

Badport

L 2053

March 2nd 1898

Sir

You may have heard that we have in this Borough a most complete & ancient set of Records & Manuscripts which are now being put published. As one printed last week on the rights of the Town to take sand & pebbles" has considerable bearing on your own Manorial rights at Burton Bradstock, I take the liberty of sending

copies, thinking they may be
of interest to you

Yours respectfully

James Ralls.

Genl Pitt Rivers

Rushmore,

Salisbury

THE
Bridport Records
AND
Ancient Manuscripts,
COMPILED BY
THOMAS WAINWRIGHT.

Reprinted from the "Bridport News."

THE BRIDPORT RECORDS AND ANCIENT MANUSCRIPTS.

No 1.

THE OLD DOME BOOK.

This book does not contain entries as early as some which will be found in several of the loose deeds which will be given but it is the oldest of the manuscripts collected into a volume. The origin of the designation by which it is known is not very clear, but it was probably considered that for Bridport its contents bore some analogy to those of the Domesday Book of the Conqueror. The leaves are of parchment, small octavo size, literally bound in boards which are covered with leather, worn and worm eaten, in that respect differing from the contents which are in a remarkably good state of preservation. Although it is not possible to state the actual year in which the volume was completed, a very close approximation to the date of a portion of it can be attained. On page 7 a memorandum, written in Latin like the rest of the compilation, with the exception of two documents in Norman French, records, that on the Vigil of St. Petronilla and on the Vigil of Pentecost in the year of our Lord 1338, and in the 12th year of the reign of Edward the Third after the Conquest of England, was born Laurentia, the second daughter of Richard and Petronel Laurence; the name of this Richard Laurence occurs several times in the volume not always in connection with any entry but apparently as if intended to record the ownership of the book. Richard Laurence was a man of the greatest importance in Bridport for half-a-century, being one of the bailiffs in the years 1309, 1330 and 1349, and representing the borough in the Parliaments summoned in the years 1323, 1336, 1343 and 1348. We may then conclude that the volume was compiled sometime before the middle of the 14th Century, and from the nature of the contents it is reasonable to infer that Richard Laurence was a legal practitioner or official; it is further probable that he wrote some of the existing deeds of this period; if this is the case his calligraphy and the ink with which he wrote are both worthy of the highest commendation; the letters are all perfectly and beautifully formed, and the colour of documents dated about 1320 is darker than many written in 1820.

The contents of the volume are as follow:

Pages 1-7. A list of the contents of the first 98 pages of the book.

Pages 8-15. The ratification by King Edward the Second in the 9th year of his reign of King Edward the First's Confirmation of Magna Carta; the initial letters here, as in many portions of the volume being in red and blue.

Pages 15-18. King Edward the Second's Confirmation of the Charter of the Forest.

Pages 18-19. Sentences of excommunication pronounced on those breaking the Charters.

Pages 19-20. The Assize of the Forest.

Pages 21-24. The Provisions of Merton, 20th Henry the Third, A.D. 1236.

Pages 24-34. The Statutes of Marlborough, 52nd Henry the Third, A.D. 1268.

Pages 35-56. The Statute of Westminster, the first Parliament of Edward the First, A.D. 1275.

Pages 57-62. The Statutes of Gloucester, 6th Edward the First, A.D. 1278.

Pages 62-63. The Exposition of the Statutes of Gloucester.

Pages 158-289. "Registrum," a manual of legal forms.

Pages 63-98. The Statutes of Westminster of the second Parliament of Edward the First.

Pages 98-99. The Statutes of Westminster of the third Parliament of Edward the First.

Pages 99-102. The Statute "Quia Fines" "Seeing that Fines in our Court." In this connection a fine is a final agreement and amicable arrangement of a suit made with the consent and licence of the King or his Justiciaries.

Pages 102-103. The Statute "De religiosis," concerning clerics, usually styled the Mortmain Act.

Pages 103-106. The Statute concerning foreign Clerics.

Pages 106-107. The Statute "Circumspecte agatis" Act Circumspectly; this writ defining the sphere of the ecclesiastical courts has received the name of a statute. It limits their jurisdiction to merely spiritual matters, to offences for which penance was due.

Page 108. The Statute "De Vocatis ad Warrantiam." Concerning those called to warranty.

Page 109. The Statute "Ne quis ponatur in Assisis." Let no one be placed in Assize.

Page 110. The Statute "De Champartia." Concerning Champerty, that is the maintenance of a man in his suit, by one who has no other interest in the cause, on condition of having a portion of any property recovered, and the Statute "De mensuris et ponderibus." Concerning measures and weights.

Page 111. The Statute "De tonsura monetæ." Concerning the clipping of money.

Page 112. The Statute "De Militibus." Concerning Knights.

Pages 113-115. The Statute "De Mercatoribus." Concerning Merchants.

Pages 115-118. The Statute "De Wyntonye," of Winchester.

Pages 119-121. "Statuta Eboraci." The Statute of York,

Pages 122-127. "Statuta Exon." The Statutes of Exeter.

Pages 127-131. "Statuta de Scaccario" The Statutes concerning the Exchequer.

Page 132. "Districtiones." The Statute concerning distrains.

Page 133. "Statutum de Bigamis." The Statute concerning Bigamists.

Pages 134-136. The Statute concerning joint Feoffments.

Page 137. A Treatise on the Ancient Demesne of the Crown.

Pages 137-140. Regulations respecting money.

Page 140. The Statutes concerning Wards and Reliefs.

Page 141. The Statute "De Quo Warranto."

Page 142. "De calumpniendo Essonium." On claiming Essoin.

Page 143. On common days in Bank and on common days in Dower.

Pages 144-146. On the duties of the Coroner.

Pages 146-147. View of Frankpledge and the Assize of bread.

Page 148. On the profits of a baker and the Assize of ale.

Page 149. On the punishments to be inflicted on bakers and brewers, breaking the assize of bread and ale.

Pages 150-151. Memoranda concerning the contentions between Edward the Second and the Barons about the Despensers.

Page 152. A form for drawing up a release.

Pages 150-157. Notes about the laws respecting coins, weights, measures, handicrafts and the punishments to be awarded to fraudulent traders.

The first part of the legal portion of the volume concludes with this "Registrum," the whole forming a valuable compilation respecting the laws of the land, containing as it does most of the famous statutes passed in the reign of Edward the First, which have procured for him the designation of the English Justinian. The following 24 pages contain matters referring to Bridport; a list of these will be given here and translations of them in subsequent articles. The compilation ends with the legal forms and miscellaneous entries described below.

Page 289. The claim of the town of Bridport to keelage on the shore and to the pebbles and sand found where the tide ebbs and flows.

Page 290. Enquiry concerning the foundation of St. Michael's Chapel.

Page 291. The King's Charter concerning the foundation of St. Michael's Chapel.

Pages 292-297. The deed of Robert de Faryngdon, knight, respecting the endowment of St. Michael's Chapel and the regulations for its management.

Page 297. Rental of the Fabric of the Church and of the Light of St. Mary at Bridport.

Page 298. Rents of the Mass of St. Mary and of the Holy Trinity at Bridport.

Page 299. Rental of the Community of the town of Brideport.

Pages 300-309. Rental of St. Martin's at Bridport.

Page 309. Rental of the Burgesses without land.

Page 310. Income of the town of Bridport from fields.

Page 311. Agreement between Sir William de Legh, knight, and the Bailiffs of the town of Bridport for the management of the leper house at Allington.

Page 312. Names of the Bailiffs of Brideport, from 6 E. 2 A. D. 1313 to 35 E. 3 A. D. 1361.

Pages 314-330. Statutes concerning writs.

Pages 330-368. On the Court Baron.

Pages 368-377. Exceptions to writs.

Pages 377-403. On the writ "Fet a Saver," or Scire facias.

Pages 403-411. On the Bastardy laws.

Pages 411-423. On Non-suits.

Pages 424-431. On the manner of preparing writs.

Pages 431-447. "Parvum Hengham." On the laws of Essoins and Dowers.

Pages 447-457. Another treatise on Essoins.

Pages 457-493. On Deeds, with forms for drawing up the several kinds.

Pages 493-496. Form for drawing up the inventory of the goods of a great man.

Pages 496-498. Form for drawing up the will of the same.

Page 499. The account of the expenses of his funeral and of his anniversary and of other payments made by the Executors, with the inventory of the goods found in his house on the day of his death.

Pages 500-504. The valuation of the Manor.

Pages 505-506. A multiplication table from twice one to fifteen times twelve, which is put down as 380 instead of 180, and thence to seven times twenty.

Page 507. Proceedings in the Law Court held at Bridport on Monday after Hocktide, 11 Ed. 3 A. D. 1337.

Pages 509-511. Mandate of King Edward the Third for an enquiry concerning the privileges claimed by the Burgesses of Bridport.

Page 511. Tables of Weights and Measures.

(To be continued.)

THOS. WAINWRIGHT.

Barnstaple, February 2nd, 1898.



BRIDPORT RECORDS AND ANCIENT MANUSCRIPTS.

No. 2.

CLAIM OF THE TOWN TO EXACT KEELAGE AND TO TAKE SAND AND PEBBLES FROM THE SEA SHORE.

Whereas the town of Brideport claims seisin of the toll of keelage on the shore of Bridport for a certain rent of twenty shillings paid to the treasury of the King at the feast of St. Michael, and claims the stones and sand on the same shore over the whole extent where the sea flows and ebbs, of which the Abbot of Caen held seisin formerly as it is said; and they [the jurors appointed to investigate the claim] say that the town of Bridport had seisin of the toll of keelage on the shore of Brideport between the cliffs of the Abbot of Cerne, in Simonesbergh, and the cliffs of the Abbot of Caen, in Burton, as they extend towards Brideport; and the aforesaid town had seisin where the sea flows and ebbs between the aforesaid cliffs [of the right] of carrying away pebbles for the repairs of the aforesaid town or its hedges and fences, and also sand, between the aforesaid cliffs; also on the west side of the aforesaid cliffs the said Abbot had keelage on his land from a time beyond the memory of man.

The word "culagium" here rendered keelage is usually explained as meaning a toll or payment levied on vessels entering a harbour, but Cunningham in his "Law Dictionary," and others, maintain that it is used of a ship being laid up in dock to be repaired. Either of the explanations will afford evidence of the antiquity of the harbour, the entry being made about the year 1330. Symonds-bury, it will be observed, belonged at that period to the Abbot and Convent of Cerne; when the manor and church were acquired by the monks is not stated, but an entry in Domesday Book shows that it was before the compilation of that work, for it is there recorded that Simondesberge belonged to Cerne Abbey then and in the days of Edward the Confessor, in which Abbey it remained until the dissolution of religious houses. Soon after this event in 1553, it was granted to Edward, Duke of Somerset. The manor of Burton at the date of this claim belonged, as is seen there, to the Abbey of St. Stephen of Caen, having been given to the house by King Henry the First as a portion of the ransom paid to redeem the crown and other regalia which his father William the Conqueror had left with the Abbot and Convent as a pledge for the repayment of a loan which he had obtained from them. On the suppression of houses attached to foreign monasteries it was granted to the Dean and Canons of the collegiate church of St. Stephen at Westminster. This was not the only connection

which Burton had with Normandy, for certain land and the advowson of the rectory belonged in 1286 to the Abbot and Convent of St. Wandragesilus at Rouen, who then granted them in exchange to the Prior and Convent of Bradenstock in Wiltshire; these two Convents are accountable for the Bradstock appended to Burton and for the name Wanderwell substituted for Wandragesil as our tars are said to have metamorphosed *Bellerophon* into *Billy Ruffian*.

THE FOUNDATION OF THE CHAPEL OF ST. MICHAEL, OR ST. MICHAEL'S CHANTRY.

An inquisition was made before the Escheator of our Lord the King at Westminster on the Saturday next after the feast of St. Peter in Cathedra [January 18th] in the 14th year of the reign of Edward, the son of Edward [A.D. 1321], according to the tenor of the deed annexed hereto, on the oath of Edward Renaynd, Roger Barry, William Bume, Adam de Larkestok, Thomas Bonewille, John de Blont, John de Rad-don, John de Oskerewille, Robert de Colber, John Daunz, and John Gray, who say on their oath that it is not to the loss or prejudice of our lord the King or of others if our lord the King should grant to his beloved and faithful Robert de Faringdon that he may assign a rental of six marks with appurtenances in Brideport, in the County of Dorset, to a chaplain, who shall each day in the chapel of St. Michael celebrate divine service for the souls of the said Robert and of Johanna, his wife, and for the souls of his ancestors and posterity, and of all the faithful departed, to have and to hold to the said chaplain and his successors, who shall there for ever daily celebrate divine service, as aforesaid. They also say that the aforesaid is held of our lord the King *in capite* by a service of two shillings per annum. They say also that there is no mesne lord between our lord the King and the said Robert with respect to the said rent. They also say that the same Robert holds in the said town of Brideport sixteen shillings of rent, and at Faryndon, in the county aforesaid, two carucates of land of the annual value of twenty pounds, which are held from Hugh de Curteneby by service of one Knight's fee, besides the said donations and gifts. And they say that the said two carucates of land will suffice for dues and services to be rendered, besides the rent aforesaid so given, and all other services to be rendered in suits, views of frank pledge, redemptions, amerceiments, contributions, and all other charges as they were accustomed to be rendered before the said donation and assignment; and they say that on the death of Robert it will not be burdened more than has been accustomed. In testimony of which thing the parties above named have set their seals to this inquisition. Dated at the place and on the day above given.

The contents of the foregoing document show

that the description at its head is misleading since we have not an account of the foundation of St. Michael's house but of the Faringdon Chantry in it. The designation of a document of this nature is an "Inquisitio ad quod damnum," an enquiry to what detriment the King would be subjected should a proposed grant be made, the enquiry arising from the necessity of protecting the rights and properties of the crown from detriment of any kind.

DEED OF OUR LORD THE KING CONCERNING THE
ABOVE FOUNDATION.

Edward by the grace of God, King of England, Lord of Ireland, and Duke of Aquitaine, to all to whom the present letters shall come greeting. Seeing that we have been informed through the inquisition which we caused to be made by our beloved and faithful Richard de Rodenoye, lately our escheator on this side the Trent, that it is not to the loss or prejudice of ourselves or of others if we permit our beloved and faithful Robert de Farindon to grant and assign six marks of rent with appurtenances in Brideport in the county of Dorset held of us *in capite* to a chaplain who shall celebrate divine service daily in the chapel of St. Michael in Brideport for the soul of Edward, lately King of England, our father, of blessed memory and for the souls of the said Robert, of Joanna his wife, of his ancestors and descendants, and of all the faithful departed, we for a fine which the aforesaid Robert has paid to us have, as far as is in our power, for ourselves and our heirs granted and given licence to the afore-

said Robert to assign the said rent with appurtenances to the aforesaid chaplain to have and to hold for ever to him and his successors of us and our successors for the services thence due and accustomed, and to the said chaplain that he may receive and hold for ever from the aforesaid Robert for himself and his successors of us and our heirs for the services aforesaid as is expressed by the tenor of these presents. In like manner we have granted special licence, the statute "De terris et tenementis ad manum mortuam non ponendo" [the statute of Mortmain] notwithstanding, we being unwilling that the aforesaid Robert or his heir or the aforesaid chaplain or his successors by reason of the said statute should be molested or in any way troubled by us, or our heirs, justiciaries, escheators, sheriffs or other bailiffs, or by any of our servants whatsoever. In witness of which thing we have caused these letters patent to be made. Tested by me myself at York on the 18th day of July in the 16th year of our reign [A.D. 1322] for a fine of five marks.

The family of Faringdon besides the property they held in Bridport had possessions in various parishes in the neighbourhood, among others in Allington, Symondsbury and Loders. From an inquisition held in the year 1324 we learn that the same Robert made a grant to Milton Abbey of a rent charge of 100 shillings a year on lands in the parish of Sydling St. Nicholas.

THOS. WAINWRIGHT.

Barnstaple, February 17th, 1898.