



An Early Chapter of the History of Yeovil.*

BY JOHN BATTEN.

YEOVIL, according to the Domesday Survey, contained altogether eight hides, two of which were held by Robert, Earl of Moretain, and the remaining six by William de Ou, who had sublet them to Hugh Maltravers—a name latinized in the *Inq. Gheldi* as “Hugo Malus-transitus.” He was also William de Ou’s tenant of Hinton Blewet, in Somerset, and of the manors of Mappowder, Lidlinch, Stourton-Candel, Candel-wake, Litchet Maltravers and Woolcombe Maltravers in Dorset.

William de Ou and William de Moretain (son and successor of Earl Robert) were attainted for taking part in the rebellion against William Rufus in 1088, and their possessions at Yeovil and elsewhere were forfeited to the Crown (Freeman’s *Norman Conquest I.* 33), but Hugh Maltravers was probably not disturbed in his holding, as one of the same name, by charter, without date, gave to the Priory of Montacute his “land near Preston (*i.e.*, Preston Plucknet) by Southbroke,” which gift was confirmed by John Maltravers of Gyvele (Yeovil) in 1262 (*Montacute Cartulary*, Som. Rec. Soc.). At a very early period, a portion of Gyvele had been conferred on the Church and endowed with special rights and immunities as a “Free Ville or Liberty,” but, in the early part of the reign

* This article should be read in connection with an address by the present writer at the meeting of the Society in 1885 (see vol. xxxii).

of Henry III, it was known only by tradition that the donor was the "daughter of a certain king" (see more on this head, *Proceedings*, vol. xxxii, p. 11).

The royal endowment (to which perhaps Collinson alludes in his *History*, vol. iii, p. 205) did not extend to the advowson of Gyvele, which remained appendant to the Maltravers manor, out of which, we may fairly presume, the endowment was taken, and the Maltravers family remained in possession of it for many generations, as well as of that part of William de Ou's six hides, which afterwards became known as the manor of Henford Maltravers, answering to the modern tything of that name, in which, indeed, the church is situated.

As to the remainder of the six hides we are left pretty much to conjecture, but, in the reign of King John, it had certainly become a separate manor, known as the manor of Kingston juxta Yeovil, and answering to the modern tythings of Wigdon and Huntley.

Of the two hides held by the Earl of Moretain, one of them may have been the manor of Newton which was held by the family of DeGouiz, descendants of Roger Arundel, the Domesday tenant of many manors in Somerset, and the other, answering to the manor of Lyde, belonged to the Fitzpayns.

The earliest owner of Kingston that has been traced is Hugh Fitz Hugh, *alias* Hugh de Say, second son of Hugh Fitz Osbern, Lord of Richard's Castle, in Herefordshire, and Eustachia his wife, who was daughter and heiress of Theodoric de Say, Lord of Stoke Say, in Shropshire. In honour of their mother, this Hugh and his elder brother, Osbert Fitz Hugh, assumed her paternal name of de Say, which was borne also by the descendants of Hugh, who only left issue. Richard's Castle lies in a village to which it gives its name, about four miles S.W. of Ludlow, close to the old church of St. Bartholomew. The site, from its great eminence and commanding position, is evidently adapted for a fortress of unusual strength, and here, Richard Fitz Scrob and his son Osbern,

in the time of Edward the Confessor, raised, according to Freeman the historian, "the first castle on English ground" (*Norman Conquest*, vol. i). According to him, this was the castle the surrender of which was demanded by the rebellious Earl Godwin in the year 1051. Since the death of Mr. Freeman, his version of the transaction has been attacked by an able, but severe critic, who contends that the castle was not Richard's Castle but the Castle of Euyas Harold in the same county, and that Freeman confused Osbern, son of Richard Fitz Scrob, with another Osbern, whose surname was Pentecost (Round's *Feudal England*, p. 320). Leaving wiser men to decide such a momentous question, our course will now follow that of de Say, in whom the blood of Fitz Osbern was absorbed.

The family of de Say was of Norman origin. In the reign of Henry I, Jordan de Say and Lucy, his wife, in conjunction with Richard de Humet (the King's Constable of Normandy) and Agnes, his wife (a daughter of Jordan de Say), founded the Abbey of Aunay in the Diocese of Bayeux, and their son, Gilbert de Say, contributed to its endowment (*Neustria Pia*, 759-60; *Gallia Christiana XI Instrumenta*; *D'Anisy Extraits de Cartes Normandes I*, 46, p. 89; Stapleton's *Normandy I*, lxxxv, clxxxii.)

In England, their first seat appears to have been at Clun, in Shropshire, and Stokesay was, in 1115, acquired from Walter de Lucy by Picot de Say, the grand-father of Eustachia, wife of Hugh Fitz Osbern. The family also held lands in Oxfordshire, where Jordan de Say was excused a debt due to the Crown in 1131 (*Pipe Roll*, 31, *Hen. I*) *Oxon*, and it may be assumed that this related to his manor of Soletorn (now Souldern), the church of which he bestowed on the neighbouring Abbey of Egnesham (Kennett's *Parochial Antiquities I*, 193, 252, 500; *Cott. MSS., Claud A 8*, p. 135).

On the death s.p. of his elder brother, Osbert, Hugh de Say (I) succeeded to Richard's Castle (which, on account

of the number of knights' fees held of it, was styled the Honour of Richard's Castle) and married Lucy, younger daughter of Walter de Clifford, and sister of Fair Rosamond, the celebrated mistress of Henry II (*Dugd. Mon. II. 49, 855*), whose unfortunate life and miserable end are well known, and—what is perhaps not so well known—whose remains were not allowed to rest in the sanctuary of her tomb, but were, in 1191 (3 Ric. I) by order of Hugh, the stern Bishop of Lincoln, exhumed and cast out of the conventual Church of Godsall.

Hugh de Say must have died before 1177, as in the *Pipe Roll* for that year (*23 Hen. II, Som. and Dors.*) she paid seventy-five marks for license to marry again and to enjoy her dower in peace, and in right of it she presented Thomas Maltravers to the Chapel of All Saints, Kingston. There was issue of the marriage according to the historians of Worcestershire (Nash I, 241), and Shropshire (Eyton, 303), two sons only—Richard, who died s.p. and Hugh (II), who succeeded to Richard's Castle. He married Mabel, daughter of Robert Marmion, and left at his death, before 1204, two sons, who died s.p., and two daughters, Lucy and Margaret, but Lucy dying, her sister became sole heiress to their father's great possessions. On the 20th October, 1204, the Sheriff of Somerset was ordered to give possession of the manor of "Giffle," "*quod fuit Luce de Say aine fil de Hug de Say,*" to William Cantilupe. This was probably a grant of the wardship of the infant Margaret, but on the 8th of November following, the same sheriff was directed to deliver the manor to Gilbert de Say, and two years after to restore to Nicholas de Say his land in "Giffle" which Gilbert de Say held (*Close Rolls, 6 John*). Gilbert was a third son of Hugh (I) as is shewn by the record of a trial between him and John Maltravers, in 1213-14, relating to the Chapel of Kingston, when he proved, to the satisfaction of the jury, that Lucy de Say, "his mother," had presented the last clerk (Thomas Maltravers) in right of her dower (*Rot.*

Cur., 15 John, Nos. 58-9). In addition to this, Gilbert was assessed in the aid (13 John) for one knight's fee in Gyvele (*Lib. Rub.*). He had a sister, Lucy, married to Thomas de Arderne, and in 1216 (17 John), the Sheriff of Somerset was ordered to enquire, by jury, whether Hugh de Say, father of Margaret, then the wife of Robert de Mortimer, had given to Thomas de Arderne the manor of Southorn in exchange for the manor of "Giffle," and whether Southorn was the inheritance of Hugh, and if so, the sheriff was to give possession of Southorn to Robert and Margaret (*Close Rolls*). It is probable that the sheriff's return to the writ was in the negative, as we find that the Arderne family continued in the possession of Southorn, and, in 1255, Ralph de Arderne held that manor of the Barony of Richard's Castle (*Eyton's Salop II*, 33, quoting *Rot. Hund. II*, 44).

It is very evident that there were many complications and conflicting claims relating to the paternal estates inherited by Margaret de Say—which extended to those in Somersetshire, as well as Shropshire and Worcestershire—and Robert de Mortimer, her husband, was (according to the historian of Shropshire (*Eyton iv.* 303) forced to take proceedings against Gilbert de Say and others in order to recover them. He must have succeeded, ultimately, as he certified that he held no less than "twenty-three fees of the Honour of Richard's Castle by his marriage with the daughter of Hugh de Say, heir of Osbert Fitzhugh" (*Lib. Nig. I*, p. 159). Robert de Mortimer, who was a younger son of Roger de Mortimer, of Wigmore, was the second husband of Margaret de Say, and they were married before 1216 (17 John), as in that year he obtained a grant from the king of all lands in Berewic, Sussex, which formerly belonged to Mabel de Say, mother of Margery his wife (*Dugd. Bar. I*, 152). Her first husband was Hugh de Ferriers, and before 1221, she had married her third, William de Stuteville. She had issue only by De Mortimer, and from them the Mortimers of Richard's Castle and their successors

in the female line, the Talbots, were descended. The male line of the Talbots failed on the death of John Talbot, under age (12 Richard II), when the Honour of Richard's Castle fell to his three sisters and co-heiresses, Elizabeth, wife of Warin Archdeene, Kt.; Philippa, wife of Matthew Gournay and Alianor, who died unmarried (Nash I, 241).

Richard de Say, brother of Gilbert, appears to have bought Kingston juxta Yeovil of Margaret de Say, after her marriage with Stuteville, for by a fine dated in 1221, between William de Stuteville and Margery his wife, plaintiffs, and Richard de Say, defendant, in consideration of 100 marks of silver, they conveyed to Richard and his heirs four carucates [or hides] of land in Gyvele, under the service of one knight's fee to be rendered to them, and the heirs of Margery (*Somt. Fines*, 5 Hen. III, No. 4). Not long after he confirmed to the Canons of Haghmond, Salop, a gift made to them by Lucy, his mother (*Dugd. Mon. II*, 46), and by another charter made in "The Great Church of Gyvele in 1226, he gave lands in Gyvele (part no doubt of his purchase) to the Priory of Montacute, reserving prayers for Lucy, his mother, on her 'obit,' for which provision had been made by 'Lord Gilbert, his brother,' by the gift of two measures of wheat every year. He died soon after s.p. leaving his brother Gilbert his heir, and Lucy de Arderne, his sister, who, 'in her widowhood,' gave one furlong of land in Gyvele to the same Priory as 'a pittance,' to be bestowed every year on the anniversary [of the death] of Richard de Say, her brother" (*Montacute Cartulary*, Nos. 35-36, Som. Rec. Soc.).

Thomas de Arderne, the husband of Lucy de Say, may have been one of the Ardernes of Warwickshire, as Dugdale, in his history for that county, mentions one of that name who before 6 John had married a wife whose Christian name was Lucy, but whose paternal name was unknown to him. She was living he says 1 Hen. III (1216). In the pedigree he gives of the family, the names of Thomas and Ralph frequently

occur, which, as we shall see hereafter, were borne by the Yeovil branch (*Dugd. Hist. Warwickshire II, 925*).

There can be little doubt that the original seat of the Yeovil branch of the Ardernes was at Horndown, in Essex. In 1122, Thomas de Arderne and Thomas, his son, gave to the Abbey of Bermondsey the Chapel of St. George, in Southwark, and the tithes of their demesne on Horndon. Ralph de Arderne, in the reign of Hen. II, married Annabella, second daughter of the illustrious Ralph de Glanville, Chief Justiciary of England (*Annals of Bermondsey II, 246*), from whom descended another Ralph, who acquired lands in Yeovil, and died before 1259, in which year Erneburga, his widow, brought an action for the recovery of one-third of a messuage, and twelve acres of land in Yeovil as part of her dower out of her husband's lands in Essex and Somerset, and Hugh de Mortimer, son and heir of Margaret, as guardian of Thomas, the infant son of Ralph, was called to warrant her title (*De Banco Roll, Mich., 43-4 Hen. III, No. 15, memb. 35d*). She must have succeeded in her claim, as she sold her life-interest in the Yeovil lands to one Richard de Collworth, who forfeited them for joining in the rebellion of the Barons against Hen. III, and possession was taken by the above Hugh de Mortimer as guardian of Thomas (*Inq. de Rebellibus, 49 Hen. III, No. 113*). Putting the above facts together, there can be no doubt that Thomas de Arderne, who married Lucy de Say, was the father of Ralph, of Essex, who inherited her lands in Yeovil, and left a son, Thomas, to whom (subject to the dower of Erneburga) they descended in the reign of Hen. III. It may be that this last-named Thomas was the husband of Hugelina de Nevile, for, in the year 1294, an assize was held to try if John de Wigton, Robert Fitzpayn, and John, the vicar of Yevele, had disseised her of a tenement in Yevele, and of her manor of Yevele, and a plea being put in that she had a husband living—Thomas de Arderne—who was not named in the writ, it was adjudged that he ought to

have been joined. (*Ass. Div. Cos.*, 22 Edw. I, N. 2. 8.-8).

Proceeding now to Gilbert de Say, he married Matilda, daughter of Matthew de Clivedon, Lord of Milton, near Bruton, and Isabella, his wife, who was a daughter of William de Montague of Sutton Montague or Montis, in this county, which event involved him in litigation with his wife's family (*De Banco Rolls*, Michaelmas term 7-8, Hen. III; H. Hil term 10, Hen. III). On his death (which must have occurred soon after), his property at Yeovil, including the lands which he inherited from his brother Richard, descended to his two daughters and co-heiresses, Edith, the wife of Thomas de Huntley, and Matilda, wife of Thomas de Arderne, son and heir of Ralph, already mentioned. The two sisters made partition of their inheritance, and Edith took that part called "La Marshe," now the hamlet of Yeovil Marsh, and Matilda the remainder, which retained the name of Kingston (*De Banco Rolls*, Michaelmas, 43 Edw. III, 150). In the early part of the reign of Edward I, Kingston passed, by sale no doubt, to Walter de Wigton, Lord of Wigton in Cumberland (*Nicholson's Cumberland II*, 190), from whom, at his death in 1286, it descended to John de Wigton, his son and heir, then 22 years of age. In the Inquisition, p.m. of Walter, it is described as half a knight's fee of the Honour of Burford, held of Lord Robert de Mortimer, and consisting of a capital messuage, 200a. of arable, 10a. mead., 15a. wood, 9a. past., £6 0s. 5d.; rents of freehold tenants, £5 10s.; rents of villeins and pleas of Court (*Esch.* 14 Edw. I, ws. 15). Robert de Mortimer, the superior lord, died about the same time, as by an inquisition of the fees belonging to him the jury found that Thomas de Huntley (Edith, his wife, being probably dead) held of him the manor of Marshe by half a knight's fee, and John de Wigton, the manor of Kingston by another half-fee—the yearly value of which was £21, besides the advowson of a free chapel, within the Court of Kingston, worth 100s. a year (*Esch.*, 15 Edw. I, No. 30). By a fine in the same year (14 Edw. I),

between John de Lovetot (one of the Justices itinerant who was closely connected with John de Wigton) plt., and Thos. de Arderne, deft. (made in the presence and with the consent of John de Wigton) two knights' fees, from the Manor of Kingston in Yeovil, with the appurtenances, viz., the homage and service of John de Wigton and his heirs of the whole tenement formerly held of the said Thomas in Kingston were limited to John de Lovetot and his heirs for ever. This transaction appears to have been a technical contrivance for enabling de Arderne to convey his interest in the manor, for by a fine of even date between John de Wigton, plt., and Thos. de Arderne, deft., he released the manor of Kingston to de Wigton, subject to a yearly rent of £20, payable to to him for his life (*Somt. Fines*, 14 Edw. I, Nos. 90-1). John de Wigton died about 1315, and there being a doubt respecting the legitimacy of his daughter Margaret, his five sisters were at first found to be his heirs (Esch., 8 Edw. II, No. 61; *Close Rolls*, 13 Edw. I), but the ecclesiastical authority having certified that she was legitimate, she succeeded her father as his sole heir (*Plac. Abbrev.*, 316).¹

Before his death, John de Wigton sold Kingston to Sir Robert Fitzpayn (the third of that name), first Baron Fitzpayn, who died about 1316 (Esch., 9 Edw. II, No. 65), leaving a son and heir, Robert (IV). The manor was taken into the king's hands as belonging to the heirs of John de Wigton, and granted to Thos. de Marlberge during pleasure, the heirs of de Wigton denying Fitzpayn's right, alleging that the sale to him was only for his life, but the court was satisfied from the evidence that he bought the fee and inheritance, and so it was adjudged (*Abbrev. Rot. orig.*, 9 Edw. II, No. 3; *Mem. Rolls*, L.T.R., 13 Edw. II, Rot. 8).

The Fitzpayns were a family of distinction, possessing large

¹ At that period the marriage of the parents after the birth of children rendered them legitimate, but the widow in such a case was not entitled to dower, as Diompia, the widow of John de Wigton, made several unsuccessful attempts to recover it.

estates in the western counties. Robert Fitzpayn (the first of that name) being Lord of Cheddon, near Taunton, in the reign of Hen. II. Roger, his son, held the manor of Lyde, in Yeovil, on right of his wife Margaret, one of the three sisters and co-heiresses of Alured de Lincoln, a descendant of Roger Arundel, the Domesday tenant of large possessions in the west, one of which, it has been suggested, was Lyde, under the name of Eslade. Robert Fitzpayn (IV) married Ela, widow of John Mareschal (*Bank's Baronage II*, app., p. 9), and a daughter of Guy, Lord de Bryan (*Complete Peerage*, by G.E.C., title Bryan). Having no son, he adopted Robert de Gray, of Codnore, and settled the bulk of his estates on him and his wife, Elizabeth, daughter of Guy de Bryan, jun., in special tail, but he reserved the manor of Kingston with the advowson of the chapel, and, in 1344, settled it on his only child Isabella, wife of John de Chydiok, of Chydiok, Dorset (I) (*Somt. Fines*, 19 Edw. III, No. 35), and died in 1355, seized of an annual rent of £6 7s., (charged upon certain lands in a street called Ford Street, in Kingston); a messuage and carucate of land at La Lude (Lyde); and the reversion of another messuage and lands at Yeovil Marsh, called Walrond's Marsh. After the death of John and Isabella, they were succeeded by three generations of sons (all Sir John de Chydiok), but, in the time of the fourth Sir John, there occurs a break in the title which awaits explanation. Towards the end of the reign of Ric. II, the manor of Kingston with the advowson of the chapel there, was in the possession of the Earls of Kent. The first of these was Thos. de Holand, a distinguished knight in the service of the Black Prince, who married de Holand's mother—"the fair maid of Kent." The Earl died in 1397 (*Esch.*, 20 Ric. II, No. 30) and was succeeded by his son, a second Thos. de Holand, also Earl of Kent, who, having joined in the conspiracy against the new King, Henry IV, was beheaded in 1399 (*Esch.*, 22 Ric. II, No. 21). I have no means of ascertaining how they acquired any interest in the

manor, but it is probable that John de Chydiok (III) had mortgaged it to the first Earl, which led to usual complications, and that, after his death, when his son John (IV), who was left a minor, had attained his majority, the whole matter was settled and mutual releases exchanged. This suggestion is strengthened by the fact that a deed is still extant, by which Chydiok released to Alice, Countess of Kent, and others, all actions and claims concerning the manor of Kingston, or any other lands in the parish of Yeovil (*Close Rolls*, 3 Hen. IV, No. 10).

Turning now to Edith de Say and her husband, Thomas de Huntley, I have not been able to trace his family any farther back than this Thomas, or to identify the place from which they derived their name, but they were afterwards considerable land-owners in several manors called Adbere, in the adjoining parish of Mudford. Parts of these manors had belonged to the great estates of the Mohuns, in Somerset, but, in 1311, Geoffrey de Mohun and Margery his wife, settled them by the description of a messuage, 3 carucates of land, 30a. meadow, 26a. wood, and 11 marcs of rent in Nether Attbere, Over Attebere and Homere, on themselves for life, remainder to the heirs of his body; remainder to Nicholas, his brother, in tail; remainder to David, son of Thomas de Huntley, in tail; remainder to brother of David, in tail; remainder to the right heirs of Geoffry (*Somt. Fines*, 4 Edw. II, No. 34). David de Huntley must have succeeded to these lands as (20 Edw. 3) he was assessed 20s. for half-a-fee in Little Adbere, formerly Geoffry de Mohun's. He died s.p. and, consequently, by the terms of the settlement, his brother, Thomas, succeeded to the estate, which devolved on John, his son, and then on Margaret de Huntley, his daughter. Ultimately, the manor of Nether Adbere was settled on Richard Huntley and Alianor, his wife, and the heirs of his body; remainder to John, son of William Carent, in tail; remainder to William Carent, senior, in tail; re-

mainder to the right heirs of Richard Huntley (*Somt. Fines*, 12 Ric. II, No. 1). In this way, I suppose, Adbere fell to the Carents, who were evidently related to the Huntleys. There was another branch of that family resident at Shiplade, in the parish of Bleadon, in this county, and another migrated to Milborn St. Andrew, Dorset.

Returning from this digression, Thomas de Huntley, the husband of Edith de Say, was also involved, with Brian Gouiz and other leading men, in the Rebellion of the Barons against Hen. III, and, after their defeat, was punished by the forfeiture of his lands, and, according to the *Inquisition de Rebellibus*, the bailiff of Lord Hugh de Mortimer, the over lord, had seized one carucate of land on the ville of Givele, worth 10s. a year, besides rents of assize of £6 a year in the same ville, and also a virgate and-half of land there, and 16s. a year rent of assize held of Huntley by one Richard de Peto, "another rebel." The forfeiture was, however, compounded for, in Kirby's *Quest* (12 Edw. I). Walter de Wigton and Thos. de Huntley are said to hold Kingston, East Marsh, and West Marsh (into which "La Marsh" had been sub-divided) of Robert de Mortimer, by knight service, and, in 1307, among the knights' fees held of the king *in capite* by Matilda, widow of Hugh de Mortimer at her death, was the manor of Mersshe held by John de Huntley by half a knight's fee, and the manor of Kingston juxta Yevele, held by Robert Fitzpayn by another half fee (*Esch.*, 1 Edw. II, No. 59). This John de Huntley, son of Thomas and Edith, conveyed the moiety of the Say estate to Walter de Tryl, of Todbere, Dorset, who, in 1324, settled Marsh (with lands derived from another source now unknown) by the description of 13 messuages, 8 acres and 6½ virgates of land, 23½ acres of mead., 11 acres of past., 16 acres wood, 106s. rent, and rent of 1 lb. of pepper, 2 lbs. of cumin, and one rose, with the appurtenance in West Marsh, Kingston juxta Yevele, and Kingeswoode juxta Hardington, and also a moiety of the advowson of the

chapel of Kingston, on himself and his wife, Ela, for their lives; remainder to William de Carent and Johanna, his wife, and the heirs of their bodies; remainder to Nicholas, son of Michael de Stoure, in fee to be held of the King in Chief (*Somt. Fines*, 17 Edw. II, No. 45). The above indicates the first connection of the De Carent family with Yeovil. Joanna, the wife of William de Carent, was probably a daughter of Walter de Tryl. Her husband died in 1347, possessed of one moiety of the manors of Kingston and Marsh, leaving an infant son, another William de Carent (*Inq. p.m.*, Esch., 22 Edw. III, No. 27). In my opinion, Matilda, the wife of John de Huntley, was another sister of De Tryl. She held, at her death, lands in the ville of Marsh in right of her dower, and also lands there by grant of Walter de Romesey; the reversion (her Inquisition states) belonging to William, son of William de Carent, who was heir as well of Walter de Tryl, as of Matilda (Esch., 21 Edw. III, No. 22). From this it may be inferred that Walter de Tryl had two sisters—Matilda, wife of John de Huntly, and Joan, wife of William de Carent—that neither Walter or his sister, Matilda, left any issue, and that, therefore, William de Carent, son of the other sister, Joan, was heir both of his uncle and his aunt.

West Marsh was at one time held by the family of Falconer, or Le Fauconer, who became possessed of it in the reign of Edw. I, for in the Inquisition of knights' fee in 1302 (31 Edw. I) Robert Fitzpayn and John Fauconer (instead of Walter de Wigton and Thomas de Huntley, in Kirby's *Quest*) are said to hold the manors of Kingston, East Marsh, and West Marsh, of Hugh de Mortimer, by the service of one fee. By disposition, or misfortune, Falconer was frequently at law with his neighbours (see *Ass. Rolls Dic. Cos.*, 27 Edw. I, Nos. 2-11). He had a wife, Joan, and died in 1342, holding of John Daunay (Lord of Hinton, in Mudford) a messuage and lands at Hulle in Marsh [now called Marsh Hill] with two moors called Brooms Moor and Dichelfords Moor [now Disle-

moor], and he left John le Falconer (II), his son, then 25 years old (Esch, 15 Edw. VI, No. 27).

John le Falconer (II): resided at West Marsh, and is so described in a charter, dated there in 1354 (27 Edw. III), whereby he granted to John Gogh and John Say certain lands in Kingsdon, near Ivelchester, of which he had been enfeoffed by Nicholas Gouys. The witnesses to this charter were Wm. D'aumarle, Wm. D'unfraville, and Walter de Romesey, knights; and Wm. de Bingham and Wm. de Welde; and to it was attached his seal—two bendlets between three falcons, with the legend, "Sigill . . . Fauconer" (Pole's Collections, Queen's Coll., Oxford, MS. No. 151, f. 47). There are notices on the records of legal proceedings between the Huntleys, the Carents, and the Falconers, respecting their property at Marsh and Kingston, which it would be unprofitable to explain in detail, but it is important to repeat what Collinson cites from the *Close Rolls*, that (30 Edw. III) John le Falconer released to William, son and heir of Wm. de Carent, then under age and in ward to the king, all his right to the manors of Kingston and Hunteley's Marsh (*Rot. Claus.*, 30 Edw. III, cited by Collinson III, 207). This document confirmed to the de Carents their title to Marsh and the part of Kingston which did not belong to the Chydioks, and was substantially the property which afterwards passed from the de Carents to the Comptons, and subsequently to their relatives, the Harbins. This transaction with Carent did not, however, denude le Falconer of all his lands in Yeovil. In 1376, he had to resist an unfounded claim set up by Alice, the widow of Wm. Welde, to lands of his in Kingston and West Marsh. It appears that le Falconer, when only 19 years old, agreed to grant a lease of the lands to Welde and his wife for their lives. After he came of age he went beyond seas for several years—during which time Welde died—and, on his return, the widow had the audacity to repudiate the lease and claim the lands as her freehold,

but, of course, she was defeated (*Ass. Rolls, Div. Cos.*, 40-9 Edw. III).

Le Falconer (II) married Matilda, daughter and heiress of John de Warmwell, of Warmwell, Dorset (*Hutch. Dors. I*, 428), and we may attribute the marriage to the fact that a branch of the de Warmwell family was seated at Newton Salmonville, in Yeovil. I have not been able to ascertain the date of his death, but, by that event, if not by previous settlement, his daughter and heiress, Alice, the wife of Nicholas Coker, must have acquired considerable property in Yeovil and the neighbourhood as, 12 Hen. IV (1411), she and her husband sold a farm in Yevell and Kingston to Sir John Chydiok, lord of Kingston (*Somt. Fines*), and as late as 1445 (23 Hen. VI), after her husband's death, she conveyed in Kingston and Marsh to her cousin, Thos. Lyte of Lytes' Cary (*The Lytes of Lytes Cary*, p. 25). Nicholas Coker himself was the purchaser of the manor of Chilthorne Domer, which, by fine, 9 Hen. IV, was conveyed, subject to a life interest in Edmund Dummer, to Nicholas Coker and Alice his wife, and the heirs of Nicholas Coker.

The manor of West Marsh was, in the reign of Edw. II, held by John de Preston (*Nomina Villarum*, 9 Edw. II), who was a considerable land-owner in the adjoining parish of Preston Plucknet. In 1363, the manor was held by Thomas de Preston for his life, and by a fine levied in that year (37 Edw. III) between Henry le Walshe, plaintiff, and Master Robert de Stratforde, defendant, the reversion then vested in de Stratford was settled upon Henry le Walshe for his life; remainder to John his son, and Isabel his wife, and the heirs of their bodies; remainder to his brothers, Henry and Percival, successively in tail; remainder to the right heirs of the said John. He resided at East Marsh, and purchased from the Crown the wardship of William, the infant son of Wm. de Carent, and Joan, his wife; but, going on a pilgrimage to the Holy Land, he died on the journey, leaving his wife, Isabel,

surviving, but we hear no mention of him or West Marsh afterwards, and it was probably absorbed into the de Carent Estate (*Exchequer, L. & R., Memoranda Rolls, Hil., 27 Edw. III, No. 12*). I should observe that it was from de Chydiok, and not from de Carent as Collinson states, that Kingston came to the Stourtons.

There was yet another part of La Marsh, called Walerands or Walrond's Marsh. As early as 1340, John Walerand, which held under John de Wigton, died, leaving an infant son, John, and his wife, Matilda, surviving, and she was obliged to take legal steps for the recovery of her dower out of it (*Ass. Rolls Div. Cos., 3 Edw. II, N. 2. 15-1*). The widow probably married again—Dowre, as (28 Edw. III) Robert Fitzpaysn held, at his death, the reversion of one messuage, and one carucate of land in Walrond's Marshe, which Matilda Dowre held for her life by grant of John Walrond, which reversion belonged to John Chydiok, and Isabella, his wife (*Esch., No. 41*).

Allusion has already been made to the manor of Henford as part of the Domesday six hides held by Hugh Maltravers under William de Ou. Collinson, in his History (iii, p. 205) gives a fairly accurate pedigree of the Maltravers family, so far as relates to their ownership of Henford, but a much more elaborate and annotated pedigree is to be found in another work of good authority (*Coll. Top. and Gen., vol. vi, p. 334*), verified by charters and documents drawn principally from the archives of the Earl of Ilchester.

Beginning from the reign of King John, no less than six generations of the family were successively owners of part of Gyvele, and Lords of Henford. In 1201 (2 John) an action was pending between John Maltravers (II), son of John Maltravers (the first of that name), and Walter de Turberville, and Alice his wife (widow of John the father), respecting lands at Woolcombe (now Woolcombe Maltravers), Dorset, and, for the purposes of this action it is presumed, John (II) sued the Turbervilles for the delivery up of five

charters relating to his inheritance, all of which Walter Turberville admitted he had held, but alleged that they were stolen when his house was burnt down. Maltravers also complained that the Turbervilles unjustly detained from him five coats of mail which had belonged to his father, and their defence was that the father never had but one coat, which he gave to another son with ten librates (*i.e.*, about 500 acres) of land, but, unfortunately, we do not know the result, as, by default of the parties, the Court was not called on to deliver judgment (P.R.O. Curia Regis., No. 24, *Selden Society Publications*, vol. iii). The burning of these charters (if true) must have been a serious loss; two of them were grants by Henry I, thereby carrying the family title back to about one generation from Hugh, the Domesday sub-tenant; a third was a charter of Mareschal, Earl Striguil, and may have been the grant of the Constablership of Striguil or Chepstow Castle, which was an office held by the family (Esch., 25 Edw. I, no. 33). The fifth was a charter of King John. As regards the coats of mail, in the early days of chivalry coat armour was hereditary, and descended to the heirs with the land, for the defence of which it was used, especially as a dire alternative in "wager of battel."

The litigation, between John Maltravers and Lucy de Say (II), respecting the right of presentation to the Chapel of Kingston has already been noticed, but, a few years later, he was engaged in a very remarkable trial, the incidents of which are fortunately very rare in legal annals. He held, it appears, a knight's fee in Gyvele, by virtue of a fine made between Walter Maltravers, his eldest brother (who, it is presumed, had afterwards died *s.p.*) and John Maltravers (I), their father; but William Maltravers, another brother, sought to ignore the fine as void, being purported to be made, not in the King's Court (Richard I), but in the Court of John, Earl of Mortain (afterwards King John). On this ground, and also as entitled to the fee under a distinct grant, he proceeded by

a writ of right against John and recovered judgment. Pending this, John died, and then Hawisia his widow, in 1222 (6 Hen. III) sued William for one-third as her dower, to which William pleads that the knight's fee was given to him by his father, John (I), by charter, which he produces, and calls to warranty John (III), son of John (II), who declines. Then William pleads the judgment on the writ of right, whereupon the Sheriff was ordered to return a record of the judgment. The Sheriff, Roger de Forde, was "valettus" and probably nominee of Peter de Mauley, his lord, who had been sheriff for the six preceding years, and according to his return (which, we may presume, he very reluctantly made) the county—that is the freeholders or suitors of the County Court—wholly disavow the judgment, because, after John had appeared and set out his claim to the fee under the fine, and William's rejoinder that it was of no effect not being made in the King's Court, the Sheriff tried to prevail on the county to give judgment in William's favour, which they declined to do, and all went away except two or three who remained until nearly "the vesper hour," and were assured, by the Sheriff, that they might safely give judgment in William's favour, and that he would indemnify them. On hearing this John prayed for recognition on the writ of right, whether he or William was entitled to the land, but the Sheriff objected that he must rely on the fine he had set up, after hearing which the Sheriff and the two or three who remained with him gave judgment in William's favour "without the assent and will of the county," and that "in no other way did William get judgment, as the county offer to prove as the Court shall consider" (*Assize Roll*, No. 755; *Bracton's Note Book*, case 191). So much for mediæval administration of justice!

Proceeding now to the reign of Edw. I, the manor can be regularly traced from that time. We come first to John Maltravers (III), son of John and Hawisia, who held the high office of Seneschal of the King's Household, and died in 1296,

seised of the manor of Henford, to which the advowson of Yeovil was appendant, and left his son and successor, John Maltravers (IV), aged 30 (Esch., 25 Edw. I, No. 33). This John married first Alianor, who, not improbably, was a daughter of Sir Ralph de Gorges, of Wraxall, Somerset (Smith's *Lives of the Berkeleys* I, 241), his first wife, however, and married for his second, Joan, daughter and heiress of Sir Walter Foliôt, of Melbury, and grand-daughter of Sir Lawrence Sampford, by which match he acquired an interest in the manors of Melbury Sampford and Melbury Osmond. The date of his death has not been ascertained, but he was succeeded by his son by his first wife, John Maltravers (V), afterwards Lord Maltravers, whose name is, unfortunately, associated with that of Sir Thomas Gournay, as the contrivers of the revolting murder of King Edward II at Berkeley Castle. He died in 1365, surviving, by several years, his son John, the sixth and last of the name, who died in 1350. As John (VI) left no son, Henford descended to his two daughters, Joan and Alianor. Joan died s.p. and, consequently, Alianor became sole heiress; she was married to John Fitz Alan, younger brother of Richard Fitz Alan, 14th Earl of Arundel, by whom she had a son, John de Arundel, who, in right of his mother, became Lord Maltravers. The manor of Henford continued in the Arundel family until the reign of Queen Elizabeth, when Henry, 22nd Earl, exchanged it with the queen for the manors of Halfnaked and Boxgrave, in Sussex (*Pat. Rolls*, 3 Eliz, 4th part).

The Crown retained Henford in its hands until the end of the reign of Elizabeth, when, the Royal revenues requiring replenishment (as was not uncommon in the Tudor dynasty), it was sold to Sir John Spencer, a city knight of fabulous wealth (*Pat. Roll*, 42 Eliz., pt. 24), and after his death passed to his daughter and heiress, Elizabeth, the wife of William, 2nd Lord Compton, created, 15 James I, Earl of Northampton,

in whose family it continued until sold to the Hooper family, as mentioned by Collinson.

But the advowson of the church devolved in a different course. By a fine levied, 13 Edw. III, between John Maltravers, senior (V), Querent, and Roger Maltravers, and Thomas de Homere, Deforciant, to the manors of Henford, Somerset, and Lytchett, Dorset, the uses whereof, so far as regards the manor, were thereby limited to said John Maltravers for life, with remainder to his son, John Maltravers (VI) in tail, male with remainder to his (the sons) right heirs. The limitations of this fine did not extend to the advowson of the church of Yeovil, and, therefore, it remained in the trustees undisposed of. But, five years afterwards, in 1345 (18 Edw. III), by a charter dated at Witchampton, Wednesday after the Feast of the Annunciation, to which Robert Fitzpayn, Richard Turberville, Robert Martyn, Reginald Fitzherbert, Robert Champayn, knights; and John Wake, Nicholas Pyke, John Smedmore, and Henry Antiocke were witnesses, the trustees, Roger Maltravers and John de Homere, granted to Lord John Maltravers (V), lord of Lytchett, one messuage in Hyneford, and the advowson of the church of Yevell in fee, and he, by a subsequent charter, dated before 36 Edw. III, conveyed it to Richard Fitz Alan, Earl of Arundel (Exch. Q.R. Miscell. 911—31). The earl was the brother of John Fitz Alan, husband of Alianor, daughter of John Maltravers (VI), upon whom and her husband the manor of Henford and a rent of 57s. issuing therefrom, had been settled by her grandfather, John Lord Maltravers (V), by a fine dated 33 Edw. III. Richard, 14th Earl of Arundel, was of Royal descent, his mother being Eleanor Plantagenet, daughter of Henry, Earl of Lancaster, but he was beheaded in 1397. He had, on two occasions, exercised his right of patronage over the church, and by his will, dated 4th March, 1392, he directed the advowson to be sold. The words of the bequest are, "Item je vuille que l'avowesoun de Yvele soit venduz auxi tost come home purra

apres mon deces resonablement et les deniers d'icell loialment emploiez par mes ditz executours en meilloure mannere q'ils saveront en parfouissement du testament et voluntee mon seigneur et pierre qi Dieux assoile," with directions for presenting a fit clerk, from time to time, to hold the church until a sale could be effected (Nichols' *Collection of Noble Wills*, p. 137). In pursuance of this bequest, the advowson was sold to King Henry V, who purchased it in order to increase the endowment of his recently founded Monastery of Sion, and by charter, dated at Arundel, 13th July, 3 Henry V, (1315), Thomas, 15th Earl, son of the Testator, conveyed two acres of land in Yevill, in a certain place called Huish, together with the advowson of the church of Yevill to his Majesty, his heirs and assigns (Exch. Q.R. Miscell., ut sup.).