

A Glossary of Key Terms for Papers 2, 3, 7, 8

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This is not a comprehensive glossary but is designed primarily to help students coming new to a paper whose terms which might confuse them or badly hold them up when they begin to study any of these papers. Problematic terms like 'feudalism' and 'bastard feudalism' are offered only in the sketchiest form: students will have to do their homework on these, as they will on terms like the departments of government or the various tenant statuses, that have a complex history in this period. Some of the more abstruse terms that students will only encounter as they get further into the papers are not included, on the assumption that, once they have got this far, they will be able to find out the meanings for themselves.

It is likely that terms which should have been included have been omitted. Teachers and students are welcome to send any suggestions for the next edition to [Dr Andrew Spenser](#).

ACQUISITION: lands acquired by the current holder, as opposed to those he inherited, and therefore not subject to the laws of inheritance

ADVOWSON: the legal right of appointing a clerk to a parish or other ecclesiastical benefice

AFFER: a draught horse

AFFINITY: see BASTARD FEUDALISM

AID: payment from a VASSAL to his lord, particularly payments owed on certain occasions such as the knighting of the lord's son, one of the FEUDAL INCIDENTS

ALIENATION: granting land or rights away to someone or something else

ALIEN PRIORY: monastic house or estate dependent upon and subordinate to a continental monastery, usually a Norman monastery, as their origins lay in the period after the Conquest, when the Normans often established houses dependent on, and estates owing income to, monasteries in Normandy

ALLOD: land held in full proprietorial right though sometimes with restrictions on Alienation

AMERCEMENT: a fine, financial penalty levied by a court, from the notion of being 'in mercy'

ANCIENT DEMESNE: a term used to denote land that was once held personally by the crown, even if it was no longer in crown possession; it was claimed, especially by peasant tenants of

ANCIENT DEMESNE manors, that people living on such manors should therefore be more lightly burdened by their lords
ANGILD: Old English= single payment and acquired the meaning of payment owed in compensation to the victim of an offence by the perpetrator

ANNAL: historical record organised with an entry for each year

ANNATES: the first year's revenues paid by a cleric in a non-elective office (i.e. an office other than a bishopric or abbacy) to the papacy on his appointment to a benefice. See also SERVICES

ANTECESSORES (Latin): literally, 'predecessors': expression used during the Norman settlement post- 1066 for the way in which land was handed out over much of England i.e. a new holder was given the land of one or more named Anglo-Saxon ANTECESSORES

APPEAL: a charge brought by one individual against another; the normal method of bringing a charge of FELONY for much of the middle ages; largely superseded by INDICTMENT by the end of the period

APPROPRIATION: annexation to an ecclesiastical corporation e.g. cathedral, monastery, college of the TITHES and endowments intended for the maintenance of the parish priest

AQUITAINE: see GASCONY

ARCHDEACON: ecclesiastical officer next below the bishop, with jurisdictional power over a division of the DIOCESE

ARTICLES OF THE EYRE: see GENERAL EYRE

ASSART: piece of land cleared for cultivation

ASSIZE: (i) legislation (12th-century) (ii) certain legal procedures arising from this legislation (iii) from 13th century, courts held by justices of ASSIZE to hear certain pleas concerning land: see also GAOL DELIVERY

see also DARREIN PRESENTMENT, GRAND ASSIZE, MORT D' ANCESTOR and NOVEL DISSEISIN

BALK/BAULK: a ridge of land left unploughed

BARON: the highest rank of landholder in 'FEUDALISM', usually a TENANT-IN-CHIEF; in the late middle ages, used to denote the lowest rank of nobility

BARONAGE: collective term for BARONS: because of the change in meaning of BARON, it is better to use 'peerage' or 'nobility' as a collective term for nobles in the late middle ages

BARONIAL COURT: another word for HONORIAL COURT

BARONY: the land held by a BARON: this should **not** be used as a collective term for BARONS

'BASTARD FEUDALISM': a modern coinage denoting the dependency of lesser landowners on nobles which succeeded 'FEUDALISM': the central change is held to be the replacement of a bond of dependent land tenure by less permanent bonds such as money, contract (see INDENTURE) and personal loyalty. A lord's {bastard feudal} following is his AFFINITY.

BENEFICE: used to refer to any church position with income; also called a LIVING

BENEFIT OF CLERGY: the legal privilege of those who could prove they were clergy to be tried and sentenced for FELONIES in the church courts and punished by the church

BILL: a statement of grievance by the injured party used to initiate certain sorts of pleas; cheaper, less rigid and more convenient than the WRIT. See TRESPASS

BOND: see RECOGNISANCE

BOOKLAND: a privileged form of landholding in Anglo-Saxon England, initially meaning land granted by charter (boc): by the late Saxon period, land characterised by certain privileges and owing certain services to the king (to be discussed in core lectures for Paper 7)

BORDAR: a smallholder, usually a CUSTOMARY TENANT; equivalent to COTTAR

BOROUGH: used normally for a town with a charter

BOROUGH ENGLISH: the custom of inheritance by the youngest son i.e. ultimogeniture

BOROUGH FARM: the fixed sum to be paid annually to the EXCHEQUER by a Borough

BOVATE: a measure of arable land, 1/8 of a CARUCATE: equivalent in the DANELAW of the VIRGATE; sometimes called OXGANG

BRAINT: Welsh word meaning privilege and equated in legal texts with status

BULL: an authoritative papal letter, sealed with the lead seal or bulla of the pope; bulls are usually known by their opening words e.g. Clericis Laicos, 1297

BURGAGE: a unit of property in a BOROUGH

BURH (Anglo-Saxon): a fortified place, originally not necessarily a town, though the word from which BOROUGH derives

CAMERA: the financial department of the late-medieval papacy

CANON (i): REGULAR: a member of a group of SECULAR CLERGY living under a rule (see REGULAR CLERGY). SECULAR: a member of a community of clergy, such as in a minster. (Anglo-Saxon period), or cathedral or collegiate (late-medieval period) church, not living subject to a rule: a cathedral or collegiate canon might also be called a PREBENDary

CANON (ii): a church law or decree incorporated into the body of church law, or CANON LAW

CANON LAWYER: a graduate in canon law and often a practitioner in the church Courts

CANTARIST: a priest serving a CHANTRY

CARTULARY: a book or books containing copies of charters, diplomas and records of legal proceedings

CARUCAGE: a royal tax, a revival of the GELD, levied in the late 12th and early 13th centuries

CARUCATE: a measure of land and a fiscal assessment unit used in the DANELAW; equivalent to the HIDE

CASTELLAN: one who has been placed by the king in charge of a royal castle

CENOBITISM: the monastic life lived in a community

CEORL (Anglo-Saxon): freeman i.e. not a slave, whose actual status and obligations could be very varied (to be discussed in core lectures for Paper 7)

CHAMBER: literally the king's bedroom, repository of money for immediate purposes and place to consult his most intimate advisers; hence it became an important part of HOUSEHOLD government, notably under Edward IV and Henry VII, but also in earlier periods

CHANCERY: the writing office which produced royal documents, from the 13th century the hub of medieval government; hence CHANCELLOR: in charge of the chancery and eventually the king's chief minister. Also, in the late middle ages, one of the Westminster courts, administered by the CHANCELLOR, a CONCILIAR COURT offering EQUITABLE JURISDICTION

CHANTRY: an endowment, either in perpetuity or for a term of years, for the maintenance of one or more priests to sing mass for the souls of the founder and of others nominated by him. The majority took the form of an area partitioned off within an existing church rather than constituting separate chapels. See also COLLEGE

CHAPLAIN: an unBENEFICed cleric, serving in a parish (as assistant priest receiving a wage or stipend) or a household

CHAPTER: the governing body of an ecclesiastical corporation, whether monastic community or cathedral clergy

CHARTER: a document recording a legal transaction or a land transfer; property deeds are sometimes referred to collectively as charters by historians, especially in the period up to c.1300

CHATELS: moveable possessions, as opposed to REAL PROPERTY

CHIEF JUSTICIAR: the king's chief minister and deputy in his absence, evident in some form from Henry I to Henry III

CHIROGRAPH: a legal deed reproduced in two or more copies on the same sheet with (sometimes) a word such as 'cyrographum' inscribed between them and then cut through the middle so that each party to the transaction had a copy whose authenticity could be proved by matching the truncated letters. In the later middle ages, such a document would more often be known as an INDENTURE

CHRISMON: symbolic invocation in English charters (usually in the form of a cross of some kind) at the beginning of a charter

CHRONICLE: a historical narrative with a freer structure of composition than an ANNAL

CIVIL PLEAS: pleas between private parties i.e. not CRJMINAL, although injuries of a criminal nature, such as assault, may be alleged CLERK: the medieval word for a cleric or priest; especially towards the end of the middle ages, any administrative servant or officer, as in 'royal CLERK'

COLLEGE: an ecclesiastical corporation having its own legal identity, although not applicable to monasteries; used especially in the late middle ages for large-scale CHANTRIES which often had an educational function: hence e.g. Eton and Winchester COLLEGES and those at Oxford and Cambridge

COMMON COUNCIL: a lower or outer town council in the later middle ages, or the inner and outer councils meeting together

COMMON LAW: a law that overrode local law and custom: in practice the king's law, widespread from the reign of Henry II

COMMUTATION: the conversion of a payment in kind, service, duty etc. into a money payment: most often used for services rendered by peasants to their lords

COMPURGATION: an oath taken with the formal support of a specified number of others to prove or disprove a point in court

CONCILIAR COURTS: offshoots of the king's council, offering EQUITABLE JURISDICTION, the best known being CHANCERY. The initial complaint would be made by BILL

CONFRATERNITY: (i) a religious GUILD, found in both town and country in the later middle ages (ii) the spiritual benefits that benefactors of monasteries received from monasteries by association in the houses' good works and prayers

CONVENT/CONVENTUAL: a religious house (often used to distinguish the monks etc. from their superior i.e. the abbot or similar), and that which pertains to it e.g. income, buildings

CONVERSI (Latin): lay brothers in the 'new' orders of the 12th century

CORAM REGE (Latin): literally 'in the king's presence'; used earlier for cases heard in the court that travelled with the king: later the term given to proceedings in the COURT OF KING'S BENCH; in the later middle ages, it was the heading for the part of the proceedings dealing with CIVIL PLEAS; CRIMINAL PLEAS were listed in what was called the Rex part of the KING'S BENCH roll

CORRODY: provision of an annual allowance of food, accommodation and money (or a combination of these) to non-members of a religious house or hospital. Quite often used for retired government servants COTTAR: see BORDAR

COUNTY COURT: see SHIRE

COURSE: the term used for any sequence of cropping, of a field, within a field or between fields

COURT OF COMMON PLEAS or DE BANCO: court at Westminster, having its origins in the late twelfth century, where private pleas between the king's subjects could be heard

COURT OF KING'S BENCH: court, usually at Westminster but sometimes ITINERANT; developed from the court CORAM REGE during the 13th century and, despite a great variety of business, remained the court for pleas where the king had a particular interest, including CRIMINAL PLEAS and appeals from other courts, including from the COURT OF COMMON PLEAS

CRAFT OR MYSTERY: an industry or trade, generally involving particular skills transmitted by apprenticeship to a master; by the later middle ages crafts were normally regulated under municipal supervision and might be organised into GILDS

CRIMINAL PLEAS: in the late middle ages, any plea in which the king is the plaintiff or complainant (as now, when any criminal case is Regina i.e. the Queen versus the defendant)

CROFT: a piece of enclosed ground, usually adjoining a house

CURATE: a priest exercising the CURE OF SOULS in a parish; used most often for non-BENEFICED clerics acting as deputies to absentee RECTORS or VICARS

CURE OF SOULS: official responsibility for pastoral ministry to the laity, used especially for the responsibilities of parish priests

CURIA: Latin for a court, used by the late middle ages chiefly with reference to the papal court

CURIA REGIS: literally the king, s court, used for the jurisdiction of all sorts brought in increasing ,quantity. he fore the king, from which the COURT OF COMMON PLEAS, pleas CORAM REGE and hence the COURT OF KING'S BENCH grew

CURIALIS/CURIALIST: someone who frequents the king's court: used by historians most commonly for the king's career officials in the 12th and 13th century, analogous to FAMILIARIS

CUSTOMARY TENANT: one whose obligations to his lord and terms of tenure are determined by custom enforced in the MANORIAL COURT: throughout the period tends to denote a measure of UNFREEdom but from late 121 h century CUSTOMARY TENANTS were normally equated with VILLEINS and therefore defined in law as UNFREE

DANELAW: (i) the northern and eastern areas of England under Danish domination in the late-Saxon period (ii) the law of that area

DARREIN PRESENTMENT, ASSIZE OF: procedure using a RECOGNITION to determine who is the lawful possessor of an ADVOWSON

DEAN: head of the CHAPTER of a SECULAR CATHEDRAL

DE BANCO: see COURT OF COMMON PLEAS

DECRETAL: a judicial decision made by or on behalf of the pope; collected afterwards to provide an authoritative collection of judgements of CANON LAW

DEMESNE: (i) manors that a FEUDAL lord kept for himself in his own direct power, although with peasant tenants, as opposed to land granted away to others; contrasted with FIEFS (ii) the agricultural land on a manor at the lord's direct disposal, as opposed to that rented to tenants; he may choose to exploit it directly himself or to lease it to others

DIOCESE: the ecclesiastical district ruled by the bishop; also known as his SEE

DIPLOMA: in the Anglo-Saxon period, a charter issued by the king

DISPENSATION: a licence granted by the pope to do something not permitted by CANON LAW, e.g. to marry within the PROHIBITED DEGREES; it cannot alter what is deemed to be divine law e.g. The Ten Commandments

DISSEISIN: dispossession, the taking away of SEISIN

DISTRAINT: temporary seizure of moveable goods and/or land to enforce obedience to a decision or order or judgement, or to recover a debt

DOS/DOWER: Anglo-Saxon: any kind of gift associated with a marriage post-Conquest: the widow's right to up to a third of the lands held by her husband at the time of marriage; see also JOINTURE

DOWRY: land or money handed over with the bride by her family at the time of marriage; see also JOINTURE

DREDGE: a mixture of wheat or barley and oats

EALDORMAN/EARL: Anglo-Saxon term for a senior local official, originally ruling over a single SHIRE but by the late Anglo-Saxon period usually over a number of shires; called 'EARL' in the eleventh century: by the late Anglo-Saxon period, coterminous with the greatest nobility

ENFEOFF: to grant land as a FIEF

ENFEOFFMENT TO USE : the process of ALIENATION to create a USE

ENTAIL: a SETTLEMENT of land in which the heirs or type of an heir who could inherit were specified; the best known is a SETTLEMENT in TAIL MALE by which female heirs would be barred from the inheritance

ENTRY FINE: the payment made by a manorial tenant to his lord before he was allowed to enter on i.e. take up, a piece of land

EQUITABLE JURISDICTION: jurisdiction more flexible than the COMMON LAW; it arose from the king's residual power over the law and therefore was administered in his CONCILIAR COURTS, notably CHANCERY

EREMETICISM: the religious life as lived by hermits, individually or in groups

ESCHEAT: the reversion of land to its lord and the land which has reverted

ESCHEATOR: the official charged from the 13th century with enforcing the king's FEUDAL rights

ESSOIN: an excuse for non-appearance in court

EUCCHARIST: the mass (communion in modern and Protestant parlance)

EXCHEQUER: the centre of the king's financial administration, first appearing in the early 12th century, and the centre of royal administration until the 13th century, when superseded by the CHANCERY

EXCOMMUNICATION: a sentence pronounced in a court or by the bishop excluding the offender from sacraments or church services until absolution has been granted; used by the ecclesiastical courts to enforce a sentence or judgement

EXEMPTION: a grant of freedom from superior authority, relating particularly to the church e.g. monasteries that were EXEMPT from episcopal authority and subject only to the pope

EXTENSIVE CULTIVATION: cultivation which does not involve measures such as manuring to achieve the maximum yield

EYRE: see GENERAL EYRE

FAMILIA: HOUSEHOLD

FAMILIARIS: literally a familiar: applied to the king's closest servants and associates in the 12th and 13th centuries; analogous to CURIALIS

FARM: a fixed sum paid in return for land or the privilege of exercising an office (as in 'sheriffs farm'); applied to leasing land at a fixed rent, as opposed to on CUSTOMARY terms: hence a FARMER is such a lessee (hence the modern derivation); see also BOROUGH FARM

FELONY: the most serious type of offence, usually punishable by death or maiming, as opposed to TRESPASS

FEUDAL INCIDENTS: obligations to the lord on a TENANT IN FEE: see AID, RELIEF, MARRIAGE, WARSHIP

'FEUDALISM' (hence FEUDAL: adj.): a form of dependent land tenure linking king, barons and knights, generally thought to exist in England c.1066-c.1200/50; alternatively a Marxist 'mode of production, in which sense it includes peasant dependent tenure and is deemed to have existed in England from before 1066 until the end of the middle ages. One holding feudally holds 'in FEE'. **'Feudal is not a synonym for 'medieval'.** See also FIEF, KNIGHTS FEE, 'BASTARD FEUDALISM'

FEUDAL QUOTA: see SERVITIUM DEBITUM

FIEF/FEE: land, generally heritable, held in dependent tenure in return for service, usually military service. See also FEUDALISM, KNIGHT'S FEE and TENANT IN FEE

FIRST TONSURE: the first stage in clerical ORDERS, giving clerical status without requiring the abandonment of a lay life (including marriage)

FOLKLAND: all land in Anglo-Saxon England not held as BOOKLAND or LAENLAND

FOLKMOOT: see MOOT

FOREST LAW: introduced by the Normans: a form of law protecting the king's hunting rights and enforced in the royal forests; it subjected whole areas (not just the woods themselves) to more stringent royal authority

FORMULARY: collection of a range of legal documents for use as models

FRANCHISE or LIBERTY: a privilege or a privileged area, usually denoting the possession of the right to exercise powers, often judicial, normally deemed to be the king's. SAKE, SOKE, TOLL AND TEAM were among the most insignificant of FRANCHISES, the powers of the Welsh MARCHER LORDS among the greatest. **A FRANCHISE was not a piece of land.** See also QUO WARRANTO

FRANKALMOIN/FREE ALMS: the terms on which land granted to a church in return for spiritual services was held

FRANKPLEDGE: a body of men, usually ten or twelve, called TITHINGS but sometimes an entire village, acting as mutual SURETIES or PLEDGES that they would not commit offences and would produce the guilty party if an offence was committed. All males of twelve or over were expected to be in a TITHING. See also HUNDREDPENNY, TOWN and VIEW OF FRANKPLEDGE

FREEMAN (i) Anglo-Saxon and immediately post-Conquest: not a slave, but could also denote a tenant with a greater degree of freedom over his land and/or person than that of others who were not slaves: in Domesday Book *liberi homines* (=FREEMEN) may even be TENANTS IN FEE (ii) from late 12th century, someone entitled to use the king's law courts See also UNFREE

FURLONG: a group of strips or SELIONS of land in the open-field system of Agriculture

FYRD: the Anglo-Saxon term for the army: some historians distinguish a 'select FYRD, from the 'great FYRD', or obligation to serve of all free men (to be discussed in the core lectures for Paper 7)

FYRDWITE: Old English army fine, the penalty for failure to perform military Service

GAOL DELIVERY: a visiting commission in use from the 13th century, initially as a supplement to the GENERAL EYRE, to try those already INDICTED or PRESENTED for crimes: literally, to deliver those prisoners waiting to be tried in the local gaols. From the later 14th century gaols were normally delivered by ASSIZE justices with additional GAOL DELIVERY powers

GASCONY/GUYENNE: used normally as a synonym for English AQUITAINE, but in practice a much truncated AQUITAINE from 1224, though periodically restored partially or wholly by subsequent wars and treaties

GAVELKIND: a form of tenure in Kent; by the late 13th century, anyone who came from Kent and therefore held by GAVELKIND was held to be a FREEMAN

GELD: Anglo-Saxon levy on each HIDE, first used to pay the tribute required by Danish raiders under Aethelred II and hence called Danegeld. In 11th century known as heregeld or army tax and became a regular tax on property

GENERAL EYRE: a visitation by groups of royal justices throughout the realm to deal with all pleas and enquire into a large number of matters pertaining to the crown in the localities: its brief was determined by the ARTICLES OF THE EYRE, the list of matters into which it was to enquire

GESITH: an earlier term for a THEGN

GILD/GUILD: a word covering a plethora of different sorts of association, often urban, sometimes purely economic, sometimes purely social and religious: often a mixture of the two: see also CONFRATERNITY and CRAFT

GILD/GUILD MERCHANT: the association of traders often found in provincial Towns

GLEBE: the landed endowment of a parish church

GRAND ASSIZE: the process introduced by Henry II by which a defendant in a plea over right to land could opt for jury trial rather than trial by battle

GRANGE: used in the technical sense for a farm estate away from the main centre of an estate: a system of farming created by the Cistercians and similar orders which did not make use of manorial rights; often staffed by CONVERSI

GRAVAMINA: official collective complaints by the clergy concerning infringements of the church's rights and LIBERTIES

GREAT SEAL: the word used in the later middle ages for the original royal seal, to distinguish it from the PRIVY SEAL and the SIGNET: in the keeping of the CHANCELLOR

GRITHBRYCE (Anglo-Saxon): breach of protection and breach of the peace

HAMSOCN: assaulting someone on their property and therefore the fine payable for the offence or the privilege of collecting it

HARVEST SHACK: see SHACK

HEADLAND: a ridge or strip of unploughed land at either end of the field where the plough is turned

HERBAGE: the right of pasturing animals in the forest or on another's land

HERIOT: a payment, such as the best beast, due to the lord on the decease of the tenant; post-Conquest it normally applies to peasant tenure, while knights etc pay a RELIEF

HIDE: Anglo-Saxon measure of land, around 120 acres; originally the land to support a family; became a fiscal measurement (see GELD)

HLAFORD (Anglo-Saxon): lord (from 7th century)

HOG/HOGGASTER/HOGGET: young sheep or bullock, usually a year old

HONOR/HONOUR: a lordship held directly from the king by a TENANT-IN-CHIEF

HONORIAL COURT: the court where the lord of the HONOR does justice among, or deals with the affairs of, his VASSALS or FEUDAL tenants

HOUSEHOLD: a term use for any grouping of family, servants and followers in a person's residence; the HOUSEHOLDS of nobles and great clerics could be large; from the 12th century, the king's HOUSEHOLD increasingly became a major centre of government as well as the place which supplied his basic needs. See also CHAMBER, WARDROBE

HUE AND CRY: the raising of the alarm and pursuit following the committing of an Offence

HUNDRED: the sub-division of English local government below the SHIRE; from the 10th century it is the name of a court, the HUNDRED COURT, and of a unit of policing

HUNDRED PENNY: the payment made to the sheriff but sometimes to the MANORial lord by each member of a TITHING at the VIEW OF FRANKPLEDGE; see also TOURN

HUSTING: the chief court of London

IMMUNITY: a privilege granted to a person or to an ecclesiastical institution which freed the person/institution from various kinds of intervention by public, or some other, authority, notably fiscal or legal

IMPARTIBLE INHERITANCE: the custom of inheritance of land by a single heir, normally but not invariably the eldest son, the opposite of PARTIBLE INHERITANCE. See also BOROUGH ENGLISH

INCUMBENT: a general term for the occupant of a BENEFICE

INDENTURE: a form of agreement (see CHIROGRAPH), used frequently in late medieval historiography to refer to agreements or contracts between nobles and their men in 'BASTARD FEUDALISM'; see also RETAINER

INDICTMENT: PRESENTMENT, initially of FELONIES, but comes to be used as a general term for accusation in CRIMINAL PLEAS, whether FELONY or TRESPASS. in the late middle ages; normally done before Justices of the Peace (J.P.s)

INDULGENCE: originally the grant of remission of a temporal penalty incurred under CANON LAW as penance for a sin. By the later middle ages it had often come to mean the COMMUTATION of an act of penance for a sum of money

INFANGENTHOF: the right held by some MANORIAL lords to execute thieves caught red-handed on their property, after a summary trial

INFIELD/OUTFIELD SYSTEM: a type of open-field system which has INTENSIVELY cultivated fields near the village and EXTENSIVELY cultivated outfields cropped but not manured on the periphery

INSTITUTION: the admission, by a bishop or his deputy, of a new INCUMBENT into the duties of spiritual care of his parish or CURE OF SOULS

ITINERANT: travelling; used of commissions which moved round the country from county to county

ITINERANT JUSTICIAR: a justice or royal official commissioned to hear a plea or pleas in the localities: the precursors of the GENERAL EYRE

INTENSIVE CULTIVATION: exploitation designed to exploit agricultural land to its maximum potential, by manuring etc.

IUGUM: measure of land in Kent: usually $\frac{1}{4}$ of a SULUNG; the equivalent of the VIRGATE

JOINTURE: the land given jointly to husband and wife on their marriage, often ENTAILED in some form: if land was given with the bride, it might well be put wholly or partly into the

JOINTURE; the longer liver of the two held the land after the others death: the use of JOINTURE rather than DOWER was increasingly common in the late middle ages

JOURNEYMAN: a wage-worker, usually one who has served out his apprenticeship but is not a MASTER

J.P.s: Justices of the Peace: in the 14th and 15th centuries, increasingly important local officers responsible for keeping the peace, taking INDICTMENTS and PRESENTMENTS and, on occasion, holding trials; the ancestors of the modern magistrate: originally KEEPER OF THE PEACE

JUSTICIAR: general term for a justice in the Anglo-Norman and Angevin periods: see CHIEF JUSTICIAR, ITINERANT JUSTICIAR and LOCAL JUSTICIAR

KEEPERS OF THE PEACE: see J.P.s

KNIGHT'S FEE: land held FEUDALLY and owing the service of a knight; thus, also land constituting half a KNIGHT'S FEE, twenty KNIGHTS FEES etc.

KNIGHT SERVICE: what is owed to the lord from the holder of a KNIGHT'S FEE

LABOUR SERVICES: the duty to work the lord's land imposed on some peasant tenants and often taken from the late 12th century to be one of the tests of VILLEINAGE: WEEK WORK was a regular weekly duty, BOON WORK was contributing at times of maximum activity such as harvest

LAENLAND (Anglo-Saxon): land held by lease

LATHE: a unit of local government, between the HUNDRED and the SHIRE, peculiar to Kent

LAY SUBSIDY: see SUBSIDY

LEGATE: a papal representative in a designated part of Christendom. There were two categories: legatus natus: a status usually accorded to the archbishops of Canterbury and York to reinforce their supremacy and legatus a latere ('legate from the side') directly commissioned by the pope and always a cardinal

LIBERTY: see FRANCHISE

LITURGY: public, as opposed to private prayer, hence the form and content of church Services

LIVERY OF SEISIN; the process of transferring possession of land or rights to another; done in a ceremony. The CHARTER was a record of the transfer, rather than the transfer itself

LIVING: see BENEFICE

LOCAL JUSTICIAR: local legal agents of the king in the 12th century

MAINPERNORS: see SURETIES

MANCORN: see MASLIN

MANOR: a lordship, sometimes incorporating a VILL but could be part of a VILL on occasion several VILLS, usually having CUSTOMARY TENANTS and almost invariably a lord's court, exercising jurisdiction over the lord's tenants

MANOR/MANORIAL COURT: where the jurisdiction of the MANOR was exercised; not to be confused with the HONORIAL COURT

MANUMISSION: release from slavery or VILLEINAGE

MARCHES/MARCHER LORDS: a term used generally for lords holding on the borders (=MARCHES) of England with Scotland and Wales and for the border regions themselves; more specifically, MARCHER LORDships refers to the compact and in some respects independent lordships on the Welsh border (see FRANCHISES), while the East and West MARCHES are areas of defensive command under the king against Scotland in the late middle ages and each has a Lieutenant

MARK: two thirds of a pound i.e. 13s (shillings) (and) 4d (pence)

MARRIAGE: one of the FEUDAL INCIDENTS: the lord's right to choose a husband for unmarried heiresses to a fief held of him

MASLIN: a mixture of grains, especially wheat and rye

MAST: the fruit of the oak and beech or other forest trees

MASTER: self-employed merchant or craftsman in a town

MENDICANTS: the orders of friars, who lived by begging and not upon landed endowments like the traditional REGULAR CLERGY

MERCHET: the fine paid by some peasant tenants to the lord for permission to marry a daughter; often taken from the late 12th century to be a test of VILLEINAGE

MESNE: intermediate, hence MESNE PROCESS (the court's process leading up to trial) see also VASSALS

MESSUAGE: a dwelling with its adjoining yards and outbuildings

METROPOLITAN: an archbishop

MINSTER: an Anglo-Saxon church, tending to denote a mother church at the centre of a large parish with a number of dependent chapels; also used (A-S) to denote a monastery

MISTERY: see CRAFT

MOLMAN: a rent-paying tenant

MONASTIC CATHEDRAL: peculiar to England: a CATHEDRAL in which the CHAPTER consisted not of CANONS but of monks

MOOT: a court or meeting: portmoot, folkmoot, wardmote (the last two for London)· were among the names used for urban courts

MORT D' ANCESTOR: an ASSIZE whereby an heir may claim his inheritance through the verdict of a jury of neighbours, otherwise known as a RECOGNITION

MORTMAIN: = 'dead hand': the grant of land to undying institutions, usually ecclesiastical, which means that it could not be liable for the exactions usually due to a lord on the death of a tenant. Such grants were forbidden in theory by the Statute of MORTMAIN, 1279

MORTUARY: a payment due on death to an individual's parish-church, usually an animal or a robe

MURAGE: a toll charged to pay for the building or repair of town walls

MURRAIN: an infectious disease among sheep, cows etc.

NATIVUS: see VILLEIN

NISI PRIUS: the process by which a case was referred for a verdict from one of the Westminster courts to the locality where it had originated, using a local jury

NOVEL DISSEISIN: an ASSIZE, rapid in effect, making use of a RECOGNITION, to reverse recent, unjust DISSEISINS

OBEDIENTIARY: monk, CANON or nun to whom has been assigned an administrative office

ORDERS, HOLY/MAJOR: subdeacon, deacon and priest, to whom marriage was Forbidden

ORDERS, MINOR: the FIRST TONSURE and the four grades of CLERKship below subdeacon, which committed recipients neither to a clerical career nor to celibacy

ORDINARY: the bishop of a diocese

OXGANG: see BOVATE

OYER AND TERMINER: a commission which empowered justices visiting the localities to 'hear and determine' i.e. take INDICTMENTS or PRESENTMENTS and try certain cases or categories of cases. See also SUPERIOR EYRE, TRAILBASTON

PANNAGE: the feeding, or right of feeding, swine in the forest, or the payment for This

PARCENER: one who holds property divided among joint owners

PARTIBLE INHERITANCE: the custom of dividing land equally among heirs, in contrast to IMPARTIBLE INHERITANCE

PATRON: the founder of a church or the founder's heir or successor, in whom was vested the right of PRESENTATION to a parish BENEFICE or, in the case of a religious house, various rights, sometimes including consenting to the election of the head of the house

PAVAGE: a toll charged to pay for the paving of a town's streets

PLEAS OF THE CROWN: the most serious pleas, often connected with the king's interests; what we would mostly now call crimes; see also CRIMINAL PLEAS

PLEA ROLLS: a general term for records of the proceedings of the king's courts

PLEDGE: see SURETIES

PLURALISM: the holding of two or more BENEFICES simultaneously, either within the limits approved by the church or without them (in which case a DISPENSATION was required)

PONE: a process for transferring cases from the SHIRE COURT to the king's court

PONTAGE: a toll charged to pay for the building or repair of a bridge

PORT: a trading-place, not necessarily for water-borne trade; thus sometimes used as a synonym for a BOROUGH or town

PORTMOOT: see MOOT

POSSESSORY ASSIZES: legal processes introduced by Henry II concerning possession of land, of which the most important were DARREIN PRESENTMENT, MORT D'ANCESTOR and NOVEL DISSEISIN

PRAECIPE/PRECIPE: a writ addressed to the sheriff conveying a command to one of the king's subjects; disobedience will lead to the matter being heard before the king or his justices

PRAECIPE QUOD REDDAT: a writ in the PRAECIPE class ordering that one of the king's subjects restore land to a claimant: disobedience leads to the matter being heard in the king's court; also known as the WRIT OF RIGHT CLOSE

PRAEMUNIRE: statutes (first passed 1353, 1365, 1393) designed to protect the legal rights claimed by the crown against papal intervention. The name can apply to the statutes, the offence, the writ and the punishment

PREBEND: a benefice in a cathedral or collegiate church, drawing an income from estates, parish churches or a fixed cash sum or all three; the holder is a PREBENDary but could also be called a CANON

PRELATE: archbishop, bishop or head of religious house

PRESENTATION: part of the process of a cleric to an ecclesiastical position, in which the PATRON presents the candidate (chosen by himself or by election in the case of the head of a college or religious house) to the bishop for admission or INSTITUTION to the church or office

PRESENTMENT: an accusation brought by a sworn body of men, or jury: see also INDICTMENT

PRIOR (i): deputy of an abbot (ii): head of a religious house which is a dependency of another, hence in the case of Cluny all other houses of the order (iii) the head of the CONVENT in a MONASTIC CATHEDRAL

PRIORY (i): a religious house as defined in Prior (ii) (ii): that part of the monastery's land and income assigned to the CONVENT rather than to the abbot: developed as a means of evading the malign consequences of VACANCIES: see REGALIAN RIGHT

PRIVY SEAL: seal used in the 13th century that travelled with the king, once the GREAT SEAL and the CHANCELLOR began to be settled at Westminster: later in its turn settled at Westminster and replaced for these purposes by the SIGNET

PROHIBITED DEGREES: the distance of family relationship within which marriage was not allowed without a DISPENSATION

PROVINCE: a group of bishoprics subordinate to an archbishop: in England therefore Canterbury and York . Religious orders were also organised into provinces in the late middle ages

PROVISION: the process whereby the papacy claimed authority to nominate and appoint to any benefice within Christendom, including those normally subject to election or in the PATRONage of some other person or body. The Statute of Provisors (1351) sought to limit these powers

PURGATORY: a third destination for the soul after death, between heaven and hell, where penance not performed in life could be worked off i.e. the soul purged of sin, to allow the soul to proceed to heaven; developed as a doctrine from the later 12th century

PURPRESTURE: an illegal enclosure or encroachment on land, often by ASSART, usually attacked most energetically when on the ROYAL DEMESNE

QUITCLAIM: a charter which records that one party has renounced or abandoned its claims or been defeated in court proceedings. It may arise from a dispute but became a normal part of land transfers

QUO WARRANTO: a series of enquiries under Henry III and, especially, Edward I, in which FRANCHISES were investigated; FRANCHISE-holders were asked literally by what warrant i.e. at whose grant they held these; **these enquiries did not concern land**

RAPE: a unit of local government, between the HUNDRED and the SHIRE, peculiar to Sussex

REAL PROPERTY: land and rights associated with land, as opposed to CHATTELS

REAR VASSAL: see VASSAL

RECOGNISANCE: a bond entered into before a court, or before the king's council, by which a person undertakes to perform some action, usually to keep the peace or related to financial arrangements, on pain of financial penalty (as in The Merchant of Venice, where the penalty was not financial)

RECOGNITION: a process whereby a body of neighbours gave a true answer to a question put to them by the public official who had summoned them

RECTOR: the individual or corporate body entitled to the TITHES of a parish and thus holder of the RECTORY. In the case of a parish where the TITHES were owned by an ecclesiastical institution or university college by APPROPRIATION, the INCUMBENT would be termed a VICAR

REGALIAN RIGHT: the king's customary right to enjoy the estates, lay income and PATRONage pertaining to a bishopric or abbey while it was vacant: see VACANCY

REGULAR CLERGY/RELIGIOUS: CLERKS who had taken religious vows and lived under a religious rule and were therefore not SECULAR CLERGY: monks, friars, nuns and certain CANONS

RELIEF: one of the FEUDAL INCIDENTS: a payment made to a lord by the heir of a VASSAL in return for being allowed to succeed to his inheritance

RETAINER: someone contracted to a lord, usually by INDENTURE, under the system of 'BASTARD FEUDALISM', a member of an AFFINITY

ROTA: the main judicial tribunal of the papacy in the later middle ages

ROYAL DEMESNE: the land held in direct possession by the king

RURAL DEAN: head of an administrative subdivision of an ARCHDEACONry

SAKE AND SOKE: Old English, meaning dispute and SUIT OF COURT. It was part of the normal formula for the privilege of holding jurisdiction, especially at MANORIAL level, and begins to become common during the 10th century. See also TOLL AND TEAM

SANCTUARY: a place of safety for a limited period for criminals and other fugitives, protected by the Christian church, often within, or in the precincts of, a church

SCOT AND LOT: borough dues; those paying SCOT AND LOT were normally householders paying their full dues and thus full citizens of the town, enjoying all its privileges

SCRIPTORIUM: a place where books and documents were written, usually in a religious house

SCUTAGE: payment in lieu of knight service

SEASON: a sowing of grain, a COURSE of cropping, or land sown in a particular COURSE

SECULAR CATHEDRAL: cathedral whose clergy were SECULAR; usually called CANONS, as opposed to RELIGIOUS; see MONASTIC CATHEDRAL

SECULAR CLERGY: CLERKS who did not live under vows or a rule and so did not adhere to a religious order and were not RELIGIOUS/REGULAR CLERGY: applied to nearly all parish clergy, most COLLEGIate clergy, canons of SECULAR CATHEDRALS and, from the later 11th century, to most bishops.

SEE: the seat of a bishop i.e. another word for bishopric, DIOCESE

SEIGNORIAL COURT/JURISDICTION: normally used by historians as another word for MANORIAL COURT

SELION: a strip of ploughland

SERF: see VILLEIN

SERJEANTY: dependent tenure based on rendering some personal service to the lord; different from knight service but, like knight service, distinct from peasant tenure

SERVICES (as used in the technical sense in the late middle ages): payments made by bishops and abbots (who were in elective positions) to the papacy on their appointment. See also ANNATES

SERVITIUM DEBITUM (Latin: 'service owed'): the amount of KNIGHT SERVICE owed by a TENANT-IN-CHIEF to the crown in respect of his land; sometimes called a 'FEUDAL QUOTA'

SERVUS: Anglo-Saxon and immediately post-Conquest: a slave; later used for VILLEIN

SETTLEMENT: a process, common amongst gentry and nobility in the late middle ages, normally accompanied by a FEOFFMENT TO USE, by which lands were granted to certain members of a family and in which the further descent of the land was often specified. See also ENTAIL

SEVERALTY, land held in: land held individually, as opposed to communally (as in open fields)

SHACK/HARVEST SHACK:· fallen grain used after harvest for feeding animals; the right to send animals to feed on this

SHERIFF: the official primarily responsible for all aspects of royal administration at local level; before the Conquest, the EALDORMAN or earl's deputy in the shire, after the Conquest in charge of the shire

SHERIFF'S TOURN: see TOURN

SHIFT: a SEASON

SHILLING: unit of currency used for calculations but the currency in circulation comprised pennies_(throughout the period) and sceattas and stycas (both AngloSaxon), with some other values from Edward I and gold coinage from Edward III

SHIRE: county in England. The key unit of local administration and justice from at least the 10th century, the centre of which was the SHIRE (or COUNTY) COURT: see also EALDORMAN and SHERIFF

SIGNET: royal seal that travelled with the king, appearing in the 14th century as the PRIVY SEAL became settled at Westminster

SIMONY: the offence of paying money to obtain spiritual office

SOCAGE: peasant dependent tenure based on rendering fixed services. usually rent, and normally regarded as 'free'

SOKE: denotes lordship over an area, possibly deriving from the inhabitants' obligation to attend a court held at a royal manor; the right to hold such a court

SOKEMEN: a group of tenants, usually of peasant status, generally regarded as FREE MEN; literally, those owing SUIT OF COURT

SPIRITUALITIES/SPIRITUALIA: income or rights arising directly from the exercise of spiritual, sacramental or pastoral authority and duties e.g. TITHES, GLEBE land, burial dues

SPRING CORN: barley

STAPLE: a place with a monopoly of a particular trade, all of which must pass through it

STINT: the number of animals allowed on the common land, usually allotted according to the number of OXGANGS or VIRGATES held

STOT: a small cheap horse

STYLUS: pen, usually used to refer to the implement with a hard point for writing on a wax tablet

SUBINFEUDATION: the grant of land by a lord other than the king to hold of him as a FIEF: see also VASSAL

SUBSIDY: CLERICAL: taxation granted by the clergy to the crown, normally paid on assessed income

LAY: taxation granted by the laity to the crown; usually a 1/10 of assessed value in towns and 1/15 in the countryside: lay subsidies were normally paid on the value of moveables i.e. goods, CHATTELS rather than on land (REAL PROPERTY); from 1334 the value of LAY SUBSIDIES was fixed

SUB-TENANT: see VASSAL

SUFFRAGANS: bishops employed as deputies to the DIOCESAN bishop, who had the power to conduct the services performed by bishops, including ordination and confirmation, but not to exercise a bishop's jurisdictional powers

SUIT OF COURT: the obligation to attend a court and the right to demand attendance at a court, either public or private

SULUNG: measure of land in Kent: equivalent of the HIDE; see IUGUM

SUPERIOR EYRE: a historian's term coined to designate the occasional use of the ITINERANT KING'S BENCH in the 14th and 15th centuries as a form of commission of OYER AND TERMINER or TRAILBASTON; not to be confused with the GNERAL EYRE

SURETIES: people who guaranteed the fulfilment of obligations by other parties: may also be called MAINPERNORS or PLEDGES (the latter especially in manor courts)

SYNOD: (Anglo-Saxon): a meeting of clergy and prominent laymen presided over by a bishop; (throughout period): a meeting of clergy, usually of a DIOCESE

TAIL MALE: see ENTAIL

TALLAGE: the lord's ability to tax UNFREE tenants at will; often taken from the late 12th century to be a test of VILLEINAGE; also a form of royal taxation in the 12th and 13th centuries

TEMIPORALIA/TEMPORALITIES: income or rights arising from the possession of estates or the exercise of jurisdiction associated with estates, hence church income not derived from SPIRJTUALITIES

TENANT-IN-CHIEF: one who holds directly from the king: see also HONOR, BARON

TENANT IN FEE: one who holds feudally (see FEUDALISM and FIEF)

TENEMENT: a land holding, of whatever status

THEGN (Anglo-Saxon): freeman of high status (to be discussed in core lectures for paper 7)

TITHES: the tenth of all fruits and profits: this was due to God and hence to the church and was the usual payment by members of the parish to maintain their priests. Late-medieval English tithes were usually divided into 'great tithes' (chiefly grain, hay and wood) and 'small tithes', (the rest). See also APPROPRIATION.

TITHING: see FRANKPLEDGE

TOFT: a homestead, a place where a MESSUAGE has stood

TOLL (mercantile): a payment on goods, vehicles or persons passing a particular point e.g. a bridge, ford, gate, or on the buying and selling of goods at a market or fair

TOLL AND TEAM: TOLL the sum owed for transactions of business to a market's lord; TEAM: the process of vouching to WARRANTY (q.v.). Part of the formula for MANORIAL jurisdiction, for which see SAKE AND SOKE

TOLT: a process for transferring cases from the lord's HONORIAL COURT to the SHIRE COURT; see also WRIT OF RIGHT PATENT

TOURN: the sheriffs biennial tour of HUNDRED COURTS, notably to inspect the workings of FRANKPLEDGE: see also HUNDREDPENNY, VIEW OF FRANKPLEDGE, INDICTMENTS and PRESENTMENTS were also taken at the TOURN, although in the later middle ages most of this devolved to the J.P.s

TRAILBASTON: powerful commission of OYER AND TERMINER issued to deal with violent breaches of the peace and abuses of legal procedure known as CONSPIRACY, the first such issued in 1305. See also SUPERIOR EYRE

TRESPASS: literally} a wrong, committed against the person or property of another; initially emerged as a CIVIL PLEA by BILL but in the later 13th century increasingly used as a CRIMINAL PLEA, of a lesser nature than FELONY; punishable by damages and (if a criminal TRESPASS) by a fine to the king

UNFREE: Anglo-Saxon and immediately post-Conquest: a slave (SERVUS) but can also denote someone whose liberty e.g. to go where he wishes may be curtailed by the lord; from the late 12th century, one who may not use the king's courts: see also FREEMAN and VILLEIN

USE: a form of trust whereby land or income from land was held by a number of trustees for the use of another person, who was known as cestui qui use i.e. 'he who has the use of; it enabled the donor to avoid the FEUDAL INCIDENTS and could be part of a process of ENTAIL and SETTLEMENT; done by ENFEOFFMENT TO USE

VACANCY: period after death or resignation of a holder of an ecclesiastical office and before the appointment of another; used especially of bishoprics and abbacies when exploited by the king's REGALIAN RIGHT

VACCARY: a cow pasture or large grazing area for cows

VASSAL/REAR VASSAL/SUB-TENANT/MESNE TENANT: one who holds land IN FEE not directly from the crown; may well be a knight: see FEUDALISM

VICAR: the INCUMBENT of an APPROPRIATED parish, appointed by the institution that owned the tithes and supported by a portion of the income of the RECTORY

VIEW OF FRANKPLEDGE: the process by which the SHERIFF checked on the composition of the TITHINGS at the TOURN and took a fine or HUNDREDPENNY from each member;. some lords had the FRANCHISE of taking their manorial tenants out of the VIEW and were therefore able to levy the fines for themselves: VIEW OF FRANKPLEDGE may thus be associated sometimes with MANORIAL lordship

VILL: a village; a geographical term and the smallest unit of medieval local Government

VILLEIN/VILLANUS/VILLEINAGE: a CUSTOMARY TENANT. whose liberty to do as he wishes is curtailed by the lord; from late 12th century, one who may not use the king's courts: often defined thereafter by obligation to offer lord LABOUR SERVICES, MERCHET AND TALLAGE; also called NATIVUS, SERF, SERVUS; see also FREEMAN and UNFREE

VIRGATE: a quarter of a HIDE; generally about 30 acres; regarded as the normal unit of VILLEIN tenure; hence, a VILLEIN may be called a VIRGATER

WAPENTAKE: the equivalent of the HUNDRED in the DANELAW

WARDMOTE: see MOOT

WARDROBE; another part of the king's HOUSHOLD, which became an important financial department within the HOUSEHOLD from the reign of Henry III

WARDSHIP: the lord's custody of an heir to a fief who is not yet of age; one of the FEUDAL INCIDENTS

WARRANTY, vouching to: (Anglo-Saxon): the process of tracing stolen goods back through the line of buyers and sellers; also the privilege of collecting the value of these as landlord; (post-Conquest): the feudal lord's obligation to defend the land he has given his vassal against all comers

WEDD (wadia, wadium): a formal promise or judicial pledge

WERGILD (Anglo-Saxon): 'man money' or 'blood money', reflecting the principle that human life has a compensatory value, payable in full if the person were killed or proportionately for injury or assault. The amount varied according to legal status

WETHER: a castrated ram

WICK (Anglo-Saxon): a merchant settlement or town, probably originally unfortified and thus different from BURH; apparently used in this sense in the North Sea trading area in the Dark Ages

WITAN, WITANEGEMOT: 'the council' of the Anglo-Saxon kings of England, although nothing like as formal as this implies; more a gathering of notables around the king to transact a variety of business

WITNESSES: formal witnesses who said they had seen a transaction e.g. the handing over of land or LIVERY OF SEISIN, or had witnessed the document recording the transaction when it was drawn up

WRIT: a sealed letter from the king or other established authority to an individual subject, group of subjects or to a collective institution (e.g. those attending the shire court), usually issuing an order; increasingly in this period issued by the king alone and used as one of his main instruments of government: as the king's COMMON LAW grew, so the WRIT became the key instrument in initiating and pursuing a plea

WRIT DE CURSU: a writ obtainable from chancery in standard form, without the special authorisation of king or chancellor; increasingly common as the COMMON LAW expanded from the reign of Henry II

WRIT OF RIGHT (or DE RECTO) CLOSE: like the WRIT OF RIGHT PATENT, a means for establishing right to land but this writ allows the claimant either to bypass the lord's court and take the case direct to a royal court or to move rapidly from the lord's to the king's court; hence it is addressed to a royal official and therefore sent closed with a seal; see also PRAECIPE QUOD REDDAT. Very important in the growth of the COMMON LAW under Henry II

WRIT OF RIGHT (or DE RECTO) PATENT: a royal writ instructing a FEUDAL lord to 'to do right to' one who claims to hold the land of him i.e. to hear his plea to be the rightful tenant; because it is addressed to a subject and not a royal official it is sealed open i.e. PATENT; if the lord fails to act, the king's official, usually the sheriff, will intervene: see also TOLT. Very important in the growth of the COMMON LAW under Henry II

YARDLAND: another term for VIRGATE

YOKE: see IUGUM