

Court Rolls of the Manor of Wakefield

VOLUME 3: 1313 TO 1316, AND 1286

EDITED BY
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Court Rolls of the Manor of Wakefield

The detailed records of the proceedings of the manorial court of Wakefield provide a unique insight into medieval life and commerce, the many legal disputes arising, and the mechanisms for resolving them. The manor court met every three weeks, as well as holding additional courts, or 'tours', at various locations around the West Riding of Yorkshire. Recognising the historical significance of these exceptionally complete court records for one of the largest manors in England, in 1901 the Yorkshire Archaeological Society began publishing them as part of its Record Series. Up to 1945, five volumes appeared that span the years 1274–1331. Edited with an introduction and notes by John Lister (1847–1933) and published in 1917, Volume 3 contains the court rolls for the years 1312–13 and 1314–15 along with the surviving portion for 1285–86. The texts of the rolls are given in English translation.

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The Anniversary Reissue of Volumes from the Record Series of the Yorkshire Archaeological Society

To celebrate the 150th anniversary of the foundation of the leading society for the study of the archaeology and history of England's largest historic county, Cambridge University Press has reissued a selection of the most notable of the publications in the Record Series of the Yorkshire Archaeological Society. Founded in 1863, the Society soon established itself as the major publisher in its field, and has remained so ever since. The *Yorkshire Archaeological Journal* has been published annually since 1869, and in 1885 the Society launched the Record Series, a succession of volumes containing transcriptions of diverse original records relating to the history of Yorkshire, edited by numerous distinguished scholars. In 1932 a special division of the Record Series was created which, up to 1965, published a considerable number of early medieval charters relating to Yorkshire. The vast majority of these publications have never been superseded, remaining an important primary source for historical scholarship.

Current volumes in the Record Series are published for the Society by Boydell and Brewer. The Society also publishes parish register transcripts; since 1897, over 180 volumes have appeared in print. In 1974, the Society established a programme to publish calendars of over 650 court rolls of the manor of Wakefield, the originals of which, dating from 1274 to 1925, have been in the safekeeping of the Society's archives since 1943; by the end of 2012, fifteen volumes had appeared. In 2011, the importance of the Wakefield court rolls was formally acknowledged by the UK committee of UNESCO, which entered them on its National Register of the Memory of the World.

The Society possesses a library and archives which constitute a major resource for the study of the county; they are housed in its headquarters, a Georgian villa in Leeds. These facilities, initially provided solely for members, are now available to all researchers. Lists of the full range of the Society's scholarly resources and publications can be found on its website, www.yas.org.uk.

Court Rolls of the Manor of Wakefield, 1313–1316 and 1286 (Record Series volume 57)

The Wakefield manorial court rolls span more than six centuries from 1274 to 1925, making them one of the most comprehensive series now in existence, and the Yorkshire Archaeological Society has been engaged in their publication and preservation for more than a century. The manor of Wakefield was one of the largest in England, covering a huge area of the West Riding of Yorkshire, although it was divided into many sub-manors. The actual area over which the court had jurisdiction during the centuries for which the records survive was approximately 90 square miles. The records of the manor's property transactions, agricultural business and law enforcement are an important source for legal, social and economic historians. In 1898, several members of the Society provided a fund to employ Miss Ethel Stokes, a leading London record agent, to produce translations of the earliest surviving rolls.

This is the third of the five volumes in the Record Series devoted to these early rolls, the others being 29, 36, 78 and 101. Its title is somewhat misleading: in fact, it contains translations of the surviving rolls for 1312–13 and 1314–15 (and not the rolls for 1313–14 and 1315–16), together with the surviving portion of the roll for 1285–6 which, having been in the possession of Sir Thomas Phillipps, the Victorian self-styled 'vello-maniac', was purchased at auction by Sheffield City Library. This roll is now at Sheffield Archives, where it has the reference MD158. The other court rolls published here are owned by the Society and have the references MD225/1/38 and 40.

The editor of this volume, John Lister (1847–1933), prepared several publications for the Record Series, five of which are reissued in the Cambridge Library Collection. An obituary and bibliography of Lister, which can be found in the *Yorkshire Archaeological Journal*, 31 (1934), 423–6, records that he died 'at his ancestral home', Shibden Hall, Halifax, and that – like many of his colleagues in the Society – he was a member of the landed classes, and also a non-practising barrister. His obituary in *The Times* of 13 October 1933 reported that he was a founding member of the Labour Party in Halifax and had twice stood as a parliamentary candidate for the Independent Labour Party.

COURT ROLLS
OF THE MANOR OF WAKEFIELD.

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MANOR OF WAKEFIELD.

VOL. III.

1313 to 1316, and 1286.

EDITED BY

JOHN LISTER, M.A.,

of B.N.C., Oxford, and Barrister of the Inner Temple.

PRINTED FOR THE SOCIETY.

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INTRODUCTION.

It is more than fifteen years since the second volume of the *Wakefield Court Rolls* was published, though matter for this and quite another volume has been lying in MS. since 1901 in our Society's Library at Leeds. The two volumes already published were very ably edited, and Introductions written for them, by Mr. W. Paley Baildon. This being the case, so far as an Introduction is concerned to the present volume, it would seem that but a few pages are necessary.

The matter for this volume, however, is not quite entirely drawn from the Rolls preserved in the Manor Court Offices at Wakefield. Not a few of the Rolls, or portions of Rolls, that once were in the hands of the lords of the Wakefield manor, have gone astray, and have found other resting-places. Among these is a considerable section of the Roll for the year 1286. This appears to have come into the possession of the Wilson family of Broomhead, near Bradford, and, afterwards, from thence into the Phillipps' Library.

When certain Wilson MSS. were sold out of the late Sir Thomas Phillipps' collection, the Sheffield Reference Library was able to purchase this portion of the 1286 Court Roll, as well as an Account Roll of the graveship of Holne¹ of the year 1316. The former consists, as its careful transcriber, Mr. Hermann Thomas² states, "of a number of membranes of fine vellum, sewn together head and foot," the writing being "in a clear, neat cursive hand," and "in an excellent state of preservation." The Court Roll—as the transcriber notes—"overlaps slightly in date those already published, but deals with different meetings of the various Courts from July 20th, 13 Edward I [1286] to September 29th of the same year." This MS., which we may call the "Sheffield MS.," is printed at the end of the present volume.

ANCIENT DEMESNE.

The tenants of the Manor of Wakefield "do not seem to have had the privileges of ancient demesne," writes Mr. Baildon, in his

¹ Holme.

² Keeper of the Records, Guildhall, London.

Introduction to the first volume, published by our Society. Herein, I venture to think, he must be mistaken, for (1) they could not be impleaded out of the Manor, and (2) they were free from toll for all things concerning their husbandry. These were privileges characteristic of tenure in "ancient demesne." So far as freedom from toll was concerned, King Henry VIII, in the first year of his reign, made a grant exempting the Manor of Wakefield, and the towns dependent thereon, from payment of toll, on the principle that, by ancient custom, the tenants of the old demesne lands of the crown had been, and ought to be, free from such payment.¹

The privilege of being toll-free was confirmed on the accession of each king, which, as the author of the *History of Halifax* observes, shows that the tenants "durst not depend altogether on the custom," although it was such an ancient one.

DATE OF THE GRANT OF THE MANOR.

Regarding the charter containing the gift of certain churches to the Priory of Lewes, viz. Conisborough, Harthill, etc., which proves that the Manor of Wakefield was granted prior to the year 1121 to the Warrens by the King, the grant of the churches being confirmed by a charter dated in that year, it is strange that the names of the witnesses should have escaped the editor of Volume I.

Mr. Watson gives them in his *History of Halifax* as he took them from Archbishop Corbridge's Register at York, and these names Mr. Brown has kindly verified for me. They are Ralph de Waren, Hugh de Petroonte, Ralph de Playz, Robert de Frivele, Reginald de Waren, Adam de Puṁg, Gwd. de Mencect, and William de Drossaio. So Watson gives them; but Mr. Brown reads Ralph and Reginald de Waren as Ralph and Reginald de Ware, and can not detect a missing final *n*, though there was probably a mark of contraction now undiscernible. There were two Warrens who respectively bore these Christian names living at this period, so that I think, we may conclude, in spite of the omission of the final *n*, that these witnesses belonged to the family of William, the second Earl of Warren, who made the charter granting Conisborough, Halifax, and other churches to the monks of Lewes. The other variations in Mr. Brown's readings from those of Mr. Watson are trifling, e.g. Frivile, for Frivele, Puning for Puṁg, Guydo de Mencect for Gwd. de Mencect. Mr. Baildon apparently hoped that the names of these witnesses might be some clue in deter-

¹ See Watson, *Hist. of Halifax*, p. 97.

mining the date of the grant of the Manor of Wakefield and its dependencies to the Warren family. I must confess that these names do not seem to make one much wiser.

SERJEANT OR BAILIFF.

I am inclined to think that, *pace* the Editor of Volume I, the word "serviens," which occurs in the margin of the Rolls, is better translated by "bailiff" than by "serjeant," and I have so translated it. In fact, John de Ravensfeld is often styled "bailiff" not "serjeant" in the Rolls.¹ "Serviens" and "Ballivus" seem to be words indifferently used. In fact, sometimes—as Mr. Baildon admits—it is open to translate "serviens" as merely "servant," and he gives the latter as an alternative in the case of William de Langfeld.² The duties of serjeants and bailiffs seem to have been very similar, and *servientes* appear, indeed, to have been, in most cases, the servants of the bailiffs.

On page 39 of this present volume we sometimes find "serviens" written in the margin, but the entry against it runs: "The Earl's bailiff [*ballivus*] charges, etc." It was the duty of the bailiff to make all attachments *per se* or by his deputies,³ and in these Rolls against all such records the word "serviens," *i.e.* "bailiff," is set down in the margin. Sometimes we find, as in the case of William the Tayllur, that if "serviens" means serjeant, the latter was promoted to be a bailiff, but it is evident that this individual was indifferently described both as "serviens" and "ballivus." On page 71, Volume II, a fine is remitted to him "because he is a 'serviens,'" and yet we find that, at the same time, he was "ballivus," bailiff of the soke of Wakefield, page 73, and on page 68, he was pardoned an offence because "he is the bailiff—'*ballivus*'—of the liberty," and in later Rolls "ballivus," not "serviens" is written in the margin against all attachments, etc.

I can not, therefore, agree with the Editor of Volumes I and II in thinking that the "Serjeant seems to have been next in importance to the Steward."⁴ I should rather say that the "Bailiff" held that honourable position.

¹ See vol. i, p. 150, where cattle are said to have been delivered up by means of "John de Ravensfeld, the Earl's bailiff."

² See p. 111.

³ See "The Manner of holding Courts." Selden Society, vol. 4, "The Court Baron."

⁴ *Introduction*, vol. ii, p. 12.

RASTRICK AND BRIGHOUSE.

I hope I shall not be hypercritical when I point out that on page vii of his Introduction to Volume II, the Editor of that volume has been guilty of a *lapsus calami* in speaking of courts at Rastrick and Brighouse as if they were distinct courts. It was one and the same court under different place-names.¹

The Editor of the first and second volumes of our Wakefield Court Rolls² says "there is no 'custumal' of Wakefield Manor." This may be true, but there are "Extents," or copies of "Extents," existing which give the "customs" of the Manor in a very considerable measure. These, which have not been previously referred to in connection with the Rolls, it is, I think, well for any one interested in the subject to pay a little attention to. Of the value of such "Extents" or "Computi" let F. W. Maitland, in *Select Pleas in Manorial and other Seignorial Courts*, published by the Selden Society, bear his evidence.³ He writes: "We are in good luck when we can compare a court roll with an extent; the one supplements the other; the extent tells us of the tenure and the status of the actors who appear on the court roll; the court roll shows us how great or how small is the influence which distinctions of tenure and of status have on the behaviour of suitors and litigants. The extent displays the manor at rest, the court roll the manor in motion; the one is statical, the other dynamical."

But are there any early Extents of the Wakefield Manor existing? Mr. Taylour has printed, in his *History of the Rectorial Manor of Wakefield*, an "Extent of Wakefield Soke, made on Christmas Day in the year of our Lord 1300," and he says, in reference to this document, that "the MS., from which the translation and the notes are transcribed, appears to be a copy." Whitaker gives, in *Loidis and Elmete*, an extract from this Extent, which is stated to be "from a roll formerly in the possession of the Rev. Brian Allott, of Bilham."

A Computus of the manor made in 1305 is an interesting document, and throws considerable light on the income derived from it by the lords who owned it.

This Computus was made by John de Doncaster, chief steward

¹ "Within the said lordship the King's Majestie hath Leetes kept yerelie in Halifax; and two other Leetes yerelie & three wekes Courtes beside Leetes in Wakefeld; two Leetes at Brighous; & two at Birton; and one other Courte monethlie in the Borough Town [*i.e.* Wakefeld] there." *From a Survey of the Manor of Wakefeld made* 36, 37, Hen. viii.

² Vol. ii, p. xx.

³ *Introduction*, p. xiv, vol. ii, Selden Society.

of the manor, who had the custody thereof, along with Master Richard de Haveringes, by virtue of a brief from the king, John de Warren, being under age at the death of his grandfather, John de Warren, Earl of Surrey, in 1304. Mr. Baildon remarks, in his Introduction to Volume II (p. 1), that "the Inquisition taken after the latter's death, if any, has not been preserved." "This is most unfortunate," he adds, "as we might have had some interesting details of the Yorkshire property." This Computus of 1305, however, gives, at any rate, some details in reference thereto that are worth, in my opinion, recording.¹

There is also, in the P.R.O., an Extent of the Manor of Sandal, made in 1309,² of which considerable use will be made in these pages.

Then we have portions of the same Extent of the manor made in 1309, which give full particulars relating to the graveships of Rastrick, Hipperholme, and Sowerby. The Extents of Rastrick, Hipperholme, and Sowerby are sixteenth century copies, made before 1585, of originals now apparently lost. These copies were transcribed by me many years ago in the Phillipps' Library at Cheltenham, where they then were reposing.³

Mr. Watson, in his *History of Halifax*, gives extracts from yet another Extent made at Christmas, 1314.⁴ He, also, only had a copy before him, and he merely extracted therefrom certain particulars relating to Halifax parish. Then, lastly, in 1316, we have the Holne Computus, made by the Grave of that place, Adam Strakeys, and to the end of this is attached an interesting computus rendered by John de Amyas, regarding the market tolls of the town of Wakefield, the perquisites of the Court of the Burgesses there, and of the fulling mill, and of two water corn mills in the same town, together with the mills of Thurstanhawe [Thurstonland], Horbury, and Cartworth, all of which he farmed under the Earl. The roll is endorsed on the back, "*Computus Ballivi de Wakfeud et aliorum Ministrorum.*"

Of all the Computi and Extents of the Manor of Wakefield, by far the most interesting rental, in my opinion, is to be found in a "Contrariant Roll," dated 24th March, 15 Edward II [1322],

¹ See Appendix I.

² Duchy of Lancaster Surveys, ††.

³ Published by the Halifax Antiquarian Society, Record Series, vol. ii, 1914.

Watson, *Hist. of Halifax*, p. 140.

on the occasion of the sequestration of the estates of Thomas, Earl of Lancaster, who was executed the next day, March 25th, on account of his being the leader of the barons in their rebellion against the king. This Roll gives a very complete list of the names of the principal free tenants and their rents, the number of cattle in the various vaccaries, the provisions and furniture stored in Sandal Castle, the horses and cattle there, armour and arms, etc. It also furnishes particulars of the rents of the free and neif tenants, and other particulars relating to the various graveships in the manor. It is a document that, I consider, is well worthy of being printed in full, some day, for our Society.

It is interesting to learn from these accounts what salary obtained in those days for a Chief Steward of a manor, the wages of foresters, and other officials.

THE EXTENTS OF 1309.

The Extent of Rastrick, and, presumably, those also of Hipperholme and Sowerby, were made at Wakefield on the Thursday next after the Feast of St. Matthew [September 21st], and that of Sandal on Tuesday after that of St. Faith [October 6th], 1309, before Ranulph de Folesham and his companions, the "auditors of Earl Warren's accounts."

FREE TENANTS.

The number of Free Tenants in Sandal was 10, of whom 8 held 31 oxgangs amongst them, ranging from 13 held by Master Robert of Ketelthorp to a minimum of 1 by some of the others. The oxgang is stated to have consisted of 14 [one case only], 12 or 10 acres, but 12 seems to have been the normal number in Sandal, while in Rastrick and Hipperholme it was, almost invariably, 14. In Sowerby it was 15, save in Warley in that graveship, where, the Extent tells us, it was 18, and in Soyland township, in the same graveship, it did not exceed 10. The difference, of course, was caused by the physical features of the district—the team of oxen in a flat country naturally ploughing far more acres in the course of a daywork than in a hilly one. The local "daywork" superficial measurement, even now—where it still survives—varies sometimes in townships adjacent to one another.

Turning to the Rastrick Extent, we find that there were 22 tenants—some of them joint tenants—who held oxgang land, and 44 who held acres [*i.e.* roydland], but, of these latter, 16 at least held lands under both tenures.

There were in Rastrick and Fixby 11 oxgangs the tenants of which had to "make the mill dam at Wakefield, as often as shall be necessary." This signifies that all the oxgang land in this graveship was of the nature of villein land, but does not mean that some of the tenants who held them were not free men; but they were so as holding other land of a freehold nature. We read in Lyttelton's *Tenures*, under the heading of "Villinage" [Lib, ii, c. 11]: "Some free tenauntes holde theyr tenementes, after the custom of certaine manours, by such services [as *e.g.* making the mill dam], and theyr tenure is called tenure in vyllenage, and yet they be no villaines. For no land holden in villenage or villaine landes, or any custome rising of the lande shal never make free man villain." Thus, for example, in the Extent of the year 1314, quoted by Watson, we find that John del Okes held in Rastrick freely a toft as well as one of these eleven oxgangs, which were charged with the repair of the Wakefield mill dam.

According to the 1314 Extent, there were only 3 freemen in the town of Rastrick, while there were 9 in the town of Fixby. The rents paid by some of these freemen, and also their holdings, seem to have been small, especially in the case of Alexander del Okes, of Brighouse, who held one perch and paid 1*d.* a year. Perhaps, such as he held land also in other graveships.

In the Hipperholme Extent of 1309, there is a long list of freemen holding native, *i.e.* villein, land, 48 in all, and 54 tenants described as "natives." None of the 48 in this case held any of the oxgang land.

There were only two free tenants in Sandal who rented no oxgang land, and they only held $1\frac{3}{4}$ acres between them. One of the holders of oxgang land also rented a toft containing half an acre at a rent of 8*d.* a year. A perch or rod, in these days—as the Extent tells us—consisted of 20 feet, $6\frac{2}{3}$ yards, but, in some places, we know it was 7 yards; and a "rood," *i.e.* a rod or perch of walling, even in our days in the neighbourhood of Halifax, is still of this measurement. In fact, the mile in Yorkshire used to be as long as is the Irish mile at present, the rod of seven yards being the unit on which it was based.

SERVICES AND RENTS OF FREEHOLD TENANTS.

These in the Sandal Extent are set down as homage, rents, customary payments for the keep of swine [called "Thistle-takes"], ploughing the lord's demesne lands, if the tenant pos-