

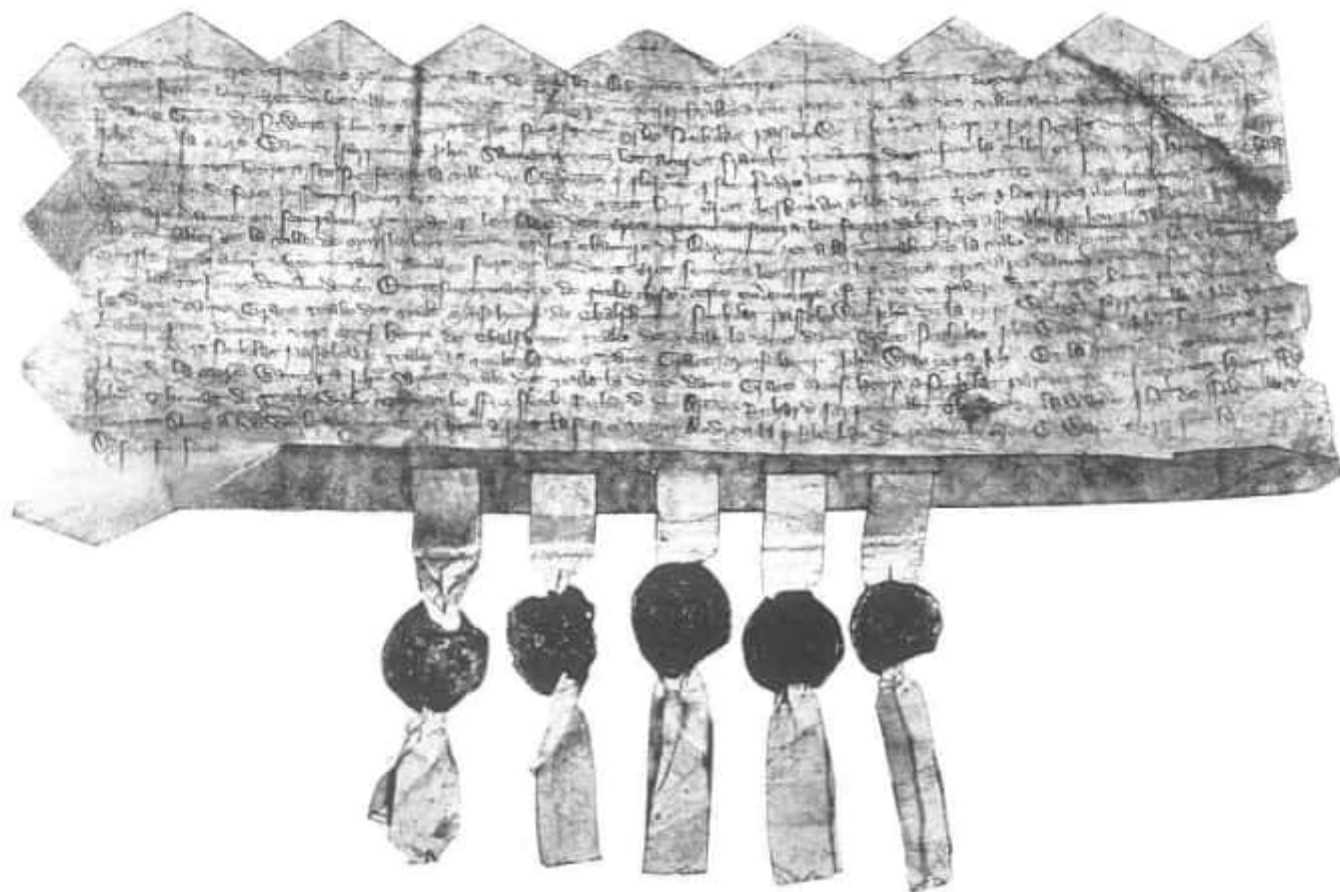
AN AGRICULTURAL AGREEMENT OF THE
YEAR 1345 AT MURSLEY AND DUNTON,—
WITH A NOTE UPON WALTER OF 'HENLEY'

By FREDK. G. GURNEY

The following document, which is perhaps unique in character, was entrusted to me at Aylesbury Museum for cleaning and deciphering. Actually it needed very little attention, the somewhat faded writing being merely concealed by compacted dust. It had been discovered by chance lying upon the floor of a disused room in the offices of Messrs. Hearn and Athay, Solicitors, at Buckingham, who have been good enough to deposit it in the Museum. Nothing was found with it, or elsewhere in the office, to throw light upon its presence there, but no doubt it had once belonged to a series of documents relating to the manor of Drayton Parslow, for the second party to the indenture, and the former owner of this existing third of four counterparts, was Nicholas Passelewe, lord of one of the manors in Mursley which is concerned in the deed, and also lord of Drayton, where his manor-house once existed. Both he and the Lady Grace de Nowers¹ and ² of Salden and Gayhurst, who is the first of the parties named, died in the year of the Black Death, four years later than the date of the deed, together with all their tenants at Salden and Mursley except a single one in each manor. The third manorial lord who enters the agreement, Sir Henry de Chalfhunte of Dunton—who was a man of

¹ Grace de Nowers, daughter and heir of Robert Fitz Neal of Salden in Mursley and widow of John de Nowers of Gayhurst, died on the 4th August, 1349 (Chanc. Inq. p.m. Edw. III file 98 (9); Exch. copy file 10 (23)). Her heir was her grandson John, aged 14.

² Nicholas Passelewe died on the 6th May, 1349, his son Robert, aged 15 and over, being his heir (Chanc. Inq. p.m. file 108 (21)). He had been sheriff in 1337.



The Counterpart Indenture of 1345, relating to Agricultural changes in Mursley (with Salden) and Duntun

Chalfont St. Giles, formerly King's yeoman,³ and afterwards sheriff and knight,—survived until 1371.⁴ Although originally only the owner of a virgate or two at Chalfont, he had become wealthy through his marriage with the heiress of the ancient family called de Gironde, who brought him several manors in Kent and Buckinghamshire, including Dunton and part of Littlecote.

As the third counterpart of a quadripartite indenture, the deed is indented along the top and the left edge. It retains all its five seals, three of them, illustrated here by my pencil drawings, being beautiful armorial specimens, but the other two are of ordinary commercial make, the fourth being quite good, with a sentimental legend in French, but the fifth is very poor, its matrix being probably of lead.

The deed itself is also in French, like many of this period which concern domestic or semi-domestic matters, perhaps because required to be more generally intelligible than if they were in Latin. It was no doubt drawn up in the offices of Thomas de Tochewyke, one of the witnesses, a well-known lawyer (attorney) of the Aylesbury district, who had a large practice in the London courts.

After reciting the fact that the 'vills' of Mursley and Dunton had by custom the right of intercommoning, and that the mode of cultivation hitherto followed had been unprofitable, the four parties, or rather groups of parties to the deed, who were the three manorial lords, together with their 'neifs' (nativi, villeins, or customary tenants), and a group of free-tenants represented by three persons who are named, agree and give permission for the future that all the tenants should cultivate

³ King's Yeoman, i.e. a member of the body of yeomen attached to the Court, afterwards called Yeomen of the Crown, of whom nothing seems to have been written since Samuel Pegge wrote his account of them.

⁴ Chanc. Inq. p.m. 45 Edw. III. 1st Nos., No. 14. His heir was his son Thomas who died in 1374. The latter's heirs were his aunt Sybil Jarponville ('Jargonvill') and three cousins.

two-thirds of their land every year, leaving of course the remaining third fallow. The method of cultivation formally superseded by the agreement was quite obviously the ancient two-field system, the only other which was then known in central England, under which one of two open fields only,—that is, one half the arable,—was sown and cropped in any one year, and the other entire field left fallow—first for commoning until April, and then for the three ploughings needed to prepare it for a new crop. The system introduced was the three-field system, which provided a third field, either by re-distribution of the earlier two, or by breaking fresh ground. In both, the crops were the same, but where the older system grew both winter and spring 'corn' in a single field, and left the other fallow, the second system provided an entire open field for each course. These two methods of cultivation were alone in use for many centuries throughout the whole length of central England, from Durham to the Channel. By the second half of the 12th century, the older and simpler method had already begun over the whole area to give place in scattered villages to the improved one, and the change continued to spread for at least two hundred years, as the various communities became convinced of its advantages.

But for the custom of intercommoning between the three manors and the two villages, no formal legal instrument would have been necessary. The change of system would no doubt have been made separately in each of the three manors at its own manor court, or in the one case, at a general meeting, if the Mursley manors formed only a single agricultural unit. As in all other known examples, the change would probably have remained unrecorded and undated. But the new system for which the indenture gives permission, would naturally reduce the area of cleared arable available for

intercommoning from the former one-half to one-third in each year, and the old right, reduced to this extent, would necessitate express agreement between all the parties, and formal legal record of it. Each group of parties would require a copy of equal authority, in order to minimise the prospect of disputes. Consequently the only available method was an indentured document of four parts, separately and interchangeably sealed, as in this case. It proceeds to make arrangements for the continuation of the custom of intercommoning, and to state definitely that both the arable and the meadows were to be held in severalty (as before) until the hay was gathered and the crops harvested, after which they would all, naturally, be no longer in severalty, but in common, as was invariably the case.

The history of the two systems in England, often attempted without much success, was still not at all clear in many ways until the American scholar, Professor H. L. Gray, published his admirable monograph upon the subject in 1915.⁵ It contains a large amount of contemporary evidence for every district in England in which they prevailed. He found many places where the change from the one to the other in the 13th and 14th centuries could be dated within rather wide limits, but not a single document of any kind which exactly dated the change in any agricultural unit. This agreement between the two village-communities of Mursley and Dunton appears to be the first that has come to light which is dated, and gives definite directions for the change. But like all other known evidence it leaves us as completely in the dark as before about the method of providing for the new third field, the method of allotment when it was ready, and the adjustment of conflicting claims and probably

⁵ *English Field Systems*, by Howard Levi Gray, Ph.D., Camb. Harvard Univ. Press, &c., 1915. Since this was written it has unhappily become necessary to say "the late" Prof. Gray.

changed rentals. All that is fairly certain is still a matter of deduction: for instance, that the new allotments must have been proportionate to the tenants' previous holdings, that their right to them was automatic and not a question of purchase, and that what was formerly called a virgate (yardland) or half-virgate still retained the name unchanged, although its acreage was increased.

The two systems were first described in the 13th century in rather charming French by an English knight called Sir Walter de Henle or de Hengleye, now usually, but probably wrongly, modernised as Walter 'of Henley'. His work,⁶ which is undated, is usually attributed to about the year 1250, which however has often been thought somewhat too early. He has never been identified, and his name has not hitherto been found in any other record than the manuscripts of his work. I shall presently suggest a probable and very interesting identification for him. Although he treats more particularly of land in demesne, i.e. in the hands of the manorial lords, such land was then even more often intermixed with those of the tenants in scattered acre and half-acre strips in the open fields than consolidated about the manor-house, so that almost all he tells us applies equally to the open fields generally. His work remains the only early mediaeval text-book of real importance to students. He gives the customary acreage of a ploughland as 160 acres in the 2-field manor or vill, and 180 acres in one which adopted the improved system, and adds minutely detailed and accurate calculations and instructions for the ploughing under both, which err, if they err at all, only in crediting the plough-oxen with rather more endurance than they were likely to possess. Unfortunately the manuscript chosen for printing and translation, which was neither the best nor the most

⁶ Walter of Henley's Husbandry, etc., translations, etc., by Elizabeth Lamond, F.R.Hist.S., introduction by W. Cunningham, D.D., etc. Longmans, 1890.

ancient, rather badly confuses the calculations; but the correct and original readings are added in foot-notes, though apparently not recognised by the editors as being in reality the more accurate. Sir Walter duly shows that in both systems the course of cropping was similar, the only difference being that where the open fields were in two divisions, the winter and the spring 'corn' were both sown in one of the two only, and the other fallowed entire. Under the three-field system, then as later, each of the two varieties of crop had a field to itself, and the remaining field was fallowed. The area under crops was accordingly increased from one half the land to two-thirds.

The best of the more modern descriptions of the two methods are those of Thomas Batchelor, of Lidlington (Beds),⁷ who was well acquainted with both. He describes the ancient two-field system in detail as still in use at Stotfold in his county in the year he wrote (1807-8), and seems a little astonished by its simplicity and comparative efficiency. Of the fallowing he gives a good and particularly informing account. In his time the three-field system prevailed everywhere else in the open-field land in Bedfordshire, "on the strong loams and clays," as he says, and as was also the case in our own county. He describes such open fields as "divided into three parts, seasons, or fields, one of which is usually fallowed." In a 14th century document⁸ of the year 1337-8 relating to Ilmer (Bucks) this term 'season' is already applied to the three fields, according to their use in that particular year for winter corn, spring crops or fallow—*in prima, secunda* and *tercia seisona*, the first sown with winter corn, the second with beans and peas, and the third fallow, as usual.

⁷ General View of the Agriculture of the County of Bedford, by Thomas Batchelor, farmer, 1808.

⁸ Quoted by Prof. Gray (*op. cit.* p. 466) and by the Victoria History of Bucks., vol. II, p. 48.

In this case, demesne land which had already been consolidated is being described, and the fields were quite small. But the word 'season' (*seson, seison, ceson*, etc.) is invariably used by Walter of 'Henley' in its ordinary non-technical sense of the season of the year, and the conditions of weather. It occurs in the present document,—the tenants are to use their right of common without doing damage to the sown lands and the meadows, "as the seasons require" (*comme les seisons demaudent*), and some to whom I have shown the deed suggest that this phrase has some mysterious and fundamental importance. It has no more than the phrases which precede it; the commoning was not to interfere with the new course,—the seasonal sowing, cropping and hay-making,—that is all. If the tenants should act upon their former full right of commoning, for instance, they would be doing serious damage, ruining one-sixth of the crops.

At Mursley and Dunton, and in almost all the places surrounding them, the three field system was the traditional one before the enclosures. Unfortunately I have less knowledge of the exact course followed in these two villages than in those close by. An outlying farm at Mursley held by my family (then at Linslade), both before and after the enclosures, seems to have been subject as to its open-field land to some modifications of the system. At Stewkley, however, the next village to the south-east of Mursley and east of Dunton, almost the whole history of the course of agriculture is quite clear, and will show sufficiently well what the conditions must have been in the other two villages. The ancient two-field system was in use there in 1195⁹ and in 1222¹⁰, but although Professor Gray quotes a fourteenth century cartulary for the change there to

⁹ Pipe Roll Soc 1894, Publ. XVII, no. 138, 1 Rich. I, quoted by Prof. Gray (*op. cit.* p. 455).

¹⁰ A Calendar of the Feet of Fines for the County of Buckingham, 7 Rich. I to 44 Hen. III, edited for the Bucks Record Soc. by M. W. Hughes, 1942, p. 46.

the three-field method, I find that the charter quoted can hardly relate to our Bucks village at all, but to one of the places called Stukeley in Huntingdonshire. The cartulary,¹¹—not named by Professor Gray except by its number among the Harley MSS.—is that of Welbeck Abbey (Notts.) which never possessed anything in the Bucks village. It is therefore not actually known when the change was introduced here, but as at Mursley and Dunton, the example of the neighbouring St. Albans manors, at and around Winslow, in introducing it in or before the 14th century, was no doubt promptly followed. As in the neighbourhood of Missenden Abbey, presently to be particularly mentioned, so in this district, the monasteries were eager to adopt profitable innovations, and extremely reluctant to follow unprofitable ones, such, for instance, as the manumission of bondsmen. The late Lord Ernle's famous book on 'English Farming' speaks of "the three extended fields" in which the Stewkley arable was divided early in the last century, but they actually lay in no less than seven huge fields of widely unequal extent, all very familiar to me in their present enclosed condition. Here as everywhere else, the number of separate fields was a matter of indifference; they were invariably grouped for cultivation into the three of the mediæval system. A pleasant and detailed account of the Stewkley fields at this time exists in print,¹² as they appeared to one of the village children between the years 1798 and 1806; the children's freedom and delight in them is dwelt upon, when the innumerable field-ways, made them almost everywhere accessible in fine weather. They were so omnipresent that strangers passing through the village in winter had often to hire a guide to avoid

¹¹ Harl. MS., 3649.

¹² *My Youthful Days*, by the Rev. George Coles. New York: Lane & Scott, 1852.

losing themselves and getting bogged, the high-road becoming quite indistinguishable from them in wet weather. Beside the field-ways a continuous 'bound-way' surrounded the whole parish, for the perambulations—which our ancestors preferred to spell 'pamblazons,'—made annually or triennially round the boundaries of the parish in Rogation Week. The fields were then "divided into three sections", as stated by Lord Ernle,—“one for wheat and rye, another for barley, oats, peas, beans, and turnips; and the other was always kept fallow. By this means”, the little book continues, “every acre of ploughed land had rest once in three years, during which time it was well manured. This process rendered the soil extremely fertile, and the crops, in general, were very abundant.” It may be doubted whether the preamble to the Act of Enclosure of 1811 has quite the same story. The four manors there, and the many proprietors, all with endlessly intermixed half-acres, greatly preferred to consolidate their lands, to destroy the field-ways, and to keep out not only the children but the world in general. After all, the advantages of enclosure have been accompanied by considerable social loss. Few now dare walk openly in our once free lands, and if we do we are likely to see little but a morose farmer with a gun, and with strong objections to our presence,—impenetrable hedges, melancholy cows, and a few wise but weary labourers.

The first attempt to change the agricultural system at Stewkley took place extremely early,—in the year 1222,—and was abortive. Strangely enough the innovator was one Ralph Passelewe of Drayton Parslow, a direct ancestor and predecessor of the Nicholas Passelewe who enters the present agreement one hundred and twenty-three years later. The system which he attempted to introduce on a single but exceptionally large 'cultura' of his

land in Stewkley called Gares, adjoining his home-manoꝝ of Drayton, can have been nothing else than the three-field system, for we know that in 1195, only twenty-seven years before, the place was cultivated on the only other known system of two fields. Passelewe held other lands in Stewkley, which no doubt he tried to include in his experiment. But the Abbot of Woburn objected, as the owner of the Stewkley estate neighbouring Drayton, of which the now consolidated lands are called Stewkley Grange. They came to an agreement, by which Passelewe gave up his experiment, granted the abbot common on his enormous 'cultura' for an astonishing large number of cattle, which prove its great size, and agreed, in exchange for a messuage in Drayton, to cultivate on the more ancient system still in use upon that manor of his, that is, to plough and sow only every second year, and to leave his whole 'cultura' fallow when Drayton fields were fallowed, that is, in each following year. The inference is that the same system was still in use at Stewkley.

These Passelewes, who were an extremely enterprising and successful race, may in fact have been the first movers in the change upon one of their many possessions, even earlier than the Abbot and Cellarer of St. Albans, who were lords of Winslow, Swanbourne and several other neighbouring manors also associated with the Passelewes. Robert Passelewe, the notorious minister of Henry III, was probably a brother of Ralph, and held his land at Swanbourne, (which was ultimately devastated by the guerilla leader Siward), by grant for life by Ralph's father Hamo (Hamon). The familiarity of the family with the court, to which no doubt the rise of many of its members was due, had no doubt begun as early as the reign of the Conqueror, when they already owned their manor in Drayton by service of providing two mailed knights for castle-guard at Windsor, who were probably always themselves in person.

The simpler and more ancient two-field system, which Professor Gray and the late Doctor Fowler of Aspley Guise, the well-known English authority have strongly suspected of being the original one introduced by the 'Saxon' conquest, is shown by the former to have begun to give way to the improved three-field method by the last quarter of the 12th century, and the change continued to take place throughout the whole of central England for at least the next two hundred years. No example, however, was found of the presumably newer method earlier than the reign of Richard I, and Dr. Fowler convinced himself by the study of the Bedfordshire cartularies that the two-field system remained almost exclusively in use in that county until the end of the 13th century. Professor Gray himself could find no early Beds examples except at Souldrop and Wilden in the time of King John, and an example at Houghton Regis early in the 13th century, shown by Dr. Fowler to be somewhat doubtful. But in the Missenden Cartulary there is at least one Bucks example much earlier than any given, anywhere in England, by either of these scholars. Alexandra de Colewurthe, the ancestor of the famous Hampdens, by a charter¹³ dated in a transcript of a lost second cartulary of the Abbey as of the year 1162, confirms to the Abbot and Canons of Missenden a virgate at 'Hanora' (Honor End) lying next to the abbey land. It had been given them by his father Richard de Colewurthe (d. 1169-70), and he adds four acres to it in an exchange, together with certain rights of pasture in his own ground. Then occurs the following remarkable passage, proving beyond dispute that the lands of the Abbey were already cultivated upon the three-field system.

¹³ The Cartulary of Missenden Abbey, edited for the Bucks Record Society by J. G. Jenkins, 1938, p. 179.

“And be it known that when their third field [i.e. that of the Abbey] which is next to Grimesdic and to my own land has not been sown, it shall be common pasture for me and my men.”

There are other still earlier charters¹⁴ in the cartulary which are not quite so clear in proof, but one of them indicates the use of the same system as early as the year 1133, though upon demesne land, and not in the principal open fields.

By the 15th century the newer system had come to prevail almost everywhere in the open-field country. Only at Stotfold in Beds and at Steeple Claydon in our own county did the other two-field system remain in use until modern times. It is described at Steeple Claydon in James and Malcolm's 'General View of the Agriculture of the County of Buckingham' in 1794 (p. 30). They say that the farmers temporarily abandoned it about fourteen years before that date, but reverted to it ten years later, one of the farmers having rebelled, and turned his cattle into the new crops, probably because they were far from satisfactory. They add grimly that the fields were in a very impoverished state, and the rents only five shillings an acre. The older system also remained at Steventon in Berks until 1879, almost within my own recollection, and I myself remember the fields of Totternhoe (Beds) under the three-field system. Many of us must also have seen it in actual operation also in the famous village of Laxton.

WALTER OF 'HENLEY'.

The only known fragment of biography which tells us anything concerning this English knight, the first of English agricultural writers and the first to describe the two systems, occurs in the title of the manuscript in Cambridge University Library¹⁵

¹⁴ *Ib.* pp. 37 and 85.

¹⁵ *Dd.* vii. 6, fo. 52 b, misquoted in the *Dic. of Nat. Biogr.* as fo. 526.

which probably best represents his own work, and which cannot be greatly later than his own time. Like the treatise itself, it is in French, and informs us that it was made by "sire Waltier de Hengleye," who was at first a knight and afterwards became a friar-preacher,¹⁶ that is to say a Dominican, no doubt at Oxford. The published version, which is also from a manuscript in the University Library, merely describes him as "a wise man whose name was 'syre Walter de Henle'."¹⁷ He has been searched for in vain for more than fifty years, in every kind of record, without the discovery of even a single contemporary mention of his name. The work undoubtedly dates some time before the year 1276, and is usually quoted (e.g. by the late Dr. Fowler) as circa 1250. Two proverbs are used in it which are in the English of central England, so that it is unlikely that he came from any district far away, and equally unlikely that, as has been conjectured, he may have been a Kentish man. In the body of the work, where he briefly discusses the farmyard fowls (p. 32 of the published edition), there seems at first sight to be a reference to a time when he had acted as a bailiff (*al tens ke io fu baylyf*). But as he writes throughout in the ancient conventional character of an aged father giving counsel to his son, this may also be in that character, and not intended as a fact of his own biography at all. Near the beginning, he refers to the times as being very *wyschous e catillous* (vicieux et cauteleux), adjectives which are amusingly apt for the reign of Henry III.

When for several years I was occupied in transcribing the mediaeval charters and rolls at Hartwell House, I found in 1932, in an undated 13th century charter of John de Caam of Hartwell and Steeple

¹⁶ "Ceste ditee si fesoit sire Waltier de Hengleye qui primes fu chivalier e puis se rendesist frere precheur e le fist de housebonderie e de gaynerie e de issue de estor" The word 'ditee' is still used in our Bucks dialect in the form of 'ditty' for any kind of story, especially by word of mouth.

¹⁷ Camb. Univ. Libr. MS. EE. i, fo. 251, etc.

Claydon, the name of one Sir Walter de Haunleg' as one of the witnesses. With him were Sir Gilbert de Braci of Stone, Sir Richard de Arches of Eythrope, Richard de Seyntclere (de Sancto Claro), another manorial lord in Stone, and six other local freemen. This induced me to search further for him in the Missenden Cartulary and elsewhere, where I duly found him witnessing many charters from about the year 1230 to between the years 1273 and 1276, at first as a simple freeman or squire without title, but about 1270 as a knight. The name varies from the form de Hanle, de Hanlee, de Haunlee to de Hynle, which last form occurs in a charter of about 1270, in which he is first given the knightly title, and he occurs again at the later date between 1273 and 1276 as Sir Walter de Haunle, knight. His associates are in every case the well-known knights and squires of the Missenden valley, especially (Sir) Henry 'de Scaccario' of Chequers Court. Both the de Caam charter and the first half of the Missenden cartulary have since been published by the Bucks Record Society, so that it may be sufficient to give here merely the references to the printed books.¹⁸ Apparently he owned no land in the county or elsewhere, unless as a 'farmer' in the manor of some absentee lord. But much more probably he was an estate-overseer for some such person. Further search in the public records has failed to reveal him with certainty, but he may possibly be recognisable in one Sir Walter de Hameleye, a 'bachelor' (i.e. knight) of Gilbert de Clare, Earl of Gloucester and Hertford; on the 25th June, 1267, he receives a pardon for his activity in the Earl's "retirement from Wales to London,"¹⁹ a euphemism of the royal officers for the Earl's march upon and occupation of London. As the Dunstable Annals tell us, the guerilla leader John d' Eyville and the Ely malcontents had met for this

¹⁸ Early Buckinghamshire Charters, by Dr. G. Herbert Fowler and J. G. Jenkins, Bucks Record Socy., 1939, pp. 26-27, and The Cartulary of Missenden Abbey already cited, pp. 47, 75, 105, 111, 234, 236.

march upon London at Wing, and both joined the Earl in the city. If this man, who again cannot be found in other records, is identical with the knight of the Missenden valley, as seems extremely probable, his occupation in the county before he left it for the fighting, may have been as the local man of business, and later a household knight, of the Clare Earls.

They owned several manors here, and in and about Missenden held a great number of Courts Leet, for which they must have had a local agent. Sir Walter is duly absent from the county, or at least does not appear in the charters, during the wars of Simon de Montfort and its sequels. The facts all seem to agree thoroughly well with a provisional identification of him with our famous 'Syre Walter de Henle', the only necessary supposition being that the manuscripts of his treatise,—all later than his time,—have slightly miswritten his name. The fact, if it is a fact, would account for the long failure to discover the name in public and other records. Although living in Buckinghamshire practically all his life, he may have been born at the Earl's fee at Hanley in Worcestershire, near Hanley Castle, where one Thomas de Hanleg' held mediately of the Earl c. 1243-4,²⁰ or at Doddenham near Worcester, where the same Thomas held immediately of the Earl. At all events, it is probably a complete mistake to identify the name with that of Henley-on-Thames.

Another man of the same surname, perhaps a kinsman of Sir Walter, occurs as a witness to a charter of Sir Walter's associate, Henry de Scaccario, in the Missenden Cartulary,²¹ where he is described as Richard de Hanlee, "then 'clerk' of the Sheriff of Bucks." There can be little doubt that

¹⁹ Calendar of Patent Rolls p. 146, 25 June, 1267. I owe this reference to Mr. Arthur Vere Woodman, who has helped me very much by making many other searches for me in this connection.

²⁰ Testa de Nevill.

²¹ *Op. cit.* p. 177.

the Sheriff in question was Falkes de Breauté's victim, the justice Henry de Braybroke, who held and temporarily lost Horsenden in the year of his shrievalty—1214,—and therefore the charter is of that date. Another of the witnesses is Henry de Horsendune, no doubt of the family which had sold the manor to Braybroke.

It is pleasant to a Bucks man to think that Walter 'of Henley', wherever he came from, lived in our county and very likely wrote his famous treatise there.

Quadripartite Indenture. Bucks Archaeological Society's Museum No. 1/45.

Ceste endenture tesmoigne qe come les villes de Mursle & Dodyntone se entrecommunent & entrecommunier deyuent de dreyt & jesqe a ceste iour / eyent semes lour terres en les villes auant dites en manere meyns profitable a graunt perte & damage des villes auant dites Graunte est / par dame Grace de Nowers pur lui ses heirs & ses Neyfs en Mursle Nicholas Passelewe pur ly ses heirs & ses Neyfs en mesme la ville Par / Johan de la More Wauter Jarpomuille Johan Saunes & toutz les autres fraunks tenauntz de mesme la ville et par Monsire²² Henri de Chalf / hunte pur ly ses heirs et ses Neyfs en la ville de Dodyntone pur plus graunt profit prendre des terres auant dites Tous les tenauntz des auant / dites villes desore pussent semer les deux parties de totes lour terres chescun an & les dites terres & les prees diceles deux parties des / terres apendaunt en seueraute tenir tanqe les blees des terres seyent ousteez & les feyns des preez assembleez & levez Saluaunt toutz io[urs] / a la communalte de la ville de Mursle lour commune en les chaumps de Dodyntone et a la communalte de la ville de Dodyntone en les chaumps de / Mursle come auoir soleyent saunz damage fere en les dites terres semes & les

²² Monsire was the generalised form in the 14th century.



The Three Heraldic Seals (two others not shown)

preez a les dites terres apendauntz comme desus est dit &/comme les seisouns demaundent. En tesmoynance de quele chose ceste endenture est partie en quatre des queux le une partie demort v[ers] / la dite dame Grace seale des seals Monsire Henri de Chalfhunte Nicholas Passelewe Johan de la More Wauter Jarpomuille & Johan Saunes / Lautre partie demort vers Monsire Henri de Chalfhunte seale des seals la dite Dame Grace Nicholas Johan Wauter & Johan ; La tierce partie / demort vers Nicholas Passelewe seale des seals la dite Dame Grace Monsire Henri Johan Wauter & Johan. Et la quarte partie demort vers / Johan de la More Wauter & Johan Saunes seale des seals la dite Dame Grace Monsire Henri & Nicholas Par iceux tesmoignes Henri Fitz / Johan. Thomas de Tochewyke. Thomas le Fitz Neel. Richard de Astone, Richard Jarpomuille. Thomas de la Waude. Johan de Foleuille & / autres. Done a Saldene le dymaunche proscheyn a pres la feste seynte Andreu la postle Lan du regne le Roy Edward' tiers puis la conquest Dysmefuisme.²³

[Endorsed] *Composicio villarum de Dodyngtone & Mursle.*

The document is the third counterpart, which remained with Nicholas Passelewe.

The date is the Sunday after the 30th November, 1345, i.e. Sunday 4 December.

Five seals: the first three with armorial shields, described below.

[TRANSLATION]. This indenture witnesseth that whereas the townships of Mursley and Dunton intercommon together and ought of right to intercommon, and until this day have sown their lands in the towns aforesaid in a less profitable manner, to the great loss and damage of the aforesaid towns, it is graunted by Lady Grace de Nowers, for herself, her heirs, and her 'neifs' in Mursley,— [by] Nicholas Passelewe, for himself, h[is] heirs and his 'neifs' in the same town,—by John de la More, Walter Jarponville, John Saunes, and all the other free tenants in the same town, and by Sir Henry de Chalfont, for himself, his heirs, and his 'neifs' in the town of Dunton, [that] in

²³ Miswritten for 'Dysmefuisme.'

order to take greater profit from the lands aforesaid, all the tenants of the aforesaid towns may in future sow the two parts [i.e. two-thirds]²⁴ of all their lands every year, and may hold in severally the said lands and the meadows belonging to the same two parts of the lands, until the corn-crops on the arable²⁵ are taken up, and the hay-crops gathered and carried from the meadows; saving always to the community of the town of Mursley their common in the fields of Dunton, and to the community of the town of Dunton in the fields of Mursley, as they are wont to have it, without doing damage in the said sown lands and the meadows belonging to the said lands, as is aforesaid, and as the seasons require. In witness whereof this indenture is parted in four, whereof one part remains with the said Dame Grace, sealed with the seals of Sir Henry de Chalfont, Nicholas Passelewe, John de la More, Walter Jarponville and John Saunes; the second part remains with Mr. Henry de Chalfont, sealed with the seals of the said Dame Grace, Nicholas, John, Walter and John; the third part remains with Nicholas Passelewe, sealed with the seals of the said Dame Grace, Sir Henry, John, Walter and John; and the fourth part remains with John de la More, Walter, and John Saunes, sealed with the seals of the said Dame Grace, Sir Henry, and Nicholas. By these witnesses: Henry Fitz John, Thomas de Tochewyke (Touchwick), Thomas le Fitz Neel, Richard de Aston, Richard Jarponville, Thomas de la Waude, John de Foleville, and others. Given at Salden the Sunday next after the Feast of St. Andrew the Apostle, in the 19th year of the reign of King Edward, the third since the conquest [i.e. Sunday 4 Dec. 1345].

[ENDORSED:] Composition of the towns of Dunton and Mursley.

The Seals are as follows:

1. Green, round; design 1" diam., upper third chipped away. Two shields hanging by straps on either side of a tree. At the tree-foot is a lion sejant.

The dexter shield is for the lady's family, Fitz Neel of Salden, Paly of six (silver and gules). The sinister shield is that of her dead husband, Sir John de Nowers of Gayhurst, (Silver), two bars and three crescents in

²⁴ Two parts of anything in mediæval documents invariably means two-thirds, three parts three-quarters, and so on.

²⁵ The word 'lands' (terres) in such documents means arable, and for once I have so translated it.

chief (gules). The design is enclosed in a narrow moulded circle, with quatrefoils in the moulding. Legend within a plain outer circular line:

* [SIGIL] LVM*DOMINE*GRACIE*DE*NO [VERS]

2. Green, round. design 15/16" diam., edges broken. A shield in an eared quatrefoil panel, hollow moulding with quatrefoils, the panel within a circular line. The shield bears Ermine, on a fesse five conjoined lozenges (tinctures unknown). Legend in a beaded circular line:

* S' HEN [RICI] : DE : CHALFHVNTIE

The shield once occurred in a window in the church of Chalfont St. Giles (Herald's Visitation of 1634), together with that of his overlord Sir John de Wolverton and others, but the 'trick' has blundered the 'tinctures'. The shield has until now remained unknown.

3. Red, round; diam. of design just under 1" A shield of arms in beautifully designed tracery in a circular panel, the cusped inner moulding set with quatrefoils. The shield bears an engrailed cross of the early form resembling a cross of conjoined lozenges. Legend in beaded circular line:

* SIGILLVM * IOHANNIS * DE * LA * MORE

Both the arms and their owner are unknown. He may possibly have been an ancestor of the family of Meredith alias More of the Weald in Wing.

4. Circular, dark brown; diam. of design 3/4". It is the seal used by Jarponville, non-armorial, and the matrix was a ready-made one, bought at a shop. It bears an eagle displayed between four crosslets, not on a shield, within a quatrefoiled panel and thin outer beaded line. Legend in a circular line:

* AMVB A LEL A PORT : LE SEL

(the seal carries faithful love).

5. Circular, red, 11/16" over the design. The seal of John Saunes. It bears a grotesque animal biting its tail, in a panel composed of an interlaced lozenge and square with illegible letters in the outer angles.

Of the witnesses to the deed, Fitz John may have been of Whaddon, To Chewyke was a lawyer of Aylesbury, Richard de Aston, in 1332-4 and probably other years, was sheriff's bailiff of Ashendon Hundred, and Thomas de la Waude, of the Wing family often called de Waldia, from the Weald in Wing, was lord of the manor of Weldes in Swanbourn.