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## ERRATA

- P. 6 l. 5 from foot, p. 7 l. 4, p. 46 l. 9. p. 215 vol. 1 l. 6 from foot, for assise read assisi
- p. 40 l. 6 for assisa read assisus
- p. 204 l. 8 for Wyr read Wye


Jan. 1911.

face p. 5.
CHAPTER IV

CONDITION RENTS

A group of rents of great interest in illustrating the tests in common use to determine a tenant's probable freedom or unfreedom are the condition rents, the liability to which was considered as generally indicative of villeinage, as establishing at least a presumption in favour of villeinage. Professor Vinogradoff has treated these rents very fully, and has shown how they, with other liabilities and obligations of villeinage closely allied with them, are evidence of the 'state of fermentation' of the 'whole law of social distinctions'. Two questions, he says, might be asked in cases where a man's status was to be determined: one regarding the certainty, or uncertainty, of his services to his lord, the other regarding the kind of services he owed. Sometimes one, sometimes the other was asked, and it is in the answers to the second that the most important references to the group of rents in question occur.

The usual disabilities of the villein thus enumerated to prove villein status were: first, his obligation to pay merchet or sedee, or gersuma when his daughter was married, sometimes also when his son was married, leirwite and childwite, fines for incontinence on the part of his daughter, and heriot, the ancient payment which went back to the surrender of a man's heresies to his lord, and was the payment on the person analogous to the relief on the land paid by military tenants; secondly, his obligation to pay a toll on the sale of his animals (tonnatum, thol, stuch), which was often coupled with merchet. Other tests of status were the obligation to pay the Christmas hen and the Easter eggs, to serve as messer or reeve, to fold his sheep at the lord's fold, to grind at the lord's mill, and also his subordination to certain regulations regarding the cutting of trees, the tonsure of his sons, the withdrawal from the dominium of his lord, and the succession to land. On Gloucester manors 'consuetudines non taxatae quae ad terram suam pertinent' generally implied villeinage.

While it may be said that the occurrence of such rents, services, and disabilities in the descriptions of a man's position certainly established a strong presumption against his freedom, yet, as Professor Vinogradoff has shown, none of these obligations alone, not even merchet, the most significant, can be taken as a final test, or one of universal application, both because they may fall, in exceptional cases, on freemen holding freely, and also because they occur very irregularly in different localities, varying, for example, in two hundreds of the same county lying side by side. The fullest lists given in the Hundred Rolls are for Huntingdonshire, but frequent references to them occur in the rolls of Cambridgeshire, Norfolk, Suffolk, Lincolnshire, Oxfordshire, and Buckinghamshire, and the church customals show the tests applied in other places.

Of the three most common condition rents, heriot, merchet, and leirwite, heriot was probably the least characteristic as a test of villeinage, because it was paid in a fairly large

1 See Ely, Extenta Maner., for good lists of such restrictions.
2 D. S. P. p. 157: 'vel arbores in haiciis suis extirpaverint vel succidere sine licentia.'
3 For example, Reg. Worc. Pr., pp. 15a, 83 b; Vill. in Eng., p. 156:
5 Extenta Maner., Ely.
6 ibid., and Vill. in Eng., p. 156.
7 Gloucester Cart., iii. p. 50, pass.
8 The reverse is sometimes true, and villeins pay rents that are generally characteristic of free tenure. Thus customary tenants in some cases pay scutage. See, for example, Rot. Hund. ii. 414.417, 419, 458, 558, 593, 580, 583, 584, 709, 784, 814, 815, 817, 849, 865.
number of cases by men who were not villeins. It was paid by a freeman,1 by a tenant who held land by charter,2 or even by sergeant.3 It was often paid by the tenant of land ad censum,4 and it was occasionally paid simultaneously with relief.5 It consisted sometimes of the payment of a horse, or saddle, or sword, or lance.6 The ordinary heriot from the ordinary villein, however, was the best plough-beast or cart-horse.7 Sometimes the vicar received the second-best beast when the lord received the best beast.8 Occasionally the lord did not take the heriot at once, but left it to the wife for thirty days after her husband's death, to be rendered to the lord intact at the end of that time.9 A curious passage in the description of Sutton in Warwickshire shows a confusion of heriot with feudal aids. After the death of his customary tenant the lord was to have in the name of heriot his best animal, 'and not more'.10 Neither goods nor chattels, neither during the man's life nor after his death, were to be taken, except only on the marriage of the lord's eldest son or daughter, on which occasions the lord may have, if he will, the third of the goods of those dead 'before the administration of the executors', and the half of the goods of the living, saving the necessary wainage.10

Especially in the later records the heriot was often commuted for money, and there seems to have been a general tendency to value it at 32d. or 2s. 6d.1 Occasionally it was heavier.2 Sometimes a year's rent was paid in place of a fixed sum,3 an arrangement which seems to connect itself rather with the fine for ingress on the part of the heir than with the original heriot. The fine for ingress and for egress is described in cases where a tenant could depart from his land, or take up other land; thus onfare and offare were paid at Ely by a free tenant who still paid heriot.4 The provisions regarding the maintenance and remarriage of the widow of the deceased villein are various. They are described in detail in the Ely extent roll.

Merchet was more generally characteristic of villeinage than heriot, and yet it, too, was occasionally paid by freemen. Thus the thegn in Northumberland paid it,5 and also free tenants by military service of Durham.6 The statements regarding it differ very much in different localities. In the west the phrase 'redimere filios et filias' is common, and sometimes in the east too the fine was paid on the marriage of sons as well as daughters, or on the withdrawal of sons from the land.7 In the east gersuma usually appears for merchet.8 Different regulations were often in force for marriage inside and outside the lord's liberty. For marriage within the liberty there was usually no fee, but permission from the lord's bailiff was necessary.9 In Kent, if a tenant

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2 Ram. Cart. i, 312, 325, 337: a heriot of 5s.; and the widow free from work for 30 days.
4 Claud. C. xi, f. 312: 'Et si vendiderit terram suam in toto quod sibi nichil retineat nec velit in dominio episcopi renanere tum dabat pro recessu suo qui dicitur onfare triginta duos denarios et ingrediens pro ingressu suo qui dicitur onfare dabat triginta duos denarios.'
5 Red Ibl. Excheq. ii, 64.
6 Feud. Dun, p. 13, 642.
8 For example, Claud. C. xi, f. 160, 236.
9 Batt. Abb. Cust., pp. 67, 89; Ashmol. MSS. 864, f. 5.
customary rents

[CH. IV]

wished to marry his daughter to any one within the vill he informed the custos ville, and asked him to be present. If he wished to marry her to any one outside the vill, or if his daughter were his heir and he wished to marry her to any one whomsoever, he procured the lord’s permission.1 In Hertfordshire if a tenant married his daughter to a freeman within the vill, merchet was paid.2 The fee for marriage between villeins within the vill, when it was exacted, was usually 16d.; for marriage outside the vill it was 32d., or the best arrangement possible with the lord.3

The leirwithe commonly mentioned with the merchet fine was sometimes fixed,4 occasionally left at the will of the lord.5 In the east, especially in Norfolk and Suffolk, it seems to have been identified with childwithe.6

Tallagium or auxilium custumariorum. The tallage or aid of villeins taken at the lord’s will, a rent ‘on the border-line between personal subjection and political subordination,’7 was almost as common an indication of villeinage as merchet, and was more burdensome. Liability to be tallaged at the lord’s will was not, except in rare cases, consistent with freedom.8 The tallage was paid annually—as a rule, at Michaelmas. The usual assessment was made on the land or chattels of the tenant, and the rate was variable and dependent on the lord’s

1 Cost. Roff. p. 2: ‘Si quis autem in predicta villa maritare voluerit filiam suam aliquid de ipso villa, tantummodo ostenderet illud custodi ville et rogabat eum ut veniat ad nupcias et maritatam eam sic. Si quis vero filam suam extra villam dare voluerit, non licebit ei hoc facere nisi per licenciam et voluntatem domini sui. Similiter si quis habuerit filiam heredem vel filias, non poterit eas maritare infra villam nec extra nisi per licenciam et voluntatem domini sui.’

2 Claud. C. xi, f. 160: ‘Si . . . filiam suam maritare voluerit alii qui consuetudinario domini in ista villa tunc non dari gersum pro ea nisi maritataverit filiam alii hominii libero sive allicui de alieno feodo.’

3 Ibid. iv. 357: ‘Dat merchetum pro filia, si caetu missus finire paterit, ita tamen quod non excedat eum summam quiquum solidorum, sive maritando fuerit infra villam, sive extra.’

4 Harl. MSS. 3977, f. 83; D. H. R., pp. 61, 62.

5 Rot. Hund. ii. 768, 770, 771.


7 Vill. in Eng., p. 162.

8 Ibid. iii. 54: ‘Si in stillatione auxilli aliique animal concebaverit, pote est cogi ad sacramento prae-standum, et si super hoc purgandum, et si per vicinos suis convictus fuerit super hoc, puniendus est pro voluntate dominii.’

Another method of assessment was probably on the vill as a whole, an arrangement having been reached whereby the villata paid a given sum, a mark or a pound, to the lord, called the commune tallagium, the distribution within the vill being left to the members of the villata. The payment thus made to the lord is not always easy to distinguish from rents like the fulstingpound or witepound, which were of quite different origin. The mareselver, custumand, and the curious turnus census of Bury St. Edmunds, for example, may belong to either class.

On the manors of Gloucester the customary tallage, since it was paid at Michaelmas, was called sometimes ‘the aid of St. Michael.’1 The rate was high compared with that of other customary payments, and the amount derived from a single manor was sometimes large, as much as 54, or 102s., or 8 marks.2 The assessment was usually based upon the number of animals held by the villein and the amount of his land.3 Thus the virgaters paid in common, each according to his land and the number of his animals,4 for a horse, an ox, or a cow a penny, for a yearling ox a halfpenny, and for four sheep a penny.5 Again, it is stated that if in the ‘taxatio’ of the aid he has concealed an animal, the villein can be forced to take the oath, and, if convicted on the witness of his neighbours, he can be punished at the will of the lord.6 Sometimes the rate for a virgate is given, the amount being a penny an acre or less;7 sometimes, on the other hand, the total sum owed by the manor is stated, to which the customary rents are said to give ‘in communi.’8 The aid was paid by

1 Glouc. Cart. iii. 88, 97, 100, 103, 110, 119, 121, 124, 149, 158, 167, pass.

2 Ibid. iii. 88, 97, 104, 119, pass. The lists of amounts given, iii. 104, may be compared with those given in the descriptions of the manors.

3 Ibid. iv. 53: ‘Et dabit auxillum secundum quantitatem terrae et numerum animalium.’ Cf. pp. 50, 57, 62, 185, 188, pass.

4 Ibid. iii. 182.

5 Glouc. Cart. iii. 208: ‘et si imponitum fuerit eidem quod in taxatione auxilli aliique animal concebaverit, pote est cogi ad sacramento praestandum, et si per vicinos suos convictus fuerit super hoc, puniendus est pro voluntate dominii.’

6 Ibid. iii. 100, 101, 110, 121, 139, pass.

7 Ibid. iii. 97, 133, 191, pass.
the customary tenants generally, and occasionally by the

\textit{censarius} or tenant of "penilond ad vitam et ad voluntatem
domini." 1 It was not paid from land that had been bought
free, 2 and was sometimes permitted to lapse on account of

the poverty of the tenant. 3 The aid from free tenants some-
times mentioned was apparently paid on special occasions, "qua-
do currit"; 4 the customary tenants, on the other hand, were
responsible "quodam servili obsequio quo auxilium
abbatis nuncupatur." 5 It was paid beyond question to the

government or participant ad annum talhaglum. 6 

The evidence regarding the manors of Worcester Priory
points also in the same direction of an annual aid collected
by the prior from the customary tenants. Here too the time
of payment was usually Michaelmas, 7 although an aid paid at
other seasons is occasionally mentioned—the aid at the feast
of St. Andrew, or at Christmas, or at Purification. 8 The aid
when paid at Purification may have been the same as the
"Pukerelleschild." 9 On Worcester manors too the aid was
due almost exclusively from customary tenants, and is often
enumerated with \textit{thac} and \textit{thol} 'et hujusmodi' as a sign of
village status. 10 It is interesting to observe that the 

\textit{auxillum} like \textit{thac}, \textit{thol}, or \textit{fise}, is common in the older assizes: in the

1 Glouc. Cart. iii. 120, 135, 137, 151, 180.
2 Ibid. iii. 211.
3 Ibid. iii. 183, 187.
4 Ibid. i. 386; ii. 153, 220: "Cum vero dominus Abbas auxilium suum
cum alis posuerit franchelinis suis"; and p. 267: "W... et heredes sui
dabunt nobis rationabile auxilium quotiens caeteri liberi homines nostri
auxilium nobis derelictum." 5
6 Ibid. ii. 102; cf. iii. 47, 88, 97, 119, 126, 139, 145, 169, 171, \textit{passim}.
7 Ibid. i. 256, 259, 386; ii. 102; cf. iii. 100, 103, 102, and 51: "et
ibi quaedam collecta annua de tota villata de Clifforde, seciliet quondemc
solidi et inde liberanrur annuarum hundrerd of Theuk[esburia] decem
solidi, et quinde remanebant domino." 6
8 Reg. Worc. Pr., pp. 10 b, 12 a, 93 a, 104 a, 173 b, \textit{passim}, and Introd.
xxviii.a.; compare Rot. Hund. ii. 836, 845, 848, 849.
9 Rot. Hund. ii. 775, 778, 825.
10 Reg. Worc. Pr., pp. 15 a, 43 b, 52 b, 56 a, 59 a, 72 a, \textit{passim}.
From cottars, pp. 51 b, 59 b, \textit{passim}. Rendered in threshing service, p. 15 b, Introd.
p. xii.

new assize the payment is sometimes commuted in the
general rent from the land even in cases where \textit{merchet}
remains. 1 The manner of assessment and the rate are not
clearly stated. It was probably called \textit{auxilium prioris}, 2
and there is no indication that it was not like other payments paid
regularly to him. There is reference also to a special aid
which the abbot might have on his installation, and a state-
ment that the abbot might demand an aid when he was
heavily indebted to the king, 3 but from the regularity of the
incidence there is doubt if the abbot or prior waited for times
of special stress for its collection. In a vacancy roll of
the end of Edward I's reign the \textit{auxilium or tallagium custu-
mariorum per annum} is entered with great regularity, some-
times under the title \textit{commune tallagium}, which points probably
to a payment by the vill as a whole. 4 The sums range from
9s. in Paxon to £4 in Ripple. It was usually paid at
Michaelmas.

The Ramsey evidence agrees in the main with the fore-
going. In the thirteenth-century extents 5 of most manors
there is mentioned a tallage, or aid, or geld paid to the
abbot. 6 It is spoken of as the monk's "tallage," 7 or annual
tallage, 8 or the tallage or aid at the feast of Saint Michael, 9 or
on Cambridgeshire manors as \textit{monkgeld}, 10 and was occasion-
ally paid at two seasons, at Easter as well as Michael-
mas, \textit{pro voluntate domini} 11 A mark given at the feast of

1 Reg. Worc. Pr., pp. 19 a, 61 b, 66 b, 69 a, 71 b, 84 a, 102 a.
2 Ibid. pp. 43 b, 138 a.
3 Ibid. p. 135 a. See note, Introd. p. cxvi, quoting Add. MSS.
4849, f. 138 a: "Dicunt etiam quod omnes custumariorum debent tollari ad
primo adventu suo in sua abbatia auxilium dominum suum abbatem in primo adventu suo in sua abbatia auxiliendum
dominum suum abbatem in primo adventu suo in sua abbatia auxiliendum
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"Min. Acc. 143/18: "... et de iijij. iiiij. de communi tallagio cu-
stitmariorum ad festum S. Michaelis per annum," \textit{passim}.
12 Rot. Hund. ii. 281, et seq.; ii. 6, et seq.
13 Ibid. i. 59, 285, 287, 296, 302, 309, 434, et seq.
14 Ibid. i. 45.
15 Ibid. i. 495: "Omnes praedicti, tam virgatarii, quam tenentes dimidium
virgatam, et cothmanni, et croftmanni participant ad annuelle tallagium.
"Ibid. i. 55, 57, 59, 60 a, 69 a, 72 a, \textit{passim}.
17 Reg. Worc. Pr., pp. 15 a, 43 b, 52 b, 56 a, 59 a, 72 a, \textit{passim}.
St. Andrew in addition to tallage is once mentioned. The amount is rarely stated; once it reached £4, on one or two manors the rate seems to have been 13d. or 12d. a virgate, sometimes it was paid 'ad voluntatem domini'. The manner of assessment, in the two cases where it is stated, was according to the number of animals and chattels, and the amount of land held. Here as elsewhere the tallage was evidently a servile custom, rendered by virgaters, cottars, and crofters, and very rarely by those that held by money rent. The general impression gained from the instances of its occurrence is distinctly that it was paid to the abbey, rightly or wrongly, every year, although the phrase in one or two extents is: 'Whenever they, the customary tenants, are tallaged.' One passage points to its being considered distinctly a grievance, and the fact that it is rarely mentioned in earlier extents may possibly indicate a recent origin, or at least an extension of an ancient privilege. It is mentioned first in the vacancy rolls of the earlier half of the thirteenth century, printed in the chartulary, where it appears among the large regular receipts of the royal custodian of the abbey. In 1211-1212, £88 16s. 8d. was collected, some manors which were put at farm being excluded; in 1254-1255, £71 16s. 8d. tallage villanorum per maneria.

On the manors of St. Paul's no payment that can be surely identified as an annual tallage taken by the lord occurs. A manor in Surrey paid every year an auxilium of a marc, at the rate of something less than a penny an acre from the land of censuarii as well as demesne land, and this may possibly be the tallage or aid of other localities. It seems more likely, however, that this payment and the donum at Sutton in Middlesex are occasional payments like the 'auxilium Regis' and the census paid post festum Sancti Michaelis by censuarii and operarii at Horlock and Waleton in Essex. In the later Articles of Visitation of Manors, a document printed near the end of the Domestacy of St. Paul's, an inquiry is made as to those that are liable to tallage at the will of the lord.

In Peterborough and Winchester documents also the reference to the customary auxilium is doubtful. In Peterborough manors the villein paid 'de consuetudine' a certain sum of money to the lord, at Fliptesle, 5s. at Christmas, 5s. at Easter, and 32d. at the feast of St. Peter; at Essex, 5s. before Christmas and 5s. at Easter. At Collingham £4 was rendered de gabulo, and no hens or eggs were paid. In the Winchester Pipe Rolls an auxilium, a tallage, and a gabulum are all mentioned, but without very clear definition of any one of them. The gabulum was probably, however, the land-gabulum and other fixed rents put at farm, and the tallage was perhaps a royal payment, since its place was once taken by scutage. The auxilium was possibly the customary aid, but may have been an occasional levy. Clearer references to the tallage occur in the account rolls of other churches. The jusa of Rochester paid 'scot' ad donum domini ville and for the service of the lord king; at Exeter the auxilium nati-
CUSTOMARY RENTS [CH. IV]

vorum is mentioned, at Durham the tallage of the bondi, at York the tallage of the bondi or of the villani, and at Norwich the common aid or auxilium customarium. On Ely manors both regular customary tenants and molmen were 'talliables ad voluntatem domini' and on the manor of Fleet in Lincolnshire both molelond and werkilond gave auxilium. The tallage on ancient demesne manors must of course be distinguished from the ordinary tallage.

Next in importance to the heriot and merchet payments and the tallage were the tolls paid by villeins on the sale of their live stock or ale. The lord was nearer than other men in the matter of purchase, as the phrase went, and had the right to the refusal of the animal or article to be offered for sale, and sometimes paid a toll to purchase it at a low rate. Sometimes the restriction on sale was confined to animals of the villein's own rearing, or malt of his own making, or to the animals with which he actually ploughed or carted. The tax on the

The tallage at Burton it seems there were as paid at a somewhat regular customary tenants and molmen were 'talliables ad voluntatem domini' and on the manor of Fleet in Lincolnshire both molelond and werkilond gave auxilium. The tallage on ancient demesne manors must of course be distinguished from the ordinary tallage.

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The toll most often mentioned is that on animals, but there are many references to the tax on brewers, discussed already under maltsilver. A curious passage in the Glastonbury Inquest of 1189 points to a counter privilege on the part of the lord. If he wish to sell his corn the men of the manor must buy it or give the lord 20s. In Maldon in Essex a tollaray, tollaray, or tolltray was paid by the tenant for every bushel and a half of corn sold.

The Worcester records give a number of details concerning the tol payment. It is defined as follows:- Thol, quod dicitur, Theoloneum est, sicilicet, quod habeat libertatem vendendi in terra sua. It included the selling of beer as well as animals, being, in this case, the same as the alletol or alepenny of other localities. The rate is stated several times; at every brewing a penny was given, or four or six gallons, in ancient times twelve gallons; for a horse sold a penny, for an ox or a horse a penny, for an ox a halfpenny, for pigs one year old a penny, of less age a halfpenny. The payment is more frequently mentioned in the old assize than in the new. In Gloucester the donumum was paid at a somewhat higher rate—for beer a penny or the equivalent at a brewing, for buying or selling a horse 4d. No Ely villein could sell an ox or stott without permission. On Ramsey manors the
same rule held, but sometimes nothing was paid for the permission; and, in one case, an ox might be exchanged for a cow in the same vill, without permission. The payment depended somewhat on the time of year. Thus, if a pig were killed or sold before Purification a halfpenny for lost pannage was paid; if between Purification and the Gules of August, nothing was paid. Even the hour of the day at which the swine were sold sometimes made a difference, especially at Martinmas.

The stach payment of Burton is not clearly defined; it probably refers to status, and was an annual rent, not paid on occasions.

Other common restrictions on villeins were the obligations to fold at the lord's fold, which has been discussed under the pasture rents, to grind at the lord's mill, to bake at the common oven, and to serve as reeve or in some other manorial office. The multura payment made for grinding at the lord's mill, and the prohibition from grinding elsewhere, were especially common in the north of England. Whether or not a tenant could be held for suit at the lord's mill was a fairly frequent source of litigation, and provisions had to be made for the maintenance of millstones by private persons who took toll for grinding the corn of their neighbours. The lord's profit from the mill, excluding the ordinary payment made by villeins to the miller for his services, is called the multura, or multura, or multa. It was paid as a rule as a percentage of the corn ground, the tenth, thirteenth, sixteenth, or twentieth was being given, or every four-and-twentieth grain, according to the custom of the land and the strength of the water-course. Occasionally the multura is stated in money. Sometimes no multure was charged on corn grown on a villein's own land and used for his own consumption. In Brawby, a manor of Hexham, for example, the tenants ground at the prior's mill and paid multure, yet they could make the corn and oats growing on their own land into malt without paying the toll called kyn multure. If any one bought any barley or oats for this purpose, however, he paid multure to the twentieth. In Worcester, too, malt ground and brewed for private use paid no toll. In Shifflingdon, a Ramsey manor, every villein owed suit at his lord's mill. If the mill or mill-pond were broken, or if between the Gules and Michaelmas he took his corn to the mill and could not get it ground, he could grind it where he would. If, however, he were convicted of not making suit when he should, he gave 6d. before judgement, 12d. after it.

He ground his corn thus throughout the year, but he gave a toll for multura only at Christmas and Easter. If he

1 Ram. Cart. i. 437: 'Nullus praedictorum vendere potest boven suum, vel equum masculum, sine licentia domini vel ballivi.' Nihil tamen dabit pro licentia habenda. Sed excambiare potest boven pro vacca sine licentia domini, infra vilIan.'

2 Ibid. ii. 37, 48; i. 335: 'Post festum S. Michaelis porcum paulum vendere non potest sine pannagio prius dato.' Rot. Hund. l. 629: 'Et si vendat vel occidat porcum de estate illi quart anni et amplius inter Gulam Augusti et Purificacionem dabat abbatu pro pannagio obolum.' Harl. MSS. 3977. f. 98.

3 Ram. Cart. ii. 43: i. 309: 'Die autem S. Michaelis, ante nonam, sine licentia et calunia domini, de porcis suis pro voluntate sua potest dispergere et post nonam nequaquam.'

4 Burton Ch. 66 n.: 'The cause lost in a case relating to status because the jury found that the defendant owed a yearly rent, sometimes more, sometimes less, called stach. Again, in a similar quarrel a man admits that he is a nativus, holding at will, and giving stach every year and merchel, and, on account of ancient customs, poultry rents.'

5 D. H. R., p. 53: 'Injunction est omnibus tenentibus villae quod nullus eorum molat bladum extra dominium dum molendinum Dominii Prioris molere possit sub poena 20s.' Cf. p. 16; Burt. Ch., pp. 56, 72, 76; Cockersand Chart. i. 61; Hexh. Pr. ii. 24, 26; Guisbor. Ch. i. 12, 13, 114, 235; Bold. Bk., p. 572; Feod. Dun., p. 174; cf. Dugdale, Antiq. Warw., ii. 912; Bennett, History of Corn-milling.
bought his corn he might grind it at the nearest mill. An order of precedence in grinding is described in the Durham Feodary, which perhaps explains the foregroot of the Domesday of St. Paul. At Worcester there was in the manor of Bradewas a mill to which the sequela of three villas was attached. The ‘persona’ and heirs of one Alan had mulure next after the Prior, and the lord of sukel, or some one to whom he assigned the right, had free mulure also. The barley of all following the mill was free of toll, unless the ale made from it were sold. If it were sold, the person, free or forinsec, who followed de gratia gave a penny or four gallons, a villain 2d, that is a penny or four gallons for mulure, and a penny or four gallons for theo staneum. All except the persona aided in carrying millstones, the prior furnishing the cart, the man, and two oxen. Regulations with regard to the baking oven of the villata are less common and clear. At Durham and elsewhere there was a common furnus, and also often a common forgium, in a vill, for which the villata paid an annual sum, and which it kept in repair. The rent to the king from ovens in the demesne is one of the articles of inquiry in certain hundreds in the Hundred Rolls; the furnus was evidently a regality not yet always surrendered.

A liability of villeins, regarding which the custumals have much to say, was the obligation to serve in manorial offices. The provisions regulating this service are of interest in showing the subdivisions and gradations in importance among the customary tenants, the more important villeins being probably exempt from the less important offices, and also in occasionally throwing a little light on the manner of collecting rents, on cases of exemption from ordinary dues, and on the possibility of common action on the part of the villeins in avoiding an unpleasant burden. The total number of manorial officers mentioned in the records is large, the emphasis falling differently in different localities, according to the nature of the land; the punderus, for example, or keeper of the pound and live stock, being very prominent at Durham, the lignarius and woodwards at Abingdon and Glastonbury, the dicherve in the fen country. In the Rochester custumal a custos ville appears in connexion with merchet, who does not seem to have been very closely identified with the lord. The liability to serve as reeve or in any other manorial office was generally considered an evidence of villeinage. In Brithwolton, Berkshire, for example, it was permissible for the lord to choose his reeve or other minister from the virgarii or from the cottarii, for all are villeins, and of servile condition. To serve as reeve stands in the Hundred Rolls side by side with ‘tali stagium at the lord’s will’ as a sign of serfdom. In many cases, however, there was in practice, as has been said, a gradation in respect of the liability to such offices. Thus, for example, at Sutton in Warwickshire, men of the bondage with one virgate were liable to be officers of the king or lord, as was pleasing; but men with a half virgate, or a nocata, or a cottage, were liable

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2 D. S. P., p. 76: ‘In eodem molendino curia canonorum habet foregrist sed dat multurem.’
3 Reg. Worc. Pr., p. 32.
3 Claud. C. xi, f. 75: ‘Iam cum dominus voluerit istic erit prepositus ad castrum vel ad bertone vel ad redditum colligendum vel Dichereve.’
4 Cust. Roff., p. 22: ‘Si quis autem in predicta villa maritari voluerit filiam suam alii de ipsa villa tantummodo ostendet ilid custodi ville et rogabit eum ut veniat ad nupcias et maritabit eam sic. Si quis vero filiam suam extra villam dare voluerit non licebit ei hoc facere nisi per licenciam et voluntatem domini sui.’
5 Batt. Abb. Cust., p. 67: ‘Licebet etiam domino eligeret ebi Prepositus et aliis ministros vel de virgariis vel de cottariis vel de his qui tenent de assarto pro voluntate sua, quia omnes sunt villani et servilis conditiones.’
only to be beadle or deconsarii. At Dereham in Norfolk the lord could make a reeve of any molman holding at least twelve acres, or of any operarius holding a half virgate at least; he could make a beadle of a molman with six acres, or an operarius with six acres, and a forester of a molman with six acres. Again, three men in a villa were liable to reveship, the others were liable to be beadle or shepherds. At Bury St. Edmunds any of the pokeavers might be made either beadle or collector of malt. 

Among the duties of the reeve is occasionally mentioned the collecting of the rents. Thus in Ely manors it was usual to have a reeve ad castrum, probably at the castle at Ely, which was in the hands of the bishop, a reeve ad hortana, a dichreve, and a reeve ad colligendum redditum, the last office being held in one case secundum turnum vicinorum. Again, at Glastonbury the reeve ranked with the virgater, was free from the services of the virgater except the donum, and was to receive all the toll which fell in a villa held at farm by the villata and at additional for carrying the gabulum or farm to Glastonbury, of which as the villa gives. 

As a rule certain privileges and exemptions went with the tenure of manorial offices. Freedom from some of the services

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1 Dugdale, Antiq. Warw. ii. 911.
2 Claud. C. xi, f. 232: 'Sicendam quod dominus potest facere prepositum suum de quolibet molman duodecim acras terre tenente ad minus, vel de quolibet operario unam virgatam terre vel dimidiam virgatam tenente ad minus si voluerit. Et tunc ille molman qui fuerit prepositus erit quietus de tota annuali redditu suo et de omnibus consequentialibus.' The beadle may be chosen from among collectors with six acres, the forester from the same. 
3 Ibid. ff. 272, 270, 304.
4 Harl. MSS. 3977, f. 37: 'Et dominus faciet quemcumque voluerit de pokaveris Bedellum aut collectorem braselli.' Compare Harl. MSS. 38, 80, and Harl. MSS. 1005, f. 69.
5 Claud. C. xi, f. 75: Wisbech, a censarius with a half nineESSAGES: 
6 Harl. MSS. 3977, f. 37: 'Quo ad dominum voluerit iste erit prepositus ad castrum vel ad hortana vel ad reddittum colligendum vel dichreve.' Again, ff. 82, 203, 205, 90: 'Erit prepositus ad colligendum reddittum in codem hameleto et non extra vel dichreve secundum turnum vicinorum suorum.' For the nineemplates see Tiber. B. ii. ff. 144, 147.
7 Mich. Ambr. Rent., pp. 56, 57, 67: 'Et debet habere totum toletum, quod accidit in villa et duos solidos pro gabulo portando 'laston' unde ad et et. debeat dare de tota villata communicatus, scilicet, dum in manerium est ad firmam in manu illorum.'
the donum ad lardarium. 1 Reeveland is mentioned, probably as another name for the acre of corn which he received, 2 and refhammes which are explained as two hames of pasture belonging to the office of reeve. 3 Reeveland occurs also at Bleadon, 4 and again, together with reve mede and revesgore, at Ramsey, where the reeve was commonly free from consuetudo and ate for part of the year at the lord’s table. 5 Smithland occurs in Durham, 6 and also punderland, land which is said to belong to the office of punderus, although it was held, together with the office, by the men of the vills. 7 At Sutton in Warwickshire the half part of the fee of the woodland, de venatione capta, is mentioned. 8 One is reminded of the constantly recurring statement in the Welsh laws regarding the officers of the king’s household— he is to have his land free. 9 In spite, however, of the appurtenant privilege, the impression given by the documents is that the holding of office was very unpopular and burdensome, and to be avoided wherever possible. Occasionally a payment like the Revekeye or Keyesilver is made by the villata in common in order that an office may not be incumbent upon them. 10 In Durham manors the office of punderus, together with the punderland, was commonly held by the tenants inter se and paid for with a money rent, the hens and eggs incumbent on punderland being still rendered. 11

CHAPTER V

MISCELLANEOUS RENTS

A number of rents are mentioned in the customals and rolls very briefly, and without explanation of the object for which they were paid. Suggestions regarding the meaning of some of them have been hazarded: of others no interpretation has been attempted. Greater philological knowledge and familiarity with local customs would, however, probably explain most of them. For convenience these obscure rents have been arranged alphabetically, and to them have been added a few others whose classification has, for one reason or another, proved difficult.

Achabe was a rent paid in Cambridge on Hock Tuesday. 1 With it may perhaps be compared Hocselver, but a relation between the two rents is very doubtful.

Akergeve, 2 a rent or ‘giving’, probably based on the acre. Bedgeld 3 was probably another form of merchet. The form is suggestive also of the commutation of a boon service.

Bickton silver. It is suggested in Hazlitt’s Blount’s Tenures that this rent was the commutation of the service of emptying the lord’s jakes at Bickton. 4

Biresilver. 5

Bootinc corn was a Buckinghamshire corn rent, commuted. 6 Braybotpeni. 7

1 Harl. MSS. 3977, f. 93: ‘Tenentes et tenementa et redditus in Cantebria’. A messuage pays 12d. ‘et Regi ijd. quod dicitur Achabe in die Hoxtiwesda’. Cf. f. 94: a rent paid ‘ad husteng ville’ at Michaelmas, ‘et similiter ad alium terminum ad diem qui vocatur hoxtiwesda.’
3 Blomefield’s Norfolk, ix. 294: Hazlitt’s Blount’s Tenures, p. 114.
4 Hazlitt’s Blount’s Tenures, p. 25.
5 Ibid. glossary.
6 Ibid. p. 138.
7 Harl. MSS. 3977, f. 106: (Fornham) ‘Et dabit preterea per annum xijd. de reddiu et pro braybotpeni 1d.’