valuable manors and large fees who were the predecessors of the honorial barons of the twelfth century.¹ At the bottom of the scale, for instance, two knights at Finchingfield, Essex, held 36 acres, worth 65s. in 1086.² Knighthood at this time simply implied military proficiency, and not social distinction, and from the economic point of view, the knights were often on the same level as freemen and sokemen.³ Of greater interest are the large mesne tenancies found in Domesday.⁴ Walter Tirel, (who was responsible for William II's death and was Richard I's son-in-law), was a tenant of this type; he held 2½ hides at Langham, Essex, worth £15 in 1086.⁵

Even in the late eleventh century the system of sub-tenancies was by no means simple. The holdings of a sub-tenant were often scattered, and it was quite common for him to hold in villages which were a long way apart.⁶ Domesday Book with its lack of surnames may well conceal many such tenures. In Suffolk, for instance, Pagan held 2 carucates 30 acres in Wratting, 80

1. F.M. Stenton, The First Century of English Feudalism, 1066-1166, (1961), p. 98.
2. Dom. Bk. II, f. 39b.
3. Stenton, *op. cit.* pp. 142-3.
4. Cf. the honour of Peverel of Nottingham, *ibid.* pp. 99-100.
5. Dom. Bk. II, f. 41a.
6. Stenton, *op. cit.* p. 158.

acres in Haverhill, and 51 acres in Withersfield, of a total value of 63s.¹ Such fragmentary holdings were well-nigh inevitable when the lands of a number of freemen had to be grouped together to form a Norman sub-tenancy. Moreover, a vassal's holding might lie in more than one county; some of Richard I's most important tenants held land in both the honours of Tonbridge and Clare.²

It is clearly impossible to deduce from Domesday Book how far sub-infeudation had progressed by 1086. From the number of large mesne tenancies, it appears however that Richard I's main followers had been rewarded for their service; but there is no indication of how many knights were still landless, and were maintained in the lord's household. It is probable that a large number of the freemen whom Richard held in demesne in 1086 were granted out to sub-tenants in the late eleventh and early twelfth centuries. In 1090-8 Gilbert I granted to the abbey of Bury St. Edmunds two freemen in Westley, Suffolk, whom his father had usurped from the abbey;³ they were held in demesne in 1086,⁴ but at the time of the grant they were held by Rainald son of Ivo.

1. Dom. Bk. II, f. 396, a,b.
2. E.g. Robert de Wateville held in Hempstead, Essex, and in Chelsham, Warlingham, Farley, Beddington, Malden, Chessington and Shalford, Surrey; his successor held 9 knights of the earl in 1166, (Red Book of the Exchequer, I, p. 405). Roger de Abernon held at Freston, Suffolk, and Moulsey Prior, Surrey; Ingeram de Abernon held 4 knights in 1166. (*ibid.*).
3. Feudal Documents from the Abbey of Bury St. Edmunds, ed. D.C. Douglas, no. 170, pp. 152-3.
4. Dom. Bk. II, f. 391, a,b.

As on other honours, the bulk of subinfeudation was complete by the end of the reign of Henry I.¹ This is apparent in the returns to the Cartae of 1166; Henry II had asked his tenants in chief for the names of knights enfeoffed before 1135, and the number of their fees, those enfeoffed later, and the amount of knight service for which the lord had not provided by enfeoffment. Earl Roger had approximately 133 fees of the old enfeoffment (i.e. created before 1135) and $8\frac{1}{2}$ of the new.² Not all these knights were enfeoffed in the honour of Clare. Approximately $46\frac{2}{3}$ knights of the old enfeoffment were included in the Surrey lists;³ about $86\frac{1}{3}$ knights were enfeoffed in Essex, Suffolk and Norfolk. The contrast between the number

1. Stenton, *op. cit.* p. 138.
2. Red Book of the Exchequer, I, pp. 403-7 and 410, which is a postscript to the original Carta; earl Roger explained that after he had sent the list of his knights, he remembered a further $\frac{1}{2}$ fee of the new enfeoffment. The Clares later came to be charged scutage on approximately $132\frac{1}{2}$ knights' fees, e.g. Chancellor's Roll, 1196, in Pipe Roll Society, N.S. VII, p. 137. Sometimes, they paid scutage in addition on the nine knights' fees of the barony of Saint Hilary.
3. Some of these men, however, held land in Essex and Suffolk, e.g. Gervase of Cornhill. Contrast Pipe Roll, 1201, when the sheriff said that the earl had $9\frac{1}{2}$ fees in Surrey (Pipe Roll Society, N.S. XIV, p. 229.)

of fees created before and after 1135 is startling; it had not been necessary in the anarchy of Stephen's reign to create fees in order to build up a following of knights - the fees had been there already. In contrast to some great barons,¹ the Clares had clearly provided for their whole servitium debitum by enfeoffing knights and probably they had over-enfeoffed considerably; no mention was made in the Carta of the earl having to maintain knights on the demesne to make up his service.

A contrast can be drawn between the fees of the old and new enfeoffments. On the whole, the fees formed before 1135 were larger, and there were few fractional fees;² frequent demands for scutage, however, encouraged the creation of fractional fees which probably discharged their service by money payments.³ Moreover, it is possible that, by Henry I's reign, the lords realised the danger of granting away too much of their demesne, and that they were therefore restricting the size of their grants. In any case, after the chief followers of Richard I had been rewarded, there was little occasion to make really lavish grants, such as the 13½ knights of Richard son of Simon,

1. Stenton, op. cit. p. 138. Not every great baron in 1166 had provided for his full service by enfeoffment.
2. In the Clare carta there are fairly frequent references to ½ fee before 1135, often in conjunction with a larger number; at the end of the carta, we find in Suffolk 1/8, 2 tenths, 2 thirtieths, and in Surrey 2 sixths and 1 ninth fee of the old enfeoffment.
3. Stenton, op. cit. p. 187.

er the $11\frac{1}{2}$ knights of William de Danmartin.¹ In comparison, the holdings of the new enfeoffment were small; the largest was a fee of $1\frac{1}{2}$ knights.²

This view is borne out by two charters creating fractional fees; in a grant of Gilbert II, land and rents in Clare, Posingford and Stansfield, Suffolk, were to be held by the service of $1/5$ knight,³ and earl Roger gave fifty solidatae of land in Crimlesham, Norfolk, for the service of $1/8$ knight's fee.⁴ Little can be said about the size of fees and it is quite clear that they lacked uniformity.⁵ The enfeoffment at Crimlesham may indicate that a fee should consist of twenty librates of land, but Sir Frank Stenton thinks that this was a high figure, and that ten librates was commoner in the mid-twelfth century.⁶

From 1135, for the rest of the twelfth and thirteenth centuries, the creation of new fees by the earls was rare, and it is likely that in the thirteenth century retainers were rewarded by a money-fee rather than by a grant of land. By the early fourteenth century, however, it was usual to give to prominent retainers land either for life, or, in spite of the statute

1. Red Book of the Exchequer, I, pp. 403, 405.
2. *Ibid.* p. 405. William de Hastings held 20 librates of land and 1 enfeoffed knight for which he only did service for $1\frac{1}{2}$ knights.
3. B.M. Harley Charters, 76, F. 35.
4. B.M. Cotton MS. Appendix xxi, f. 2lv.
5. Stenton, *op. cit.* pp. 164-5.
6. *Ibid.* p. 168.

of Quia Emptores, to the retainer and his heirs. Gilbert IV, at some time before 1275, assigned the borough of Burford and the hamlet of Signett to John Giffard of Brimpsfield,¹ and such grants became more numerous in the early fourteenth century. By 1314 Stewkley was held for life by Bartholomew de Burghashe, and Easton in Gordano by Roger Tyrel.² Bartholomew de Badlesmere had been granted Sundon, Hambleton and Thaxted to himself and his heirs,³ and Gilbert de St. Owen and his wife were assigned Whiston, Corhampton and Easington in 1313.⁴

The service due from a tenant would be the subject of an individual bargain between him and the lord, and in only one instance has an alteration of service been found. In 1205, Ralph de la Kersoner quitclaimed the advowson of the church of Stansfield, Suffolk, to Richard III; in return, the earl remitted the service of one knight's fee for the whole of Ralph's life, so that he would do the service of $\frac{1}{2}$ knight instead of $1\frac{1}{2}$; after his death, his heirs were to do the service of one.⁵ This last clause was

1. Cal. Inq. p.m. III, no. 544, p. 418. £20 rent in Burford was to be paid to John's heirs but the land was to revert to the Clares after his death. Rot. Hund, II, p. 37.
2. P.R.O. C.134, file 43, m. 54; file 44, m. 60. P.R.O. C.47/9/23, m. 2.
3. Cal. Pat. R. 1313-17, p. 131.
4. P.R.O. C.P. 25(1), Divers Counties, 5-8 Edward II, no: 83.
5. Feet of Fines for the county of Norfolk for the reign of king John, 1201-15, and for the county of Suffolk for the reign of king John, 1199-1214, ed. B. Dodwell, in Pipe Roll Society, N.S. XXXII, no. 439.

apparently not carried out.¹

Personal military service was expected from sub-tenants in the twelfth century, and there is an indication that in the first half of this century fractional fees were combined for the purposes of personal service; in a charter of 1139-51 in which Gilbert II is confirming a gift of Adam son of Warin, the land is to be held of the earl "per servitium quinte partis militis et ista quinta pars militis est infra servitium militis de Pebenersia" [Pebmarsh, Essex];² this clause may however simply refer to an arrangement for scutage. By the reign of Henry III, Gilbert III appeared for service with his quota only, and the days of knight-service from the honour were over.³

In the thirteenth century military tenants were liable for scutage.⁴ The levy needed the king's authorisation, and by the end of the century was extremely difficult to collect. It had been a profitable levy for the lord in the twelfth century but was not so later. If the lord had fought in a campaign, it is doubtful whether the levy reimbursed his expenses, and, if he had not fought but had to make fine with the king for his service, scutage did little more than cover the fine. One manor on the honour of Gloucester

1. In 1314 John de la Kersoner was lord of $\frac{1}{4}$ fee in Cavendish, Denston, Hawkedon and Stansfield.
2. B.M. Harley Charters 76, F. 35.
3. The quota is dealt with below, p. 294.
4. The military tenant's obligation for suit of court is discussed below, pp. 160-2.

was held specifically by personal service, but for service in Wales alone.¹

In the eleventh and early twelfth centuries, when baronial castles were essential for the defence of England, castle-guard constituted an important service of the military tenants, but it was commuted by 1200.² Little is heard of it on the Clare lands, although it was clearly due; an attempt was made to enforce it as late as 1321.³ The lord's tenants also generally owed service at a royal castle,⁴ and possibly the Clare tenants owed service at Norwich.⁵ Besides the knights who performed castle-guard, watchmen, who were often tenants by serjeanty, were stationed in medieval castles;⁶ in 1314, Richard de Bachesworth and Richard de Taleworth owed 37s. for finding a watchman at Clare.⁷

The relationship of the lord with his sub-tenants was altogether more personal in the twelfth than in the following centuries. The lord was often

1. Cal. Close R. 1296-1302, p. 184; William of Louth, bishop of Ely, held the manor of Oxenton, Gloucestershire, by the service of sending an esquire with the earl in the king's army of Wales.
2. Stenton, *op. cit.* p. 209.
3. P.R.O. S.C. 2/212/38, m. 6, 6d. Cf. *Ibid.* 212/43, m. 2, (1326); William son of Ralph, knight, made a fine for guard of the castle of Clare for the fee of 1 mark to be paid at Christmas if his peers did the same.
4. Stenton, *op. cit.* p. 212.
5. Book of Fees, II, p. 1326. In 1198-9, Ebrardus de Turton owed 5d. a year to the castle of Norwich of the earl's fee. This of course may have been due only from one of the Norfolk lordships.
6. G. Lapsley, "Some Castle Officers in the twelfth century", in E.H.R. XXXIII, 1918, pp. 357-9.
7. P.R.O. C. 134, file 42, m. 1. The rate is approximately 1½d. a day.

president of the honour court in the twelfth century,¹ instead of intervening only occasionally in business as in the early fourteenth.² The honorial baron was his lord's counsellor, and was expected to advise the lord before important grants were made from the honour.³ The lord might make a personal intervention on behalf of a sub-tenant. Richard III wrote to the archdeacons of Norwich on behalf of Roger de Gyney, asking for their help in carrying out a former grant to Stoke priory; this grant had been made by Roger's grandfather in the late eleventh century of his tithes at Whitwell and Haveringland, Norfolk, and the church of Saint Clement at Norwich.⁴

In the first half of the twelfth century, the honour was an autonomous unit, with the lord and sub-tenants working together.⁵ It is likely, however, that the situation was changing in the second half of the century. Lack of detailed evidence probably gives us a deceptively simple picture of late twelfth century feudalism. No definite conclusions can be reached as to loss of control by the lords in this period; much depended on the

1. Stenton, *op. cit.* p. 77.
2. See below, p. 173.
3. Stenton, *op. cit.* p. 91.
4. B.M. Cotton MS. Appendix xxi, f. 28.
5. Stenton, *op. cit.* p. 77. "The great lord assumes that his own written command needs no royal or ecclesiastical support to make it effective."

efficiency of the honour court of which we know nothing, but the work of Henry I and Henry II to popularise and extend royal justice must have somewhat restricted the amount of business in the honour courts.

In considering the question of the lord's loss of control, the problems of the subdivision of fees and alienation by sub-tenants are crucial. Some signs of later complexities in tenure are indicated in Domesday where holdings of several lords and in a number of villages are described, together with very small military holdings. It would be a mistake, however, to make too much of this evidence, for many of the rules governing descent of fiefs evolved later. It is quite possible that military holdings were originally granted for life only,¹ although by Stephen's reign they were descending to the tenants' heirs and the service was definite.² Moreover, the division of an inheritance among co-heiresses became a general rule under Stephen.³

The existence of fractional fees was probably causing difficulties by the end of the twelfth century, although the problem was by no means so serious as it was a hundred years later. The number of such fees was bound

1. V.H. Galbraith, "An Episcopal Land-Grant of 1085", in E.H.R. XLIV, 1929, p. 353.
2. Stenton, *op. cit.* p. 155.
3. *Ibid.* pp. 40-1.

to increase when the male line of a family died out and co-heiresses divided the fee.¹ Furthermore, there was a danger in the twelfth century of the lord losing track of his fees;² the danger was greater than in the thirteenth century when the lord had a professional bureaucracy and did not merely rely on the memory of his barons. In 1166, there was one tenant from whom the earl had never had homage, relief or service.³

As for the problem of alienation by sub-tenants, there is no means of seeing behind the Cartae to discover how many fees the sub-tenants had granted to others. But by the time of the first full royal enquiries, it is clear that subinfeudation had proceeded far.⁴ Clause 39 of the Great Charter of 1217 (which stipulated that no freeman should give or sell so much of his land that he had not enough left to perform his service) indicates that even by the early thirteenth century alienation had in some cases been excessive.

Although honorial barons advised their lord on important grants, the lord had no power to interfere in their alienations; at no point did

1. Probably the following is an example of this in 1166: Silvester de Burs, Ralph de Pavilli and Stephen de Beauchamp, 1 knight. Red Book of the Exchequer, I, p. 403.
2. As seen in earl Roger's postscript to his Carta, (Ibid. I, p. 410).
3. Stephen de Turs who held one knight's fee of the new enfeoffment in Suffelk, (ibid. I, p. 405).
4. E.g. Book of Fees, II, p. 961; in 1242-3 in Worcestershire, Adam de Rudmarleg held $\frac{1}{4}$ fee in Redmarley Adam in Great Witley of John son of Geoffrey, John of William de Beauchamp, William of William de la Mare, and he of the earl.

Glanville say that tenants could not alienate their land without their lord's consent, and, later, Bracton was in favour of free alienation.¹ This rule did not generally apply to grants in frankalmoign, as religious houses were anxious to secure full confirmation of their rights.² Lay alienations were only confirmed in special circumstances. For instance, in 1146-8, Gilbert II confirmed the sale of Langham, Essex, by Hugh Tirel, to Gervase of Cornhill; Gervase was to hold the manor of Hugh in return for rent.³ Hugh sold the manor to provide the necessary money to go on crusade in 1147.⁴ Gervase clearly wanted the confirmation, as Hugh might die on crusade and his right not be admitted. The charter was further confirmed by earl Roger, possibly in 1153, and contained a special provision that if the manor fell into the earl's hands, Gervase and his heirs were to hold it of the earl and his heirs in chief by the service of one knight.⁵ In 1166, Gervase was holding one fee of earl Roger.⁶

1. F. Pellock and F.W. Maitland, The History of English Law, I, p. 332.
2. E.g. B.M. Cotton MS. Appendix xxi, f. 19d.
3. Sir Christopher Hatton's Book of Seals, ed. L.C. Loyd and D.M. Stenton, (Northamptonshire Record Society XV), no. 84.
4. Ibid. no. 105. Gervase gave Hugh 100 marks for his journey to Jerusalem.
5. Ibid.
6. Red Book of the Exchequer, I, p. 406. The fee was entered in the Surrey portion of the Carta, but probably refers to Langham.

By 1200, the status of the honour was on the decline. As a result of a long period of strong government, honours had become more dependent on the king. For example, the lord's levy of scutage was authorised by royal writ, whereas scutages had been taken on the lord's own authority under Stephen.¹ Many tenants, by marriage, inheritance or other means, became tenants in chief of the king, and many were attracted by the growing prestige of royal service. Knighthood had developed into a social distinction. Whereas the knight was merely a mounted soldier in the Norman period, two hundred years later he had become a landed lord who was largely responsible for the smooth running of local government.²

The problems of fractional fees and excessive alienation became more acute in the course of the thirteenth century. It was increasingly difficult for a lord to obtain the service due from his fees, and lords were losing their escheats, marriages and wardships. Fees were subdivided to an amazing extent,³ and long scales of tenure are also found.⁴ Alienation was not restricted until the statutes of Mortmain and Quia Emptores became law in the

1. Stenton, *op. cit.* p. 185.
2. E.F. Trehearne, "The Knights in the Period of Reform and Rebellion, 1258-67: A Critical Phase in the Rise of a New Class", in B.I.H.R. XXI, 1946-8, pp. 1-3.
3. An extreme example is $\frac{1}{2}$ fee in Little Sampford and Great Bardfield, Essex, held by 20 tenants. Feudal Aids, II, p. 147.
4. E.g. Feudal Aids, III, p. 399. Hubert Hakun and Cecilia his wife and other tenants held in Shouldham, Shouldham Thorpe, Stradsett and Foston in Tottenhill, Norfolk, $1\frac{1}{2}$ fee of the prior of Shouldham, and the prior held in perpetual alms of the earl. Of this, Alexander atte Dele of Foston and his parceners held $\frac{1}{2}$ fee in Foston; Philip Uncle, Geoffrey Grovile, Hugh Tany and Thomas de Reinham and their parceners held $\frac{1}{5}$ fee in Stradsett and Shouldham Thorpe; John son of Adam held $\frac{1}{8}$ fee in Shouldham; Adam Bucfys held $\frac{1}{16}$ fee in Shouldham; Peter Brum, John Ernald, Geoffrey Semelant and Robert de Dichingham with other tenants held $\frac{1}{6}$ fee in Shouldham.

reign of Edward I, and the legislation then came too late to be of real benefit to the lords. Various attempts had been made earlier in the century to deal with the problem of mortmain,¹ and lords had apparently suffered considerably from loss of feudal services and incidents owing to religious grants. It is impossible to say how much the Clares were affected, but the statute enabled them in one instance at least to prevent an alienation.²

By the early fourteenth century, therefore, the tenures on the honour were complicated in the extreme. The growing complexities partially explain the necessity for a professional bureaucratic administration at Clare, and this organisation enabled the earl to keep track of the vast majority of his sub-tenants. The earl's relations with his tenants must now be examined in greater detail, first with reference to feudal incidents and then to the honour court. It will then be possible to estimate how efficient the lord's control of his tenants was in this age of increasingly complicated tenures.

1. T.F.T. Plucknett, Legislation of Edward I, pp. 94-6.
2. P.R.O. C. 133, file 128, m. 3. The manor of Swinbrook, Oxfordshire, had been held by John de Leghe, but was taken into the hands of the earl and Joan because he demised it to William Tothale, prior of the hospital of St. John of Jerusalem in England; the grant was contrary to the statute.

Feudal incidents

All the information from the honour on this subject dates from the thirteenth and early fourteenth centuries. In the twelfth century the lord might levy aids from his military and free tenants, and relief was paid by military tenants, probably at a lower rate than the 100s. per fee laid down in Magna Carta; each relief was probably decided separately.¹ Presumably, the lord had rights of wardship, for he would be responsible for the military service due from the fee while the heir was a minor; he probably also had the right of marriage.

In the thirteenth century the lord, like the king, could levy three aids - for knighting his eldest son, marrying his eldest daughter, and ransoming his person - but only one instance has been found of an aid being levied by the earl of Gloucester. According to the Tewkesbury annalist, Richard IV exacted an aid in 1251 for the marriage of his eldest daughter Isabel, then eleven years old, although he did not yet know whom she would marry.² She in fact married the marquess of Montferrat in 1258; the marquess had empowered his proctor to select for him one of the three daughters of the earl of Gloucester. Her father gave her a dowry of 4,000 marks.³

1. Stenton, *op. cit.* p. 163.
2. Annales de Theokesberia in Annales Monastici, I, p. 146.
Close R. 1254-6, pp. 192-3; the aid was levied at the rate of 2 marks per fee.
3. Cal. Chart. R. 1257-1300, pp. 4-5.

Relief was levied by the Clares at the rate laid down in Magna Carta of 100s. per knight's fee,¹ but a tenant might avoid it by being enfeoffed before the death of his father.² In the early fourteenth century the earl's officials were encountering difficulties in enforcing payment. Some of the more important tenants appear unwilling to pay; Simon son of Richard, lord of 12½ fees in Essex and Norfolk, owed relief in 1309, which was still being demanded nearly two years later.³ In the case of John son of Simon, it was difficult to collect the relief due, because he shared his half fee in Little Sampford, Essex, with nineteen others.⁴ Relief was due from all military tenants, however small their holding; Alexander son of Peter le Moy held one messuage and eight acres of land in Rushworth, Norfolk, and paid 15d. relief.⁵

More is known of the earl's right of wardship, although, again, the information is late. The earl had the custody of military and serjeanty tenants, but not of holders in socage. Wardships were essentially occasional

1. E.g. P.R.O. S.C. 2/212/33, m. 2; Richard de Boilaund paid 50s. for ½ knight's fee in Little Ringstead, Norfolk.
2. E.g. Cal. Inq. p.m. II, no. 18.
3. W.O. Ault, Court Rolls ^{of the abbey of Ramsey and of the honor of Clare}, pp. 87, 91-2; P.R.O. S.C. 2/212/34, m. 2d.
4. Ault, op. cit. p. 99; Feud. Aids, II, p. 147.
5. P.R.O. S.C. 2/212/36, m. 9. The relief is entered in the margin as 40d.

incidents, for, with good fortune, a minor might not succeed to an estate for several generations. At the death of Richard IV in 1262, for instance, he held eight wardships on the honour of Clare.¹ When the earl had a wardship in his hands, he might exploit it himself in demesne,² he might let it to farm, or give it to a friend or official. In 1262, the wardship of one fee in Woolley (Huntingdonshire), had been delivered to Hervey de Borham, then or shortly before steward of Clare.³ The custody of Philip de Broughton, lord of $\frac{1}{2}$ fee in Sharrington, Gunthorpe and Bale, Norfolk, was farmed for twenty marks.⁴ In one case the whole wardship was sold; Robert Baynard paid £40 for the custody and marriage of Roger atte Assch.⁵

The earl's profits were however restricted by the king's right of prerogative wardship. If a tenant held of a number of lords and also held land by knight service of the king, all his lands, together with the custody of the heir and his marriage, passed to the king during a minority. The right had been exercised by the Angevins and was subject to regulation in clause 37 of Magna Carta. In the thirteenth century, some of the earl's most

1. Close R. 1261-4, pp. 86-7. P.R.O. C. 132, file 27(5), m. 2-9, 13.
2. E.g. P.R.O. C. 133, file 77(3), m. 22; at Walsingham.
3. P.R.O. C. 132, file 27(5), m. 45.
4. P.R.O. S.C. 2/212/35, m. 9. Another instance of a farm is found *ibid.* 212/37, m. 8d.
5. P.R.O. S.C. 6/1109/12.

valuable wardships thus passed to the king, and the number of prerogative wardships was constantly increasing through marriage and inheritance.

The number of fees coming under prerogative wardship can be calculated approximately at the death of Richard IV in 1262. The figures apply to the greater part of the honour of Gloucester as well as to the honour of Clare.¹ Calculating to the nearest whole number, the lists included 384 fees, of which 116 were held by tenants in chief of the Crown who therefore owed only relief to the earl who had rights of wardship and marriage from 268 fees.

There are signs in the later thirteenth century that Edward I and his escheators were carefully scrutinising rights of wardship, and asserting royal claims on slim pretences. For instance, in the case of Geoffrey de Lucy, c.1275, Gilbert IV asked for the custody because Geoffrey held nothing of the king in chief.² But he lost his claim because Geoffrey's grandmother

1. There are no lists for the important Gloucester fees in Kent, Dorset or Devon, and the lists do not extend to the Welsh lands. In Richard IV's inquisition, a distinction was drawn between fees subject to prerogative wardship, and those over which the earl had rights of wardship and marriage as well as relief. Knights' fees were arranged under demesne manors, probably for the purpose of calculating dower. The inquisition itself is incomplete, but it is supplemented by the list in Close R. 1261-4, pp. 284-93, and by a fuller list in P.R.O. S.C.11/610. Painter used the Close R. list in his calculations in Studies in the History of the English Feudal Barony, p. 65 but a more complete estimate can be made from the P.R.O. survey.
2. Red Book of the Exchequer, III, pp. 1013-14.

was a tenant in chief of the Crown, although none of her lands were at this date held by the family; in addition, Geoffrey's father had been in the custody of Henry III during Richard IV's minority and had done homage to him.¹ In other cases it was the escheator rather than the king who was over-zealous.²

Under common law, when a tenant held no land of the king, but held estates of several lords, each lord had the custody of the land of his own fee; the wardship of the heir, with his marriage, was awarded by the statute of Westminster II to the lord of the eldest tenancy.³ Aggression was however sometimes a surer way than legal processes of getting hold of the heir. In 1312-13, Joan le Veel brought a case against Thomas de Berkle in order to obtain her dower. Thomas denied it, because Joan had not handed over to him her son, Peter, whose marriage belonged to Thomas. Joan explained that the earl of Gloucester had claimed Peter's marriage by reason of land held of him by military service in Wales, and his bailiffs had seized Peter and carried him away.⁴

1. Close R. 1234-7, p. 22.
2. Cal. Inq. p.m. II, no. 822; Peter de Gousele's holding at Teppesfield, Essex. This wardship would have fallen to the mesne lord and not to the earl, but it illustrates the over-zealousness of the escheator.
3. Year Books of 12 Edward II, 1319, ed. J.P. Collas and T.F.T. Plucknett, (Selden Society LXX), pp. lxvii, 4-8. A case was argued on these lines between the countess of Gloucester and the earls of Norfolk and Pembroke for the custody of the two daughters of John Bluet.
4. Year Books of 6 Edward II, 1312-13, ed. P. Vinogradoff & L. Ehrlich, (Selden Society XXXIV), p. 31.

By the end of the thirteenth century, several sub-tenants were succeeding in avoiding wardship altogether, and their number was to increase greatly in the next century. One device used was a collusive enfeoffment; a tenant enfeoffed another man of his estates who then re-enfeoffed the former tenant to hold of him - then, in the event of wardship, the custody would not pass to the earl.¹ The simplest method of avoiding wardship, however, was by a joint enfeoffment to husband and wife; after the husband's death the wife continued to hold the estate, and the lord obtained only the custody of the heir and his marriage. Several of the earl's tenants were enfeoffed in this way;² on a higher level, Joan of Acre who had been jointly enfeoffed with Gilbert IV in 1290 continued to hold her husband's lands after his death in 1295.

Great changes had thus taken place in the two and a half centuries in which the Clares were lords of the honour. By the thirteenth century, feudal incidents had largely lost their meaning. From an investigation of relief and wardship, it appears that the earl was by the beginning of the next century losing control of some of his tenants, as a result of the growing complexities of the feudal system and royal limitation of his rights. Feudal incidents continued to be profitable, but they constituted only windfall additions to the earl's income.

1. See below, p. 170.

2. Not all these tenants were of the honour of Clare. E.g. Cal. Inq. p.m. III, no. 387; Ellis de Hauvill. Ibid. no. 389; Hugh Talemache. Ibid. IV, no. 313, & Cal. Close R. 1302-7, p. 254; Geoffrey de Lucy. Cal. Inq. p.m. V, no. 475; Hugh de Veer.

The Honour Court

Nothing is known of the honour court in its heyday in the twelfth century, and our knowledge of it dates mainly from the time of Gilbert V and later.¹ By then, the great advances of royal justice had largely restricted its work; moreover, its procedure was somewhat antiquated, and it was difficult to enforce feudal dues and suit of court. The Clare court was however much more active than the Ramsey court at Broughton² and the courts of the honour of Gloucester,³ and the Fortibus lands.⁴ In the Clare court there was a constant stream of litigation concerning theft, slander, assault, debt and detinue, [provided that the damages were less than forty shillings], besides fines for entry and feudal business.

It is probable that the honour court had begun to decline before the end of the twelfth century. Henry I had begun to limit its jurisdiction;

1. Most of the earliest Court Roll of 1308-9 (P.R.O. S.C. 2/212/33) was printed by Ault, *op. cit.* pp. 75-110; it is almost a complete roll for the year (counted from Michaelmas to Michaelmas) but one membrane is probably missing as there is a six-week gap between courts in July-August, 1309. The roll for 1310-11 (P.R.O. S.C. 2/212/34) is much more incomplete, but the roll of 1312-13 has only one six-week gap. (*Ibid.* 212/35). The rolls after the partition of 1317 until the accession of Edward III are more numerous (*Ibid.* 212/36-43) and will be used to illustrate matters not sufficiently covered by the earlier rolls. None of the rolls of essoins, kept separately from the actual Court Rolls, has survived (Ault, *op. cit.* pp. 81, 108).
2. Ault, *op. cit.* p. xxvi: "As compared with the honor of Broughton, the amount of business recorded for the court of Clare . . . is enormous."
3. See above, pp. 79-86.
4. N. Denholm-Young, Seignorial Administration in England, p. 97.

no freeman was to answer for his free tenement without a royal writ, all assertions of false judgement were to be judged by the royal courts, and when a case arose between tenants of two different lords it was to be heard by the county courts. Moreover, some contraction in business would inevitably result from the work of the Angevin kings.

In the thirteenth century the courts were limited by royal legislation. The suit of court of freeholders ^{and military tenants} was restricted by the statute of Marlborough,¹ and, as a result of the statute of Gloucester of 1278, the court became competent only to deal with cases in which the damages amounted to less than forty shillings.² The difficulty of keeping track of holdings constituted quite a different problem but one which was far more acute; by the early fourteenth century a large number of holdings had been subdivided to an almost incredible extent,³ making it difficult to levy feudal dues for the whole holding. In addition, there was a considerable traffic in land at this time, a movement which has already been seen in connection with the consolidation of demesne manors.

1. See below, pp. 161-2.
2. Plaintiffs at Clare sometimes claimed higher damages, but these would be cut down by the jury.
3. E.g. Feudal Aids, III, p. 409. In 1302, Hugh son of Hervey of Gayton, Stephen son of William of the same, John Lek, Roger Drauefurt, the heirs of Roger le Bole, Richard of Ringstead and Agnes of the same, and their tenants held $\frac{1}{2}$ fee in Gayton, Middleton, and Clenchwarton, Norfolk.

In the early fourteenth century, the honour court met at Clare on Wednesdays, generally every three weeks.¹ The court was held for Clare tenants in Norfolk, Suffolk and Essex, and Cambridgeshire. The steward was president of the court,² but it could meet in his absence.³ He had his own clerk,⁴ enjoyed certain discretionary power, and is occasionally found pardoning ameracements.⁵ Probably the court also had its own clerks, who received a share of the fines as their perquisites.⁶ In only one case is there a reference to the steward and court having to take outside advice. In 1321, Thomas de Kypenham was distrained for entry on forty acres of land at Stansfield (Suffolk); he claimed however that it was of the fee of Thomas de Mandeville who held it of the ^{earl} lord in chief.⁷ The inquisition was held over until advice could be taken.

1. The court was called the forinsec court of the honour in P.R.O. S.C. 2/212/34 & 35, but there seems to be no special significance in this; it was probably an idiosyncrasy of the scribe. There was occasionally a 4 or 5 week gap between courts:- in 1308-9, meetings on Dec.4, Jan.1 and Feb.5 (to miss Christmas) and in 1312-13, meetings on 11 July and 8 August, to miss Lammas.
2. Ault, op. cit. p. 78.
3. Ibid. p. 85. P.R.O. S.C. 2/212/37, m. 5d., when a judgement was postponed until he was present.
4. Ault, op. cit. p. 81; John de Rattlesdene.
5. P.R.O. S.C. 2/212/43, m. 4.
6. A successful litigant received 30s. damages for a trespass, of which he gave the clerks 40d. (Ibid. 212/41, m. 13). In the same roll (m. 14) 40d. was awarded to the successful party, who gave the clerks 12d.
7. Ibid. 212/37, m. 7.

Ault considered that at Clare, as at Ramsey, there were two Great Courts a year, special sessions which were more lucrative than the ordinary courts.¹ He suggested that in 1308-9 they were held on October 2, when £10. 5s. 8d. was received, and on April 9, when profits were £11. 12s. 8d. The profits in the later Court Rolls do not bear out this contention, although it is possible that the suit of certain tenants was limited to two special sessions, and that their presence was not reflected in the profits. Compared with other honour courts, the profits at Clare were high, and, of the counties involved, Norfolk was the most valuable.² Thus, the courts of 1308-9 yielded £69. 9s. 8d.³ and in 1312-13, £46. 6s. 11d.⁴ The court was approximately equivalent in value to a medium-sized demesne manor.

Both military and free (socage) tenants owed suit of court. The suitors ranged from the earls of Oxford and Pembroke (who never attended) to belted knights and local lords,⁵ and from them to yeomen and peasants. There was no economic distinction between the tenant by fractional knight service and

1. Ault, op. cit. p. xxvi. In P.R.O. C. 132, file 27(5), m. 29, (1262) it was stated that from the great court of Clare there were £20 in pleas; this might mean either the special sessions or just the honour court.
2. In 1308-9, Norfolk yielded £44. 19s. 9d. compared with £10. 10s. from Suffolk and £12. 13s. 6d. from Essex.
3. Ault, op. cit. pp. 75-110. P.R.O. S.C. 2/212/33. One court is missing and one included just before Michaelmas, 1308.
4. P.R.O. S.C. 2/212/35. One court is missing, but the final total has been taken from the roll which therefore includes this court; the existing totals for individual courts only amount to £40. 8s. 5d.
5. The equivalent of the twelfth century honorial baron.

the freeholder.¹ At the bottom of the scale were suitors so poor that the bailiffs reported that they had nothing whereby they could be distrained or attached.² On one occasion it was asserted that a plaintiff was a customary tenant.³

Of the two classes of suitors - military tenants and freeholders - the latter were the more numerous.⁴ In this respect Clare can be compared with the Ramsey court at Broughton.⁵ Probably, the freeholders had owed suit from the eleventh century; they are particularly prominent in Domesday, and it is well known that the number of freeholders was especially high in eastern England. It is likely that the number of suitors had reached its peak in the mid-thirteenth century, before the Provisions of Westminster and the statute of Marlborough of 1267.⁶ According to the statute, those enfeoffed by deed were not to do suit unless it was stipulated in the charter or had been performed before 1230; the same date applied to those enfeoffed

1. Cf. in 1262, William de Bereford, Ralph de Wyrham and Adam son of David, who each held 50 acres of land as 1/8 knight's fee in Crimpleham, Norfolk, and Peter son of Theodore, who held 60 acres at Shingham by the service of 8s. a year. P.R.O. C. 132, file 27(5), m. 39.
2. P.R.O. S.C. 2/212/37, m. 4; *ibid.* 212/40, m. 8.
3. Ault, *op. cit.* pp. 100-1.
4. The majority of suitors are not in any list of military tenants and are presumably freeholders.
5. Select Pleas in Manorial and other Seignorial Courts, ed. F.W. Maitland, (Selden Society, II) I, p. xlv.
6. According to the statute, there was great increase in the exaction of suits during the years of war. Cf. complaints (e.g. Rot. Hund. I, p. 484) of the earl compelling freeholders to attend his Norfolk courts.

without a deed.¹ Moreover, when a tenement owing suit passed to co-heiresses, the suit was to be done by the eldest, and the same rule would apply if a tenement was sub-divided by alienation; according to the old common law, all the parceners had to do suit.² In the early fourteenth century, some tenants possibly owed a limited suit, and only appeared when a specially afforced court was necessary.³

As to the military tenants, it is probable that they all owed suit in the twelfth century, and that most continued to owe it. Their attendance at the court in the early fourteenth century cannot be fully ascertained as they may have been present without being involved in cases or fines,⁴ but their participation can be analysed from the roll of 1308-9.⁵ The Court Roll

1. T.F.T. Plucknett, Legislation of Edward I, p. 63. The clauses apply to military tenants and freeholders.
2. Plucknett, *op. cit.* pp. 65-6.
3. This may explain the following entry:- "Thomas de Hendringham dat de fine ut non veniat ad breve de recto, 3s. 4d." (P.R.O. S.C. 2/212/34, m. 2. In other courts, certain tenants only had to appear when the king's writ was dealt with; Select Pleas in Manorial and other Seignorial Courts, ed. F.W. Maitland, (Selden Society, II) I, pp. 1-11.
4. Ault, *op. cit.* p. xxviii, suggested that attendance may have been entered in a separate roll, but such a list is not mentioned in the Court Rolls as is the roll of essoins.
5. There is some overlapping between categories, so these figures cannot be added in order to find the total of military tenants participating. A full list of military tenants at this time can be compiled from the royal inquiry of 1302, supplemented by that of 1346 (printed in Feudal Aids) and from the Inquisition post mortem of Gilbert V in 1314 and the partition of his lands in 1317.

mentions approximately half of the military tenants and more would be accounted for if the essoins were known. Fourteen were involved in cases, generally of trespass or debt; seven paid or were distrained for entry fines on land. Nineteen fined for respite of suit until the following Michaelmas, whilst fifteen were mentioned once or several times as defaulting. Sixteen were named with reference to feudal dues, but not all were present in the court; respite or distraint for homage was the most usual subject.

The most striking feature to emerge from the analysis is that the earl had on the whole lost control of his most important military tenants, the descendants of the twelfth century honorial baronage, whose interests by the fourteenth century were much wider than the honour; such men as Simon son of Richard, lord of 12½ fees in Essex and Norfolk,¹ and Thomas de Warblyngton, lord of one fee in Norfolk and 3½ in Surrey,² stand out in the list of respites of suit and homage. Possibly these suitors had seldom attended the court in the mid-thirteenth century. In 1259, a case of assault on a knight, which had previously been heard in the Clare court, was brought before the justices in eyre. The earl's steward, Hervey de Borham, explained that damages had not been assessed at Clare, because he wanted to obtain advice since this trespass had been done to a knight.³ Clearly the steward did not know how to proceed in a case in which a knight was involved..

1. P.R.O. S.C. 2/212/33, m. 10.
2. Ault, op. cit. passim.
3. Select Cases of Procedure without writ under Henry III, ed. H.G. Richardson and G.O. Sayles, (Selden Society LX), p. 96.

The fines for respite of suit paid by military tenants varied enormously, but not according to the size of the fee; it was ludicrous that Walter son of Humphrey, lord of 5½ fees, should pay only 3s. 4d. a year,¹ while John de Fiore, the lord of a much smaller holding, paid 6s. 8d.² Often the fine included respite of homage. The fines were the same from one year to the next,³ and, possibly, the low sum paid by Walter son of Humphrey represents an early respite.

The Court Rolls indicate that the lord was not willing to let suit of court lapse. In 1310, the abbot of Savigny had been distrained for homage and fealty and for several defaults of court; the abbey's attorney, however, produced Richard IV's charter confirming to the monks all their lands in Field Dalling to be held in perpetual alms quit of all services including suit of court, as in the previous confirmation of earl Roger. The attorney gave the earl one mark to accept the charter.⁴ Richard de Talworth was ordered in 1322 to show his charters by which he claimed to be quit of suit of court.⁵

1. P.R.O. S.C. 2/212/34, m. 1; *ibid.* 212/35, m. 1.
2. *Ibid.* 212/35, m. 2. With two others, he held 1½ fees in Great and Little Walsingham and Bristen in 1314.
3. E.g. 20s., including respite of homage, from both Philip de Broughton and John Avenel in 1310-11 and 1312-13; 3s. 4d. in those years from Walter son of Humphrey; 4s. from William de Badele in 1308-9 and 1312-13.
4. P.R.O. S.C. 2/212/34, m. 2. The land was originally granted to the abbey by James of St. Hilary. See above, p. 66.
5. *Ibid.* 212/39, m. 4d. He and two others held 14 fees in Essex, Suffolk and elsewhere. References to tenure by charter are rare. *Ibid.* 214/1, m. 4d:- John de Saxlyngham denied that he owed homage and had a day at the next court to show his charters.

Of the cases heard in the honour court, it is striking to find that the majority came under the heading of domanial rather than baronial jurisdiction.¹ Much of the litigation of the former class comprised personal actions where the damages amounted to less than forty shillings - cases of debt, detinue, trespass and covenant.² Business was essentially civil, but it occasionally included cases of assault. Sub-tenants were not the only litigants; the earl's officials were sometimes involved.³

The procedure in these cases, as in other medieval courts, was slow. Attorneys sometimes acted for the litigants. In a large number of cases the plaintiff failed to prosecute, and many were settled by amicable agreement and not by the court. A mixture of old and new methods is found in the procedure; the honour courts had borrowed much from the Crown. When the plaintiff brought his case, he had to make his claim and produce his secta, a body of witnesses to testify that his complaint was genuine; by the early fourteenth century, however, the secta was merely a formality.⁴ The defendant would then make his defence, which had to be verbally accurate. In 1311 a defendant in a case of debt failed to do this and it was decided that the plaintiff should recover his debt and the defendant be amerced.⁵

1. This classification is taken from W.O. Ault, Private Jurisdiction in England, pp. 1-8.
2. F. Pollock and F.W. Maitland, The History of English Law, (1898), I, p. 587.
3. W.O. Ault, Court Rolls of the Abbey of Ramsey and of the Honor of Clare, pp. 77, 93, 99. Richard de Colne v. John Beneyt.
4. W.S. Holdsworth, A History of English Law, (1927), I, pp. 300-1.
5. P.R.O. S.C. 2/212/34, m. 6.

The issue before the court was decided either by the older method of compurgation (oath-helpers), or by jury. Compurgation was regarded with disfavour in the royal courts in the twelfth century, and by this time its use had been restricted; in particular it was not to be used in cases of trespass.¹ At Clare, it was often used in cases of debt and detinue. The jury was however more popular, in spite of the difficulties of assembling the jurors.² It was used in a wide variety of cases - trespass, theft, slander, assault, debt and detinue. On one occasion a jury had to decide whether the plaintiff was a villein or a freeman;³ on another, it dealt with an attack on an official.⁴

The levying of entry fines comprised a further domanial function of the court. All the court rolls illustrate the immense traffic in land at this time, particularly among small free-holdings. Strictly speaking, the levying of entry fines was the business of the manorial courts, and fines were also levied in leets,⁵ but the honour court kept an eye on fines which were levied away from Clare. For instance, John son of Walter was ordered to be distrained for entry on 18 acres of land in Gunthorp, Norfolk, for life, as he was prosecuted in the leet of Sharrington.⁶ It is possible that men

1. Holdsworth, *op. cit.* p. 307. One trespass case appears to have been decided by compurgation at Clare. (P.R.O. S.C. 2/212/34, m. 2.)
2. E.g. Ault, *op. cit.* pp. 83, 87, 90, 102. P.R.O. S.C. 2/212/34, m. 3, 5, 9d.
3. Ault, *op. cit.* p. 101.
4. P.R.O. S.C. 2/212/34, m. 2d.
5. E.g. *Ibid.* 214/2 and 6.
6. *Ibid.* 212/40, m. 7.

preferred to pay an entry fine at the honour court in order to give their tenure greater publicity and security.

In several important cases, the honour court acted as a court of reference; it could take up complicated manorial cases,¹ notably those in which a freeman wished to prosecute a local lord. It was not competent to deal with cases of false judgment in the earl's lower courts, though some of the cases are very close to this. A case concerning the arrears of rent and service due to a sub-tenant from his inferior,² and another in which a tenant of lady de Wanton asked for an enquiry into his mode of tenure,³ well illustrate the use of Clare as a court of reference. A more unusual case occurred in 1309.⁴ Hugh de Carlholm complained of a distraint made by the prior of Newton Longville in Norfolk. The prior, in defence, claimed that Hugh was his villein and that he therefore need not answer him in the honour court. The distraint was said to be just, because Hugh had been elected reeve and had refused to perform his duties; the distraint had been taken by the bailiff on the steward's orders. Hugh denied that he was a villein and obliged to be reeve. The case was to be decided by a jury at Walsingham.

1. The court might of course deal with straightforward agricultural matters, e.g. in 1309, a disturber of rights of common was fined 2s. (Ault, *op. cit.* pp. 102, 103.)
2. P.R.O. S.C. 2/212/34, m. 9.
3. *Ibid.* 212/41, m. 12.
4. Ault, *op. cit.* pp. 100-1.

One entry in 1308 was virtually a case of false judgement.¹ William Underwode complained that at the leet at Norton, Essex, the capital pledges wrongly informed John de Rattlesden, the steward's clerk, that William broke into a man's house, with the result that William was amerced 6d., and his damages amounted to half a mark. William's contention was not however upheld when the case was tried by compurgation, so he was amerced again and lost his case.

The purely feudal cases were small in number compared with the domanial, but are more interesting since they illustrate the relations of the lord with his vassals.² There is no mention on the Court Rolls of the performance of military service by sub-tenants. Presumably, the earl drew his quota for royal service out of his household. It is impossible to say how long this had been the general practice. Ault discovered several instances of the provision of knight service in the honour courts in the thirteenth century, but the lords were then encountering difficulties in compelling their tenants to do service.³ Possibly the quota was the result of the barons' inability to enforce military obligations in their courts in the late twelfth century.

As a result of the changes made by Henry I and Henry II, lords could only deal with litigation over freehold land after receiving the writ of right; if the lord did not then do justice, the case passed to the county court.

1. ~~Ibid. pp. 81, 90-91.~~ Ault, *op. cit.* pp. 81, 90-91.
2. For the work of the court with reference to wardship ~~and relief,~~ see above, p. 152.
3. W.O. Ault, Private Jurisdiction in England, pp. 57-81.

Cases involving the writ of right in the early fourteenth century were rare; only four such cases were mentioned in the Court Rolls. Two are only known by inference.¹ In 1310, in a case between John de la Croiz and Oliver Wyth, Oliver did not appear and, since he was the plaintiff, John was henceforward sine die.² The last case which was the most fully documented was presumably transferred to the county court.³

In the twelfth century, homage was the bond between the lord and his sub-tenants. It is therefore striking to find in the Court Rolls that sub-tenants were reluctant to perform homage, and the efforts of the court to compel them do not appear to have met with much success. It was comparatively rare for a tenant to perform homage when he entered on his lands, although he sometimes swore fealty.⁴ Homage was generally postponed and not merely

1. P.R.O. S.C. 2/212/41, m. 14. Two men were fined for contempt because they were in an inquisition of right and did not wish to come to consult among themselves. And see above, p. 162.
2. Ibid. 212/34, m. 2.
3. P.R.O. S.C. 2/212/42, m. 11 recited the royal writ of the claim of Thomas son of Walter de Yerdele v. William de Wauton for 4 acres of land in Thaxted. William was summoned to the next court, but did not appear (m.12) At the following court, he complained that he had not been summoned according to the law of England (m.13). The case then vanished from the Court Rolls and had presumably been transferred to the county court.
4. E.g. Richard Guncelyn; *ibid.* 212/39, m. 2.

temporarily; Philip de Broughton paid a fine of twenty shillings in 1310-11 and 1312-13 for respite of suit and of homage.¹

Sometimes a feudal settlement was made in the court, though it was more usual at this time to make it by chirograph before the royal justices. For instance, in 1309 Walter son of Humphrey gave fifty shillings to have a licence to enfeoff anyone he liked of his manor of Borley (Essex), to hold to him and his heirs, so that the feoffee could then re-enfeoff Walter and his wife of the manor, to hold to them and their heirs.² This was clearly an example of collusive enfeoffment.

The court was closely involved in the earl's action on the death of a tenant. By the early fourteenth century the earl had copied the royal procedure of Inquisitions post mortem, and was therefore able to keep a check on the obligations of the tenants who were not also tenants-in-chief of the Crown. On the death of a tenant, an order was made in the honour court for his lands to be taken into the lord's hands.³ A jury was then summoned to inquire into the lands held by the tenant of the lord on the day he died, the services due, and the name and age of the next heir. For instance, on the death of Adam de Lyons of Weston, Norfolk, the jury reported that he held of the earl one fee in demesne and half a fee subinfeudated, but he had

1. P.R.O.S.C.2/
Ibid. 212/34, m. 1 & /35, m. 2.

2. W.O. Ault, Court Rolls of the Abbey of Ramsey and of the Honor of Clare, p. 93. Walter was lord of 5½ fees in Essex and Suffolk. Cf. similar case on smaller scale of John Beneyt and John Brokedisch in Brettenham, Norfolk, (P.R.O. S.C.: 2/212/35, m. 7).

3. E.g. Ault, op. cit. p. 94. P.R.O. S.C.2/212/39, m. 2d, 6, 12. The lands would be seized even if the heir was of age, e.g. ibid. 212/39, m. 14d.

enfeoffed his wife and son of his demesne land by a fine levied in the king's court. His son Arnold therefore only paid 50s. relief (for the half fee not contained in the fine) and half a mark for entry.¹ The jury would also be used in a proof of age.²

Inquisitions were, moreover, drawn up on the death of serjeanty tenants; approximately the same rules covered military and serjeanty tenure. On the death of Nicholas Wymer, the steward was ordered to inquire into the lands he held as keeper of the park at Great Bardfield.³ Ault implied that inquisitions were also drawn up on the death of freeholders.⁴ In the case in question, in 1308, Thomas Auger held one messuage and twelve acres of land in Holm-next-the-Sea and "Great Ryngesele", Norfolk, in return for 2s. 9d. a year and forinsec service. He was clearly a military tenant, however, as his grand-daughters and heirs fined with the earl for their marriage and for all other things which ought to pertain to the earl by Thomas's death; the lord did not have the marriage of socage tenants.⁵

1. ^{P.R.O. S.C.2/} E.g. ~~Ibid.~~ 212/36, m. 3d, 9. Cf. William Cacchevache, *ibid.* 212/38, m. 5 - the jury is ordered from the neighbourhood of Old Buckenham, Norfolk, where William held his lands; William de Badele, *ibid.* 212/39, m. 8,9 - in this case, in addition to the summons of a jury, his heir, Robert, was to produce charters or other evidence in court to show how the tenement should be held; John de la Kersonere, *ibid.* 212/42, m. 3.
2. *Ibid.* 214/4, m. 2; John de Broughton of Sharrington, Norfolk.
3. B.M. Add. MS. 6041, f. 65.
4. Ault, *op. cit.* pp. xxvii, xxviii-xxix, 96; Thomas Auger. The inquisition was said to be kept in the treasury.
5. F. Pollock and F.W. Maitland, The History of English Law, (1898) I, p.294.

Questions of dower occasionally arose in the court. Thus, one widow was summoned before the court to give security that she would not marry without licence.¹ It appears that dower could only be acquired as a result of obtaining the earl's writ; Elena, the widow of Philip de Broughton, paid 20s. to have her dower without this writ.² In the thirteenth century, however, a few tenants were forced to seek the aid of the royal courts before they could obtain their dower. A case of 1199 indicates that at that time the writ of dower alone was generally sufficient to make the lord do right in the matter,³ but pleas of dower are occasionally found in the Curia Regis Rolls.⁴ Later, in 1300, Sibyl, widow of Roger Lovedaye, sued earl Ralph for dower in Withersfield, Suffolk.⁵ Once a case came before the royal courts

1. E.g. P.R.O. S.C. 2/212/39, m. 7d: Isabella, widow of William Valger. She apparently died soon after her husband (ibid. m. 11).
2. Ibid. 212/35, m. 5.
3. Pleas before the king or his justices, 1198-1202, ed. D.M. Stenton, (Selden Society LXVII)I, pp. 15, 410-11.
4. E.g. Curia Regis Rolls, III, pp. 15, 59, 208, 213, the earl v. Agnes de Foletby, 1203-4; p. 63, the earl v. Oliva, widow of Baldwin son of Serle, 1203 - the earl denied that he was lord of the land in question. Ibid. XI, p. 147, the earl v. Joan de Albeniace, 1223.
5. Plac. Abbrev. p. 242. The case of Christians, widow of Thomas de Warbleton, for dower in Tillingdon, Surrey, probably went before the king in 1300, because the honour of Tonbridge was then in royal custody. (Cal. Inq. p.m. IV, no. 435, p. 318; Cal. Close R. 1296-1302, p. 369).

because the legal position was not clear.¹

The earl seems never to have been present at a court, although he occasionally intervened in the proceedings.² Cases affecting the earl's liberty or his demesne manors could be brought before the court,³ and bailiffs who had not accounted were summoned to appear there.⁴ Probably the court was of most importance to the earl in enabling him to implead those of his tenants who were evading its jurisdiction.⁵ Thus, in 1309, the prior of Walsingham was accused of impleading the earl's tenants in the Church courts,⁶ and in 1310-11 a number of men were ordered to answer for presenting matters concerning the earl's fee in the hundred of Thingoe, Suffolk.⁷ In 1309, a

1. Agnes widow of John le Rus v. Gilbert V. The manor in question was purchased by John and his first wife to the use of them and their heirs. Year Books of 4 Edward II, (Selden Society, XXVI), pp. 161-7; Year Books of 4 Edward II, (Selden Society, XLII), pp. 33-4; Year Books of 5 Edward II, (Selden Society, LXIII), p. 278; Year Books of 6 Edward II, (Selden Society, XXXIV), pp. xliv, 43-4.
2. E.g. a demand was postponed by the lord's licence until he ordered otherwise, (Ault, op. cit. p. 85); demand for homage of Aymer de Valence was postponed until Easter by the earl's letter, (P.R.O. S.C. 2/212/35, m. 5).
3. E.g. Order to attach men for exactions and distrains in the earl's liberty of Toppesfield, Essex. (Ault, op. cit. p. 94). A case concerning the demesne manor of Wiveton, (ibid. p. 87).
4. Bailiffs of Lakenheath in P.R.O. S.C. 2/212/37, m. 4d.
5. E.g. Ault, op. cit. pp. 83, 95.
6. Ibid. pp. 94-5, 97. The case was respited by the steward.
7. P.R.O. S.C. 2/212/34, m. 7.

tenant was accused of impleading the earl's tenants in the court of Bury St. Edmunds and elsewhere but the bailiff affirmed that he was not guilty.¹

The orders of the court were enforced by distraint, the taking of goods by the lord as security that his orders would be obeyed. The lord was allowed to distrain only in his own fee.² His power of distraint was liable to abuse, and was therefore the subject of considerable regulation in the statute of Marlborough and the legislation of Edward I.³ Professor Plucknett suggests that the rights of the lord to distrain had become more arbitrary by the late thirteenth century; lords were generally distraining on their own authority, without the judgement of their courts.⁴ It is impossible to say how far this was the case at Clare; in the Court Rolls orders to distrain are numerous, but there is no means of knowing how many orders were made outside the court. On the other hand the lord was somewhat hampered by the change from distraint on the fief to distraint on chattels alone; this change had taken place by the reign of Edward I.

Although small tenants would be hard hit by the lord's distraint, it is highly doubtful whether distraint on chattels alone was sufficient to coerce

1. Ault, *op. cit.* p. 93.

2. T.F.T. Plucknett, Legislation of Edward I, pp. 58-9. There are numerous complaints in the Hundred Rolls of the Clare earls distraining outside their fee.

3. Plucknett, *op. cit.* pp. 55-63.

4. *Ibid.* p. 55.

the more substantial landholders. There are numerous instances in the Court Rolls of distrainments being levied on the sub-tenants of vassals in an attempt to force their lords to fulfil their obligations; these tenants sometimes fined in order to avoid distraint. Bartholomew de Castell paid 40d. not to be distrained for the suit of the earl of Oxford until Michaelmas.¹

Norfolk, Suffolk and Essex each had a bailiff of fees. These men, with their sub-bailiffs, were responsible for carrying out the orders of the court, and so for maintaining the lord's control over his tenants. In Essex and Suffolk, the bailiff's office was a serjeanty tenure. In 1262, John Abraham held land in Thaxted in return for making summons and distrainments in Essex at the Clare court.² In 1308, in Suffolk, an inquiry was ordered into the tenants of a particular tenement who had the duty of finding a bailiff of fees;³ it is not clear where this land was. The bailiff received a money-fee in the early fourteenth century, 26s. 8d. in Norfolk,⁴ 33s. 4d. in Suffolk,⁵ and 26s. 8d. in Essex.⁶ Besides making distrainments and attachments, summoning juries, and carrying out inquiries, bailiffs are found testifying in

1. P.R.O. S.C. 2/212/34, m. 7.
2. P.R.O. C. 132, file 27(5), m. 26.
3. Ault, op. cit. pp. 79, 82-3; cf. p. 85.
4. P.R.O. S.C. 6/1109/17.
5. Ibid. 1109/14.
6. Ibid. 1109/13.

the honour court,¹ acting as pledges,² collecting information for the lord,³ and carrying out a settlement on behalf of a successful litigant.⁴

The bailiffs' work could be dangerous; the 10s. fine paid by Walter Oliver in 1308 included, inter alia, reparation for trespasses to the earl's bailiffs.⁵ They were bound to be unpopular; the Norfolk and Suffolk Hundred Rolls underline the dislike felt for the earl's officials and especially the bailiffs. An impression is gained from these Rolls of bailiffs wilfully abusing their powers, and, one suspects, paying off a few private grudges. In the early fourteenth century, although the bailiffs obviously cannot coerce the most important tenants, the very amount of business in the court is a tribute to the efficiency of their work. It is rare to find a bailiff reporting that he had been unable to do anything.⁶

1. E.g. P.R.O. S.C. 2/212/43, m. 6; an entry fine was low because it was testified that the land was poor.
2. Ibid. 212/34, m. 3.
3. Ibid. 212/43, m. 7: the bailiffs of Norfolk, Suffolk, Essex, Herts, Cambs. and Hunts. were ordered to inform the steward before the next court of the lands held of Elizabeth de Burgh by the prior of the hospital of St. John of Jerusalem.
4. The bailiff was to carry out the settlement if the defendant refused to pay, e.g. Ault, op. cit. p. 102. P.R.O. S.C. 2/212/38, m. 5d and 212/42, m. 13.
5. E.g. Ault, op. cit. p. 75; cf. pp. 82, 87. P.R.O. S.C. 2/212/35, m. 6d.
6. E.g. Ault, op. cit. p. 81.

The bailiffs by no means had a free hand; they were closely supervised by the court, and were often accused of not doing their duty,¹ or of being in arrears with their payments.²

The forinsec courts of the honour in Norfolk played a considerable part in carrying out the orders of the Clare court.³ In the years before 1314, they were held at Crimplesham, Wiveton, Walsingham and Bintree.⁴ Probably the courts were held in conjunction with manorial courts; in 1325-6 they were held apparently every three weeks.⁵ Ault made much of the connection between the manorial courts and Clare, but does not appear to have realised that these manorial courts were described in contemporary documents as forinsec courts of the honour;⁶ in only one case was an inquisition transferred to an ordinary manorial court.⁷

1. ^{Ault, op. cit.} E.g. ~~Ibid.~~ pp. 79, 83, 98. P.R.O. S.C. 2/212/42, m. 8.
2. Ault, op. cit. p. 77. P.R.O. S.C. 2/212/39, m. 10d.
3. Two fragmentary court rolls survive: P.R.O. S.C. 2/214/1, covering courts in 1308-9 and 1310-11, and *ibid.* 214/4, covering some courts in 1319-20 and 1323, and almost a full year of courts in 1325-6.
4. After 1317, they were held at Walsingham, Crimplesham and Bircham. For the period before 1314, only Bintree was subinfeudated; the other places were held in demesne.
5. In 1310-11 there were long gaps between courts even when the membrane is continuous. Possibly at some meetings there was no forinsec business.
6. Ault, op. cit. p. xxix, xxx.
7. P.R.O. S.C. 2/212/42, m. 14, 16, 17, when an inquisition was to be held at Stokesby, Norfolk.

It is not clear how ancient the forinsec courts were, but some at least were set up in the period of disturbance of 1258-67, possibly in an attempt to remedy loss of control over the Norfolk tenants. The Hundred Rolls refer to courts at Walsingham and elsewhere recently set up by Roger de Scaccario, the earl's steward;¹ he had also set up a forinsec court at St. Winwaloe.² The countess Matilda distrained tenants outside her fee to answer in her court of Crimlesham.³ Several complaints were made of the proceedings of these courts; they dealt with many cases which ought not to be pleaded without the royal writ, distrained and attached outside the earl's fee and forced men to answer even if they held nothing of the earl, or if there were three or four mesne lords between them and him.⁴

Compared with the honour court, the business of the forinsec courts in the early fourteenth century was small, and their profits were negligible.⁵

1. Rot. Hund. I, p. 455. The roll enters his name as Roger de Scaliario, but this is probably a slip.
2. Ibid. pp. 459, 519, 543. In the early fourteenth century, there was only the court of the fair there.
3. Ibid. p. 519.
4. Rot. Hund. p. 484; also pp. 490, 492.
5. In 1317, the court of Crimlesham was worth 25s. 7d.; the court of the fair of St. Winwaloe, 20s. 7½d; the court of Walsingham, 12s. 10½d; the court of Bintree, 22s. 10d; the court of Wiveton, 5s. 6d; and the court of North Creake (of which no other mention has been found) 6s. 6d. The total amounted to £4. 13s. 10½d. (P.R.O. C.47/9/25, m. 1.)

Presumably, the court was generally held by the bailiff of fees but the steward sometimes acted as president.¹ Apparently, they had no suitors who were obliged to attend every three weeks; there are no references in the rolls to respite of suit or to defaults. A few cases of trespass and debt are found, and entry fines were frequently levied; occasionally a fine for respite of homage was levied here instead of at Clare,² and once a sub-tenant was admitted as the heir of a manor.³

The courts were however most important for supplementing the work of the Clare court. In one case, for instance, the accusation in a plea of trespass was made at Clare; the inquiry was held at Walsingham; and the judgement was delivered at Clare.⁴ Essoins were taken at the forinsec courts so that the suitor need not make the journey to Clare.⁵ In particular, inquiries in Norfolk cases were often held at the forinsec courts;⁶ probably there was a better chance of assembling the jury if the inquisition was held locally.⁷

1. E.g. P.R.O. S.C.2 212/34, m. 6; 212/39, m. 14; 212/40, m. 8; 212/41, m. 2.
2. Ibid. 214/1, m. 4.
3. Ibid. 214/4, m. 2.
4. ~~P.R.O. S.C. 2/212/43, m. 3.~~ Ibid. 212/43, m. 3.
5. E.g. Ibid. 214/1, m. 4. Cf. essoin taken at leet at Norton, Essex, (ibid. 212/35, m. 8.)
6. E.g. John de Dallingg v. Adam Otewy in plea of trespass (Ault, op. cit. pp. 78-9, 88, 89, 91); John paid 12d. to have the inquiry at Walsingham or Wiveton; it was held at Walsingham, when it was decided that John was guilty (P.R.O. S.C. 2/214/1, m. 4d.) Cf. Ault, op. cit. pp. 100-1; P.R.O. S.C. 2/212/34, m. 7; /35, m. 6d; /38, m. 2d, 4; /39, m. 1, 12, 14; /41, m. 8.
7. Cases were possibly transferred to Norfolk if jurors did not appear at Clare, e.g. Ibid. 212/43, m. 2.

By the early fourteenth century, the earls had an elaborate system for keeping track of their sub-tenants. In contrast to the twelfth century, they relied heavily on their officials for their information about the honour, and on the whole they seem to have been well served; the bailiffs were over-zealous rather than inactive. Much had been learnt from royal practice both in procedure and in the custom of making inquisitions post mortem. Although the work of the court had been limited by royal legislation, it still dealt with a considerable amount of business, and the profits were a useful addition to the earl's income. In spite of the growing complexities of feudal tenure, the earl's control over the smaller military tenants and freeholders was well maintained, although he could no longer coerce the descendants of the honorial barons of the twelfth century. Later in the fourteenth century a further decline set in, so that the Court Rolls eventually became merely a list of respites and defaults.

CHAPTER V.

THE FRANCHISES OF THE HONOURS OF CLARE AND GLOUCESTER.

Little is known of the liberties held by the Clare family before the middle of the thirteenth century. In the Norman period they had presumably held rights of sake and soke, toll and team, and infangentheof; Henry I recorded that he had granted to Robert son of Richard I de Clare his free customs over the whole of his estates, with sake and soke, toll and team, and infangentheof, to be held as fully as did any of his brothers or any of the king's other barons.¹ Such a grant did not however confer any of the higher powers of jurisdiction;² it gave the grantee the right to hold a court, to deal with pleas concerning cattle, and to do justice on the thief caught on the manor in possession of stolen property. By the mid-thirteenth century, the character of the liberties had changed entirely. It cannot be automatically assumed that the franchises described in the Hundred Rolls and the Placita de Quo Warranto were of ancient origin, partly because the majority had been usurped in the Barons' Wars from 1258 to 1267, and partly because some of the franchises themselves were relatively recent in origin. The development of the franchises corresponded closely to the twelfth and

1. The Cartae Antiquae, rolls 1-10, ed. L. Landon, in Pipe Roll Society, N.S. XVII, p. 91, no: 182.

2. N.D. Hurnard, "The Anglo-Norman Franchises", in E.H.R. LXIV, 1949, p. 433.

thirteenth-century changes in the royal administration of justice.

Of the franchises exercised by the earls in the second half of the thirteenth century, the view of frankpledge has been described as "the most common of all the franchises in private hands",¹ and it was generally associated with what was later known as leet jurisdiction.² The sheriff held two tourns each year, often at Easter and Michaelmas, and this practice was followed by private lords; the view was held at the Michaelmas assembly to ensure the maintenance of the frankpledge system. The business transacted at the tourn was most varied, but it can be divided into the presentments of pleas of the Crown which would eventually be reported to the royal justices, and minor police offences.³ In the second category, breaches of the assize of bread and ale were the most common offence; by a statute of Henry III these had to be punished by the pillory and tumbrel and Edward I's lawyers frequently asserted that a lord without these appurtenances had no right to the franchise. On certain manors the earl could hear pleas of bloodshed and of hue and cry which had either been wrongfully raised or not followed. The franchises of waif and stray were occasionally mentioned; the former allowed

1. W.A. Morris, The Frankpledge System, p. 136.
2. Morris, op. cit. p. 132. This term was generally used after the reign of Edward I to denote the business transacted by the sheriff in the tourn.
3. Lists of articles of inquiry are printed in F.J.C. Hearnshaw, Leet Jurisdiction in England, Part I, chapter IV, pp. 43-64.

the lord to have goods which had been stolen and then abandoned by the felon if they were not claimed by the owner within a year and a day, and stray allowed him to have cattle which were found within his lordship and not claimed by their owners within the same time. These franchises of the view and leet, together with infangentheof, comprise what is sometimes termed hundredal jurisdiction.

Moreover, on several parts of his estates, the Clare earl exercised higher and more unusual liberties.¹ In some places he had the chattels of his men who had become felons and fugitives. The franchise of wreck allowed a lord to have anything cast up on a particular shore from which no living thing survived. The most common of the higher franchises were the rights to hold pleas of withername and to have return of writs. Both franchises were relatively recent; return of writs had taken definite form by 1200 but the name was not used before Henry III's reign, and the process of making pleas of withername a royal monopoly began in the reign of John. Pleas of withername comprised cases of wrongful distraint or unjust detention of chattels, and by the mid-thirteenth century it was a royal plea. The king's lawyers could not however prevent lords from hearing the plea, provided that they did not call it withername; if the lord actually claimed with^{er}name, the royal lawyers insisted on his having also return of writs, since this franchise

1. The earl had the highest liberties which he possessed in England in the banlieu of Tonbridge; see below, pp. 225-6.

excluded the sheriff and prevented him from hearing the plea. A lord who had return of writs executed all the king's orders in his fief; the more limited franchise of extract of writs permitted him to levy royal debts.

In a discussion of the liberties enjoyed by the earl, several questions come to mind. The most fundamental points to examine are the date at which the franchises were acquired, the number of demesne and subinfeudated manors in which the earl held liberties, and their administration and monetary value. With regard to the lesser liberties of view of frankpledge and leet jurisdiction, the date and method of their acquisition constitute the most interesting problems. Historians have come to various conclusions on the subject of date; Maitland put it soon after the Assize of Clarendon of 1166,¹ Morris in the hundred years after 1166,² and Painter in the mid-thirteenth century.³ Some franchises were possibly usurped in the civil war under John; in Buckinghamshire, a jury was summoned in 1222 to discover what rights and customs John had had before the war in the fees of William Marshal and Gilbert III,⁴ but this is the only reference which suggests appropriation. An examination of the Hundred Rolls and of the Placita de Quo Warranto shows

1. F.W. Maitland, Select Pleas in Manorial & other Seignorial Courts, (Selden Society, II) I, p. xxxvi.
2. Morris, *op. cit.* p. 135.
3. S. Painter, Studies in the History of the English Feudal Barony, p. 100.
4. Curia Regis R. X, p. 333.

conclusively that most of the earl's liberties were acquired by usurpation in the years 1258-67.

It was only on very few occasions that the jurors of 1275 stated that the earl had held a franchise from time immemorial. Usurpations were specifically mentioned, and the date of appropriations was frequently given. It is possible, when the jurors stated that a warrant was unknown and did not mention a usurpation, that the earl had exercised the franchise for a considerable time; the phrase, warrant unknown, could however cover recent appropriation as well as ancient tenure. With regard to recent usurpations, the dates given by the jurors may not be completely accurate, but they are probably correct as to the general period, especially with reference to the disturbances of 1258-67 which would be vividly remembered in 1274-5. Moreover, the jurors frequently specify whether the usurpation was made by Richard IV or Gilbert IV. Richard IV appears to be the greater culprit; after his death in 1262, Henry III ordered an inquiry into appropriated liberties as part of his inquisition post mortem.¹

The only relevant information as to the administration of the earl's views of frankpledge comes from the quo warranto case for Gloucestershire;² four views were held in different parts of the county, and it is interesting

1. Close R. 1261-4, p. 142.

2. Plac. de Quo War. p. 253.

to find that in one case a view was held at a subinfeudated manor, although a demesne manor with the earl's bailiffs at hand might seem a better centre. The views were probably held under the presidency of the honorial steward. Five vills came to the view at Tewkesbury,¹ two to Fairford,² seven to Rendcomb,³ and two to Shorncote;⁴ the last place was a subinfeudated manor. The views were held twice a year; at Rendcomb and Fairford they took place at the feast of Saint Martin (11 November) and Hokeday (the second Tuesday after Easter).⁵ Inquiry was made of all the articles that the sheriff inquired into at the tourn. No royal official was present, and the earl paid no rent for the views to the king. The earl had pillory and tumbrel at Tewkesbury and Fairford, and gallows at the same places.

The number of demesne and subinfeudated manors at which the earl held these lesser liberties varied from county to county. It was usual for the earl to have leet jurisdiction on his demesne manors, and, in most instances, no hint of usurpation was given. Nevertheless, it cannot be automatically assumed that the Clares had long held the view of frankpledge even on their important demesne manors. At Standon in Hertfordshire, the view had been usurped about 1258 by Roger de Scaccario, the earl's steward, and the suit due from the vill to the county and hundred courts had been removed at the

1. Alderton, Clifford Chambers (now in Warwickshire), Kemerton (now in Worcestershire), Oxenton, and Shenington (now in Oxfordshire).
2. Alveston and Eastleach.
3. Calmsden in North Cerney, Coates, Aylworth and Harford in Naunton, Upper Rendcomb, Trewsbury, and Woodmancote.
4. Norcott and Siddington.
5. P.R.O. C. 133, file 77 (3), m. 10, 12.

same time.¹ Moreover, Roger appropriated the leet at Crimlesham, Norfolk, from the abbot of Ramsey before 1262.² The views at two small manors in Suffolk, Cavenham and Lakenheath, were usurped about 1258,³ and it is practically certain that the view of frankpledge was appropriated at Yalding in Kent, since Gilbert IV abandoned the claim which he had made in 1279 before the quo warranto case of 1293.⁴

Painter considered that these lesser franchises were generally limited to the holder's demesne lands, but this was not the case on the earl's estates.⁵ The number of fees in a county in which the earl held the view of frankpledge varied considerably, and although gaps in the evidence from the Hundred Rolls and Placita de Quo Warranto make it impossible to give a full picture, it is clear that virtually all these views had been usurped by Richard IV and Gilbert IV during the Barons' Wars, and that most were recovered by Edward I as a result of the quo warranto proceedings. On the honour of Clare, the earl had the view in only a few of his fees; the Hundred Rolls only mention four places in Suffolk, and four in Norfolk.⁶ In all these places, the view

1. Rot. Hund. I, pp. 188, 191, 193.

2. Ibid. p. 458. P.R.O. C. 132, file 27 (5), m. 39.

3. Rot. Hund. II, p. 152.

4. Plac. de Quo War. pp. 348, 365.

5. Painter, op. cit. pp. 100, 102.

6. In Suffolk: Dalham (Rot. Hund. II, p. 151); Denston (ibid. pp. 152, 172); Higham in Gazeley (ibid. pp. 152, 196); Moulton (ibid. p. 151). In Gazeley, Needham in Gazeley and Kentford, the earl had amends of the assize of bread and ale. (Ibid. p. 172). In Norfolk: Bale (ibid. I, p. 492); Beechamwell (ibid. p. 519); Gunthorpe and Sharrington (ibid. p. 492).

had been usurped, and in most the appropriation had taken place during the Barons' Wars or in the last years of Henry III's reign. In Sharrington, Gunthorpe and Bale, however, the views had been appropriated by Richard earl of Cornwall about 1241.¹

In several counties, the earl had usurped the view of frankpledge in the majority of his fees. In Kent, he held the view in seventeen subinfeudated holdings,² and the evidence for usurpation is incontrovertible. Richard IV's inquisition post mortem in 1262 gave a list of twelve views of frankpledge, and then ended with the words, "Et dicunt quod visum franci plegii super nominatum extra suum dominicum habuit Comes per vim et voluntatem et non per justiciam".³ All of these views were lost as a result of the quo warranto proceedings. The earl had the view in seven fees in Bedfordshire,⁴ five of which were undoubtedly appropriated, three of them before 1262.⁵ In

1. Richard of Cornwall had married Gilbert III's widow, Isabella Marshal, in 1231, and retained her dower lands after her death in 1240 until Richard IV came of age in 1243.
2. P.R.O. C. 132, file 27 (5), m. 35. Plac. de Quo War. p. 348. The earl held views in Blean, Chekeswell in Brenchley, Pett in Charing, Tremworth in Crundale, Ditton and Sifleton in Ditton, Dodhurst, Eltham, Upper Hardres, Horsmonden, Mereworth, Milton, Nackington, Nettlestead, Pembury, Sheldwich and Stelling.
3. P.R.O. C. 132, file 27 (5), m. 35.
4. Plac. de Quo War. p. 9: Battlesden, Biddenham, Holcot, Roxhill in Marston Moretaine, Pavenham, Roxton, and Turvey.
5. Biddenham (Rot. Hund. I, p. 2; II, p. 323); Holcot (ibid. I, p. 5); Roxton (ibid. I, p. 2).

Northamptonshire, he held the view in nineteen places,¹ the majority of his fees in the county; with the exception of Stanion, and Finedon, all the views were usurped, generally in 1259-60.² No information is available as to usurpations in Gloucestershire, but, in contrast to the last examples, the earl did not have the view in the majority of his fees; although he held it in sixteen fees, this amounted only to about half his holdings in the county.³ Finally, in Somerset, the earl was said to have usurped the view in forty-four places, virtually all his holdings in the county;⁴ he derived little from the appropriation, however, as in most of the holdings the profits were received by his tenants. The picture of usurpation

1. Plac. de Quo War. pp. 571-2: Addington, Aldwinkle, Barton Seagrave, Burton Latimer, Cotterstock, Cranford, Denford, Finedon, Glapthorn, Lowick, Raunds, Ringstead, Cotes in Ringstead and Raunds, Southwick, Perio in Southwick, Stanion, Tansor, Thrapston, and Woodford.
2. Rot. Hund. II, pp. 7-8, 10, 14.
3. Plac. de Quo War. p. 253. The earl held the view in Alderton, Alveston, Calmsden in North Cerney, Clifford Chambers (now in Warwickshire), Coates, Eastleach, Kemerton (now in Worcestershire), Aylworth and Harford in Naunton, Norcott, Oxenton, Upper Rendcomb, Shenington (now in Oxfordshire), Siddington, Trewsbury, and Woodmancote.
4. Plac. de Quo War. pp. 774-5; Cal. Inq. Misc. p. 376, no. 1291:- Long Ashton, Babcary, Babington, Middlecote in Babington, Backwell, Barrow Gurney, Bedminster, Bishopworth in Bedminster, Butcombe, Clapton-in-Gordano, Chewstoke, Clevedon, Dinnington, Ston Easton, Emborough, Englishcombe, Farrington Gurney, "Fernborgwe", Freshford, Hardington, Wydergrave in Hardington, Harptree, "Holecumbe", Hutton, Langridge, High Littleton, Hallatrow in High Littleton, Newton St. Loe, Northover, Portishead, Radstock, Saltford, Sandford Orcas (now in Dorset), "Sevenhampton", Rodney Stoke, Stowell, Tellisford, "Tilly", Twerton, Clewer in Wedmore, Weston-super-Mare, Ashcombe in Weston-super-Mare, Winford, and Regil in Winford.

provided by these counties is corroborated by the more scanty evidence afforded by other parts of the earl's estates.

It is tempting to suppose that the earl would hold the view when his sub-tenant was unimportant, and that more substantial tenants would hold their own views. Yet it is immediately clear in Kent, to take only one example, that the earl exercised leet jurisdiction on small and large fees alike. According to Richard IV's inquisition post mortem, the holdings in which the earl had this franchise ranged from $\frac{1}{4}$ to $3\frac{1}{2}$ knights' fees, and from 20s. to £30 in value.¹ The earl would not necessarily have the view in all the holdings of a particular sub-tenant. For instance, in the Trailly lands in Bedfordshire and Buckinghamshire, he held the view at Roxton, Biddenham and Turvey, whilst the Trailly family held it on their land at Hinwick, Chellington and Ludgershall. The earl might not even have the view for all his subinfeudated holdings in a single vill; it is probable that at Stilton (Huntingdonshire) he only held it for the land of the prior of Bushmead, and not for the holding of the earl of Oxford. It must not be assumed, though, that a sub-tenant of high rank would have this franchise, since the earl of Gloucester held the view at Folksworth and Wood Walton (Huntingdonshire) which were held of him by the earl of Oxford. Small tenants on occasion might have their own views; at Great Missenden in

1. P.R.O. C. 132, file 27 (5), n. 35. The valuations were not standardised as they were in later inquisitions.

Buckinghamshire, Hugh de Plecy and Henry Huse, holding $\frac{1}{2}$ fee each, administered their own view and made a payment to the earl.¹

The profits from the views of frankpledge in the mid-thirteenth century unfortunately cannot be calculated. The earliest leet rolls date from the fourteenth century, considerably after the time that Gilbert IV had surrendered most of his appropriated franchises to the Crown. Painter considered that the profits derived from the view and leet were not large, but were good enough to interest a thirteenth-century baron.² It appears from later evidence that the numerous leets appropriated by Richard IV and Gilbert IV must have amounted to a valuable sum. In calculating franchisal profits, Painter used the item "pleas and perquisites" in Inquisitions post mortem; this figure would however include profits from manorial courts, and it is generally far lower than the amount actually received at the leet. The profits included cert-money,³ entry fines, and fines for miscellaneous offences, and they varied considerably according to the size of the holding. In 1309, 107s. was received from the leet of Bottisham (Cambridgeshire), £4. 1s. 9d. from Sharrington, Gunthorpe and Bale (Norfolk), and £4. 6s. 7d. from Moulton, and 5s. 6d. from Denston, Suffolk.⁴ In 1313, 43s. 1d. was received from the leet of Toppesfield, and 33s. $\frac{1}{2}$ d. from the leet of Norton, Essex, £6. 7s. 9d. from Moulton, and 7s. 1d. from Denston.⁵ According to

1. Plac. de Quo War. p. 95.
2. Painter, *op. cit.* p. 102.
3. A customary payment due at the view of frankpledge, often for the renewal of pledges, but sometimes including other fixed rents.
4. P.R.O. S.C. 2/214/2, m. 1-3d.
5. *Ibid.* 214/3, m. 2, 4, 4d.

the pourparty of 1317, leets in Buckinghamshire amounted to £15. 4s. 4½d.,¹ in Bedfordshire to £7. 13s. 6½d.,² in Huntingdonshire to £16. 8s. 6¾d.,³ in Cambridgeshire to £33. 11s. ½d.,⁴ and in Essex, Suffolk and Norfolk to £17. 8s. 6d.⁵

The evidence from the honours of Clare and Gloucester supports Painter's conclusion that the wide extension of private views of frankpledge and leet jurisdiction took place in the mid-thirteenth century.⁶ He thought that the wide variety of conditions was the outcome of individual bargaining with the sheriffs,⁷ but no examples similar to those he cites have been found on the Clare and Gloucester lands. All the material points to wholesale usurpations of views of frankpledge, mainly on subinfeudated holdings, but also on certain demesne manors, during the Barons' Wars, and especially by Richard IV between 1258 and 1262. In this period, usurpations were common, and the appropriations of Richard earl of Cornwall came a close second to those of the earls of Gloucester. It would therefore appear that there was little appropriation of lesser franchisal jurisdiction in the twelfth century. By the mid-thirteenth century, lords were often losing control of their tenants and therefore usurped liberties to maintain their control by franchisal rather than by feudal means. In view of the fact that the honour court of Clare

1. P.R.O. C. 47/9/23, m. 1.
2. Ibid.
3. Ibid.
4. Ibid. /25, m. 1.
5. Ibid.
6. Painter, *op. cit.* p. 100.
7. Ibid. p. 99.

was still efficient in the early fourteenth century, it is especially interesting that few ~~fees~~ ^{views} were usurped in the honour. On the honour of Gloucester, however, it is likely that the lord's authority was not as strong.

The earl's higher liberties, though less common, present many similar features to the view of frankpledge and leet jurisdiction. Many were usurped, apparently for the same reasons as the lesser liberties were appropriated. Painter considered that the earls usurped the franchise of return of writs for most of the lands of the honour of Gloucester during the Barons' Wars;¹ his hypothesis that lords were trying to exclude the sheriff and make their fiefs units of local government in place of the shire and hundred must be tested in relation to the earl's estates.²

The earl did not exercise these higher liberties on all his demesne manors. It is likely that the franchises of return of writs and pleas of withername had been appropriated at Mapledurham in Buriton, Hampshire. On being summoned to show her warrant in 1281, the countess denied that she claimed these;³ she probably thought it politic to let the king recover seisin without lengthy litigation. At Wareham, Dorset, the earl had usurped the right to hear pleas of withername.⁴ It is doubtful whether the earl had any of the higher liberties at Shipton-under-Wychwood, Oxfordshire, except possibly extract of writs; according to the Hundred Rolls, he had all the

1. Painter, op. cit. p. 118.
2. Ibid. p. 100.
3. Plac. de Quo. War. p. 812.
4. P.R.O. C. 47/56/1, no: 15.

franchises except return of writs, and this would cut out pleas of withername.¹ It is particularly interesting to find that in some counties where the Clares had valuable demesne manors no reference was made to higher liberties; this occurred in the counties of Worcester, Berkshire, Hertford, Bedford, Cambridge and Huntingdon, and in Norfolk the only unusual liberty was wreck.²

On the honour of Clare, the position was complicated by the fact that most of the earl's holdings in Suffolk lay in the liberty of eight and a half hundreds of the abbey of Bury St. Edmunds, and that certain franchises were delegated to the earl by the abbot. In March, 1260, Henry III had considered granting to Richard IV the return and execution of writs in the whole honour of Clare, but the grant was never actually made.³ In 1275, the earl's liberties in his four principal demesne manors in Suffolk comprised return and extract of writs and pleas of withername; moreover, at Desning, it was recorded that the earl claimed the chattels of felons, without warrant.⁴ Of these liberties, the right to hear pleas of withername had been appropriated.⁵ As to return of writs, it was asserted that the earl had no

1. Rot. Hund. II, p. 736.
2. The earl had wreck at Wells and Warham (Rot. Hund. I, p. 484) and at the subinfeudated manor of Stiffkey (Ibid. p. 526).
3. Cal. Pat. R. 1258-66, p. 99.
4. Rot. Hund. II, p. 152.
5. Ibid. pp. 152, 172, 178.

warrant except for a final concord with the abbot of Bury St. Edmunds, Simon de Luton;¹ it had been made in 1259 to settle the earl's claim to Mildenhall, and had arranged for writs to be passed on by the abbot's bailiffs to the earl's.² The arrangement did not work successfully. It was stated in 1275 that the earl did not carry out the king's orders unless he received the return of writs from the steward of the Liberty of Saint Edmund, and that at the time the abbot was not carrying out his side of the bargain.³

Only in the counties of Somerset, Northampton, and Kent can Painter's hypothesis that the earls were trying to make their estates judicial entities excluding all royal officials be at all likely;⁴ in several other counties where the evidence is plentiful there was no attempt to usurp anything more than leet jurisdiction. Even in these three counties, the earl had not appropriated liberties in all his holdings. Besides his usurpations of views of frankpledge in Somerset, he had withdrawn his men from their customary suit to the hundred-court.⁵ Moreover, he had usurped the franchises of return of writs and pleas of withername in order to exclude royal officials completely. He held pleas of withername in his courts of

1. Ibid. pp. 172, 178. Rot. Hund. ̄, pp. 172, 178.
2. The Pinchbeck Register, ed. Lord F. Hervey, I, pp. 432-4.
3. Rot. Hund. II, p. 178.
4. For Kent, see below, pp. 230-1.
5. Plac. de Quo War. pp. 774-5.

Chewstoke and Norton Malreward in the hundred of Chew,¹ and at Langridge and Freshford in the hundred of Bath Forum,² the warrant being unknown. His bailiffs in the last two places did not allow the sheriff of Somerset to enter the fee or make distrainments to levy royal debts. In the hundred of Portbury the earl had had return of writs and pleas of withername since about 1260; he had obtained these from Henry de Aulton by bribery - his bailiff, John de Northon', had given Henry 40s.³ He had obtained return of writs in the hundred of Chewton about 1263 from Henry de Aulton who was here styled sub-sheriff.⁴ For the hundred of Hartcliffe,⁵ he had return and extract of writs, pleas of withername and wreck;⁶ no reference was made to the date of acquisition. He had had return of writs in the hundred of Bath Forum since 1262; this privilege had been acquired likewise from Henry de Aulton, then sheriff, who had received 40s. in return.⁷ It is very possible that the earl usurped his liberties in the hundred of Kilmersdon;⁸ it was stated that

1. Rot. Hund. II, p. 118.
2. Ibid. p. 138.
3. ~~Rot. Hund. II, p. 130.~~ Ibid. p. 130.
4. Ibid. p. 132. In fact, Henry was sheriff from 1261 until the end of 1263.
5. The full title of the hundred is Hartcliffe and Bedminster.
6. Rot. Hund. II, p. 132.
7. Ibid. p. 133.
8. Ibid. ~~II~~, p. 135.

Richard IV and his son had heard pleas of withername and had return of writs from the time of office of Philip de Cerne, sheriff from 1259 until 1261, the warrant being unknown.

The evidence from Northamptonshire is strikingly similar to that from Somerset. In the quo warranto case of 1330, Hugh d'Audley and his wife were summoned to show warrant for their right to chattels of felons and fugitives, and full return of writs at Rothwell and nineteen subinfeudated holdings.¹ Since the defendants laid aside for the time being their claim to both franchises at Rothwell, and the right of chattels in the other vills, it might be thought that these had been recently usurped, but the evidence from the Hundred Rolls makes this an unlikely hypothesis. The jury recorded that in his eight vills in the hundred of Huxloe the earl had had return and extract of writs and pleas of withername since 1260.² At Thrapston, the earl had appropriated return and extract of writs about 1268, and pleas of withername ten years earlier.³ About 1259 he usurped the same liberties at five more places.⁴ It appears most likely therefore that the earl had all these franchises in the late thirteenth century, and that they had been usurped during the Barons' Wars.

1. Plac. de Quo War. pp. 571-2. Addington, Aldwinkle, Barton Seagrave, Burton Latimer, Cotterstock, Cranford, Denford, Finedon, Glapthorn, Lowick, Raunds, Ringstead, Cotes in Ringstead and Raunds, Southwick, Perio in Southwick, Stanion, Tansor, Thrapston, and Woodford.
2. Rot. Hund. II, p. 7: Addington, Aldwinkle, Barton Seagrave, Burton Latimer, Cranford, Denford, Lowick and Woodford.
3. Ibid. p. 8.
4. Ibid. p. 14: Cotterstock, Glapthorn, Southwick, Perio in Southwick, and Tansor.

As found in the discussion of lesser liberties, the distribution of the higher franchises varied widely from county to county. It was quite common for the earl to have no more than leet jurisdiction, even on an important demesne manor. It appears that the earl was not trying to turn all his fiefs into autonomous units of local government. In order to achieve this, he had to have the franchise of return of writs as well as leet jurisdiction, and to withdraw his tenants from suit to the county and hundred courts. In Somerset, Northampton and Kent, this achievement was temporarily successful. Yet in many counties, no reference was made to return of writs, and in others the higher liberties only covered the earl's demesne manors and not his knights' fees. It can hardly be argued that the earls did not have sufficient time to carry out this proposition had they wanted to do so. The seven years of disturbance from 1258 to 1265 would have been long enough. In fact everything must have depended on the earl's officials, and in Somerset the presence of a corruptible sheriff helped matters considerably. The irregular pattern of these higher franchises in the earl's lands all over southern England make piecemeal usurpations by stewards and bailiffs the only reasonable explanation.

In addition to his franchises in individual manors, the earl was lord of several private hundreds, mainly in the south and west of England.¹ Because of the great Liberty of Saint Edmund in Suffolk, the earl had no hundreds in

1. The hundreds are listed below in Appendix II, pp. 342-3.

the centre of the honour of Clare, and his only hundreds in east and south-east England were Washlingstone and Littlefield in Kent, and Rotherfield in Sussex. The greatest concentration of private hundreds lay in Dorset where the earl was lord of Cranborne, Hasilor, Rowbarrow and Bushmore, and shared the hundred of Pimperne with the prior of Breamore. The earl held all his hundreds of the king in chief. Several were held by fee farm; the hundreds of Washlingstone and Littlefield were held for a farm of 40s. a year,¹ and Rotherfield for 10s. a year.² In Chadlington, Oxfordshire, £4 was paid by the earl for hidage,³ 30s. 2d. from the tourn at the feast of St. Martin (November 11), and 10s. from the view at Chipping Norton at the same time.⁴

In Devon, Somerset, and Dorset, several hundreds had been subinfeudated. For instance, in Devon, the hundred of Halberton was held in 1275 by William de Bois;⁵ he also held the manor of the earl for one fee. The hundred and

1. Rot. Hund. I, pp. 119-20.

2. Ibid. II, p. 203.

3. Hidage was a common payment in the counties of Bedford, Buckingham and Oxford, and was generally levied at the rate of 2s. on the hide. In Oxfordshire it is complicated by the close connection between it and a payment elsewhere called fulstingpound. This was a payment of 6d. before judgement and 12d. afterwards made by tenants so that they might be quit of fines at the hundred court or at the view and was probably called hidage because it was made by those in the hidage of the vill. (N. Neilson, Customary Rents, pp. 115-20).

4. Rot. Hund. II, p. 736. The earl's farm was generally described as amounting to 110s. 2d.

5. Ibid. I, p. 71.

manor of Wellow in Somerset were held at the same time by Henry de Montfort.¹ In Dorset ten years later, Robert de Plecy had the hundred of Upwimborn and William de Braose the hundred of Knowlton.² The earl gained nothing from these hundreds, and was not challenged over them in the quo warranto cases unless he was called to warranty by a sub-tenant.

Most of the hundreds in western and south-western England had formed part of the honour of Gloucester in the twelfth century, and were inherited by the Clare family in 1217. On the honour of Clare, the hundreds of Rotherfield, and of Rothwell and Stotfald, Northamptonshire, were obtained in the late eleventh and twelfth centuries. All these hundreds were closely associated with hundredal manors held by the earl, although the king's pleaders in the quo warranto cases denied that a hundred could be the appurtenance of a manor.³ The acquisition of private hundreds after 1217 was vividly remembered by the jurors of 1275. The hundred of Rushmore and two-thirds of Hasilor in Dorset had been bought by Richard IV from Henry de Newburgh.⁴ In the case of Washlingstone and Littlefield in Kent the hundreds had been usurped. According to the Hundred Rolls, the two hundreds used to be royal, and had been handed over to the Clares by a hundred bailiff, William Smalwritere;⁵ the jury in the quo warranto case stated

1. Rot. Hund. II, p. 134.

2. Feudal Aids, II, p. 12.

3. H.M. Cam, "Manerium cum Hundredo: the Hundred and the Hundredal Manor", in Liberties and Communities in Medieval England, pp. 64, 66.

4. Plac. de Quo War. p. 183. The remaining third was already held by the earl by inheritance.

5. Rot. Hund. I, p. 236.

that William had held the hundreds at farm of the sheriff of Kent.¹ The Hundred Rolls disagree as to whether Richard III or Gilbert III achieved the usurpations; because of this discrepancy, the appropriation may be tentatively dated 1217, the year of Richard's death, and was possibly made during the civil war. Since then, the hundreds had been attached to the banlieu of Tonbridge,² and they were recovered by the king in 1279.

The franchises in the hundreds were as varied as in the demesne and subinfeudated manors.³ In the hundred of Rothwell, Northamptonshire, he had the view of frankpledge, assize of bread and ale, infangentheof, utfangentheof, waif and stray, and full return of all writs of summons and of the king's mandates, and their execution; the men of the hundred presented pleas of bloodshed and hue and cry at the hundred court every three weeks.⁴ It was claimed that the family had been seised of these liberties from time immemorial, but a somewhat different picture, at least as regards the lesser liberties, is given in the Hundred Rolls. The jury there stated that the sheriff of Northamptonshire used to hold two tourns a year in the hundred, and take rents, half at Easter and half at Michaelmas, and that all had been

1. Plac. de Quo War. p. 338.
2. Rot. Hund. I, p. 223.
3. It has to be remembered that the earl would not necessarily have his franchises in the whole hundred, because of the rights of other franchise-holders in individual manors.
4. Plac. de Quo War. pp. 571-2.

subtracted by Richard IV twenty years before.¹ These rents amounted to 16s. 4d. for sheriff's aid,² and £3. 19s. 8d. for view of frankpledge and wardsilver.³

In Dorset, it was only in the hundred of Cranborne that the earl had the view of frankpledge. Moreover, he exercised there the franchises of assize of bread and ale, waif, gallows, infangentheof, utfangentheof, pleas of bloodshed, hue and cry and withername, and return of writs.⁴ In the hundreds of Hasilor, Rushmore, Rowbarrow and Pimperne, he had assize of bread and ale, pillory and tumbrel, waif, gallows, infangentheof, pleas of hue and cry, bloodshed and withername, and extract of writs. The earl again asserted use from time immemorial, but the jury of knights hearing the claim denied this with reference to all the liberties in the hundred of Rushmore, and pleas of withername in Hasilor, Rowbarrow and Pimperne. In the last two hundreds it was stated that if complaint was made to one of the earl's bailiffs about unjust detention of chattels, the bailiffs dealt with the plea without calling it withername; if on the other hand a man complained to the sheriff of Dorset, with or without a royal writ, the earl still heard and determined the plea. Even in Edward I's reign, the king's lawyers could not prevent

1. Rot. Hund. II, p. 13.
2. Sheriff's aid was generally paid at the tourn.
3. The service of watch and ward was one of the most common duties incumbent on geldable land, and by the thirteenth century had often been commuted. (N. Neilson, Customary Rents, p. 131.)
4. P.R.O. C. 47/56/1, no: 15. This is a transcript of the earl's claim of liberties in 1280.

the first method of by-passing the royal plea of withername, but the second device of the earl's was too flagrant a violation of the Crown's monopoly. The king's pleader in the Placita de Quo Warranto implied that the earl could not have the franchise unless he had return and extract of writs, and the earl here admitted that he had not even extract of writs.¹ Moreover, the royal attorney said that Henry de Newburgh to whom Hasilor and Rushmore had belonged had never held pleas of withername. Presumably, appropriation had taken place, and the king recovered the right to hear these pleas. As to the lesser liberties, Richard IV had usurped the view of frankpledge in the hundred of Hasilor in 1258;² he had appropriated the view in the hundred of Rowbarrow about the same time,³ and also the view in the hundred of Pimperne.⁴ These franchises had however been abandoned before he made his claim in 1280.

One example of the working of the Dorset franchises survives from 1249.⁵ It relates to the court of Cranborne; probably this was the hundred court, although the type of court was not specified and Wimborne St. Giles was not in Cranborne hundred. The story illustrates the rarity at which *utfangentheof* would be exercised,⁶ and the dire necessity of using a franchise when occasion

1. Plac. de Quo War. p. 183.

2. Rot. Hund. I, p. 100.

3. Plac. de Quo War. p. 183. Rot. Hund. I, p. 101.

4. Plac. de Quo War. p. 183.

5. Annales de Theokesberia, in Annales Monastici, I, pp. 511-16.

6. *Utfangentheof* allowed a lord to hang a thief from outside his demesne if he was caught on the demesne with property stolen there.

arose if the holder did not wish to lose it altogether. The earl's bailiffs appear as ever vigilant to exercise franchisal jurisdiction. In 1249, a thief was captured on the abbot of Tewkesbury's fee at Wimborne St. Giles in Dorset. The abbot's bailiffs did not know how to deal with him, and while they delayed the thief was taken to the earl's court of Cranborne where he was judged and hanged. The abbot was very angry with his bailiffs when he heard of this, since he thought that the liberty of his church had been greatly damaged. Fortunately for him, another thief, John Milksop, was soon caught on the abbot's fee. In this case, the abbot finally vindicated his right to judge the thief, but this entailed considerable time and expense. It is quite clear that the earl's bailiffs were anxious to put an end to the abbot's franchise, and Richard IV had to send two letters before the bailiff of Cranborne would hold an inquiry into the liberty. The first time that the abbot wanted earl Richard he was at Tewkesbury, but he had later to travel to Thornbury and Tonbridge to find him; on the third occasion he was so anxious to see the earl before he went abroad that he himself took a copy of the inquiry sealed by the earl's bailiff, and set out on the same day to find the earl at Tonbridge. It is doubtful whether the abbot would have recovered his franchise even then if the earl had not been going abroad; Richard's final letter allowed the abbot to have utfangentheof on his land at Wimborne St. Giles for the present, and a full inquiry was to be made by the time the earl returned to England.

Chadlington is the only hundred where it is possible to discover the extent of the earl's franchise in each vill, and the various payments made.

There is no mention of any of the more unusual franchises in the hundred. The sheriff of Oxfordshire came to hold his tourn twice a year, and had half the amercements, the earl receiving the other half. The earl's bailiffs held the view of frankpledge once a year at the feast of Saint Martin (November 11), the same term as one of the tourns. Apparently the bailiffs held the view at each of the vills where the earl had the franchise; the tithings did not assemble at a centre as in Gloucestershire. The earl had no franchise at Chipping Norton, Spelsbury, Hook Norton, Swerford, and Minster Lovel; in the first two places the bailiffs had entry once a year with the sheriff when he held the view, but in the others they only had entry on the king's order.¹

The sources for the value of the hundred are the Hundred Rolls for 1279, and an extent of the hundred made in 1327 which entered the customary payments in detail.² The extent did not enter the cert-money paid at the view as a separate item, but this figure can be obtained from the survey of 1279. The phrase "certus redditus" as used in the extent comprised the cert-money and other payments made at the tourn.³ Wardsilver was paid at the same term as the rent, namely the feast of Saint Martin. The vills which contributed to hidage paid this at two different terms, the Annunciation and Nativity of the Virgin Mary (March 25 and September 8). The extent of 1327 gave the total of money received as £24. 11s. 7½d.; the sum retained by the family after the

1. Rot. Hund. II, p. 736.

2. P.R.O. E. 142/84/5.

3. The terms used in connection with payments at the view varied in meaning from place to place. In this hundred the cert-money seems to be the payment made for the renewal of pledges. The rest of the money would comprise fines and amercements which in some cases were compounded for by a fixed annual sum. (Neilson, *op. cit.* pp. 166, 177.)

deduction of the farm amounted to £19. 1s. 5½d. £7. 3s. 2d. was derived from "certus redditus", 11s. 5½d. from wardsilver, £11. 16s. from hidage, 1s. from "Chekeresse",¹ £4 from the amercements and profits from the view, and 20s. from the pleas and perquisites of the hundred court.² The sum of cert-money at the view was at least £2. 11s. 4d.³

Although little is known about the value of the earl's other private hundreds, it is probable that they contributed the largest sum to the earl's franchisal revenue. It has been argued convincingly that the hundred was regarded primarily as a source of revenue rather than as a source of prestige,⁴ but, in addition, it would seem that, in an age when lords were losing control over their vassals, the possession of groups of hundreds in Gloucestershire and Dorset was a valuable asset to the earl; it is possible that increased control of his tenants was a factor influencing earl Richard in his purchase of two-thirds of the hundred of Hasiler. Such control would be much facilitated when the earl held pleas of withername in the hundred. The surrender of such franchises to the Crown as a result of the quo warranto proceedings must have been a blow to the earl, and the recovery by Edward I of Washlingstone and Littlefield hundreds must have involved a still more serious loss.

1. A definition of this payment has not been found.
2. For the sums paid by individual vills, see appendix to this chapter, p. 207.
3. The exact amount cannot be given, as the Hundred Rolls cannot be compared with the extent of 1327 in every case.
4. H.M. Cam, The Hundred and the Hundred Rolls, p. 141.

Appendix: Franchisal Payments in the Hundred of Chadlington.

The payments are taken from the Hundred Rolls of 1279 (1) and the extent of the hundred made in 1327. (2). The nature of the payments has been described above, p. 205. The important demesne manor of Shipton-under-Wychwood is not included, nor are the places where the earl had no franchise, except for Chipping Norton. The earl's bailiffs held the view at all the places mentioned and received amercements and other profits of the view, unless otherwise stated.

<u>Place</u>	<u>"Certus redditus"</u>	<u>Cert-money</u>	<u>Ward-silver</u>	<u>Hidage</u>	<u>Other payments</u>
	s. d.	s. d.	s. d.	£. s. d.	s. d.
Ascot under Wychwood	8 8	2 -			
Asterleigh in) Kiddington) Over Kiddington)	8 8	2 -			
Chadlington	1 -		8	16 -	
Pudlicot in) Charlbury) Sarsden)	6 -	2 -	1 -	1 4	
Chesterton	12 -	4 -	5		
Churchill	8 8	2 -	1 7½	1 12 6	1 - from "Chekeresse".
Cornwell) ³ Salford)	4 -	1 -	8	13 6	
Enstone	13 4	6 8	1 10	2 4 -	
Charlford in) Church Enstone) Dean in Spelsbury)	6 -	2 -	10½	1 1 6	

1. Rot. Hund. II, pp. 736-47.
2. P.R.O. E. 142/84/5.
3. The two vills were combined for the extent of 1327, and only one sum of money was given. In 1279, Cornwell paid 3d. wardsilver, and Salford 4½d. wardsilver, 1s. in the tourn and 9s. hidage.

<u>Place</u>	<u>"Certus redditus"</u>			<u>Cert-money</u>	<u>Wardsilver</u>	<u>Hidage</u>				
	£	s.	d.	s.	d.	s.	d.	£	s.	d.
Fifield	2	-		2	-	5		10	-	
Fulbrook	6	8		6	8					
Heythrop	2	-		1	-	5		10	-	
Idbury	4	-		2	-	1	2	1	8	-
Kingham	2	-	¹							
Milton-under- Wychwood	3	-		1	-					
Lyneham in Milton- under-Wychwood	9	-		4	-	10				
Little Minster in Minster Level	4	-		4	-					
Chipping Norton	1	-	-							
Great Rollright ²	4	6				3		6	6	
Little Rollright	2	-		1	-	5		10	-	
"Schipton persone"			6							
Swinbrook ²			6							
Taynton) "Mora")	14	8		4	-	10		1	-	-

1. This was a token sum, since all the ameracements and profits went to the lord of the manor.
2. These places were not mentioned in 1279.

CHAPTER VI.

THE HONOUR AND BANLIEU OF TONBRIDGE, 1086-1317.

The honour and banlieu of Tonbridge stand in strong contrast to the extensive Clare and Gloucester estates. Compared with them, the honour was small, comprising in the eleventh century Richard I's lands in Kent and Surrey; Tonbridge, as caput, declined somewhat in importance when the demesne manor of Bletchingley became the centre for most of the Surrey fees,¹ although it continued to have its own court and officials. The banlieu covered a small area round Tonbridge itself, and it presents several striking features not found elsewhere on the earl's estates. It was held of the archbishop of Canterbury, in contrast to the honours of Clare and Gloucester which were held of the king in chief by military service. The earl's services to the archbishop, their disputes, and the archbishop's rights in the banlieu, notably that of custody when the earl was a minor, have no parallel in the honours of Clare and Gloucester. In the banlieu, the earl exercised the highest liberties which he possessed in England and which were the subject of searching quo warranto inquiries in the reigns of Edward I and Edward II; the franchises were held of the archbishop of Canterbury, and detailed regulations survive as to their working in practice.² Tonbridge further provides a classic example of usurpations in the Barons' Wars from

1. i.e. For the Clare lands in Surrey; lands of the honour of Gloucester had their centre at Camberwell. See above, p. 84.
2. P.R.O. C.47/9/59.

1258 to 1265, when earls Richard IV and Gilbert IV attempted to extend the privileges of the banlieu over their other lands in Kent.

Tonbridge was situated in a strategic position on the upper reaches of the Medway,¹ and a castle of the motte and bailey type was built in the reign of William I. It underwent several sieges in the early Middle Ages. It was the only one of the Clare family's ^{English} castles to be attacked, and apparently it fell easily to the besieger on each occasion. In 1088, in the rebellion of Odo of Bayeux, Gilbert I held the castle against William II. William, however, took the castle in two days, and forced Gilbert, who had been wounded, to surrender; the king received fealty from the inhabitants of Tonbridge, placed the castle in custody (although he left Gilbert there on account of his wound) and then moved on to Pevensey against Odo.²

In the thirteenth century, the castle figured again in opposition crises. Richard III de Clare and his son Gilbert III were both members of the committee of twenty-five appointed to enforce Magna Carta, and both joined the baronial side in the subsequent civil war. Tonbridge was captured by royal forces early in the war, on 28 November, 1215.³ John at that time was besieging Rochester castle and securing his hold on Kent. In the civil war of 1264-5, Gilbert's grandson, Gilbert IV, played a decisive rôle, first

1. See above, p. 36.
2. Florence of Worcester, II, p. 23.
3. Roger of Wendover, III, p. 349.

supporting Simon de Montfort at the battle of Lewes, and then prince Edward at the battle of Evesham. Henry III captured Tonbridge on May 1, 1264, during his campaign in the south-east before the battle of Lewes;¹ according to one chronicler, he intended to raze the castle, but this was not carried out.² The countess of Gloucester was in the castle at the time of the siege, and was allowed to depart freely.³ There appears to have been a further siege in the summer of 1265, at the time when Gilbert IV had fled to the Marches and was regarded as the king's enemy, although no mention of it is found in the chronicles. The state of the castle is said to have been betrayed to Simon de Montfort the younger and sir John de la Haye, constable of Dover, by a former prisoner.⁴

The final attack on Tonbridge occurred after the death of Gilbert V. Growing impatient of the delays over the division of the lands among the three sisters, Hugh le Despenser the younger, husband of the eldest sister Eleanor, seized the castle in May, 1315. When the escheator demanded livery of the castle, the drawbridge was raised so that he could not enter,⁵ but soon after Hugh surrendered to the king.⁶

1. Flores Historiarum, II, pp. 491-2; Gervase of Canterbury, II, p. 236.
2. Annales Londonienses, in Chron. of Edw. I and Edw. II, I, p. 62.
3. Rishanger, p. 22; Trivet, p. 256.
4. Cal. Inq. Misc. I, no. 760. Probably the lists in Rot. Hund. pp. 201-2, 205-6, 208-12, 227, 230, 233, of fines taken from hundreds, vills and individuals who besieged the castle refer to this attack; some may however belong to the siege of 1264. These lists well illustrate the powers of recrimination of the earl's officials.
5. P.R.O. C.134, file 44, m. 74.
6. Cal. Fine R., 1307-19, p. 248.

Tonbridge was held of the archbishops of Canterbury,¹ but they experienced considerable difficulties in maintaining their rights of overlordship. This problem did not only arise in connection with the Clare lands; the restoration of Canterbury property formed a major task of both Lanfranc and Becket.² By the end of William I's reign, Lanfranc had established that Tonbridge was held of him,³ but by the middle of the twelfth century Becket was vainly trying to reassert his rights. On July 22, 1163, earl Roger was summoned by Becket to Westminster to do homage for the castle and banlieu; the earl however stated that he held them of the king by knight service and not of the archbishop.⁴ Whether there was any change in the status of Tonbridge after Becket's death is not known, but according to Gervase of Canterbury the Clares' homage was recovered by Hubert Walter.⁵ In the course of the quarrel over rights of custody in 1231, Henry III

1. According to Gilbert IV's oath of homage of 8 June, 1279, he held the honour of Tonbridge and all land in the banlieu of the archbishop. (Registrum Johannis Pecham, Pars Prima. Cant. and York Soc. p. 2. Cf. Vita Sancti Thomae auctore Willelmo filio Stephani, in Materials for Hist. of Becket, III, p. 43.) But the agreement between the earl and the archbishop in 1258 only mentioned the manors of Tonbridge and Hadlow and the banlieu as being held of the archbishop (P.R.O. C.47/9/59.) Other sources refer to the archbishop's overlordship of the castle and its appurtenances (Diceto, I, p. 311) and of the castle and banlieu (Vita Sancti Thomae auctore Herberto de Boseham, in Materials for Hist. of Becket, III, p. 251.)
2. A.J. Macdonald, Lanfranc, (1944) pp. 126-9. W.H. Hutton, Thomas Becket, Archbishop of Canterbury, (1910) p. 70.
3. See above, pp. 36-7.
4. Diceto, I, p. 311. Vita Sancti Thomae auctore Herberto de Boseham, in Materials for Hist. of Becket, III, p. 251.
5. Gervase of Canterbury, II, p. 409. The recovery is undated but is entered in the chronicle after John's accession.

asserted that Tonbridge was held in lay fee,¹ but this plea was short-lived, and for the rest of the thirteenth century the archbishop's overlordship was not questioned.

Before the agreement between archbishop Boniface of Savoy and Richard IV in 1258, the earl's tenure had been partly military,² and partly a serjeanty, but the archbishop then remitted the service of four knights' fees and suit of court.³ The earls continued to do homage. In the second half of the thirteenth century, the earl held Tonbridge by grand serjeanty, by acting as steward at the archbishop's enthronement feast.⁴

His rights and perquisites as steward were laid down in minute detail in this agreement of 1258. He was to receive a fortnight's summons before the feast. On his arrival at Canterbury the day before, he would receive his rod of office, which he would relinquish on the morrow of the feast, after receiving the account of his subordinate officials. While in office he might appoint any officials he thought necessary, but this privilege would be worth little in practice, since the rights of claimants were to be observed, and all the former ministers of the archbishop were to remain in office. The earl's perquisites as steward comprised seven scarlet robes,

1. See below, p. 214-15.
2. See above, p. 36.
3. P.R.O. C.47/9/59. The agreement covered several matters besides service, and was designed to put an end to a number of disputes.
4. The earl also acted as butler at this feast; this service was due from the demesne manor of Brasted, and subinfeudated fees in Milton, Horsmonden, and Pett in Charing, all belonging to the honour of Gloucester.

thirty sesters of wine,¹ fifty pounds of wax for his own lights at the feast, hay and oats for eighty horses for two nights, and the dishes and salts set before the archbishop at the first course of the feast. The earl quit-claimed his right to any remains in the larder afterwards. On his departure, the earl was to be entertained by the archbishop for three days at his nearest manors in Kent; to lessen the danger of bloodshed, the earl was to choose the place of entertainment. The earl was to come to be entertained with fifty horses only; he remitted his claim to bring more.² The terms of the agreement were carried out in 1294, when earl Gilbert IV received his whole fee from archbishop Winchelsey. Gilbert V however was paid 200 marks' composition for his fee by archbishop Walter Reynolds in 1313.³

The archbishop of Canterbury was one of the few lords against whom the king's right of prerogative wardship did not apply.⁴ Nevertheless, the thirteenth century archbishops experienced considerable difficulty in obtaining the custody of Tonbridge. In 1231, during the minority of Richard IV, Richard Grant complained to Henry III that Tonbridge was retained in the hands of the justiciar, Hubert de Burgh, although it rightfully belonged to him. Henry retorted that Tonbridge was held of him in chief, whereupon the

1. The size of this liquid measure is uncertain.
2. The butler's perquisites were very similar to those of the steward.
3. W. Somner, The Antiquities of Canterbury, 2nd ed. revised and enlarged by N. Battely. (1703). Appendix, p. 20.
4. Generally, when a minor was a tenant in chief, all his lands were in the king's custody, including those held of other lords.

archbishop excommunicated all those who entered the disputed lands, and set out for Rome to pursue his claim there.¹ He died in 1231, but in May, 1235, the custody was granted by Henry III to Edmund Rich.² In 1262, on the death of Richard IV, archbishop Boniface at once entered Tonbridge castle, received his custody from Gilbert IV without any resistance,³ and his claim was subsequently allowed by Henry III.⁴ Archbishop Walter Reynolds again had difficulty in asserting his claim to custody after the death of Gilbert V at Bannockburn. He took the castle and honour into his own hands after the earl's death, but was ejected by the escheator. The king later granted him the custody,⁵ but the castle continued to be held by royal officials; the archbishop allowed Edward II to do this on a temporary basis.⁶

Careful regulations were included in the agreement of 1258 concerning the custody of the earl's land.⁷ Frequent complaints were made in the Middle Ages of lords wasting the estates of minors in their custody;⁸ when the heir

1. Roger of Wendover, IV, pp. 219-20. The custody of all the Clare lands had been given to Hubert de Burgh on the death of Gilbert III in 1230.
2. Cal. Chart. R. 1226-57, p. 202; Cal. Pat. R. 1232-47, p. 104. The grant covered Tonbridge and the demesne manor of Brasted, held of the honour of Gloucester.
3. Gervase of Canterbury, II, pp. 215-6. Gilbert IV was then nearly nineteen years old.
4. Close R. 1261-4, p. 146.
5. Cal. Pat. R. 1313-7, pp. 306-7; Cal. Chanc. War. p. 415.
6. Cal. Pat. R. 1313-7, pp. 341, 364, 468.
7. P.R.O. C.47/9/59.
8. Magna Carta, 1215, c. 4. The clause was repeated in all the later charters, and is also found in Statute of Westminster I, c. 21.

came of age he might find that all his timber had been cut and his stock depleted. The agreement provided for close supervision of the archbishop and his officials. Its provisions began with a general statement that the archbishop was to observe the law and custom of the realm, and was not to waste or sell the earl's lands; all those who damaged the inheritance were to be punished by excommunication. When the heir came of age, everything should be restored in the same or a better state than before the custody. The heir did homage after the archbishop had seisin of the custody, and again when he was of age.

To supervise the custody two friends of the heir were to be chosen with the consent of the archbishop or his steward out of the more lawful and discreet of the earl's tenants in the banlieu. In particular they were to view the taking of all estovers;¹ the archbishop was allowed to take timber to keep the castle and other buildings in repair, but he was not to over-cut the wood. When the heir came of age the two tenants could answer for everything taken in the lands during the custody. In order that they would carry out their duties faithfully, they were to take an oath before the archbishop and also before a specially chosen relative of the heir, if he wished to be present.

If the archbishop or his bailiffs wasted the inheritance, the two tenants of the banlieu were to go first to the archbishop to ask him to make amends. If he refused, they were immediately to denounce him to a bishop of the province of Canterbury (chosen for this duty by the archbishop and by the

1. The allowance of wood for repairs.

friends of the heir), to the close relative of the heir mentioned above, and to another man chosen by the archbishop. These three would make compensation to the heir,¹ without a legal action. The custody of the wasted tenement was to pass to the bishop and relative, and the archbishop and his bailiffs henceforth lost all right in it. This part of the custody would then come under the terms of a socage wardship, for when the heir came of age, the bishop and relation would render account to him of all the issues of the tenement.² During a vacancy in the see while the earl was under age, the custody would be held by the cathedral priory until the new archbishop was admitted and confirmed; after that, the custody would revert to the archbishop. As in the case of the archbishop, the priory would lose the custody of any lands in which it committed waste.

It is unfortunate that it is not known whether these clauses were put into practice in the short custody of Boniface of Savoy after the death of earl Richard IV in 1262. They mark a conscientious attempt to deal with the problem of waste by an overlord during a minority. Both these provisions and the clauses concerning service were designed as a final settlement of the quarrels between the earl and archbishop. It certainly put an end to the disputes between archbishop Boniface and Richard IV, and the quarrels in the later thirteenth century concerned franchises rather than services or wardship.

1. The heir did not have remedy in damages until the Statute of Gloucester, c. 5. T.F.T.Plucknett, Legislation of Edward I, p. 83.
2. The guardian of a military fief took profits for himself, although he had to pay for the heir's maintenance.

Little is known of the honour of Tonbridge before the second half of the thirteenth century. By that time, it is clear that a division had been drawn between Kent and Surrey as to suit of court, and the Surrey fees became dependent on the demesne manor Bletchingley.¹ Shalford, Surrey, provides an excellent illustration of this division; it was held by Richard son of John as one knight's fee, rendering two shillings a year for castle-guard at Tonbridge, and doing suit at the court of Bletchingley every three weeks.² The reference to castle-guard is particularly interesting, for, although it was one of the common obligations of the military tenant in the twelfth century, it was rarely mentioned in the thirteenth. The Clare fees in Kent, both in the banlieu and outside, continued to do suit at Tonbridge, but they were few in number.³ The profits of the honour court, the court of

1. See above, p.84 for a similar division on the honour of Gloucester. Suit of court was due to Bletchingley from West Betchworth, Cal. Inq. p.m. V, no. 397, p. 219; from Woodmansterne, Ibid. no. 425, p. 243; from Walton-on-Thames, Ibid. VI, no. 601. Land in Surrey was still sometimes described as belonging to the honour of Tonbridge, e.g. Tillingdon, Cal. Close R. 1296-1302, p. 369; Bletchingley, Cal. Pat. R. 1292-1301, p. 496, although it is more often referred to as of the honour of Clare; Tolworth, Cal. Inq. p.m. III, no. 518; Frant, Sussex, Cal. Close R. 1302-7, p. 413, Cal. Pat. R. 1292-1301, p. 615, Appendix I, p.
2. Cal. Inq. p.m. III, no. 422, p. 282.
3. E.g. Cal. Inq. p.m. III, no. 75, p. 56; Adam de Bavent held the manor of Shipbourne of the earl for $\frac{1}{2}$ fee and suit at his court of Tonbridge; Shipbourne was temporarily in the banlieu in the mid-thirteenth century. Suit was due once a year from the land of Henry Huse at Chekeswell in Brenchley. (Calendar of Kent feet of fines to the end of Henry III's reign. Kent Archaeological Society, Records Branch. (1939-56) p. 418.

Warblington, were small, only amounting to 4s. 7½d. in 1317.¹ Nothing is known of the activities of the honour court. Possibly, the earl had power to levy feet of fines at Tonbridge; together with the manors of Hildenborough and Southborough, Tonbridge hardly appears in the feet of fines of the thirteenth century, and it has been considered unlikely that this was accidental.²

The honour of Tonbridge had its own hierarchy of officials similar to that of other thirteenth century estates.³ They were responsible for the earl's lands in Surrey as well as in Kent, and administered manors of the honour of Gloucester as well as of the honour of Clare. For instance, Gilbert IV wrote to Roger de Horn, the steward of Tonbridge, about the grant of land in Malden, Surrey, by one of his sub-tenants to Merton College, Oxford.⁴ In the early fourteenth century, the receiver of Tonbridge was responsible for paying ten marks' yearly rent to Basilia, the widow of John de Valoynes, granted to her in return for her release to the earl of 1/3 of the manors of Ashmore in Dorset and Titsey in Surrey.⁵

1. P.R.O. C.47/9/23 m.2.
2. Calendar of Kent feet of fines to the end of Henry III's reign. Kent Archaeological Society, Records Branch. (1939-56) p. cxii.
3. See Appendix IV, pp. 349-50.
4. Rot. Parl. I, p. 12. Malden was one of the Clare Domesday holdings.
5. Cal. Close R. 1313-8, p. 129. Titsey belonged to the honour of Gloucester.

Of the officials the steward was the most important. Tonbridge castle was in the charge of the constable, and financial business was handled by the receiver. The offices were occasionally combined; in the time of Gilbert IV, William de Glauville was constable and receiver.¹ Officials were sometimes promoted to positions of responsibility elsewhere on the earl's estates; the steward, Roger de Scaccario, became steward of the honour of Clare.² From the list of stewards, it would appear that changes in this office at least were frequent. Of the lesser officials, the sub-constable of the castle was paid £9 2s. 6d. a year and the janitor and gaoler each received 60s. 10d.³

The earl had extensive chases round Tonbridge; he was lord of the forests of Northfrith and Southfrith, and also had large woods at his manor of Rotherfield in north Sussex. The forests were administered by a separate set of officials. In 1324-5 the chief forester of the chases of Tonbridge and Rotherfield, Richard de Groshurst, received £6. 20d. a year.⁴ The issues of the chases were collected by chamberlains; the chamberlain at Rotherfield received 30s. 5d. wages and 6s. 8d. for his robe,⁵ and the chamberlain of Northfrith the same.⁶ Northfrith and the Postern wood, which was generally

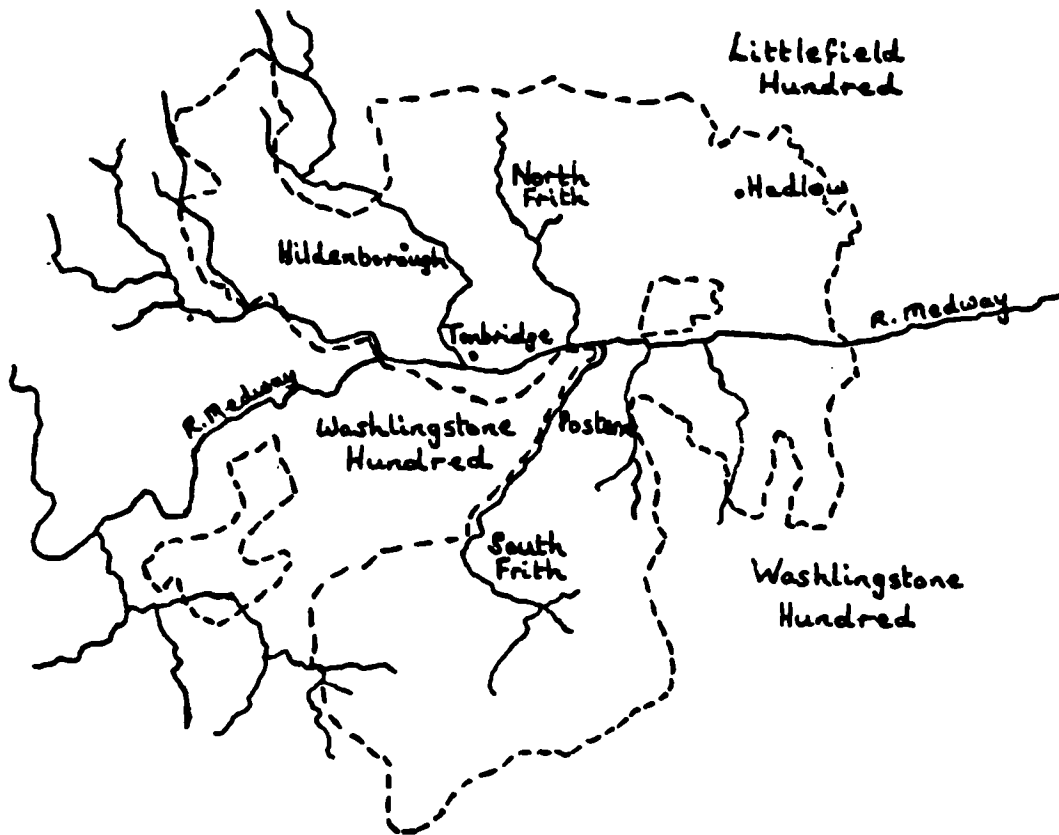
1. P.R.O. S.C.1, XXII, no. 160. At the time of his death, he owed the earl £60 from his time of office.
2. See above, pp. 15-16 for an account of his career.
3. P.R.O. S.C.6/898/19, 1148/13.
4. P.R.O. S.C.6/1148/13.
5. Ibid.
6. Ibid. 898/19. No references to the officials of Southfrith were given in the accounts; probably it had a chamberlain and forester like Northfrith.

treated with Northfrith, each had one forester, paid 2d. a day for himself and his boy; one ranger to work in both forests received 3d.¹ Rotherfield chase had four foresters, three at 1d. a day, and one at 1½d.²

The banlieu of Tonbridge comprised the district round Tonbridge itself, measuring about five miles from north to south and six from east to west.³ In it, the earl exercised the highest franchises he possessed in England. The banlieu comprised valuable demesne land, namely the borough of Tonbridge, and the manors of Hildenborough, Southborough and Hadlow,⁴ as well as subinfeudated lands of the earl and other lords. It has to be remembered that the banlieu was not a unified block of Clare land; within it were lands and tenants of the archbishop and other tenants-in-chief, and several upland manors had dens (outlying pasture) there. There was no obvious boundary. The banlieu was still similar to the collection of dens which Richard I had held in 1086. The attempt by the earls in the mid-thirteenth century to turn the banlieu into a compact area over which they might hope to exercise valuable franchises was unsuccessful.

1. *Ibid.* 898/19, 1148/13. P.R.O. S.C.6/878/19, 1148/13.
2. *Ibid.* 1148/13.
3. E. Hasted, The History and Topographical Survey of the County of Kent (1797-1801) V, p. 173.
4. As on the honour of Clare, the manors were being extended by the acquisition of small parcels of land from the time of Richard IV to 1314; e.g. P.R.O. C.146/C2196, C3806, C3819, C3844, C3882, C3887, C3991, C4038, C4692, C5485, C5876, C5878. B.M. Add. MS. 6041, f. 87.

SKETCH-MAP OF THE BANLIEU OF TONBRIDGE.



----- Boundaries of the banlieu.

Two perambulations were necessary in the second half of the thirteenth century to determine the boundaries of the banlieu.¹ The first was held in 1259 as part of the general settlement between Richard IV and archbishop Boniface, and the limits of the banlieu were laid down in considerable detail by twelve of the earl's men and twelve of the archbishop's.² These jurors mainly followed the parish boundaries, and occasionally included in the banlieu land belonging to the neighbouring hundreds.³ The earls were given ample scope for encroachments, as the boundary was simply an outside limit to ensure that all the lands in the banlieu were included. It is immediately clear from the Hundred Rolls and the Placita de Quo Warranto that there had been extensive appropriation of small parcels of land in the last years of Henry III's reign;⁴ this explains why a second perambulation was necessary in 1279, since Edward I desired to curb the usurpation of land as well as of franchises. The perambulation of 1279 was similar to that of twenty years earlier;⁵ it differed occasionally however in describing the outermost dens rather than always following the parish boundaries. It provided less opportunity for appropriation, as it gave a more accurate description.

1. The perambulations are discussed in W.V. Dumbreck, "The lowy of Tonbridge", in Archaeologia Cantiana, LXXII, 1958, pp. 138-47.
2. Registrum Johannis Pecham, Pars Prima, (Cant. and York Soc.) pp. 5-7.
3. Dumbreck, op. cit. p. 143.
4. E.g. Rot. Hund. I, pp. 219, 220, 233; Plac. de Quo War. p. 350.
5. It is given in J. Harris, The History of Kent, (1719) I, pp. 320-1.

The two perambulations differed on the subject of the relations of the earl with the tenants of other lords.¹ In 1259 it was recorded that within the banlieu the archbishop and many magnates had their own tenants for whom they might hold their courts as often as they wished. The tenants were however privileged in that they need answer for their lands to the king's justices only when they were in session at Tonbridge. No one did suit to the county court or elsewhere by reason of a tenement inside the banlieu. But according to the perambulation of 1279 all tenants who were not of the fee of the earl were outside the banlieu, and many owed suit of court to neighbouring hundreds.²

Of the two verdicts, it is most probable that the second was correct. The first was taken when the magnates were paramount in the government of the kingdom, and the king's alien relations in disgrace; earl Richard IV was one of the baronial leaders, while archbishop Boniface of Savoy was the queen's uncle. An examination of the perambulation of 1279, together with the Hundred Rolls and the Placita de Quo Warranto, indicates that Richard IV and Gilbert IV aimed at turning the banlieu into a judicial entity. This was carried out by the usurpation of suits of court to the banlieu,³ both during the Barons' Wars and afterwards. These usurpations, together with the appropriation of land, would have changed the character of the banlieu

1. The relations of the earl with the tenants of the archbishop were described in detail in the agreement of 1258 and will be discussed below, pp. 231-3.
2. Dumbreck, op.cit. pp. 139-41.
3. e.g. Dumbreck, op.cit. 140-41. Rot. Hund. I, 219, 221, 234. Plac. de Quo. War. pp. 349-50.

from a scattered collection of dens to a compact block of land over which the earl had either territorial rights of lordship, or, where the inhabitants were not his own tenants, judicial rights. That the scheme failed and the banlieu continued to cover only the earl's tenants was due to the work of Edward I.

It was probably only gradually that the franchises were acquired which made the banlieu such a highly privileged area in the mid-thirteenth century. Dumbreck has suggested that the main purpose of the banlieu in the eleventh century was the maintenance and defence of the castle,¹ but later it came to have a primarily judicial significance. Hasted considered that Richard I obtained a grant of liberties and exemptions from William the Conqueror,² but the most important franchises cannot date before the twelfth century at the earliest. By the mid-thirteenth century, the earl's liberties amounted to the complete exclusion of the sheriff and his officers; moreover, the itinerant justices held a special session at Tonbridge. The franchises were the source of much dispute in the reigns of Edward I and Edward II. Only a few can be traced back to the early thirteenth century, but the fact that most were retained after the quo warranto proceedings points to their considerable antiquity, and possibly to their exercise before 1189, the limit set by the Statute of Quo Warranto in 1290.

According to the earl's claim of franchises in 1279,³ the itinerant

1. Dumbreck, *op.cit.*, p. 147.
2. Hasted, *op.cit.*, V, p. 174.
3. Plac. de Quo War., p. 348.

justices should come to Tonbridge to plead all pleas of the Crown as well as common pleas; the coroner of the honour should make his oath to them, and answer for all matters touching the Crown. Moreover, the twelve jurors should take the oath at Tonbridge, and receive the articles of the eyre and reply to them there as was customary. The earl demanded a copy of the eyre roll before the justices left the banlieu. He claimed to levy all fines and amercements as the minister of Christ Church, Canterbury, and to have all the issues of the eyre. Further, he claimed the chattels of felons and fugitives, fines for escape of thieves, and the chattels and amercements appurtenant to murdrum. His bailiffs, as ministers of the archbishop, were to levy all fines and amercements without hindrance of any royal official. Finally, he asserted that no sheriff or bailiff should enter the liberty unless his own bailiffs had not done their duty. The case of 1293 added to this list gallows and return of writs;¹ although the last franchise is not mentioned by name in the claim, it is certainly implied.

The Clares were probably given a special session of the justices in the twelfth century; possibly, it was granted to earl Roger by Henry II at the time of the quarrel with Becket. The justices are known to have held a special session at Tonbridge right from the beginning of the thirteenth century. In an inquisition into the place where the justices in eyre ought to meet in the liberty, reference was made to a case in the time of king John, and of Hubert, archbishop of Canterbury and justiciar.² After the civil war

1. Plac. de Quo War., p. 365.

2. Cal. Inq. Misc., I, no. 498. Unfortunately the inquisition has partly rotted, and the full details of the case cannot be seen. Hubert Walter was justiciar from 1193 to 1198, and chancellor from 1199 until his death in 1205.

following on Magna Carta, Gilbert III's claim of liberties was investigated by the king's council,¹ but in July, 1219, the justices were ordered to go to Tonbridge, as they were wont to do in the time of the predecessors of the king and the earl.² The justices again visited the banlieu in 1229,³ 1255,⁴ 1259,⁵ and 1271.⁶ Eight years later, in 1279, Gilbert IV and archbishop Pecham were ordered to appear before the king in the quindene of Michaelmas to justify their claim to the special session.⁷ They must have produced sufficient warranty, as, at the end of October, the justices were ordered to go to Tonbridge, plead the king's common pleas there and view the bounds of the banlieu.⁸

The earls always had to be ready to make use of their franchise. Cases from the banlieu which came before the justices of the Bench had to be claimed by the earl's officials.⁹ The earl had himself to claim his special session

1. Rot. Lit. Claus. I, p. 383.
2. Ibid. p. 396.
3. Pat. R. 1225-32, p. 297.
4. R. Furley, A History of the Weald of Kent, (1874) II, part I, p. 57.
5. Cal. Pat. R. 1258-66, p. 49. One of the justices appointed on this occasion was Roger de Scaccario who was earlier steward of the honour of Clare.
6. Close R. 1268-72, p. 348.
7. Registrum Johannis Pecham, Pars Prima. (Cant. and York Soc.) pp. 10-11.
8. Cal. Pat. R. 1272-81, p. 349. The justices were again ordered to go to Tonbridge in 1293 (Cal. Pat. R. 1292-1301, p. 56) and in 1304 to deliver the gaol there of one man (Cal. Chanc. War. p. 226.) But it would appear from Plac. de Quo War. p. 332, that no business was done at Tonbridge in 1279 or 1293.
9. Cal. Pat. R. 1258-66, p. 49.

at Tonbridge when the justices came to Kent; the justices insisted on this in 1313, not allowing a counsel to make the claim for Gilbert V.¹ The justices were ordered by Edward II to examine the rolls of Henry III's reign in their custody, and to go to Tonbridge if they found that the justices had previously gone there; the earl had complained that the justices had not entered the banlieu since the time of Henry III, but had been wont to do so in his reign and earlier.² He succeeded in substantiating his claim, but no record of the subsidiary eyre has survived.³

After the eyre, the earl had all the amercements of his men who appeared before the justices in the banlieu. This liberty was probably ancient, and not usurped in the disturbances of 1258-65. In February, 1258, Henry III stated that he had learnt that Richard IV, like his predecessors, used to have the amercements; these were to be allocated to the earl by the Exchequer.⁴

In 1279, the king's pleader asserted that the earl derived his private coroner from a usurpation by his ancestors, and not from the collation of the archbishop of Canterbury, as the earl claimed.⁵ But this was clearly not a

1. The Eyre of Kent, 6 and 7 Edward II, 1313-1314.
(Selden Society) I, p. 49.
2. Cal. Close R. 1313-8, p. 29.
3. The Eyre of Kent, 6 and 7 Edward II, 1313-1314.
(Selden Society) I, p. lxii-lxiii.
4. Close R. 1256-9, p. 196.
5. Plac. de Quo War. p. 340.

recent usurpation, for reference was made to the present coroner and his predecessor in the eyre of 1255,¹ and a new appointment was ordered in February, 1258, as Richard IV had explained to the king that the justices in eyre used to appoint a coroner in the banlieu from the earl's men, and that the coroner appointed in the last eyre was dead.² These references are especially interesting in view of the fact that the earl lost his private coroner as a result of the case of 1279, although it was usually only the recent usurpations that Edward I was anxious to recover. The loss was probably due to the justices' dislike of coroners not elected in the shire court, and to the possibility of grave administrative abuses under private coroners, as seen in the Isle of Wight and Cockermouth.³

It is not clear how long the earls had exercised the franchise of return of writs. In comparison with the other liberties, this privilege was relatively recent; although it had taken a definite form by 1200, it was not known as "return of writs" until the reign of Henry III.⁴ The agreement of 1258 gave the earl this liberty, but apparently this was not a new grant; it aimed rather at settling the details of the relations of the earl and archbishop in order to prevent further disputes.⁵ The Hundred Roll jurors mentioned this liberty, but did not say, as did the jurors in Suffolk, that

1. John de Cortone, and Simon de Baridene. Furley, op. cit. II, part I, p. 58.
2. Cal. Pat. R. 1247-58, p. 617.
3. N. Denholm-Young, Seignorial Administration in England, pp. 104-6.
4. S. Painter, Studies in the History of the English Feudal Barony, p. 116.
5. P.R.O. C.47/9/59.

it was a recent acquisition,¹ and it was not surrendered by the earl as a result of the quo warranto proceedings.

Thus, the most important franchises at Tonbridge were of ancient origin. They were certainly not appropriated during the period from 1258 to 1267, as were many of the earl's higher liberties. Whether they were usurped, or granted by the archbishop either under duress or voluntarily in the twelfth or early thirteenth centuries must remain an open question.

In the course of the thirteenth century the earls attempted to extend the banlieu's judicial privileges to their other lands in Kent. A start had been made by Gilbert III who had appropriated the hundreds of Washlingstone and Littlefield which were recovered by the king in 1279.² Further encroachments were described in the quo warranto case of 1293 when Gilbert IV and his wife, Joan of Acre, were summoned to answer for their liberties in Tonbridge and Hadlow and nine other places in Kent;³ they were said to have the same franchises in all these villages as in the banlieu, namely, the right to hold pleas of the Crown, and to have chattels of felons and fugitives, fines and amercements from their men, fines for the escape of

1. Rot. Hund. I, p. 205.

2. Plac. de Quo War. pp. 337-8. The banlieu joined the hundred of Littlefield on the north, and on its other sides it adjoined the hundred of Washlingstone. In 1255, the hundred of Washlingstone appeared before the royal justices at Tonbridge; Furley, *op. cit.* p. 58.

3. Plac. de Quo War. p. 365. The places were: West Peckham, Brasted, Nettlestead, Horsmonden, Filston in Shoreham, Milton, Pett in Charing, Brenchley and Yalding. No date is given here or in the Hundred Rolls for this appropriation.

thieves, return of writs, wreck, gallows and waif. The course of the case shows clearly that the liberties outside the banlieu had been usurped. The earl claimed that he need only answer within the banlieu, itself, for the liberties of Tonbridge and for part of Hadlow,¹ and he denied claiming any franchises elsewhere; this was the usual procedure when liberties had been appropriated.

The agreement of 1258 provides an excellent picture of how some of the franchises worked in practice. The archbishop recognised the earl's right to return of writs in the banlieu, and granted him this together with all ameracements and issues arising. The archbishop and his bailiffs were no longer to meddle with any summons, attachments or distrains, unless they were specially commanded to do so by the king; this would only happen if the earl's bailiffs had not performed their duty. Any royal writ was to be delivered to the sheriff of Kent who was to hand it on to the archbishop's bailiffs; they were then to deliver it to the bailiffs of Tonbridge. On return, this process worked in reverse.

The position of the archbishop's tenants living within the banlieu was described in detail. Customary suit from these to the hundred court was reserved to the archbishop. Homage and service due to the earl was to be performed by men who also held land of the archbishop in the banlieu. The earl was to make all attachments, summons and distrains appurtenant to

1. Part of Hadlow lay in the banlieu; the rest was held of the king by barony.

return of writs, both for the archbishop's tenants and all others in the banlieu. The issues derived from the return of writs were to be divided. The archbishop was to have all amercements and the chattels of felons and fugitives which should be received from his tenants. The fines and other issues from these tenants which would ordinarily have been due to the Crown were to belong to the earl. All were to be levied by the earl's bailiffs who would then answer to the archbishop for his share; it was emphasised that the money due to the archbishop was to be levied as quickly as possible. If it happened that anyone holding of the archbishop stole within the banlieu and was caught with the stolen goods, he was to be judged by the archbishop's bailiffs, without any of the earl's bailiffs being called in. But if anyone, presumably a tenant of the archbishop, was suspected of murder or any other crime with which the archbishop's court was not competent to deal, the malefactor, who had been taken in the banlieu by the earl's bailiffs, was at once to be handed over to the archbishop's beadle, and then to his bailiff of Maidstone to be imprisoned there instead of at Tonbridge. He would be brought back to Tonbridge on the arrival of the justices and be presented to them by the earl's officials. When condemned, the execution would be carried out by the archbishop's beadle and men who were to hand over the felon's chattels to the archbishop.

Though this agreement clearly was intended to provide for every contingency, it was not workable in practice. The presence of the archbishop's tenants in the banlieu was bound to cause trouble, especially as he was anxious to safeguard his rights over them. It has already been seen that

during the disturbances the earls appropriated and brought to the court of the banlieu many of the archbishop's tenants whose customary suit to the hundred court had been reserved to the archbishop in 1258; this matter was rectified by the quo warranto case of 1279. But there were still obscurities in the agreement which could cause disputes; controversy arose in 1284 because the earl's and archbishop's bailiffs did not interpret it in the same way.¹

The history of the honour and banlieu of Tonbridge throws light on many aspects of the relationship of overlord and tenant of which we hear little when land was held of the king in chief - controversy over service, safeguards during custody, and the working details of franchises. The position at Tonbridge was somewhat complicated by the fragmentary nature of the banlieu which made it essential for rights to be carefully defined. The banlieu is especially interesting in providing a picture of ancient franchises being exercised before and after the quo warranto proceedings, and also of recent usurpations, similar to those found elsewhere on the Clare lands, being lost as a result of the policy of Edward I. Although Tonbridge was small, its complex structure and varied history furnishes ample scope for comparison and contrast with the greater estates; it emerges as a miniature honour, very similar in form and organisation to the honour of Clare, but its tenure and franchises set it apart from the rest of the earl's lands.

1. Registrum Epistolarum Johannis Peckham, Archiepiscopi Cantuariensis (R.S.) II, pp. 689-90.

CHAPTER VII.THE ESTATES IN SOUTH WALES

The Clares are best known as Marcher lords in the thirteenth century after they succeeded to the county of Glamorgan, part of the earldom of Gloucester; but they had played a prominent part in the Norman conquest of Wales over a century earlier. According to *Brut y Tywysogion*, Gilbert I de Clare had frequently asked Henry I for Welsh estates, and, when Henry took Ceredigion in West Wales from its lord, Cadwgan ap Bleddyn, in 1110, he bestowed it on Gilbert.¹ Gilbert conquered the country, and built castles at Aberystwyth and Cardigan;² his followers were rewarded with grants of land, and several had built their own castles by 1135.³ The lordship was outwardly secure, but it was easily overrun in the absence of a strong lord. It was partly devastated during the rebellion of Gruffyd ap Rhys in 1116 before Gilbert's death, although on this occasion the Welsh were soon defeated.⁴ The effect of the death of Henry I in 1135 was far more serious; Stephen's accession completely changed the state of affairs in Wales, and was the signal for a general Welsh uprising. In the following year, Richard II was slain in an ambush on his way to Ceredigion,⁵ and the country was

1. *Brut y T.* (Red Bk. of Hergest), p. 71.
2. *Ibid.* p. 73. J.E. Lloyd, *A History of Wales*, (1948), II, p. 426.
3. Lloyd, *op. cit.* II, p. 427.
4. *Brut y T.* (Red Bk. of Hergest), pp. 91-5.
5. *Giraldi Cambrensis Itinerarium Kambriae in Giraldi Cambrensis Opera*, VI, pp. 47-8.

immediately overrun by Owain and Cadwaladr, the sons of Gruffyd ap Cynan of Gwynedd, with the exception of the castle of Cardigan which was not captured for many years.¹ Beyond rescuing Richard's widow, nothing was done for the recapture of the county.²

By the reign of Henry II, Ceredigion had passed from the lords of Gwynedd to the lords of Deheubarth,³ and in his agreement with the king in 1158, Rhys ap Gruffyd of Deheubarth had to accept the restoration of Ceredigion to the Clares.⁴ Earl Roger's occupation was however short-lived. In 1164, Rhys finally reconquered the country,⁵ and, seven years later, the king confirmed his possession in spite of the Clare claims.⁶

The Clares again became Marcher lords in 1217 on their acquisition of the earldom of Gloucester. Besides the lands of the honour of Gloucester in England, the earldom included the county of Glamorgan, and the lordship of Gwynllwg in Monmouth with its centre at Newport. Further additions to the estates were made in the course of the thirteenth century, but Glamorgan remained the most important Clare possession in the Marches. It was both

1. Brut y T. (Red Bk. of Hergest), pp. 113-15. Lloyd, op. cit. II, pp. 471-3.
2. Lloyd, op. cit. II, p. 474.
3. Ibid. p. 504.
4. Ibid. p. 506.
5. Brut y T. (Red Bk. of Hergest), p. 145.
6. Lloyd, op. cit. II, p. 541.

larger and more wealthy than the other lordships, and in organisation it was virtually a palatinate. Its boundaries differed somewhat from the modern county; it did not include the lordship of Gower which was held by the Bra^ohse family.

Quite apart from its considerable value, it has been argued convincingly that the Clares mainly relied on the county for their immense political power; "it was the possession of the land of Morgan that enabled them to take a position often opposed to and always independent of their sovereign".¹ The Clares were among the most prominent of the Marcher lords, and within their lordships could act almost as sovereign princes. When Edward I visited Glamorgan in December 1284, Gilbert IV met him as a fellow-ruler rather than as one of his subjects.² Glamorgan was a valuable source for military forces, and an excellent place to plan opposition, as the king had no means of knowing what the earl was doing once he had retired to the Marches. Thus, Gilbert IV had departed for Wales before he finally changed sides before the battle of Evesham, and it was from Glamorgan that he set out to occupy London two years later.

1. G.T. Clark, The Land of Morgan, p. 165.
2. H. Gough, Itinerary of king Edward I, I, p. 162. Edward spent Dec. 12 at Neath, Dec. 13 at Ogmere, and Dec. 15 and 16 at Cardiff; he was at Bristol on Dec. 21.

In Monmouth the Clare lands were much extended in the course of the thirteenth century. In the division of the Marshal lands in 1247, Richard IV was awarded the demesne manors of Usk and Trelleck, six fees in Pembroke, and seven fees in Gwent.¹ The Welsh lordships as partitioned in 1247 were by no means autonomous; money from Usk, for instance, was due to Roger Mortimer although in 1280 he was granted land in Awre, Gloucestershire, in exchange.² Former arrangements continued with regard to services and suit of court. Richard IV acknowledged at the royal court that all knights and free tenants of the county of Pembroke should do their customary suit at the county court, as in the time of the Marshals.³ Some of the Clare tenants of Usk and Trelleck owed suit at the earl of Norfolk's court of Striguil,⁴ whilst certain tenants of other Marshal parceners in Undy and Roggiett answered pleas of the Crown in the Clare court of Caerleon.⁵

1. P.R.O. C. 47/9/20, m. 1, 2. Cal. Pat. R. 1364-7, p. 264. has 6 1/20 fees in Pembroke. Ibid. p. 269, mentions Lisverry as held by the earl of Gloucester.
2. P.R.O. C. 47/9/20, m. 1. Plac. Abbrev. p. 199.
3. Calendar of Ancient Correspondence concerning Wales, ed. J.G. Edwards, pp. 210-11. Cal. Inq. p.m. V, no. 64, p. 33. Cal. Inq. p.m. IV, no. 434, p. 294, describes services due from the earl of Gloucester's tenants to the earl of Norfolk.
4. Plac. Abbrev. p. 286. This arrangement caused controversy in 1292.
5. P.R.O. C. 134, file 43, m. 41.

Lands at Caerleon were acquired by Gilbert IV. In the Marshal partition Caerleon was awarded to the heirs of William de Ferrers; presumably Gilbert wanted the lands in order to extend and consolidate his lordship of Usk. A note of one charter survives in which Agnes, widow of Walter de Vescy, and one of the Ferrers heirs, granted to the earl the castle of Caerleon and its appurtenances.¹ In 1269, in a fine between Gilbert and Aymer de Rochechouard and Matilda his wife, the earl acknowledged that the manor and hundred of Kilmersdon, Somerset, was the right of Matilda; in return, Aymer granted to the earl the manor of Caerleon in Wales.² Probably, similar grants or exchanges were made with the other heirs.

In contrast to the thirteenth-century acquisitions of land in England, there was in Monmouth a definite policy of consolidating estates. The manor of Tregrug was obtained by Richard IV. Madoc ap Hywel ap Candangan of Bassaleg granted earl Gilbert his lands of Magor, together with lands, rents and services from Caerleon and Malpas. The manor of Little Tintern was given to earl Gilbert by William de Champeneys.³ Finally, Gilbert IV obtained the lands of Edelegan and Llefnydd by ejecting their Welsh lord,

1. B.M. Add. MS. 6041, f. 78.

2. Fest of Fines for Somerset, 1196-1307, ed. E. Green, (Somerset Record Society, VI, 1892), pp. 377-8.

3. B.M. Add. MS. 6041, f. 78. It is not clear whether Little Tintern was granted to Gilbert IV or Gilbert V.

Maredudd ap Gruffyd, while Edward I was in the Holy Land.¹ His son, Morgan ap Maredudd, brought an action to recover the lands in 1279, but the case was adjourned sine die on a technical point of pleading.² After he had led the Glamorgan revolt of 1294, however, Ralph de Monthermer and Joan, at Edward I's request, granted Edelegan to Morgan on condition that he should pay them any money he received in excess of £15 a year; Gilbert V ejected him, and granted him for life instead the hamlet of Cogan which was worth no more than £10 a year.³

In Glamorgan, as in Monmouth, consolidation was in progress during the thirteenth century, but of a very different kind. Whereas the lordship of Usk was enlarged with the acquisition of new lands, the earl in Glamorgan was extending his control over his English and Welsh sub-tenants, the greatest of whom had previously regarded his overlordship as merely nominal. The power of the twelfth century earls of Gloucester had been largely limited to the coastal area - the land conquered by Robert fitz Hamon in the reign of William II and extended westwards by his successors - although the acquisition of the country of Tir Iarll gave the earls a footing further inland.⁴ The coastal area had been organised as a county with its centre at Cardiff. Further

1. Cal. Inq. p.m. II, no. 289.
2. The Welsh Assize Roll, 1277-84, ed. J.C. Davies, p. 276.
3. Cal. Close R. 1313-18, p. 263.
4. J. Beverley Smith, "The Lordship of Glamorgan", in Morgannwg, II, pp. 14-20.

inland, however, the lordships of Coity and Ruthyn had been granted to Norman sub-tenants, who had full regalian rights in their commotes just as the earl had in the county of Glamorgan. The commotes, the Welsh administrative districts, of Afan, Glynrhondda, Miskin and Senghenydd continued to be held by Welsh lords who had been hardly disturbed by the Normans.¹

In the course of the thirteenth century, the Clares completely altered this state of affairs by insisting on their supreme rights as overlords, and by taking most of the Welsh lordships into their own hands. From being a loose federation of commotes, Glamorgan became a wealthy and centralised block of estates. The earl as overlord could not interfere in the internal affairs of commotes held by his sub-tenants; through the thirteenth century Coity and Afan remained virtually autonomous, and the earl only had rights of wardship and marriage.² He could however insist on the authority of the county court of Glamorgan over the courts of commotes; in 1249, Lleisian ap Morgan Gam of Afan recognised this when he answered a writ of novel disseisin in the county court.³ Moreover, Richard IV made it clear that any action by the lord of a commote contrary to his homage and fealty to the earl, would result in the forfeiture of his lands. In 1245, Richard Siward, lord of Ruthyn, Talyfan castle and the manor of Llanblethian, was outlawed and his lands taken into

1. J. Beverley Smith, *op. cit.* p. 17.
2. *Ibid.* p. 18. P.R.O. C. 134, file 43, m. 36.
3. G.F. Clark, *Cartae*, II, pp. 561-2.

the earl's hands, because he broke the earl's truce with Hywel ap Maredudd, lord of Miskin, made his own agreement with Hywel and joined him in making war on the earl.¹ The case served as a warning that the Clares were not to be defied with impunity.

In the thirteenth century, the growing power of the Welsh princes of Gwynedd constituted a perpetual threat to the Marcher lords. Their lands were highly vulnerable, for the Welsh inhabitants used to ally with the invader in order to drive out the Normans. In the early part of the century, the Clares experienced most trouble from the Welsh lords in Glamorgan itself, but these were often supported by the princes of Gwynedd after 1230; thirty years later there was a danger that Gilbert IV would lose his Welsh lands to Llywelyn ap Gryffyd.

Military action was taken against the Welsh lords by Gilbert III but he never resorted to the final step of confiscating a commote; possibly he did not feel as powerful as Richard IV and Gilbert IV who twice made successful confiscations. The principal Welsh trouble-maker at this time was Morgan Gam, lord of Afan, who burnt the monastery of Neath in 1224, and attacked Kenfig three years later.² Apparently, Morgan did not acknowledge Gilbert as his feudal overlord;³ in one charter, he is found confirming the earl's gifts to Margam abbey.⁴ Gilbert made expeditions against the Welsh in 1227

1. For full details of the case see below, pp. 267-9. Siward had temporarily been custodian of Glamorgan in 1234-5 during the earl's minority. *Cal. Pat. R.* 1232-47, p. 53.
2. *Annales de Margan in Annales Monastici*, I, pp. 34, 36.
3. J. Beverley Smith, *op. cit.* pp. 27-8.
4. Clark, *op. cit.* III, p. 927.

and 1228.¹ In 1227, he captured Morgan and sent him to England to be kept in strong custody; two years later, however, Morgan gave hostages to the earl and was released.² In 1229, Hywel ap Maredudd, lord of Miskin, raided the earl's land,³ but apparently no action was taken against him.

The earl's position in Glamorgan became even weaker during the minority of Richard IV. Late in June, 1231, less than a year after the death of Gilbert III, the castle of Neath was captured by Llywelyn ap Iorwerd of Gwynedd, and in the following year Morgan Gam burnt Kenfig.⁴ Cardiff castle was captured in the rebellion of Richard Marshal in 1233,⁵ when the Welsh lords together with Llywelyn ap Iorwerd were on the side of the rebels; Morgan Gam of Afŷn, Hywel ap Maredudd of Miskin and Rhys ap Gryffyd of Senghenydd, together with Morgan of Caerleon, were rewarded with Clare lands in

1. Annales de Theokesberia in Annales Monastici, I, p. 70. The only noteworthy act of the 1228 expedition, according to the chronicler, was the discovery of mines of silver, iron and lead.
2. Annales de Margan in Ibid. I, pp. 36, 37.
3. Annales de Margan in Ibid. I, p. 37. Hywel was also lord of Glynrhondda which he had annexed in 1229; the commotes of Miskin and Glynrhondda were combined for the rest of the thirteenth century.
4. "Chronicle of the Thirteenth Century, MS. Exchequer Domesday" in Archaeologia Cambrensis, 3rd. ser. VIII, p. 278.
5. Annales Cambriae, p. 79.

Glamorgan which they were unwilling to give up after the truce.¹ Five years later there was a danger that the prince of Gwynedd would take homage from local Welsh lords who owed allegiance to the Normans; Rhys ap Gruffyd and Hywel ap Maredudd were warned not to do homage to David, the heir of Llywelyn ap Iorwerd.² Moreover, there was probably much local disorder; in 1246, the sons of Alaythur, men of the lord of Afan, made restitution for damage done to the abbey of Margam.³

Trouble continued during the early years of Richard IV's lordship. According to the Annals of Tewkesbury, he redeemed Glamorgan from its custodian, Gilbert Marshal earl of Pembroke, by the payment of 500 marks in 1240, three years before he came of age.⁴ His principal opponent before 1246 was Hywel ap Maredudd, lord of Miskin, who continued to be the ally of the princes of Gwynedd;⁵ Morgan Gam of Afan had died in 1241. In 1242, disturbances broke out, incited by Hywel ap Maredudd and Rhys ap Gruffyd; Richard sent the abbot of Tewkesbury, W. de Kardif, James de Clare and many others of his friends to investigate, and they pacified the dissidents and

1. Close R. 1231-4, p. 590.

2. Ibid. 1237-42, pp. 123-4.

3. Clark, op. cit. II, pp. 534-6.

4. Annales de Theokesberia in Annales Monastici, I, p. 117. Gilbert had been appointed custodian in 1235, Ibid. p. 96.

5. J. Beverley Smith, op. cit. p. 31.

took hostages.¹ In the following year, Hywel ap Maredudd burnt Kenfig.²

Richard's opportunity to expel Hywel came with the Siward case of 1246.³ His lands, like Siward's, were confiscated, and he fled to Gwynedd.⁴ The earl built a castle at Llantrissant to serve as administrative centre of the area,⁵ and the two commotes of Miskin and Glynrhondda remained in the Clare demesne throughout the thirteenth and early fourteenth centuries. Richard thus broke up the block of Welsh lordships in the north of the county, and, as far as is known, encountered no further trouble with the remaining Welsh lords.

Nevertheless, Richard had always to be ready to defend his Welsh estates against the princes of Gwynedd. In 1244, he and John de Monmouth were captains of the royal forces in South Wales; this arrangement was probably necessary to enable the earl to save his lands during David's revolt.⁶ Tout considered that some of the Marchers^{later} deliberately refrained from helping the king, because it was against their interest, as well as against Llywelyn ap Gruffyd's, that Henry should absorb Welsh lands for himself.⁷ It

1. Annales de Theokesberia in Annales Monastici, I, pp. 124-5.
2. "Chronicle of the Thirteenth Century, MS. Exchequer Domesday", in Archaeologia Cambrensis, 3rd. ser. VIII, p. 279.
3. See below, pp. 267-9.
4. Brut y T. (Red Bk. of Hergest), p. 241.
5. J.S. Corbett, "Llantrissant Castle" in Archaeologia Cambrensis, 6th. ser. I, p. 2.
6. Mathaei Parisiensis Historia Anglorum, II, pp. 487-8. Close R. 1242-7, p. 256. He is known to have been fighting Hywel ap Maredudd in that year.
7. T.F. Tout, "Wales and the March during the Barons' Wars, 1258-67", in Owens College Historical Essays, ed. T.F. Tout and J. Tait, pp. 82-3.

has nevertheless to be remembered that it was far more against the Marchers' interest that Llywelyn should conquer the whole of Wales. Some chroniclers found it suspicious that the Welsh devastated Cheshire in 1256, but did not harm the lands of the earl of Gloucester.¹ Glamorgan was invaded in 1257, and the castle of Llangynwyd captured.² The earl was made captain of the forces in South Wales in that year while the king fought in the north,³ but both left Wales about Michaelmas after an indecisive campaign.⁴ The earl's journey to Tutbury to see the queen has led to suspicion that he was not fighting whole-heartedly. As in 1244, however, he probably had to fight to save his lands. Welsh aggression continued during the Barons' Wars; they attacked Neath castle in 1259,⁵ and on the death of Richard IV in 1262, Humphrey de Bohun earl of Hereford, custodian of the Welsh lands, was alarmed because there were rumours of a Welsh revolt and the castles were in a poor state of defence.⁶ In Richard's inquisition post mortem, devastation in Glamorgan was mentioned at Llantwit Major, Kenfig, Llangynwyd, Llantrissant

1. Chronicon Thomae Wykes in Annales Monastici, IV, p. 111. Annales de Oseneia, in Ibid. p. 114.
2. Brut y T. (Peniarth MS. 20), p. 111. Annales de Oseneia in Annales Monastici, IV, p. 117. The capture, according to Paris, Chronica Majora, V, p. 642, took place in mid-July.
3. Close R. 1256-9, p. 141.
4. Annales de Dunstaplia in Annales Monastici, III, pp. 203-4.
5. Annales de Theokesberia in Ibid. I, p. 167.
6. Royal and other Historical Letters illustrative of the reign of Henry III, II, pp. 217-18.

and Neath.¹ Gilbert IV, like his father, had to deal with a serious situation when he succeeded to his lands. In 1265, Llywelyn was devastating his March estates before he deserted Simon de Montfort,² and the lands were again invaded by Simon and Llywelyn in the summer before the battle of Evesham when they moved through Usk and Newport into Glamorgan.³

Gilbert's change of side before the battle of Evesham was largely occasioned by the alliance of de Montfort with Llywelyn; Tout considered that it was Simon's ambition to divide Wales with Llywelyn, following on his settlement with prince Edward in March, 1265.⁴ Llywelyn had taken advantage of the Barons' Wars to pursue his policy of conquering the Marches, and he had succeeded in overrunning a large part of them. His conquest of Brecon in 1262 brought him right up to the northern borders of Glamorgan, and he then advanced into the county itself. In the next few years Gilbert's efforts were directed towards driving him out, and, although Brut y Tywysogion mentions an alliance between them on the eve of Gilbert's occupation of London, it is likely that this was merely a temporary truce.⁵

1. P.R.O. E. 142/88. It is not described as an Inquisition post mortem and is undated, but it most probably relates to Richard IV.
2. Annales de Waverleia in Annales Monastici, II, p. 358.
3. Trivet, p. 265. Chronicon Thomae Wykes in Annales Monastici, IV, p. 167.
4. Tout, *op. cit.* p. 109.
5. Brut y T. (Red Bk. of Hergest), p. 257.

No mention is made of Glamorgan in the treaty of Montgomery of 1267, but a separate agreement was drawn up between the earl and Llywelyn in September, 1268, making arrangements for arbitration over disputes, or, if arbitration failed, for the disputes to go before the king.¹ By this time, Llywelyn had clearly won northern Miskin, and the commote of Upper Senghenydd.² In the agreement the earl asserted that the men of Miskin living between Brecon and Glynrhondda, and the men of Senghenydd between Brecon and the river Caath, had been seized from him and were still retained by Llywelyn; the status quo was however to be observed until the arbitration had been completed.

More than two years before this agreement, Gilbert had taken the two commotes of Senghenydd into his own hands as the first step in his policy of preventing Llywelyn from advancing into the Vale of Glamorgan and ultimately of expelling him altogether. In January, 1266, Gruffyd ap Rhys, lord of Senghenydd, was imprisoned at Cardiff and was later sent to Kilkenny to be kept in safe custody;³ no reason for the imprisonment was given, and it can only be presumed that he had been helping Llywelyn. A year later, Llywelyn claimed his homage and fealty under the terms of the treaty of Montgomery as one of the Welsh barons, but his demand was refused by the king.⁴ Moreover,

1. Littere Wallie, ed. J.G. Edwards, pp. 101-3. Several attempts at arbitration were made but all were unsuccessful, e.g. Cal. Pat. R. 1266-72, pp. 486, 511.
2. J.E. Lloyd, "Llywelyn ap Gruffyd and the lordship of Glamorgan" in Archaeologia Cambrensis, 6th. ser. XIII, p. 60.
3. "Chronicle of the Thirteenth Century, MS. Exchequer Domesday", in Ibid. 3rd. ser. VIII, p. 282.
4. Close R. 1264-8, pp. 496-7.

Gilbert obtained from the king in 1266 a licence to conquer as much land as he could from the Welsh.¹

Once in possession of Lower Senghennydd, the earl could take steps to defend the Vale of Glamorgan from an invasion by Llywelyn along the main road from Brecon to Cardiff. The seriousness of the Welsh threat is shown in the fact that Gilbert's defence centred on the new castle built at Caerphilly, less than ten miles from Cardiff. It is hardly surprising that Gilbert was unwilling to accompany prince Edward on crusade at this time, and spoke of the danger of leaving his March lands undefended.² Work on Caerphilly castle was begun on 11 April, 1268,³ but it was captured by Llywelyn in October, 1270.⁴

The earl began to rebuild on June 1, 1271.⁵ This time the design of the castle was most advanced; it was the first of the concentric castles to be built in Wales, and it embodied a vast scheme of water defences.⁶ Llywelyn came up to the castle again in force in the autumn, but the earl was saved

1. Cal. Pat. R. 1258-66, p. 674.
2. Chronicon Thomae Wykes in Annales Monastici, IV, p. 229.
3. "Chronicle of the Thirteenth Century, MS. Exchequer Domesday", in Archaeologia Cambrensis, 3rd. ser. VIII, p. 282.
4. Brut y T. (Peniarth MS. 20), p. 115.
5. "Chronicle of the Thirteenth Century, MS. Exchequer Domesday", in Archaeologia Cambrensis, 3rd. ser. VIII, p.282.
6. W. Rees, Caerphilly Castle, pp. 7, 37-8.

by the Crown. Henry III was obviously afraid that the disputes between the earl and Llywelyn would develop into a large-scale war, and sent a commission to arbitrate. Llywelyn agreed to withdraw, and the earl to surrender the castle to the bishops of Coventry and Worcester,¹ but he had no intention of abiding by the agreement, and soon regained possession of the castle by a ruse. As an excuse, he said that he had not been consulted by the bishops over the truce with Llywelyn, and he clearly had no intention of returning the castle to the king.² Henry III offered Llywelyn redress, but died before further action could be taken.³ Llywelyn was forced to withdraw from Senghenydd and the earl took the commote of Upper Senghenydd into his demesne. With the end of the threat to the Vale of Glamorgan, Caerphilly was no longer of great military importance, but it constituted the administrative centre of Lower Senghenydd.

The status of the Clares as lords of Glamorgan was thus incomparably higher in 1272 than in 1217. The earl's demesne land was more than doubled in the course of the thirteenth century.⁴ Only two independent commotes were left, Afan and Coity, and the Welsh lord of Afan gave no further trouble to the Clares; when the Welsh revolted in the first quarter

1. Clark, op. cit. III, pp. 763-5.
2. Close R. 1268-72, pp. 546-7.
3. Clark, op. cit. III, pp. 765-7.
4. In addition to the acquisitions mentioned above, the country of Neath was granted to the earl in 1289 in return for £100 p.a. in rents. Ibid. IV, pp. 1203-5.

of the fourteenth century, Lleision de Avene, the grandson of Morgan Gam, was on the king's side. Welsh lords continued to live in Glamorgan, but nothing is known of their status. In 1262, for instance, two sons of Morgan ap Cadwallon held half a commote in Glynrhondda; their only service was a heriot of a horse and arms.¹ Morgan had been lord of Glynrhondda until his expulsion by Hywel ap Maredudd in 1229. Llywelyn Bren who revolted in 1314 and 1316 was a descendant of the Welsh lords of Senghenydd and had held high office under Gilbert V.²

After the incorporation of most of the Welsh lordships into the earl's demesne and the end of Welsh independence, the Clare dominion in Glamorgan was secure from outside intervention. Nevertheless, Welsh revolts occurred fairly frequently. They often broke out on the earl's death; the earl of Hereford was anxious about a possible rising after the death of Richard IV,³ and the first rebellion of Llywelyn Bren took place immediately after the death of Gilbert V.⁴

1. P.R.O. E. 142/88, m. 9.
2. W. Rees, Caerphilly Castle, p. 19. Vita Edwardi II, ed. N. Denholm-Young, p. 66. Cal. Close R. 1313-18, p. 161, states that he held a bailiwick in the earl's lifetime; this was possibly in Upper Senghenydd where he held land.
3. See above, p. 246.
4. Cal. Close R. 1313-18, pp. 161-2; at least the men of Neath and of Tir Iarll were involved in this revolt. Gilbert V's inquisition post mortem mentioned devastation at Neath and a castle burnt at Whitchurch. The second rebellion of Llywelyn Bren will not be considered, as it was due rather to oppression by royal officers than to the earl's government.

Any sign of weakness on the part of the earl might lead to a Welsh revolt, and Gilbert IV's imprisonment by the king in 1291-2 largely contributed to the serious rebellion of 1294. Its leader was Morgan ap Maredudd whose father had been ejected from Edelegan by Gilbert IV while Edward I was on crusade.¹ The revolt was both sudden and widespread. The earl and his wife and children were put to flight, and scarcely escaped with their lives.² In Glamorgan, the devastation was largely confined to the uplands; according to Gilbert IV's inquisition post mortem of 1296, the countries of Ruthyn, Miskin, Glynrhondda and Senghenydd suffered severely.³ Damage was also recorded at Neath, and Kenfig, and the castles were burnt in Tir Iarll and at Kenfig. In Monmouth, there was trouble in the coastal area as well as in the uplands; devastation was mentioned at Trelleck, Usk, Llantrissant, Newport, Dowlas and Deffren Ebboth.

The work of pacification was carried out by Edward I. He took the Welsh into his peace against the earl's will;⁴ the king's action was utterly contrary to the custom of the March. Possibly the earl was already ailing - he died about a year later - and Edward may have wanted to avoid a further

1. See above, pp. 271-4. Calendar of Ancient Correspondence concerning Wales, ed. J.G. Edwards, p. 208. Trivet, p. 333.
2. Trivet, p. 333. Annales de Dunstaplia in Annales Monastici, III, p. 387.
3. In these countries, damage in the rising was specifically mentioned at Llanblethian, Talyfan, Llanharry, Caerphilly, Whitchurch and Llantwit Major. Llantrissant was omitted from the extents altogether, possibly because of waste.
4. Annales de Wigornia in Annales Monastici, IV, p. 526.

revolt provoked by the earl's reprisals. It was moreover an excellent opportunity for the king to intervene in the Marches. The rebels probably preferred to surrender to the king rather than to the earl. Morgan himself came to the king's peace at some time before June, 1295;¹ according to one chronicler he obtained mercy rather than judgement by surrender to the king.² A few lesser tenants continued to adhere to the earl, but the more important tenants abandoned him and did homage to the king.³ The lands were taken into the king's hands and only restored in October, 1295.⁴ After her husband's death, the countess Joan exacted heavy fines from the rebellious areas before they were again allowed their ancient laws and customs.⁵

The Welsh rebellions were widely supported but their seriousness must not be exaggerated. Generally, the Clare lands were peaceful, and the castles served as administrative centres rather than as fortresses. The land was not kept in a permanent state of defence. Rebellions generally found the earls unprepared with the castles ungarrisoned and unstocked.⁶ After a revolt, the devastation was remedied in the course of two or three years, and income rose again to its previous level.

1. Calendar of Ancient Correspondence concerning Wales, ed. J.G. Edwards, p. 208.
2. Flores Historiarum, III, p. 277.
3. Annales de Dunstaplia in Annales Monastici, III, p. 387.
4. Annales de Wigornia in Ibid. IV, p. 526. Cal. Pat. R. 1292-1301, p. 154.
5. Cal. Close R. 1296-1302, p. 34, 100 marks from Senghenydd; Ibid. p. 39, £100 from Tir Iarll; Ibid. pp. 114-15, 500 marks from Miskin and Glynrhondda.
6. P.R.O. S.C. 6/1202/7 illustrates the efforts to stock and garrison the castles at short notice after the death of Gilbert V.

Glamorgan was by no means organised as a single unit. After the conquest of south Wales, the Normans retained the commotes, the Welsh administrative districts, and there was no idea, either then or later, of amalgamating a number of commotes. The Norman lord took the place of the former chieftain, and places connected with the previous administration became the lord's private property.¹ No attempt was made to abolish Welsh custom, and in many cases the courts continued to be held in the usual places.² The castle served as the judicial and fiscal centre of each commote.³ Dependent on it were the Englishry and the Welshry, distinct members of the lordship;⁴ this clear-cut division between English and Welsh made necessary a more elaborate hierarchy of officials than is found on the English lands. The Englishry comprised the borough, demesne manors, and land subinfeudated on the English pattern, whilst the Welshry covered the Welsh population living on the uplands of the lordship. Obviously the size of the Englishry and Welshry varied from one commote to another; in northern Glamorgan, the Welshry was predominant, whereas in a highly Anglicised lordship such as Usk it hardly existed.

The three principal officials on the English lands - steward, constable and receiver - were also found on the Welsh estates, although not in every commote. Rees considered that the supreme official was the steward, but

1. W. Rees, South Wales and the March, 1284-1415, p. 199.
2. Ibid. p. 27.
3. By the early fourteenth century, there was no castle at certain centres e.g. Llangynwyd in Tir Iarll.
4. Rees, op. cit. pp. 28-9.

that his judicial duties were largely delegated to the sheriff, and his office largely confined to business matters.¹ In the county of Glamorgan, however, there is no mention of a steward, and from the time of the Conquest his place was taken by the sheriff who was first mentioned about 1102.² In the early fourteenth century, the sheriff received a fee of 100 marks, together with £6 for two robes and a saddle, a fee far higher than any other paid in Wales.³ The sheriffs were generally members of local families, and rarely passed into the royal administration. Although Gwynllwg was definitely regarded as separate from Glamorgan, it was the duty of the sheriff of Glamorgan to hold courts here.⁴

In contrast, in the lordships of Usk and Caerleon, the steward was the earl's chief official.⁵ At Usk, he was paid a fee of £13. 6s. 8d. which was supplemented by a gift from the earl to make it up to £20.⁶ The steward's work was very similar to that of his counterpart in England. For instance, the steward of Caerleon superintended repairs at Caerleon,⁷ and the sale of stock at Liswerry in 1305-6.⁸ In 1308-9 the steward of Usk accounted for the

1. Rees, *op. cit.* p. 89.
2. Clark, *op. cit.* I, p. 38. *For list of sheriffs, see Appendix 10, p. 350.*
3. Cal. Close R. 1313-18, p. 407.
4. Cal. Pat. R. 1313-17, p. 540.
5. See Appendix IV, p. 351.
6. P.R.O. S.C. 6/927/5, 1302-3. *Ibid.* 927/17, 1315-16, gives the fee as £20 a year.
7. *Ibid.* 920/17. Cf. 927/8, superintending repairs to the houses of the castle at Usk.
8. *Ibid.* 923/8A.

stores of the castle.¹ He was once keeper of the fair.² As in England, one of the steward's most important functions was the holding of courts,³ but at Caerleon the sheriff probably took over some of his judicial work.⁴

In the less important lordships, the constable was the principal representative of the lord. He was primarily a military official, but Rees found that he often had considerable powers over the borough of the lordship and its officers.⁵ He was sometimes an absentee; in 1303-4, the janitor at Tregrug was taking his place.⁶ His wages varied from castle to castle.⁷ The highest amounted to £40 and 100s. for two robes paid to the constable of Caerphilly, an amount probably fixed when the castle was the centre of military operations against Llywelyn ap Gruffyd. The constable of Usk received £20 and an allowance for provender, and the constable of Cardiff £12 together with £4 6s. 8d. for two robes. The lowest wages were 100s. paid to the constable of Kenfig, and 106s. 8d. to the constable of Tregrug.

1. Ibid. 1247/29. P.R.O. S.C.6/1247/29.
2. Ibid. 927/17.
3. Ibid. 920/21, holding one court at Caerleon. Ibid. 927/17, at Usk.
4. The Welsh Assize Roll, 1277-84, ed. J.C. Davies, p. 318.
5. Rees, op. cit. p. 71. His subordinates in the castle were the janitor and the armourer.
6. P.R.O. S.C. 6/925/12.
7. Cal. Close R. 1313-18, pp. 407-8. Other wages to constables included in this list: £13 6s. 8d. at Llantrissant; £10 at Talyfan; £13 6s. 8d. and 100s. for two robes at Neath; £10 and 100s. for two robes at Newport; £10 at Caerleon.

Cardiff was the main financial centre for all the Welsh lands. There was an exchequer at Cardiff by 1340 which may date from the time of the Clares.¹ The Ministers' Accounts mention two financial officials, the treasurer, and receiver.² Reference is also made in the Close Rolls to the controller of Glamorgan who was paid £6 13s. 4d. a year, and 40s. for two robes.³ Of these officials, the treasurer was probably the most important; master Henry de Lancarvan was a member of the earl's council in 1299.⁴ Cardiff would obviously be the centre for receipts from Glamorgan; the only individual Glamorgan account in this period comes from the borough of Neath in 1311-12, and the money there was handed over to the treasurer of Cardiff.⁵ Moreover, with the exception of Usk, the estates in Monmouth accounted at Cardiff; payments were made to Cardiff from Dowlas and Rumney in Gwynllwg, and from Caerleon, the countries of Edelegan and Llefnydd, and from Liswerry, Little Tintern, and Undy.⁶ The receiver of Trelleck made his payments either to Cardiff or Usk.

1. Clark, *op. cit.* IV, p. 1240.
2. See Appendix IV, *pp.* 350-1.
3. Cal. Close R. 1313-18, p. 407.
4. Clark, *op. cit.* III, p. 911.
5. P.R.O. S.C. 6/1202/5.
6. The different arrangements given in certain Ministers' Accounts were made when some of these lands were held in dower.

The lordship of Usk had its own financial organisation. Within the lordship, there was a receiver at Trelleck, but he was a subordinate official, responsible only for Trelleck's forinsec tenants.¹ At Usk, the receivers held office only for a year at a time, although several acted as receiver more than once. They were probably burgesses of Usk, as many at some time held the office of reeve of the borough; John Beniger was reeve in 1306-7, John Fullo in 1308-9 and 1315-16, and Nicholas Tincter in 1314-15. Both the reeve and the receiver were paid 13s. 4d. a year for their robes.² Payments were made to the receiver from the borough and manor of Usk, the borough and manor of Trelleck, the manors of Llantrissant, Tregrug, Troy and Llangwm, the bedelry of Usk and Trelleck, and the forests of Wenlock, Trelleck, Coytkenor and Pelthenny. Money could then be sent where it was needed; on one occasion, £100 was sent to Tonbridge to make provision for the earl's arrival there.³

As in England, reeves were responsible for the demesne manors, and also for boroughs; most of the reeves were Welsh. Bailiffs were mentioned during the custody after the death of Gilbert V, but not earlier. Manorial organisation on the English pattern was largely confined to the lowlands, but even there the demesne land was usually scattered, and many tenants lived in

1. P.R.O. S.C. 6/925/21 and 22.
2. Cal. Close R. 1313-18, p. 408. P.R.O. S.C. 6/927/11; 1247/29.
3. Ibid. 927/5. Cf. Ibid. 927/9 and 1247/29, where money was sent to London. For list of receivers, see Appendix IV, p. 351.

hamlets of the manor in various parts of the Englishry.¹ Manors and boroughs at this time were directly exploited, although the outlying portions of the demesne were generally let in return for rent.² Rees came to the conclusion that in South Wales in the early fourteenth century the manor became organised more directly for profit, and that there was a rapid, though short-lived, development of agriculture; there were extensive sales of land, letting of pastures, and farming of mills.³ On the Clare estates the farming of mills brought in high profits, although some were kept in the lord's hands.⁴

Unlike the English estates where much the greater part of the earl's income was derived from his demesne manors, profits from the Welshries constituted a large proportion of his receipts in Wales. By the late thirteenth century, the Welshries were administered by beadles, although earlier the rhaglaw or constable had been in charge.⁵ Occasional reference

1. Rees, op. cit. p. 136. Ibid. p. 143, n. 2: the manor of Usk had demesnes at New Grange and extended across the Usk to Wernhir, Llanbadoc and Huddelhall. There were villein tenements at Llanbadoc, Tisset, Trostrey, and Newland, and Welsh nativi lived at Trostrey Hen, Perlleny and Plateland. The surrounding upland hamlets of Llangeview, Coedcwnwr, Argoedvelok, Llangwm, Llansoy, Llanwyny, Cefnrosvedi, and Wernfawr were occupied by groups of Welsh customary tenants.
2. Rees, op. cit. p. 200. P.R.O. S.C. 6/920/18: the profits of a borough were occasionally farmed, but this was a temporary arrangement.
3. Rees, op. cit. p. 191.
4. Farm of mills: e.g. P.R.O. C. 133, file 130, m. 60, Stow in St. Woollos. P.R.O. S.C. 6/920/18, 22, Caerleon; 922/28, Llefnydd; 922/30, Llangwm; 1247/23, 24, Troy; 927/7, 10, and 1247/25-28, Usk.
5. Rees, op. cit. pp. 95-6. All the Welshries in the Ministers' Accounts were accounted for by beadles i.e. Caerleon, Edelegan, Llefnydd, and Usk and Trelleck. Cal. Close R. 1313-18, p. 408; the beadle of the country of Talyfan in Glamorgan received 13s. 4d.

was still made to the constable, and in Llefnydd the offices of constable and beadle appear to have been combined.¹ The beadle received a robe, and was paid a fee which varied according to the number of courts he held; it was reckoned at ls. a day for himself and his clerk.²

The main rent due from the Welsh in the Marcher lordships was commorth, originally a tribute of cows; by the late thirteenth century a money payment was made, generally in alternate years.³ It was apparently not paid on all the Clare lands. In Monmouth it is referred to only in Magor, Edelegan and Tregrug;⁴ in Glamorgan it was due in Talyfan,⁵ in Clyne in Miskin, and in Glynrhondda and Senghenydd.⁶

The judicial profits in the Welshries comprised a far greater source of income than commorth, and were the largest single item in the beadles' accounts. Suit of court was due from all freeholders,⁷ The beadles of Caerleon in 1304-5 accounted only for £7. 14s. 7d. from the perquisites of the court,⁸ but in 1316-17 for £29. 15s. 6½d.⁹ The court of Edelegan yielded £44. 17s. 4d. in 1284-5,¹⁰ and £10. 16s. 9d. in 1292-3;¹¹ in 1311-12, the profits of the

1. P.R.O. S.C. 6/922/29: "In the robe of the constable and beadle at Christmas, 13s. 4d." Cf. Ibid. 1247/18, Edelegan.
2. E.g. P.R.O. S.C. 6/920/16, 23, Caerleon; Ibid. 922/13, Edelegan.
3. Rees, *op. cit.* p. 229.
4. P.R.O. C. 134, file 43, m. 40d., 41, 42.
5. P.R.O. C. 133, file 130, m. 54d.
6. P.R.O. C. 134, file 43, m. 39.
7. Rees, *op. cit.* p. 57.
8. P.R.O. S.C. 6/920/16.
9. Ibid. 920/23.
10. Ibid. 922/13.
11. Ibid. 1247/18.

courts of Edelegan and Llefnydd amounted to £34 12s. 8d.¹ £67 2s. 5½d. was received from the courts of Usk and Trelleck in 1307-8,² and £82 3s. 10½d. in 1315-16.³

The extensive forests in both Glamorgan and Monmouth constituted a far more important source of income than the earl's chases in England. Further areas were afforested in the late thirteenth century when the men of Miskin and Glynrhondda unsuccessfully petitioned the king about the forcible appropriation of their lands and commons.⁴ The forests were in the charge of foresters. Their wages varied considerably; whilst the chief forester of Magor received £6 13s. 4d. and his under-forester 40s., the chief forester of Trelleck was paid 66s. 8d., and the foresters of Talyfan and Tregrug 20s. each.⁵ The earl had wide rights over the forests; it was usually considered that all pasture, wood and mast belonged to the lord after the rights of freeholders had been met.⁶ Occasionally the lord exceeded his rights, as when Gilbert V, shortly before his death, sold all his dead wood in Senghenydd, although the men of the country should have had housebote and heybote from it.⁷ Pasture in the forests was often sold, though it might be

1. Ibid. 922/14. P.R.O. S.C. 6/922/14.
2. P.R.O. S.C. 6/927/13. Ibid. 927/13.
3. Ibid. 927/20.
4. P.R.O. S.C. 8, file 128, no. 6389.
5. Cal. Close R. 1313-18, pp. 407-8. P.R.O. S.C. 6/1247/29 gave the fee of the chief forester of Trelleck as 60s. 8d.
6. Rees, op. cit. p. 116.
7. Cal. Close R. 1313-18, p. 161. Housebote was the taking of wood for the repair and building of houses, and heybote was the villein's privilege of taking hedging material from the demesne and waste.

used by the lord, and the sale of timber and charcoal yielded large profits. Sales of wood at Trelleck in 1310-11 amounted to £162. 18s. 6d.,¹ and receipts from the sale of charcoal there totalled £45. 19s. 10d. in 1314-15,² and £23. 12s. ½d. in 1315-16.³

In spite of the risk of rebellion, the Welsh estates were the most valuable which the earl possessed. The partition of the Clare lands among the three sisters of Gilbert V in 1317 reveals that the earl derived nearly half his income from the Marches.⁴ His lands in Glamorgan were worth £1318. 10s. 10½d., and those in Monmouth £1198. 14s. 9½d. By acquiring new land in Monmouth, the Clares had more than trebled their income. The most valuable lands lay at Usk where the borough, the manor of New Grange, and the forest were assessed at £289. 18s. 11d. Next in value came the country of Magor assessed at £150, and Caerleon, worth £110. 1s. 5d. The profits of the county of Gwynllwg, £94. 16s. 3d., are a further illustration of the high value of judicial profits.

In Glamorgan, the Clares' confiscation of the commotes of the Welsh lords and of Richard Seward, and their acquisition of the country of Neath in 1289

1. P.R.O. S.C. 6/928/24.

2. Ibid. 925/29.

3. Ibid. 925/31.

4. P.R.O. C. 47/9/23-26. See above, pp. 133-4 for a discussion of the possible sources for calculating the earl's income. The values of individual manors, boroughs and lordships will be found in Appendix I, pp. 296-8.

led to a similar increase of income. In 1317, the two commotes of Senghenydd were worth £215. 4s. 11½d., Glynrhondda was assessed at £73. 12s. 10½d., and Miskin at £210. 9s. 5d. Talyfan with the country of Ruthyn was valued at £287. 3s. 10d., and Neath was worth £130. 16s. 1½d., the total thus amounting to £917. 7s. 2½d., about three-quarters of the whole income from Glamorgan in 1317. The earl's extension of his demesne in Wales is unparalleled by any development on the English estates, where the inheritance of the honour of Gloucester in 1217 was the last major acquisition of land. The prominence of Richard IV, Gilbert IV and Gilbert V among the English baronage and in national affairs owes much to their expansionist policy in Wales.

Little is discoverable of the earl's sub-tenants on the Welsh estates. The extent of subinfeudation was most marked on the highly Anglicised lordship of Usk and in the Vale of Glamorgan. In 1314, 37 17/20 fees were recorded in the county of Glamorgan;¹ in addition, the commote of Coity was held of Cardiff by the serjeanty of hunting, and the commote of Afan by Welshry, but in both cases the earl had rights of wardship and marriage.² 3 1/6 fees were entered under Llanblethian and Ruthyn,³ 4½ under Newport in Gwynllwg,⁴ 6½ under Caerleon,⁵ and 7 fees and 3 Welsh fees under Usk;⁶ the

1. P.R.O. C. 134, file 43, m. 36.
2. Ibid.
3. ~~P.R.O. C. 134, file 43, m. 37.~~ Ibid. m. 37.
4. Ibid. m. 40.
5. Ibid. m. 41.
6. Ibid. m. 42.

holders of the Welsh fees paid 50s. relief per fee but the lord had no rights of wardship or marriage.¹ The lord had these rights over all the English fees, since the king's right of prerogative wardship did not apply in the Marches.

The knights' fees in the Vale of Glamorgan had been established soon after the conquest of the area by Robert fitz Hamon; a large number of fees were granted to his sub-tenants of the honour of Gloucester who had followed him to Wales. In 1314, some still held both in the Marches and the west of England, for instance, the Sully, Corbet, Kaerdif and Umfraville families. All the sub-tenants owed castle-guard to Cardiff, which was commuted at the rate of 6s. 8d. per fee, £12. 5s. being due altogether.² They also owed suit to the county court of Glamorgan every month. Besides its other functions, therefore, this court acted as an honorial court. Only one reference to its actions in this capacity has been found, when it took a proof of age.³

The Welsh administration was highly bureaucratic by the early fourteenth century.⁴ On the Clare lands, apart from the lordship of Usk, the

1. Ibid. P.R.C. C.134, file 43, m. 42.
2. Ibid. m. 36. In certain other lordships, castle-guard was due from freeholders: e.g. Ibid. m. 40, freeholders at Stow in St. Woollos owed money for the guard of the castle of Newport.
3. B.M. Harley Charters 75 B. 37.
4. Rees, op. cit. p. 89.

administration centred on Cardiff. Here the earl had his main financial organisation, and a chancery.¹ As on the honour of Clare, the task of general supervision of the earl's demesne lands devolved on his council.² On one occasion, the council sat with the sheriff of Glamorgan to hear a case in the county court.³ Because of the retention of the ancient commotes and the distinction between the Welshry and Englishry, the hierarchy of officials was far more elaborate than on the honour of Clare, and the administration more complicated, but in both cases the council's supervision led to full exploitation of the estates.

Apart from the high income derived from their Welsh estates, the earls were able to exercise immense power from the possession of Marcher franchises. For, although the king had rights of custody during a lord's minority, he was otherwise excluded from the Marcher lordships; the king's writ was not current; disputes were settled without royal intervention by the custom of the March, and not by common law; and the king's right of prerogative wardship did not extend to the Marches. The lord was still the king's subject, but he was virtually supreme in his March lands; the Clares sent

1. The chancery is first mentioned in 1329 (Clark, op. cit. III, p. 1158), but a chancellor is referred to in 1307 (Cal. Fine R. 1272-1307, p. 556).
2. P.R.O. S.C. 6/922/29. The farm of a mill was granted by the council.
3. Clark, op. cit. III, pp. 911-12.

their own representatives to meetings between the king and the Welsh princes,¹ and once concluded a separate treaty.²

The Clares claimed to hold their Welsh lands and liberties by right of ancient conquest.³ This does not mean that they were allowed extensive liberties in return for defending western England from the Welsh; instead, they succeeded to the rights of Welsh lords who had never come under the sovereignty of the West Saxon or Norman kings. It is at first sight surprising that the Marcher lords in Wales were so much more independent of the Crown than those of Ireland whose tenure similarly derived from conquest. It has recently been pointed out, however, that the position of the Welsh Marchers was established under Henry I whereas the Irish conquest took place in the reign of his grandson, who greatly extended the power of the Crown.⁴

The Marcher lord entertained all pleas which would in England have been brought before the royal justices. The county court of Glamorgan dealt with the ordinary business of the county and honorial courts, and, in addition, with pleas of the Crown and pleas by writ.⁵ Judgement was given according

1. Cal. Lib. R. IV, p. 480.

2. See above, p. 248.

3. E.g. Clark, *op. cit.* III, p. 853.

4. A.J. Otway-Ruthven, "The Constitutional Position of the Great Lordships of South Wales", in T.R. Hist. S. 5th. ser. VIII, 1958, p.1.

5. This court is sometimes called the parliament of Glamorgan. (Clark, *op. cit.* II, p. 547.)

to the law of the March,¹ but certain items of common law were incorporated, and Henry II's assizes were adopted at some time before the middle of the thirteenth century.² Besides the sheriff, the earl had his own coroner in the county;³ the officials were similar to those in an English shire.

By the reign of Henry III, the position of the Marcher lords was anomalous, and became even more so after the end of Welsh independence, when Edward I had brought most of north and west Wales under direct royal rule. The March customs of private war, and settlement of disputes at "dies Marchiae", were prejudicial to royal supremacy; moreover royal justice was hampered when criminals could flee to Marcher lordships and remain there unpunished.⁴ Several attempts were made by the Crown to break down March custom and to intervene in the Clare lands, but it was not until 1292, in the case of the earls of Hereford and Gloucester, that the king was successful.

Attempts were made in Henry III's reign to challenge Marcher custom by entertaining cases in royal courts, a policy pursued more effectively by Edward I. The first royal attempt to intervene in the Clare lands occurred as early as 1246, when one of the most important sub-tenants, Richard Siward, the lord of Talyfan, Llanblethian and Ruthyn, appealed to Henry III against a

1. See below, pp. 268, 275.
2. Otway-Ruthven, *op. cit.* p. 12.
3. Clark, *op. cit.* III, p. 911.
4. E.g. Cal. Pat. R. 1272-81, p. 56.

decision reached in the county court of Glamorgan.¹ In the previous year, Richard IV had had him appealed of felony because he broke the truce with Hywel ap Maredudd of Miskin made by the earl in 1244 for all his men in Glamorgan; the earl considered this to be contrary to his homage and fealty as well as against the peace. It was arranged that amends for the breach of truce should be decided by a jury; Siward however refused to abide by its verdict, and, saying that he would have nothing to do with his overlord's truces, made his own with Hywel without the counsel and consent of Richard or his bailiffs, and allied with him in making war on the earl.² He was found guilty by the court, his lands were taken into Richard IV's hands, and, in accordance with the custom of Glamorgan, he was outlawed after his case had been heard at four meetings of the court.

Siward then appealed to the king, claiming that the court of Glamorgan had proceeded unjustly. Richard asserted that he need not reply to the appeal, because Siward was convicted of a trespass in Glamorgan, and all pleas arising there were heard in the liberty and not elsewhere. He suggested that the king should send three or four knights of the council to Glamorgan to hear Siward's complaint and his own reply according to the custom of the county, in order to ensure that justice was done; if it was not done Richard agreed that the matter should be dealt with by the king. The earl's

1. Clark, *op. cit.* II, pp. 547-55. He was described in the case as "*de familia comitis et de consilio*". He was custodian of Glamorgan in 1234-5 during Richard IV's minority (Cal. Pat. R. 1232-47, p. 53.)
2. Hywel escaped from the earl's revenge to Gwynedd. See above, p. 245.

suggestion was adopted. It is at once obvious however that such a visit to Glamorgan did not imply a victory for the king; the case was not to be heard by royal justices, and it was to be decided by local custom and not by common law. The record of the case is not complete, but apparently the county court's judgement was approved by the commissioners, since Seward's land escheated to the earl's demesne. The case is important as a precedent; the earl's subjects were alive to the possibility of appealing to the king, and the king was willing to entertain pleas, although he was aware of the necessity of proceeding cautiously and not alienating all the Marcher lords.

The earl himself made use of the royal courts if he thought they could be turned to his own advantage. In 1265, Gilbert IV brought an action against his mother who, he claimed, had been granted excessive dower in Wales;¹ she held the lordship of Usk.² The case was complicated by the fact that at this date Henry III still held the seal and writ for the Clare lands in Monmouth although Gilbert had recovered full possession of his estates in Wales in 1263.³ Why this had happened is not clear; it was possibly due to confusion in the Barons' Wars, and in 1263 Gilbert was not yet of age. On hearing the earl's complaint, Henry III ordered the lands at Usk to be extended,^t but the

1. E.F. Jacob, "The reign of Henry III. Some suggestions." in T.R. Hist. S. 4th ser. X, 1927, pp. 25-8.
2. P.E.O. S.C. 11/610, m. 1.
3. Cal. Pat. R. 1258-66, p. 273.

countess refused to admit the commissioners on the plea of the custom of the March; she claimed that only her son's and her own writs were current and that all pleas concerning the liberty were held in the lordship itself. It was however proved that she and Gilbert had been using unauthorised seals, since the rightful seal was in royal custody, and, at the beginning of November, 1265, the countess was found guilty of contempt. In the following April, all the Clare lands in Wales were taken back into royal custody,¹ and a new extent was ordered, so that dower could be re-assigned.² The lands were restored to Gilbert in November, 1266, and Henry mentioned that the seal of the honour of Usk was now to be delivered to the earl.³ This case might have been a useful precedent for intervention in March lands, but in the spring of 1267, the king declared that he was unwilling for it to be used to the prejudice of the earl or his heirs with regard to their Marcher franchises.⁴

With the accession of Edward I and the conquest of the Principality of Wales, the policy of ending the independence of the Marchers was pursued with greater vigour. Gilbert IV never had to lay formal claim to his franchises,⁵ but, in 1279, he felt it necessary to appoint an attorney to claim his liberties in the Marches.⁶ The attitude of the Crown is apparent in clause

1. Cal. Pat. R. 1258-66, p. 588.
2. Ibid. pp. 662-3.
3. Close R. 1264-8, p. 264.
4. Cal. Pat. R. 1266-72, p. 49.
5. Jacob, op. cit. p. 24.
6. The Welsh Assize Roll, 1277-84, ed. J.C. Davies, p. 277.

17 of the statute of Westminster I, which laid down that the king would do justice to plaintiffs even if they came from the Marches or from other places where the king's writ did not run. A larger number of pleas concerning the earl and his March lands came before the royal courts. In some, the earl successfully claimed his own court, with the proviso that the case would return to the Crown if he failed to do justice; the actions brought against the earl by William Corbet for the wardship and marriage of the heir of Adam de Somery, and by Richard de Sancta Brigida and his wife for fifty-three burgages in Caerleon, were handed over to the earl's jurisdiction.¹

None of these cases basically affected the earl's franchises and independent status. The next attempt by the Crown to break down Marcher custom occurred in the case brought by William de Braose against the earl in 1281.² While on his way to Gower the year before, William had been stopped at Newport by Robert de Veel, the earl's bailiff, who refused to let him proceed. William claimed £500 damages, and £1000 for the contempt to the king; it was asserted that the road to Gower was a royal highway, under the king's protection. The earl at first refused to reply to the writ and asked for the case to be transferred to his own court, but William pointed out that he held of the king in chief, and not of the earl. The king's council insisted that the earl should reply. Gilbert however still asserted that he

The Welsh Anize Roll, 1277-84, ed. J.C. Davies, pp. 283, 292.

1. Ibid. pp. 283 and 292, respectively.
2. Clark, *op. cit.* III, pp. 810-11.

should not answer "until the principle of his jurisdiction was determined;"¹ clearly, the question of Marcher franchises was under discussion. He said that he should not reply until the matter had been argued by the peers of England and the Welsh Marches who enjoyed the same liberties in their Welsh lands.

The final decision in the case is unknown, but it appears unlikely that Edward I was able to insist on a royal highway through the Marches. The discussion of the case in council indicates its seriousness, and it is obvious that the king was eager to limit the powers of the Marchers, whereas they were united to prevent this. It says much for the strength of the Marchers that Edward I was unable to take drastic action against the earl on this occasion. Compared with the Siward case, however, there had clearly been some advance in the royal position. There was no question of the case being dealt with by the earl in the Marches.

The most famous Marcher case of the thirteenth century was undoubtedly the suit between the earls of Gloucester and Hereford in 1291. Edward I was able to take advantage of Hereford's complaint to him and succeeded in humiliating Gilbert IV, the greatest of the Marcher lords, and in insisting that his commands were to be obeyed in the Marches where private war was to cease. He took every possible precaution to ensure that the case would proceed despite opposition from the Marchers or the withdrawal of the parties; in a letter to the commission appointed to inquire into the case in 1291,

1. Clark, *op. cit.* III, p. 811.

Edward stated that he did not wish Gilbert's trespasses to go unpunished for lack of a prosecution, and that the inquiry was to go forward even if one or both the earls withdrew.¹

This was by no means the first occasion that a clash had occurred between the earls of Gloucester and Hereford. In 1256, the earl of Hereford's men of Brecon broke a truce with the earl of Gloucester, and Henry III intervened to make peace.² A further truce was mentioned in 1278.³ Hereford's complaint to the king in 1290 was occasioned by Gloucester's claim to a debatable strip of land to the north of Glamorgan, and by his raids into Hereford's liberty of Brecon. He had been given the chance to expand northwards during the rebellion of Rhys ap Maredudd in 1287. Because Hereford was not available at the time, ^{Gilbert} ~~he~~ was made captain of the royal expedition to suppress the rebellion in Brecon;⁴ the appointment constituted a breach of March etiquette, under which a lord was responsible for the defence of his own lands, but it was necessary to prevent the rebellion from spreading. The road-cutting of 1287 opened up a strip of land to the north of Glamorgan, and gave Gilbert the chance to claim it, although in fact it belonged to Brecon. Two years later, he was building Morlais castle to secure his encroachment, and he continued his projects even after the king

1. Rot. Parl. I, p. 70.
2. Close R. 1254-6, pp. 434-5.
3. Cal. Close R. 1272-9, pp. 504-5.
4. Calendar of Welsh Rolls in Cal. Var. Chanc. R. p. 308.

had ordered him to desist.¹ Both earls were stocking their lands heavily in order to prove effective occupation.²

The case tried in 1291 however was concerned less with these events than with Gloucester's offences after the royal proclamation of January 26, 1290, which called on both earls to stop the war.³ The mandate was obeyed by Hereford, but Gloucester made three raids into Brecon in 1290 in deliberate defiance of the king. All three can be linked with humiliations which the earl suffered at the king's hands in that year.⁴ The first raid occurred on February 3, a little over a week after the king's prohibition; the second on 5 June took place soon after the publication of the arrangements for the succession to Gilbert's lands after his marriage to Joan of Acre, terms which were far less favourable to the Clares than had originally been agreed;⁵ and the third raid on 27 November followed shortly on Gloucester's surrender of his claim to custody of the lands of the see of Llandaff during a vacancy.⁶

1. Cal. Close R. 1288-96, p. 47. Both earls had broken the king's order to keep the peace made before he left England; this is referred to in Ibid. p. 126.
2. Morris, The Welsh Wars of Edward I, p. 224.
3. Rot. Parl. I, p. 70.
4. Morris, op. cit. pp. 225-6.
5. See above, p. 24.
6. See below, p. 278.

Edward appointed a commission of inquiry to meet in Brecon early in 1291.¹ Hereford appeared, but the case proceeded in the absence of Gloucester and his offending bailiffs. The local Marcher lords refused to make a statement, asserting that the procedure was unheard of, and that matters concerning the March had hitherto been dealt with in accordance with local custom. They persisted in their refusal even when it was explained that they held their March lands of the king, and the king was above the laws and customs used in the realm.

A jury chosen by sheriffs and other local officials testified to Gloucester's trespasses. Concerning the three raids into Brecon, the earl's banner had been displayed on each occasion, and the spoil taken back to Glamorgan. There had moreover been several raids by local brigands. The earl knew of the three raids when his banner was displayed, and received one-third of the spoil in accordance with the custom of the March. His bailiffs also had a share of the booty, even from the raids of the brigands of which the earl was not cognisant.

On receiving the report of the commission, Edward decided to hear the case himself at Abergavenny on 20 October, 1291. Gloucester appeared there, but, although his defence was ingenious, he could not prove that he was not responsible for the raids of 1290 or explain his failure to appear before the commission. No further sorties had been made on Brecon since the previous

1. A full account of the case is given in Rot. Parl. I, pp. 70-77.

November, but Hereford's officials had made a raid on Gloucester's cattle. Hereford knew nothing of this at the time, but he committed contempt of court by keeping the cattle until Gloucester should give security that he would make reparation for the damage he had caused.

It was decided at Abergavenny that both earls should be committed to prison and that their liberties of Glamorgan and Brecon should be taken into the king's hands. The earls only remained in prison for a short time as bail was offered for them, and both appeared before the king and council in January, 1292, to hear their final sentence. Their liberties of Glamorgan and Brecon were at first declared forfeit for ever, but the forfeiture was then limited to the lifetime of the earls; the alteration in Gloucester's case was made because his wife, Joan of Acre, had a half-share in his lands through the king's joint enfeoffment, and a son and heir, Gilbert V, had been born in 1291. Gloucester was to pay Hereford £100 damages, and both earls were to return to prison to be redeemed at the king's will. On their release, Gloucester made a fine of 10,000 marks for his trespass, and Hereford a fine of 1,000 marks. The liberty of Glamorgan did not long remain in royal custody, as it was recovered by the earl in the following July. Nothing is known of what happened to Morlais castle which had been at the root of the trouble. It was not mentioned in Gilbert's inquisition post mortem of 1296. Morris thought that the king made "some special and permanent confiscation of the debatable castle and land", since it was held for the king early in the sixteenth century.¹

1. Morris, *op.cit.* p. 237.

This case is not unique, but none of the other Marcher lords involved in breaches of the king's orders had the status and prestige of the earl of Gloucester.¹ In his account of the dispute, Morris laid most emphasis on the necessity of ending the practice of private war which was an anachronism once the king's power had been extended to Wales.² In addition, the king was in all probability eager to take the chance of intervening in the Marches, breaking down March custom and extending his own sovereignty. He doubtless had in mind the former occasions when he and his father had been unable to intervene in the Marches owing to the power and privileges of the local lords. During the hearing, it was pointed out that Gloucester and his men had presumed that they would avoid rightful punishment because of the liberty of the March; if their trespasses had been committed outside the March they would automatically have been punished.³

The case between the earls of Gloucester and Hereford constituted Edward's most resounding triumph over the earl of Gloucester, but it was not the king's only victory. The Clares, as lords of Glamorgan, claimed the custody of the temporalities of the see of Llandaff during vacancies, and the lords of Gower, Brecon and Gwent claimed similar rights within their liberties; these rights were exercised for most of the thirteenth

- Morris, op. cit.*
1. *Ibid.*, pp. 237-9. Other cases concerned John Giffard; Theobald de Verdun; and the earl of Hereford, and Roger Mortimer. The case of the earl of Norfolk v. some of Gilbert's tenants of Usk was allowed by the king to be dropped.
 2. *Ibid.* p. 220.
 3. Rot. Parl. I, p. 75.

century.¹ The claim was probably derived from twelfth-century or earlier practice.

The Clares' custody was first challenged in 1241 when Gilbert Marshal, earl of Pembroke, then custodian of Glamorgan, was summoned to show his right.² He explained that in a vacancy the barons of the area each had custody of the lands held of him, although the "dignitas crociae" was reserved to the Crown. The king apparently took no action on this occasion, but in 1243 when Richard de Clare appointed an archdeacon in the see during vacancy, another was substituted by the royal proctors; the first man did not want to raise a dispute because Richard had not yet received seisin of his lands in England.³

Matters came to a head on the death of bishop William de Braose in 1287. The earls of Norfolk and Hereford and the Braose lord of Gower soon relinquished their claims to the Crown,⁴ but Gloucester continued to press for his rights. He was finally forced on November 2, 1290, to surrender his claims to the king, although he and Joan were granted the custody with the

1. The Text of the Book of Llan Dâv, ed. J.G. Evans and J. Rhys, pp. 315-17. The custody was entered in Richard IV's Inquisition post mortem in 1262, P.R.O. S.C. 11/610, m. 1. It was also mentioned in:- Pat. R. 1225-32, p. 327; Close R. 1227-31, pp. 375, 432; Ibid. 1254-6, p. 362.
2. Clark, op. cit. II, pp. 518-19.
3. Annales de Theokesberia in Annales Monastici, I, p. 131. The royal proctors may have taken action because Richard was not quite of age, or they may have been trying to reduce the rights of the local lords.
4. Otway-Ruthven, op. cit. p. 18.

collation to prebends and other dignities for their lives;¹ Gilbert had the custody until John de Monmouth was appointed bishop in 1295.² Well after the death of both the earl and Joan, Edward II granted the custody during vacancies to the cathedral chapter.³

Much had obviously been done by Edward I to limit the powers of the Clares as Marcher lords. Although not all the legal cases brought against them were successfully supported by the king,⁴ Edward had managed to override March customs, prohibiting private war, and insisting that his commands were to be obeyed. The Marchers even paid the 1/15 tax on movables in 1292. In spite of his triumphs, however, most Marcher liberties remained unimpaired; the king's writ was still not current, and Glamorgan was still virtually a county palatine. A succession of strong kings would have been necessary to weaken the Marcher lords permanently. Edward's victories were lost in the reign of his son who in 1318 granted to Hugh le Despenser the younger and his wife Eleanor, the eldest sister of Gilbert V, all the liberties in Glamorgan enjoyed by the late earl; these were to be exercised notwithstanding any gifts, surrenders or quit-claims made to Edward I by the earl's father.⁵ Throughout the fourteenth and fifteenth centuries, the Marcher lords continued powerful and relatively free from royal interference. Edward I's work was not resumed until the Tudor period.

1. Cal. Chart. R. 1257-1300, p. 372. Cal. Pat. R. 1281-92, p. 393.
2. Cal. Close R. 1288-96, pp. 453-4. He was consecrated in 1297.
3. Cal. Fine R. 1307-19, pp. 355-6.
4. M. Morgan, The English Lands of the Abbey of Bec, pp. 29-30. The case brought against the earl by the prior of Goldcliff in 1291 was never decided in spite of the king's support, until it was terminated by the earl's death.
5. Cal. Chart. R. 1300-26, pp. 396, 398-9.

CONCLUSION: THE EARLS AND THEIR ESTATES

In the early Middle Ages, a baron's status was determined by his landed wealth; the greater part of his income depended on the profits of his demesne manors, and he derived prestige and authority from the extent of his estates. It is therefore hardly surprising that the Clare earls of Gloucester, with their vast estates in southern England, south Wales and Ireland, should have been foremost among the English nobility. Apart from the magnates closely related to the royal house, few could rival them in wealth and power. Towards the end of Henry III's reign, it has been said that "not half a dozen of Henry's subjects had more than £3,000 to £4,000 a year"; three approached this figure, the earl of Gloucester, the earl marshal, and, later, the countess of Devon and Aumale.¹

It is uncertain how large an income the Clares enjoyed in the thirteenth century since the valuations in the Inquisitions post mortem are unreliable. At the time of the partition of the Clare estates, the lands were worth approximately £6, 500 a year, and possibly the earls had received as large an income from the time of Richard IV. The demesne manors were directly exploited at least from the time of his minority, and his lifetime saw the

1. N. Denholm-Young, Seignorial Administration in England, p. 22.

end of the main period of expansion of the estates. These were valued in 1317 as follows:¹

	£.	s.	d.
Honour of Gloucester:	1,699	2	2½
Honour of Clare:	1,686	11	1½
<u>Banlieu of Tonbridge:</u>	155	12	8½
Monmouth:	1,198	14	9½
Glamorgan:	1,318	10	10½
Ireland:	472	12	11½
Total:	6,532	5	7½

The earl drew the largest proportion of his income from his English lands, but the estates in Monmouth and Glamorgan were almost as valuable, and were easier to administer because they were so much more compact. Compared with the rest, the Irish lands were of little value, but they comprised a useful addition to income. Profits from demesne manors constituted the most important item in the receipts, though the income was of course liable to fluctuation in a year of poor harvests, or of high manorial expenses. Except for Wales, the earl's judicial profits were low. Franchisal profits in England had reached their peak as a result of the usurpations of Richard IV and Gilbert IV during the Barons' Wars, but most of these had been recovered by Edward I in the quo warranto proceedings. The figures in the partition of 1317, although not complete, illustrate the low proportion of profits from pleas (feudal and franchisal) in the totals for the English lands;

1. P.R.O. C.47/9/23, 24, 26. See above, p.133-4 for a discussion of the possible sources for calculating income. The table is designed to show the money the earl received from the main blocks of his estates; in Wales, therefore, Usk, Caerleon and Gwynllwg have been grouped under Monmouth, and in England the demesne manors acquired in the thirteenth century have been included in the honours of Gloucester and Clare.

£141 14s. 1½d. was received from the honour of Gloucester, and £121 9s. 11½d. from the honour of Clare.

The earl's income, though high, was on occasion considerably reduced as a result of family settlements. Dower constituted the most serious inroad on his landed wealth; a widow was entitled to one-third of her late husband's land, and she might long outlive him. The countess Matilda, widow of Richard IV, held dower for nearly twenty-seven years, and her son, Gilbert IV, did not obtain seisin until 1289, six years before his own death.¹ In 1266, he had sued her for being in possession of excessive dower in south Wales, but the result of the case is not known.² For the last four years of Matilda's life, Gilbert in addition was maintaining his divorced wife, Alice de la Marche; in 1285 she had been granted the manors of Thaxted, Wells and Warham, Whiston, Burford and Speenhamland for life.³

Grants of land to younger sons and to daughters, by fee tail or maritagium, were by no means lavish and generally comprised one or two medium-sized manors; these reverted in principle to the earl if the grantees left no children. Younger sons were expected to make their fortune in the royal service or to marry an heiress. Thomas de Clare, the brother of Gilbert IV, was a friend of prince Edward, and was granted Thomond in southern Ireland

1. Cal. Close R. 1288-96, p. 6. Richard had died in 1262.
2. Cal. Pat. R. 1258-66, pp. 662-3. See above, pp. 269-70.
3. Cal. Close R. 1279-88, p. 357. She died some time between 1290 and 1296.

as a reward for his service.¹ Earlier, Roger de Clare, the younger son of Richard III, acquired extensive estates by his marriage to Alice, the daughter and heiress of Odo de Danmartin, one of the most important of the Clare sub-tenants. Only one charter containing a grant in fee tail has been found. Soon after he came of age, Richard IV granted to his brother William the manors of Mapledurham and Petersfield in Hampshire, and Walsingham, Wells and Warham in Norfolk, to be held by him and his heirs by the service of one knight's fee, with reversion to the earl and his heirs.²

The evidence for maritagia is more plentiful. Girls were occasionally given a dowry in money, as when Gilbert IV gave 1,200 marks for the marriage of his niece, Margaret, daughter of his brother Thomas, to Gilbert, eldest son of Gilbert de Umfraville, earl of Angus.³ Usually, however, they were granted one or two manors. Land in Great Bardfield formed the maritagium of Isabella, daughter of Gilbert III, who married Robert II de Brus.⁴ Sundon and Hambleton were given in free marriage with Richard IV's daughter,

1. Cf. Roger, son of Richard III, and William, brother of Richard IV; both received a fee from Henry III. Cal. Lib. R. 1226-40, p. 1; Ibid. 1251-60, p. 292.
2. Cal. Chart. R. 1226-57, p. 334. The royal inspeximus and confirmation is dated 1248; Richard's grant may be earlier.
3. W. Farrer, Honors and Knights' Fees, II, p. 364. Cf. above, p. 151 for the marriage of Isabella, daughter of Richard IV, to William, marquis of Montferrat.
4. P.R.O. C. 132, file 27 (5), m. 27.

Margaret, to Edmund earl of Cornwall.¹ In the next generation, Joan, the daughter of Gilbert IV, received Glapthorn and £20 from the manor of Rothwell on her marriage to Duncan earl of Fife.²

Compared with their landed wealth, the size of their retinue and the number of their fees, the service which the Clares owed the king in the late thirteenth century was ludicrously low. From the late twelfth century lords are found serving with a reduced servitium debitum; this development was partly due to the Crown's desire for longer service, and partly to baronial opposition to service abroad. The reduced service had become usual by the beginning of Henry III's reign, but the fixed quota was not settled until much later in the century.³ The great lords succeeded in obtaining a proportionately larger reduction than the lesser barons.⁴ The Clares produced twenty knights in 1218 and 1229, but only ten in 1277 and 1282.⁵ In contrast, they were charged scutage on over four hundred knights' fees in the thirteenth century - on 132½ normally in the honour of Clare, 261½ in the honour of Gloucester, and 43 from half of the honour of Giffard. In 1317,

1. Annales de Dunstaplia, in Annales Monastici, III, p. 253. Feudal Aids, I, pp. 76, 92.
2. P.R.O. C.134, file 44, m. 64, 96.
3. I.J. Sanders, Feudal Military Service in England, p. 67.
4. *Ibid.* p. 84.
5. *Ibid.* pp. 71, 121, 142. Parl. Writs, I, pp. 198, 236.

they were in fact lords of about 530 knights' fees on all their estates in England, besides about 69 fees in Wales, and 38 in Ireland - approximately 637 in all.

It is not clear how early the Clares supplied their servitium debitum from the knights in their household instead of from their landed vassals; probably they did this when only a quota was required by the Crown. Their reputation and wealth enabled them to attract a large retinue in the thirteenth century. At the wedding of Edward I's daughter, Margaret, to John duke of Brabant in 1290, Gilbert IV is said to have been attended by a train of 103 knights and 60 ladies.¹ The personnel of the retinue are first known by name after the occupation of London in 1267 when pardons were issued to one knight, twenty bachelors, thirteen yeomen, and two esquires of the earl.² The retinue was composed not only of landless younger sons; some of its members were men of standing.³ Bachelors, such as John de Trailly and Brian de Gouiz, were the earl's sub-tenants; others however, such as Laurence Whytepens, a baron of Sandwich, had no territorial connection with him. These men were probably paid for their service; Professor Jacob considered that the bachelor was enfeoffed with land by his lord, but few grants of land were made either by Gilbert IV or his father.⁴

1. Bartholomaei de Cotton, Historia Anglicana, p. 177.
2. Cal. Pat. R. 1266-72, pp. 145-7. This list may not have been exhaustive.
3. E.F. Jacob, Studies in the Period of Baronial Reform and Rebellion, 1258-1267, pp. 128-33. E.g. Simon de Pateshull, Walter de Colevill, and Hamo Hautein.
4. Ibid. pp. 132-3. See above, p. 241.

By the reign of Edward II, the Clares had an indentured retinue, and prominent retainers were rewarded with grants of land for life;¹ once, in spite of the statute of Quia Emptores, a grant of land was made in fee.² Gilbert V's retinue was gathered from the lesser nobility, and some of his followers, in particular Bartholomew de Badlesmere, achieved political prominence after the earl's death.³ The main characteristics of bastard feudalism had already developed in the reign of Edward II and the retinue was similar to those found later in the Middle Ages.

In the course of two and a half centuries, from the Norman Conquest to 1314, the Clare estates had been steadily increased until their lords became the most prominent and powerful members of the English nobility. The honours of Clare and Tonbridge, granted to Richard I by William the Conqueror, had made him one of the richest Norman barons in 1086. New lands had been acquired in the late eleventh and twelfth centuries, but the greatest increase in the family's wealth came with the acquisition of half the Giffard estates

1. See above, pp. 141-2.
2. Cal. Pat. R. 1313-17, p. 131. Bartholomew de Badlesmere was pardoned for acquiring to himself and his heirs without licence Sundon, Hambleden, and Thaxted.
3. Gilbert's retinue is described by G.A. Holmes, The Estates of the Higher Nobility in fourteenth-century England, p. 74, and by A. Tomkinson, "Retinues at the Tournament of Dunstable, 1309", in E.H.R. LXXIV, 1959, pp. 72-3. The retinue at this tournament is listed in Collectanea Topographica et Genealogica (1837) IV, pp. 63-4. Further names are given in P.R.O. C.81/1727.

in 1189, and the honour of Gloucester in 1217. Further lands, notably in south Wales and Ireland, were obtained in the Marshal partition in 1247. Except in Wales there was no further spectacular increase in the time of the last three earls, but the estates by no means decreased in size.

Some of the conclusions concerning the estates have had to be tentative and speculative; for the twelfth century especially the evidence is scanty, and the material for the honour of Gloucester in the thirteenth century is disappointingly sparse. It is however clear that in most respects the Clare estates were similar to other baronial honours, and that the problems facing the earl were the same as those confronting his contemporaries. In the twelfth century, on the honour of Clare, administration was simple; the demesne manors were probably farmed, and the officials were recruited from the lord's sub-tenants. Little reference had to be made to the king, since the earl had sufficient authority to ensure that his commands were carried out. The first half of the century at least may rightfully be described as the golden age of the honour. The thirteenth century, in contrast, was, on all the estates, the age of professional and bureaucratic administration and of direct and full exploitation of demesne manors. Of all the lands, the most complicated to administer was the honour of Gloucester which had to be organized as a federation of bailiwicks because of the extent of its lands. Supreme control on all the estates was vested in the earl's council.

Like other lords, the Clares had to adapt themselves to social changes in the thirteenth century and possibly at the end of the twelfth. Several

factors contributed to the loss of control of sub-tenants - the growing complexities of tenure, the rise in the knight's status and his employment in local government, and, above all, the rising authority of the Crown, and the growing popularity of the royal courts. At the beginning of the fourteenth century the honour court of Clare was an exception, for, although virtually ignored by the earl's wealthiest vassals, it was still fairly efficient and transacted a large amount of business. Apart from Clare, the earls appear in the main to have lost control of their sub-tenants, especially, one suspects, in the counties where they held few fees. They had therefore resorted to usurping franchises on a large scale during the Barons' Wars of 1258-67 to compensate for the loss of authority of the honour courts. This policy was however brought to a halt by Edward I's quo warranto proceedings.

While the Clare lands were thus similar to other honours which have been studied in the early Middle Ages, they were more than a typical baronial estate; in their vast extent and in their variety they were outstanding. On the point of variety it is interesting to compare Tonbridge with the other English estates. Although small, it retained its separate identity and functioned as an honour in miniature, on the same lines as the honour of Clare, and, in the banlieu, the earl exercised the highest franchises which he possessed in England. His tenure of the archbishop of Canterbury set the Tonbridge lands apart ^{from the rest of his estates.} The organisation in all the lordships was basically the same, but their problems differed. In both Wales and Ireland, the lands

had to be defended at various times, and the earl had to face the risk of rebellion, but this situation hardly arose in England. The most profound distinction between the estates was the different status of the earl in each. In England in the thirteenth century he often needed royal backing before he could compel sub-tenants to obey him. He rarely had more than feudal rights over his vassals, and in some areas he was unable to exert even these. In Ireland, although the king and his officials could not be completely excluded, his franchises were more extensive and his power greater; moreover, the county of Kilkenny, like the Welsh lordships, was compact, and was easier to administer than the far-flung English lands. Finally, in Wales, the earl could act virtually as an independent prince; although his franchises were curtailed by Edward I, this did not represent a permanent extension of royal authority.

Gilbert V died at the height of his family's fortunes, which had been built up gradually over the past 250 years, with never a serious setback. In the course of the fourteenth century, the Clare lands provided a basis for the political power and fortunes of other families, none, however, of the stature of the Clares. Of the three sisters and co-heiresses of Gilbert, Eleanor's share remained with the Despensers; Margaret's was inherited by her daughter who married into the Stafford family; and Elizabeth's lands were inherited by her grand-daughter, the wife of Lionel, duke of Clarence, whence, through the marriage of her only daughter, Philippa, they passed into the Mortimer family. In this way the Clare estates, absorbed into the lands of other noble families, lost forever their separate identity.

A P P E N D I X I

THE ESTATES OF GILBERT V DE CLARE, EARL OF GLOUCESTER AND HERTFORD, IN 1314.

The only full account of the Clare lands dates from the early fourteenth century; it comprises the Inquisition post mortem of Gilbert V in 1314, the account of his widow's dower, and the division of his inheritance among his three sisters in 1317.¹ Not every place in the possession of the family during the period 1066 - 1317 was mentioned, but the majority of knights' fees was included, although sometimes the vills in which a fee lay were not listed in full. The information concerning the demesne manors has been taken from the pourparty of 1317, since the values given there are more accurate than those in Gilbert's inquisition. The list of knights' fees has been compiled from all three sources, and in a few instances has been supplemented by the royal inquiry of 1302. The vassal named was the immediate sub-tenant of the earl, and he would often have sub-tenants of his own. The honour to which a manor belonged or the date at which a holding was acquired will be given when known. Vills in which Richard son of count Gilbert held land in 1086 have been marked with an asterisk. There is no list of the Giffard lands acquired by the Clares in 1189, and it is often impossible to identify the fees obtained in the Marshal inheritance (which included half the honour of Giffard) since place-names were generally omitted in the partition. Lands have therefore been marked as Giffard if they were held by Walter Giffard in 1086. In Wales, the date of acquisition has generally been given for the demesne manors, and knights' fees have been placed under the caput of their particular lordship.

Place-names have been given in their modern form, but the prefixes of names, such as Great and Little, have only been added if certain; names whose modern forms have not been found have been placed in inverted commas. Personal names have been given as in the source, but common and well-known names have been standardised, and Latin names translated. Places have been arranged in alphabetical order except when the fee lay in two or more vills, in which case all the places have been grouped, and cross-references have only been given when the fee contained land in more than one county. Thus, to take one example from the knights' fees in Bedfordshire, cross-references are made in the appropriate place in Hertfordshire and Suffolk to the vills listed under Edworth in the one fee held by the earl of Oxford.

1. P.R.O. C. 134, files 42-4. Cal. Close R. 1313-18, pp. 131-9.
P.R.O. C. 47/9/23-6.

Part I: Demesne manors.A. In England.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
<u>Berkshire</u>			
Caversham	Manor	70 1 7½	Marshal
Stanford-in-the-Vale	"	94	1266-75 ¹
<u>Buckinghamshire</u>			
Little Brickhill	Manor	28	c. 1258 ²
Great Marlow	"	70	Gloucester
<u>Devon</u>			
Chittlehampton, with members of "Wydecombe" & Langtree	Manor	41 9½	"
<u>Dorset</u>			
Cranborne	Manor, borough & hundred	100 10½	"
Pimperne	Manor & ½ hundred	25 4 3¼	"
Portland	Manor	28 19 8½	1259
Steeple	Manor & 3 hundreds of Hasilor, Rowbarrow & Rushmore	25 14 3¼	Gloucester

1. The manor was probably granted to Gilbert IV after the forfeiture of Robert de Ferrers, earl of Derby, in 1266; Gilbert's tenure is first mentioned in 1275.
2. The manor was held of the honour of Dover by the service of 13s. a year.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u> .
Tarrant Gunville	Manor	15	Gloucester
Wareham	Borough	16 16 6	"
Weymouth	"	17 17 6	1259
Wyke Regis	Manor	14 3 7½	"
<u>Essex</u>			
Claret in Ashen	Manor	18 1 2½	1243-62 ¹
*Great Bardfield	"	124 18 9	Clare
Chipping Ongar	"	20	1308 ²
Stapleford Tawney	"	10	1312-13 ³
<u>Gloucestershire</u>			
Chipping Campden	Manor	18 5 1	1289 ⁴
Fairford	"	93 11 9½	Gloucester
Rendcomb	"	8 3 6½	"
Chipping Sodbury	"	64 4 7½	"
Stoke Orchard	Manor, with chase of Cors	21 6 ¼	"
Tewkesbury	Manor & borough	233 12 ¼	"
Thornbury	"	233 4 11½	"

1. The manor was acquired by Richard IV from Robert de Valle; it was held of the king as of the honour of Boulogne, and rendered £10 a year at the exchequer.
2. The manor belonged to the honour of Gloucester, and was granted to Gilbert V and his wife by John de Rivers, the earl's sub-tenant there.
3. Stapleford was held of the honour of Rayleigh; it was acquired from John de Sutton.
4. The land was held of the earldom of Chester for 1/8 fee.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
<u>Hampshire</u>			
Mapledurham in Buriton	Hamlet	13 3 3	Gloucester
Upper Clatford	"	7 15 4½	
Petersfield	Borough	14 2 2½	Gloucester
<u>Hertfordshire</u>			
Pope's Hall in Buckland	Tenements	9 14 4½	1243-62 ¹
*Standon	Manor	66 18 6½	Clare
<u>Huntingdonshire</u>			
Southoe	Manor	25 1 6½	Lovetot
<u>Kent</u>			
Brasted	Manor	55 6 8	Gloucester ²
Edenbridge ³	"	7 11 10	
*Hadlow	"	44 16 8	In <u>banlieu</u> of Tonbridge
Dachurst in Hildenborough	"	76 19 7½	"
West Peckham, ⁴ with Swanton in West Peckham	"	14 11 ½	
Tonbridge	Castle & borough	13 16 5	In <u>banlieu</u> of Tonbridge

1. £12 rent was acquired by Richard IV from Nicholas de Crioll; the land was held of the king as of the honour of Dover, in return for rendering 1s. a year at Dover castle.
2. Brasted was held of the archbishop of Canterbury.
3. The date of acquisition is unknown, and the Clare tenure was first referred to in 1290. The land was held of the abbot of Westminster by the service of 1 pair of gilt spurs a year, price 6d., 3s. rent, and 1d. Peter's Pence.
4. The manor was held of the heirs of John Agulum for the rent of 1d. a year.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
*Yalding	Manor	66 19 6½	Clare
<u>Norfolk</u>			
Little Barningham	Manor	14 11 6	
Great Bircham	"	18 1 6½	Giffard
Crimplesham	"	11 2 8½	Clare
Walsingham	"	115	"
Wells-next-the-Sea & Warham	Manors	43	Gloucester
Wickmere	Tenements	6 7 6	
Wiveton	Manor	12 15 1	Clare
<u>Northamptonshire</u>			
Rothwell	Manor, with hundreds of Rothwell & Stotfald	160 16 4	St. Hilary
<u>Oxfordshire</u>			
Burford	Borough	26 10½	Gloucester
<u>Suffolk</u>			
Bury St. Edmunds) Fornham) Mildenhall)	Tenements	8 6 4	Clare ¹
*Clare	Castle & manor	170 19	"
"	Borough	20 7 6	"

1. Land in Bury was acquired by Richard IV, & 27s. 8d. rent was due to the abbey of Bury for land there. Land in Mildenhall was held of Robert de St. Ivo for the yearly rent of 2s. 5d.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
*Desning in Gazeley) *Cavenham)	Manor Tenements	170	Clare
*Hundon	Manor	139 6 8	"
*Lakenheath	"	15 16 6	"
Southwold	"	15 7 3	c. 1259 ¹
Sudbury	Borough	75 2	Gloucester
Wood Hall in Sudbury	Manor	33 2 1½	"
<u>Surrey</u>			
*Bletchingley	Manor & borough	55	Clare
Camberwell	Tenements	7 10 ½	Gloucester
*Chipstead	"	10 16 5	Clare
*Effingham	Manor	8 8	"
*Ockham	"	13	"
*Tillingdown in Tandridge	Tenements	6 7 5½	"
Titsey	"	6 12 10¼	Gloucester
<u>Sussex</u>			
Rotherfield) Eridge in Frant)	Manor Hamlet	73 10 5¼	Clare
<u>Wiltshire</u>			
Great Bedwyn ²	Borough	5 12 11	Marshal

1. The manor was given to Richard IV c. 1259 by the abbot of Bury St. Edmunds in return for the earl's relinquishing his claim to the valuable abbey manor of Mildenhall.
2. Great Bedwyn, Wexcombe in Grafton, and the hundred of Kinwardstone were held of the king in chief at fee-farm for the payment of £32 a year.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
Burbage	Manor	18 11 8	Marshal
Wexcombe in Grafton	Manor, with hundred of Kinwardstone	92 8 4	"
<u>Worcestershire</u>			
Bushley	Manor	14 10	Gloucester
Hanley Castle	Castle & manor with chase of Malvern	42 14 3½	"
<u>B. In Wales.</u>		<u>Glamorgan</u>	
Caerphilly	Castle & borough	5 8 7	1266-72
Caerphilly) "Egloswladus") Merthyr Tydfil) Upper Senghenydd)	Manor Country	108 8 7½	"
Cardiff) Glinogwr) Cibwr)	Castle & borough Manor "	124 3 3	1217
Roath in Cardiff	"	45	"
Clyne) Miskin)	" Country	210 9 5	1246
Cowbridge	Borough	20 6	
Kenfig	Castle, manor & borough	39 18 ½	1217
"Lanvedu") Budry) Lower Senghenydd)	Hamlet Country	101 7 8½	1266-72
Leckwith	Manor	22	1217
Llanblethian) Talyfan) Talyfan & Llanharry)	Castle & manor " Country	126 18 10	1245
Llantrissant) Glynrhondda)	Castle & borough Country	73 12 10½	1246
Llantwit Major) Ruthyn)	Manor Country	160 5	1245

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
Neath	Castle & borough	10 10 3½	1217
Neath)	Manor & country	120 5 10½	1289
Briton by Neath)	Hamlet		
Killybebill)	"		
Pentyrch	Hamlet	7 4 6½	
Radyr	Manor	2 10	
Tir Iarll	Country	45 16 7½	1217
Whitchurch	Castle & manor	15	

Monmouth

Caerleon)	Castle, borough & manor	110 1 5	1269
Panteg)			
Deffren Ebboth	Hamlet	5 7 3	
Dowlas	Manor	34 18 6	1217
Liswerry)	"	90 5 2½	Marshal c. 1272
Edelegan)			
Llefnydd)			
Llangwm	"	6 14 10½	
Llantrissant	"	63 8 9½	
Magor	"	150	1263-95 ¹
Newport	Castle & borough	48 7 10½	1217
Rumney	Manor	85 8½	"
Stow in St. Woollos	"	40	"
Little Tintern	"	7 4	
Tregrug	Castle & manor	58 11 8½	1243-62 ²

1. The manor was obtained by Gilbert IV.
 2. The manor was acquired by Richard IV. - l.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
Trelleck	Manor & borough	54 19 11	Marshal
Troy) Cwmcarvan) "Laydargh")	Manor	58 19 4½	
Usk	Castle & borough with manor of New Grange & forest	289 18 11	Marshal
<u>C. Ireland.</u>			
<u>Kilkenny</u>			
Ballydowel in Ballinamara	Manor	12 17 6	Marshal
Ballycallan	"	63 9 10½	"
Callan	Borough	21	
"	Manor	140 16 6	"
Coolaghmore	Borough	9 14 11½	"
Danesfort	Manor	31 1 6½	"
Fermoyle in Durrow & Rosconnell 1	"	1 17 3½	
Ullid in Iverk	Tenements	2 2 10	Marshal
New Jerpoint	Borough	3 6 3½	"
Old Jerpoint	Manor	16	"
Kilkenny	Castle & manor	35 1 5½	"
"	Borough	47 9 3½	"
Loughmerans in Kilkenny	Manor	17 11 9½	"

1. The manor was purchased from William de St. Leger sometime before 1307.

<u>Place</u>	<u>Type of holding</u>	<u>Value</u> £ s. d.	<u>Honour, or</u> <u>date of</u> <u>acquisition</u>
Kilmanagh	Borough	11 3 11½	Marshal
Palmerstown	Manor	4 5 3¼	"
Rosbercon	Borough	7 12 9¼	"
Clontubbrid in Sheffin	Manor	8 1 4½	"
Shillelogher	"	11 17 ½	"
Thomastown	Borough	8 12	"
<u>Leix</u>			
Killermogh	Manor	3 10 3	"
Castletown Offerlane	Castle & country	Not extended because in the march.	"

Part II: Knights' Fees.A. In England.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
<u>Bedfordshire</u>			
Battlesden	Nicholas Fernbaud	1	Giffard
Biddenham & Holcot	Eleanor de Trailly	2	Gloucester
Chellington) Hinwick in Podington)	"	1	"
Edworth) Clothall) Herts.) Hinxworth)	Richard de Melcleye	1/8	Marshal
Edworth) Clothall) Herts.) Hinxworth) Darnford in) Suff.) Brightwell)) Waldingfield))	Earl of Oxford	1	
Roxhill in Marston Moretaine	Earl of Oxford	1	Giffard
Potsgrove - see Cublington, Bucks.			
Roxton	Eleanor de Trailly	1½	Gloucester
Turvey	"	1	"
Yelden	"	1	"
<u>Berkshire</u>			
Beenham	Henry de Harletere	½	Marshal
Enborne	John de Hardyngge	1/20	
"	Andrew de la Beche	1/15	Marshal
North Denchworth in) Hanney) Padworth)	Aymer Feteplace	1	"
West Hanney	Hugh de St. Maur	½	"
"	Earl of Oxford	2	"
"	Heirs of Willaim de Rivers	1	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Stanford-in-the-Vale	Thomas atte Wyke	1/8	
Long Wittenham	Heirs of Robert de Saunford	1/2	Marshal
<u>Buckinghamshire</u>			
Bletchley	John de Grey	1/4	
Bradwell	Hugh de Bradewell	1/2	Marshal
Bow Brickhill) Caldecotte in Bow) Brickhill)	Nicholas Fermbaud	1	"
Broughton	Earl of Oxford	1	Giffard
Buckingham	John de Braose	2	"
Bourton in Buckingham	Walter Fouke	1/2	Marshal
Lenborough in Buckingham) Edgcott)	Roger de Englefeld	1	"
Chilton	Roger de Hamdene	1	"
"	John Peyvre	1/2	"
Easinton in Chilton	Gilbert de St. Owen	1	"
North Crawley	John son of Nigel	1	
Cublington) Grove) Fulbrook in Hogshaw) Seabrook in Ivinghoe) Chelmscott in Soulbury) Potsgrove, Beds.)	Heirs of Geoffrey de Lucy	2	Gloucester
Dorton	John de Bermingham	1	Marshal
Dorton) Wotton Underwood)	Paulinus Peyvre) John le Zouche) John de Beauchamp)	1 1/2	Giffard
Hillesden	Earl of Oxford	1/2	Giffard
Great Horwood	Hugh de Bradwelle	1/2	Marshal
Great Horwood) Newton Longville) Oakley)	Prior of Newton Longville	1	"
Singleborough in) Great Horwood) Little Marlow)	John de Cromwelle	1	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Great Kimble	Earl of Oxford	3	Marshal
Ludgershall	John de Haudlo	1½	
Great Missenden	Hugh de Plecy) Henry Huse)	½	Marshal
Maid's Moreton	Abbot of Osney) John de Morton)	½	"
Stewkley ¹	Bartholomew de Bourghassh	½	Gloucester
Lampport in Stowe	Richard de Langeport) Abbot of Osney)	½	Giffard
Wavendon	William Passelewe	1	"
"	John Peyvre	½	
"	Abbot of Woburn	¼	
Whitchurch	Earl of Oxford	1	Marshal
Wotton Underwood	Richard le Warde) Richard de Greneville)	2	"

Cambridgeshire

Arrington) Orwell)	Heirs of earl of Winchester	2	Gloucester
Bottisham	Heirs of John) Bourfolet) William son of Martin)	1	Giffard
Harlton	Heirs of Roger de Huntyngfeld	1	"

1. P.R.O. C. 134, file 44, m. 60. But according to P.R.O. C. 47/9/23, m. 2, he held the manor for life.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Horseheath)	Heirs of John de Balliol	4	Clare
*Horseham in Helions)			
Bumpstead, Essex)			
*Denston) Suff.)			
*Haverhill))			
*Rede))			
*Withersfield)			
Litlington	Heirs of John Hobrigge	$\frac{1}{4}$	Gloucester
"	Heirs of Hamo de Valeyns	$\frac{1}{4}$	"
*Papworth St. Agnes)	Reginald de Beauveys	$1\frac{1}{4}$	Lovetot
Sawtry, Hunts.)			
<u>Cornwall</u>			
Binnerton in Crowan	-	1	Gloucester
Drannock in Gwinear	-	$\frac{1}{4}$	"
Conarton in Gwithian	-	1	"
Kilkhampton)	Bartholomew de Grenevill	$1\frac{1}{2}$	"
Bideford, Devon)			
Lanteglos by Camelford)	John de Wylnton	16	"
Umberleigh in)			
Atherington, Devon,)			
with their members)			
<u>Devon</u>			
Bulworthy in Alverdiscott)	John de Kalwodelegh	$\frac{1}{2}$	"
Calverleigh)			
Ashreigney	John de Sully	$\frac{1}{2}$	"
Umberleigh in Atherington	- see Lanteglos by Camelford, Cornwall.		
Charton in Axmouth)	Henry de Umfraville	5	Gloucester
Lapford)			
Northlew)			
Upcott in Beaford)	Raymond de Sully	2	"
Iddesleigh)			

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Bideford - see Kilkhampton, Cornwall.			
Burlescombe) Uplowman)	John Claville	10½	Gloucester
Calverleigh	Heirs of Miles de Calwodelegh	½	"
Canonteign in Christow) Sowton)	Henry de la Pomeray	1	"
Clovelly	Heirs of Walter Giffard	1	"
Birch in Coldridge) "La Heaved") Southcott & Collacott) in Winkleigh)	Henry de Champernon	1	"
Halberton	William de Boys	1	"
Oburnford in Halberton	John de Beauchamp	1	"
Halwill) Northlew) & elsewhere in Devon)	Nicholas de Bonevyll	1½	"
Sharcombe in Luppitt	Abbot of Dunkeswell	½	"
Dunsbear in Merton) Allisland in Petrockstow) Woolfardisworthy)	Richard de Hauteinford	1	"
South Molton) Winkleigh)	William Martyn	2	"
Northlew	Guy Bryan	1/5	"
"	Richard de Merton	2/3	"
Winkleigh	John Kaynes	½	"
Hollocombe in Winkleigh	Henry Barry) Richard le Whyte) Ellis de Putford) John de Mullond) John Mosefen) & their co-heirs)	½	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
<u>Dorset</u>			
Westport in Arne	Edward Kaynel) Amice Danevyle)	1/3	Gloucester
Ashmore	Hugh le Despenser the elder	1	"
Afflington in Corfe) Castle) Isle of Purbeck)	Ralph de la Hide	1/10	"
Cranborne) Petersham in Holt)	Heirs of William le) Frenche) Henry son of Ellis) John de Gillingham)	1/2	"
Dewlish	John le Latimer & Joan his wife	1	"
Durweston) Tatton in Radipole)	Brian de Gouiz	1/2	"
Farnham	Ellis Deverel	1	"
Farnham) Hampreston) Tarrant Rushton) Winterborne St. Martin)	Robert de Lucy) John de Gouiz)	3	"
Frome St. Quintin & its members	Herbert de St. Quintin	6	"
Hampreston	Hugh de Hynneton	1/2	"
Lytchett Matravers & its members	John Mautravers	6	Marshal
East Morden & its members	John Claville of Morden	2 1/2	Gloucester
West Parley	Gilbert de Elsefeld	1	"
Pentridge) Sutton Poyntz in Preston)	Hamo son of Richard	1/2	"
"Pikesle"	John Comyn	1	"
Sandford Orcas	Heirs of John ap Adam	1	"
Shillingstone	Brian de Turberville	4	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Stockwood	Abbot of Keynsham	1/8	Gloucester
Bagber in Sturminster Newton	Robert de Bakebere) Gilbert de Castell)	1	"
Tarrant Gunville	Tenants of Tarrant Gunville	1	"
Tarrant Rushton	Richard de Clare ¹	1	"
Thorncombe	Abbot of Ford	1/3	"
"	Custodian of the house of St. Nicholas, Salisbury	1	"
Wimborne St. Giles	Edmund de Plecy	1	"
Witchampton) "Garodesham") Hill Deverill) Wilts.) Smallbrook in) Warminster))	John Mautravers	5	"
Knowlton in Woodlands	Heirs of Giles de Braose	1	"
<u>Essex</u>			
*Alphamstone) Lamarsh)	Prior of Colne	1/4	Clare
Little Bardfield	John de Gyney	1/4	"
Bardfield Saling	Heirs of Geoffrey le Butler	1/10	"
"	Heirs of Wymer de Offynton	1/4	"

1. Richard was the son of Thomas de Clare, the brother of Gilbert IV.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Birdbrook)	Robert de Hastings	5	Marshal
Bobbingworth)			
Wallbury in Great)			
Hallingbury)			
Harlow)			
Brantham)Suff.)			
Darnford & Foxhall))			
in Brightwell))			
Ingham))			
Waldingfield))			
Isham, Northants)			
*Borley)	Walter son of	5½	Clare
*Ovington)	Humphrey		
*Toppesfield)			
*Barrow in Little)			
Wakering)			
*Great Yeldham)			
Chipley in Clare)Suff.)			
*Clopton))			
*Denston))			
Great Wilseys in))			
Little Wrattin))			
Great Braxted	Simon son of Richard	½	Gloucester
Little Bromley)	William de Braham	2	Marshal
Brantham, Suff.)			
Broxted)	Heirs of Walter de	3	Clare
*Chaureth in Broxted)	Clare		
*Thaxted)			
*Chaureth in Broxted)	Richard de Taleworth)	14	"
*Little Sampford)	Roger de Bachesworth)		
Harefield, Middlesex)	Heirs of Alan de Clare)		
Saham Toney, Norf.)			
*Cavendish) Suff.)			
*Cornard))			
*Kirkton in))			
Shotley))			
*Betchworth, Surrey)			

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Bulmer) *Great Dumtow) *Finchingfield) *Lashley in Lindsell) Boughton)Norf.) Clenchwarton)) Cockley Cley)) Fordham)) Pensthorpe)) Stiffkey)) Thrextan)) Wiggenhall St.)) Peter)) West Winch))	Simon son of Richard	12½	Clare
*Bulmer) *Cavendish) Suff.) *Clare))	Richard de Cornerth	1	"
*Bulmer) *Finchingfield) *Pebmarsh) *Erwarton)Suff.) Higham in Gazeley)) *Poslingford)) *Stansfield)) *Tuddenham)) *Little)) Waldingfield))	William son of Ralph	3½	"
*Steeple Bumpstead	Simon de Henham	1	"
*Steeple Bumpstead) *Haverhill)Suff.) *Withersfield)) *Little Wrattin))	Aubrey de Capeles	1½	"
*Horesham in Helions Bumpstead - see Horseheath, Cambs.			
Great Burstead	Abbot of Stratford Langthorne	½	Marshal
Chrishall	Nicholas de Segrave	¼	
"Coderethe"	Martin le Chamberlain	¼	
*Crepping in Wakes Colne	Heirs of Hugh de Creppyng	2/3	Clare

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Great Dunmow) Faulkeborn) Wallbury in Great) Hallingbury) Norton Mandeville) Chipping Ongar) Marks in Margaret) Roding) Osea Island in Great) Totham) Willingale) Saham Toney, Norf.)	Countess of Gloucester	10½	Gloucester
Epping "Bonyfeld" "Thorp"	Robert le Brus	2	
*Finchingfield) *Thaxted)	John de Pecham) Richard de Cornerth)	1½	Clare
*Fordham) *Halstead) *Toppesfield) Purton in) Stansfield)Suff.) Waldingfield))	John le Bomser	2	"
*Gestingthorpe) *Middleton) "Bosham" 1) "Madewelle") *Bures)Suff.) *Little Bradley)) *Clopton)) *Dalham)) *Elveden)) *Hartest))	Gilbert Pecche	5½	"
*Gestingthorpe) Gosfield)	John Botetourte	1	Gloucester
*Halstead	Heirs of Abel de St. Martin	1	Clare
"	Giles de Badelsmere	1	"
*Langham	Hugh de Nevill	1	"
Mountnessing	Hamo Chevere	½	
Ramsden Crays	Simon de Creye	½	Marshal
*Morell Roding in White Roding	Geoffrey Morel	1	Clare

1. It is not certain whether "Bosham" and "Madewelle" are in Essex or Suffolk.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Little Sampford	Richard son of William	$\frac{1}{2}$	Clare
*Shalford	Heirs of Hamo son of Richard	$\frac{1}{2}$	
Stambourne	Heirs of Richard de Grenevill	$\frac{1}{4}$	Gloucester
"	Heirs of Paulinus Peyvre	$\frac{1}{2}$	"
Stanford Rivers	John le Gras	$\frac{1}{2}$	
*Thaxted	Heirs of Richard Beaucoudre	1	Clare
"	Heirs of Angot de) Cornerth) Heirs of Thomas son) of Stephen)	$\frac{1}{2}$ & $\frac{1}{4}$	"
*Toppesfield	Richard son of Guncelin) Heirs of Robert de) Cammeys)	$2\frac{1}{2}$	"
* "	Heirs of Thomas de Bayouse	$\frac{1}{4}$	Gloucester
*Twinstead) *Brettenham)Suff.) *Bures)) *Burstall)) *Cavendish)) Cockfield)) *Great Cornard)) *Brent Eleigh)) *Groton)) Kettlebaston)) *Lindsey)) Preston)) Swilland)) Thorpe Morieux)) Waldingfield)) *Whatfield)) Eushford, Norf.)	Robert Maudut	1	Clare
Little Wigborough	William de Setvans	2	Gloucester

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Willingale Doe) *Poslingford) Suff.) *Shelland))	Richard de la Rokele	$\frac{1}{4}$	
<u>Gloucestershire</u>			
Alderton) Dixton in Alderton)	John de Dykelysdon	2	Gloucester
Alderton) Shenington, Oxon) Claverham in) Yatton, Som.)	Heirs of John le Sor	14	"
Aston-on-Carrant in) Ashchurch) Oxenton)	William Tuchet	1	"
Aston-on-Carrant in) Ashchurch) Boddington) Kemerton, Worcs.)	Alice de Beauchamp	1	"
Aston-on-Carrant in) Ashchurch) Boddington) Kemerton, Worcs.)	John de Dickelesdon	1	"
Badgeworth	John Giffard of Brimpsfield	1	Marshal
"	Heirs of William Crupet	$\frac{1}{5}$	"
Upton Cheney in Bitton	William Marmyon	$\frac{1}{4}$	Gloucester
"Boketon"	Anselm de Gurnay	$1\frac{1}{2}$	"
Charfield	Robert le Veel	$\frac{2}{3}$	"
Clifton) Ston Easton) Som.) Radstock))	Ignatius de Clyfton	3	"
Didmarton) Eastleach Turville) Welford-on-Avon, Warws.)	Heirs of William le Chamberlain	1	"
Dodington	Thomas de Doynton	2	"
"	Henry de Berkeley	1	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Eastleach Turville	Herbert de St. Quintin	1	Gloucester
Lydney	Robert de Lydene	1/5	"
Mangotsfield	Heir of Hugh de Vyvone	1/2	"
Marshfield	Richard de Heydone	1/3	"
Meyseyhampton & members	Robert de Meisi ¹	8 1/2	"
Tockington in Olveston) Lower Swell)	Hugh le Poinz	6	"
Norcott in Preston) Siddington)	Anselm de Gurnay	2	"
Rendcomb) Hardwick in Eldersfield,) Worcs.)	William de la Mare	2	"
Tytherington	Roger Corbet	1	"
Walton Cardiff	Paulinus de Keyrdif	1 1/2	"

Hampshire

Mapledurham in Buriton	Henry le Markaunt	1/2 & 1/8	Gloucester
"	William Bretoun	1/2 & 1/8	"

1. The tenant should probably be Nicholas de St. Maur who died seised of the fees in 1316; he held them by the curtesy of England, of the inheritance of Eva de Meusy, sometime his wife.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Houghton	John de Hoghton	1	
Penton Mewsy	John de Actone	1	
<u>Hertfordshire</u>			
Bygrave) North Mimms) *Denston, Suffolk)	Richard de Somery ¹	3	Gloucester
Clothall) Hinxborth)	- see Edworth, Bedfordshire.		
*Standon	Heirs of Robert de Barneville	$\frac{3}{4}$	
"	Heirs of Robert Bertram	$\frac{1}{2}$	
"	Thomas son of Stephen	$\frac{1}{2}$ & 1/10	
"	Richard Dyn	1/10	
"	Richard Vabadon	1/7	
"	William Baud	1/19	
"	Heirs of Nicholas Pecche	$\frac{1}{4}$	
<u>Huntingdonshire</u>			
Folksworth	Walter de la Huse	1	Giffard
Grafham	John Engayne	$\frac{1}{2}$	
Grafham) Hemingford Grey) Offord Darcy) Thurning, Northants.)	Berenger le Moigne	1/3	Lovetot
Great Gransden	Warin de Bassyngeburne) William Waleys)	$\frac{1}{2}$	Gloucester
"	Adam Gerebaud) Heirs of Ralph Tyrel)	$\frac{1}{2}$	"

1. P.R.O. C. 47/9/23, m. 4 gave the tenants as Simon de Swanlond, John de Mounteneye, the heirs of John Vanne and John de Munchenesy.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Sawtry - see Papworth St. Agnes, Cambs.			
Stilton	Richard de Hemmyngton	1/9	Lovetot
"	Prior of Bushmead	1/2 & 1/8	"
Winwick	Greylaud de Boverous	1	"
Wood Walton	Richard de Beyvill	2/3	" 1
"	Thomas de Beyvill	1/3	" 1
Woolley	Heirs of Robert Grimbaud	1/2	Gloucester
<u>Kent</u>			
Barfreston) Hartanger in Barfreston) Upper Hardres) Stelling)	Robert de Hardres	1 1/2	
*East Barming	Roger de Kent	1/2	Clare
"	John son of Thomas de Barmynge	1/2	"
"	Lora Payforer	1/2	"
Bethersden) Cranbrook) Crundale) Henden in Sundridge)	John de Haudlo	1	Gloucester
Bidborough) Leigh) *Yalding)	George de Chaunz	1	Clare
Clowes & Ebolestone in Blean	John ate Welle	1/2	

1. The overlordship of these holdings was contested by the abbot of Ramsey.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Blean	Bartholomew de Badelsmere) Prior of St. Gregory's,) & hospitals of St. James) & Eastbridge, Canterbury)	1½	Gloucester
Brenchley	Richard de Knolle	¼	Clare
Chekeswell in Brenchley) Pett in Charing ¹) Rankham in Pembury)	William de Ore	1	
Old Hay in Brenchley) Cliffe) Mereworth)	John de Mereworthe	2	Gloucester
Dodingdale in Canterbury) Trimworth in Crundale)	Hugh Despenser	1½	"
Dodingdale in Canterbury ²	John Polre	¼	
"	Robert de Grauncurt) John son of John de) Bullynge) John Springe) John Baukyn) Walter de la Hays) Thomas de Bullynge) John Leger) John son of Richard) de Bullynge)	1/3	
Newcourt in Charing	Richard de Bokisle	¼	
Chiddingstone) Penshurst) Filston in Shoreham) "Witthon")	John de Coppeham	¼	
Ditton) Bramptone & Siffleton) in Ditton)	Ralph de Dittone	1¼	Gloucester
Eltham	Gilbert de Vesce	¼	"

1. This land was held by the earl of the archbishop of Canterbury.
2. According to an inquisition of 1324 this holding did not belong to the earl; John had held it of Ralph de Ditton whom the earl deprived of his rights of overlordship.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Eltham	John de Haule	$\frac{1}{2}$	Gloucester
Pimp in East Farleigh	Philip de Pimpe	1	
*Hadlow	John de Pecham	$\frac{1}{2}$ & $\frac{1}{10}$	Clare
"	John Fromond	$\frac{1}{2}$	"
"	John de Tetlyngebery	$\frac{1}{6}$	"
"	Thomas Fromond	$\frac{1}{5}$	"
"	Richard de Bromfelde	$\frac{1}{6}$	"
"	Hugh de Caustone) William Frankeleyn)	$\frac{1}{8}$	"
"	Richard atte Berne) William the baker) of Peckham)	$\frac{1}{6}$	"
"	Roger Swyft	$\frac{1}{16}$	"
Horsmonden ¹	Richard de Rokisle	$\frac{1}{2}$	
Lackenden & Well in Ickham	William de Lidle	$\frac{1}{2}$	
Ensfield in Leigh	Alice de Columbers	1	Clare
Mereworth	Henry de Leybourne	$\frac{1}{3}$	Gloucester
*Milton ¹) Walmestone in Wingham)	William de Setvans	1	"
Nettlestead) Helthe in Nettlestead) Pembury) "Backelonde")	Philip de Pimpe) Thomas le Gegge)	2	"
Cronk in Nettlestead	William de Bramtone	$\frac{1}{2}$	
Pembury	Thomas Colpeper	$\frac{1}{2}$	
Haleford in Pembury	Hugh Despenser) John Haudlo) Simon Colebraund)	$\frac{1}{2}$	
Sheldwich	Bartholomew de Badelsmere) Laurence de Huntyngfelde)	$\frac{1}{3}$	

1. This land was held by the earl of the archbishop of Canterbury.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Shipbourne	Roger Bavent	$\frac{1}{4}$	Clare
Filston in Shoreham	John de Vyelistone	$\frac{1}{4}$	Gloucester
Tonbridge	Roger de Bardenne	$\frac{1}{4}$	Clare
"	Prior of Tonbridge) John de Bardenne)	$\frac{1}{4}$	"
"	Richard de Bromfeld	1/6	"
Henhurst in Yalding	Gilbert de Henherst) John son of William) Gervays)	$\frac{1}{4}$	

Lincolnshire

Bracebridge) Skellingthorpe)	Hugh Wake	2	Gloucester
Kyme	Philip de Kyme	1	"
Tathwell	William de Tawell	1 $\frac{1}{2}$	Marshal
"	Geoffrey de Appelby	$\frac{1}{4}$	"

Middlesex

*Harefield - see Chaureth in Broxted, Essex.

Norfolk

Alderford) Plumstead) Swannington) Witchingham)	Alan Hovel	$\frac{1}{4}$	Clare
Ashby) Carleton St. Peter) Tasburgh) Thwaite)	Heirs of Oliver Wyth	$\frac{1}{4}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Ashill) Panworth in Ashill) Booton) West Dereham) Downham Market) Eastmoor) Haveringland) Wood Norton) Saham Toney) Stoke Ferry) Westfield)	Petronilla de Nareford	4	Clare
Attlebridge) Helmingham in Morton-) on-the-Hill) Ringland) Weston Longville)	Adam de Lyons	1½	Giffard
Bale) Gunthorpe) Sharrington)	John de Broughthon	¼	Clare
Bale) Gunthorpe)	Ralph le May) John Avenel)	1	"
Banham) Foulsham) Wood Norton)	William le Mareschal	1	Marshal
Barton Bendish	Hugh de Scales	1	Clare
Barton Bendish) Shingham)	Heirs of William de Bertone	¼	"
Bawdeswell) Haveringland) Norwich) Reepham) Whitwell) Witchingham)	Roger de Gyney	4	"
Beechamwell) Bexwell) Caldecote) Crimplesham) West Dereham) Fordham) Outwell) Upwell) Wereham)	Robert Belet	1½ & 1/16	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Bexwell) Crimplesham) West Dereham) Roxham)	Ralph de Warham	1/8 & 1/16	Clare
Bintree) Wood Norton) Themelthorpe)	Roger de Bynetre & his parceners	1	Giffard
Bintree) Ickburgh) Saxlingham Nethergate) Twyford) Witchingham)	Robert de Langetoft	2	"
Bintree	Richard de Byntre	1/2	"
Great Bircham) Great Ringstead)	Edmund Tibi	1/4	"
Snitterley in Blakeney) (now submerged)) Cockley Cley) Grimston) West Raynham) Stiffkey) Witchingham) Wiveton)	William de Brunne	2	Clare
Bodham) Dalling) Letheringsett) Stiffkey) Warham)	Petronilla de Nareford) Heirs of Thomas Bacun)	1 1/2	Giffard
Boughton - see Bulmer, Essex.			
Brettenham) Rushford)	William de Brethenham) John de Brokedisch)	1/2	Clare
Brettenham) Rushford) Shadwell in Rushford)	Robert Bainerd & other tenants	1/2	"
Briston) Great & Little) Walsingham)	William de Hadeshaw Hamo Mundi John de Flore	1 1/2	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Old Buckenham) Holme-next-the-Sea) Little Ringstead)	Matthew de Cachevache	$\frac{1}{4}$	Giffard
Carbrooke	Earl of Pembroke	$\frac{1}{4}$	St. Hilary
Clenchwarton - see Bulmer, Essex.			
Clenchwarton) South Lynn) Middleton) Hardwick in North) Rumcton) Setchey) Tilney) Wiggenhall St. Peter) Saddlebow in Wiggenhall) St. Mary) West Winch)	Thomas de Warblyngtone	1	Clare
Cockley Cley - see Bulmer, Essex.			
Crimplesham	William de Bereford) Heirs of Walter Davy)	$\frac{1}{4}$	"
Dalling) Sall)	Prior of Walsingham	$\frac{1}{4}$	"
Wood Dalling) Hevingham) Letheringsett)	Thomas Jordan of Letheringsett	$2\frac{1}{2}$	Giffard
Elsing) "Estlyngmere") Guestwick) Guist) Lynford) Twyford)	Richard Folyot	$2\frac{1}{2}$	Clare
Fordham - see Bulmer, Essex.			
Griston) Walsingham)	John de Griston	$\frac{1}{4}$	St. Hilary
Hevingham) Stratton Strawless)	Henry le Cat	$\frac{1}{4}$	Giffard
Hevingham) Stratton Strawless)	Heirs of Bartholomew) Hauteyn) William de Merkesdale) Reginald de Refham)	1	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Holme-next-the-Sea) Little Ringstead)	Heirs of William de Beaumont	$\frac{1}{4}$	Giffard
Hunstanton) Walpole) West Walton)	William Lovel	1	Clare
"Ineshave"	Michael de Ponynges	$\frac{1}{4}$	
Ingworth	Peter de Brampton) Henry de Colby)	$\frac{1}{4}$	Clare
Kelling) Salthouse) *Ashbocking) Suff.) Creetingham) *Helmingham) Otley)	Heirs of Henry de Hastings	$1\frac{3}{4}$	Gloucester
Massingham	Richard son of John	1	Clare
Great & Little Massingham	Prior of Castleacre	3	"
Pensthorpe - see Bulmer, Essex.			
East & West Raynham	John atte Tounesende) William Doune) John Rey)	$\frac{1}{4}$	"
Little Ringstead	Richard de Boiland	$\frac{1}{4}$	Giffard
"	John de Boiland	$\frac{1}{4}$	"
Rushford - see Twinstead, Essex.			
Saham Toney - see Chaureth in Broxted & Great Dunmow, Essex.			
Shouldham) Stoke Ferry) Wereham)	Prior of Shouldham	$1\frac{1}{2}$	Clare
Stiffkey - see Bulmer, Essex.			
Stiffkey) Warham) Wells-next-the-Sea)	Heirs of Geoffrey Est	$\frac{1}{4}$	Clare
Thrextan - see Bulmer, Essex.			
Whitwell	William de Whytewell	$\frac{1}{4}$	Marshal
Wiggenhall St. Peter - see Bulmer, Essex.			

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
West Winch -	see Bulmer, Essex.		
Witchingham	William Geney & his wife	1	Clare
<u>Northamptonshire</u>			
Little Addington	Hugh Daumdelyn	1/20	Gloucester
Barton Seagrave) Cranford) Raunds)	Joan Champernon	2	"
Barton Seagrave	Nicholas de Segrave	1/8	"
Burton Latimer) Finedon)	Abbot of Croxton	1/4	"
Clapton	Abbot of Thorney	1	
Clapton) Polebrook) Thurning)	Abbot of Peterborough	1	Lovetot ¹
Denford	John de Tolthorp) William de Polteney) John de Beruby) Robert de Bereghby)	1	Clare
Denford) Ringstead) Thrapston)	John Spygurnel) Nigel de Kenelyngworthe) Simon de Greyland)	1/4	"
Draughton	Simon Malore	1/4	St. Hilary
Glaphorn	Earl of Fife ²	1/4	
Glendon	Richard son of Warin de Clendon	1/6	St. Hilary

1. The fee belonged to the honour of Lovetot, but the overlordship had passed to the abbey of Peterborough before Richard IV acquired his interest in the barony.
2. The earl was the son of Joan de Clare, the half-sister of the last earl. Glaphorn had comprised part of her maritagium, and had been granted to her father c. 1285 by Humphrey de Bassingburne who held it of the abbey of Peterborough

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Upper Heyford	Richard de Flore	1/5	
Isham - see Birdbrook, Essex.			
Isham	William Pyel	1/2	
Lowick) Stanion)	John de Chetyndon) Henry Deen)	1/2	Clare
Pilton	William de Pulton	1/8	
Raunds	Eleanor de Trailly	1/2	
Middlecotes in Ringstead & Raunds	Maud, daughter of) Nicholas de Segrave) Richard Bydom)	1/2	Clare
Wylewenecotes in Ringstead & Raunds	Richard Chamberlain	1/40	"
"	Ralph de Normavile	1/40	"
Rothwell	William la Zouche	1	St. Hilary
"	Hugh Wake	1/2	"
"	Thomas le Latimer	1/2	"
Tansor	Ralph de Camoys) John Giffard) Thomas de Bray) Ellis de Tyndale) Robert Porthors)	1	"
Thurning - see Grafham, Hunts.			
Woodford	Eleanor de Trailly	1/2	Gloucester

Oxfordshire

Burford	Heirs of Geoffrey de Fanecourt	1/2	"
Chadlington	Heirs of Baldwin de Lisle	1/2	St. Hilary
Walcot in Charlbury	Heirs of Savary de Walcote	1/2	
Finmere	Osbert de Fynemere	1	Gloucester
Hampton Gay) Lower Heyford)	Heirs of William de Champernon	1 1/2	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Hethe	Heirs of Theobald de Verdon	$\frac{1}{2}$	Gloucester
Milton	Heirs of master Robert de Feryby	$\frac{1}{8}$	
"	Heirs of Thomas Toy	$\frac{1}{8}$	
Shenington	- see Alderton, Gloucs.		
Shenington	William de Asthall & Ela his wife	$\frac{1}{5}$	
"	Robert de Wyham & his wife	$\frac{1}{5}$	
"	Thomas de Hastynges & his wife	$\frac{1}{5}$	
Shiplake	Roger de Sheplake	$\frac{1}{2}$	
Swinbrook	Heirs of Geoffrey de Cruce	$\frac{1}{2}$	
"	Heirs of Alan de Grawell	$\frac{1}{3}$	
<u>Somerset</u>			
Long Ashton	Bartholomew de Grenevyle	$\frac{1}{8}$	Gloucester
Babington) Middlecote in Babington)	Heirs of John ap Adam	$2\frac{1}{2}$	"
Backwell	Heirs of John le Sor	$\frac{1}{2}$	"
"	Richard de Rodeny	$\frac{1}{2}$	"
Barrow Gurney	Heirs of John ap Adam	1	"
Bedminster	Maurice de Berkeley	$\frac{1}{4}$	"
Bishopworth in Bedminster	Heirs of John ap Adam	1	"
Brislington	John la Warre	2	"
Butcombe) Nempnett Thrubwell)	Master of the house of St. John, Bristol	$\frac{1}{4}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Butcombe	John Perceval	$\frac{1}{4}$	Gloucester
Chaffcombe	Hugh de Beauchamp	$\frac{1}{3}$	"
"	Ralph de Stokelynge	$\frac{1}{3}$	"
Midghill in Chelvey	Robert de Ashton	$\frac{1}{4}$	"
Chew Stoke	John de Leycestre	$\frac{1}{10}$	"
"	Philip de Walleye	$\frac{1}{4}$	"
Clapton-in-Gordano	William Artur	1	"
Clevedon	John de Clyvedon	1 $\frac{1}{10}$	"
Dinnington	Heirs of Alexander de la Lynde	1	"
Ston Easton - see Clifton, Gloucs.			
Ston Easton	John de Whyleton	$\frac{1}{4}$	Gloucester
Emborough	William Tracy	$\frac{1}{4}$	"
Englishcombe	Thomas de Gurney	1	"
Farleigh Hungerford) Peglinch in Wellow)	Reginald de Montfort	$1\frac{1}{4}$	"
Farrington Gurney	Heirs of John ap Adam	1	"
Freshford	Richard de Rodeny	$\frac{1}{4}$	"
Keyford in Frome	Heirs of John ap Adam	$\frac{1}{4}$	"
Hardington) Wydergrave in) Hardington)	Heirs of John le Sor	1	"
East Harptree	Heirs of John ap Adam	$2\frac{1}{2}$	"
West Harptree	"	$\frac{1}{4}$	"
Hinton Blewett	Heirs of Ralph Bluet	1	"
Hutton	Adam le Walesch	$1\frac{1}{4}$	"
Langridge	"	$\frac{1}{4}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
High Littleton) Hallatrow in High) Littleton)	Heirs of John le Sor	1	Gloucester
Hallatrow in High Littleton	Richard de Rodeny	1	"
West Lydford	William Martyn	2	"
Merriott	John Meriet	1	"
Newton St. Loe	John de Sentlo	1	"
Northover	Master of the hospital of Bridgewater	$\frac{1}{4}$	"
"	Gilbert de Umfraville	$\frac{1}{4}$	"
Norton Malreward	Heirs of John le Sor	$1\frac{1}{4}$	"
Capenor in Portishead	John Tylli	$\frac{1}{4}$	"
Publow	John de Sentlo	1	"
Radstock - see Clifton, Gloucs.			
Radstock	Reginald de Montfort	1	"
Rode	Heirs of Thomas de Bayouse	1	"
Saltford	Richard de Rodeny	$\frac{1}{2}$	"
"	Heirs of John Basset	$\frac{1}{2}$	"
Winterhead in Shipham	Maurice de Berkeley	$\frac{1}{4}$	"
Rodney Stoke	Heirs of John Basset) Richard de Rodeny)	$1\frac{1}{4}$	"
Tellisford	John de Umfraville	$\frac{1}{2}$	"
"	Heirs of John le Sor	$\frac{1}{2}$	"
Tickenham	William de Bradeford	$\frac{1}{4}$	Marshal
Twerton	Richard de Rodeny	1	Gloucester
Upton Noble	Edward Burnel	$\frac{1}{2}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Clewer in Wedmore	Joan Perceval	1/16	Gloucester
Wellow	Reginald de Montfort	¼	"
Beggeridge in Wellow	Abbot of St. Augustine's, Bristol	1/16	"
Whiteoxmead in Wellow	Ellis Cotel	1/8	"
"	Richard de Rodeny	1/8	"
Weston-super-Mare	Simon de Aystone	¼	"
Ashcombe in Weston-super-Mare	William Artur	¼	"
Winford	Heirs of Edmund Basset	½	"
"	Heirs of John le Sor	½	"
Regil in Winford	Herbert de St. Quintin	½	"
"	Abbot of Flaxley	¼	"
Yatton	Heirs of John le Sor	1/8	"
Claverham in Yatton	- see Alderton, Gloucs.		
-	William Bluet) William de Bradeford)	½	"
<u>Suffolk</u>			
"Almerschesfeld"	Roger de Almerchesfeld	¼	
*Ashbocking	- see Kelling, Norf.		
*Ashbocking) Thomas de Arblaster)	½	Clare
*Clare) Heirs of Hugh son of Adam)		
*Cotton)		
Farnham)		
Henstead in Wrentham)		

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Badley) Bergholt) *Burstall) Brokes in Burstall) *Clare) *Ipswich) Preston) Ringshall) Great Waldingfield) *Whatfield)	William de Badele	4½	Clare
Barrow	John de Cretynge	1/6	
*Barton Mills) *Herringswell)	Robert de St. Ivo	1	Clare
Boxted) *Little Bricett) *Stansfield) *Stoke by Clare)	Petronilla de Nareford	¼	"
*Bradley) Gazeley) *Horringer) *Rede) *Withersfield)	John de Hastings	1¼	"
*Little Bradley - see Gestingthorpe, Essex.			
Brantham - see Birdbrook & Little Bromley, Essex.			
*Brettenham - see Twinstead, Essex.			
Darnford & Foxhall in Brightwell - see Edworth, Beds. & Birdbrook, Essex.			
*Brockley	John de Cramavill	1/20	Clare
"	Giles de Badelsmere	½	"
*Bures ¹	Heirs of Peter Silvestre	½	"

1. It is impossible to distinguish between Bures Hamlet, Essex, and Bures St. Mary, Suffolk. Richard I held land in both in 1086, and this was probably the case in 1314.

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Bures) Long Melford) *Wattisham)	Peter de Taleworth	1	Clare
*Bures	Heirs of Geoffrey Baldewyne	1/3	"
*Bures -	see Gestingthorpe & Twinstead, Essex.		
*Burstall -	see Twinstead, Essex.		
*Cavendish) *Denston) *Hawkedon) *Stansfield)	John de la Kersenere	1/4	Clare
*Cavendish) Kensings in Cavendish) *Stansfield)	Richard de Cornerth	1/4	"
*Cavendish -	see Chaureth in Broxted, Bulmer, & Twinstead, Essex.		
*Cavenham	Heirs of Roger de Quyncey	1/4	Clare
"	Giles de Trumpton	1/4	"
Chedburgh) Livermere)	William de Neketon	1/4	"
Chedburgh) Livermere)	Thomas de Livermere	1/4	"
Chedburgh) Livermere)	Heirs of Roger Toftes	1/4	"
*Clare -	see Bulmer, Essex.		
Bulley in Clare) *Mildenhall) *Stansfield) *Stoke by Clare) *Boyton in Stoke by Clare)	John le Butler	1/4	Clare
Chipley in Clare -	see Borley, Essex.		
*Clopton -	see Borley & Gestingthorpe, Essex.		
Cockfield -	see Gestingthorpe & Twinstead, Essex.		
Cockfield	Adam de Colecestre	1/4	
*Cornard -	see Chaureth in Broxted, Essex.		
*Great Cornard -	see Twinstead, Essex.		

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Cretingham	- see Kelling, Norf.		
*Dalham	- see Gestingthorpe, Essex.		
*Denston	- see Horseheath, Cambs.) Borley, Essex.) Bygrave, Herts.)		
*Denston	Walter de Clopton	$\frac{1}{4}$	Clare
*Brent Eleigh	- see Twinstead, Essex.		
*Elvedon	- see Gestingthorpe, Essex.		
*Erwarton	- see Bulmer, Essex.		
*Flowton	Giles de Wachisham	1	Clare
"	Henry Cavenaz	1	"
Gazeley	Robert de Abethorp	$\frac{1}{2}$	"
"	Robert de Haustede	$\frac{1}{2}$ & $\frac{1}{8}$	"
"	William de Haustede	$\frac{1}{2}$ & $\frac{1}{6}$	"
"	Heirs of Roger de Dalham	$\frac{1}{2}$	"
Higham in Gazeley	- see Bulmer, Essex.		
*Groton	- see Twinstead, Essex.		
*Hartest	- see Gestingthorpe, Essex.		
*Haverhill	- see Horseheath, Cambs.) Steeple Bumpstead, Essex.)		
*Hawkedon) *Tuddenham)	Thomas de Burgh	1	Clare
*Hawkedon	John de la Kersenere	$\frac{1}{2}$	"
"Hedersete"	Richard de Hedersete	$\frac{1}{2}$	"
*Helmingham	- see Kelling, Norf.		
*Helmingham	Roger de Cressi	$\frac{1}{4}$	Clare
*Humdon	Richard son of Angot	$\frac{1}{4}$	"
"	Hugh Sorel	$\frac{1}{4}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Hundon	Robert de Brokhole) Walter de Gaysele)	1/2	Clare
Ingham	- see Birdbrook, Essex.		
Kettlebaston	- see Twinstead, Essex.		
*Lindsey	- see Twinstead, Essex.		
*Lindsey	Heirs of Roger Appelgar	1 1/6	Clare
Moulton	John de Aygneus) Heirs of Robert de) Cokefeld)	2	Gloucester
"	William de Beauchamp	1	
Otley	- see Kelling, Norf.		
*Poslingford	- see Bulmer & Willingale Doe, Essex.		
Preston	- see Twinstead, Essex.		
*Rede	- see Horseheath, Cambs.		
*Rede	Nicholas de Rede	1/2	
*Shelland	- see Willingale Doe, Essex.		
*Kirkton in Shotley	- see Chaureth in Broxted, Essex.		
*Stansfield	- see Bulmer, Essex.		
Purton in Stansfield	- see Fordham, Essex.		
Purton in Stansfield	Heirs of Abel de St. Martin	1/3	Clare
*Stoke by Clare	Prior of Chipley	1/2	"
Swilland	- see Twinstead, Essex.		
Thorpe Morieux	- see Twinstead, Essex.		
Thorpe Morieux) Thruton in Thorpe) Morieux)	Earl of Oxford	1/2	
*Tuddenham	- see Bulmer, Essex.		
Great Waldingfield	Heirs of Ralph de Berners	1/2	Clare

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Great Waldingfield	Robert de Bures) John de Peyton)	$\frac{1}{4}$	Clare
Waldingfield	- see Edworth, Beds. Birdbrook, Fordham, Twinstead, Essex.		
*Little Waldingfield	- see Bulmer, Essex.		
*Westley	Earl of Pembroke	$\frac{1}{4}$	Clare
*Whatfield	- see Twinstead, Essex.		
*Withersfield	- see Horseheath, Cambs.) Steeple Bumpstead, Essex)		
*Withersfield	Sibyl Lovedaye	$1\frac{1}{4}$	Clare
*Withersfield) *Wrattling)	William Ormesbi	$\frac{1}{4}$	"
*Little Wrattling	- see Steeple Bumpstead, Essex.		
Great Wilseys in Little Wrattling	- see Borley, Essex.		

Surrey

*Albury) Fetcham) *Stoke Dabernon)	John Abernoun	4	Clare
Alfold) *Shalford)	Robert de Mohaut & Emma his wife	1	"
Loseley in Artington	Robert le Deol	1	Gloucester
*Betchworth	- see Chaureth in Broxted, Essex.		
*Buckland	Guy Ferre	1	Clare
Camberwell	John Abel	$\frac{1}{4}$	Gloucester
"	Prioress of "Halewell") Stephen de Bokewell)	$\frac{1}{3}$	"
Camberwell) Titsey)	John de Ovedale) John de Horne)	2	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
*Chelsham) *Warlingham)	Walter de Codeston & Joan his wife	3	Clare
*Chessington .) *Farleigh) *Thorncroft in) Leatherhead) *Malden)	Scholars of Merton College, Oxford	4	"
*Long Ditton	Prior of Bishopsgate	$\frac{1}{4}$	"
*Hampstead in Dorking	Agnes de Badeshull	$\frac{1}{4}$	"
Harrowsley in Horley	Walter Borgeis	$\frac{1}{3}$	"
*Norbury in Mickleham	William Husee	$\frac{1}{2}$	"
Mitcham	Prior of Merton	$\frac{1}{4}$	Gloucester
"	Prior of Southwark	$\frac{1}{4}$	"
*Ockley) *Tandridge) *Tolworth)	Thomas de Warblentone	$3\frac{1}{2}$	Clare
Pirbright	John Drokensford, bishop of Bath & Wells	$\frac{1}{2}$	"
Rotherhithe	"	$\frac{1}{2}$	Gloucester
*Streatham) *Tooting Bec)	Prior of Ogbourne	1	Clare
*Tolworth	Herbert de Borhunte	$\frac{1}{3}$	"
"	Prior of Merton	$\frac{1}{4}$	"
*Walton-on-the-Hill	John Drokensford, bishop of Bath & Wells	1	"
*Walton-on-Thames	Walter Langton, bishop of Coventry & Lichfield	$\frac{1}{4}$	"
*Apps in Walton-on- Thames	Ralph de Hevre	$\frac{1}{2}$	"
*Woodmansterne	William Inge	1	"
Worplesdon	Roland de Wykeford	$\frac{1}{2}$	Gloucester
"	Mary de Wyntershull	$\frac{1}{2}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Burpham in Worplesdon	John de Wynthreshull	1	Gloucester
*Wotton	William le Latymer	1	Clare

Sussex

Frant	Robert de Bromfeld	1/4	"
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Warwickshire

Sutton under Brailes	Richard de Sutton	1/5	
Welford-on-Avon	- see Didmarton, Gloucs.		

Wiltshire

Little Bedwyn	William Russel	1/2	
Puthall in Little Bedwyn	William de Lillebon	1/2	
Charlton) East Grafton)	John Mautravers	1	Marshal
Hill Deverill	- see Witchampton, Dorset.		
Salterton in Great Durnford	John Garlond	1/2	Marshal
Wolf Hall in Grafton	Robert de Hungerford & Eve his wife	1/2	"
Corton in Hilmarton	Heirs of William son of John	1	
Knook	Reginald de St. Martin	1/2	
"	Heir of John Oskelyn	1/4	
"	William Scoteney	1/4	
Milton Lilbourne) Havering in Milton) Lilbourne)	William de Lillebon	1/2	
Milton Lilbourne	Brian Turberville	1/5	Marshal
"	Prior of Mottisfont	1	

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Milston	Matilda de Cantilupe	1	
Orcheston	Walter de Scoteny	1	
Stanbridge in Sherston	Thomas Daunvers & Agnes his wife	1	
Stoke	William de Stoke	1/2	
*Sutton Mandeville	Hugh le Despenser the elder	1	
Tollard Royal	Robert de Lucy) John de Gouiz)	2	Gloucester
Smallbrook in Warminster	- see Witchampton, Dorset.		
Winterbourne Dautesey	Heir of John Antesy	1/2	Gloucester
Wootton Rivers	Heirs of John de Rivers	1/2	Marshal

Worcestershire

Chaddesley Corbett	William Corbet	1	Gloucester
Eldersfield) Hardwick in Eldersfield)	Thomas de Berkeley	1	"
Hardwick in Eldersfield	- see Rendcomb, Gloucs.		
Kemerton	- see Aston-on-Carrant in Ashchurch, Gloucs.		
Kemerton	John de Bures & Hawise his wife	1	Gloucester
Severn Stoke	Robert de Clifford	1	Marshal

B. In Wales.

Glamorgan

Lordship

Afan	Lleision de Avene	-	The commote was held by Welshry.
Cogan	John Cogan	2	Cardiff

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Lordship</u>
Coity	Pain Turberville		Commote held by serjeanty of hunting.
Coychurch) Sully) Wenvoe)	Raymond de Sully	4	Cardiff
Dinas Powis	John de Somery	3½	"
Llangewidd in Laleston	Abbot of Margam	1	"
"Lanririd"	Juetta, widow of William de Kaerdif	½	"
Cosmeston in Lavernock	Thomas Costyn (for life)	1	"
Llanccarfan	Richard de Nerbert	½	Llanblethian
Llandough) St. Mary Church)	Adam le Waleis	1	Cardiff
Llandow	John de Wyncestre	1	"
Llanharry	Maud, widow of John Turberville	½	"
Llantwit Major	Michael Tusard	1/6	Llantwit Major
Llanmaes	Raymond de Sully	2/3	Cardiff
"	Thomas Costyn (for life)	1/3	"
Llanmihangel) Penlline)	John le Norroys	2	"
Llystalibont by Cardiff	William Maylok	½	"
Llysworney	Heir of Bevis le Veel	1	Llantwit Major
Marcross	David de la Beere	½	Cardiff
"	John de Aune	½	"
Merthyr-mawr	Reginald de Somerton	1	Llanblethian
Newcastle	Pain Turberville	1/10	Cardiff
Newton Nottage	John de Weiles & his parceners	¼	"
Ogmore-by-Sea	Henry de Loncastre & Maud his wife	4	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Lordship</u>
Penlline	Gwilym ap Philip	$\frac{1}{2}$	
Penmark	Henry de Umfraville	4	Cardiff
St. Athan	John le Norrois) William de Berqeroles) Adam le Waleis) John Joel) Philip le Flemyng) Richard de Nerbert)	4	"
St. Donats	John de Stratelyngge	1	"
St. Fagan's	Heir of Bevis le Veel	1	"
St. Hilary	Thomas Basset	$\frac{1}{2}$	Llanblethian
St. Nicholas	William Corbet	3	Cardiff
Wrinstone in Wenvoe	Joan de Raleye	$\frac{1}{2}$	"
<u>Monmouth</u>			
"Althebila") "Brendehyroch") Llanbadock)	Heir of John ap Adam	1	Usk
Bassaleg	William de Berqueroles	1	Newport
"Beganesleye"	Maredudd ap Iorwerth of Kemeys	$\frac{1}{4}$	"
"Briavelston") "Lucannouk")	John Martel	$\frac{1}{2}$	Usk
Milton in Christchurch) Salisbury)	Heir of John ap Adam	1/6	Caerleon
Coedkerneu	Iorwerth ap Rhys	$\frac{1}{2}$	Newport
Gwernesney	Roger Cotel	$\frac{1}{2}$	Usk
"Hodelhale"	Philip ap Einon	$\frac{1}{4}$	"
Ifton	John de Mora & Iseult) his wife) John de Budenweye)	$\frac{1}{2}$	Caerleon
Kemeys	Maredudd de Kenneys) Walter de Kenneys)	1	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Lordship</u>
"Kylgoygan"	Maredudd ap Ieuan ap Ernolf	$\frac{1}{4}$	Usk
Llandenny	John de Knoville	$\frac{1}{2}$	"
Llandevenny) St. Brides Netherwent)	John de Hunteley	1	Caerleon
Llangstone) Whitson)	John Bluet	2	"
Wolves Newton	Simon le Butler, Joan his wife, & Sarah & Gwenllian her sisters	$\frac{1}{2}$	Usk
"	Ralph le Wolf	$\frac{1}{2}$	"
Penclawdd	Madoc ap Walter	$\frac{1}{2}$	Caerleon
"	Robert Avenel	1	Usk
Raglan	Ralph Bluet	1	"
"Redcastle"	Roger Seymor) William Martel)	$\frac{1}{2}$	Caerleon
Ebbw in Rummy	Henry de Lancaster & Maud his wife	1	Newport
St. Bride's Wentiloog	John de Mora	$\frac{1}{2}$	"
Cogan in St. Bride's) Wentiloog) Peterstone Wentiloog)	Morgan ap Maredudd (for life)	$\frac{1}{2}$	"
St. Mellons	Hugh de Bereford	$\frac{1}{2}$	"
Talywain	Heirs of John ap Adam	$\frac{1}{4}$	Usk
Trostrey	Geoffrey le Marescal	$\frac{1}{4}$	"
Troy	John Martel	$\frac{1}{2}$	"
Undy	Giles de Beauchamp (for life)	$\frac{1}{2}$	Caerleon
Usk	Heirs of Matthew de Usk	$\frac{1}{4}$	"
Wilcrick	Thomas de Wildecrik	$\frac{1}{4}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Lordship</u>
—	Iorwerth Vaghan) John ap Gruffydd) Ieuan ap Maredudd) Gruffydd ap Maredudd) Adam ap Tudur) Heirs of Philip ap) Iorwerth) Gruffydd ap Knilthin) & parceners)	3 (Welsh)	Usk

HonourPembrokeshire

Angle	Philip de Aungle	1	Marshal
Walwyn Castle	Guy de Bryan	4	"
—	Walter de Hylton	1	"
—	John Laudre	$\frac{1}{2}$	"
—	Nicholas de Bonevyle	$\frac{1}{2}$	"
—	Richard Stakepol	1	"

C. In Ireland.Kilkenny

Aghaviller	Philip Purcel	$\frac{1}{4}$	Marshal
Aghoura	Stephen de Exon	2	"
"Aghmetant") "Gortrayssemy")	Richard de Cantewell	1/20	"
"Atchemetart"	Ralph Bidon	$\frac{1}{2}$	"
Attanagh) "Turmysky")	Maurice de Ardern	$\frac{1}{2}$	"
"Balligahyn") Kilmacar)	John de Rocheford	$\frac{3}{4}$	"
"Balligauenan"	Philip Purcel	$\frac{1}{4}$	"
Ballydowel in Ballinamara	Gilbert Shorthall	1/12	"
Damma in Ballycallan	Heirs of Geoffrey le Forestel	1/10	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Ballylarkin) Drumdelgy) Turkstown)	Theobald de Troye	$\frac{1}{2}$	Marshal
Burnchurch	Maurice son of Maurice	$\frac{1}{2}$	"
Clashacrow	John de Thonebrugge	$\frac{1}{8}$	"
Clogh) Dysart)	Heirs of John Dommer	1	"
Clomantagh	Thomas Fanyyn	$\frac{1}{2}$	"
"Clonemecorkeran") Rathbeagh & elsewhere) in "Moyarf")	Heirs of Philip son of Fulk	$1\frac{1}{2}$	"
Ogenty in Columkille & elsewhere	Thomas Auteyn & his parceners	$1\frac{1}{2}$	"
Cooleashin & elsewhere	Gilbert Smythe	$1\frac{1}{2}$ & $\frac{1}{3}$	"
Dungarvan & elsewhere	Heirs of Robert de Carrue	1	"
Dunmore & elsewhere	William de Druhull	1	"
Earlstown	John de Erlaye	$\frac{1}{2}$ & $\frac{1}{4}$	"
Gowran & elsewhere	Edmund le Butler	4	"
"Grottengros"	Edmund le Gras	$\frac{1}{2}$	"
"Gulbaby"	Heirs of Henry de Maleherbe	$\frac{1}{10}$	"
Iverk) "Obargan")	Roger son of Miles	7	"
New Jerpoint) Knocktopher)	Walter de Cusac	$1\frac{1}{2}$ & $\frac{1}{4}$	"
Kells) Donaghmore, Co. Leix)	Heirs of John son of Geoffrey	$1\frac{1}{2}$	"
Kilferagh	Nicholas Avenal	$\frac{1}{4}$	"
Killahy) "Logheran") Rossinan)	Heir of David le Grant	$\frac{1}{2}$	"

<u>Place</u>	<u>Tenant</u>	<u>Fee</u>	<u>Honour</u>
Killamery	Heirs of David de St. Aubyn	$\frac{1}{2}$	Marshal
Killarney	Robert de la Lyserne	1/10	"
"Laghertat") Carrick, co. Wexford)	William de Rocheford	$\frac{1}{4}$	"
Lisdowney	Roger de Penbrok	1/8	"
Mallardstown	William le Whyte	$\frac{1}{4}$	"
"Mothil"	Geoffrey de Rocheford	1	"
"Ragultheby"	William de Kenfeg	$\frac{1}{4}$	"
"Rathemeduffe"	Thomas de Sakevill	$\frac{1}{4}$	"
Rosconnell	William de St. Leger	$\frac{1}{2}$	"
Ruthealy	John de Weston	$\frac{1}{4}$	"
"Sleuyn"	Heirs of Richard de Retford	$\frac{1}{4}$	"
"Tirscolan") "Tyreskef")	Hamo le Gras	$\frac{1}{4}$	"
Tubbridbritain	Heirs of Hugh de Druhull	$\frac{1}{2}$ & $\frac{1}{4}$	"
Tullaghanbrogue	William de St. Leger	$\frac{1}{2}$	"
Tulachary	John de Valle	$\frac{1}{2}$	"
Tullaroan	Edmund le Gras	$\frac{1}{4}$	"

Leix

Donaghmore - see Kells, co. Kilkenny.

Rathdowney	Edmund le Butler	2	Marshal
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Wexford

Arthurstown	William Larcher	$\frac{1}{4}$	"
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Carrick - see "Laghertat", co. Kilkenny.

A P P E N D I X II.PRIVATE HUNDREDS HELD BY GILBERT V IN 1314.

Gilbert V's private hundreds lay mainly in the honour of Gloucester, and several had been subinfeudated. Use has been made of the Hundred Rolls and of the royal inquiry of 1284-5, printed in Inquisitions and Assessments relating to Feudal Aids, to supplement the information in Gilbert's Inquisition post mortem and the pourparty of 1317. In addition to the places mentioned below, the hundreds of Washlingstone and Littlefield in Kent had been held by the Clares during Henry III's reign and early in Edward I's, but they had been surrendered to the Crown by Gilbert IV in 1279. Half the hundred of Blidesloe, Gloucestershire, held by the Clares in 1275, was probably included in the grant to Roger Mortimer of land in Awre in 1280.

<u>Hundred</u>	<u>Holder</u>	<u>Honour</u>
<u>Devon</u>		
Halberton	William de Boys	Gloucester
South Molton	William Martyn	"
Winkleigh	John Kaynes	"
<u>Dorset</u>		
Coombsditch	Richard de Clare ¹	"
Cranborne	Earl	"
Culliford Tree	Hugh le Poinz	"
Hasilor ²	Earl	"
Knowlton	Heirs of Giles de Braose	Gloucester
Pimperne ³	Earl	"

1. Richard was the son of Thomas de Clare who had been granted the hundred by his brother, Gilbert IV.
2. One-third of the hundred belonged to the honour of Gloucester, and two-thirds was bought by Richard IV from Henry de Newburgh.
3. The earl shared Pimperne hundred with the prior of Breamore.

<u>Hundred</u>	<u>Holder</u>	<u>Honour</u>
Rowbarrow	Earl	Gloucester
Rushmore ¹	"	
Upwimborn	Edmund de Plecy	Gloucester
<u>Gloucestershire</u>		
Tewkesbury	Earl	"
Thornbury	"	"
<u>Northamptonshire</u>		
Rothwell	Earl	St. Hilary
Stotfald ²	"	"
<u>Oxfordshire</u>		
Chadlington	Earl	"
<u>Somerset</u>		
Wellow	Reginald de Montfort	Gloucester
<u>Sussex</u>		
Rotherfield	Earl	Clare
<u>Wiltshire</u>		
Kinwardstone	Earl	Marshal

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1. The hundred was bought by Richard IV from Henry de Newburgh.
 2. Stotfald is now incorporated in the hundred of Rothwell.

APPENDIX III.ADVOWSONS HELD BY GILBERT V IN 1314.

This list has been compiled ^{from} by Gilbert's Inquisition post mortem and from the pourparty of 1317 which provide a complete survey of the earl's patronage of parish churches and religious houses. Unless otherwise stated, the advowson was of a parish church.

A. In England.Berkshire

Caversham - chapel on the bridge
Stanford-in-the-Vale

Buckinghamshire

Great Marlow
Newton Longville priory
Notley abbey

Cambridgeshire

Anglesey priory
Litlington

Devon

Canonleigh abbey
Langtree

Dorset

Cranborne priory
Church Knowle
Pimperne
Steeple
Tarrant Gunville

Essex

Great Dunmow
Chipping Ongar

Gloucestershire

Chipping Campden - chapel
 North Cerney
 Rendcomb
 Tewkesbury abbey

Hampshire

Fordingbridge

Hertfordshire

Royston priory

Huntingdonshire

Great Gransden
 Huntingdon priory
 St. Neets priory

Kent

Cowden
 Upper Hardres
 Tonbridge priory

London

Church of All Hallows the Greater at the Haywharf

Norfolk

Little Barningham
 Barton Bendish - church of Saint Andrew
 Beechamwell
 Great Bircham
 Caldecote
 Carbrooke - hospital of Saint John of Jerusalem
 Shingham
 Saint Winvaloe priory
 Warham - churches of Saint Mary and All Saints
 Wells-next-the-Sea
 Walsingham priory

Northamptonshire

Naseby
Rothwell nunnery

Somerset

Keynsham abbey

Suffolk

Brettenham
Stansfield
Stoke by Clare priory
Sudbury - chapel

Surrey

Bletchingley
Chipstead
Ockham
Titsey
Woldingham

Sussex

Rotherfield

B. In Wales. Glamorgan

Gelligaer
Llangynwyd
Llanharry
Llantrissant
Margam abbey
Merthyr Tydvil
Neath
Neath abbey
"La Thawe"

Monmouth

Caerleon abbey
Kemeys
Llandegfedd
Llanfihangel
Llansoy
Magor
Malpas priory
Panteg
Tredunnoch
Tregrug
Troy
Usk hospital
Usk nunnery

C. In Ireland. Kilkenny

Callan
Kilkenny - priory of Saint John

Leix

Castletown Offerlane

APPENDIX IV.HONORIAL OFFICIALS ON THE CLARE ESTATES.

The officials are only listed for the period when the honours were held by the Clares. No reference is made to the honour of Gloucester and the county of Glamorgan before 1217, when the Clares succeeded to the Gloucester earldom, or to Usk and Kilkenny before 1247 when the family acquired one-fifth of the Marshal inheritance. Officials whose term of office cannot be dated have been placed in alphabetical order under the earl they served.

<u>A.</u>	<u>In England.</u>	<u>Honour of Clare</u>
	<u>Stewards</u>	
Under Richard II:-		Adam Stephen Laurence
	1130	
Under Gilbert II:-		Stephen de Danmartin Baldwin son of Geoffrey Adam son of Warin
	c. 1140	
Under Roger:-		Peter Reginald Stephen de Danmartin Ralph son of Manerius
Under Richard III:-		Peter John de Cormere John John de Cornhierd Walter de Bradefeld
	1193 1199 1208	
Under Richard IV:-	1248, c. 1258 1259	Roger de Scaccario Hervey de Borham
Under Gilbert IV:-	c. 1275 " " 1278-9	William de Bested Laurence de Deverstun William de Ocsted Richard de Heydone
Under Joan of Acre:-	1303, 1305	Roger de la Garstone
Under Gilbert V:-	1308-9	Robert de Bures

Receivers

Under Gilbert IV:-	1290-1	Simon de Henham
Under Joan of Acre:-	1305	John de Toucestre
Under Gilbert V:-	1308-12 1309-12	Robert de Abethorp Robert de Pentrich

Constables

Under Gilbert II:-		Simon son of Lambert
Under Roger:-		Robert son of Humphrey
Under Gilbert V:-	1308-9	John de Toucestre

Honour of GloucesterSteward

Under Gilbert IV:-	c. 1275	Geoffrey de Mores
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Honour of TonbridgeStewards

Under Richard IV:-	Before 1255	Richard de Aquila
	"	Robert de Hertwell
	1247	Geoffrey de Rokeburn
	1255	Roger de Scaccario
	1258	Walter de Aldewyk
		John de Stanegrove
Under Gilbert IV:-	1270	William de Camera
		Roger de Horn

Receivers

Under Gilbert IV:-		William de Glaunville ¹
Under Joan of Acre:-	1302-3	Robert de Westwycombe

1. He combined this office with that of constable.

Constables

Under Richard III:-	1200	Hugh de Pecham
Under Gilbert IV:-	1265	William de Glaunvile
	c. 1275	John de Thedemerse
		Simon Morlak
Under Joan of Acre:-	1297	Luke de la Gare

B. In Wales.GlamorganSheriffs

Under Gilbert III:-	1217	David de Brahull
	c. 1230	Peter Pincerna
Under Richard IV:-	1245	William de Wautone
	1246-7	Stephen Baucen
	1249	Geoffrey de Fanecurt
	c. 1250	Peter Pincerna
Under Gilbert IV:-		William de Sancta Elena
	1262 & temp. Edward I	Robert le Vel
	1289, 1292-3	Walter de Sully
		John de Crepping
Under Joan of Acre:-	1299, 1302	Simon de Raleye
	1305	Richard de la Rokele
Under Gilbert V & until 1317:-	1307	Walter Bluet
	1307, 1313-14, 1315-17	Robert de Grendon

Treasurers

Under Gilbert IV:-	1289, 1292-3	Henry de Lancarvan
Under Joan of Acre:-	1296-7	Roger de Walecote
	1300-1	William de Caveresham
	1303-6	Henry de Lancarvan
Under Gilbert V:-	1307-8	Henry de Lancarvan
	1307-12	William de Overton

Receiver

Under Gilbert IV:- 1284-5,1289-90,1292-3 William de Meresfeud

CaerleonStewards

Under Joan of Acre:- 1305-6 Walter Bluet
 After Gilbert v's death:- 1314-15 William le Flemyng

UskStewards

Under Joan of Acre:- 1302-6 Godfrey
 Under Gilbert V & after his death:-1308-9 Godfrey de Tanrugge
 1315-16 William le Flemyng

Receivers

Under Gilbert IV:- 1289 Peter Madoc
 1292-3 John Provisor

Under Joan of Acre:- 1295-6 Stephen the clerk
 1296-7 John Fullo
 1297-8 John Gregory
 1298-9 John de Landaf
 1299-1300 John Gregory
 1300-1 Peter Madoc
 1301-2 John de Landaf
 1302-3 Nicholas Tincter
 1303-4 John Fullo
 1304-5 William Keys
 1305-6 John de Landaf

Under Gilbert V & after his death:- 1306-7 Adam de Lantrissen
 " John Beniger
 1307-8 William Keys
 1308-9 Nicholas Tincter
 1314-15 William Keys
 1315-16 John de Landaf

C. In Ireland.KilkennyStewards

Under Gilbert IV:-	c. 1284	William Kadel
	1282,1283,1286,1288,1293	David de Offington
	1294	Roger de Penbrok
	1295	William de Athy
Under Joan of Acre:-	1296	John de Thedemers
	1297	Andrew Avenel
	1298	Gilbert de Bohun
	1298-1300	Walter de Ivethorn
	c. 1300	John de Clare
	1301	Fulk de Ash
	1302	Nicholas Avenel
	1300, 1306, 1307	Fulk de Fraxineto
	1304, 1305	Nicholas de Blauncheville
Under Gilbert V & after his death:-	1308	John Droill
	1308, 1309	William de Caunteton
	1314-16	Thomas le Butler

Sheriffs

Under Gilbert IV:-	1276-7	John de Clare
	1294	Walter de Sholdham
Under Joan of Acre:-	1298	Walter de Sholdham
	1305	John de Burgh
Under Gilbert V & after his death:-	1309	William de Ketiller
	1314-16	Hywel son of Stephen

Treasurer

Under Joan of Acre & Gilbert V:-	1305,1309	Simon Dunynes
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Receiver

After Gilbert V's death:-	1314-16	John Godyn
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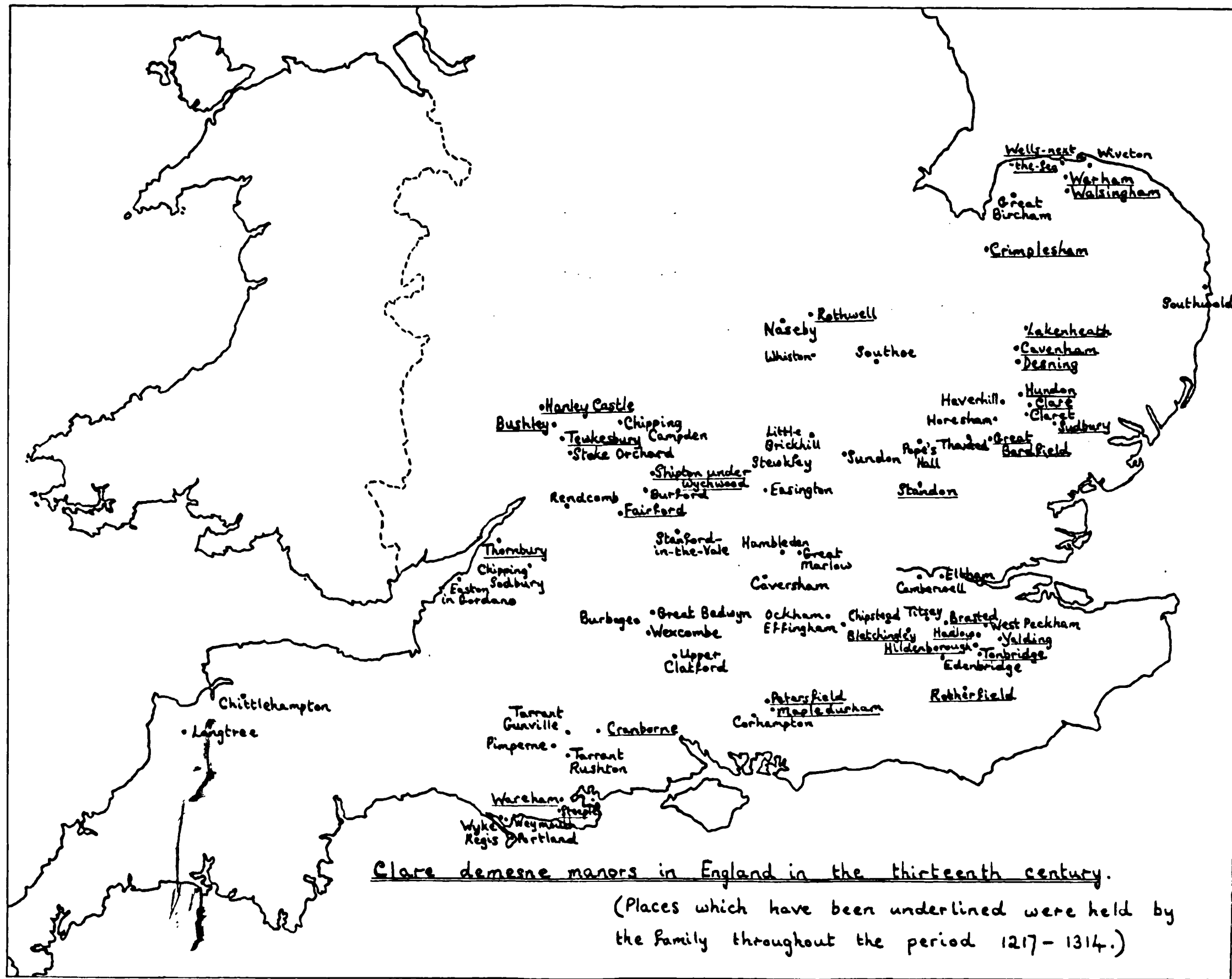
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Clare demesne manors in England in the thirteenth century.

(Places which have been underlined were held by the family throughout the period 127-1314.)