Stoke under Hamdon

in connection with Sir Matthew de Gournay, Kt.,* and the Duchy of Cornwall

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THIS paper is intended to be supplementary to my "History of the Barony of Beauchamp of Somerset,"[1] and its object is to show how Stoke under Hamdon, with other Beauchamp manors, passed to Gournay and the Crown, and thence to the Duchy of Cornwall.

On referring to my memoir it will be seen, that the manor of Stoke formed part of the Beauchamp Barony, and was held of the Crown in chief by knight service. The descent of the Barony was traced from Robert Fitz-Ivo, the Domesday tenant, down to 1361, when, on the death, without issue, of John Lord Beauchamp (the fourth of that name), Stoke and his other estates descended to his co-heiresses, in moieties, one moiety going to his sister Cecilia, then the widow of Roger Seymour, and afterwards the wife of Richard Turberville,[2] and the other to his nephew, John de Meriet, son of his deceased sister, Eleanor.[3]

* The name is spelt, in some documents Gournay, and in others, Gournéy. I have adopted the former without the 'de.'

(1). *Proceedings*, vol. 36, part ii.

(2). Addenda to Dorset Visitation, 1623, p. 13.

(3) Esch. 35 Edw. III, pt. i, No. 35.

It was stated also that the Lady Alice, the wife of Lord Beauchamp, survived her husband, and was married in or shortly before 1374, to the renowned warrior, Sir Matthew Gournay, Knt.—*Miles prænobilis*—and, before proceeding further, some notice should be taken of that distinguished man.

Sir Matthew was the fourth son of Sir Thomas de Gournay (one of the accessories to the hideous murder of King Edward II), by Joan, daughter of Sir Matthew Furneaux, of Kilve, and widow of Sir John Tryvet, Kt., of Huntspill. His brothers having died in his life-time childless, he became, eventually, the only survivor of the ancient Somersetshire family of de Gournay, which traced its descent from Ascelin Gouel de Perchevel (ancestor also of the house of Luvel of Cary), who, at the time of the Domesday Survey, was Lord of the manors of Harptree and Ferenton (now Farrington Gournay) in this county. Harptree being their chief seat, his descendants adopted it as their family name, but in the reign of Henry III, Robert, son of Thomas de Harptree, and Eva de Gournay, his wife, changed it to Gournay in honour of his mother, and Anselm de Gournay (son of this Robert), was Sir Matthew's direct ancestor. This will be seen by the pedigree of the family annexed to this paper, and for which, as for much useful information, I am indebted to my friend, Mr. B. W. Greenfield.

Of Sir Matthew's military exploits in the armies of Edward III and his son, the Black Prince, during the wars with France, we have frequent notice in the "Chronicles of Froissart," and the "Gascon Rolls." Although a soldier, he took part in the "great sea-fight" off Sluys, at the beginning of the war, when the English achieved a complete victory. He was fortunate enough also to be engaged in the famous battles of Cressy and Poictiers. Not long after he was entrusted with the custody of the important Castle of Brest. At the battle of Auray in 1364, when the Earl of Montfort defeated the forces under Charles de Bois,

he was in command of the second battalion of the English army. In 1366, in the contention between Don Pedro and his illegitimate brother Henry for the kingdom of Castille, he commanded one of the "free companies" in an expedition into Spain in favour of Henry, but the Prince of Wales having determined to espouse the cause of Don Pedro, he was suddenly recalled, and engaged at the great battle of Najazza, where Henry was completely defeated. In 1377 he, and several other officers who had been taken prisoners, were ransomed by the King on the petition of the Commons in Parliament, and two years afterwards he was appointed Steward of the King's territory of Landes, an office which, with the provostship of the city of Dax, he retained until his death. It was whilst he was Governor of Dax, that his nephew, Sir Thos. Tryvet, (only son of his sister Joan) was passing through at the head of an armed force, sent by Lord Neville, the Steward of Bordeaux, to succour the King of Navarre against Castille; but profiting by his uncle's sage advice he delayed his progress for a season, after which the campaign, headed by both nephew and uncle, was vigorously carried on until a truce between the parties put a stop to it. In 1381 Sir Matthew was associated with Sir Thomas de Beauchamp (brother of the Lady Alice, his wife), in an expedition into Portugal, and this seems to have been his last active service on the Continent; but after his return home he was in 1387 one of the Commissioners appointed to raise men at arms in the counties of Somerset and Dorset to guard the coasts thereof. In 1390 he gave evidence in the great heraldic controversy between the families of Scrope and Grosvenor, and it is singular that a Dorsetshire veteran, Sir Guy de Bryan was also a witness on the same occasion. Sir Matthew became evidently an opulent man, and he must have been the architect of his own fortune. As he lost all right to his paternal inheritance by the attainder of his father, he must, as a soldier, have been wholly dependent on "the fortunes of war;" and,

happily for him, his valour and good luck won for his Sovereign rich domains in France, which he was gratefully allowed to retain as his own. He must also have amassed during the protracted war a large sum, in the shape of booty, which he seems to have profitably employed in loans to his friend, Lord Beauchamp, and other needy landowners. Altogether, bearing in mind that France during the war suffered enormously from the exactions of those free companies, who, with the tacit connivance of the King and the Prince, repaid themselves for their services by "spoiling the Egyptians," I confess I lean to a suspicion that our valorous knight did not hesitate to join in such remunerative incursions, especially as they were not in those days considered to be derogatory to the honour of a soldier.

To return now to Stoke : that manor was part of the Lady Alice's dower out of the Beauchamp estates, and, in consideration that he would on their marriage become entitled to her dower estate for their joint lives, and also in order to make some additional settlement on her and their possible issue, he purchased of John de Meriet his moiety of Stoke and of some other Beauchamp manors, which was conveyed to Sir William Beauchamp and others, as feoffees, and settled upon Sir Matthew and his intended wife and their issue, with remainder in default of issue to himself absolutely.[4]

The Lady Alice died in 1383, and before 1389, when he had reached the mature age of seventy-four, he married Philippa, widow of Sir Robert Assheton, Kt., of Puteney L'orti (Pitney near Langport), and sister and heiress of Sir John Talbot, of Richard's Castle, Salop. As there was no issue of his first marriage, Sir Matthew became absolutely entitled to the moiety of Stoke he had purchased of John Meriet, but, at the same time, he had lost by his wife's death her dower right in the other moiety which now belonged to The Lady Cecilia Turber-

(4). Inq. 48 Edw. III, 2nd nos., No. 7.

ville in possession. It was, no doubt, to remedy this that it was agreed between the Lady Cecilia and himself that if she would convey to him her moiety of Stoke and certain Beauchamp manors, he would release other parts of those estates from the rent charge and thereby enable her to sell them unencumbered. This arrangement was noticed in my memoir, but as it is more material to the present enquiry I have set out a translation of the original deed (in Norman-French) from the records.[5] The other parties, besides Sir Matthew and The Lady Cecilia, were probably intending purchasers.

This Indenture made between Sir Matthew de Gourney knight of one part and my very honourable lady Margaret Countess of Devonshire, Dame Cecily Turburville, William Boneville knight, Walter Clopton, Robert Asshefelde, John Pyshale clerk, and Roger Wolferstone of the other part **Witnesseth** that whereas Sir Matthew de Gourney knight shows a deed supposing that Sir John de Beauchamp of Somerset knight, one of whose heirs the said Dame Cecily is, granted by it to the said Matthew in fee an annual rent of one thousand pounds by the year to be taken of all his manors lands and tenements in England which deed the other parties do not at all acknowledge, the said Matthew wills and grants by these presents, that if the said Sir Matthew his heirs or assigns or any other by command power or covin of them or one of them (after that the said Dame Cecily has made feoffment of the moieties of the manors of Stoke under Hamedene with the patronage of the Chapel there and of whatsover she has in the manor of Shepton Malet and the advowson of the church of the same manor in the county of Somerset and of the moiety of the manor of Shepton [Shepperton] and the advowson of the church of the same manor in the county of Middlesex with all their appurtenances in form and condition contained in other Indentures made between Sir William de

(5). Close Rolls, 9 Richard II, 233 m., 21 dors.

Beauchamp and the said Sir Matthew of one part and the said Dame Cecily and Sir William Ley clerk of the other part) take distress in any wise in the manors of Hacche Beauchamp, Capelonde, Shepton Beauchamp, Miryfelde, in the county of Somerset, Littelhawe in the county of Suffolk Boltebury Hurberton and the moiety of the manor of Silferton in the county of Devon, the moiety of the manor of Littelton in the county of Middlesex, the moiety of the manor of Sellynges in the county of Kent, or in any parcel thereof, which moieties belong to the property of the said Dame Cecily, for the rent abovesaid or parcel thereof in time to come or in the moiety of the manor of Stokelynge, in the county of Somerset during the life of the said Dame Cecily, which belongs to the portion or purporty of the said Dame Cecily after the death of the said John de Beauchamp, or if the said Matthew his heirs or assigns appears or appear, in time to come, in any Court of Record in proper person or by attorney in any suit for recovery or demand of the said annual rent from any of the tenants of the lands before specified, or any other having their estate by reason of the possession of the said tenements, except in the said moiety of the manor of Stokelynche, after the death of the said Dame Cecily, then the said annual rent of one thousand pounds together with the arrearages shall be extinguished for ever, and the said writing be made void and held for naught **Provided** always, that if the tenants of the moieties of the manors of Littelton and Stokelynche, disturb the said Sir Matthew from having execution of a Statute Merchant of two thousand pounds lately made by Sir John Beauchamp, the said Matthew shall not be at all excluded from taking distresses in those moieties of Littelton and Stokelynche for the cause above said. **In witness** whereof to these Indentures the aforesaid Dame Cecily and Sir Matthew have interchangeably set their seals. Given at London the twentieth day of February in the ninth year of the reign of the king Richard the Second.

And be it remembered that the aforesaid Matthew came into Chancery of the King on the twentieth day of February and acknowledged the Indenture aforesaid and all things contained in the same in form aforesaid.

The Lady Cecilia fulfilled her part of the agreement by conveying (inter alia) her moiety of Stoke with the patronage of the Free Chapel to Sir William Beauchamp, and the other feoffees to whom the Meriet moiety had been conveyed; and Sir Matthew having (as must be inferred) conveyed to them the manor of Curry Malet (which he had purchased); both Stoke and Curry Malet were granted by the feoffees to Sir Matthew and Philippa his wife and their issue, with remainder to the heirs of Sir Matthew.[6] But all this was done without the licence of the Crown, which was necessary, as both manors were held in chief, and, by the rigid feudal law, they were subject to the penalty of forfeiture, unless the King of his special grace saw fit to remit it. That the offence was condoned there is no doubt;[7] but what the precise terms of the pardon were cannot positively be ascertained. Most probably a money penalty was required, and the licence confined to a grant to Sir Matthew and his wife and their issue, leaving the reversion in the crown as an escheat. Sir Matthew, it may be supposed, would be somewhat indifferent to the ultimate destination of the estates. He had no children, and, at his great age, no hope of any, and the disinheritance of his heirs-at-law would not trouble him much as they were distant collateral relatives, the issue of his sister Joan, his presumptive heir, having failed by the accidental death of his nephew, Sir Thomas Tryvet.

According to Sir Richard Hoare in his account of Mere,[8] the Crown acquired the Gournay estates not by escheat,

(6). Inq. 13 Rich. II, m. 81.

(7). See post. Writ 8, Hen. IV.

(8). "History of Modern Wilts," vol. 1, p. 254.

but by express grant. He says, Sir Matthew two years before his death, with the concurrence of his wife, levied a fine of all his manors and estates by which, reserving a life interest to himself and his wife, he settled them on the King and his heirs, but he quotes no authority, and the only known fine that could contain such a clause is one, to be mentioned hereafter, which does not contain it. Sir Richard probably relied for his authority on a passage in the History of the house of Yvery (ii, 518), which states positively that shortly after the above-mentioned fine was levied, the uses were declared to be to Sir Matthew and his wife for their lives, and to the King after their decease. The authority cited is Letters Patent of the following year (1404), whereby the King granted to Joan, his wife, Queen of England, the reversion of all the possessions which (in the words of the patent) "Matthew Gournay, Kt., holds for the term of his life as well by our grant as of those of our ancestors or predecessors."[9] But this gives us no information *how* the King acquired the reversion, and it suggests the idea, that the King granted the life interest to Sir Matthew, rather than that he gave the reversion to the King. The Patent, it will be observed, ignores the life interest of Philippa, but it was after recognized.

It is difficult, if not impossible, now without the assistance of contemporary documents, to explain satisfactorily by what means the reversion of the estates *did* come to the Crown. As to the forfeited Gournay estates, it is possible that they had never been restored, and that Sir Matthew held them by special grant in reward for his great military services. On the other hand, there are grounds for contending that parts of those estates escaped from forfeiture by the Statute de Donis. The manors of Ferenton, Inglescombe and West Harptree, were, in the reign of Edward I, held by Anselm de Gournay and settled by him on his youngest son, Thomas de Gournay

(9). Pat. Roll, 5 Hen. IV, pt. 2, m. 7.

and the heirs of his body,[10] with remainder to the heirs of the said Anselm. Thomas died, and on his death was succeeded by his son Thomas, the Regicide, as heir in tail. After his death his estates were seized by the Crown, and Joan, his widow, petitioned (4 Edw. III) the King and Parliament, setting out the entail and praying to be allowed her dower out of them. How her claim was disposed of does not appear; but as Thomas, Sir Matthew's father, was heir in tail, the right of Sir Matthew to succeed as his son was protected from forfeiture by virtue of the Statute, and the reversion in fee only, which vested in Thomas, as the heir of his grandfather Anselm, would be forfeited. But here it should be observed that according to the records, Sir Matthew was himself attainted as early as 1338, for in that year it appears by the Patent Roll that the King granted to Thomas Bradeston in fee an annual sum of £47 19s., until he shall grant to him lands of that value, in consideration that Bradeston renders up to the Crown the manor of Knolle ["one of the Gournay manors in Bedminster, near Bristol,"] which belonged to Matthew de Gournay *attainted.* "Quod fuit Matthei de Gournay *attincti.*" What his offence was does not appear, but the attainder could hardly have been in force in 1357, as in that year Sir Nicholas Poyntz obtained licence from the Crown to grant to Sir Matthew and his heirs the Manor of Cory Malet, and no doubt it was conveyed accordingly.[11] Notwithstanding this, it would seem, that he was afterwards treated as attainted as an Inquisition, in the nature of an Inquisition of concealed lands, was taken at Crewkerne, in 1365, before Ralph Daubeny, John Frysel, and Robert Legh, Commissioners of our Lord the King, by which the jury find that Sir Matthew Gournay Kt., at Michaelmas, 1363, was seized in fee of the Manor of Cory Malet and of a Carucate of Land called Northall, in the

(10). Esch. 13 Edw. I, No. 37.
(11). Pat. 30 Edw. III, p. 1, m. 7.

Manor of Ile Abbot, of the value of 30 marks [per annum] and that there were cattle and other stock there worth £20, and that he had in his own custody 1000 pounds of gold, which on Monday next after the feast of Assumption of the B.V.M., 1363, were by the hands of the said Matthew delivered to "John de Beauchamp of Somerset, Lord of Hacche," on security of a certain statute of Merchants by the said John de Beauchamp, made to the said Matthew, and the said John de Beauchamp died in 15 days of Michaelmas following, and the said thousand pounds were then in his Treasury at Stoke, except £24 by him paid to William Langywell of Melcombe, and 100 marks lent by him to Richard Branscombe, which he repaid to Alice, the widow of John, after his death, and the residue was in her hands.[12] What were the consequences of this Inquisition has not been discovered, but it will perhaps turn out that the attainder of Sir Matthew was reversed before 1475[13] (48 Edw. III).

Some years must have elapsed before any further alteration was made in the Gournay title, for the next record found is a fine levied in October, 1403 (4 Hen. IV) between Reginald Grey de Ruthin, William Otterhampton, Parson of the Church

(12). Inq. 38 Edw. III, 1st No., m. 61.

(13). The suggestion that Sir Matthew himself gave his estates to the King may be founded on the feodal maxim, that the ultimate reversion of all manors was vested in the King, as the ultimate Lord, and the fact that before the introduction of recoveries in the reign of Edward IV. his concurrence was necessary for barring an entail. The theory is that if a man seized of an estate in fee tail wished to bar the entail and settle the estate in some other manner, he conveyed it to the King, who, by letters patent, re-granted the same in the manner required; the reversion in fee remaining in the King as before. An example of this in the reign of Edward II, relating to the estates of John de Warren, will be found in Manning and Bray's "History of Surrey" (vol. 1, p. 274). In some other cases that have been met with, there probably was an intention of giving the property to the King—reserving a life interest. For instance, in 13 Edward III, Roger Bavent granted all his manors to the King, who re-granted them to him for his life. In 15, Edward II, Alice, the wife of Thomas Plantagenet, Earl of Lancaster, conveyed all her estates to the King in fee, and he granted them to her for her life; and again, the Earl of Pembroke did the like in the reign of Edward III ("Coll. Top. and Gen." vii, 152; vi, 158, 168).

of Silferton, and others (as feoffees), Plaintiffs, and Sir Matthew Gournay, Kt., and Philippa his wife, Deforciants, whereby the manor and advowson of the Church of Sheperton, *in Middlesex*, one moiety of the manor and the advowson of the Church of Silferton, *in Devon*, the manors of Stoke under Hamdon, Cory Malet, Inglescombe, Walweton, Telisford, Laverton,[14] Harpetree, Farenton, Stratton-uppe-Fosse, Milton Faconbridge, one moiety of the manor of Shepton Malet, and the advowsons of the Churches of Cory-Malet, Telisford, Stratton-uppe-Fosse, and Shepton Malet, and the free chapel of Stoke under Hamdon, *in Somerset*, the manors of Ryme and Langton Heryng, and eight messuages, four carucates of land, twenty acres of meadow in Hamme-Moune, Sturmynstre, Northalle, and Bablake, and the advowsons of the Churches of Ryme and Kington Manor, *in Dorset*, one moiety of the manor of Magor, in the lordship of Chipstowe, *in Wales*, and the Manor of Maydencote, *in Bucks*, were acknowledged by the said Matthew and Philippa to be the right of the said Wm. Otterhampton and the said Matthew and Philippa, thereupon in consideration of 500 marks released the same premises to the said feoffees, and the heirs of the said William.[15]

The effect of this fine it will be observed was only to transfer what lawyers call the legal estate, the beneficial ownership being dealt with by a separate deed (not known to be extant); but it may be taken for granted that all the premises were conveyed by the feoffees to Sir Matthew and his wife Philippa and the heirs of their bodies, with remainder to the heirs of Sir Matthew, and so the case stood at his death, the estates still remaining in jeopardy for want of the license.

Sir Matthew died in 1406 (7 Hen. IV), probably at the Beauchamp Castle at Stoke, at the great age of ninety-six, and to quote old Fuller's quaint words it was a wonder

(14). The Manor of Laverton had been very recently settled by fine on the said Matthew and Philippa, and the heirs of their bodies, with remainder to the heirs of Matthew. Som. Fines, 19 Rich. II, No. 78.

(15). Fines, Div. Cos., 4 Hen. IV, No. 70.

that he "who did lie and watch so long on the bed of honour should die in the bed of peace." He was buried in the Chapel of St. Nicholas, within the Castle walls, where Leland, the antiquary, saw his tomb in the reign of Henry VIII, with an inscription on it recording his martial deeds, and he observed also his arms painted in one of the windows, *paly of six or and gules*,[16] but the colour of the pales are properly *vert and gules*. His seal, with these arms and his crest, *a saracen's head crowned*, was affixed to a deed without date, emancipating a serf in these words, "Matthew de Gurney de Stoke sub Hamdon liberam facit Aliciam Brooker nativam suam."[17]

The mediæval house in the centre of the village of Stoke is generally pointed out as the Gournay mansion, but that is a mistake ; it was the official residence of the Provost of the Beauchamp College or Chantry, and is referred to by Leland as "the large house which the Provost hath in the village of Stoke hard by." On the dissolution of Chantries it was granted by the Crown with the impropriate rectory of Stoke to the predecessors of the present owner, Mr. Hawksworth, and it is still properly termed The Parsonage. Collinson in his "History of Somerset," following probably Fuller (Fuller's Worthies), speaks of Stoke as Sir Matthew's native village,[18] and includes it and the manors of Shepton Mallet, Curry Mallet, Midsomer Norton, and Milton Falconbridge as Gournay estates, which had been forfeited by the attainder of Sir Matthew's father.[19] But this is palpably wrong. Stoke, Shepton Mallet, and Midsomer Norton were all Beauchamp manors, with which the Gournays had no connection, until Sir Matthew's marriage with the Lady Alice, his first wife. Curry Mallet was as already mentioned, purchased by him, and he got Milton in exchange for Knolle.[20]

(16). Lel. Hen. II, 54, vii, 88.
(17). Pole's Collections ; MSS., Queen Coll., Oxon. No. 152.
(18). Vol. III, p. 320.
(19). Ib., vol. II, p. 139.
(20). Close Rolls, 9 Ric. II, No. 48.

Notwithstanding his many achievements, Sir Matthew was never honoured with a higher rank than that of Knight Banneret.[21] He is said to have been Baron of Guienne in France,[22] which is quite possible, as Guyenne was a Duchy held as a fief by Edw. III under the French King, and it is certain that he is styled Baron as owner of several baronies in France. His presence at a sitting in Parliament (1 Hen. IV), when the custody of the deposed king Richard, was determined, may seem to indicate his being a peer, but he and the commoner attending with him are only styled "Messieurs," and upon such a momentous question they may have been called in upon points of detail. Neither was Sir Matthew, as some have supposed, a Knight of the Garter. It is true that he was amongst the guests invited to the feast of St. George in 1386, but it does not appear from the records of the order that the honour of the Garter was ever conferred on him.

The Inquisition, taken after his death, is not to be found. Dodsworth saw it, and made an abstract of it, which I have examined in the Bodleian Library. It finds that he died seized in fee tail of the manor of Stoke, with the advowson of the free chapel there, and of the manor and advowson of the Church of Cory Malet, all held of the King in chief, with reversion over to William Otterhampton, because Sir Matthew died without issue.[23] William Otterhampton, it will be observed, was the Feoffee under the foregoing fine of 4 Henry IV. Following this Inquisition there is a writ to the Escheator of Somerset and Dorset, tested 10th Dec., 1406, by which, after reciting that it had been found by divers inquisitions, that Matthew Gournay, Kt., held at his death jointly with Philippa his wife, yet surviving, "the manor and advowson of the free chapel of Stoke sub Hamdon, and the manor and advowson of the Church of Cory Malet, and the several

(21). Devon's Issue Roll, p. 307.

(22). Anderson's House of Ivery ii, 519. Pat. Roll, 9 Hen. IV, pt. 1, No. 3.

(23). Dodsworth MSS. Bod. Lib., vol. xi., p. 56.

other manors and premises (describing those mentioned in the above fine) by the gift and grant of Reginald, Lord of Ruthyn, William Otterhampton, and the other feoffees therein named to hold to them the said Matthew and Philippa, and the heirs of their bodies, that the said manors and advowsons of Stoke sub Hamdon and Cory Malet were held of the King in chief, and that inasmuch as the King had on the 27th Oct., last, pardoned the transgressions done in their part (*factas in hac parte*) [that is, had pardoned the grant made by the feoffees without licence], and had granted licence to the said Philippa to hold the said manors and advowsons of Stoke and Cory Malet for her life, as appeared by the Chancery Rolls, and had accepted her homage and fealty,—the Escheator is commanded to deliver to the said Philippa the manors of Stoke and Cory Malet, and such of the other manors and advowsons mentioned in the fine as were within his Bailiwick.[24] The next transaction recorded is a transfer of the legal estate to new feoffees, which was effected by a fine levied in 1408 between John Uppeford Clerk and others, Plaintiffs, and William Otterhampton, Deforciant, whereby the said William Otterhampton, in consideration of 5000 marks of silver, granted all the said manors and premises, subject to the life estate of the said Philippa (then the wife of Sir John Tiptoft) to the said John Uppeford and others, and the heirs of the said John Uppeford.[25]

Philippa died in 1417,[26] leaving her second husband, Sir John Tiptoft, surviving, and either before or after her death, he had a grant from the Crown of the Matthew Gournay estates, both in England and in France, for his own life; and as he held high offices in the King's household, he would not have much difficulty in obtaining it.

It was during the life of Sir John Tiptoft that Henry V granted the reversion in fee of the Matthew Gournay estates

(24). Close Rolls, 8 Henry IV, m. 29.
(25). Fines Div. Cos. 10 Hen. IV, No. 133.
(26). Esch. 5 Hen. V, No. 40.

to the Duke of Cornwall. It is matter of history, that in the eleventh year of Edward III, his son Edward the Black Prince, was created Duke of Cornwall by an act of Parliament, which is said by Lord Coke, to be a great landmark in the history of dignities, as it was the first creation of a Duke from the time of the Conquest. To sustain that dignity with becoming honour, the King bestowed upon the Duke and his successors, amongst other possessions, the Manor of Isleworth, and it was held as part of the Duchy down to the reign of Henry V. That King had founded the Abbey of Syon, under the name of "The Monastery of St. Saviour and St. Bridget of Syon of the Order of St. Augustine," and granted a small part of the demesne of the Manor of Isleworth, lying in the parish of Twickenham, as a site for the conventual house. He also endowed it with large possessions in different parts of England, and amongst them, may be mentioned here, the advowson of the Church of Yeovil, with the rectorial manor of Yeovil appurtenant to it. But it was found that the monastery was cramped and shut in for want of more land round it; and the King, shortly before his death, in 1421, procured an Act of Parliament by which the Manor of Isleworth was disunited from the Duchy and annexed to the Monastery, and in lieu thereof there was granted to the Duchy the reversion, on the death of Sir John Tiptoft, of the following Manors, *viz*:—*In Somerset*—Stoke under Hamdon, Cory Malet, Milton Falconbridge, Stratton on the Fosse, Inglescombe, Norton cum Welverton, Widecombe, Farenton, Lavertone, a Moiety of West Harptree and Shepton Malet, and the advowsons of the Churches of Cory Malet and Stratton; the chantry of the free chapel of Stoke sub Hamdon, and a moiety of the Church of Shepton Malet. *In Dorset*—Ryme and Langton Hering and the advowson of the free chapel of Ryme. *In Bucks.*—a moiety of the manor of Maidencote. *In Kent*—one-fourth of the manor of Sallinges; and *in Wales*—a moiety of the manor of Magor[27]

(27). Rot. Pat. 9 Hen. V, p. i, m. 7, n. 20.

Sir John Tiptoft retained his life interest until his death in 1443. There is indeed on the Rolls of Parliament in the reign of Henry VI, a petition by him, which may seem to imply that he had sold it, for after setting forth that the King's father had "bargained" with him for certain seignories, manors, lands, rents and services late of Sir Matthew Gournay, for the sum of £4,000, which had been paid, he complained that another part of the agreement had not been fulfilled,[28] but the transaction probably referred to Sir Matthew's Gascon estates, which his wife Philippa (to whom he had given them) granted to Sir John her husband, and which grant was confirmed by the King by Letters Patent.[29]

At the time of Sir John Tiptoft's death, and indeed for the greater part of the reign of Henry VI, there was no Duke of Cornwall, and the Duchy estates belonged to the Crown by virtue of the Act of Edward III; and consequently we find that in 1443 the Gournay estates were leased by the King to Thomas Yonge;[30] and even in 1449, after Edward Prince of Wales was born, the rents were assigned towards the expenses of the King's household. Edmund Beaufort, Duke of Somerset, must have been a grantee at one time, and was seized of them at his death in the battlefield of St. Albans in 1455, and it is to be inferred from the inquisition that his son, Henry succeeded him as tenant.[31] The right of presentation to the Churches belonging to the Duchy was not included in the grant to the Duke of Somerset, as on February 5th, 1459 (when the Prince was only fourteen years old), the Bishop's Register records that "John Sherwell was presented to the Free Chapel of Stoke sub Hamdon by Edward, first son of King Henry VI, Prince of Wales and Duke of Cornwall."[32]

(28). Par. Rolls iv, 373*a*.
(29). Pat. Roll, 9 Hen. IV, pt. 1, m. 3; and see also Devon's Issue Roll, p. 307.
(30). Cal. Charter Rolls, p. 215.
(31). Esch. 33 Hen. VI, No. 38.
(32). Bp. Beckington's Register.

Edward IV held the Duchy until the birth of his son Edward, soon after which he granted and confirmed to his son and the Duchy of Cornwall for ever, the Manor of Mere, Wilts, and also "all castles, manors, demesnes, lands and tenements formerly of Matthew de Gourney, in the Counties of Somerset and Dorset, which grant was confirmed by Act of Parliament, 12 and 13 Edw. IV.[33]

But the Duchy was not left long in the quiet enjoyment of its Gournay possessions; for, it being considered appropriate for the Prince of Wales, to acquire certain estates in the Principality, which had been forfeited to the Crown by the attainder of Jasper, Duke of Bedford, and had been granted to the Earl of Huntingdon, the Gournay estates were, by an Act of Parliament, 22 Edward IV, exchanged with him for the Bedford estates, in Wales.[34] This, however, proved a one-sided bargain, for the Duke of Bedford being afterwards pardoned and restored to his Welsh Manors, Arthur, Prince of Wales, son of King Henry VII, justly complained that he had "neither the Castles in Wales nor yet the said Manors in Somerset and Dorset, which is contrary to all reason and conscience," and this remonstrance being laid before Parliament, an Act was passed (11 Henry VII), repealing the Act, 22 Edward VI, and restoring the Gournay estates to the Duke; and the greater part now belongs in right of the Duchy to His Royal Highness Albert Edward, Prince of Wales and Duke of Cornwall,—'whom God preserve.'

Nothing has been found relating to Stoke territorially, during Sir Matthew Gournay's ownership, but the Inquisition p.m. of John, second Lord Beauchamp of Somerset, in 1344, furnishes some interesting particulars respecting his demesne lands It was taken at Stoke, August 2nd (17 Edward III), and the jury found that John de Beauchamp held the Manor of Stoke

(33). (Par. Rolls vi, 13*a*, Charter Rolls 11 to 15, Ed. IV, quoted 5th Report on Dignity of a Peer.

(34). Parl Rolls, vi, 203*b*.

under Hamdon of the King in chief by the service of one Knight's fee—that there was in the manor a capital messuage worth, with the garden, 6s. 8d. a year; a dovehouse worth 6s. a year; 300 acres of arable land worth a 100s. a year, or 4d. per acre when cropped, and nothing when not cropped, because they are in the common field—and that there were cropped that year 120 acres, the residue lying waste in the common field. Twenty acres of meadow worth 30s. a year, 1s. 6d. per acre, and no more, because they lie in common after mowing; Hill pasture *(pastura montana)* worth 6s. 8d. a year; a water mill worth 16s. 7d. a year; rents of assize 116s. 8d, payable quarterly; winter labour, summer labour, and autumn labour, worth 21s. 3d. a year.[35]

The mode of cultivation appears to have been the usual three-field system—the tenants assisting in the husbandry works and stocking the uncultivated land in common. The meadows also were commonable after the hay harvest, which was rather unusual. No reference is made to a peculiar custom, which still continues, by which a meadow called "Hopping Ground" is divided into cuts or parts belonging to so many customary tenements, but every year each tenant has a different parcel, each one "hopping" over the others in appointed order.[36] Neither is there any allusion to the freestone quarries on Ham Hill, although they were certainly worked long before that time. It may be that the quarries had not then extended into Stoke, for it is believed, that the earliest workings were in the manor of Norton on the south side of the hill and touched Montacute before they reached Stoke; and possibly the large amount of rents of assize may have arisen partly from the quarries, as well as from tenements granted out at a fixed rent. The customs of the

(35). Esch., 17 Edw. III, 1st part, No. 58.

(36). Probably this is the meadow called Dolle mead, mentioned in the second article of the presentment of the customs—but it would be more correctly called Dole mead.

manor (which, to be legal customs, must be presumed to have originated centuries before) are not mentioned in this inquisition, but they are incidentally noticed in the reign of Henry VI, when it appears by an inquisition held in 1444 that the King complained that the receipts from the manor were decreasing, and that the tenants paid less than they ought; and it was found that the tenants of a ferling of land ought to pay so much in money and so much in works, and so in proportion for half-a-ferling, and that such was the custom until William Stephens, clerk, receiver for Sir John Tiptoft, altered the same.[37]

Through the kindness of the late Viscount Portman, then Lord Warden of the Stannaries, I was allowed to search the Duchy office for any early documents relating to Stoke, and was assisted very courteously by Mr. Holzmann the secretary, but I found nothing in connection with its history of sufficient interest to be noticed in this paper. In my own possession, however, I have an ancient copy of a presentment made, in 1616, by the Homage at a Manor Court, in answer to certain articles propounded to them by the steward, and I venture to append an exact transcript of it, as, besides its intrinsic local interest, it may induce some rising student to endeavour to collect and codify the various customs of our West Country manors, in illustration of the peculiar modes of tenure prevalent in it, and of the progressive changes, by which their rigid nature has been gradually modified and given place to other treatment more adapted to the wants and habits of modern society.

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(37). Inq. ad. q. d. 22 Henry VI, No. 5.

"Somersett Stoke sub Hamdon } The Presentment indented of the Homage and Court of Survey holden the eight and twentieth day of August Anno Regni Dñi ñri Jacobi nunc Regis Añgl Terciodecimo et Scotiæ Quadragesimo nono for Prince Charles Prince of . . . . . Great Britain &c.

1.—To the first article they say that the Mannor of Stoke under Hamdon aforesaid is bounded or abutteth upon the Kings Majesty's highway on the North part upon parcel of the Lands belonging to the serveral mannors of Tintenhull and Stokett on the East part upon parcel of the Lands belonging to the several Mannors of Montague and Norton sub Hamdon on the South part and upon the Lands of the Earl of Hertford and of the heirs of Emorb Johnson Deceas'd on the west part And that one Close of pasture called Winspoole containing by estimation Ten Acres now in the tenure of Robert Chaffey the Elder is parcel of this Mannor and lyeth in the Parish of Ivelchester in the said County of Somersett and lies bounded with the lands of one William Hodges on the West and North Parts and with the lands now in the tenure of Robert Phelipps Knight and of George Rayment Gent on the East part and with the lands belonging to the Provostry freechaple and Rectory of Stoke under Hamdon aforesaid on the South part And that the first share of Twelve acres of meadow lyes in two several parcels (that is to say) Seven acres in one parcel and five acres in another parcel in the said Meadow called Ivelchester Mead in the said County of Somerset and are parcel [of] or belonging to this Mannor and now in the tenure of Divers of the Tenants of this Mannor and belonging to their Copyhold Tenements of this Mannor But how it is bounded they do not certainly know And that five Swathes of Grass are to be taken yearly in a Meadow called Tintenhull Long Mead within the Parish of Tintenhull in

the said County of Somerset in a place there called Long Lakes and that in such sort manner and form as it hath been heretofore usually and accustomarily taken and do belong to a Copyhold tenement lying within this Mannor and parcel of the same Mannor now in the tenure of Robert Chaffey the Younger between a water Ryne called Long Lakes in the North part and Divers parcels of meadow now in the tenure of Divers persons on the South part And that the first share of one acre of Meadow lying in a Meadow called Barcroft within the said parish of Tintenhull belongeth unto the said Tenement now in the tenure of the said Robert [Chaffey] the Younger and is parcel also of this Mannor and lyeth adjoining to a Meadow called Cester Meade on the North part and certain meadows lying in the same Meadow called Barcroft now in the tenure of Sr Joseph Killygree Knight on the South part And that a certain cottage and a little parcel of ground adjoining thereunto containing thirty foot in length and eighteen foot in breadth lyeth in the Parish of Ivelchester aforesaid now in the tenure of Christopher Brown and parcel or belonging to the Mannor aforesaid and abutteth upon the land of one John Brown Gent on the North part and the Land of or belonging to the Burrough of Ivelchester on the South and East parts and the Street there on the West part And that one close of pasture called Bumbestcroft containing by estimation Seven acres lying within the Parish of Kingsdon in the said County of Somersett now in the tenure of one William Stuckey is parcel [of or] belonging to this Mannor And that Leaze and pasture for four rother beasts or other cattle in lieu thereof according to the usual order there is to be had and taken yearly in a common of pasture called Chilthron new Leaze within the Parish of Chilthron Domer in the said County of Somersett now in the tenure of Robert Jeanes and is parcel [of] or belonging to this Mannor And that one Cottage with an Orchard containing the fourth

part of an acre lying within the Parish of Montague in the said County of Somerset now in the tenure of one William Hobbs is parcel of this Mannor and bounden or abutting upon the lands of the said Sr Robert Phelipps on every part and that Sr Edward Phelipps Knight Deceased late Mr of the Rolles by wrong information did enter uppon and take away two acres and half or more of Land of this Mannor lying in the South part of this Mannor and did inclose the same unto the Land of his Mannor of Montague aforesaid with a Wall of Stone The which incroachment the said Sr Robert Phelipps his Son hath promised to disclose and lay back again And that the Tenant of a close of meadow or pasture called Landshare Well Mead lying within this Mannor hath and ought to have from time to time and at all times a way for all manner of carriages Driving and leading of all manner of cattle and otherwise whatsoever to and from the East part of the said close into the High way that leadeth from Holway gate unto Norton in upon and through the North part of a certain close of pasture lying within the Mannor of Norton under Hamdon in the said County of Somersett late in the tenure of William Rolle deceased and more to this Article they cannot say.

2.—To the second Article they say that Sr Thomas Phelipps Knight his heir and assigns holdeth thirteen acres and half of arable land and two acres of meadow lying within this manor (that is to say) Two acres thereof are lying in several places in a field called pesehill one acre and half thereof lyeth in a field called Comb Two acres thereof lyeth in Upfield above the moor Three acres thereof in the same field in a furlong adjoining to True loves Haye one acre and half thereof in a field called Homers hill and Three acres and half in Small Brook and the said two acres of Meadow do lye in a meadow called East Mead and hath the benefit of herbage but he doth [not] hold the same of this Mannor neither doth any

suit nor payeth any Rent to the Lord of this Mannor for or in respect thereof And that John Seward gent his Heirs and assigns holdeth one acre and half of arable Land lying within This Mannor in a field called Downfield and the first share of five acres and half of meadow lying with in this Mannor in a meadow called East Mead called Dolle Mead lying interchangeably sometimes at one place and sometimes at another but hath no benefit of Herbage neither holdeth the same of this Mannor neither doth owe any suits nor payeth any rent to the Lord of This Mannor for or in respect thereof And that Robert Chaffey the younger of Stockett[38] his heirs and assigns holdeth six acres of meadow in the same meadow called East Mead parcel whereof is lot Mead and hath Commons for six oxen or kine and for a horse in the after Share of the said meadow But holdeth not the same of this Mannor neither oweth any suit nor payeth any Rent to the Lord of this Mannor for or in respect thereof And that Francis Buckland Esq[re] his Heirs and assigns holdeth four acres and three yards of arable land lying within this Mannor in a place there called Showtland and the first share of six acres and half of meadow lying also within this Mannor in the same meadow called East Mead parcel whereof is lot mead but holdeth not the same of this Mannor neither hath any benefit of Herbage neither doth any suit nor payeth any rent to the Lord of this Mannor for or in respect thereof And that John Mabbard his Heirs and Assigns holdeth one Acre and a yard of arable Land lying within this Mannor in the said place called Showtland but holdeth not the same of this Mannor neither hath any benefit of Herbage neither doth any Suit nor payeth any rent to the Lord of this Mannor for or in respect thereof And that Francis House his Heirs and assigns holdeth one acre of

(38). In these mushroom times, it does one good to observe that Stockett—now called East Stoke—has come down from this Robert Chaffey to his lineal descendant, the present Robert Chaffey Chaffey, Esq.

arable land lying within the said Mannor in the said place called Showtland but holdeth not the same of this Mannor neither hath any benefit of Herbage neither doth any suit neither payeth any rent to the Lord of this Mannor for and in respect thereof And that the Heirs and assigns of Anthony Parsons Gent late deceased do hold Three of arable land lying within this mannor in the said place called Showtland but holdeth not the same of this Mannor neither hath any benefit of Herbage neither doth any suit neither payeth any rent to the Lord of this Mannor for or in respect thereof And that John Virgin his Heirs and assigns do hold five acres of arable land lying within this Mannor in a field called Downfield and one acre of arable land in the said field called Showtland but holdeth not the same of this Mannor neither hath any benefit of Herbage neither doth any suit neither payeth any rent to the Lord of this Mannor for and in respect thereof And that Alexander Miller his Heirs and assigns holdeth one acre of arable land lying within this mannor in the said field called Downfield but holdeth not the same of this Mannor neither hath any benefit of Herbage neither doth any suit neither payeth any rent to the Lord of this Mannor for or in respect thereof And that the Royalty of this Mannor reacheth unto a Gutter by Langfords Stone in Over-east Stoke unto the lake running over the way in Nether East Stoke And more to this Article they cannot say.

3.—To the third article they say that there are two freeholders withen this Mannor that is to say John Chaffey and Richard Archer And that the said John Chaffey holdeth in fee simple one messuage or tenement with a Barton Garden and Orchard thereunto adjoining containing by estimation one acre and seventeen acres and one yard of arable land under the yearly rent of five shillings and eight pence due to be paid to the Lord of the Mannor always at the feast of St. Michael the Archanggel and by suit and service to the Lords Courts

of this Mannor by the tenure of socage as they have heard and that upon the Death of every freeholder of the same there is paid to the Lord of this Mannor a relief Duble the rent and that the said Richard Archer holdeth in fee simple one little messuage or Dwellinghouse with a garden thereunto adjoining containing by estimation the eighth part of an acre under the yearly rent of four pence Due to be paid to the Lord of this Mannor always at the Feast of St. Michael the Archangel and suit and service to the Lords Courts of this Mannor by the tenure of socage as they have heard And that upon the Death of every freeholder of the same there is paid to the Lord of this Mannor a relief Duble the rent And more to this article they cannot say.

4.—To the fourth Article they say that there are Demeasne Lands within this Mannor as they have heard and as some copies make mention But how many acres they are and in what places they do lye and in whose occupation the same are they do not certainly know for all the Land within this Mannor lyeth one amongst the other and hath been granted by Copy of Court rolle according to the custom of this Mannor time out of Mind And that there was (as they have heard) a castle within this Mannor and did stand (as they likewise have heard) in certain ground called gardens[39] But whether the Lord did dwell therein they know not neither have they heard and more to this Article they cannot say.

5.—To the fifth Article they say that the coppyhold Tenements within this Mannor are named or called by the names of whole places half places Toftes and cottages and as for the present Tenants thereof and how much land they and every of them do now hold use occupy and enjoy by copy of Court Roll according to the custom of the said Mannor and what their several Rents and Heriots for the same are they (for the more certainty thereof) do refer themselves to the

(39). *See* Vol. xxxii, of the Society's *Proceedings*, p. 54.

rent roll of the said Mannor now in the custody of William Chaffey the Baylife and to the Tenant copies of the said Mannor and to the Survey books taken within this Mannor the Day and Year first above written but how much thereof is ancient customary and how much thereof is Demeasne Lands they know not for it lyeth intermixt the one amongst the other And that there are Divers of the said Tenements divided into many parts and that the rent of such Tenements is duly apportioned upon every part thereof but for the more certainty thereof they refer themselves unto the copies of such Divided Tenements and to the said rent Roll And they do further say That if any copyhold Tenement be suffered to Decay The Tenant thereof is to be presented by the Homage and a payment to be set by them upon such Tennant for the amending or repairing thereof by a day but no forfeiture by the custom of this Mannor for ought that they do know or have heard And they do further say that any copyhold Tenant of this Mannor or any Widow holding any Tenement by the custom of this Mannor for her Widowhood may from time to time sel or let His or Her Tenement or any part or parcel thereof to any Person or Persons from year to year according to the custom of this Mannor for the term of Three years without the Lord's Licence which hath been usually done here within this Mannor And they do further say that every tenant of this Mannor may fell and take by virtue of the custom of this Mannor any Timber tree or trees growing and being in and upon his or her own Tenement or Tenements Closes Lands meadows or pastures for House boote and plough boote and for making of gates bars posts stiles and other necessaries to be imployed in and upon his or her own Tenement or Tenements without leave of the Lord and without any wilful or unlawful waste thereof to be made And all shrouds of Trees tops Lops and all windfalls Dottard trees hollow trees starving trees and all hedges furzes and other fuel for fire boote and Hedge boote

also without leave of the Lord to be spent in and upon such Tenement or Tenements and elsewhere at the will and pleasure of such Tenant or Tenants And that if any Tenant or Tenants of this Mannor Doth not pay the Lord's rents issuing out of his or her Tenement or Tenements within fifty days next after the same shall become due and lawfully demanded it is no forfeiture by the custom of this Mannor But the Lord is to distrain for the said rent the goods of the said Tenant or Tenants if he or they have any goods that the Lord may distrain for the same But if such Tenant or Tenants have no goods to be distrained That then the Lord is to distrain the goods of the occupier or occupiers of the said Tenement or Tenements for the same Rent And that if any Tenant of this Mannor doth refuse to do the suit and service due for his or her Tenement or Tenements he or they are to be amerced but it is no forfeiture of his or their Tenement or Tenements by the said custom And that no Tenant of this Mannor having any Dwellinghouse upon his Tenement may dwell from the same without the leave of the Lord upon pain of amerciam[t] and may take under Tenants which are not by law to be put out of this without the Lord's leave and no forfeiture And that if any take more lives upon his copy [than] the custom will bear that then the same copy or grant is void by the custom of this Mannor And that if any tenant or tenants of this Mannor shall sue any tenant or tenants of the same mannor out of the court of this Mannor for any cause Determinable within the same Court without the leave of the Lord it is forfeiture of his copyhold So as the Courts of this Mannor be duly kept And that if the cattle of any tenant of this Mannor shall be impounded for any trespass committed within this Mannor and Determinable within the court of this mannor and the parties whom it shall concern shall not or cannot agree for the trespass committed That then the owner of such cattle shall have his cattle delivered out of the Pound

so as two of the Tenants of this Mannor do come to the partie to whome the trespass shall be committed and give their words for the answering of such costs and damages as shall be recovered in the Court of this Mannor by means of such trespass and more to this Article they cannot say

6.—To the Sixth Article they say that the Perch or Rod whereby the Lands within this Mannor ought to be measured Doth contain fifteen foot and more to this Article they cannot say than that they have formerly said in the fifth Article.

7.—To the seventh Article they say that the nature of their customary tenure is that it is granted by copy of court roll for lives by the Lord or Farmer of this Mannor and that every copy in possession will bear three names and when two of the names named in the copy in possession shall happen to be Deceased or Departed off or from this transitory life and the third name living and Tenant in possession That then the Lord or Farmer of this Mannor may grant Three names in reversion so as the Tenant in possession Doth give his or her good Will thereunto and more to this Article they cannot say.

8.—To the eighth article they say that there are fifteen common fields and one common close called Quanty which close is now in the tenure of John Chaffey freeholder and Two common meadows and a common of pasture called Rixon within this Mannor which are and ought to be laid open and in common as the Tenants of this Mannor do agree upon from time to time and that the Cattle are stented by the Whole place Half place and Tofte (that is to say To the Whole Place ten Rother beasts a horse and three score sheep To the Half Place five rother beasts a horse and thirty sheep and to the Tofte Two rother beasts and fifteen sheep abating for every Two acres inclosed a rother beast and for every acre inclosed three sheep) And also there is a common within this Mannor called Hamdon Hill and

lyeth open all the year for sheep only And that there is a close of pasture called Ham which lyeth open and in common yearly from the Sunday next after the feast day of St. Michael the Archangel until the Sunday next after the feast day of the purification of St. Mary the Virgin And that there is a close of pasture called Yehams [*i.e.* The Hams] which lyeth and ought to lye in Hayne from the Sunday next after the feast day of the purification of the blessed Lady St. Mary the Virgin until the third day of May and then or shortly after to be frith by the Tenants thereof with five and twenty rother beasts and one Horse beast and not above nor with any other cattle or beasts and so to continue the same frith until the Sunday next after S^{t} Martin's Day and from thence to lye open and in common until the Sunday next after the feast day of the purification of the Blessed Lady S^{t} Mary the Virgin yearly And that there is a parcel of ground called Lyde Mead now in the tenure of John Strode Esq^{re} and John Body which hath lyen open and ought to lye open and in common yearly all the year when the field adjoining thereunto is fallow And when Corn groweth in the same field from the Sunday next after Lammas day until the Sunday next after the feast day of the purification of the blessed Lady S^{t} Mary the Virgin yearly And that there is a parcel of Hill ground called Clarcombe walls which lyeth open And in common all the year when the field called upfield is fallow untill the first acre be sown in the same field and more to this Article they cannot say.

10.—To the ninth and tenth Articles they say that there are no commons within this Mannor otherwise than the common field common meadows Hamdon Hill Rixon the commons aforesaid and the common ways And that the said Sir Thomas Phelipps his heirs and assigns do enter common upon the said commons with the Tenants of the Mannor (that is to say) with four Rother beasts one Horse beast

and four and twenty sheep without paying any rent or any other consideration for the same But by what right they know not And that Robert Chaffey the younger of Stockett his heirs and assigns do enter common upon a meadow called East mead with the tenants of this Mannor (that is to say) with six oxen or kine and a horse and in consideration thereof The said Robert Chaffey his heirs and assigns are and do stand charged to provide yearly bread cheese and drink for the peopel which do go in perambulation on the Tuesday in the Rogation week as they have heard And that John Strode Esq^re^ and his assigns do enter common upon the said commons with the said tenants (that is to say) with eight rother beasts a horse and three score sheep But by what right they know not And that the grass haywards with the aid or help of the tenants do Drive the said Commons divers times in the year And that the Lord of this Mannor hath the benefit of the straw then taken and found and more to this article they cannot say.

11.—To the eleventh Article they say that one Thomas in Thorne a poor widow having three small children hath lately builded a little new house in the King's Majesty's highway for herself and her said children to dwell therein But by what warrant or rent they know not and more to this Article they cannot say.

12.—To the twelfth Article they have nothing to say.

13.—To the thirteenth Article they have nothing to say.

14.—To the fourteenth Article they say that if any person doth take any estate by copy in possession or reversion for three names and the first name pay all the fine he may at his pleasure surrender the two names in remainder But if the two names in remainder be joynt purchasers and joynt payers of the fine with the first name Or if the two names in Remainder or either of them or their or either of their friends Do pay any part of the fine in open court and so appear upon the said copy That then the first name upon

the said copy cannot surrender the two names in Remainder or either of them And that if the first name paying the whole fine and dying without surrendering The two names in remainder That then the two names in Remainder cannot avoid the one the other of them and this hath been the custom of this Mannor in this case time out of mind And that all the ground (as well freehold as copyhold) lying in the common fields within this Mannor, is to be of equal quantity, and upon complaint to the Court of this Mannor order shall be set Down upon a pain that the same shall be measured and made of equal bigness in such places where no meere nor walls are, according to the ancient usage and order of their Mannor and more to this Article they cannot say then they have formerly said.

15.—To the fifteenth Article they say that the wife of every Tenant Dying seised of a customary estate or estates is to have her widowhood in the same by the custom of this Mannor except the former wife of such Tenant be named (by the named of Joan or Agness or by any other name his wife) the second name in and upon the Copy whereby the said Tenant shall Dye seised in which case the last wife of such Tenant shall have no widowhood therein [and] that if any Woman (having an estate for the term of her life in any copyhold tenement) Doth surrender her estate therein and thereupon the same being granted to the Husband of such woman that then such woman (overliving her said husband) must have the same Tenement for her widowhood only and not otherwise And that if such woman shall happen to Dye living such Husband that then the last wife of such Husband is to have her widowhood therein by the usual custom of this Mannor And that the widow doth not forfeit her widowhoods estate therein after her Death by that right And that upon the Death of a Widow or any Tenant of this Mannor Dying Tenant in his or her own right The Lord is to have his or her best living beast for a

Heriot if the same be herritable But if he or she shall have no living beast at the time of his or her Death then the Lord is to have the best half acre of wheat growing upon the Tenement whereof he or she shall Dye seised for a Heriot if the same be Herritable (as aforesaid) and more to this Article they cannot say.

16.—To the sixteenth article they have nothing to say.

17.—To the seventeenth article they have nothing to say.

18.—To the eighteenth article they have nothing to say.

19.—To the nineteenth article they say That the Death of every freeholder within this Mannor with his and their next heirs are from time to time to be presented at the Prince's courts holden within this Mannor next after his or their Death with their lands, rent, tenure and service and with the benefit which cometh to the Lord upon his and their Death and more to this Article they cannot say

20.—To the twentieth article they have nothing to say

21.—To the one and twentieth article they say that the liberty of fishing within the said Mannor extendeth from Norton Field to the Bridge called Petherton Bridge but is of small value, and more to this Article they cannot say

22.—To the two and Twentieth Article they have nothing to say

23.—To the three and Twentieth Article they say that there is a Custom Mill within this Mannor to grind Corn called Petherton Bridge Mill granted by the Lord of this Mannor by copy of Court roll now in the tenure of Joan Carter widow by the yearly rent of four Pounds And that the Tenants of this Mannor do owe suit thereunto so long as the tenant thereof doth keep the same in his or her own hands and doth use them well and that the same is sufficiently repaired with his [*sic*] Banks ways Hatches floodgates and in all necessaries And that one Thomas Brain the elder as one of the tenants of this Mannor hath a little Hand Mill within this Mannor to grind Malt, of the

continuance of Thirty years or near thereabouts but whether the same be prejudicial to the custom Mill they know not And more to this Article they cannot say

24.—To the four and twentieth Article they say that there are Quarries of Stone in or upon the said Hill called Hamdon Hill, But what profit may redound unto the Prince, of the same, by any industry they know not, And that one William Thorne doth use them but by what right they know not, and more to this Article they cannot say

25.—To the five and twentieth Article they have nothing to say

26.—To the six and twentieth Article they say That there is a Leit or Law Day and a Court Baron within this Mannor and that the Jurisdiction of the same extendeth no further than to the Tenants and inhabitants of the same Mannor and the same are always kept in the House called the Parish House and more to this Article they cannot say

27.—To the seven and Twentieth Article they say That there is no other Tything within this Mannor but only the Tything of this Mannor And that the Kingsilver of the said Tything is four pounds three shillings and fourpence And that there is paid yearly at the Law day at the Feast of S^{t} Michael the Archangel the Sum of Twelve pence usually called Court weights And that every whole place Halfplace and Tofte within this Mannor are bound by custom to bear the office of grasshayward and Tythingman and more to this Article they cannot say.

28.—To the eight and twentieth article they have nothing to say.

29.—To the nine and twentieth Article they say that there is no Sheepslight within this Mannor in private neither in common to the Lord of this Mannor But there is a common for sheep called Hamdon Hill which belongeth to every Tenant within this Mannor in common (as aforesaid) and more to this Article they cannot say.

30.—To the Thirtieth Article they say that the Lord of this Mannor hath and ought to have always estreys fellons and Deddans goods treasure found and all other Royalties and prevelidges within this Mannor and the members of the same and hath been duly answered of them from time to time as far as they do know.

31.—To the one and Thirtyeth Article they say That there is a fair kept within this Mannor yearly upon St Mark's Day But no profit hath been made for the Lord by means thereof to their knowledge and more to this Article they cannot say.

32.—To the two and Thirtieth article they say that there is one Bridge of Stone named Petherton Bridge the half-endeal of which Bridge lyeth within this Mannor And the fourth part of the same Bridge is always maintained by the parishioners of the Parish of Stoke aforesaid And that there is one other Bridge of stone within this Mannor lying in the King's Majesty's Highway called Venn Bridge the Half endeal of which Bridge is always maintained likewise by the Parishioners of the Parish aforesaid and that the said Bridges are now in good repair and more To this Article they cannot say.

33.—To the three and Thirtyeth Article they say that there are no reprises payments Fees or any other charges yearly issuing out of this Mannor other than the ancient yearly rent of this Mannor issuing out of the Tenement of this Mannor and paid unto the Lord of this Mannor by the Tenants of the same Mannor which comes unto yearly the sum of Two and fifty pounds six shillings and six pence (as by the said rent Roll now in the custody of the said William Chaffey the Bailiffe of this Mannor appeareth) neither any rent payments or allowances yearly paid out of this Mannor to their knowledge And more to this Article they cannot say.

34.—To the four and thirtieth Article they say That there are no Lands Tenements rent Services or tenures concealed Detained Discontinued or wilfully denied within this Mannor for ought that they do know or have heard and more to this Article they cannot say.

35.—To the five and Thirtieth Article they say That there are no officers within this Mannor (other than S^{r} Robert Phelipps Knight John Seward and William Baron Gent the Stewards and William Chaffey the Bailiffe) and that they have nothing for their pains but as it shall please the Lord to bestow upon them and have performed their offices duly from time to time for ought that that they do know or have heard And more to this Article they cannot say.

36.—To the six and thirtieth Article they say that Ivelchester a Market Town and the Shire Town of the said County of Somerset is three miles Distant from this Mannor and that Crewkerne a Market Town is four miles Distant from this Mannor and that Petherton a Market town is to [two] miles Distant from this Mannor and that Yeovil a Market town is four miles distant from this Mannor And that these market towns are the nearest Market towns to this Mannor And that this Mannor lyeth within the Hundred of Tintenhull and within the Dioces of Bath and Wells and that this Mannor lyeth thirteen miles from the Sea. And that Lyme Regis in the County of Dorset is the Nearest Port to this Mannor And that this Mannor lyeth one hundred miles or near thereabouts from London And more to this Article they cannot say.

37.—To the seven and thirtieth Article they say That the Parsonage within this Mannor is impropriate and not presentive and a yearly rent paid out of the same to the King's Majesty But how much they know not and always served by a Curate and more to this Article they cannot say.

Hugh de Go

Thomas de G
by gift fro
in 1329, o
No. 25.

Walter Cate
living 1402

Philip Hamp
Hampton
Eldhab de
living 1408.

Philippa, d. and coh. of Sir John Talbot, Kt., of Ricard's Castle, Herefordshire, and widow of Sir Robert Ashton, Kt., who ob. s.p. 7 January, 7 R. II, 1383-4. She aged 21 in 12 R. II, 1388. Ob. 3 May, 41417. s.p. [Esch. 5 H. V, No. 0].

= 3 h. Sir John Tiptoft, Kt., summoned as Baron to Parliament 4 H. VI. Philippa was his 1st w. Sir John m. 2d Joyce, d. and coh. of Edw. Cherleton, Lord Powys, and by her had issue. He d. 1443 [Esc. 21 H. VI, No. 45] and was buried in Ely Cathedral.

Richard Ham
of Est-Har

John Hampto
Est-Harptr

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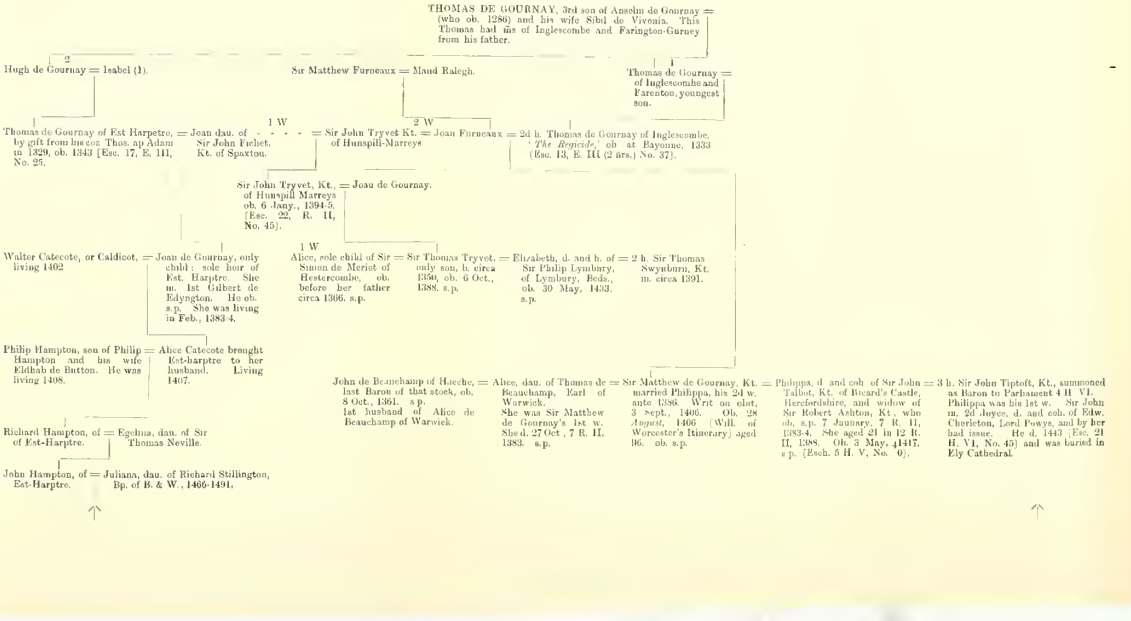
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GOURNAY PEDIGREE

SHOWING THE DESCENT OF SIR MATTHEW GOURNAY, KT.



A true copy of the said Custom roll seen and examined at a Court Leete and Court Baron held for the said Mannor the eighth day of October in the year of our Lord One Thousand six Hundred and fifty and seven unto which we the Homage and Tenants there subscribed our Names.

Richard Chaffey Sen^r^
William Bodie alias Marke
John Brayn Sen John Fawn
Robert Johnson
Richard Chaffey Jun^r^
Gilis Chaffey
John Axe
William Palmer
John Johnson
Thomas Chislett
Thomas Tatchell
John Brayn
Christopher Tatchell
Thomas Marke
Thomas French
John Rayson
Charles Chaffey
George Pitt
Richard Pain"