

## **BRATTON CLOVELLY in 1377**

Proceedings of the Manor Court held on 1st October 1377.

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### **Introduction**

Have you ever wondered what was happening in Bratton Clovelly 623 years ago?

The Lord of the Manor at this time Thomas de Somerton, held a court about four times a year either in person or represented by his steward. A clerk recorded the proceedings, penalties etc. on the roll, continuing from where the previous sitting had ended. These proceedings tell of a surprisingly wide range of activities, including straying cattle, overcharging for ale and labour, as well as the occasional assault followed by a hue and cry.

The Manor Court Rolls for 1377-8 are the earliest of the seven surviving for Bratton from the 14th and 15th centuries. They are written in heavily abbreviated medieval Latin by quill pen on rolls of parchment. At the time, they constituted the official (and only) record of tenancies, minor misdemeanours, punishments and other items to do with general affairs of the village.

Those guilty of minor offences or who had failed to carry out any of the intricate duties and services required of them by the feudal system were said to be 'in the King's mercy' and had to pay a monetary penalty called an 'amercement' to escape from this.

All men over the age of 12 were required to be in a group called a "tithing", which originally would have meant ten men, but here consisted of perhaps just two groups: of Bratton and Godscote. Each elected a 'tithingman', later known as a constable, who was responsible for seeing that miscreants were apprehended and brought to the court.

Being 'distrainted' was a form of bail under which some belongings of the individual would be seized if he committed the same offence again.

The following is a translation by the Rev. T. W. Whale, published in the Transactions of the Devonshire Association Vol. 27 1895, and which has been checked back with the original, now held in the Devon County Record Office, Exeter.

Passages in round brackets are written between the lines in the original, indicating later developments in some of the cases. Text in square brackets is editorial comment.

## Translation of the Roll

Bratton	The court held there on Thursday next after the feast of St. Michael in the first year of the reign of King Richard [Richard II]. [Thursday 1 <sup>st</sup> October 1377.]
Tax 10d	Let it be known the tax is increased this year.
Bratton fine 12d	The tithingman presents the default of Nicholas Kerham who owes suit [attendance] at the court on this day, therefore he is in mercy. Afterwards he paid the fine.
Amercements 2s 7d	Also he presents that William Lobet (4d), Baldwin Clerke (3d), Richard Valeys (12d) and William Lobet (12d) common tapsters [innkeepers] sold ale contrary to the assize [The assize of Bread and Ale – The local authority laid down the price of bread and ale based on the current price of wheat and malt.] therefore they are in mercy.
Amercements 5d	Also the aforesaid William (2d), Baldwin (1d) and Richard (2d) sold ale in false measure, therefore they are in mercy.
Stay	Also he presents that 2 foals have been provided as chattels of Wayfuss worth 12d and they remain in the custody of the reeve.
Officers	Also they elected to the office of reeve [the man elected by his fellow tenants to organise the daily affairs of the manor] and William Lobet the tithingman who took the oath and continues. Also Henry Vysake to the office of reeve ending in this year of the Lord. Also William Chaddere who continues.
Godyscote Amercement 9d	The tithing man presents that Blytha ate Yeo raised the hue and cry rightly upon Reginald Hethman (7d), therefore he is officially in mercy. And the aforesaid Reginald is in mercy for the offences done to Blytha Yeo and he is distrained. [Everyone was obliged to join in the pursuit of person suspected of an offence if somebody called. Anyone starting the hue and cry without good cause was punished.]
Amercement 6d Execution	Also he presents that the aforementioned Reginald struck Blytha ate Yeo with 1 stick against the peace therefore his is officially in mercy to damages 3s whence execution. (In mercy because he did not carry it out.) Also he presents that John Cole raised the hue and cry wrongfully upon William Bokeput therefore he is officially in mercy. And the aforementioned John Cole is in mercy because he did nor proceed against the same William in plea of trespass.
Recognition 2d	Also Johanna Payn took at the lord's will one cottage, the same cottage which was formerly held by Richard Valeys for rent and duty and customary services. Let it be known the she made fealty to the lord and gave recognition. [This is the procedure for a copyhold tenancy. The entry in the manor court roll is the person's title to the property.]

Amercement 6d	Henry Fenemur is in mercy because he cut down the lord's wood near Foelesdon without a licence therefore he is in mercy. [There was strict rules about what type of wood could be cut and how much and when.]
Amercement 3d	Richard Taylor is in mercy for trespassing in Thomas Estlake's oats with his cattle and he is distrained to make amends.
To attach	The same Richard complains about William Bertone in a plea of debt. He has not come to the summons therefore he is attached [bound to appear.]
Amercements 18d	Robert Colyn (4d), William Upecote (6d), Richard Grymscote (4d), John Symon (4d) are in mercy because they took excess of pay against the form of statute. [The Statute of Labourers 1351 which aimed to keep wages as they were before the Black Death.]
Amercement 2d	John Fochedone is in mercy because he has not raised 13s 4d for the work [done] by Alice Hethman whence execution. [Women could be hired to do work.]
Amercement 6d	Roger Bredde is in mercy because he took a calf from John Skedemur against his will and he is distrained.
Examination	Richard Taylor submits himself to examination against Thomas Eastlake that he did not control his cattle to damages 10s by the pledge of Robert Payn and Geoffry Payn.
Amercement 2d	The same is in mercy for trespassing on Richard Taylor's oats with his cattle and he is distrained.
Amercement 6d	The same Richard is in mercy for a false complaint against the same Thomas in a plea of trespass.
Stay	Thomas Pacchecote in absence complains about Robert Grymscote in a plea of trespass and it is stayed [held over] (In mercy... at law because he unjustly took his mare and his calf, by the pledge of William Boudoune)
Stay	John Bate complains about Robert Cole in absence in a plea of trespass and it is stayed. (In mercy for not proceeding.)
Stay	Geoffrey Bremdone complains about William Lobet in absence on a plea of debt and it is stayed. (In mercy for permission.)
Amercement 3d	Robert Colyn is in mercy for a trespass done to Richard Beamund that etc.
Amercement 2s 2d	The Baliff presents that Walter Mansypdyche (6d), Walter Rysdone (8d), Walter Ayre (6d) and Geoffry Payn (6d) trespassed with cattle in the lord's pasture above Shoerysdone. [Note the higher penalties for trespass on the lord's land.]
Examination	Robert Blakegrove and Blythe his wife, executors of the will of William Colyn present themselves for examination against Robert Payn and Sara his wife that they do not keep back from them one cow and two breeding ewes nor etc... to surrender 20s through the pledge of John Skedemur and Henry Vysake. (In mercy for not proceeding.)
Amercement 3d Execution	John Whetter is in mercy for withholding 12s 8d against Blytha ate Yeo whence execution. (The reeve is in mercy for not carrying it out.)
Amercements 4d Dstraint	Geoffry Payn (2d) and William Bouedone (2d) are in mercy because they do not stand nor contribute with the tithingman and the tithing of Bratton as was found [by the court] through the whole homage [all the tenants] and are distrained.
Amercements 2d Dstraint	Twelve jurors say that the king's highway near Hedysdoneforde is muddy and deep to the harm of the neighbourhood, which the tithingman of Bratton is responsible for repairing therefore he is in mercy and he is distrained. [If twelve men swore that something was true, it was acted upon in the court and the offender was punished.]

3s 4d	12 jurors say that Henry Fenemur, lately reeve, took a tenure near Fochedone, additional rent to the lord 3s 4d, therefore he is charged [with this amount]. Also a tenure, formerly John de Bratton's called Trylleland, additional rent to the lord 2s 10d for lease of 3 acres of land.
Examination	Robert Blagrove and Blythe his wife, executors of the will of William Colyn, submit themselves to examination against Robert Colyn that they do not keep back two oxen worth 40s from the gift of his mother to surety 20s through the pledge of Henry Versake and John Skedemur. Also that they do not keep back 1 cow worth 10s to surety 40d through the pledge as above.
To attach	Richard Grymyscote complains about Henry Cole who made 4 defaults in a plea of trespass. And he was bound for one pack animal by which he is more heavily distrained. [A person was allowed three defaults before being obliged to appear.]