MEDIEVAL LATIN SERIES · VOLUME 94

Magna Carta

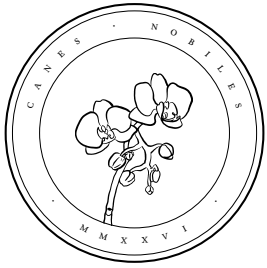
Magna Carta · Dialogus de Scaccario

With the Charters and Assizes of the Kings
and the Dialogue of the Exchequer

---

with a word-for-word interlinear English translation

preserving the original word order



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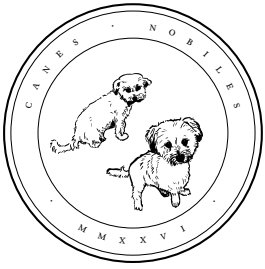

Volume 94 of the Canes Nobiles Medieval Latin interlinear texts

The Medieval Latin text follows William Stubbs's
texts in Select Charters (Oxford, 1870 and 1913)

Translated and composed with AI, edited by Christopher Hench
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CONTENTS

CARTA HENRICI PRIMI

The Charter of Liberties of Henry I 11

CONSTITUTIONES CLARENDONAE

The Constitutions of Clarendon 19

ASSISAE

The Assize of Clarendon 31

The Assize of Northampton 40

The Assize of Arms 47

MAGNA CARTA

The Church, Reliefs, Wardship, Widows, Debts, and Scutage 55
London, Common Counsel, and the Courts 63
The Judgment of Peers 71
Wales, Scotland, and the Security Clause 79

CARTA DE FORESTA

The Charter of the Forest 89

DIALOGUS DE SCACCARIO

Preface 103
What the Exchequer Is, and the Lower Exchequer 110
The Receipt's Officers and the Upper Exchequer 118
The Office of the Presiding Justiciar and the Chancellor 128
The Constable, the Chamberlains, the Marshal, and the Tallies . . . 136
The Calculator, the Scriptorium, and the Bishop of Winchester . . . 144
The Treasurer and His Scribe 152
The Writs and the Clerks of the Upper Exchequer 160
Master Thomas Brown; the Silverer and the Melter 168

DIALOGUS DE SCACCARIO

(continued)

Why the Assay Was Instituted; the Usher 177
The Usher and the Dignities of Those Who Sit 185
Pardons by Writ, the Templars' Quittance, and Scutage 194
The Murder Fine and Danegeld 202
The Forest, Assarts, the Treasury, and Domesday 215
The Hide, the Hundred, the County, and the Exactory Roll 224
Book II: The Summonses, Why and How They Are Made 231
Copies of the Summonses; Henry II and the Itinerant Justices . . . 241
The Sheriff's Duty to Attend, and His Excuses 249
Excuses, the Sheriff at the Account, and the Fixed Allowances . . . 257
What Is Allowed by Custom, and Works by Writ 266
The Old Farm, Purprestures, and Escheats 274
Reliefs, Forfeitures, and Usurers 282
Robbers and Thieves, the Cens of Woods, and Pleas 292
Charters of Quittance and Debtors Who Cannot Pay 301
What May Be Sold of a Debtor's Goods 309
The Sheriff's Oath, Husbands and Wives, and Barons' Stewards . . 318
Offerings, Reliefs, and Hawks 327
The Queen's Gold, Escheats, and the Final Account 335

Carta Henrici primi

The Charter of Liberties of Henry I

THE CHARTER OF LIBERTIES OF HENRY I

Henry, crowned by God's mercy and the barons' counsel, frees the Church from sale and from seizure in vacancies, and lifts the evil customs: heirs relieve by a just relief, kinswomen marry without payment and widows at will, a dying man's money goes as he disposes, moneyage ends, his brother's pleas and debts and past murder fines are remitted, and offenders amend by the measure of the offense. He restores Edward's law, keeps the forests, and restores all taken since William's death.

Henricus rex Anglorum Samsoni episcopo et Ursoni
Henry king of-the-English to-Samson bishop and to-Urse
de Abetot et omnibus baronibus et fidelibus suis tam
of Abetot and to-all barons and faithful his both
Francigenis quam Angligenis de Wirecestrescira salutem.
French-born and English-born of Worcestershire greeting
1. Sciatis me Dei misericordia et communi consilio baronum
1 know-you me of-God by-mercy and by-common counsel of-the-barons
totius regni Angliae ejusdem regni regem coronatum esse; et
of-the-whole realm of-England of-the-same realm king crowned to-be and
quia regnum oppressum erat injustis exactionibus, ego, Dei
because the-realm oppressed was by-unjust exactions I of-God
respectu et amore quem erga vos omnes habeo, sanctam Dei
from-regard and love which toward you all I-have holy of-God
ecclesiam imprimis liberam facio, ita quod nec vendam nec
church first-of-all free make so that neither I-shall-sell nor
ad firmam ponam, nec mortuo archiepiscopo sive episcopo sive
to farm I-shall-put nor with-dead with-archbishop or bishop or
abbate aliquid accipiam de dominio ecclesiae vel de hominibus
abbot anything I-shall-take from the-demesne of-the-church or from the-men
ejus donec successor in eam ingrediatur. Et omnes malas
its until a-successor into it enter and all bad

consuetudines quibus regnum Angliae injuste opprimebatur
customs by-which the-realm of-England unjustly was-oppressed
inde aufero; quas malas consuetudines ex parte hic pono:
thence I-take-away which bad customs in part here I-set-down
2. Si quis baronum, comitum meorum sive aliorum qui
2 if anyone of-the-barons of-the-earls my or of-others who
de me tenent, mortuus fuerit, haeres suus non redimet
from me hold dead will-have-been heir his not will-redeem
terram suam sicut faciebat tempore fratris mei, sed justa
land his as he-was-doing in-the-time of-brother my but by-just
et legitima relevatione relevabit eam. Similiter et homines
and lawful relief will-relieve it likewise also the-men
baronum meorum justa et legitima relevatione relevabunt
of-barons my by-just and lawful relief will-relieve
terras suas de dominis suis.
lands their from lords their
3. Et si quis baronum vel aliorum hominum meorum filiam
3 and if anyone of-the-barons or of-other men my daughter
suam nuptum tradere voluerit sive sororem sive neptem sive
his in-marriage to-give will-wish or sister or niece or
cognatam, mecum inde loquatur; sed neque ego aliquid de
kinswoman with-me thereof let-him-speak but neither I anything of
suo pro hac licentia accipiam neque defendam ei quin
his for this license I-shall-take nor I-shall-forbid him but-that
eam det, excepto si eam vellet jungere inimico meo.
her he-give except if her he-wished to-join to-an-enemy my
Et si mortuo barone vel alio homine meo filia haeres
and if with-dead with-baron or other man my a-daughter heir
remanserit, illam dabo consilio baronum meorum cum
will-have-remained her I-shall-give by-the-counsel of-barons my with
terra sua. Et si mortuo marito uxor ejus remanserit et
land her and if with-dead husband wife his will-have-remained and

sine liberis fuerit, dotem suam et maritationem habebit,
without children will-have-been dower her and marriage-portion she-will-have
et eam non dabo marito nisi secundum velle suum.
and her not I-shall-give to-a-husband unless according-to will her
4. Si vero uxor cum liberis remanserit, dotem quidem
4 if but the-wife with children will-have-remained dower indeed
et maritationem suam habebit, dum corpus suum legitime
and marriage-portion her she-will-have while body her lawfully
servaverit, et eam non dabo nisi secundum velle suum.
she-will-have-kept and her not I-shall-give unless according-to will her
Et terrae et liberorum custos erit sive uxor sive alius
and of-the-land and of-the-children guardian will-be either the-wife or another
propinquorum qui justius esse debebit. Et praecipio ut
of-the-kinsmen who more-justly to-be will-be-bound and I-command that
barones mei similiter se contineant erga filios et
barons my likewise themselves conduct toward the-sons and
filias vel uxores hominum suorum.
daughters or wives of-men their
5. Monetagium commune, quod capiebatur per civitates et
5 the-mintage common which was-taken through cities and
comitatus, quod non fuit tempore regis Eadwardi, hoc ne amodo
counties which not was in-the-time of-king Edward this lest henceforth
sit omnino defendo. Si quis captus fuerit sive monetarius
it-be wholly I-forbid if anyone caught will-have-been either a-moneyer
sive alius cum falsa moneta, justitia recta inde fiat.
or another with false money justice right thereof let-be-done
6. Omnia placita et omnia debita quae fratri meo
6 all pleas and all debts which to-brother my
debebantur condono, exceptis rectis firmis meis et exceptis
were-owed I-remit except-for the-right farms my and except-for
illis quae pacta erant pro aliorum haereditatibus vel pro
those which agreed were for of-others the-inheritances or for

eis rebus quae justius aliis contingebant. Et si quis pro
those things which more-justly to-others belonged and if anyone for
haereditate sua aliquid pepigerat, illud condono, et omnes
inheritance his anything had-agreed that I-remit and all
relevationes quae pro rectis haereditatibus pactae fuerant.
reliefs which for rightful inheritances agreed had-been
7. Et si quis baronum vel hominum meorum infirmabitur, sicut
7 and if anyone of-the-barons or of-men my will-fall-sick as
ipse dabit vel dare disponet pecuniam suam, ita datam esse
he-himself will-give or to-give will-arrange money his so given to-be
concedo. Quod si ipse, praeventus vel armis vel infirmitate,
I-grant but if he-himself forestalled either by-arms or by-sickness
pecuniam suam non dederit vel dare disposuerit, uxor sua
money his not will-have-given or to-give will-have-arranged wife his
sive liberi aut parentes, aut legitimi homines ejus, eam pro
or children or kinsmen or lawful men his it for
anima ejus dividant, sicut eis melius visum fuerit.
the-soul his let-them-divide as to-them better seen it-will-have-been
8. Si quis baronum sive hominum meorum forisfecerit,
8 if anyone of-the-barons or of-men my will-have-forfeited
non dabit vadium in misericordia pecuniae suae, sicut
not he-will-give a-pledge in mercy of-money his as
faciebat tempore patris mei vel fratris mei; sed secundum
he-was-doing in-the-time of-father my or of-brother my but according-to
modum forisfacti, ita emendabit sicut emendasset retro
the-measure of-the-forfeit so he-will-amend as he-would-have-amended back
a tempore patris mei, in tempore aliorum antecessorum
from the-time of-father my in the-time of-other ancestors
meorum. Quod si perfidiae vel sceleris convictus fuerit,
my but if of-perfidy or of-crime convicted he-will-have-been
sicut justum fuerit, sic emendet.
as just will-have-been so let-him-amend

9. Murdra etiam retro ab illa die qua in regem coronatus
9 murders also back from that day on-which as king crowned
fui omnia condono: et ea quae amodo facta fuerint,
I-was all I-remit and those which henceforth done will-have-been
juste emendentur secundum lagam regis Eadwardi.
justly let-them-be-amended according-to the-law of-king Edward
10. Forestas communi consensu baronum meorum in manu
10 the-forests by-common consent of-barons my in hand
mea retinui, sicut pater meus eas habuit.
my I-have-kept as father my them had
11. Militibus qui per loricas terras suas deserviunt, terras
11 to-the-knights who by hauberks lands their serve the-lands
dominicarum carrucarum suarum quietas, ab omnibus geldis
of-the-demesne plows their quit from all gelds
et ab omni opere, proprio dono meo concedo, ut sicut
and from all work by-own gift my I-grant that as
tam magno gravamine alleviati sint, ita se equis
from-so great burden relieved they-are so themselves with-horses
et armis bene instruant, ut apti et parati sint ad
and arms well they-may-equip that fit and ready they-may-be for
servitium meum et ad defensionem regni mei.
service my and for the-defense of-realm my
12. Pacem firmam in toto regno meo pono et teneri
12 peace firm in whole realm my I-set and to-be-held
amodo praecipio.
henceforth I-command
13. Lagam Eadwardi regis vobis reddo cum illis emendationibus
13 the-law of-Edward the-king to-you I-restore with those amendments
quibus pater meus eam emendavit consilio baronum
with-which father my it amended by-the-counsel of-barons
suorum.
his

14. Si quis aliquid de rebus meis vel de rebus alicujus
14 if anyone anything of things my or of the-things of-anyone
post obitum Willelmi regis fratris mei ceperit, totum
after the-death of-William king brother my will-have-taken the-whole
cito reddatur absque emendatione, et si quis inde aliquid
quickly let-be-restored without amends and if anyone thereof anything
retinuerit, ille super quem inventum fuerit mihi graviter
will-have-retained he upon whom found it-will-have-been to-me gravely
emendabit. Testibus Mauricio Lundoniensi episcopo et
will-amend with-witnesses Maurice of-London bishop and
Willelmo electo Wintoniensi episcopo et Gerardo Herefordensi
William elect of-Winchester bishop and Gerard of-Hereford
episcopo et Henrico comite et Simone comite et Waltero
bishop and Henry earl and Simon earl and Walter
Gifardo et Rodberto de Muntforte et Rogero Bigodo et
Giffard and Robert of Montfort and Roger Bigod and
Eudone dapifero et Roberto filio Hamonis et Roberto
Eudo the-steward and Robert son of-Hamo and Robert
Malet. Apud Westmonasterium quando coronatus fui. Valete
Malet at Westminster when crowned I-was farewell

Constitutiones Clarendonae

The Constitutions of Clarendon

In 1164 Henry I's customs are recorded, and Becket and the bishops promise to keep them. Advowson disputes go to the king's court; accused clerks answer in both courts, and a convicted clerk loses the Church's protection; no prelate leaves the realm unlicensed, and no tenant-in-chief is excommunicated before the king is approached; appeals rise to the archbishop, no further without the king's assent; vacant sees' revenues go to the king, and bishops are elected in his chapel and do homage.

Anno ab Incarnatione Domini MºCºLXºIVº, papatus
in-the-year from the-Incarnation of-the-Lord 1164 of-the-papacy
Alexandri anno IVto. illustrissimi regis Anglorum Henrici
of-Alexander in-the-year 4th of-the-most-illustrious king of-the-English Henry
secundi anno decimo, in praesentia ejusdem regis, facta est
second in-the-year tenth in the-presence of-the-same king made was
ista recordatio vel recognitio cujusdam partis consuetudinum
this record or recognition of-a-certain part of-the-customs
et libertatum et dignitatum antecessorum suorum, videlicet
and liberties and dignities of-ancestors his namely
regis Henrici avi sui, et aliorum quae observari et
of-king Henry grandfather his and of-others which to-be-observed and
teneri debent in regno. Et propter dissensiones et
to-be-held ought in the-realm and on-account-of the-dissensions and
discordias quae emerserant inter clerum et Justitias domini
discords which had-arisen between the-clergy and the-justices of-the-lord
regis et barones regni de consuetudinibus et dignitatibus,
king and the-barons of-the-realm about the-customs and dignities
facta est ista recognitio coram archiepiscopis et episcopis
made was this recognition before the-archbishops and bishops
et clero et comitibus et baronibus et proceribus regni.
and clergy and earls and barons and nobles of-the-realm
Et easdem consuetudines recognitas per archiepiscopos et
and the-same customs recognized by the-archbishops and

episcopos et comites et barones et per nobiliores et
bishops and earls and barons and by the-nobler and
antiquiores regni, Thomas Cantuariensis archiepiscopus, et
older of-the-realm Thomas of-Canterbury archbishop and
Rogerus Eboracensis archiepiscopus, et Gilebertus Londoniensis
Roger of-York archbishop and Gilbert of-London
episcopus, et Henricus Wintoniensis episcopus, et Nigellus
bishop and Henry of-Winchester bishop and Nigel
Eliensis episcopus, et Willelmus Norwicensis episcopus, et
of-Ely bishop and William of-Norwich bishop and
Robertus Lincolniensis episcopus, et Hilarius Cicestrensis
Robert of-Lincoln bishop and Hilary of-Chichester
episcopus, et Jocelinus Sarisberiensis episcopus, et Ricardus
bishop and Jocelin of-Salisbury bishop and Richard
Cestrensis episcopus, et Bartholomeus Exoniensis episcopus,
of-Chester bishop and Bartholomew of-Exeter bishop
et Robertus Herefordensis episcopus, et David Menevensis
and Robert of-Hereford bishop and David of-Saint-Davids
episcopus, et Rogerus Wigornensis electus, concesserunt, et
bishop and Roger of-Worcester elect granted and
in verbo veritatis viva voce firmiter promiserunt tenendas
in the-word of-truth with-living voice firmly promised to-be-held
et observandas, domino regi et haeredibus suis, bona fide
and to-be-observed for-the-lord king and for-heirs his in-good faith
et absque malo ingenio, praesentibus istis: Roberto comite
and without evil intent with-present these Robert earl
Leghecestriae, Reginaldo comite Cornubiae, Conano comite
of-Leicester Reginald earl of-Cornwall Conan earl
Britanniae, Johanne comite de Augo, Rogerio comite de Clara,
of-Brittany John earl of Eu Roger earl of Clare
comite Gaufrido de Mandevilla, Hugone comite Cestriae,
earl Geoffrey of Mandeville Hugh earl of-Chester

Willelmo comite de Arundel, comite Patricio, Willelmo
William earl of Arundel earl Patrick William
comite de Ferrariis, Ricardo de Luci, Reginaldo de Sancto
earl of Ferrers Richard of Lucy Reginald of Saint
Walerico, Rogero Bigot, Reginaldo de Warennia, Richerio de
Valery Roger Bigod Reginald of Warenne Richer of
Aquila, Willelmo de Braiosa, Ricardo de Camvilla, Nigello
L'Aigle William of Braose Richard of Camville Nigel
de Moubrai, Simone de Bello Campo, Humfrido de Boun,
of Mowbray Simon of Beau Champ Humphrey of Bohun
Matthaeo de Herefordia, Waltero de Meduana, Manassero
Matthew of Hereford Walter of Mayenne Manasser
Biseth dapifero, Willelmo Malet, Willelmo de Curci, Roberto
Biset the-steward William Malet William of Courcy Robert
de Dunestavilla, Jocelino de Baillolio, Willelmo de Lanvalis,
of Dunstanville Jocelin of Balliol William of Lanvallei
Willelmo de Caisneto, Gaufrido de Ver, Willelmo de
William of Cheney Geoffrey of Vere William of
Hastinges, Hugone de Morevilla, Alano de Nevilla, Simone
Hastings Hugh of Morville Alan of Neville Simon
filio Petri, Willelmo Malduit camerario, Johanne Malduit,
son of-Peter William Mauduit chamberlain John Mauduit
Johanne Mariscallo, Petro de Mara, et multis aliis proceribus
John Marshal Peter of Mara and many other nobles
et nobilibus regni, tam clericis quam laicis.
and lords of-the-realm both clerics and laymen
Consuetudinum vero et dignitatum regni recognitarum
of-the-customs but and dignities of-the-realm recognized
quaedam pars praesenti scripto continetur. Cujus partis
a-certain part in-the-present writing is-contained of-which part
capitula haec sunt;
the-chapters these are

Cap. i. De advocatione et praesentatione ecclesiarum si
chapter 1 about the-advowson and presentation of-churches if
controversia emerserit inter laicos, vel inter laicos et
a-controversy will-have-arisen between laymen or between laymen and
clericos, vel inter clericos, in curia domini regis tractetur
clerics or between clerics in the-court of-the-lord king let-it-be-treated
vel terminetur.
or be-determined

Cap. ii. Ecclesiae de feudo domini regis non possunt in
chapter 2 churches of the-fee of-the-lord king not can in
perpetuum dari absque assensu et concessione ipsius.
perpetuity to-be-given without the-assent and grant of-him

Cap. iii. Clerici retati et accusati de quacunque re,
chapter 3 clerics charged and accused about whatever thing
summoniti a Justitia regis venient in curiam ipsius,
summoned by the-justice of-the-king will-come into the-court of-him
responsuri ibidem de hoc unde videbitur curiae regis
about-to-answer there about this whereof it-will-seem to-the-court of-the-king
quod ibidem sit respondendum; et in curia ecclesiastica, unde
that there it-be to-be-answered and in the-court ecclesiastical whereof
videbitur quod ibidem sit respondendum; ita quod Justitia
it-will-seem that there it-be to-be-answered so that the-justice
regis mittet in curiam sanctae ecclesiae ad videndum qua
of-the-king will-send into the-court of-holy church for seeing by-what
ratione res ibi tractabitur. Et si clericus convictus vel
reason the-matter there will-be-treated and if a-cleric convicted or
confessus fuerit, non debet de cetero eum ecclesia tueri.
confessed will-have-been not ought for the-rest him the-church to-protect

Cap. iv. Archiepiscopis, episcopis, et personis regni, non
chapter 4 for-archbishops bishops and parsons of-the-realm not
licet exire de regno absque licentia domini regis. Et
it-is-allowed to-go-out from the-realm without the-license of-the-lord king and

si exierint, si domino regi placuerit, assecurabunt,
if they-will-have-gone-out if to-the-lord king it-will-have-pleased they-will-give-security
quod nec in eundo, nec in moram faciendo, nec in
that neither in going nor in delay making nor in
redeundo, perquirent malum vel damnum regi vel regno.
returning will-they-seek evil or harm to-the-king or to-the-realm
Cap. v. Excommunicati non debent dare vadium ad remanens,
chapter 5 the-excommunicate not ought to-give a-pledge for remaining
nec praestare juramentum, sed tantum vadium et plegium
nor to-offer an-oath but only a-pledge and surety
standi judicio ecclesiae ut absolvantur.
of-standing by-the-judgment of-the-church that they-may-be-absolved
Cap. vi. Laici non debent accusari nisi per certos et
chapter 6 laymen not ought to-be-accused unless by certain and
legales accusatores et testes in praesentia episcopi, ita quod
lawful accusers and witnesses in the-presence of-the-bishop so that
archidiaconus non perdat jus suum, nec quicquam quod inde
the-archdeacon not may-lose right his nor anything which thence
habere debeat. Et si tales fuerint qui culpantur, quod
to-have he-ought and if such will-have-been who are-blamed that
non velit vel non audeat aliquis eos accusare, vicecomes
not may-wish or not may-dare anyone them to-accuse the-sheriff
requisitus ab episcopo faciet jurare duodecim legales
required by the-bishop will-make to-swear twelve lawful
homines de visneto, seu de villa, coram episcopo, quod
men of the-neighborhood or of the-town before the-bishop that
inde veritatem secundum conscientiam suam manifestabunt.
thereof the-truth according-to conscience their they-will-make-manifest
Cap. vii. Nullus qui de rege teneat in capite, nec aliquis
chapter 7 no-one who from the-king may-hold in chief nor any
dominicorum ministrorum ejus, excommunicetur, nec terrae
of-the-demesne officers his let-be-excommunicated nor the-lands

alicujus eorum sub interdicto ponantur, nisi prius dominus
of-any of-them under interdict let-be-placed unless first the-lord
rex, si in terra fuerit, conveniatur, vel Justitia ejus, si
king if in the-land he-will-have-been be-approached or justice his if
fuerit extra regnum, ut rectum de ipso faciat: et
he-will-have-been outside the-realm that right about him he-may-do and
ita ut quod pertinebit ad curiam regiam ibidem terminetur,
so that what will-pertain to the-court royal there be-determined
et de eo quod spectabit ad ecclesiasticam curiam, ad
and about that which will-belong to the-ecclesiastical court to
eandem mittatur ut ibidem tractetur.
the-same it-be-sent that there it-be-treated
Cap. viii. De appellationibus si emerserint, ab archidiacono
chapter 8 about appeals if they-will-have-arisen from the-archdeacon
debent procedere ad episcopum ab episcopo ad archiepiscopum.
they-ought to-proceed to the-bishop from the-bishop to the-archbishop
Et si archiepiscopus defuerit in justitia exhibenda ad
and if the-archbishop will-have-failed in justice to-be-shown to
dominum regem perveniendum est postremo, ut praecepto
the-lord king to-be-come it-is lastly that by-the-precept
ipsius in curia archiepiscopi controversia terminetur, ita quod
of-him in the-court of-the-archbishop the-controversy be-determined so that
non debeat ulterius procedere absque assensu domini regis.
not it-ought further to-proceed without the-assent of-the-lord king
Cap. ix. Si calumnia emerserit inter clericum et laicum,
chapter 9 if a-claim will-have-arisen between a-cleric and a-layman
vel inter laicum et clericum, de ullo tenemento quod
or between a-layman and a-cleric about any tenement which
clericus attrahere velit ad elemosinam, laicus vero ad
the-cleric to-draw may-wish to alms the-layman but to
laicum feudum, recognitione duodecim legalium hominum,
lay fee by-the-recognition of-twelve lawful men

per capitalis Justitiae regis considerationem terminabitur,
through of-the-chief justice of-the-king the-consideration it-will-be-determined
utrum tenementum sit pertinens ad elemosinam sive ad
whether the-tenement be pertaining to alms or to
feudum laicum, coram ipso Justitia regis. Et si recognitum
fee lay before himself the-justice of-the-king and if recognized
fuerit ad elemosinam pertinere, placitum erit in curia
it-will-have-been to alms to-pertain the-plea will-be in the-court
ecclesiastica, si vero ad laicum feudum, nisi ambo de eodem
ecclesiastical if but to lay fee unless both from the-same
episcopo vel barone advocaverint, erit placitum in curia regia.
bishop or baron will-have-vouched will-be the-plea in the-court royal
Sed si uterque advocaverit de feudo illo eundem episcopum
but if each will-have-vouched for fee that the-same bishop
vel baronem, erit placitum in curia ipsius; ita quod
or baron will-be the-plea in the-court of-him so that
propter factam recognitionem saisinam non amittat, qui prior
on-account-of made recognition the-seisin not may-lose who first
saisitus fuerat, donec per placitum dirationatum fuerit.
seised had-been until through the-plea deraigned it-will-have-been
Cap. x. Qui de civitate, vel castello, vel burgo, vel
chapter 10 who from a-city or castle or borough or
dominico manerio domini regis fuerit, si ab archidiacono
demesne manor of-the-lord king will-have-been if by the-archdeacon
vel episcopo super aliquo delicto citatus fuerit, unde
or bishop about some offense cited he-will-have-been whereof
debeat eisdem respondere et ad citationes eorum satisfacere
he-ought to-the-same to-answer and to the-citations of-them to-satisfy
noluerit, bene licet eum sub interdicto ponere, sed
will-have-been-unwilling well it-is-allowed him under interdict to-place but
non debet excommunicari priusquam capitalis minister domini
not he-ought to-be-excommunicated before the-chief officer of-the-lord

regis villae illius conveniatur, ut justiciet eum ad
king of-town that be-approached that he-may-bring-to-justice him to
satisfactionem venire. Et si minister regis inde defecerit,
satisfaction to-come and if the-officer of-the-king therein will-have-failed
ipse erit in misericordia domini regis, et exinde poterit
he-himself will-be in the-mercy of-the-lord king and thereafter will-be-able
episcopus ipsum accusatum ecclesiastica justitia coercere.
the-bishop him accused by-ecclesiastical justice to-coerce
Cap. xi. Archiepiscopi, episcopi, et universae personae regni,
chapter 11 archbishops bishops and all parsons of-the-realm
qui de rege tenent in capite, et habent possessiones suas de
who from the-king hold in chief and have possessions their from
domino rege sicut baroniam, et inde respondent Justitiis et
the-lord king as a-barony and thereof answer to-the-justices and
ministris regis, et sequuntur et faciunt omnes rectitudines
officers of-the-king and follow and do all rights
regias et consuetudines, et sicut barones ceteri, debent interesse
royal and customs and as barons other ought to-be-present
judiciis curiae domini regis cum baronibus, usque
at-the-judgments of-the-court of-the-lord king with the-barons until
perveniatur in judicio ad diminutionem membrorum vel mortem.
it-be-come in judgment to the-diminution of-members or death
Cap. xii. Cum vacaverit archiepiscopatus, vel episcopatus,
chapter 12 when will-have-fallen-vacant an-archbishopric or bishopric
vel abbatia, vel prioratus de dominio regis, debet esse in
or abbey or priory of the-demesne of-the-king it-ought to-be in
manu ipsius, et inde percipiet omnes redditus et exitus
the-hand of-him and thence he-will-receive all revenues and issues
sicut dominicos. Et cum ventum fuerit ad consulendum
as demesne and when come it-will-have-been to providing
ecclesiae, debet dominus rex mandare potiores personas
for-the-church ought the-lord king to-summon the-chief parsons

ecclesiae, et in capella ipsius domini regis debet fieri
of-the-church and in the-chapel of-the-very lord king ought to-be-made
electio assensu domini regis et consilio personarum
the-election with-the-assent of-the-lord king and by-the-counsel of-the-parsons
regni, quas ad hoc faciendum vocaverit. Et ibidem
of-the-realm whom for this to-be-done he-will-have-called and there
faciet electus homagium et fidelitatem domino regi sicut
will-do the-elect homage and fealty to-the-lord king as
ligio domino, de vita sua et de membris et de honore
to-liege lord of life his and of limbs and of honor
suo terreno, salvo ordine suo, priusquam sit consecratus.
his earthly with-saved order his before he-be consecrated
Cap. xiii. Si quisquam de proceribus regni defortiaverit
chapter 13 if any of the-nobles of-the-realm will-have-forcibly-refused
archiepiscopo, vel episcopo, vel archidiacono, de se vel de
to-the-archbishop or bishop or archdeacon for himself or for
suis justitiam exhibere, dominus rex debet eos justiciare.
his-men justice to-show the-lord king ought them to-bring-to-justice
Et si forte aliquis defortiaverit domino regi rectitudinem
and if perhaps anyone will-have-forcibly-refused to-the-lord king right
suam, archiepiscopi et episcopi et archidiaconi debent eum
his the-archbishops and bishops and archdeacons ought him
justiciare ut domino regi satisfaciat.
to-bring-to-justice that to-the-lord king he-may-make-satisfaction
Cap. xiv. Catalla eorum qui sunt in forisfacto regis non
chapter 14 the-chattels of-those who are in forfeiture of-the-king not
detineat ecclesia vel coemiterium contra justitiam regis,
let-hold the-church or the-churchyard against the-justice of-the-king
quia ipsius regis sunt, sive in ecclesiis sive extra
because of-the-very king they-are whether in churches or outside
fuerint inventa.
they-will-have-been found

Cap. xv. Placita de debitis quae fide interposita debentur,
chapter 15 pleas about debts which with-faith pledged are-owed
vel absque interpositione fidei, sint in justitia regis.
or without pledging of-faith let-them-be in the-justice of-the-king
Cap. xvi. Filii rusticorum non debent ordinari absque
chapter 16 the-sons of-peasants not ought to-be-ordained without
assensu domini de cujus terra nati dignoscuntur.
the-assent of-the-lord from whose land born they-are-known
Facta est autem praedictarum consuetudinum et dignitatum
made was moreover of-the-aforesaid customs and dignities
regiarum recordatio ab archiepiscopis, episcopis, comitibus,
royal the-record by archbishops bishops earls
baronibus, nobilioribus, et antiquioribus regni, apud
barons the-nobler and older of-the-realm at
Clarendonam quarto die ante Purificationem Beatae Mariae
Clarendon on-the-fourth day before the-Purification of-Blessed Mary
Virginis, domino Henrico cum patre suo domino rege
the-Virgin with-the-lord Henry with father his the-lord king
ibidem praesente. Sunt autem et aliae multae et magnae
there present there-are moreover also other many and great
consuetudines et dignitates sanctae matris ecclesiae et
customs and dignities of-holy mother church and
domini regis et baronum regni, quae in hoc scripto
of-the-lord king and of-the-barons of-the-realm which in this writing
non continentur. Quae salvae sint sanctae ecclesiae et
not are-contained which saved let-them-be for-holy church and
domino regi et haeredibus suis et baronibus regni, et
for-the-lord king and for-heirs his and for-the-barons of-the-realm and
in perpetuum inviolabiliter observentur.
in perpetuity inviolably let-them-be-observed

Assisae

The Assizes of Clarendon, Northampton, and Arms

Incipit Assisa de Clarenduna facta a rege Henrico, scilicet secundo, de assensu archiepiscoporum, episcoporum, abbatum, comitum, baronum, totius Angliae

THE ASSIZE OF CLARENDON

The king orders inquests in every county and hundred by twelve lawful men of the hundred and four of each township, on oath, for robbers, murderers, thieves, and those who harbor them. Men so presented go to the ordeal of water; the sheriffs bring them before the justices and keep them in jails built at the king's cost, and their chattels go to the king; a man cleared but of the worst repute abjures the realm. No one is to shelter strangers or the heretics branded at Oxford, and no franchise keeps out the sheriff.

1. Inprimis statuit praedictus rex Henricus de consilio
1 first-of-all decreed the-aforesaid king Henry by the-counsel
omnium baronum suorum, pro pace servanda et justitia
of-all barons his for peace to-be-kept and justice
tenenda, quod per singulos comitatus inquiratur, et
to-be-held that through each county inquiry-be-made and
per singulos hundredos, per xii. legaliores homines de
through each hundred through 12 more-lawful men of
hundredo, et per iv. legaliores homines de qualibet villata,
the-hundred and through 4 more-lawful men of every township
per sacramentum quod illi verum dicent: si in hundredo
upon oath that they the-truth will-tell if in hundred
suo vel villata sua sit aliquis homo qui sit rettatus vel
their or township their be any man who be charged or
publicatus quod ipse sit robator vel murdrator vel latro vel
published that he be a-robber or murderer or thief or
aliquis qui fuerit receptor robatorum vel murdratorum vel
anyone who will-have-been a-receiver of-robbers or of-murderers or

latronum, postquam dominus rex fuit rex. Et hoc inquirant
of-thieves since the-lord king was king and this let-inquire
Justitiae coram se, et vicecomites coram se.
the-justices before themselves and the-sheriffs before themselves
2. Et qui invenietur per sacramentum praedictorum rettatus
2 and who will-be-found through the-oath of-the-aforesaid charged
vel publicatus quod fuerit robator vel murdrator vel latro vel
or published that he-had-been a-robber or murderer or thief or
receptor eorum, postquam dominus rex fuit rex, capiatur
receiver of-them since the-lord king was king let-him-be-taken
et eat ad juisam aquae, et juret quod ipse non fuit
and let-him-go to the-ordeal of-water and let-him-swear that he not was
robator vel murdrator vel latro vel receptor eorum postquam
a-robber or murderer or thief or receiver of-them since
dominus rex fuit rex, de valentia v. solidorum quod sciat.
the-lord king was king to the-value of-5 shillings as-far-as he-may-know
3. Et si dominus ejus qui captus fuerit vel dapifer
3 and if the-lord his who taken will-have-been or steward
ejus vel homines ejus requisierint eum per plegium infra
his or men his will-have-claimed him by pledge within
tertium diem postquam captus fuerit, replegiatur ipse
the-third day after taken he-will-have-been is-replevied he
et catalla ejus donec ipse faciat legem suam.
and chattels his until he do law his
4. Et quando robator vel murdrator vel latro vel receptores
4 and when a-robber or murderer or thief or receivers
eorum capti fuerint per praedictum sacramentum, si
of-them taken will-have-been through the-aforesaid oath if
Justitiae non fuerint tam cito venturi in illum comitatum
the-justices not will-be so quickly about-to-come into that county
ubi capti fuerint, vicecomites mandent propinquiori
where taken they-will-have-been the-sheriffs let-them-send-word to-the-nearer

Justitiae per aliquem intelligentem hominem, quod tales
justice through some intelligent man that such
homines ceperint; et Justitiae remandabunt vicecomitibus
men they-have-taken and the-justices will-send-back to-the-sheriffs
ubi voluerint quod illi ducantur ante illos: et vicecomites
where they-will-wish that they be-led before them and the-sheriffs
illos ducant ante Justitias; et cum illis ducant de hundredo
them let-lead before the-justices and with them let-them-lead from the-hundred
et de villata ubi capti fuerint, duos legales homines
and from the-township where taken they-will-have-been two lawful men
ad portandum recordationem comitatus et hundredi, quare
for carrying the-record of-the-county and of-the-hundred why
capti fuerint, et ibi ante Justitias facient legem suam.
taken they-were and there before the-justices they-will-do law their
5. Et de illis qui capti fuerint per praedictum
5 and of those who taken will-have-been through the-aforesaid
sacramentum hujus Assisae, nullus habeat curiam vel
oath of-this assize none let-have court or
justitiam nec catalla, nisi dominus rex in curia sua coram
justice nor chattels except the-lord king in court his before
Justitiis ejus, et dominus rex habebit omnia catalla eorum.
justices his and the-lord king will-have all chattels their
De illis vero qui capti fuerint aliter quam per hoc
of those but who taken will-have-been otherwise than through this
sacramentum, sit sicut esse solet et debet.
oath let-it-be as to-be it-is-wont and ought
6. Et vicecomites qui eos ceperint ducant eos ante
6 and the-sheriffs who them will-have-taken let-them-lead them before
Justitiam sine alia summonitione quam inde habebant. Et
the-justice without other summons than thence they-had and
cum robatores vel murdratores vel latrones et receptores
when robbers or murderers or thieves and receivers

eorum, qui capti fuerint per sacramentum vel aliter,
of-them who taken will-have-been through oath or otherwise
tradantur vicecomitibus, et ipsi recipiant eos statim
are-handed-over to-the-sheriffs and they-themselves let-them-receive them at-once
sine dilatione.
without delay

7. Et in singulis comitatibus ubi non sunt gaiolae,
7 and in each county where not there-are jails
fiant in burgo vel aliquo castello regis de denariis
let-them-be-made in a-borough or some castle of-the-king from the-pennies
regis et bosco ejus si prope fuerit, vel de alio bosco
of-the-king and wood his if near it-will-have-been or from other wood
propinquo, per visum servientium regis, ad hoc ut vicecomites
near by the-view of-the-sergeants of-the-king to this that the-sheriffs
in illis possint illos qui capti fuerint per ministros
in them may-be-able those who taken will-have-been through the-officers
qui hoc facere solent et per servientes suos, custodire.
who this to-do are-wont and through sergeants their to-guard

8. Vult etiam dominus rex quod omnes veniant ad comitatus
8 wishes also the-lord king that all come to the-county-courts
ad hoc sacramentum faciendum, ita quod nullus remaneat
for this oath to-be-made so that no-one remain-away
pro libertate aliqua quam habeat, vel curia vel soca quam
for liberty any which he-may-have or court or soke which
habuerit, quin veniant ad hoc sacramentum faciendum.
he-will-have-had but-that they-come for this oath to-be-made

9. Et non sit aliquis infra castellum vel extra castellum,
9 and not let-there-be anyone within a-castle or outside a-castle
nec etiam in honore de Walingeford, qui vetet vicecomites
nor even in the-honor of Wallingford who may-forbid the-sheriffs
intrare in curiam vel terram suam ad videndos francos
to-enter into court or land his for seeing frank

plegios, et quod omnes sint sub plegiis: et ante vicecomites
pledges and that all be under pledges and before the-sheriffs
mittantur sub libero plegio.
be-sent under free pledge
10. Et in civitatibus vel burgis nullus habeat homines vel
10 and in cities or boroughs no-one let-have men or
recipiat in domo sua vel terra sua vel soca sua, quos non
receive in house his or land his or soke his whom not
in manu capiat quod eos habebit coram Justitia si requisiti
into hand be-takes that them be-will-have before the-justice if required
fuerint, vel sint sub francoplegio.
they-will-have-been or they-be under frankpledge
11. Et nulli sint in civitate vel burgo vel castello vel
11 and none let-there-be in a-city or borough or castle or
extra, nec in honore etiam de Walingeford, qui vetent
outside nor in the-honor also of Wallingford who may-forbid
vicecomites intrare in terram suam vel socam suam, ad
the-sheriffs to-enter into land his or soke his for
capiendum illos qui rettati fuerint vel publicati quod sint
taking those who charged will-have-been or published that they-be
robatores vel murdratores vel latrones vel receptores eorum,
robbers or murderers or thieves or receivers of-them
vel utlagati vel rettati de foresta; sed praecipit quod juvent
or outlawed or charged of the-forest but he-commands that they-help
illos ad capiendum eos.
them for taking them
12. Et si aliquis fuerit captus qui fuerit saisiatus
12 and if anyone will-have-been taken who will-have-been seised
de roberia vel latrocinio, si ipse fuerit diffamatus et
of robbery or theft if he will-have-been defamed and
habeat malum testimonium de publicamento, et non habeat
may-have bad testimony of publication and not may-have

warantum, non habeat legem. Et si non fuerit
a-warrant not let-him-have law and if not he-will-have-been
publicatus, pro saisina quam habet, eat ad aquam.
published for the-seisin which he-has let-him-go to the-water
13. Et si aliquis fuerit recognoscens coram legalibus
13 and if anyone will-have-been acknowledging before lawful
hominibus vel hundredis de roberia vel murdro vel latrocinio
men or hundreds of robbery or murder or theft
vel de receptione eorum, et postea negare voluerit, non
or of the-receiving of-them and afterward to-deny will-have-wished not
habeat legem.
let-him-have law
14. Vult etiam dominus rex quod illi qui facient legem suam
14 wishes also the-lord king that those who will-do law their
et mundi erunt per legem, si ipsi fuerint de pessimo
and clean will-be by the-law if they will-have-been of worst
testimonio, et publice et turpiter diffamati testimonio
testimony and publicly and shamefully defamed by-the-testimony
multorum et legalium hominum, foras jurent terras
of-many and lawful men forth let-them-swear the-lands
regis, ita quod infra viii. dies mare transibunt, nisi aura
of-the-king so that within 8 days the-sea they-will-cross unless the-wind
eos detinuerit; et cum prima aura quam habebunt postea
them will-have-held-back and with the-first wind which they-will-have afterward
mare transibunt, et ultra in Angliam non revertentur nisi
the-sea they-will-cross and further into England not they-will-return except
per misericordiam domini regis: et ibi sint utlagati;
through the-mercy of-the-lord king and there let-them-be outlawed
et si redierint capiantur sicut utlagati.
and if they-will-have-returned let-them-be-taken as outlaws

15. Et prohibet dominus rex ne aliquis vaivus, id est vagus
15 and forbids the-lord king lest any waif that is vagrant
vel ignotus, hospitetur alicubi nisi in burgo, et ibi non
or unknown be-lodged anywhere except in a-borough and there not
hospitetur nisi una nocte, nisi ibi infirmetur, vel equus
let-him-be-lodged except one night unless there he-fall-sick or horse
ejus, ita quod monstrare possit monstrabile essonium.
his so that to-show he-can showable excuse
16. Et si ibi fuerit plusquam una nocte, capiatur
16 and if there he-will-have-been more-than one night let-be-taken
ille et teneatur donec dominus ejus venerit ad eum
he and be-held until lord his will-have-come to him
plegiandum, vel donec ipse habeat salvos plegios; et ille
to-be-pledged or until he-himself may-have safe pledges and he
similiter capiatur qui hospitatus fuerit.
likewise let-be-taken who lodged will-have-been
17. Et si aliquis vicecomes mandaverit alii vicecomiti
17 and if any sheriff will-have-sent-word to-another sheriff
quod homines fugerint de comitatu suo in alium comitatum
that men have-fled from county his into another county
pro roberia vel pro murdro vel latrocinio vel receptione
for robbery or for murder or theft or receiving
eorum, vel pro utlagia vel pro retta forestae regis, ille
of-them or for outlawry or for the-charge of-the-forest of-the-king he
capiat eos: et etiam si per se vel per alios sciat
let-take them and also if by himself or by others he-may-know
quod tales homines fugerint in comitatum suum, capiat
that such men have-fled into county his let-him-take
eos et custodiat donec de eis habeat salvos plegios.
them and guard until about them he-may-have safe pledges

18. Et omnes vicecomites faciant inbreviari omnes fugitivos,
18 and all sheriffs let-them-make to-be-enrolled all fugitives
qui fugerint de suis comitatibus; et hoc faciant coram
who have-fled from their counties and this let-them-do before
comitatibus, et illorum nomina scripta portabunt ante Justitias
the-county-courts and of-them the-names written they-will-carry before the-justices
cum primo ad illos venerint, ut illi quaerantur per
when first to them they-will-have-come that they be-sought through
totam Angliam, et eorum catalla capiantur ad opus regis.
whole England and their chattels be-taken for the-use of-the-king
19. Et vult dominus rex quod ex quo vicecomites susceperint
19 and wishes the-lord king that from when the-sheriffs will-have-received
summonitiones Justitiarum errantium, ut ipsi cum comitatibus
the-summonses of-the-justices itinerant that they with counties
suis sint ante illos, ipsi congregabunt comitatus suos et
their be before them they will-gather counties their and
inquirent omnes qui de novo venerint in suos comitatus
will-inquire all who from new will-have-come into their counties
post hanc assisam; et illos mittent per plegios, quod
after this assize and them will-send through pledges that
erunt coram Justitias, vel illos custodient, donec Justitiae
they-will-be before the-justices or them will-guard until the-justices
ad eos venerint, et tunc habebunt coram Justitias.
to them will-have-come and then they-will-have(-them) before the-justices
20. Prohibet etiam dominus rex ne monachi vel canonici vel
20 forbids also the-lord king lest monks or canons or
aliqua domus religionum recipiant aliquem de populo minuto in
any house of-religious receive any of the-people small for
monachum vel canonicum vel fratrem, donec sciatur de quali
a-monk or canon or brother until it-be-known of what-sort
testimonio ipse fuerit, nisi ipse fuerit infirmus ad mortem.
testimony he has-been unless he will-have-been sick unto death

21. Prohibet etiam dominus rex, quod nullus in tota Anglia
21 forbids also the-lord king that no-one in whole England
receptet in terra sua vel soca sua vel domo sub se,
harbor in land his or soke his or house under himself
aliquem de secta illorum renegatorum qui excommunicati et
any of the-sect of-those renegades who excommunicated and
signati fuerunt apud Oxeneforde. Et si quis eos receperit,
branded were at Oxford and if anyone them will-have-received
ipse erit in misericordia domini regis; et domus, in qua
he will-be in the-mercy of-the-lord king and the-house in which
illi fuerint, portetur extra villam et comburatur. Et hoc
they will-have-been let-be-carried outside the-town and be-burned and this
jurabit unusquisque vicecomes quod hoc tenebit, et hoc
will-swear each sheriff that this he-will-hold and this
jurare faciet omnes ministros suos, et dapiferos baronum,
to-swear will-make all officers his and the-stewards of-the-barons
et omnes milites et franco-tenentes de comitatibus.
and all knights and free-tenants of the-counties
22. Et vult dominus rex quod haec assisa teneatur in regno
22 and wishes the-lord king that this assize be-held in realm
suo quamdiu ei placuerit.
his as-long-as to-him it-will-please

Hae sunt Assisae factae apud Clarendune, et postea recordatae apud Northamtoniam

THE ASSIZE OF NORTHAMPTON

The assize made at Clarendon is renewed with greater rigor: a man presented and failing at the water loses a foot and his right hand and abjures the realm within forty days, and even one cleared leaves if of ill repute. Strangers may stay one night; the heir of a free tenant has his father's seisin; the justices take fealty and homage, inquire into escheats, churches, and the lands and women in the king's gift, see castles destroyed, and outlaw those who fled the realm.

1. Si quis retatus fuerit coram justitiariis domini regis de
1 if anyone charged will-have-been before the-justices of-the-lord king of
murdro vel latrocinio, vel roberia, vel receptatione hominum
murder or theft or robbery or harboring of-men
talia facientium, vel de falsoneria vel iniqua combustione,
such-things doing or of forgery or wicked arson
per sacramentum duodecim militum de hundredo, et si
through the-oath of-twelve knights of the-hundred and if
milites non adfuerint, per sacramentum duodecim
knights not will-have-been-present through the-oath of-twelve
liberorum legalium hominum, et per sacramentum quatuor
free lawful men and through the-oath of-four
hominum de unaquaque villa hundredi, eat ad judicium
men from each township of-the-hundred let-him-go to the-ordeal
aquae, et si perierit alterum pedem amittat. Et apud
of-water and if he-will-have-failed the-one foot let-him-lose and at
Northamtoniam additum est pro rigore justitiae quod dexterum
Northampton added was for the-rigor of-justice that the-right
similiter pugnum cum pede amittat, et regnum abjuret, et
likewise fist with the-foot he-lose and the-realm abjure and
infra quadraginta dies a regno exulet. Et si ad aquam
within forty days from the-realm be-exiled and if at the-water

mundus fuerit, inveniat plegios et remaneat in regno,
clean he-will-have-been let-him-find pledges and remain in the-realm
nisi retatus fuerit de murdro vel alia turpi felonia per
unless charged he-will-have-been of murder or other base felony through
commune comitatus et legalium militum patriae, de quo si
the-commons of-the-county and of-the-lawful knights of-the-country of which if
praedicto modo retatus fuerit, quamvis ad aquam salvus
in-the-aforesaid way charged he-will-have-been although at the-water safe
fuerit, nihilominus infra quadraginta dies a regno
he-will-have-been nonetheless within forty days from the-realm
exeat, et catalla sua secum asportet, salvo jure
let-him-go-out and chattels his with-himself let-him-carry-off with-saved the-right
dominorum suorum, et regnum abjuret in misericordia
of-lords his and the-realm let-him-abjure in the-mercy
domini regis. Haec autem assisa atenebit a tempore quo
of-the-lord king this moreover assize will-hold from the-time at-which
assisa facta fuit apud Clarendonam; continue usque ad hoc
the-assize made was at Clarendon continuously right to this
tempus; et amodo quamdiu domino regi placuerit, in murdro,
time and henceforth as-long-as to-the-lord king it-will-please in murder
et proditione, et iniqua combustione, et in omnibus praedictis
and treason and wicked arson and in all the-aforesaid
capitulis nisi in minutis furtis et roberiis, quae facta fuerunt
chapters except in petty thefts and robberies which done were
tempore guerrae, sicut de equis et bobus et minoribus rebus.
in-the-time of-war as of horses and oxen and lesser things
2. Item nulli liceat neque in burgo neque in
2 likewise to-none let-it-be-allowed neither in borough nor in
villa hospitari aliquem extraneum, ultra unam noctem, in
town to-lodge any stranger beyond one night in
domo sua, quem ad rectum habere noluerit, nisi
house his whom to right to-have he-will-have-been-unwilling unless

hospitatus ille essonium rationabile habuerit, quod hospes
lodged he excuse reasonable will-have-had which the-host
domus monstret vicinis suis. Et cum recesserit,
of-the-house may-show to-neighbors his and when he-will-have-withdrawn
coram vicinis recedat et per diem.
before the-neighbors let-him-withdraw and by day
3. Si quis saisitus fuerit de murdro vel latrocinio vel
3 if anyone seised will-have-been of murder or theft or
roberia vel falsoneria, et inde sit cognoscens, vel de aliqua
robbery or forgery and thereof be acknowledging or of some
alia felonia quam fecerit, coram praeposito hundredi vel
other felony which he-will-have-done before the-reeve of-the-hundred or
burgi, et coram legalibus hominibus; id postea coram
of-the-borough and before lawful men that afterward before
Justitiis negare non poterit. Et si idem sine saisina
the-justices to-deny not he-will-be-able and if the-same without seisin
coram eis aliquid hujusmodi recognoverit, hoc similiter
before them anything of-this-kind will-have-acknowledged this likewise
coram Justitiis negare non poterit.
before the-justices to-deny not he-will-be-able
4. Item si quis obierit francus-tenens, haeredes ipsius
4 likewise if anyone will-have-died a-free-tenant the-heirs of-him
remaneant in tali saisina qualem pater suus habuit die qua
let-remain in such seisin as father their had on-the-day on-which
fuit vivus et mortuus, de feodo suo; et catalla sua habeant
he-was alive and dead of fee his and chattels his let-them-have
unde faciant divisam defuncti: et dominum suum postea
whence they-may-make the-devise of-the-dead-man and lord their afterward
requirant, et ei faciant de relevio et aliis quae
let-them-seek and to-him let-them-do concerning relief and other-things which
ei facere debent de feodo suo. Et si haeres fuerit infra
to-him to-do they-ought of fee their and if the-heir will-have-been under

aetatem, dominus feodi recipiat homagium suum et habeat
age the-lord of-the-fee let-receive homage his and let-have
in custodia illum quamdiu debuerit. Alii domini, si
in wardship him as-long-as he-will-have-been-bound other lords if
plures fuerint, homagium ejus recipiant, et ipse faciat
several they-will-have-been homage his let-receive and he let-do
eis quod facere debuerit. Et uxor defuncti habeat
to-them what to-do he-will-have-been-bound and the-wife of-the-dead-man let-have
dotem suam et partem de catallis ejus quae eam contingit.
dower her and the-part of chattels his which her falls-to
Et si dominus feodi negat haeredibus defuncti saisinam
and if the-lord of-the-fee denies to-the-heirs of-the-dead-man the-seisin
ejusdem defuncti quam exigunt, Justitiae domini regis
of-the-same dead-man which they-demand the-justices of-the-lord king
faciant inde fieri percognitionem per duodecim legales
let-them-make thereof to-be-made an-inquest through twelve lawful
homines, qualem saisinam defunctus inde habuit die qua
men what-sort seisin the-dead-man thereof had on-the-day on-which
fuit vivus et mortuus: et sicut recognitum fuerit, ita
he-was alive and dead and as recognized it-will-have-been so
haeredibus ejus restituant. Et si quis contra hoc fecerit
to-heirs his let-them-restore and if anyone against this will-have-done
et inde attaintus fuerit, remaneat in misericordia regis.
and thereof attainted will-have-been let-him-remain in the-mercy of-the-king
5. Item Justitiae domini regis faciant fieri recognitionem
5 likewise the-justices of-the-lord king let-make to-be-made recognition
de dissaisinis factis super Assisam, a tempore quo
of disseisins done against the-assize from the-time in-which
dominus rex venit in Angliam proximo post pacem factam
the-lord king came into England next after the-peace made
inter ipsum et regem filium suum.
between himself and the-king son his

6. Item Justitiae capiant domini regis fidelitates infra clausum
6 likewise the-justices let-take of-the-lord king the-fealties within the-close
Pascha, et ad ultimum infra clausum Pentecosten, ab omnibus,
of-Easter and at the-latest within the-close of-Pentecost from all
scilicet comitibus, baronibus, militibus et libere tenentibus, et
namely earls barons knights and freely holding and
etiam rusticis, qui in regno manere voluerint. Et qui facere
also peasants who in the-realm to-remain will-wish and who to-do
noluerit fidelitatem, tanquam inimicus domini regis
will-have-been-unwilling fealty as an-enemy of-the-lord king
capiatur. Habent etiam Justitiae praecipere, quod omnes
let-him-be-taken have also the-justices to-command that all
illi qui nondum fecerunt homagium et ligantiam domino
those who not-yet have-done homage and allegiance to-the-lord
regi, quod ad terminum quem eis nominabunt veniant et
king that at the-term which to-them they-will-name they-come and
faciant regi homagium et ligantiam sicut ligio domino.
do to-the-king homage and allegiance as to-liege lord
7. Item Justitiae faciant omnes justitias et rectitudines
7 likewise the-justices let-do all justices and rights
spectantes ad dominum regem et ad coronam suam, per
pertaining to the-lord king and to crown his through
breve domini regis, vel illorum qui in loco ejus erunt, de
the-writ of-the-lord king or of-those who in place his will-be of
feodo dimidii militis et infra, nisi tam grandis sit querela
a-fee of-half a-knight and below unless so great be the-complaint
quod non possit deduci sine domino rege, vel talis
that not it-can to-be-brought-down without the-lord king or such
quam Justitiae ei reportent pro dubitatione sua, vel ad
which the-justices to-him may-refer for doubt their or to
illos qui in loco ejus erunt. Intendant tamen pro posse
those who in place his will-be let-them-attend yet according-to power

suo ad commodum domini regis faciendum. Faciant etiam
their to the-advantage of-the-lord king to-be-done let-them-make also
assisam de latronibus iniquis et malefactoribus terrae;
the-assize about thieves wicked and evildoers of-the-land
quae assisa est per consilium regis filii sui et hominum
which assize is through the-counsel of-the-king of-son his and of-men
suorum, per quos ituri sunt comitatus.
his through which about-to-go they-are the-counties
8. Item Justitiae provideant quod castella diruta prorsus
8 likewise the-justices let-provide that castles demolished utterly
diruantur et diruenda bene prosternantur. Et nisi
be-demolished and those-to-be-demolished well be-thrown-down and unless
hoc fecerint, dominus rex judicium curiae suae de
this they-will-have-done the-lord king the-judgment of-court his about
eis habere voluerit sicut de contemptoribus praecepti sui.
them to-have will-wish as about despisers of-precept his
9. Item Justitiae inquirant de excaetis, de ecclesiis, de
9 likewise the-justices let-inquire about escheats about churches about
terris, de feminis quae sunt de donatione domini regis.
lands about women which are of the-gift of-the-lord king
10. Item baillivi domini regis respondeant ad scaccarium,
10 likewise the-bailiffs of-the-lord king let-answer at the-exchequer
tam de assiso redditu, quam de omnibus perquisitionibus
both about assessed revenue and about all acquisitions
suis, quas faciunt in bailliis suis; exceptis illis quae pertinent
their which they-make in bailiwicks their except-for those which pertain
ad vicecomitatum.
to the-shrievalty

11. Item Justitiae inquirant de custodiis castellorum, et qui,
11 likewise the-justices let-inquire about the-wards of-castles and who
et quantum, et ubi eas debeant, et postea mandent
and how-much and where them they-owe and afterward let-them-send-word
domino regi.
to-the-lord king
12. Item latro, ex quo capitur, vicecomiti tradatur ad
12 likewise a-thief from when he-is-taken to-the-sheriff let-be-handed-over for
custodiendum. Et si vicecomes absens fuerit, ducatur
guarding and if the-sheriff absent will-have-been let-him-be-led
ad proximum castellanum, et ipse illum custodiat donec
to the-nearest castellan and he him let-guard until
illum liberet vicecomiti.
him he-deliver to-the-sheriff
13. Item Justitiae faciant quaerere per consuetudinem
13 likewise the-justices let-make to-seek through the-custom
terrae illos qui a regno recesserunt; et nisi redire
of-the-land those who from the-realm have-withdrawn and unless to-return
voluerint infra terminum nominatum, et stare ad rectum
they-will-wish within the-term named and to-stand to right
in curia domini regis, postea utlagentur; et nomina
in the-court of-the-lord king afterward let-them-be-outlawed and the-names
utlagorum afferant ad Pascha, et ad festum Sancti
of-the-outlaws let-them-bring at Easter and at the-feast of-Saint
Michaelis, ad scaccarium, et exinde mittantur domino regi.
Michael to the-exchequer and thence let-them-be-sent to-the-lord king

Assisa de Armis habendis in Anglia

THE ASSIZE OF ARMS

Every holder of a knight's fee keeps a hauberk, helmet, shield, and lance, and lesser free men lesser arms by their wealth, sworn by Saint Hilary's feast and kept in the king's service; none may sell them, no Jew may keep a hauberk, and no arms, ships, or timber leave England. Jurors assess every man.

1. Quicunque habet feodum unius militis habeat
1 whoever has the-fee of-one knight let-him-have
loricam et cassidem, clypeum et lanceam; et omnis
a-hauberk and a-helmet a-shield and a-lance and every
miles habeat tot loricas et cassides, et clypeos et
knight let-have as-many hauberks and helmets and shields and
lanceas quot habuerit feoda militum in dominico
lances as he-will-have-had fees of-knights in demesne
suo.
his
2. Quicunque vero liber laicus habuerit in catallo
2 whoever but free layman will-have-had in chattel
vel in redditu ad valentiam de xvi. marcis, habeat
or in revenue to the-value of 16 marks let-him-have
loricam et cassidem et clypeum et lanceam; quicunque
a-hauberk and a-helmet and a-shield and a-lance whoever
vero liber laicus habuerit in catallo vel redditu
but free layman will-have-had in chattel or revenue
x. marcas, habeat aubergel et capellet ferri et
10 marks let-him-have a-habergeon and a-cap of-iron and
lanceam.
a-lance

3. Item omnes burgenses et tota communa liberorum
3 likewise all burgesses and the-whole commune of-free
hominum habeant wambais et capellet ferri et
men let-them-have a-gambeson and a-cap of-iron and
lanceam.
a-lance
4. Unusquisque autem illorum juret, quod infra festum
4 each moreover of-them let-swear that before the-feast
Sancti Hilarii haec arma habebit, et domino regi Henrico
of-Saint Hilary these arms he-will-have and to-the-lord king Henry
scilicet filio Matildis imperatricis fidem portabit, et haec
namely son of-Matilda the-empress faith will-bear and these
arma in suo servitio tenebit secundum praeceptum suum et
arms in his service will-hold according-to command his and
ad fidem domini regis et regni sui. Et nullus ex quo
to the-fealty of-the-lord king and of-realm his and no-one from when
arma haec habuerit, ea vendat, nec invadiet nec praestet,
arms these he-will-have-had them let-him-sell nor pledge nor lend
nec aliquo alio modo a se alienet; nec dominus suus ea
nor in-any other way from himself alienate nor lord his them
aliquo modo ab homine suo alienet, nec per forisfactum,
in-any way from man his alienate neither through forfeit
nec per donum, nec per vadium, nec aliquo alio modo.
nor through gift nor through pledge nor in-any other way
5. Si quis haec arma habens obierit, arma sua
5 if anyone these arms having will-have-died arms his
remaneant haeredi suo. Si vero haeres de tali aetate
let-remain to-heir his if but the-heir of such age
non sit, quod armis uti possit, si opus fuerit,
not be that arms to-use he-can if need will-have-been
ille qui eum habebit in custodia habeat similiter
he who him will-have in wardship let-have likewise

custodiam armorum, et hominem inveniat qui armis
the-wardship of-the-arms and a-man let-him-find who the-arms
uti possit in servitio domini regis, donec haeres de
to-use can in the-service of-the-lord king until the-heir of
tali aetate sit quod arma portare possit, et tunc
such age be that arms to-bear he-can and then
habeat.
let-him-have(-them)

6. Quicunque burgensis plura arma habuerit, quam habere
6 whatever burgess more arms will-have-had than to-have
oportuerit secundum hanc assisam, ea vendat vel det
it-will-have-behooved according-to this assize them let-him-sell or give
vel sic a se alienet tali homini qui ea in servitio
or so from himself alienate to-such man who them in the-service
domini regis Angliae retineat. Et nullus eorum plura
of-the-lord king of-England may-keep and none of-them more
arma retineat quam eum secundum hanc assisam habere
arms let-keep than him according-to this assize to-have
oportuerit.
it-will-have-behooved

7. Item nullus Judaeus loricam vel aubergellum penes
7 likewise no Jew a-hauberk or habergeon in-possession-of
se retineat, sed ea vendat, vel det, vel alio
himself let-keep but them let-him-sell or give or in-another
modo a se removeat, ita quod remaneant in servitio
way from himself remove so that they-remain in the-service
regis.
of-the-king

8. Item nullus portet arma extra Angliam nisi per
8 likewise no-one let-carry arms outside England except through
praeceptum domini regis; nec aliquis vendat arma alicui,
the-command of-the-lord king nor anyone let-sell arms to-anyone

qui ea portet ab Anglia; nec mercator nec alius ea
who them may-carry from England nor merchant nor another them
ab Anglia portet.
from England let-carry
9. Item Justitiae faciant jurare per legales milites vel alios
9 likewise the-justices let-make to-swear through lawful knights or other
liberos et legales homines de hundredis et de visnetis
free and lawful men of the-hundreds and of the-neighborhoods
et de burgis, quot viderint expedire, qui habebunt
and of the-boroughs as-many-as they-will-have-seen to-be-expedient who will-have
valentiam catalli secundum quod eum habere oportuerit
the-value of-chattel according-to which him to-have it-will-have-behooved
loricam et galeam et lanceam et clypeum secundum quod
a-hauberk and helmet and lance and shield according-to what
dictum est; scilicet quod separatim nominabunt eis omnes de
said is namely that separately they-will-name to-them all of
hundredis suis et de visnetis et de burgis, qui habebunt
hundreds their and of the-neighborhoods and of the-boroughs who will-have
xvi. marcas vel in catallo vel in redditu, similiter et qui habebit
16 marks either in chattel or in revenue likewise and who will-have
x. marcas. Et Justitiae postea omnes illos juratores et alios
10 marks and the-justices afterward all those jurors and others
faciant inbreviari, qui quantum catalli vel redditus habuerint,
let-make to-be-enrolled who how-much of-chattel or revenue they-will-have-had
et qui secundum valentiam catalli vel redditus, quae arma
and who according-to the-value of-chattel or revenue what arms
habere debuerint; et postea coram eis in communi
to-have they-will-have-been-bound and afterward before them in common
audientia illorum faciant legere hanc assisam de armis
hearing of-them let-them-make to-read this assize about arms
habendis, et eos jurare quod ea arma habebunt secundum
to-be-had and them to-swear that those arms they-will-have according-to

valentiam praedictam catallorum vel redditus, et ea tenebunt
the-value aforesaid of-chattels or revenue and them will-hold
in servitio domini regis secundum hanc praedictam assisam in
in the-service of-the-lord king according-to this aforesaid assize in
praecepto et fide domini regis Henrici et regni sui. Si vero
the-command and fealty of-the-lord king Henry and of-realm his if but
contigerit quod aliquis illorum qui habere debuerint
it-will-have-happened that any of-them who to-have will-have-been-bound
haec arma, non sit in comitatu ad terminum quando Justitiae
these arms not be in the-county at the-term when the-justices
in comitatu illo erunt, Justitiae ponant ei terminum in
in county that will-be the-justices let-set for-him a-term in
alio comitatu coram eis. Et si in nullo comitatu per
another county before them and if in no county through
quos iturae sunt, ad eos venerit, et non fuerit
which about-to-go they-are to them he-will-have-come and not he-will-have-been
in terra ista, ponatur ei terminus apud Westmuster
in land this let-be-set for-him a-term at Westminster
ad octavas Sancti Michaelis, quod sit ibi ad faciendum
at the-octave of-Saint Michael that he-be there for making
sacramentum suum, sicut se et omnia sua diligit. Et ei
oath his as himself and all his-own he-loves and to-him
praecipiatur quod infra festum praedictum Sancti Hilarii
let-it-be-commanded that before the-feast aforesaid of-Saint Hilary
habeat arma secundum quod ad eum pertinet habendum.
he-have arms according-to what to him pertains to-be-had
10. Item Justitiae faciant dici per omnes comitatus per
10 likewise the-justices let-make to-be-said through all counties through
quos iturae sunt, quod qui haec arma non habuerint
which about-to-go they-are that who these arms not will-have-had
secundum quod praedictum est, dominus rex capiet se
according-to what aforesaid is the-lord king will-take himself

ad eorum membra et nullo modo capiet ab eis terram
to their limbs and in-no way will-take from them land
vel catallum.
or chattel
11. Item nullus juret super legales et liberos
11 likewise no-one let-swear concerning lawful and free
homines, qui non habeat xvi. marcas, vel x. marcas in
men who not may-have 16 marks or 10 marks in
catallo.
chattel
12. Item Justitiae praecipiant per omnes comitatus,
12 likewise the-justices let-command through all counties
quod nullus sicut se ipsum et omnia sua
that no-one as him himself and all his-own
diligit, emat vel vendat aliquam navem ad ducendum
he-loves buy or sell any ship for taking
ab Anglia, nec aliquis deferat vel deferre faciat
from England nor anyone carry or to-carry make
maironiam extra Angliam. Et praecepit rex quod
timber outside England and commanded the-king that
nullus reciperetur ad sacramentum armorum nisi liber
no-one should-be-received to the-oath of-arms except a-free
homo.
man

Magna Carta

By Stephen Langton's, the bishops', and the barons' counsel, John grants the Church its freedom and the free elections granted before the quarrel, and all free men these liberties: an earl's or baron's relief is a hundred pounds, a knight's a hundred shillings; a ward pays none and suffers no waste; heirs marry without disparagement; a widow has her marriage portion at once and is not forced to wed; a debt to Jews bears no interest during a minority; no scutage or aid without common counsel.

Johannes Dei gratia rex Angliae, dominus Hyberniae, dux
John of-God by-grace king of-England lord of-Ireland duke
Normanniae et Aquitanniae, comes Andegaviae, archiepiscopis,
of-Normandy and of-Aquitaine count of-Anjou to-the-archbishops
episcopis, abbatibus, comitibus, baronibus, justiciariis, forestariis,
bishops abbots earls barons justices foresters
vicecomitibus, praepositis, ministris et omnibus ballivis et
sheriffs reeves officers and to-all bailiffs and
fidelibus suis salutem. Sciatis nos intuitu Dei et pro
faithful his greeting know-you us by-the-regard of-God and for
salute animae nostrae et omnium antecessorum et haeredum
the-salvation of-soul our and of-all ancestors and heirs
nostrorum, ad honorem Dei et exaltationem sanctae ecclesiae,
our for the-honor of-God and the-exaltation of-holy church
et emendationem regni nostri, per consilium venerabilium
and the-amendment of-realm our through the-counsel of-venerable
patrum nostrorum, Stephani Cantuariensis archiepiscopi totius
fathers our of-Stephen of-Canterbury archbishop of-whole
Angliae primatis et sanctae Romanae ecclesiae cardinalis,
England primate and of-holy Roman church cardinal
Henrici Dublinensis archiepiscopi, Willelmi Londoniensis, Petri
of-Henry of-Dublin archbishop of-William of-London of-Peter
Wintoniensis, Joscelini Bathoniensis et Glastoniensis, Hugonis
of-Winchester of-Jocelin of-Bath and of-Glastonbury of-Hugh

Lincolniensis, Walteri Wygornensis, Willelmi Coventrensis, et
of-Lincoln of-Walter of-Worcester of-William of-Coventry and
Benedicti Roffensis episcoporum; magistri Pandulfi domini papae
of-Benedict of-Rochester bishops of-master Pandulf of-the-lord pope
subdiaconi et familiaris, fratris Eymerici magistri militiae
subdeacon and familiar of-brother Aymeric master of-the-knighthood
Templi in Anglia; et nobilium virorum Willelmi Mariscalli
of-the-Temple in England and of-the-noble men of-William Marshal
comitis Penbrociae, Willelmi comitis Saresberiae, Willelmi
earl of-Pembroke of-William earl of-Salisbury of-William
comitis Warenniae, Willelmi comitis Arundelliae, Alani de
earl of-Warenne of-William earl of-Arundel of-Alan of
Galweya constabularii Scottiae, Warini filii Geroldi, Petri filii
Galloway constable of-Scotland of-Warin son of-Gerold of-Peter son
Hereberti, Huberti de Burgo senescalli Pictaviae, Hugonis de
of-Herbert of-Hubert of Burgh seneschal of-Poitou of-Hugh of
Nevilla, Mathei filii Hereberti, Thomae Basset, Alani Basset,
Neville of-Matthew son of-Herbert of-Thomas Basset of-Alan Basset
Philippi de Albiniaco, Roberti de Roppel., Johannis Mariscalli,
of-Philip of Aubigny of-Robert of Ropsley of-John Marshal
Johannis filii Hugonis et aliorum fidelium nostrorum;
of-John son of-Hugh and of-other faithful our

1. In primis concessisse Deo et hac praesenti carta nostra
1 in first to-have-granted to-God and by-this present charter our
confirmasse, pro nobis et haeredibus nostris in perpetuum,
to-have-confirmed for us and heirs our in perpetuity
quod Anglicana ecclesia libera sit, et habeat jura sua integra, et
that the-English church free be and have rights its whole and
libertates suas illaesas; et ita volumus observari; quod apparet
liberties its unharmed and so we-wish to-be-observed which appears
ex eo quod libertatem electionum, quae maxima et magis
from this that the-liberty of-elections which greatest and more

necessaria reputatur ecclesiae Anglicanae, mera et spontanea
necessary is-reckoned for-the-church English by-pure and spontaneous
voluntate, ante discordiam inter nos et barones nostros
will before the-discord between us and barons our
motam, concessimus et carta nostra confirmavimus, et eam
stirred we-granted and by-charter our confirmed and it
obtinuimus a domino papa Innocentio tertio confirmari; quam
obtained from the-lord pope Innocent the-third to-be-confirmed which
et nos observabimus et ab haeredibus nostris in perpetuum
both we will-observe and by heirs our in perpetuity
bona fide volumus observari. Concessimus etiam omnibus liberis
in-good faith we-wish to-be-observed we-have-granted also to-all free
hominibus regni nostri, pro nobis et haeredibus nostris in
men of-realm our for us and heirs our in
perpetuum, omnes libertates subscriptas, habendas et tenendas,
perpetuity all liberties written-below to-be-had and to-be-held
eis et haeredibus suis, de nobis et haeredibus nostris;
to-them and heirs their from us and heirs our
2. Si quis comitum vel baronum nostrorum, sive aliorum
2 if anyone of-the-earls or barons our or of-others
tenentium de nobis in capite per servitium militare,
holding from us in chief by service military
mortuus fuerit, et cum decesserit haeres suus plenae
dead will-have-been and when he-will-have-died heir his of-full
aetatis fuerit et relevium debeat, habeat haereditatem
age will-have-been and relief owe let-him-have inheritance
suam per antiquum relevium; scilicet haeres vel haeredes
his by the-ancient relief namely the-heir or heirs
comitis de baronia comitis integra per centum libras; haeres
of-an-earl for barony of-an-earl whole by a-hundred pounds the-heir
vel haeredes baronis de baronia integra per centum libras;
or heirs of-a-baron for barony whole by a-hundred pounds

haeres vel haeredes militis de feodo militis integro per
the-heir or heirs of-a-knight for fee of-a-knight whole by
centum solidos ad plus; et qui minus debuerit minus
a-hundred shillings at most and who less will-have-owed less
det secundum antiquam consuetudinem feodorum.
let-him-give according-to the-ancient custom of-fees
3. Si autem haeres alicujus talium fuerit infra aetatem
3 if but the-heir of-any of-such will-have-been under age
et fuerit in custodia, cum ad aetatem pervenerit,
and will-have-been in wardship when to age he-will-have-come
habeat haereditatem suam sine relevio et sine fine.
let-him-have inheritance his without relief and without fine
4. Custos terrae hujusmodi haeredis qui infra aetatem
4 the-guardian of-the-land of-such heir who under age
fuerit, non capiat de terra haeredis nisi rationabiles
will-have-been not let-him-take from the-land of-the-heir except reasonable
exitus, et rationabiles consuetudines, et rationabilia servitia,
issues and reasonable customs and reasonable services
et hoc sine destructione et vasto hominum vel rerum; et
and this without destruction and waste of-men or of-things and
si nos commiserimus custodiam alicujus talis terrae vicecomiti
if we shall-have-committed the-wardship of-any such land to-the-sheriff
vel alicui alii qui de exitibus illius nobis respondere debeat,
or to-anyone other who for the-issues of-it to-us to-answer ought
et ille destructionem de custodia fecerit vel vastum, nos
and he destruction of the-wardship will-have-made or waste we
ab illo capiemus emendam, et terra committatur duobus
from him will-take amends and the-land let-be-committed to-two
legalibus et discretis hominibus de feodo illo, qui de exitibus
lawful and discreet men of fee that who for the-issues
respondeant nobis vel ei cui eos assignaverimus; et si
may-answer to-us or to-him to-whom them we-shall-have-assigned and if

dederimus vel vendiderimus alicui custodiam alicujus talis
we-shall-have-given or shall-have-sold to-anyone the-wardship of-any such
terrae, et ille destructionem inde fecerit vel vastum,
land and he destruction thereof will-have-made or waste
amittat ipsam custodiam, et tradatur duobus legalibus
let-him-lose that wardship and let-it-be-handed-over to-two lawful
et discretis hominibus de feodo illo qui similiter nobis
and discreet men of fee that who likewise to-us
respondeant sicut praedictum est.
may-answer as aforesaid is

5. Custos autem, quamdiu custodiam terrae habuerit,
5 the-guardian moreover as-long-as the-wardship of-the-land he-will-have-had
sustentet domos, parcos, vivaria, stagna, molendina, et
let-him-maintain the-houses parks fishponds pools mills and
cetera ad terram illam pertinentia, de exitibus terrae
other-things to land that pertaining from the-issues of-land
ejusdem; et reddat haeredi, cum ad plenam aetatem
the-same and let-him-restore to-the-heir when to full age
pervenerit, terram suam totam instauratam de carrucis et
he-will-have-come land his whole stocked with plows and
wainnagiis secundum quod tempus wainnagii exiget et
wainage according-to what the-season of-wainage will-require and
exitus terrae rationabiliter poterunt sustinere.
the-issues of-the-land reasonably will-be-able to-sustain

6. Haeredes maritentur absque disparagatione, ita tamen
6 heirs let-them-be-married without disparagement so yet
quod, antequam contrahatur matrimonium, ostendatur
that before be-contracted the-marriage it-be-shown
propinquis de consanguinitate ipsius haeredis.
to-the-kinsmen in blood of-that heir

7. Vidua post mortem mariti sui statim et sine difficultate
7 a-widow after the-death of-husband her at-once and without difficulty
habeat maritagium et haereditatem suam, nec aliquid det
let-have marriage-portion and inheritance her nor anything let-her-give
pro dote sua, vel pro maritagio suo, vel haereditate sua quam
for dower her or for marriage-portion her or inheritance her which
haereditatem maritus suus et ipsa tenuerint die obitus
inheritance husband her and she will-have-held on-the-day of-the-death
ipsius mariti, et maneat in domo mariti sui per quadraginta
of-that husband and let-her-remain in the-house of-husband her for forty
dies post mortem ipsius, infra quos assignetur ei dos sua.
days after the-death of-him within which may-be-assigned to-her dower her
8. Nulla vidua distringatur ad se maritandum dum
8 no widow let-be-distrained for herself marrying while
voluerit vivere sine marito, ita tamen quod securitatem
she-will-wish to-live without a-husband so yet that security
faciat quod se non maritabit sine assensu nostro, si
she-make that herself not she-will-marry without assent our if
de nobis tenuerit, vel sine assensu domini sui de quo
from us she-will-have-held or without the-assent of-lord her from whom
tenuerit, si de alio tenuerit.
she-will-have-held if from another she-will-have-held
9. Nec nos nec ballivi nostri seisiemus terram aliquam
9 neither we nor bailiffs our will-seize land any
nec redditum pro debito aliquo, quamdiu catalla debitoris
nor revenue for debt any as-long-as the-chattels of-the-debtor
sufficiunt ad debitum reddendum; nec pleggii ipsius
suffice for the-debt to-be-paid nor the-sureties of-that
debitoris distringantur quamdiu ipse capitalis debitor sufficit
debtor let-be-distrained as-long-as he the-chief debtor suffices
ad solutionem debiti; et si capitalis debitor defecerit
for the-payment of-the-debt and if the-chief debtor will-have-failed

in solutione debiti, non habens unde solvat, pleggii
in the-payment of-the-debt not having whence he-may-pay the-sureties
respondeant de debito; et, si voluerint, habeant terras et
let-answer for the-debt and if they-will-wish let-them-have the-lands and
redditus debitoris donec sit eis satisfactum de debito quod
revenues of-the-debtor until it-be to-them satisfied for the-debt which
ante pro eo solverint, nisi capitalis debitor monstraverit
before for him they-will-have-paid unless the-chief debtor will-have-shown
se esse quietum inde versus eosdem pleggios.
himself to-be quit thereof toward the-same sureties
10. Si quis mutuo ceperit aliquid a Judaeis, plus vel
10 if anyone as-a-loan will-have-taken anything from Jews more or
minus, et moriatur antequam debitum illud solvatur, debitum
less and die before debt that be-paid the-debt
non usuret quamdiu haeres fuerit infra aetatem, de
not let-it-bear-usury as-long-as the-heir will-have-been under age from
quocumque teneat; et si debitum illud inciderit in manus
whomever he-may-hold and if debt that will-have-fallen into hands
nostras, nos non capiemus nisi catallum contentum in carta.
our we not will-take except the-chattel contained in the-charter
11. Et si quis moriatur, et debitum debeat Judaeis, uxor
11 and if anyone die and a-debt owe to-Jews wife
ejus habeat dotem suam, et nihil reddat de debito
his let-have dower her and nothing let-her-pay of debt
illo; et si liberi ipsius defuncti qui fuerint infra
that and if the-children of-that dead-man who will-have-been under
aetatem remanserint, provideantur eis necessaria secundum
age will-have-remained let-be-provided for-them necessaries according-to
tenementum quod fuerit defuncti, et de residuo
the-tenement which will-have-been of-the-dead-man and from the-residue

solvatur debitum, salvo servitio dominorum; simili modo
let-be-paid the-debt with-saved the-service of-the-lords in-like way
fiat de debitis quae debentur aliis quam Judaeis.
let-it-be-done about debts which are-owed to-others than Jews
12. Nullum scutagium vel auxilium ponatur in regno nostro,
12 no scutage or aid let-be-imposed in realm our
nisi per commune consilium regni nostri, nisi ad corpus
except through the-common counsel of-realm our except for body
nostrum redimendum, et primogenitum filium nostrum
our to-be-ransomed and first-born son our
militem faciendum, et ad filiam nostram primogenitam semel
a-knight to-be-made and for daughter our first-born once
maritandam, et ad haec non fiat nisi rationabile
to-be-married and for these-things not let-be-made except a-reasonable
auxilium: simili modo fiat de auxiliis de civitate
aid in-like way let-it-be-done about aids from the-city
Londoniarum.
of-London

London and the cities keep their liberties; common counsel is summoned forty days ahead. No lord takes aids beyond the customary three; common pleas stay in a fixed place; amercements fit the offense. Sheriffs may not hold pleas of the crown; constables pay for what they take; felons' lands return after a year and a day; one measure holds in the realm.

13. Et civitas Londoniarum habeat omnes antiquas libertates
13 and the-city of-London let-have all ancient liberties
et liberas consuetudines suas, tam per terras, quam per
and free customs its both by lands and by
aquas. Praeterea volumus et concedimus quod omnes aliae
waters moreover we-wish and grant that all other
civitates, et burgi, et villae, et portus, habeant omnes
cities and boroughs and towns and ports have all
libertates et liberas consuetudines suas.
liberties and free customs their

14. Et ad habendum commune consilium regni, de
14 and for having the-common counsel of-the-realm about
auxilio assidendo aliter quam in tribus casibus praedictis, vel
an-aid to-be-assessed otherwise than in three cases aforesaid or
de scutagio assidendo, summoneri faciemus archiepiscopos,
about scutage to-be-assessed to-be-summoned we-shall-cause the-archbishops
episcopos, abbates, comites, et majores barones, sigillatim per
bishops abbots earls and greater barons individually by
litteras nostras; et praeterea faciemus summoneri in generali,
letters our and moreover we-shall-cause to-be-summoned in general
per vicecomites et ballivos nostros, omnes illos qui de
through the-sheriffs and bailiffs our all those who from
nobis tenent in capite; ad certum diem, scilicet ad terminum
us hold in chief to a-fixed day namely to a-term

quadraginta dierum ad minus, et ad certum locum; et in
of-forty days at least and to a-fixed place and in
omnibus litteris illius summonitionis causam summonitionis
all letters of-that summons the-cause of-the-summons
exprimemus; et sic facta summonitione negotium ad
we-shall-express and so with-made summons the-business on
diem assignatum procedat secundum consilium illorum qui
the-day assigned let-proceed according-to the-counsel of-those who
praesentes fuerint, quamvis non omnes summoniti venerint.
present will-have-been although not all summoned have-come
15. Nos non concedemus de cetero alicui quod capiat
15 we not will-grant for the-rest to-anyone that he-may-take
auxilium de liberis hominibus suis, nisi ad corpus suum
an-aid from free men his except for body his
redimendum, et ad faciendum primogenitum filium suum
to-be-ransomed and for making first-born son his
militem, et ad primogenitam filiam suam semel maritandam,
a-knight and for first-born daughter his once to-be-married
et ad haec non fiat nisi rationabile auxilium.
and for these-things not let-be-made except a-reasonable aid
16. Nullus distringatur ad faciendum majus servitium de
16 no-one let-be-distrained for doing greater service from
feodo militis, nec de alio libero tenemento, quam inde
the-fee of-a-knight nor from other free tenement than thence
debetur.
is-owed
17. Communia placita non sequantur curiam nostram sed
17 common pleas not let-them-follow court our but
teneantur in aliquo loco certo.
let-them-be-held in some place fixed

18. Recognitiones de nova dissaisina, de morte antecessoris,
18 recognitions of novel disseisin of the-death of-an-ancestor
et de ultima praesentatione, non capiantur nisi in suis
and of last presentation not let-them-be-taken except in their
comitatibus et hoc modo; nos, vel, si extra regnum
counties and in-this way we or if outside the-realm
fuerimus, capitalis justiciarius noster, mittemus duos
we-shall-have-been chief justiciar our will-send two
justiciarios per unumquemque comitatum per quatuor vices
justiciars through each county for four times
in anno, qui, cum quatuor militibus cujuslibet comitatus
in the-year who with four knights of-each county
electis per comitatum, capiant in comitatu et in die et
chosen by the-county may-take in the-county and on the-day and
loco comitatus assisas praedictas.
in-the-place of-the-county the-assizes aforesaid
19. Et si in die comitatus assisae praedictae capi non
19 and if on the-day of-the-county the-assizes aforesaid to-be-taken not
possint, tot milites et libere tenentes remaneant de illis
can so-many knights and freely holding let-remain of those
qui interfuerint comitatui die illo, per quos possint
who will-have-been-present at-the-county on-day that through whom may
judicia sufficienter fieri, secundum quod negotium fuerit
judgments sufficiently be-made according-to what the-business will-have-been
majus vel minus.
greater or less
20. Liber homo non amercietur pro parvo delicto,
20 a-free man not let-be-amerced for a-small offense
nisi secundum modum delicti; et pro magno delicto
except according-to the-measure of-the-offense and for a-great offense
amercietur secundum magnitudinem delicti, salvo
let-him-be-amerced according-to the-greatness of-the-offense with-saved

contenemento suo; et mercator eodem modo salva
livelihood his and a-merchant in-the-same way with-saved
mercandisa sua; et villanus eodem modo amercietur salvo
merchandise his and a-villein in-the-same way let-be-amerced with-saved
wainnagio suo, si inciderint in misericordiam nostram;
wainage his if they-will-have-fallen into mercy our
et nulla praedictarum misericordiarum ponatur, nisi per
and none of-the-aforesaid amercements let-be-imposed except through
sacramentum proborum hominum de visneto.
the-oath of-good men of the-neighborhood
21. Comites et barones non amercientur nisi per pares
21 earls and barons not let-them-be-amerced except through peers
suos, et non nisi secundum modum delicti.
their and not except according-to the-measure of-the-offense
22. Nullus clericus amercietur de laico tenemento suo, nisi
22 no cleric let-be-amerced for lay tenement his except
secundum modum aliorum praedictorum, et non secundum
according-to the-manner of-the-others aforesaid and not according-to
quantitatem beneficii sui ecclesiastici.
the-quantity of-benefice his ecclesiastical
23. Nec villa nec homo distringatur facere pontes ad
23 neither town nor man let-be-distrained to-make bridges at
riparias, nisi qui ab antiquo et de jure facere debent.
riverbanks except who from of-old and by right to-make ought
24. Nullus vicecomes, constabularius, coronatores, vel alii
24 no sheriff constable coroners or other
ballivi nostri, teneant placita coronae nostrae.
bailiffs our let-them-hold the-pleas of-crown our

25. Omnes comitatus, hundredi, wapentakii, et trethingii,
25 all counties hundreds wapentakes and ridings
sint ad antiquas firmas absque ullo incremento, exceptis
let-them-be at the-ancient farms without any increment except-for
dominicis maneriis nostris.
demesne manors our
26. Si aliquis tenens de nobis laicum feodum moriatur, et
26 if anyone holding from us a-lay fee die and
vicecomes vel ballivus noster ostendat litteras nostras patentes
the-sheriff or bailiff our show letters our patent
de summonitione nostra de debito quod defunctus nobis
of summons our for the-debt which the-dead-man to-us
debuit, liceat vicecomiti vel ballivo nostro attachiare
owed let-it-be-allowed for-the-sheriff or bailiff our to-attach
et inbreviare catalla defuncti inventa in laico feodo, ad
and to-list the-chattels of-the-dead-man found in the-lay fee to
valentiam illius debiti, per visum legalium hominum, ita tamen
the-value of-that debt by the-view of-lawful men so yet
quod nihil inde amoveatur, donec persolvatur nobis debitum
that nothing thence be-removed until be-paid to-us the-debt
quod clarum fuerit; et residuum relinquatur executoribus
which clear will-have-been and the-residue be-left to-the-executors
ad faciendum testamentum defuncti; et, si nihil nobis
for making the-testament of-the-dead-man and if nothing to-us
debeatur ab ipso, omnia catalla cedant defuncto, salvis
be-owed by him all chattels let-go to-the-dead-man with-saved
uxori ipsius et pueris rationabilibus partibus suis.
to-the-wife of-him and to-the-children reasonable shares their
27. Si aliquis liber homo intestatus decesserit, catalla sua
27 if any free man intestate will-have-died the-chattels his
per manus propinquorum parentum et amicorum suorum,
by the-hands of-near kinsmen and friends his

per visum ecclesiae, distribuantur, salvis unicuique debitis
by the-view of-the-church let-be-distributed with-saved to-each the-debts
quae defunctus ei debebat.
which the-dead-man to-him owed
28. Nullus constabularius, vel alius ballivus noster, capiat
28 no constable or other bailiff our let-take
blada vel alia catalla alicujus, nisi statim inde reddat denarios,
corn or other chattels of-anyone unless at-once thence he-pay pennies
aut respectum inde habere possit de voluntate venditoris.
or respite thence to-have he-can by the-will of-the-seller
29. Nullus constabularius distringat aliquem militem ad
29 no constable let-distrain any knight for
dandum denarios pro custodia castri, si facere voluerit
giving pennies for the-guard of-a-castle if to-do he-will-wish
custodiam illam in propria persona sua, vel per alium
guard that in own person his or by another
probum hominem, si ipse eam facere non possit propter
good man if he it to-do not can on-account-of
rationabilem causam; et si nos duxerimus vel miserimus
reasonable cause and if we shall-have-led or shall-have-sent
eum in exercitum, erit quietus de custodia, secundum
him into the-army he-will-be quit of guard according-to
quantitatem temporis quo per nos fuerit in exercitu.
the-quantity of-the-time in-which through us he-will-have-been in the-army
30. Nullus vicecomes, vel ballivus noster, vel aliquis alius,
30 no sheriff or bailiff our or anyone other
capiat equos vel caretas alicujus liberi hominis pro cariagio
let-take the-horses or carts of-any free man for carriage
faciendo, nisi de voluntate ipsius liberi hominis.
to-be-done except by the-will of-that free man

31. Nec nos nec ballivi nostri capiemus alienum
31 neither we nor bailiffs our will-take belonging-to-another
boscum ad castra, vel alia agenda nostra, nisi per voluntatem
wood for castles or other business our except by the-will
ipsius cujus boscus ille fuerit.
of-him whose wood that will-have-been
32. Nos non tenebimus terras illorum qui convicti fuerint
32 we not will-hold the-lands of-those who convicted will-have-been
de felonia, nisi per unum annum et unum diem, et tunc
of felony except for one year and one day and then
reddantur terrae dominis feodorum.
let-be-restored the-lands to-the-lords of-the-fees
33. Omnes kydelli de cetero deponantur penitus de Thamisia,
33 all fish-weirs for the-rest let-be-removed utterly from the-Thames
et de Medewaye, et per totam Angliam, nisi per
and from the-Medway and through whole England except along
costeram maris.
the-coast of-the-sea
34. Breve quod vocatur Praecipe de cetero non fiat
34 the-writ which is-called Praecipe for the-rest not let-be-made
alicui de aliquo tenemento unde liber homo amittere
to-anyone about any tenement whereby a-free man to-lose
possit curiam suam.
may court his
35. Una mensura vini sit per totum regnum nostrum,
35 one measure of-wine let-be through whole realm our
et una mensura cervisiae, et una mensura bladi, scilicet
and one measure of-ale and one measure of-corn namely
quarterium Londoniense, et una latitudo pannorum tinctorum
the-quarter of-London and one width of-cloths dyed

et russettorum et halbergettorum, scilicet duae ulnae infra
and russet and halberget namely two ells within
listas; de ponderibus autem sit ut de mensuris.
the-selvages of weights moreover let-it-be as of measures
36. Nihil detur vel capiatur de cetero pro brevi inquisitionis
36 nothing let-be-given or taken for the-rest for the-writ of-inquisition
de vita vel membris, sed gratis concedatur et non negetur.
of life or limbs but freely let-it-be-granted and not be-denied
37. Si aliquis teneat de nobis per feodifirmam, vel per sokagium,
37 if anyone hold from us by fee-farm or by socage
vel per burgagium, et de alio terram teneat per servitium
or by burgage and from another land hold by service
militare, nos non habebimus custodiam haeredis nec terrae
military we not will-have the-wardship of-the-heir nor of-land
suae quae est de feodo alterius, occasione illius feodifirmae,
his which is of the-fee of-another by-occasion of-that fee-farm
vel sokagii, vel burgagii; nec habebimus custodiam illius
or socage or burgage nor will-have the-wardship of-that
feodifirmae, vel sokagii, vel burgagii, nisi ipsa feodifirma debeat
fee-farm or socage or burgage unless that fee-farm owe
servitium militare. Nos non habebimus custodiam haeredis vel
service military we not will-have the-wardship of-the-heir or
terrae alicujus, quam tenet de alio per servitium militare,
of-the-land of-anyone which he-holds from another by service military
occasione alicujus parvae sergenteriae quam tenet de nobis per
by-occasion of-some petty sergeanty which he-holds from us by
servitium reddendi nobis cultellos, vel sagittas, vel hujusmodi.
the-service of-rendering to-us knives or arrows or the-like

THE JUDGMENT OF PEERS

No free man is taken, imprisoned, disseised, outlawed, exiled, or destroyed except by the lawful judgment of his peers or the law of the land, and to no one will the king sell, deny, or delay right or justice. Merchants come and go freely; only men who know the law are made justices, constables, sheriffs, or bailiffs; John's new forests are disafforested; hostages are returned and foreign mercenaries sent away. Unjust fines are remitted, and the disseised restored, the Welsh by the law of England, Wales, or the March.

38. Nullus ballivus ponat de cetero aliquem ad legem
38 no bailiff let-put for the-rest anyone to law
simplici loquela sua, sine testibus fidelibus ad hoc inductis.
by-simple statement his without witnesses faithful for this brought
39. Nullus liber homo capiatur, vel imprisonetur, aut dissaisiatur,
39 no free man let-be-taken or be-imprisoned or be-disseised
aut utlagetur, aut exuletur, aut aliquo modo destruatur, nec
or be-outlawed or be-exiled or in-any way be-destroyed nor
super eum ibimus, nec super eum mittemus, nisi per
upon him shall-we-go nor upon him shall-we-send except through
legale judicium parium suorum vel per legem terrae.
the-lawful judgment of-peers his or through the-law of-the-land
40. Nulli vendemus, nulli negabimus, aut differemus,
40 to-no-one shall-we-sell to-no-one shall-we-deny or shall-we-delay
rectum aut justiciam.
right or justice
41. Omnes mercatores habeant salvum et securum exire
41 all merchants let-have safe and secure to-go-out
de Anglia, et venire in Angliam, et morari et ire per
from England and to-come into England and to-stay and to-go through
Angliam, tam per terram quam per aquam, ad emendum
England both by land and by water for buying

et vendendum, sine omnibus malis toltis, per antiquas et
and selling without all evil tolls by the-ancient and
rectas consuetudines, praeterquam in tempore gwerrae, et si
right customs except in time of-war and if
sint de terra contra nos gwerrina; et si tales inveniantur
they-be from a-land against us warring and if such be-found
in terra nostra in principio gwerrae, attachientur sine
in land our at the-beginning of-the-war let-them-be-attached without
dampno corporum et rerum, donec sciatur a nobis vel
harm of-bodies and of-things until it-be-known by us or
capitali justiciario nostro quomodo mercatores terrae nostrae
by-chief justiciar our how the-merchants of-land our
tractentur, qui tunc invenientur in terra contra nos gwerrina;
are-treated who then will-be-found in the-land against us warring
et si nostri salvi sint ibi, alii salvi sint in terra nostra.
and if ours safe be there the-others safe let-be in land our
42. Liceat unicuique de cetero exire de regno nostro,
42 let-it-be-allowed to-each for the-rest to-go-out from realm our
et redire, salvo et secure, per terram et per aquam, salva
and to-return safely and securely by land and by water with-saved
fide nostra, nisi tempore gwerrae per aliquod breve
with-fealty our except in-time of-war for some short
tempus, propter communem utilitatem regni, exceptis
time on-account-of the-common utility of-the-realm except-for
imprisonatis et utlagatis secundum legem regni, et gente
the-imprisoned and outlawed according-to the-law of-the-realm and people
de terra contra nos gwerrina, et mercatoribus de quibus
from a-land against us warring and merchants about whom
fiat sicut praedictum est.
let-it-be-done as aforesaid is

43. Si quis tenuerit de aliqua escaeta, sicut de honore
43 if anyone will-have-held of some escheat as of the-honor
Walingeford, Notingeham, Bononiae, Lainkastriae, vel de aliis
of-Wallingford Nottingham Boulogne Lancaster or of other
eskaetis, quae sunt in manu nostra, et sunt baroniae, et
escheats which are in hand our and are baronies and
obierit, haeres ejus non det aliud relevium, nec faciat
will-have-died heir his not let-give other relief nor do
nobis aliud servitium quam faceret baroni si baronia
to-us other service than he-would-do to-the-baron if barony
illa esset in manu baronis; et nos eodem modo eam
that were in the-hand of-the-baron and we in-the-same way it
tenebimus quo baro eam tenuit.
shall-hold in-which the-baron it held
44. Homines qui manent extra forestam non veniant de
44 men who dwell outside the-forest not let-them-come for
cetero coram justiciariis nostris de foresta per communes
the-rest before justices our of the-forest by common
summonitiones, nisi sint in placito, vel pleggii alicujus vel
summonses unless they-be in a-plea or sureties of-anyone or
aliquorum, qui attachiati sint pro foresta.
of-any who attached be for the-forest
45. Nos non faciemus justiciarios, constabularios, vicecomites,
45 we not shall-make justiciars constables sheriffs
vel ballivos, nisi de talibus qui sciant legem regni et
or bailiffs except of such who may-know the-law of-the-realm and
eam bene velint observare.
it well may-wish to-observe

46. Omnes barones qui fundaverunt abbatias, unde habent
46 all barons who have-founded abbeys whereof they-have
cartas regum Angliae, vel antiquam tenuram, habeant
charters of-the-kings of-England or ancient tenure let-them-have
earum custodiam cum vacaverint, sicut habere debent.
their wardship when they-will-have-fallen-vacant as to-have they-ought
47. Omnes forestae quae afforestatae sunt tempore nostro,
47 all forests which afforested are in-time our
statim deafforestentur; et ita fiat de ripariis quae per
at-once let-be-disafforested and so let-it-be-done with riverbanks which by
nos tempore nostro positae sunt in defenso.
us in-time our placed are in defense
48. Omnes malae consuetudines de forestis et warennis,
48 all evil customs of forests and warrens
et de forestariis et warennariis, vicecomitibus et eorum
and of foresters and warreners sheriffs and their
ministris, ripariis et earum custodibus, statim inquirantur
officers riverbanks and their keepers at-once let-be-inquired
in quolibet comitatu per duodecim milites juratos de eodem
in every county by twelve knights sworn of the-same
comitatu, qui debent eligi per probos homines ejusdem
county who ought to-be-chosen by good men of-the-same
comitatus, et infra quadraginta dies post inquisitionem
county and within forty days after the-inquisition
factam, penitus, ita quod numquam revocentur, deleantur
made utterly so that never they-be-revived let-them-be-abolished
per eosdem, ita quod nos hoc sciamus prius, vel justiciarius
by the-same so that we this may-know first or justiciar
noster, si in Anglia non fuerimus.
our if in England not we-shall-have-been

49. Omnes obsides et cartas statim reddemus quae liberatae
49 all hostages and charters at-once we-shall-restore which delivered
fuerunt nobis ab Anglicis in securitatem pacis vel fidelis
were to-us by the-English in security of-peace or of-faithful
servitii.
service

50. Nos amovebimus penitus de balliis parentes Gerardi de
50 we shall-remove utterly from bailiwicks the-kinsmen of-Gerard of
Athyes, quod de cetero nullam habeant balliam in Anglia;
Athée that for the-rest no they-may-have bailiwick in England
Engelardum de Cygony, Petrum et Gyonem et Andream
Engelard of Cigogné Peter and Guy and Andrew
de Cancellis, Gyonem de Cygony, Galfridum de Martinni et
of Chanceaux Guy of Cigogné Geoffrey of Martigny and
fratres ejus, Philippum Marc. et fratres ejus, et Galfridum
brothers his Philip Mark and brothers his and Geoffrey
nepotem ejus, et totam sequelam eorumdem.
nephew his and whole following of-the-same

51. Et statim post pacis reformationem amovebimus de regno
51 and at-once after of-peace the-restoration we-shall-remove from the-realm
omnes alienigenas milites, balistarios, servientes, stipendiarios,
all foreign knights crossbowmen sergeants mercenaries
qui venerint cum equis et armis ad nocumentum regni.
who have-come with horses and arms to the-harm of-the-realm

52. Si quis fuerit disseisitus vel elongatus per nos sine
52 if anyone will-have-been disseised or removed by us without
legali judicio parium suorum, de terris, castellis, libertatibus,
lawful judgment of-peers his from lands castles liberties
vel jure suo, statim ea ei restituemus; et si contentio super
or right his at-once them to-him we-shall-restore and if a-dispute about
hoc orta fuerit, tunc inde fiat per judicium viginti
this arisen will-have-been then thereof let-it-be-done through the-judgment of-twenty

quinque baronum, de quibus fit mentio inferius in securitate
five barons of whom is-made mention below in the-security
pacis: de omnibus autem illis de quibus aliquis disseisitus
of-peace of all moreover those of which anyone disseised
fuerit vel elongatus sine legali judicio parium suorum,
will-have-been or removed without lawful judgment of-peers his
per Henricum regem patrem nostrum vel per Ricardum
by Henry the-king father our or by Richard
regem fratrem nostrum, quae in manu nostra habemus, vel
the-king brother our which in hand our we-have or
quae alii tenent, quae nos oporteat warantizare, respectum
which others hold which us it-may-behoove to-warrant respite
habebimus usque ad communem terminum crucesignatorum;
we-shall-have right to the-common term of-the-crusaders
exceptis illis de quibus placitum motum fuit vel inquisitio
except-for those of which a-plea raised was or an-inquisition
facta per praeceptum nostrum, ante susceptionem crucis
made by order our before the-taking of-cross
nostrae: cum autem redierimus de peregrinatione nostra,
our when moreover we-shall-have-returned from pilgrimage our
vel si forte remanserimus a peregrinatione nostra, statim
or if perhaps we-shall-have-remained from pilgrimage our at-once
inde plenam justiciam exhibebimus.
thereof full justice we-shall-show

53. Eundem autem respectum habebimus, et eodem
53 the-same moreover respite we-shall-have and in-the-same
modo, de justicia exhibenda de forestis deafforestandis vel
way about justice to-be-shown about forests to-be-disafforested or
remansuris forestis, quas Henricus pater noster vel Ricardus
about-to-remain forests which Henry father our or Richard
frater noster afforestaverunt, et de custodiis terrarum
brother our afforested and about wardships of-lands

quae sunt de alieno feodo, cujusmodi custodias hucusque
which are of another's fee of-which-kind wardships hitherto
habuimus occasione feodi quod aliquis de nobis tenuit per
we-have-had by-occasion of-a-fee which someone from us held by
servitium militare, et de abbatiis quae fundatae fuerint
service military and about abbeys which founded will-have-been
in feodo alterius quam nostro, in quibus dominus feodi
in the-fee of-another than ours in which the-lord of-the-fee
dixerit se jus habere; et cum redierimus, vel
will-have-said himself right to-have and when we-shall-have-returned or
si remanserimus a peregrinatione nostra, super hiis
if we-shall-have-remained from pilgrimage our about these-things
conquerentibus plenam justiciam statim exhibebimus.
for-the-complainants full justice at-once we-shall-show
54. Nullus capiatur nec imprisonetur propter appellum
54 no-one let-be-taken nor imprisoned on-account-of the-appeal
foeminae de morte alterius quam viri sui.
of-a-woman about the-death of-another than husband her
55. Omnes fines qui injuste et contra legem terrae facti
55 all fines which unjustly and against the-law of-the-land made
sunt nobiscum, et omnia amerciamenta facta injuste et
are with-us and all amercements made unjustly and
contra legem terrae, omnino condonentur, vel fiat
against the-law of-the-land wholly let-be-remitted or let-it-be-done
inde per judicium viginti quinque baronum de quibus
thereof through the-judgment of-twenty five barons of whom
fit mentio inferius in securitate pacis, vel per judicium
is-made mention below in the-security of-peace or through the-judgment
majoris partis eorumdem, una cum praedicto Stephano
of-the-greater part of-the-same together with the-aforesaid Stephen
Cantuariensi archiepiscopo, si interesse poterit, et aliis quos
of-Canterbury archbishop if to-be-present he-will-be-able and others whom

secum ad hoc vocare voluerit: et si interesse non poterit,
with-himself for this to-call he-will-wish and if to-be-present not he-will-be-able
nihilominus procedat negotium sine eo, ita quod, si aliquis
nonetheless let-proceed the-business without him so that if anyone
vel aliqui de praedictis viginti quinque baronibus fuerint
or any of the-aforesaid twenty five barons will-have-been
in simili querela, amoveantur quantum ad hoc judicium, et
in like complaint they-be-removed as-far-as to this judgment and
alii loco illorum per residuos de eisdem viginti quinque,
others in-place of-them by the-remaining of the-same twenty five
tantum ad hoc faciendum electi et jurati substituantur.
only for this to-be-done chosen and sworn be-substituted
56. Si nos dissaisivimus vel elongavimus Walenses de terris
56 if we have-disseised or removed Welshmen from lands
vel libertatibus vel rebus aliis, sine legali judicio parium
or liberties or things other without lawful judgment of-peers
suorum, in Anglia vel in Wallia, eis statim reddantur;
their in England or in Wales to-them at-once let-them-be-restored
et si contentio super hoc orta fuerit, tunc inde fiat
and if a-dispute about this arisen will-have-been then thereof let-it-be-done
in Marchia per judicium parium suorum, de tenementis
in the-March through the-judgment of-peers their of tenements
Angliae secundum legem Angliae, de tenementis Walliae
of-England according-to the-law of-England of tenements of-Wales
secundum legem Walliae, de tenementis Marchiae secundum
according-to the-law of-Wales of tenements of-the-March according-to
legem Marchiae. Idem facient Walenses nobis et nostris.
the-law of-the-March the-same will-do the-Welsh to-us and to-ours

For the Welsh disseised by Henry or Richard the king takes the crusader's respite, then does them justice by the laws of Wales; the son of Llywelyn and the Welsh hostages and charters are restored, and the king of Scots is dealt with as the English barons are. All men, clergy and lay, are to keep these liberties toward their own men. The barons choose twenty-five to hold the king to the charter, with power to distrain him if he breaks it; the king pardons all ill-will and the trespasses of the discord, wills the English church to be free, and both sides swear to the whole, given at Runnymede on the fifteenth of June.

57. De omnibus autem illis de quibus aliquis Walensium
57 about all moreover those of which anyone of-the-Welsh
dissaisitus fuerit vel elongatus sine legali judicio parium
disseised will-have-been or removed without lawful judgment of-peers
suorum, per Henricum regem patrem nostrum vel Ricardum
his by Henry the-king father our or Richard
regem fratrem nostrum, quae nos in manu nostra habemus, vel
the-king brother our which we in hand our have or
quae alii tenent quae nos oporteat warantizare, respectum
which others hold which us it-may-behoove to-warrant respite
habebimus usque ad communem terminum crucesignatorum,
we-shall-have right to the-common term of-the-crusaders
illis exceptis de quibus placitum motum fuit vel inquisitio
those excepted of which a-plea raised was or an-inquisition
facta per praeceptum nostrum ante susceptionem crucis
made by order our before the-taking of-cross
nostrae: cum autem redierimus, vel si forte remanserimus
our when moreover we-shall-have-returned or if perhaps we-shall-have-remained
a peregrinatione nostra, statim eis inde plenam justiciam
from pilgrimage our at-once to-them thereof full justice
exhibebimus, secundum leges Walensium et partes praedictas.
we-shall-show according-to the-laws of-the-Welsh and the-parts aforesaid

58. Nos reddemus filium Lewelini statim, et omnes obsides
58 we shall-restore the-son of-Llywelyn at-once and all hostages
de Wallia, et cartas quae nobis liberatae fuerunt in
from Wales and the-charters which to-us delivered were in
securitatem pacis.
security of-peace
59. Nos faciemus Alexandro regi Scottorum de sororibus
59 we shall-do for-Alexander king of-the-Scots concerning sisters
suis, et obsidibus reddendis, et libertatibus suis, et jure suo,
his and hostages to-be-restored and liberties his and right his
secundum formam in qua faciemus aliis baronibus nostris
according-to the-form in which we-shall-do for-other barons our
Angliae, nisi aliter esse debeat per cartas quas habemus
of-England unless otherwise to-be it-be-bound through the-charters which we-have
de Willelmo patre ipsius, quondam rege Scottorum; et
from William the-father of-him formerly king of-the-Scots and
hoc erit per judicium parium suorum in curia nostra.
this will-be through the-judgment of-peers his in court our
60. Omnes autem istas consuetudines praedictas et libertales
60 all moreover these customs aforesaid and liberties
quas nos concessimus in regno nostro tenendas quantum ad
which we have-granted in realm our to-be-held as-far-as to
nos pertinet erga nostros, omnes de regno nostro, tam clerici
us pertains toward ours all of realm our both clerics
quam laici, observent quantum ad se pertinet erga suos.
and laymen let-them-observe as-far-as to themselves it-pertains toward their-own
Cum autem pro Deo, et ad emendationem regni nostri, et
since moreover for God and for the-amendment of-realm our and
ad melius sopiendum discordiam inter nos et barones nostros
for better allaying the-discord between us and barons our
ortam, haec omnia praedicta concesserimus, volentes ea
arisen these all aforesaid-things we-have-granted wishing them

integra et firma stabilitate gaudere in perpetuum, facimus
with-entire and firm stability to-rejoice in perpetuity we-make
et concedimus eis securitatem subscriptam; videlicet quod
and grant to-them the-security written-below namely that
barones eligant viginti quinque barones de regno quos
the-barons may-choose twenty five barons of the-realm whom
voluerint, qui debeant pro totis viribus suis observare,
they-will-wish who ought with whole strength their to-observe
tenere, et facere observari, pacem et libertates quas eis
to-hold and to-make to-be-observed the-peace and liberties which to-them
concessimus, et hac praesenti carta nostra confirmavimus,
we-have-granted and by-this present charter our have-confirmed
ita scilicet quod, si nos, vel justiciarius noster, vel ballivi
so namely that if we or justiciar our or bailiffs
nostri, vel aliquis de ministris nostris, in aliquo erga aliquem
our or any of officers our in anything toward anyone
deliquerimus, vel aliquem articulorum pacis aut securitatis
shall-have-offended or any of-the-articles of-peace or of-security
transgressi fuerimus, et delictum ostensum fuerit
transgressed we-shall-have-been and the-offense shown will-have-been
quatuor baronibus de praedictis viginti quinque baronibus,
to-four barons of the-aforesaid twenty five barons
illi quatuor barones accedant ad nos vel ad justiciarium
those four barons let-them-come to us or to justiciar
nostrum, si fuerimus extra regnum, proponentes nobis
our if we-shall-have-been outside the-realm setting-forth to-us
excessum: petent ut excessum illum sine dilatione faciamus
the-excess they-will-ask that excess that without delay we-make
emendari. Et si nos excessum non emendaverimus, vel, si
to-be-amended and if we the-excess not shall-have-amended or if
fuerimus extra regnum, justiciarius noster non emendaverit
we-shall-have-been outside the-realm justiciar our not will-have-amended

infra tempus quadraginta dierum computandum a tempore
within the-time of-forty days to-be-reckoned from the-time
quo monstratum fuerit nobis vel justiciario nostro
in-which shown it-will-have-been to-us or to-justiciar our
si extra regnum fuerimus, praedicti quatuor barones
if outside the-realm we-shall-have-been the-aforesaid four barons
referant causam illam ad residuos de viginti quinque
let-them-refer cause that to the-remaining of the-twenty five
baronibus, et illi viginti quinque barones cum communia
barons and those twenty five barons with the-commune
totius terrae distringent et gravabunt nos modis omnibus
of-the-whole land will-distrain and will-distress us in-ways all
quibus poterunt, scilicet per captionem castrorum, terrarum,
in-which they-will-be-able namely by the-seizure of-castles of-lands
possessionum, et aliis modis quibus poterunt, donec
of-possessions and in-other ways in-which they-will-be-able until
fuerit emendatum secundum arbitrium eorum, salva
it-will-have-been amended according-to the-judgment of-them with-saved
persona nostra et reginae nostrae et liberorum nostrorum;
with-person our and of-queen our and of-children our
et cum fuerit emendatum intendent nobis sicut prius
and when it-will-have-been amended they-will-attend to-us as before
fecerunt. Et quicumque voluerit de terra juret quod ad
they-did and whoever will-wish of the-land let-him-swear that for
praedicta omnia exsequenda parebit mandatis praedictorum
the-aforesaid all to-be-carried-out he-will-obey the-commands of-the-aforesaid
viginti quinque baronum, et quod gravabit nos pro
twenty five barons and that he-will-distress us according-to
posse suo cum ipsis, et nos publice et libere damus
power his with them and we publicly and freely give
licentiam jurandi cuilibet qui jurare voluerit, et nulli
license of-swearing to-anyone who to-swear will-wish and to-no-one

umquam jurare prohibebimus. Omnes autem illos de terra
ever to-swear shall-we-forbid all moreover those of the-land
qui per se et sponte sua noluerint jurare viginti
who by themselves and of-will their will-be-unwilling to-swear to-the-twenty
quinque baronibus, de distringendo et gravando nos cum
five barons about distraining and distressing us with
eis, faciemus jurare eosdem de mandato nostro, sicut
them we-shall-make to-swear the-same by command our as
praedictum est. Et si aliquis de viginti quinque baronibus
aforesaid is and if any of the-twenty five barons
decesserit, vel a terra recesserit, vel aliquo alio modo
will-have-died or from the-land will-have-withdrawn or in-some other way
impeditus fuerit, quo minus ista praedicta possent
hindered will-have-been whereby less these aforesaid-things they-could
exsequi, qui residui fuerint de praedictis viginti quinque
to-carry-out who remaining will-have-been of the-aforesaid twenty five
baronibus eligant alium loco ipsius, pro arbitrio suo,
barons let-them-choose another in-place of-him at discretion their
qui simili modo erit juratus quo et ceteri. In omnibus
who in-like way will-be sworn in-which also the-rest in all
autem quae istis viginti quinque baronibus committuntur
moreover things-which to-these twenty five barons are-committed
exsequenda, si forte ipsi viginti quinque praesentes fuerint,
to-be-carried-out if perhaps they twenty five present will-have-been
et inter se super re aliqua discordaverint, vel aliqui
and among themselves about thing any will-have-disagreed or some
ex eis summoniti nolint vel nequeant interesse, ratum
of them summoned be-unwilling or be-unable to-be-present let-be-held
habeatur et firmum quod major pars eorum qui praesentes
ratified and firm what the-greater part of-them who present
fuerint providerit, vel praeceperit, ac si omnes viginti
will-have-been will-have-provided or will-have-commanded as if all twenty

quinque in hoc consensissent; et praedicti viginti quinque
five in this had-agreed and the-aforesaid twenty five
jurent quod omnia antedicta fideliter observabunt, et pro
let-them-swear that all the-aforesaid faithfully they-will-observe and with
toto posse suo facient observari. Et nos nihil impetrabimus
whole power their will-make to-be-observed and we nothing shall-procure
ab aliquo, per nos nec per alium, per quod aliqua
from anyone by ourselves nor by another through which any
istarum concessionum et libertatum revocetur vel minuatur;
of-these grants and liberties be-revoked or diminished
et, si aliquid tale impetratum fuerit, irritum sit et
and if anything such procured will-have-been void let-it-be and
inane et numquam eo utemur per nos nec per alium.
empty and never it shall-we-use by ourselves nor by another
Et omnes malas voluntates, indignationes, et rancores, ortos
and all ill wills indignations and rancors arisen
inter nos et homines nostros, clericos et laicos, a tempore
between us and men our clerics and laymen from the-time
discordiae, plene omnibus remisimus et condonavimus.
of-the-discord fully to-all we-have-remitted and pardoned
Praeterea omnes transgressiones factas occasione ejusdem
moreover all transgressions done on-the-occasion of-the-same
discordiae, a Pascha anno regni nostri sextodecimo usque ad
discord from Easter in-the-year of-reign our sixteenth right to
pacem reformatam, plene remisimus omnibus, clericis et laicis,
the-peace restored fully we-have-remitted to-all clerics and laymen
et quantum ad nos pertinet plene condonavimus. Et insuper
and as-far-as to us pertains fully we-have-pardoned and besides
fecimus eis fieri litteras testimoniales patentes domini
we-have-caused for-them to-be-made letters testimonial patent of-the-lord
Stephani Cantuariensis archiepiscopi, domini Henrici Dublinensis
Stephen of-Canterbury archbishop of-the-lord Henry of-Dublin

archiepiscopi, et episcoporum praedictorum, et magistri
archbishop and of-the-bishops aforesaid and of-master
Pandulfi, super securitate ista et concessionibus praefatis.
Pandulf concerning security this and grants aforesaid
Quare volumus et firmiter praecipimus quod Anglicana
wherefore we-wish and firmly command that the-English
ecclesia libera sit et quod homines in regno nostro habeant
church free be and that the-men in realm our have
et teneant omnes praefatas libertates, jura, et concessiones,
and hold all the-aforesaid liberties rights and grants
bene et in pace, libere et quiete, plene et integre, sibi
well and in peace freely and quietly fully and wholly for-themselves
et haeredibus suis, de nobis et haeredibus nostris, in
and heirs their from us and heirs our in
omnibus rebus et locis, in perpetuum, sicut praedictum est.
all things and places in perpetuity as aforesaid is
Juratum est autem tam ex parte nostra quam ex parte
sworn it-is moreover both on the-part our and on the-part
baronum, quod haec omnia supradicta bona fide et sine
of-the-barons that these all above-said-things in-good faith and without
malo ingenio observabuntur. Testibus supradictis et multis
evil intent will-be-observed with-witnesses the-above-said and many
aliis. Data per manum nostram in prato quod vocatur
others given by hand our in the-meadow which is-called
Ronimed, inter Windelesoram et Stanes, quinto decimo
Runnymede between Windsor and Staines on-the-fifth tenth
die Junii, anno regni nostri septimo decimo.
day of-June in-the-year of-reign our seventh tenth

Carta de Foresta

The Charter of the Forest

THE CHARTER OF THE FOREST

Henry III, by the counsel of the legate Guala and William Marshal, grants that the forests Henry II made be viewed and those made of other men's woods disafforested, and those of Richard and John likewise. Men outside the forest do not come to the forest courts on common summons; swanimotes are held three times a year; dogs are lawed in the old way only; freemen may agist their woods, take honey, and build mills; no one loses life or limb for venison, and a passing magnate may take a beast or two; old offenses are pardoned. Having no seal yet, the king has the charter sealed by Guala and the Marshal.

Henricus Dei gratia rex Angliae, dominus Hiberniae,
Henry of-God by-grace king of-England lord of-Ireland
dux Normanniae, Aquitanniae, et comes Andegaviae,
duke of-Normandy of-Aquitaine and count of-Anjou
archiepiscopis, episcopis, abbatibus, prioribus, comitibus,
to-the-archbishops bishops abbots priors earls
baronibus, justitiariis, forestariis, vicecomitibus, praepositis,
barons justices foresters sheriffs reeves
ministris, et omnibus ballivis et fidelibus suis, salutem.
officers and to-all bailiffs and faithful his greeting
Sciatis quod intuitu Dei et pro salute animae nostrae
know-you that by-the-regard of-God and for the-salvation of-soul our
et animarum antecessorum et successorum nostrorum,
and of-the-souls of-ancestors and successors our
ad exaltationem Sanctae Ecclesiae et emendationem regni
for the-exaltation of-Holy Church and the-amendment of-realm
nostri, concessimus et hac praesenti carta confirmavimus
our we-have-granted and by-this present charter have-confirmed
pro nobis et haeredibus nostris in perpetuum, de consilio
for us and heirs our in perpetuity by the-counsel
venerabilis patris nostri Gualonis tituli sancti Martini
of-venerable father our Guala of-the-title of-Saint Martin

presbiteri cardinalis et apostolicae sedis legati, domini Walteri
priest cardinal and of-the-apostolic see legate of-the-lord Walter
Eboracensis archiepiscopi, Willelmi Londoniensis episcopi,
of-York archbishop of-William of-London bishop
et aliorum episcoporum Angliae, et Willelmi Marescalli
and of-other bishops of-England and of-William Marshal
comitis Penbrociae, rectoris nostri et regni nostri, et
earl of-Pembroke ruler of-us and of-realm our and
aliorum fidelium comitum et baronum nostrorum Angliae,
of-other faithful earls and barons our of-England
has libertates subscriptas tenendas in regno nostro Angliae,
these liberties written-below to-be-held in realm our of-England
in perpetuum: —
in perpetuity

1. In primis omnes forestae quas Henricus rex avus
1 in first all forests which Henry the-king grandfather
noster afforestavit videantur per bonos et legales
our afforested let-them-be-viewed by good and lawful
homines, et, si boscum aliquem alium quam suum
men and if wood any other than his
dominicum afforestaverit ad dampnum illius cujus boscus
demesne he-will-have-afforested to the-harm of-him whose wood
fuerit, deafforestentur. Et si boscum suum proprium
it-will-have-been let-them-be-disafforested and if wood his own
afforestaverit, remaneat foresta, salva communa de herbagio
he-will-have-afforested let-it-remain forest with-saved common of herbage
et aliis in eadem foresta illis qui eam prius habere
and other-things in the-same forest for-those who it before to-have
consueverunt.
were-accustomed

2. Homines qui manent extra forestam non veniant
2 men who dwell outside the-forest not let-them-come
de cetero coram justitiariis nostris de foresta per
for the-rest before justices our of the-forest by
communes summonitiones, nisi sint in placito, vel
common summonses unless they-be in a-plea or
plegii alicujus vel aliquorum qui attachiati sunt propter
sureties of-anyone or of-any who attached are on-account-of
forestam.
the-forest

3. Omnes autem bosci qui fuerunt afforestati per regem
3 all moreover woods which were afforested by king
Ricardum avunculum nostrum, vel per regem Johannem
Richard uncle our or by king John
patrem nostrum usque ad primam coronationem nostram,
father our right to the-first coronation our
statim deafforestentur, nisi fuerit dominicus boscus
at-once let-be-disafforested unless it-will-have-been demesne wood
noster.
our

4. Archiepiscopi, episcopi, abbates, priores, comites et
4 archbishops bishops abbots priors earls and
barones et milites et libere tenentes, qui boscos
barons and knights and freely holding who woods
suos habent in forestis, habeant boscos suos sicut
their have in forests let-them-have woods their as
eos habuerunt tempore primae coronationis praedicti
them they-had at-the-time of-the-first coronation of-the-aforesaid
regis Henrici avi nostri, ita quod quieti sint in
king Henry grandfather our so that quit they-be in
perpetuum de omnibus purpresturis, vastis et assartis,
perpetuity of all purprestures wastes and assarts

factis in illis boscis, post illud tempus usque ad
made in those woods after that time right to
principium secundi anni coronationis nostrae. Et qui
the-beginning of-the-second year of-coronation our and who
de cetero vastum, purpresturam, vel assartum sine
for the-rest waste purpresture or assart without
licentia nostra in illis fecerint, de vastis et assartis
license our in them will-have-made for wastes and assarts
respondeant.
let-them-answer

5. Reguardores nostri eant per forestas ad faciendum
5 regarders our let-them-go through the-forests for making
reguardum sicut fieri consuevit tempore primae
the-regard as to-be-made it-was-accustomed at-the-time of-the-first
coronationis praedicti regis Henrici avi nostri, et non
coronation of-the-aforesaid king Henry grandfather our and not
aliter.
otherwise

6. Inquisitio, vel visus de expeditatione canum existentium in
6 the-inquisition or view of the-lawing of-dogs being in
foresta, de cetero fiat quando debet fieri reguardum,
the-forest for the-rest let-be-made when ought to-be-made the-regard
scilicet de tertio anno in tertium annum; et tunc
namely from the-third year to the-third year and then
fiat per visum et testimonium legalium hominum
let-it-be-made by the-view and testimony of-lawful men
et non aliter. Et ille cujus canis inventus fuerit
and not otherwise and he whose dog found will-have-been
tunc non expeditatus det pro misericordia tres solidos,
then not lawed let-give for amercement three shillings
et de cetero nullus bos capiatur pro expeditatione. Talis
and for the-rest no ox let-be-taken for lawing such

autem sit expeditatio per assisam communiter quod tres
moreover let-be the-lawing by the-assize commonly that three
ortilli abscidantur sine pelota de pede anteriori; nec
claws be-cut-off without the-ball from the-foot fore nor
expeditentur canes de cetero nisi in locis ubi consueverunt
let-be-lawed dogs for the-rest except in places where they-were-accustomed
expeditari tempore primae coronationis regis Henrici avi
to-be-lawed at-the-time of-the-first coronation of-king Henry grandfather
nostri.
our

7. Nullus forestarius vel bedellus de cetero faciat
7 no forester or beadle for the-rest let-make
scotale, vel colligat garbas vel avenam vel bladum
scotale or gather sheaves or oats or corn
aliud vel agnos vel porcellos, nec aliquam collectam
other or lambs or piglets nor any collection
faciant; et per visum et sacramentum duodecim
let-them-make and by the-view and oath of-twelve
reguardorum quando facient reguardum, tot
regarders when they-will-make the-regard so-many
forestarii ponantur ad forestas custodiendas, quot
foresters let-be-set to forests to-be-kept as-many-as
ad illas custodiendas rationabiliter viderint
for them to-be-kept reasonably they-will-have-seen
sufficere.
to-suffice

8. Nullum suanimotum de cetero teneatur in regno nostro
8 no swanimote for the-rest let-be-held in realm our
nisi ter in anno; videlicet in principio quindecim dierum
except thrice in the-year namely at the-beginning of-fifteen days
ante festum Sancti Michaelis quando agistatores conveniunt
before the-feast of-Saint Michael when the-agisters come-together

ad agistandum dominicos boscos nostros; et circa festum
for agisting demesne woods our and around the-feast
Sancti Martini quando agistatores nostri debent recipere
of-Saint Martin when agisters our ought to-receive
pannagium nostrum; et ad ista duo suanimota conveniant
pannage our and at these two swanimotes let-come-together
forestarii, viridarii et agistatores, et nullus alius per
the-foresters verderers and agisters and no other by
districtionem; et tertium suanimotum teneatur in initio
distraint and the-third swanimote let-be-held at the-beginning
quindecim dierum ante festum Sancti Johannis Baptistae, pro
of-fifteen days before the-feast of-Saint John the-Baptist for
feonatione bestiarum nostrarum, et ad istud suanimotum
the-fawning of-beasts our and for that swanimote
tenendum conveniant forestarii et viridarii et nulli alii
to-be-held let-come-together the-foresters and verderers and no others
per districtionem. Et praeterea singulis quadraginta diebus
by distraint and moreover every forty days
per totum annum conveniant viridarii et forestarii ad
through the-whole year let-come-together the-verderers and foresters for
videndum attachiamenta de foresta, tam de viridi, quam
seeing the-attachments of the-forest both of vert and
de venatione, per praesentationem ipsorum forestariorum,
of venison by the-presentment of-those foresters
et coram ipsis attachiatis. Praedicta autem suanimota
and before them attached the-aforesaid moreover swanimotes
non teneantur nisi in comitatibus in quibus teneri
not let-be-held except in counties in which to-be-held
consueverunt.
they-were-accustomed

9. Unusquisque liber homo agistet boscum suum in
9 each free man let-agist wood his in
foresta pro voluntate sua et habeat pannagium suum.
the-forest at will his and let-him-have pannage his
Concedimus etiam quod unusquisque liber homo possit
we-grant also that each free man may
ducere porcos suos per dominicum boscum nostrum,
to-drive pigs his through demesne wood our
libere et sine impedimento, ad agistandum eos in boscis
freely and without hindrance for agisting them in woods
suis propriis vel alibi ubi voluerit. Et si porci alicujus
his own or elsewhere where he-will-wish and if the-pigs of-any
liberi hominis una nocte pernoctaverint in foresta
free man one night will-have-passed-the-night in forest
nostra, non inde occasionetur ita quod aliquid de suo
our not thence let-him-be-troubled so that anything of his
perdat.
he-lose

10. Nullus de cetero amittat vitam vel membra pro
10 no-one for the-rest let-lose life or limbs for
venatione nostra, sed si aliquis captus fuerit et
venison our but if anyone taken will-have-been and
convictus de captione venationis, graviter redimatur,
convicted of the-taking of-venison heavily let-him-be-ransomed
si habeat unde redimi possit; et si non habeat
if he-have whence to-be-ransomed he-can and if not he-have
unde redimi possit, jaceat in prisona nostra
whence to-be-ransomed he-can let-him-lie in prison our
per unum annum et unum diem; et, si post
for one year and one day and if after
unum annum et unum diem plegios invenire possit,
one year and one day pledges to-find he-can

exeat a prisona; sin autem, abjuret regnum
let-him-go-out from prison but-if however let-him-abjure the-realm
Angliae.
of-England
11. Quicunque archiepiscopus, episcopus, comes vel baro
11 whatever archbishop bishop earl or baron
transierit per forestam nostram, liceat ei capere
will-have-passed through forest our let-it-be-allowed for-him to-take
unam vel duas bestias per visum forestarii, si praesens
one or two beasts by the-view of-the-forester if present
fuerit; sin autem, faciat cornari, ne videatur
he-will-have-been but-if however let-him-make to-be-horned lest he-seem
furtive hoc facere.
stealthily this to-do
12. Unusquisque liber homo de cetero sine occasione
12 each free man for the-rest without trouble
faciat in bosco suo, vel in terra sua quam habeat
let-make in wood his or in land his which he-may-have
in foresta, molendinum, vivarium, stagnum, marleram,
in the-forest a-mill a-fishpond a-pool a-marl-pit
fossatum, vel terram arabilem extra cooperatum in terra
a-ditch or land arable outside covert in land
arabili, ita quod non sit ad nocumentum alicujus
arable so that not it-be to the-harm of-any
vicini.
neighbor
13. Unusquisque liber homo habeat in boscis suis aereas
13 each free man let-have in woods his the-eyries
accipitrum et speruariorum et falconum, aquilarum, et
of-hawks and of-sparrow-hawks and of-falcons of-eagles and

de heyrinis, et habeant similiter mel quod inventum
of herons and let-them-have likewise the-honey which found
fuerit in boscis suis.
will-have-been in woods their
14. Nullus forestarius de cetero, qui non sit forestarius
14 no forester for the-rest who not be a-forester
de feudo reddens nobis firmam pro balliva sua, capiat
of fee rendering to-us farm for bailiwick his let-take
chiminagium aliquod in balliva sua; forestarius autem
cheminage any in bailiwick his a-forester however
de feudo firmam nobis reddens pro balliva sua capiat
of fee farm to-us rendering for bailiwick his let-take
chiminagium; videlicet pro careta per dimidium annum duos
cheminage namely for a-cart for half a-year two
denarios, et per alium dimidium annum duos denarios,
pennies and for the-other half year two pennies
et pro equo qui portat sumagium per dimidium annum
and for a-horse which carries a-load for half a-year
unum obolum, et per alium dimidium annum obolum,
one halfpenny and for the-other half year a-halfpenny
et non nisi de illis qui extra ballivam suam, tanquam
and not except from those who from-outside bailiwick his as
mercatores, veniunt per licentiam suam in ballivam suam
merchants come by license his into bailiwick his
ad buscam, meremum, corticem vel carbonem emendum,
for brushwood timber bark or charcoal to-be-bought
et alias ducendum ad vendendum ubi voluerint: et
and elsewhere to-be-carried for selling where they-will-wish and
de nulla alia careta vel sumagio aliquod chiminagium
from no other cart or load any cheminage
capiatur: et non capiatur chiminagium nisi in locis ubi
let-be-taken and not let-be-taken cheminage except in places where

antiquitus capi solebat et debuit. Illi autem qui portant
of-old to-be-taken it-was-wont and ought those moreover who carry
super dorsum suum buscam, corticem, vel carbonem, ad
upon back their brushwood bark or charcoal for
vendendum, quamvis inde vivant, nullum de cetero dent
selling although thence they-live no for the-rest let-them-give
chiminagium. De boscis autem aliorum nullum detur
cheminage of the-woods however of-others no let-be-given
chiminagium forestariis nostris, praeterquam de dominicis
cheminage to-foresters our except of demesne
boscis nostris.
woods our

15. Omnes utlagati pro foresta tantum, a tempore
15 all outlawed for the-forest only from the-time
regis Henrici avi nostri usque ad primam
of-king Henry grandfather our right to the-first
coronationem nostram, veniant ad pacem nostram
coronation our let-them-come to peace our
sine impedimento, et salvos plegios inveniant quod
without hindrance and safe pledges let-them-find that
de cetero non forisfaciant nobis de foresta
for the-rest not they-will-forfeit to-us concerning forest
nostra.
our

16. Nullus castellanus vel alius teneat placita de
16 no castellan or other let-hold pleas of
foresta sive de viridi sive de venatione, sed
the-forest either of vert or of venison but
quilibet forestarius de feudo attachiet placita de
every forester of fee let-attach pleas of
foresta tam de viridi quam de venatione, et ea
the-forest both of vert and of venison and them

praesentet viridariis provinciarum, et cum irrotulata
let-present to-the-verderers of-the-provinces and when enrolled
fuerint et sub sigillis viridariorum inclusa,
they-will-have-been and under the-seals of-the-verderers enclosed
praesententur capitali forestario cum in partes illas
let-them-be-presented to-the-chief forester when into parts those
venerit ad tenendum placita forestae, et coram eo
he-will-have-come for holding the-pleas of-the-forest and before him
terminentur.
let-them-be-determined

17. Has autem libertates de forestis concessimus omnibus,
17 these moreover liberties about forests we-have-granted to-all
salvis archiepiscopis, episcopis, abbatibus, prioribus, comitibus,
with-saved for-archbishops bishops abbots priors earls
baronibus, militibus et aliis tam personis ecclesiasticis quam
barons knights and others both persons ecclesiastical and
saecularibus, Templariis et Hospitalariis, libertatibus et
secular Templars and Hospitallers with-the-liberties and
liberis consuetudinibus in forestis et extra, in warenniis
free customs in forests and outside in warrens
et aliis, quas prius habuerunt. Omnes autem istas
and other-things which before they-had all moreover these
consuetudines praedictas et libertates, quas concessimus
customs aforesaid and liberties which we-have-granted
in regno nostro tenendas quantum ad nos pertinet erga
in realm our to-be-held as-far-as to us pertains toward
nostros, omnes de regno nostro tam clerici quam laici
ours all of realm our both clerics and laymen
observent quantum ad se pertinet erga suos. Quia
let-them-observe as-far-as to themselves it-pertains toward their-own because
vero sigillum nondum habuimus, praesentem cartam sigillis
but a-seal not-yet we-had the-present charter with-the-seals

venerabilis patris nostri domini Gualonis tituli Sancti
of-venerable father our of-the-lord Guala of-the-title of-Saint
Martini presbyteri cardinalis, apostolicae sedis legati, et
Martin priest cardinal of-the-apostolic see legate and
Willelmi Marescalli comitis Penbrokiae, rectoris nostri et
of-William Marshal earl of-Pembroke ruler of-us and
regni nostri, fecimus sigillari. Testibus praenominatis
of-realm our we-have-caused to-be-sealed with-witnesses the-aforenamed
et aliis multis. Datum per manus praedictorum domini
and others many given by the-hands of-the-aforesaid lord
legati et Willelmi Marescalli apud Sanctum Paulum,
legate and of-William Marshal at Saint Paul's
Londoniis, sexto die Novembris, anno regni nostri
in-London on-the-sixth day of-November in-the-year of-reign our
secundo.
second

RICHARD FITZNEAL

Dialogus de Scaccario

The Dialogue of the Exchequer

Praefatio

PREFACE

The powers ordained by God are to be obeyed, and clerics may serve kings in keeping their rights and their wealth, for wealth raises or humbles princes, whose deeds are judged by God alone. The author offers Henry II a small work in a rustic style on the needful customs of his exchequer. In the twenty-third year of the king's reign, sitting at a window by the Thames, he is asked by a disciple to explain the exchequer plainly, and agrees.

Ordinatis a Deo potestatibus in omni timore subici
to-the-ordained by God powers in all fear to-be-subject
similiter et obsequi necesse est. Omnis enim potestas a
likewise and to-obey necessary it-is all for power from
Domino Deo est. Non ergo videtur absurdum vel a viris
the-Lord God is not therefore it-seems absurd or from men
ecclesiasticis alienum, regibus quasi praecellentibus et ceteris
ecclesiastical foreign for-kings as-if preeminent and for-other
potestatibus serviendo, sua jura servare; praesertim in hiis
powers by-serving their rights to-preserve especially in these-things
quae veritati vel honestati non obviant. Oportet autem
which to-truth or to-honesty not are-opposed it-behooves moreover
hiis servire, non in conservandis tantum dignitatibus, per
these to-serve not in being-preserved only dignities through
quas gloria regiae potestatis elucet, verum in mundanarum
which the-glory of-royal power shines but in of-worldly
facultatum copiis, quae eos sui status ratione contingunt:
of-means the-abundance which them of-their of-estate by-reason befall
illa enim illustrant, heae subveniunt. Porro nobilium
those for adorn these support further of-noble-things
copia, vel defectus, principum potestates humiliat vel
the-abundance or lack of-princes the-powers humbles or

exaltat. Quibus enim haec desunt, hostibus praeda erunt:
exalts to-whom for these-things are-lacking to-enemies a-prey they-will-be
quibus autem haec suppetunt, hiis hostes in praedam
to-whom but these-things are-at-hand to-these the-enemies for prey
cedunt. Sane licet haec regibus plerunque jure non
yield indeed although these-things to-kings mostly by-right not
prorsus examinato, sed patriis quandoque legibus, quandoque
wholly examined but by-native sometimes laws sometimes
cordium suorum consiliis occultis, vel solius interdum suae
of-hearts their by-counsels hidden or of-alone sometimes their
voluntatis arbitrio provenire contingat, eorum tamen facta
of-will by-the-judgment to-come-in it-happen their yet deeds
ab inferioribus discutienda vel condempnanda non sunt.
by inferiors to-be-discussed or to-be-condemned not are
Quorum enim corda et motus cordium in manu Dei
of-whom for the-hearts and the-motions of-hearts in the-hand of-God
sunt, et quibus ab Ipso Deo singulariter est credita
are and to-whom by Himself God singly is entrusted
cura subditorum, eorum causa Divino tantum non humano
the-care of-subjects their cause by-Divine only not by-human
judicio stat aut cadit. Nemo tamen quantumlibet dives,
judgment stands or falls no-one yet however rich
si secus egerit, de impunitate sibi blandiatur, cum
if otherwise he-will-have-done about impunity himself let-flatter since
de hujusmodi scriptum sit, 'potentes potenter tormenta
about the-like written it-is the-mighty mightily torments
patientur.' Igitur qualiscunque sit vel videatur acquirendi
will-suffer therefore whatever-sort be or seem of-acquiring
causa vel modus, iis qui ad eorum custodiam ex officio
the-cause or manner for-those who to their custody by office
deputantur, cura remissior esse non debet. Sed in eisdem
are-deputed care more-remiss to-be not ought but in the-same

congregandis, conservandis, vel distribuendis, sollicitam decet
to-be-gathered to-be-kept or to-be-distributed anxious it-befits
esse diligentiam quasi rationem reddituris de regni
to-be diligence as-if account about-to-render about of-the-realm
statu, qui per hos incolumis perseverat. Novimus quidem
the-state which through these unharmed persists we-know indeed
prudentia, fortitudine, temperantia, sive justitia, ceterisque
by-prudence fortitude temperance or justice and-other
virtutibus principaliter regna regi; unde et hiis mundi
virtues chiefly kingdoms to-be-ruled whence also by-these of-the-world
rectoribus totis est viribus insistendum. Sed fit
rulers with-whole is strength to-be-pressed-on but it-happens
interdum ut quod sano consilio vel excellenti mente
sometimes that what by-sound counsel or by-excellent mind
concipitur, per hanc quasi per quandam negotiorum
is-conceived through this as-if through a-certain of-affairs
methodum facilem consequatur effectum. Non solum autem
method easy may-attain effect not only moreover
hostilitatis, sed et pacis tempore necessaria videtur: illo
of-hostility but also of-peace in-time necessary it-seems in-that
enim in municipiis firmandis, in stipendiis ministrandis,
for in strongholds to-be-fortified in wages to-be-supplied
et in aliis plerisque locis pro qualitate personarum
and in other many places according-to the-quality of-persons
ad conservandum regni statum effunditur: hoc vero
for preserving of-the-realm the-state it-is-poured-out in-this but
licet arma quiescant, a devotis principibus construuntur
although arms rest by devout princes are-built
basilicae, Christus alitur et vestitur in paupere, et ceteris
basilicas Christ is-fed and clothed in the-poor-man and in-other
operibus misericordiae insistendo, in misericordia distribuitur:
works of-mercy by-pressing-on in mercy it-is-distributed

in utriusque vero temporis strenuis actibus gloria principum
in of-each but time strenuous acts the-glory of-princes
est; sed excellit in hiis ubi pro temporalibus impensis
is but it-excels in these where for temporal expenses
felici mercimonio mansura succedunt. Ea propter,
by-happy trade things-about-to-abide succeed these-things on-account-of
rex illustris, mundanorum principum maxime, quia saepe
king illustrious of-worldly princes most because often
te vidimus utroque tempore gloriosum, non parcentem
you we-have-seen in-each time glorious not sparing
quidem pecuniae thesauris, sed pro loco, pro tempore, pro
indeed of-money treasures but for place for time for
personis, legitimis sumptibus insistentem, modicum opus
persons on-lawful expenses pressing-on a-small work
excellentiae tuae devovimus, non de rebus quidem magnis
to-excellence your we-have-devoted not about things indeed great
vel luculento sermone compositum, sed agresti stylo de
or with-brilliant speech composed but in-rustic style about
scaccarii tui necessariis observantiis. Porro super hiis te
of-exchequer your the-necessary observances further over these-things you
vidimus quandoque sollicitum, adeo ut missis a latere
we-have-seen sometimes anxious so-much that with-sent from side
tuo viris discretis, de eodem dominum tunc Eliensem
your men discreet about the-same the-lord then of-Ely
conveneris. Nec fuit absurdum tam excellentis ingenii virum,
you-approached nor was it-absurd of-so excellent of-genius a-man
tam singularis potentiae principem inter cetera majora haec
of-so singular of-power a-prince among other greater-things these
etiam curasse. Sane scaccarium suis legibus non temere,
also to-have-cared-for indeed the-exchequer by-its laws not rashly
sed magnorum consideratione subsistit; cujus ratio si servetur
but of-great-men by-the-consideration subsists whose system if it-be-kept

in omnibus, poterunt singulis sua jura servari, et tibi
in all-things will-be-able for-each their rights to-be-preserved and to-you
plane provenient quae fisco debentur; quae possit
plainly will-come what-things to-the-treasury are-owed which may
opportune nobilissimae mentis tuae ministra manus effundere.
fittingly of-most-noble mind your the-servant hand to-pour-out
Anno xxiii. regni regis Henrici secundi, cum sederem
in-the-year 23 of-the-reign of-king Henry second when I-was-sitting
ad fenestram speculae quae est juxta fluvium Tamensem,
at the-window of-the-tower which is beside the-river Thames
factum est verbum hominis in impetu loquentis ad me,
made was the-word of-a-man in impetus speaking to me
dicens, 'magister, non legisti, quod in scientia vel thesauro
saying master not have-you-read that in knowledge or treasure
abscondito nulla sit utilitas?' Cui cum respondissem,
hidden no be usefulness to-whom when I-had-answered
'legi;' statim intulit, 'cur ergo scientiam de scaccario quae
I-have-read at-once he-added why then knowledge about the-exchequer which
penes te plurima esse dicitur alios non doces, et ne tibi
with you very-much to-be is-said others not do-you-teach and lest with-you
commoriatur scripto commendas?' Tum ego; 'ecce, frater, ad
it-die-together to-writing commit then I behold brother at
scaccarium jam per multa tempora resedisti, et nihil te
the-exchequer already for many times you-have-sat and nothing you
latet, cum scrupulosus sis; sic et de ceteris qui assident
escapes since scrupulous you-are so also about the-others who sit-beside
probabile est.' At ille, 'sicut qui in tenebris ambulant et
probable it-is but he as who in darkness walk and
manibus palpant, frequenter offendunt: sic illic multi resident,
with-hands grope often stumble so there many sit
qui videntes non vident, et audientes non intelligunt.' Tum
who seeing not see and hearing not understand then

ego; 'irreverenter loqueris; nec enim scientia tanta est vel de
I irreverently you-speak nor for knowledge so-great is or about
tantis; sed forte sunt illis qui magna occupantur
so-great-things but perhaps are for-those who with-great-things are-busied
corda, ut pedes aquilae, qui parva non retinent, et quos
hearts like the-feet of-the-eagle which small-things not hold and which
magna non effugiunt.' Et ille, 'esto: sed licet aquilae celsius
great-things not escape and he be-it but although eagles higher
volant, tamen in humilibus quiescunt et reficiuntur; et ob
fly yet in low-places they-rest and are-refreshed and for
hoc humilia vobis exponi petimus ipsis aquilis profutura.'
this low-things to-you to-be-explained we-ask to-those eagles about-to-profit
Tum ego; 'veritus sum de hiis rebus opus contexere, quia
then I feared I-have about these things a-work to-weave because
corporeis sensibus subjecta sunt, et cotidianis usibus vilescunt;
to-bodily senses subject they-are and by-daily uses grow-cheap
nec est vel esse potest in eis subtilium rerum descriptio, vel
nor is or to-be can in them of-subtle things description or
jocunda novitatis inventio.' Et ille; 'qui novitatibus gaudent,
pleasant of-novelty invention and he who in-novelties rejoice
qui subtilium rerum fugam appetunt, habent Aristotelem et
who of-subtle things a-flight desire have Aristotle and
libros Platonicos, audiant illos. Tu scribe non subtilia, sed
the-books Platonic let-them-hear those you write not subtle-things but
utilia.' Tum ego; 'de hiis rebus quas petis impossibile est
useful-things then I about these things which you-seek impossible it-is
nisi rusticano sermone et communibus loqui verbis.' At ille,
except in-rustic speech and with-common to-speak words but he
velut succensus in iram, desideranti enim animo nihil satis
as-if kindled into anger to-a-desiring for mind nothing enough
festinatur, ait: 'artium scriptores ne multa parum scisse
is-hastened said of-the-arts the-writers lest many-things little to-have-known

viderentur, et ut ars difficilior cognita fieret, multa
they-should-seem and that the-art more-difficult known should-become many-things
conquisierunt, et verbis incognitis palliarunt: tu vero
sought-out and with-words unknown cloaked you but
scribendam artem non suscipis, sed quasdam consuetudines
an-art to-be-written not undertake but certain customs
et jura scaccarii; quae quia communia debent esse,
and laws of-the-exchequer which because common they-ought to-be
communibus necessario utendum est verbis; ut sint cognati
common necessarily to-be-used is words that they-be akin
sermones rebus de quibus loquimur. Praeterea, quamvis
the-speeches to-the-things about which we-speak moreover although
plerunque nova liceat nomina fingere, rogo tamen, si
mostly new it-be-allowed names to-invent I-ask yet if
placet, ut usitatis rerum ipsarum vocabulis quae ad placitum
it-pleases that the-customary of-things themselves words which at pleasure
sunt uti non pudeat, nec nova difficultas ex insolitis verbis
are to-use not it-shame nor a-new difficulty from unusual words
oborta amplius perturbet.' Tum ego; 'sensi te iratum;
arisen further disturb then I I-have-perceived you angry
sed animo aequior esto; faciam quod hortaris. Surgens ergo
but in-mind more-even be I-shall-do what you-urge rising therefore
sede ex adverso; et de hiis quae te offendunt interroga.
sit from opposite and about these-things which you trouble ask
Quod si quid inauditum proposueris, non erubesco
but if anything unheard-of you-shall-have-proposed not I-blush
dicere, nescio. Sed conveniamus ambo discretiores.' Et ille;
to-say I-do-not-know but let-us-agree both more-discreet and he
'ad vota respondes. Licet autem turpis et ridicula res
to wishes you-answer although moreover base and ridiculous a-thing
sit elementarius senex, ab ipsis tamen elementis incipiam.'
be an-elementary old-man from themselves yet the-elements I-shall-begin

Quid sit Scaccarium, et quae ratio hujus nominis

WHAT THE EXCHEQUER IS, AND THE LOWER EXCHEQUER

The exchequer is a table ten feet by five covered with a black cloth ruled in squares, where counters are set; the name passes to the court that sits there. It is named for the chessboard, since officers sit by rule as chessmen move, and the battle is between the treasurer, who receives the account, and the sheriff. The lower exchequer, or receipt, takes in the money: the treasurer's clerk seals and records it, the chamberlains' two knights keep the keys of the double-locked chests and weigh the coin, and since Henry II made one coinage every county pays in it. These three pay out the treasure by the king's writ or the barons' order.

Discipulus. Quid est scaccarium?

Disciple what is the-exchequer

Magister. Scaccarium tabula est quadrangula quae longitudinis

Master the-exchequer a-table is quadrangular which of-length

quasi decem pedum, latitudinis quinque, ad modum mensae

about ten feet of-width five in the-manner of-a-table

circumsedentibus apposita undique habet limbum altitudinis

to-those-sitting-around set on-all-sides has a-rim of-height

quasi quatuor digitorum, ne quid appositum excidat.

about four fingers lest anything placed fall-out

Superponitur autem scaccario superiori pannus in termino

is-laid moreover on-the-exchequer upper a-cloth in the-term

Paschae emptus, non quilibet, sed niger virgis distinctus,

of-Easter bought not any-whatever but black with-rods marked

distantibus a se virgis vel pedis vel palmae extentae

with-distant from each-other rods either of-a-foot or of-a-palm stretched

spatio. In spatiis autem calculi sunt juxta ordines

by-the-space in the-spaces moreover counters are according-to orders

suos de quibus alias dicetur. Licet autem tabula talis

their about which elsewhere it-will-be-said although moreover a-table such

scaccarium dicatur, transmutatur tamen hoc nomen ut
exchequer be-called is-transferred yet this name so-that
ipsa quoque curia quae consedente scaccario est scaccarium
itself also the-court which with-sitting the-exchequer is exchequer
dicatur; adeo ut si quandoque per sententiam aliquid de
be-called so-much that if sometimes by sentence anything by
communi consilio fuerit constitutum, dicatur factum ad
common counsel will-have-been established it-be-said done at
scaccarium illius vel illius anni. Quod autem hodie dicitur
the-exchequer of-this or of-that year what moreover today is-said
ad scaccarium, olim dicebatur ad taleas.
at the-exchequer once was-said at the-tallies

D. Quae est ratio hujus nominis?
Disciple what is the-reason of-this name

M. Nulla mihi verior ad praesens occurrit, quam quod
Master none to-me truer for the-present occurs than that
scaccarii lusilis similem habet formam.
of-the-chessboard playable like it-has form

D. Nunquid antiquorum prudentia pro sola forma sic
Disciple surely-not of-the-ancients the-prudence for sole form so
nominavit, cum et simili ratione possit tabularium appellari?
named when also by-like reason it-could table-of-counters to-be-called

M. Merito te scrupulosum dixi. Est et alia, sed
Master deservedly you scrupulous I-called there-is also another but
occultior. Sicut enim in scaccario lusili quidam ordines
more-hidden as for in the-chessboard playable certain orders
sunt pugnatorum, et certis legibus vel limitibus procedunt
there-are of-fighters and by-fixed laws or limits they-proceed
vel subsistunt, praesidentibus aliis et aliis procedentibus: sic
or stand with-presiding others and others proceeding so
in hoc quidam praesident, quidam assident ex officio; et non
in this some preside some sit-beside by office and not

est cuiquam liberum leges constitutas excedere; quod erit
it-is for-anyone free the-laws established to-exceed which will-be
ex consequentibus manifestum. Item sicut in lusili, pugna
from what-follows manifest likewise as in the-playable a-fight
committitur inter reges: sic in hoc inter duos principaliter
is-joined between kings so in this between two chiefly
conflictus est et pugna committitur, thesaurarium scilicet
a-conflict is and a-fight is-joined the-treasurer namely
et vicecomitem qui assidet ad compotum; residentibus aliis
and the-sheriff who sits-beside for the-account with-sitting others
tanquam judicibus ut videant et judicent.
as judges that they-may-see and judge
D. Nunquid a thesaurario compotus suscipitur, cum illic
Disciple surely-not by the-treasurer the-account is-received when there
multi sunt qui ratione potestatis majores videantur?
many are who by-reason of-power greater may-seem
M. Quod thesaurarius a vicecomite compotum suscipiat,
Master that the-treasurer from the-sheriff the-account receives
hinc manifestum est, quod idem ab eo cum regi
hence manifest it-is that the-same from him when to-the-king
placuerit requiritur: nec enim ab ipso requireretur
it-will-have-pleased is-required nor for from him would-be-required
quod non suscepisset. Sunt tamen qui dicunt thesaurarium
what not he-had-received there-are yet who say the-treasurer
et camerarios obnoxios tantum hiis quae scribuntur
and the-chamberlains liable only to-these-things which are-written
in rotulis in thesauro, ut de hiis compotus ab eis
in the-rolls in the-treasury that about these an-account from them
exigatur. Sed verius creditur ut de tota scriptura rotuli
be-required but more-truly it-is-believed that for the-whole writing of-the-roll
respondeant; quod ex consequentibus constare poterit.
they-answer which from what-follows to-be-established will-be-able

Quod aliud est inferius, aliud superius; una tamen origo
that other is the-lower other the-upper one yet the-origin
utriusque.
of-each

D. Nunquid solum illud scaccarium est in quo est talis
Disciple surely-not alone that exchequer is in which is such
conflictus?
conflict

M. Non. Est enim inferius scaccarium, quod et recepta
Master no there-is for the-lower exchequer which also receipt
dicitur, ubi pecunia numeranda traditur, et scriptis et
is-called where money to-be-counted is-delivered and to-writings and
talliis committitur, ut de eisdem postmodum in superiori
tallies is-committed that about the-same afterward in the-upper
compotus reddatur; una tamen est utriusque origo; quia
account be-rendered one yet is of-each the-origin because
quicquid solvendum esse in majori deprehenditur, hic
whatever to-be-paid to-be in the-greater is-detected here
solvitur; et quod hic solutum fuerit, ibi computatur.
is-paid and what here paid will-have-been there is-reckoned
Quae sit ratio vel institutio inferioris per singula officia.
what be the-reason or institution of-the-lower through each office

D. Quae est ratio vel institutio inferioris scaccarii?
Disciple what is the-reason or institution of-the-lower exchequer

M. Ut video, nullius horum ignorantiam sustines. Noveris
Master as I-see of-none of-these ignorance you-bear you-may-know
autem quod inferius illud scaccarium suas habet personas,
moreover that lower that exchequer its has persons
ratione quidem officiorum a se distinctas, sed in regis
by-reason indeed of-offices from each-other distinguished but to of-the-king
utilitatem, salva tamen aequitate, pari intentione devotas;
advantage with-saved yet equity with-equal intention devoted

omnes quidem dominorum suorum nominibus non propriis
all indeed of-lords their in-the-names not in-own
militantes exceptis duobus militibus duntaxat qui praesunt
serving except-for two knights only who preside-over
examinibus, et fusore. Horum officia de regis nostri pendent
the-assays and the-melter of-these the-offices on of-king our hang
arbitrio; unde magis ad superius quam ad inferius pertinere
judgment whence more to the-upper than to the-lower to-pertain
videntur, sicut infra dicetur. Illic est clericus thesaurarii
they-seem as below it-will-be-said there is the-clerk of-the-treasurer
cum sigillo ejus. Sunt et duo milites camerariorum. Est et
with seal his there-are also two knights of-the-chamberlains there-is also
miles quidam qui argentarius dici potest; quia ex officio
a-knight a-certain who silverer to-be-called can because by office
argento examinando praeest. Est et fusor qui argentum
over-silver to-be-assayed he-presides there-is also the-melter who silver
examinat. Sunt et quatuor computatores ad numerandam
assays there-are also four tellers for counting
pecuniam. Est et ostiarius thesauri, et vigil. Horum
money there-is also the-usher of-the-treasury and the-watchman of-these
autem haec sunt officia. Clericus thesaurarii, cum fuerit
moreover these are the-offices the-clerk of-the-treasurer when will-have-been
numerata pecunia, et in forulos missa per centenas libras,
counted the-money and into bags put by hundreds of-pounds
apponit sigillum, et deputat scripto, quantum, vel a quo,
sets-on the-seal and records in-writing how-much or from whom
vel ob quam causam receperit; taleas quoque de eadem
or for what cause he-has-received the-tallies also about the-same
recepta a camerariis factas inbreviat; non solum autem
receipt by the-chamberlains made he-enrolls not only moreover
pecuniae saccis sed et archis et singulis forulis in quibus
of-the-money on-bags but also on-chests and on-every bag in which

rotuli vel talliae collocantur si libet apponit sigillum; et ad
rolls or tallies are-placed if it-please he-sets the-seal and to
omnia subjecta officia diligenter prospicit, et nihil eum latet.
all subject offices diligently he-looks and nothing him escapes
Militum, qui et camerarii dicuntur quod pro camerariis
of-the-knights who also chamberlains are-called because for the-chamberlains
ministrant, hoc est officium: hi claves archarum bajulant;
they-serve this is the-office these the-keys of-the-chests carry
archae enim cuilibet duae serae sunt diversi generis, hoc
to-the-chest for each two locks there-are of-different kind that
est, cujus neutri clavis alterius possit aptari; et hii claves
is of-which to-neither the-key of-the-other can to-be-fitted and these the-keys
earum deferunt; circumcingitur autem quaelibet arca corrigia
of-them carry is-girded moreover each chest by-a-strap
quadam immobili, in qua desuper firmatis seris thesaurarii
certain immovable on which above with-fastened locks of-the-treasurer
sigillum apponitur; ut nulli eorum nisi de communi
the-seal is-set that to-none of-them except by common
assensu accessus pateat. Item officium horum est, numeratam
assent access lie-open likewise the-office of-these is the-counted
pecuniam et in vasis ligneis per centenos solidos compositam
money and in vessels wooden by hundreds of-shillings arranged
ponderare, ne sit error in numero, tunc demum in
to-weigh lest there-be error in the-number then at-last into
forulos mittere per centenas, ut dictum est, libras. Quod
bags to-put by hundreds as said is of-pounds but
si vas aliquod inventum est minus habens, non quidem per
if vessel any found is less having not indeed by
aestimationem quod deesse putatur apponitur, sed statim
estimate what to-be-lacking is-thought is-added but at-once
de quo dubitatur in acervum numerandorum projicitur. Et
about which it-is-doubted into the-heap of-things-to-be-counted is-thrown and

nota quosdam comitatus a tempore regis Henrici primi
note certain counties from the-time of-king Henry the-first
et in tempore regis Henrici secundi licite potuisse
and in the-time of-king Henry the-second lawfully to-have-been-able
cujuscunque monetae denarios solutioni offerre, dummodo
of-whatever coinage pennies for-payment to-offer provided-that
argentei essent et ponderi legitimo non obstarent; quia scilicet
silver they-were and to-weight lawful not were-opposed because namely
monetarios ex antiqua institutione non habentes, undecunque
moneyers from ancient institution not having from-wherever
sibi denarios perquirebant; quales sunt Norhumberland
for-themselves pennies they-sought such-as are Northumberland
et Cumberland; sic autem suscepti denarii, licet de firma
and Cumberland so moreover received pennies although from the-farm
essent, seorsum tamen ab aliis cum quibusdam signis
they-were apart yet from others with certain marks
appositis mittebantur. Reliqui vero comitatus solos usuales
set were-sent the-remaining but counties only usual
et instantis monetae legitimos denarios tam de firmis quam
and of-the-present coinage lawful pennies both from farms and
de placitis afferebant. At postquam rex illustris, cujus
from pleas used-to-bring but after the-king illustrious whose
laus est in rebus magnis excellentior, sub monarchia sua
praise is in things great more-excellent under monarchy his
per universum regnum unum pondus et unam monetam
through the-whole realm one weight and one coinage
instituit, omnis comitatus una legis necessitate teneri et
established every county by-one of-law necessity to-be-held and
generalis commercii solutione coepit obligari. Omnes itaque
of-general trade by-the-payment began to-be-bound all and-so
idem monetae genus quomodocunque teneantur solvunt. Sed
the-same of-coinage kind however they-be-held pay but

tamen examinationis quae de combustione provenit jacturam
yet of-the-assay which from burning comes the-loss
omnes non sustinent. Item hii taleas faciunt de receptis,
all not bear likewise these tallies make of receipts
et commune est eis cum clerico thesaurarii, ut per
and common it-is to-them with the-clerk of-the-treasurer that by
brevia regis vel praecepto baronum, thesaurum susceptum
the-writs of-the-king or by-the-precept of-the-barons the-treasure received
expendant; non tamen inconsultis dominis suis. Hii tres
they-may-spend not yet with-unconsulted lords their these three
simul omnes vel vicissim cum thesauro mittuntur cum
together all or in-turn with the-treasure are-sent when
oportuerit. His tribus praecipua cura est in omnibus
it-will-have-behooved to-these three chief care is in all
hiis quae in inferiori scaccario fiunt.
these-things which in the-lower exchequer are-done
D. Ergo, ut video, licet his per breve regis,
Disciple therefore as I-see it-is-allowed to-these by the-writ of-the-king
vel praecepto eorum qui praesident, thesaurum susceptum
or by-the-precept of-those who preside the-treasure received
consultis tamen dominis suis expendere.
with-consulted yet lords their to-spend

Payments out are made by writ and counted before the payee leaves. The coin is mixed, weighed against the exchequer pound and counted, forty-four shillings set apart for the assay; coin is false by weight, alloy or stamp. The usher and watchman's duties and the wages are given. The upper exchequer began at the Conquest on an overseas model, though some date it to the English kings, whose blanch farm Domesday never mentions; its judgments admit no contradiction, and the chief justiciar presides.

M. Licet, inquam; hoc modo de liberationibus
Master it-is-allowed I-say in-this way about the-liveries
servientum inferioris scaccarii, et de minutis necessariis
of-the-sergeants of-the-lower exchequer and about small necessaries
scaccarii emendis, qualia sunt vasa illa lignea, et alia,
of-the-exchequer to-be-bought such-as are vessels those wooden and other-things
de quibus infra dicetur, eorum fidei committitur; alias
about which below it-will-be-said to-their faith it-is-committed otherwise
autem non. Qui vero breve regis vel cartam detulerit pro
however not who but a-writ of-the-king or a-charter will-have-brought for
pecunia, praecipientibus dominis suis, hac ei lege solvatur
money with-commanding lords his on-this to-him condition let-be-paid
id quod expresse nominatur in brevi, ut antequam exeat,
that which expressly is-named in the-writ that before he-go-out
susceptam pecuniam numeret; quod si quid defuerit,
the-received money he-count but if anything will-have-been-lacking
redeat ad scaccarium is qui suscepit, et fidei religionem
let-him-return to the-exchequer he who received and of-faith the-sanctity
praestet sub hac forma: quod quantum suscepit reportavit,
let-him-offer under this form that as-much-as he-received he-has-brought-back
hoc apposito, secundum conscientiam suam, ut fit in
with-this added according-to conscience his as is-done in

aliis; et hoc facto, solvatur ei quod restat; numerata
other-things and with-this done let-be-paid to-him what remains counted
prius eadem coram omnibus a constitutis computatoribus. Si
first the-same before all by the-appointed tellers if
vero lege sibi proposita ostium thesauri egressus
but with-the-condition to-him proposed the-door of-the-treasury gone-out
fuerit; quaecunque fuerit persona, vel quantacunque
he-will-have whatever will-have-been the-person or however-great
jactura, non ei respondeatur. Militis argentarii et fusoris
the-loss not to-him let-it-be-answered of-the-knight silverer and of-the-melter
officia sibi videntur annexa, et ad superius scaccarium
the-offices to-each-other seem joined and to the-upper exchequer
magis pertinentia; et ob hoc ibidem cum ceteris officiis
more pertaining and for this there with the-other offices
explananda. Quatuor computatorum officium hoc est. Cum in
to-be-explained of-the-four tellers the-office this is when into
scaccarium numeranda pecunia mittitur, unus eorum diligenter
the-exchequer to-be-counted money is-put one of-them diligently
totam commiscet, ut non seorsum meliores et seorsum
the-whole mixes that not apart the-better and apart
deteriores sint, sed mixti, ut ponderi respondeant; quo
the-worse be but mixed that to-the-weight they-may-answer with-which
facto, camerarius ad libram scaccarii ponderat quantum
done the-chamberlain to the-pound of-the-exchequer weighs as-much-as
oportet in trutina. Quod si numerus xx. solidos plus quam
is-fitting in the-balance but if the-number 20 shillings more than
vi. nummis excreverit respectu librae, integra recipi
by-6 pennies will-have-exceeded in-respect of-the-pound whole to-be-received
dicitur: si vero vel ad vi. denarios vel infra se cohibet,
it-is-said if but either at 6 pennies or within itself it-keeps
suscipitur; et a computatoribus diligenter per centenos solidos,
it-is-received and by the-tellers diligently by hundreds of-shillings

ut praedictum est, numeratur. Si vero de firma sint denarii
as aforesaid is is-counted if but from the-farm be the-pennies
et sint examinandi, facta commixtione xliiii. solidorum de
and be to-be-assayed with-made mixing 44 shillings from
acervo in loculum seorsum mittuntur, et huic vicecomes
the-heap into a-purse apart are-put and on-this the-sheriff
signum apponit; ut ex hiis postmodum examen, quod vulgo
a-mark sets that from these afterward the-test which commonly
essayum dicitur, fiat, sicut ex consequentibus liquebit. Erit
assay is-called be-made as from what-follows will-be-clear it-will-be
autem curae eorum qui praesunt receptae gratia dominorum
moreover the-care of-those who preside-over the-receipt for-the-sake of-lords
suorum, hoc est, clerici thesaurarii et camerariorum,
their that is of-the-clerk of-the-treasurer and of-the-chamberlains
ut recepta pecunia seorsum mittant examinati argenti
that from-the-received money apart they-put of-assayed silver
pondera et denarios de firma, appositis quibusdam signis
the-weights and pennies from the-farm with-set certain marks
saccis eorum, ut si rex vasa argentea ad cultum
on-the-sacks of-them that if the-king vessels silver for the-worship
domus Dei, vel ad domus propriae obsequium, vel forte
of-the-house of-God or for of-house own the-service or perhaps
monetas transmarinas fieri voluerit, ex hiis fiant.
coins overseas to-be-made will-have-wished from these they-be-made
D. Est aliquid in praedictis quod me pulsat.
Disciple there-is something in the-aforesaid which me troubles
M. Dic ergo.
Master say then
D. Dixisti, si bene memini, quod ad scaccarium quandoque
Disciple you-said if well I-remember that to the-exchequer sometimes
differtur solvenda pecunia, quae judicatur indigna recipi,
is-deferred to-be-paid money which is-judged unworthy to-be-received

si scilicet pensata cum libra ponderis de scaccario, inventa
if namely weighed with the-pound of-weight of the-exchequer found
est minus habens ultra vi. denarios. Cum ergo quaelibet
it-is less having beyond 6 pennies since therefore every
moneta regni hujus impressam habere debeat regis
coin of-realm this stamped to-have ought of-the-king
imaginem, et ad idem pondus omnes monetarii teneantur
image and to the-same weight all moneyers are-bound
operari, qualiter fieri poterit ut non omne eorum
to-work how to-be-done will-it-be-able that not all their
opus ejusdem ponderis sit?
work of-the-same weight be
M. Magnum est quod quaeris, et alterius egens
Master great is what you-ask and of-another needing
inquisitionis, attamen fieri potest per falsarios et
inquiry but to-be-done it-can through forgers and
nummorum decurtatores vel detonsores. Noveris autem
of-coins clippers or shearers you-may-know moreover
monetam Angliae in tribus falsam deprehendi, in falso
the-coinage of-England in three-things false to-be-detected in false
scilicet pondere, in falsa lege, in falsa imagine. His tamen
namely weight in false alloy in false image to-these yet
falsitatibus par poena non debetur. Sed de hiis alias.
falsities equal penalty not is-owed but about these elsewhere
D. Si placet, prosequere de officiis, ut coepisti.
Disciple if it-pleases proceed about the-offices as you-began
M. Ad ostiarii curam spectat, ut excludat vel admittat
Master to of-the-usher the-care it-pertains that he-shut-out or admit
quod oportet, et diligens sit in custodia omnium quae
what is-fitting and diligent he-be in the-keeping of-all-things which
ostio concluduntur; unde et ratione ostii de singulis
by-the-door are-enclosed whence also by-reason of-the-door from each

brevibus exitus duos habet denarios. Hic ministrat forulos
writ of-issue two he-has pennies he supplies bags
ad pecuniam reponendam et rotulos, et taleas, et cetera
for money to-be-stored and rolls and tallies and other
necessaria per annum, et pro singulis forulis duos habet
necessaries through the-year and for each bag two he-has
denarios. Hic in omnem receptam ligna opportuna ministrat
pennies he for every receipt wood fit supplies
ad taleas receptae, et compotorum, et semel, hoc est,
for the-tallies of-receipt and of-accounts and once that is
in termino Sancti Michaelis, v. solidos pro lignis talearum
in the-term of-Saint Michael 5 shillings for the-wood of-the-tallies
percipit. Hic vascula lignea, cnipulos, loculos, et corrigias,
he-receives he little-vessels wooden knives purses and straps
et cetera minuta necessaria de fisco invenit. In termino
and other small necessaries from the-treasury finds in the-term
eodem pro incausto totius anni ad utrumque scaccarium ii.
the-same for ink of-the-whole year for each exchequer 2
solidi debentur, quos sibi de antiquo jure vendicat sacrista
shillings are-owed which for-himself from ancient right claims the-sacristan
majoris Ecclesiae Westmonasterii. Vigilis officium idem
of-the-greater Church of-Westminster of-the-watchman the-office the-same
est ibi quod alibi; diligentissima scilicet de nocte custodia,
is there as elsewhere most-diligent namely by night keeping
thesauri principaliter, et omnium eorum quae in domo
of-the-treasury chiefly and of-all those-things which in the-house
thesauri reponuntur. Sic habes omnium officia distincta, qui
of-the-treasury are-stored so you-have of-all the-offices distinguished who
inferius ministrant. Sunt et hiis liberationes constitutae
below serve there-are also for-these liveries fixed
dum scaccarium est, hoc est a die qua convocantur,
while the-exchequer is that is from the-day on-which they-are-summoned

usque ad diem qua generalis est secessio. Clericus
right to the-day on-which general is the-departure the-clerk
thesaurarii qui infra est, quinque denarios habet in die.
of-the-treasurer who below is five pennies has in the-day
Scriptor ejusdem thesaurarii in superiori scaccario similiter v.
the-scribe of-the-same treasurer in the-upper exchequer likewise 5
Scriptor cancellarii v. Duo milites bajuli clavium, quisque
the-scribe of-the-chancellor 5 the-two knights bearers of-the-keys each
in die viii., ratione militiae. Asserunt enim, quod equis
in the-day 8 by-reason of-knighthood they-assert for that with-horses
necessariis et armis instructi fore teneantur, ut cum
necessary and arms equipped to-be they-are-bound that with
thesauro missi, quod sui officii fuerit opportunius sic
the-treasure sent what of-their office will-have-been more-fittingly so
exequantur. Miles argentarius xii. denarios in die. Fusor v.
they-may-perform the-knight silverer 12 pennies in the-day the-melter 5
Ostiarius majoris scaccarii v. Quatuor computatores, quisque
the-usher of-the-greater exchequer 5 the-four tellers each
iii. denarios; si Londoniae fuerint; si Wintoniae, quia
3 pennies if at-London they-will-have-been if at-Winchester because
inde solent assumi, duos quisque habet. Vigil unum
thence they-are-wont to-be-taken two each has the-watchman one
denarium. Ad lumen cujusque noctis circa thesaurum, obolum.
penny for light of-each night around the-treasury a-halfpenny
D. Ostiarius thesauri, qua ratione liberationem solus
Disciple the-usher of-the-treasury by-what reason livery alone
non percipit?
not receives
M. Non satis novi. Sed tamen quia videtur aliquid
Master not enough I-know but yet because he-seems something
percipere ratione ostii, et pro forulorum et talearum
to-receive by-reason of-the-door and for of-bags and tallies

ministerio, liberationem forte non recipit; vel forte quia non
the-service livery perhaps not he-receives or perhaps because not
regi, sed magis thesaurario et camerariis servire videtur in
the-king but rather the-treasurer and the-chamberlains to-serve he-seems in
custodia ostii domus eorum. Hac lege minoris scaccarii
the-keeping of-the-door of-the-house of-them by-this law of-the-lesser exchequer
vel receptae ratio subsistit.
or receipt the-system stands

D. Sic mihi satisfactum est in hac parte ut nihil
Disciple so to-me satisfied it-is in this part that nothing
deesse videatur. Nunc ergo, si placet, prosequere de
to-be-lacking may-seem now therefore if it-pleases proceed about
majore.
the-greater

Quae sit auctoritas superioris, et unde sumpsit originem.
what be the-authority of-the-upper and whence it-took origin

M. Licet eorum qui ad scaccarium majus resident, officia
Master although of-those who at the-exchequer greater sit the-offices
quibusdam videantur proprietatibus esse distincta; unum
by-certain may-seem properties to-be distinguished one
tamen omnium officium est et intentio; ut regis utilitati
yet of-all the-office is and the-intention that of-the-king to-advantage
prospiciant; salva tamen aequitate secundum constitutas
they-look-out with-saved yet equity according-to the-established
leges scaccarii. Ejus autem ratio vel institutio cum ipsa
laws of-the-exchequer its moreover system or institution with the-very
temporis antiquitate, cum magnorum qui assident auctoritate,
of-time with-antiquity with of-the-great-men who sit-beside the-authority
roborata subsistit. Ab ipsa namque regni conquisitione
strengthened subsists from the-very for of-the-realm conquest
per regem Willelmum facta coepisse dicitur, sumpta tamen
by king William made to-have-begun it-is-said with-taken yet

ipsius ratione a scaccario transmarino: verum in plurimis
its system from the-exchequer overseas but in very-many
et pene majoribus dissident. Sunt etiam qui credunt usum
and almost greater-things they-differ there-are also who believe the-use
ejus sub regibus Anglicis exstitisse; hinc sumentes rei
its under kings English to-have-existed hence taking of-thing
hujus argumentum, quod coloni et jam decrepiti senes
this the-argument that the-tenants and already decrepit old-men
fundorum illorum qui coronae annominantur, quorum in
of-estates those which to-the-crown are-annexed whose in
hiis cana memoria est, optime noverint a patribus
these-things hoary memory is best know by fathers
suis edocti, quantum de albo firmae pro singulis libris
their taught how-much of blanch farm for each pound
solvere teneantur. Sed haec ratio cognitionis est de firmae
to-pay they-are-bound but this reason of-knowledge is about of-the-farm
solutione, non de scaccarii sessione. Videtur autem eis
the-payment not about of-the-exchequer the-session it-seems moreover them
obviare, qui dicunt album firmae a temporibus Anglicorum
to-oppose who say blanch farm from the-times of-the-English
coepisse, quod in libro judiciario in quo totius regni
to-have-begun that in the-book judicial in which of-the-whole realm
descriptio diligens continetur, et tam de tempore regis
a-description diligent is-contained and both of the-time of-king
Edwardi, quam de tempore regis Willelmi sub quo factus
Edward and of the-time of-king William under whom made
est, singulorum fundorum valentia exprimitur, nulla prorsus
it-is of-each estate the-value is-expressed no at-all
de albo firmae fit mentio: unde probabile videtur, quod
of blanch farm is-made mention whence probable it-seems that
facta illa descriptione tempore jam dicti regis de
with-made that description in-the-time already said of-the-king about

albo firmarum fuerit a studiosis ejus constitutum propter
blanch of-farms it-was by students his established on-account-of
causas, quae inferius annotantur. Quocunque vero tempore
causes which below are-noted at-whatever but time
coeperit usus ejus, certum est quod magnorum auctoritate
began the-use its certain it-is that of-great-men by-the-authority
roboratur; adeo ut nulli liceat statuta scaccarii
it-is-strengthened so-much that for-no-one it-be-allowed the-statutes of-the-exchequer
infringere, vel eis quavis temeritate resistere. Habet enim
to-infringe or them with-any rashness to-resist it-has for
hoc commune cum ipsa domini Regis Curia, in qua ipse
this in-common with the-very of-the-lord King the-Court in which he
in propria persona jura decernit, quod nec recordationi, nec
in own person rights decides that neither the-record nor
sententiae in eo latae licet alicui contradicere. Huic
the-sentence in it passed it-is-allowed for-anyone to-contradict to-this
autem curiae tam insignis auctoritas est, tum propter
moreover court so distinguished authority is both on-account-of
regiae imaginis excellentiam quae in sigillo ejus de
of-the-royal image the-excellence which in the-seal of-it from
thesauro individua lege servatur; tum propter eos qui
the-treasury by-inseparable law is-kept and on-account-of those who
assident, ut dictum est, quorum solertia totius regni status
sit-beside as said is whose by-skill of-the-whole realm the-state
indemnis servatur. Illic enim residet capitalis domini regis
unharmed is-kept there for sits the-chief of-the-lord king
Justicia, primus post regem in regno ratione fori, et
Justiciar first after the-king in the-realm by-reason of-jurisdiction and
majores quique de regno, qui familiarius regiis secretis
greater all of the-realm who more-intimately the-royal secrets
assistunt; ut quod fuerit sub tantorum praesentia
attend that what will-have-been under of-so-great-men the-presence

constitutum vel terminatum, inviolabili jure subsistat. Verum
established or determined by-inviolable right may-stand but
quidam ex officio, quidam ex sola jussione principis resident.
some by office some by sole command of-the-prince sit
Ex officio principaliter residet immo et praesidet primus in
by office chiefly sits nay and presides the-first in
regno, capitalis scilicet Justicia. Huic autem assident ex sola
the-realm the-chief namely Justiciar to-him moreover sit-beside by sole
jussione principis, momentanea scilicet et mobili auctoritate
command of-the-prince with-temporary namely and movable authority
quidam, qui majores et discretiores videntur in regno,
some who greater and more-discreet seem in the-realm
sive de clero sint sive de curia. Assident inquam ad
whether of the-clergy they-be or of the-court they-sit-beside I-say for
discernenda jura et dubia determinanda quae frequenter ex
distinguishing rights and doubts to-be-determined which often from
incidentibus quaestionibus oriuntur. Non enim in ratiociniis
incidental questions arise not for in reckonings
sed in multiplicibus judiciis excellens scaccarii scientia
but in manifold judgments the-excellent of-the-exchequer knowledge
consistit. Facile enim est, proposita summa quae exigitur,
consists easy for it-is with-proposed the-sum which is-demanded
et suppositis ad collationem ejus hiis quae soluta sunt,
and with-set-beside for comparison its those-things which paid are
per subtractionem discernere, si satisfactum est, vel si quid
by subtraction to-discern if satisfied it-is or if anything
restat. At cum coeperit multiplex inquisitio fieri de
remains but when will-have-begun manifold inquiry to-be-made about
hiis rebus, quae varie fisco proveniunt et diversis
these things which variously to-the-treasury come and in-diverse
modis requiruntur, et a vicecomitibus non eodem modo
ways are-required and by the-sheriffs not in-the-same way

perquiruntur, discernere si secus egerint, quibusdam
are-collected to-discern if otherwise they-will-have-done for-some
grave est, et ob hoc circa haec scientia scaccarii major
grave it-is and for this about these-things the-knowledge of-the-exchequer greater
esse dicitur. Dubiorum vero vel dubitalium judicia, quae
to-be is-said of-doubts but or doubtful-matters the-judgments which
frequenter emergunt, sub una tractatus serie comprehendi
often emerge under one of-treatise series to-be-comprehended
non valent; quia necdum omnia dubiorum genera in lucem
not are-able because not-yet all of-doubts kinds into light
prodierunt. Quaedam tamen ex hiis quae proposita vel
have-come-forth some yet of these which proposed or
determinata cognovimus, suis locis inferius annotabimus.
determined we-have-known in-their places below we-shall-note

Quid sit officium Praesidentis, et omnium illic ex officio residentium; et quae dispositio sedium

THE OFFICE OF THE PRESIDING JUSTICIAR AND THE CHANCELLOR

The presiding justiciar oversees both exchequers and may have the king's writs made under his own witness. The Master sets out the four benches and who sits on each. The chancellor keeps the royal seal, which leaves the treasury only for exchequer business, answers for the roll as the treasurer does, and may correct the treasurer if he errs, or argue it before the barons if he persists.

D. Quid est hujus tam excellentis sessoris officium?
Disciple what is of-this so excellent sitter the-office
M. Aliud verius attribui sibi non valet, nisi quod
Master other more-truly to-be-attributed to-him not can except that
omnibus quae inferiore vel superiore scaccario fuerint,
to-all-things which in-the-lower or upper exchequer will-have-been

hic prospicit et ad nutum ipsius quaelibet officia subjecta
here he-looks-to and at the-nod of-him any offices subject
disponuntur; sic tamen ut ad domini regis utilitatem juste
are-disposed so yet that to of-the-lord king advantage justly
proveniant. Hoc tamen inter cetera videtur excellens, quod
they-may-turn-out this yet among other-things seems excellent that
potest hic sub testimonio suo breve domini regis facere
he-can here under testimony his a-writ of-the-lord king to-make
fieri, ut de thesauro quaelibet summa liberetur, vel ut
to-be-made that from the-treasury any sum be-delivered or that
computetur alicui quod sibi ex domini regis mandato
be-reckoned to-anyone what to-him from of-the-lord king mandate
praenoverit computandum; vel si maluerit,
he-will-have-known-beforehand to-be-reckoned or if he-will-have-preferred
breve suum faciet sub aliorum testimonio de his rebus.
writ his he-will-make under of-others testimony about these things
D. Magnus est hic, cujus fidei totius regni cura,
Disciple great is he whose to-faith of-the-whole realm the-care
immo et cor regis committitur. Scriptum quippe est;
nay and the-heart of-the-king is-committed written indeed it-is
'ubi est thesaurus tuus, ibi est et cor tuum.' Sed jam
where is treasure your there is also heart your but now
si placet prosequere de ceteris.
if it-pleases proceed about the-others
M. Vis prosequar de ipsis secundum gradus
Master do-you-wish I-proceed about them according-to the-grades
dignitatum an secundum dispositionem sedium?
of-dignities or according-to the-arrangement of-seats

D. Secundum quod quisque ratione officii sui sedem
Disciple according-to what each by-reason of-office his seat
adeptus est. Facile enim erit ut credo ex officiis
obtained has easy for it-will-be as I-believe from the-offices
perpendere dignitates.
to-weigh the-dignities
M. Ut noveris quo ordine disponantur, scias ad quatuor
Master that you-may-know in-what order they-are-arranged know at four
scaccarii latera quatuor poni sedilia vel scanna. Ad
of-the-exchequer sides four to-be-placed seats or benches at
caput vero scaccarii, hoc est unde latitudo discernitur, in
the-head but of-the-exchequer that is whence the-width is-distinguished in
medio non sedilis sed scaccarii, locus est illius principalis
the-middle not of-a-seat but of-the-exchequer the-place is of-that chief-man
de quo supra diximus. In laeva ejus primo loco residet
about whom above we-have-spoken on the-left of-him in-first place sits
cancellarius ratione officii, si adesse eum contingat: post
the-chancellor by-reason of-office if to-be-present him it-happen after
hunc miles gregarius quem constabularium dicimus: post
him the-knight common whom constable we-call after
hunc duo camerarii, prior autem, qui intuitu provectioris
him the-two chamberlains first moreover he-who in-view of-more-advanced
aetatis venerabilior esse videbitur: post hos miles qui vulgo
age more-venerable to-be will-seem after these the-knight who commonly
dicitur marescallus: inseruntur tamen quandoque alii his
is-called marshal are-inserted yet sometimes others with-these
absentibus, vel forte eis praesentibus, si tanta scilicet
absent or perhaps with-them present if so-great namely
fuerit auctoritas eorum qui a rege destinantur, ut eis
will-have-been the-authority of-those who by the-king are-appointed that to-them
cedere debeant. Et haec est dispositio primi sedilis. In
to-yield they-ought and this is the-arrangement of-the-first seat in

secundo vero quod est ad latus longitudinis scaccarii, in
the-second but which is at the-side of-the-length of-the-exchequer at
primo capite residet clericus vel alius serviens camerariorum
the-first end sits the-clerk or other sergeant of-the-chamberlains
cum recautis, hoc est, cum contrataleis de recepta. Post
with the-counter-tallies that is with the-counter-tallies of the-receipt after
hunc interpositis quibusdam qui non ex officio resident
him with-placed-between certain-ones who not by office sit
sed sunt a rege missi, locus est quasi in medio lateris
but are by the-king sent the-place is as-if in the-middle of-the-side
scaccarii illi qui compotos positione ponit calculorum.
of-the-exchequer for-him who the-accounts by-the-placing places of-the-counters
Post hunc aliqui non ex officio, necessarii tamen. In fine
after him some not by office necessary yet at the-end
sedilis illius residet clericus qui scriptorio praeest; et hic
of-seat that sits the-clerk who over-the-scriptorium presides and he
ex officio. Sic habes secundi scanni dispositionem. Verum
by office so you-have of-the-second bench the-arrangement but
ad dextram praesidentis justiciarii residet primo loco nunc
at the-right of-the-presiding justiciar sits in-first place now
Wintoniensis Episcopus quondam Pictaviae Archidiaconus, non
of-Winchester the-Bishop formerly of-Poitiers Archdeacon not
ex officio quidem sed ex novella constitutione; ut scilicet
by office indeed but by recent ordinance that namely
proximus sit thesaurario, et scripturae rotuli diligenter
nearest be-be to-the-treasurer and to-the-writing of-the-roll diligently
intendat. Post hunc residet thesaurarius in capite secundae
attend after him sits the-treasurer at the-head of-the-second
sedis in dextra, cui diligentissima cura est per singula
seat on the-right to-whom most-diligent care is through every-thing
quae illic geruntur, quasi rationem de hiis omnibus
which there are-done as-if account about these-things all

si oportuerit reddituro. Post hunc residet clericus ejus,
if it-will-have-behooved about-to-render after him sits clerk his
scriptor rotuli de thesauro: post hunc alius scriptor rotuli
the-writer of-the-roll of the-treasury after him another writer of-the-roll
de cancellaria: post hunc clericus cancellarii, qui occulta
of the-chancery after him the-clerk of-the-chancellor who with-hidden
fide semper prospicit, ut rotulus suus alii per singula
faith always looks-out that roll his to-the-other in each-thing
respondeat, ut nec iota unum desit, nec alius sit ordo
may-answer that neither iota one be-lacking nor other be the-order
scribendi: post hunc quasi in fine sedilis illius residet clericus
of-writing after him as-if at the-end of-seat that sits the-clerk
constabularii, magnus quidem et officiosus in domini regis
of-the-constable great indeed and busy in of-the-lord king
curia, et hic quidem habens officium quod per seipsum
court and he indeed having an-office which through himself
vel per clericum discretum, si regi visus fuerit alias
or through a-clerk discreet if to-the-king seemed he-will-have elsewhere
magis necessarius, administrat. Et haec est descriptio tertiae
more necessary he-administers and this is the-description of-the-third
sedis. In quarto scanno, quod est oppositum justiciario, in
seat on the-fourth bench which is opposite to-the-justiciar at
capite residet Magister Thomas cognomine Brunus, cum
the-head sits Master Thomas by-surname Brown with
rotulo tertio qui ex novella constitutione, hoc est a domino
the-roll third who by recent ordinance that is by the-lord
rege nostro, additus est; quia scriptum est, 'funiculus triplex
king our added was because written it-is a-cord threefold
difficile solvitur.' Post hunc vicecomites et clerici sui, qui
with-difficulty is-loosed after him the-sheriffs and clerks their who

assident ad compotum cum taleis et aliis necessariis. Et
sit-beside for the-account with tallies and other necessaries and
haec est dispositio quartae sedis.
this is the-arrangement of-the-fourth seat
D. Scriptor Magistri Thomae nunquid sedem habet cum
Disciple the-writer of-Master Thomas surely-not a-seat has with
aliis scriptoribus sed super alios?
the-other writers but above others
M. Sedem quidem habet non cum aliis sed super alios.
Master a-seat indeed he-has not with others but above others
D. Quare sic?
Disciple why so
M. Cum enim sic dispositae essent sedes ab initio,
Master when for so arranged were the-seats from the-beginning
ut scriptor thesaurarii ad latus suum resideret, ne quid
that the-writer of-the-treasurer at side his should-sit lest anything
scriberetur, quod oculum ejus effugeret; et item scriptor
be-written which the-eye his should-escape and likewise the-writer
cancellariae ad latus scriptoris thesaurarii, ut fideliter
of-the-chancery at the-side of-the-writer of-the-treasurer that faithfully
exciperet quod ille praescribebat; et item clericus
he-might-take-down what he was-writing-first and likewise the-clerk
cancellarii necessario proximus esset illi scriptori, ne
of-the-chancellor necessarily nearest should-be to-that writer lest
posset errare; non superfuit locus in quo scriptor ille
he-could to-err not remained a-place in which writer that
resideret in serie scanni, sed datus est ei locus in
might-sit in the-row of-the-bench but given was to-him a-place on
eminenti, ut prospiciat et immineat scriptori thesaurarii
high that he-may-look-out and hang-over the-writer of-the-treasurer
qui primus scribit, et ab ipso quod oportet excipiat.
who first writes and from him what is-fitting may-take-down

D. Huic oculi lyncei necessarii essent, ne erraret;
Disciple to-him eyes of-a-lynx necessary would-be lest he-err
periculosus enim in hiis error dicitur.
dangerous for in these-things error is-said
M. Licet erret interdum in excipiendo, quia remotus
Master although he-may-err sometimes in taking-down because distant
est; tamen dum rotuli corriguntur facta omnium trium
he-is yet while the-rolls are-corrected with-made of-all three
collatione, facile erit errata corrigere.
comparison easy it-will-be errors to-correct
D. Satis hactenus dictum est de ordine sedentium. Nunc
Disciple enough hitherto said it-is about the-order of-the-sitters now
de eorum officiis, si placet, exsequere, incipiens a laeva
about their offices if it-pleases set-forth beginning from the-left
praesidentis.
of-the-presiding-one
Quid ad Cancellarium.
what to the-Chancellor
M. Cancellarius in ordine illo primus est: et sicut in curia
Master the-chancellor in order that first is and as in the-court
sic ad scaccarium magnus est: adeo ut sine ipsius consensu
so at the-exchequer great he-is so-much that without his consent
vel consilio nil magnum fiat, vel fieri debeat. Verum hoc
or counsel nothing great be-done or to-be-done ought but this
habet officium dum residet ad scaccarium; ad ipsum pertinet
he-has office while he-sits at the-exchequer to him pertains
custodia sigilli regii, quod est in thesauro, sed inde non
the-custody of-the-seal royal which is in the-treasury but thence not
recedit nisi cum praecepto Justitiae ab inferiore ad superius
it-withdraws except with the-command of-the-Justiciar from the-lower to the-upper
scaccarium a thesaurario vel camerario defertur, ad explenda
exchequer by the-treasurer or chamberlain it-is-carried for being-completed

solum negotia scaccarii. Quibus peractis in loculum mittitur,
only the-business of-the-exchequer with-which completed into a-purse it-is-put
et loculus a cancellario consignatur, et sic thesaurario
and the-purse by the-chancellor is-sealed and so to-the-treasurer
traditur custodiendus. Item, cum necesse fuerit,
is-handed-over to-be-kept likewise when necessary it-will-have-been
signatus sub omnium oculis cancellario offertur; nunquam ab
sealed under of-all the-eyes to-the-chancellor it-is-offered never by
ipso, vel ab alio alias offerendus. Item ad ipsum pertinet
him or by another otherwise to-be-offered likewise to him pertains
rotuli qui est de cancellaria custodia per suppositam
of-the-roll which is of the-chancery the-custody through a-substituted
personam; et sicut viris magnis visum est, de omni scriptura
person and as to-men great seemed it-has for all writing
rotuli cancellarius aeque tenetur ut thesaurarius, excepto
of-the-roll the-chancellor equally is-bound as the-treasurer except-for
duntaxat de hoc, quod scribitur in thesauro receptum: licet
only about this which is-written in the-treasury received although
enim non praescribat ut thesaurarius conscribit, tamen etsi
for not he-may-write-first as the-treasurer writes yet even-if
ille erraverit, licet ipsi vel clerico ejus thesaurarium
he will-have-erred it-is-allowed for-him or for-the-clerk his the-treasurer
cum modestia corripere, et quid debeat suggerere. Quod
with modesty to-correct and what he-ought to-suggest but
si thesaurarius perseveraverit, et mutare noluerit,
if the-treasurer will-have-persisted and to-change will-have-been-unwilling
poterit eum si de parte sua confidit tantum coram
he-will-be-able him if in side his he-trusts only before
baronibus arguere, ut ab eis quid fieri debeat judicetur.
the-barons to-accuse that by them what to-be-done ought be-judged

D. Verisimile etiam videtur custodem tertii rotuli
Disciple likely also it-seems the-keeper of-the-third roll
eadem scripturae lege constringi.
by-the-same of-writing law to-be-bound

THE CONSTABLE, THE CHAMBERLAINS, THE MARSHAL, AND THE TALLIES

The two rolls have equal authority because so it pleased their author. The constable witnesses writs of issue and reckons the soldiers' and huntsmen's wages; the chamberlains are joined in office with the treasurer; the marshal stores the tallies and writs in each county's bag and keeps defaulting debtors in custody. The chamberlains' sergeant cuts the tallies; the master describes the notches for a thousand pounds, a hundred, a score, a pound, a shilling and a penny, and the gold mark.

M. Non est verisimile tantum sed verum: par enim est
Master not it-is likely only but true equal for is
auctoritas illis duobus rotulis ratione scripturae; quia sic
the-authority for-those two rolls by-reason of-writing because so
placuit ejus auctori.
it-pleased its founder
Quid ad Constabularium.
what to the-Constable
Constabularii officium est ad scaccarium, ut in brevibus
of-the-constable the-office is at the-exchequer that in the-writs
regis de exitu thesauri vel de aliquibus computandis,
of-the-king about the-issue of-the-treasury or about some-things to-be-reckoned
his qui compotum faciunt simul cum praesidente testis
for-these who the-account make together with the-presiding-one witness
existat. In omnibus enim hujusmodi brevibus ex antiqua
be-stand in all for of-this-kind writs from ancient
institutione duos oportet conscribi testes. Item ejus officium
institution two it-behooves to-be-written witnesses likewise his office

est cum ad scaccarium stipendiarii regis venerint pro
is when to the-exchequer the-paid-soldiers of-the-king will-have-come for
stipendiis suis, sive sint residentes in castris regis sive
wages their whether they-be residing in the-castles of-the-king or
non, assumpto secum clerico constabulariae, cujus est terminos
not with-taken himself the-clerk of-the-constabulary whose it-is the-terms
eorum nosse, et marescallo scaccarii, computet eorum
of-them to-know and the-marshal of-the-exchequer let-him-reckon their
liberationes, et de retractis fidem suscipiat, et residuum
liveries and about things-withheld faith let-him-receive and the-remainder
solvi faciat. Omnis enim liberatio quorumcunque, sive
to-be-paid let-him-cause every for livery of-any either
accipitrariorum sive falconariorum sive bernariorum, ad
of-hawkers or of-falconers or of-houndsmen to
officium ejus spectat, si praesens fuerit; nisi forte
office his pertains if present he-will-have-been unless perhaps
dominus rex ad idem aliquem prius assignaverit: quia
the-lord king to the-same someone before will-have-assigned because
constabularius a rege non facile potest avelli, propter
the-constable from the-king not easily can to-be-torn-away on-account-of
majora et magis urgentia. Notandum vero quod marescallus
greater-things and more urgent to-be-noted but that the-marshal
scaccarii de liberationibus residentium militum percipit
of-the-exchequer from the-liveries of-residing knights receives
quod ad eum pertinet ratione officii sui; de commeantibus
what to him pertains by-reason of-office his from the-traveling
autem non. Item huic cum aliis magnis commune est, ut
but not likewise to-him with other great-men common it-is that
nihil magnum eo inconsulto fieri debeat.
nothing great with-him unconsulted to-be-done ought

Quid ad Camerarios.

what to the-Chamberlains

Camerariorum officium annexum est officio thesaurarii,

of-the-chamberlains the-office joined is to-the-office of-the-treasurer

quia uno et eodem praetextu honoris vel dispendii militare

because by-one and the-same pretext of-honor or of-loss to-serve

noscuntur; et est eis idem velle ad honorem regis,

they-are-known and there-is for-them the-same to-wish for the-honor of-the-king

adeo ut quod ab uno factum fuerit, a nullo eorum

so-much that what by one done will-have-been by none of-them

dicatur infectum. Thesaurarius enim pro se et pro eis

be-said undone the-treasurer for for himself and for them

suscipit compotos, et secundum qualitates exactorum

receives the-accounts and according-to the-qualities of-the-things-exacted

verba ministrat in scripturam rotuli, in quibus omnibus

the-words supplies for the-writing of-the-roll in which all

pari jure societatis obligantur, et sic de aliis quae vel

by-equal right of-partnership they-are-bound and so about other-things which either

ab hoc, vel ab hiis, salva fide domini regis, fiunt, sive

by this-one or by these with-saved faith of-the-lord king are-done whether

in scriptis, sive in receptis, sive in taleis, sive in expensis.

in writings or in receipts or in tallies or in expenses

Quid ad Marescallum.

what to the-Marshal

Marescalli cura est taleas debitorum quas vicecomes

of-the-marshal the-care is the-tallies of-debts which the-sheriff

reddiderit, quae tamen annotantur in rotulo, mittere

will-have-rendered which yet are-noted in the-roll to-put

seorsum in forulo suo: brevia quoque regia de computandis,

apart in bag his the-writs also royal about things-to-be-reckoned

vel perdonandis, vel dandis, his quae exiguntur a

or to-be-pardoned or to-be-given for-those which are-demanded from

vicecomite per summonitionem. Illi vero forulo superscriptio
the-sheriff by summons on-that but bag the-superscription
comitatus, cujus haec sunt, apponitur, et singulis
of-the-county whose these-things are is-set and for-each
comitatibus singulos oportet forulos, a vicecomite qui
county one it-behooves bags by the-sheriff who
computat, marescallo ministrari.
reckons to-the-marshal to-be-supplied

D. Est hic aliquid quod me movet.
Disciple there-is here something which me moves

M. Satis praesensi. Sustine tamen modicum. Plana enim
Master enough I-have-foreseen bear yet a-little plain for
erunt omnia ex consequentibus. Item si quis debitor non
will-be all-things from what-follows likewise if any debtor not
satisfaciens de summonitione meruerit comprehendi,
satisfying concerning the-summons will-have-deserved to-be-seized
huic traditur servandus, et soluto scaccario illius diei,
to-him he-is-handed-over to-be-kept and with-dissolved the-exchequer of-that day
si voluerit, mittet eum in carcerem custodiae publicae,
if he-will-have-wished he-will-send him into the-prison of-custody public
non tamen vinculabitur vel in ima trudetur, sed seorsum
not yet he-will-be-fettered or into the-lowest will-be-thrust but apart
vel supra carcerem, licet enim solvendo non sit, tamen ob
or above the-prison although for solvent not he-be yet for
hoc non meruit sceleratis deputari; ita tamen si miles
this not he-has-deserved to-the-wicked to-be-assigned so yet if a-knight
non fuerit; de militibus namque pro pecunia retentis,
not he-will-have-been about knights for for money held
illustris regis constitutio est, quae infra annotabitur in
of-the-illustrious king the-ordinance is which below will-be-noted in
agendis vicecomitis. Item ad hunc spectat, ut peracto
the-business of-the-sheriff likewise to him pertains that with-completed

compoto vicecomitis, vel custodis, vel cujuscunque personae
the-account of-the-sheriff or of-the-keeper or of-whatever person
qui ad compotum residet, fidem ab ipso suscipiat in publico,
who for the-account sits faith from him he-receive in public
quod legitimum compotum secundum conscientiam suam
that a-lawful account according-to conscience his
fecerit. Si vero vicecomes, vel qui computavit, aliquo debito
he-has-made if but the-sheriff or he-who reckoned by-some debt
tenetur, addet quod a scaccario, hoc est, a leugata
is-bound he-will-add that from the-exchequer that is from the-league
villae, in qua est, non discedet, nisi ipsa die rediturus,
of-the-town in which it-is not he-will-depart unless on-that day about-to-return
sine licentia baronum. Item hic factas summonitiones contra
without the-license of-the-barons likewise he made summonses against
terminum alterius scaccarii a latere sigilli regii signatas
the-term of-the-next exchequer at the-side of-the-seal royal sealed
sub numero suscipiet, et ostiario superioris scaccarii per
under number will-receive and to-the-usher of-the-upper exchequer by
manum suam distribuet, per Angliam deferendas. Sic habes
hand his will-distribute through England to-be-carried so you-have
eorum, qui in primo scanno resident, officia distincta.
of-those who on the-first bench sit the-offices distinguished
Quid ad Factorem Talearum.
what to the-Maker of-Tallies
In capite vero secundae sedis primus est serviens camerariorum,
at the-head but of-the-second seat first is the-sergeant of-the-chamberlains
clericus seu laicus, cujus officium paucis expediri
cleric or lay whose office in-few-words to-be-dispatched
potest, verbo tamen non opere. Hic taleas de thesauro
can in-word yet not in-deed he tallies from the-treasury
contra vicecomitem, vel eum qui computat, ministrat, et,
against the-sheriff or him who reckons supplies and

cum oportuerit, secundum quod ratio computationis
when it-will-have-behooved according-to what the-reckoning of-the-account
exegerit, mutat, vel minuit, vel addit in talea, apposita
will-have-required he-changes or diminishes or adds on the-tally with-set
eidem contratalea vicecomitis. Quo facto in termino
to-the-same the-counter-tally of-the-sheriff with-which done in the-term
Paschae, longiorem vicecomiti reddit iterum in termino Sancti
of-Easter the-longer to-the-sheriff he-returns again in the-term of-Saint
Michaelis afferendam. In termino vero Sancti Michaelis, cum
Michael to-be-brought in the-term but of-Saint Michael when
in rotulo summa ejus scripto fuerit deputata, tradit
in the-roll the-sum its in-writing will-have-been assigned he-hands-over
eandem longiorem marescallo, in forulo suo reponendam.
the-same longer-one to-the-marshal in bag his to-be-stored
D. Miror, quod dixisti taleam semel compoto ablatam
Disciple I-wonder that you-said the-tally once from-the-account taken-away
iterum alii compoto offerendam.
again to-another account to-be-offered
M. Noli mirari; quoniam quaecunque exacta, vel soluta
Master do-not wonder since whatever demanded or paid
fuerint a vicecomite in termino Paschae, necesse est
will-have-been by the-sheriff in the-term of-Easter necessary it-is
iterato summoneri; non tamen ut secundo solvatur quod
again to-be-summoned not yet that a-second-time be-paid what
jam solutum fuerit, sed ut offerant se compoto,
already paid will-have-been but that they-offer themselves to-the-account
et oblata talea solutionis jamdudum factae redigatur in
and with-offered the-tally of-payment long-since made it-be-brought into
scripturam rotuli; et sic absolvatur a debito. Dum enim
the-writing of-the-roll and so he-be-absolved from the-debt while for

taleam penes se habuerit, liberatus non erit, sed
the-tally in-possession-of himself he-will-have-had freed not he-will-be but
semper summonendus.
always to-be-summoned
D. Et haec necessaria visa sunt; sed prosequere, si
Disciple also these-things necessary seemed have but proceed if
placet, de officiis.
it-pleases about the-offices
M. Immo quia de taleis mentionem fecimus, quo
Master nay because about tallies mention we-have-made in-what
ordine taleandi ratio consistat, paucis adverte. Talearum
order of-tallying the-system consists in-few-words attend of-tallies
igitur alia est, quae simpliciter talea dicitur; alia, quam
therefore one-kind is which simply a-tally is-called another which
memorandam nuncupamus. Legitimae vero taleae longitudo
memorandum we-name of-a-lawful but tally the-length
a summitate indicis usque ad summitatem extenti
from the-tip of-the-forefinger right to the-tip of-the-extended
pollicis est: illic terebro modico perforatur. Memoranda vero
thumb is there with-a-gimlet small it-is-pierced the-memorandum but
quae de firma blanca semper fieri solet, paulo brevior
which for the-farm blanch always to-be-made is-wont a-little shorter
est; quia facto essayo, per quod firma dealbatur, prima
is because with-made the-assay through which the-farm is-blanched first
illa confringitur, et apposita sibi talea combustionis taleae
that is-broken and with-set to-it the-tally of-burning of-a-tally
longitudinem tunc primo meretur. Hac autem ratione fit
the-length then first it-deserves in-this moreover way is-made
incisio. In summo ponunt M. libr.; sic ut incisio ejus
the-cutting at the-top they-put 1000 pounds so that the-cutting its
spissitudinis palmae capax sit; C. l. ut pollicis; xx. l.
of-the-thickness of-the-palm capable be 100 pounds as of-the-thumb 20 pounds

ut auricularis; librae unius incisio quasi grani hordei
as of-the-little-finger of-a-pound of-one the-cutting as-if of-a-grain of-barley
tumentis; solidi vero minus; sic tamen ut ex concisionibus
swelling of-a-shilling but less so yet that from the-cuttings
loco vacuato modicus ibi sulcus fiat; denarius facta
with-place emptied a-small there groove be-made a-penny with-made
incisione nullo dempto signatur. Ex qua vero parte
a-cut with-nothing removed is-marked from which but side
millenarius inciditur, alium non pones numerum; nisi forte
a-thousand is-cut another not you-will-put number unless perhaps
mediam ejus partem; sic ut mediam similiter incisionis ejus
the-half its part so that the-half likewise of-the-cutting its
partem demas, et infra constituas. Sic si C. l. incisurus
part you-remove and below place so if 100 pounds about-to-cut
est, et non sit tibi millenarius, facies sic; et de xx. l.
he-is and not be for-you a-thousand you-will-do thus and of 20 pounds
sic; et de xx. sol. quos libram dicimus. Quod si multi
thus and of 20 shillings which a-pound we-call but if many
millenarii, vel centenarii, vel vigenae librarum incidendae sunt,
thousands or hundreds or scores of-pounds to-be-cut are
lex eadem servetur, ut ex patentiore parte ejusdem taleae,
the-law same be-kept that on more-open side of-the-same tally
hoc est, quae directe tibi proponitur, facta annotatione
that is which straight to-you is-set-before with-made notation
major numerus, ex altera vero minor incidatur; ex patentiore
the-greater number on the-other but the-lesser be-cut on more-open
vero parte semper est major numerus in summo, ex minus
but side always is the-greater number at the-top on less
patente semper minor, hoc est denarii. Marcae argenti ad
open always the-lesser that is the-pennies of-a-mark of-silver at
scaccarium incisio sola significativa non est; sed per solidos
the-exchequer the-cutting alone significant not is but by shillings

designatur. Marcam autem auri in medio taleae, sicut
is-marked a-mark however of-gold in the-middle of-the-tally as
libram unam incidas. Aureum vero unum non prorsus ut
a-pound one you-may-cut a-gold-piece but one not wholly as
argenteum, sed ducto directe incidentis cultello per
a-silver-one but with-drawn straight of-the-one-cutting the-knife through
medium taleae, non obliquando sicut fit in argenteo. Sic
the-middle of-the-tally not by-slanting as is-done in the-silver so
igitur ipsa locorum dispositio et incisionis differentia, quid
therefore itself of-places the-arrangement and of-the-cutting the-difference what
aureum vel quid sit argenteum, utrumque determinat. Ceterum
gold or what be silver each determines for-the-rest
opportunius haec omnia visu quam verbo cognosce.
more-fittingly these-things all by-sight than by-word learn

THE CALCULATOR, THE SCRIPTORIUM, AND THE BISHOP OF WINCHESTER

The calculator sets counters on the cloth's columns from pence to thousands and subtracts what is paid from what is owed. The disciple sees men's fortunes in a counter that means now a penny, now a thousand; the master finds mysteries in the whole exchequer. The clerk of the scriptorium finds the scribes. The bishop of Winchester sits by the treasurer to watch the roll; the master explains his Tricolumnis, a youthful history of Henry II's reign; the disciple asks if this slights the treasurer.

D. Quod de his restat oculata fide constabit. Nunc
Disciple what about these remains by-eyewitness faith will-be-established now
si placet de officiis prosequere.
if it-pleases about the-offices proceed

M. Post hunc, ut supra diximus, interpositis viris aliquibus
Master after him as above we-said with-placed-between men some
discretis a rege missis, residet is qui ex praecepto regis
discreet by the-king sent sits he who by order of-the-king
computationes facit positione numerorum pro calculis. Officium
the-computations makes by-the-placing of-numbers for counters the-office
quidem satis perplexum est et laboriosum; et sine eo vix
indeed quite intricate is and laborious and without it scarcely
vel nunquam scaccarii ratio posset expediri; sed nulli
or never of-the-exchequer the-system could to-be-dispatched but for-no-one
illic residenti convenit ex officio, nisi cui rex vel Justitia
there sitting it-belongs by office except to-whom the-king or the-Justiciar
mandaverit exsequendum. Laboriosum inquam; quia cetera
will-have-commanded to-be-performed laborious I-say because the-other
officia lingua vel manu; haec hiis duobus explentur; sed
offices by-tongue or by-hand these by-these two are-fulfilled but
in hoc, 'lingua, manus, oculi, mens indefessa laborant.'
in this tongue hand eyes mind unwearied labor
Quid ad Calculatorem.
what to the-Calculator
Hujus autem haec est ratio. Secundum consuetum cursum
of-this moreover this is the-system according-to the-customary course
scaccarii non legibus arismeticis. Memoriter, ut credo,
of-the-exchequer not by-laws arithmetical from-memory as I-believe
dixisse me retines, scaccario superponi pannum virgis
to-have-said me you-retain on-the-exchequer to-be-laid a-cloth with-rods
distinctum, in cujus interstitiis numerales acervi collocantur.
marked in whose interstices numerical heaps are-placed
Porro calculator in medio lateris residet, ut pateat
further the-calculator in the-middle of-the-side sits that he-may-be-open
omnibus, et ut liberum habeat ministra manus excursum.
to-all and that free he-may-have of-the-serving hand the-movement

Statuit autem ad dextram in spatio inferiore acervum
he-sets moreover on the-right in the-space lower a-heap
nummorum ab xi. et infra; in secundo solidorum a
of-pennies from 11 and below in the-second of-shillings from
xix. et infra; in tertio vero librarum. Et hic quidem ipsi
19 and below in the-third but of-pounds and this indeed to-him
recta fronte debet opponi, quia medius est in consuetis
with-straight front ought to-be-opposite because middle it-is in the-customary
compotis vicecomitis; in quarto acervus est vigenarum; in
accounts of-the-sheriff in the-fourth the-heap is of-scores in
quinto centenarum; in sexto millenarum; in septimo, sed
the-fifth of-hundreds in the-sixth of-thousands in the-seventh but
raro, decem mille librarum; raro inquam, hoc est, cum a
rarely of-ten thousand pounds rarely I-say that is when by
rege vel mandato ejus, a magnis regni compotus a
the-king or by-the-mandate his by the-great-men of-the-realm the-account from
thesaurario et camerariis regni totius receptae suscipitur.
the-treasurer and chamberlains of-the-realm of-the-whole receipt is-received
Licet autem calculatori pro decem solidis argenteum, pro
it-is-allowed moreover for-the-calculator for ten shillings a-silver-piece for
decem vero libris obolum aureum, apponere, ut compotus
ten but pounds a-halfpenny gold to-place that the-account
expeditius fiat. Cavendum vero est, ne manus praeambula
more-quickly be-done to-be-guarded-against but it-is lest the-hand going-ahead
linguam praeveniat, vel e converso; sed simul qui computat,
the-tongue forestall or from the-reverse but together he-who reckons
et calculum mittat et numerum designet, ne sit error
both the-counter may-put and the-number may-mark lest there-be error
in numero. Deposita igitur per acervos summa quae a
in the-number with-deposited therefore by heaps the-sum which from
vicecomite requiritur, disponuntur infra similiter per acervos,
the-sheriff is-required are-arranged below likewise by heaps

quae soluta fuerint, vel in thesauro vel alias. Quod si
the-things-which paid will-have-been either in the-treasury or elsewhere but if
fuerit firma numero quae ab ipso requiritur, vel quodlibet
it-will-have-been a-farm by-number which from him is-required or any
aliud debitum cui solo possit numero satisfieri, simplex
other debt to-which by-sole can number to-be-satisfied simple
fiet detractio inferioris a superiore summa, et de
will-be-made the-subtraction of-the-lower from the-upper sum and for
residuo tenebitur; secus autem fiet si firmam blancam
the-residue he-will-be-held otherwise however it-will-be-done if a-farm blanch
sit soluturus, quod in agendis vicecomitis plenius ostenditur.
he-be about-to-pay which in the-business of-the-sheriff more-fully is-shown

D. Parce parumper currenti calamo ut liceat paucis
Disciple spare for-a-little the-running pen that it-be-allowed a-few-words
uti.
to-use

M. Ad aleam resides, nec sunt tibi verba neganda.
Master at the-dice you-sit nor are to-you words to-be-denied

D. Videre mihi videor fieri posse ratione calculandi,
Disciple to-see to-me I-seem to-be-done to-be-able by-the-system of-calculating
ut idem denarius pro calculo missus, nunc nummum, nunc
that the-same penny for a-counter put now a-penny now
solidum, nunc libram, nunc centum, nunc mille significet.
a-shilling now a-pound now a-hundred now a-thousand may-signify

M. Sic est, quibusdam tamen appositis; itemque fieri
Master so it-is with-certain-things yet added and-likewise to-be-done
potest eisdem demptis si calculatori placeat, ut qui
it-can with-the-same removed if to-the-calculator it-please that what
mille significat gradatim descendens unum significet.
a-thousand signifies by-degrees descending one may-signify

D. Sic fit ut quivis de plebe, cum homo sit et aliud
Disciple so it-happens that anyone of the-commons since a-man he-is and other
esse non possit, temporalibus appositis voluntate praesidentis
to-be not can with-temporal-things added by-the-will of-the-presiding-one
ab imo conscendat in summum, ac deinceps fortunae
from the-bottom may-climb to the-top and thereafter of-fortune
lege servata retrudatur in imum, manens quod fuerat, licet
with-law kept be-thrust-back to the-bottom remaining what he-had-been although
videatur ratione dignitatis et status a se sibi mutatus.
he-may-seem by-reason of-dignity and of-estate from himself to-himself changed
M. Noscis, quod sermo tuus non capit in omnibus;
Master you-know that speech your not holds in all-things
verum quicquid aliis videatur, mihi satis placet, quod
truly whatever to-others it-may-seem to-me enough it-pleases that
ex hiis alia conjicis; in mundanorum vero
from these-things other-things you-infer among of-worldly-things but
tribulis mystici intellectus flores quaerere laudabile est.
the-thorns of-mystical understanding the-flowers to-seek praiseworthy it-is
Nec in hiis tantum quae commemoras, sed in tota
nor in these-things only which you-mention but in the-whole
scaccarii descriptione sacramentorum quaedam latibula
of-the-exchequer description of-sacraments certain hiding-places
sunt. Officiariorum namque diversitas; judiciariae potestatis
there-are of-the-officers for the-diversity of-judicial power
auctoritas; regiae imaginis impressio; citationum emissio;
the-authority of-the-royal image the-impression of-summonses the-issuing
rotulorum conscriptio; villicationum ratio; debitorum exactio;
of-rolls the-writing of-stewardships the-account of-debts the-exaction
reorum condempnatio vel absolutio; districti examinis figura
of-the-guilty the-condemnation or absolution of-the-strict examination a-figure
sunt, quod revelabitur cum omnium libri aperti erunt et
are which will-be-revealed when of-all the-books opened will-be and

janua clausa. Sed de his hactenus. Nunc prosequamur
the-door shut but about these-things hitherto now let-us-proceed
de officiis; post hunc qui calculis inservit, primus residet
about the-offices after him who the-counters serves first sits
ex officio clericus qui praeest regis scriptorio.
by office the-clerk who presides-over of-the-king scriptorium
Quid ad Clericum qui praeest scriptorio.
what to the-Clerk who presides-over the-scriptorium
Ad hunc pertinet scriptores idoneos ad rotulum cancellariae,
to him it-pertains writers fit for the-roll of-the-chancery
et ad brevia regis quae in scaccario fiunt, nec non ad
and for the-writs of-the-king which in the-exchequer are-made nor not for
summonitiones conscribendas, invenire, et ut bene fiant
the-summonses to-be-written to-find and that well they-be-made
prospicere; quae quidem officia, licet paucis exprimantur
to-look-to which indeed offices although in-few be-expressed
verbis, infinitis tamen vix expleri possunt laboribus;
words with-infinite yet scarcely to-be-fulfilled they-can labors
quod norunt hii, qui haec ipsa rerum experientia
which know those who these-things by-very of-things experience
didicerunt. Sic habes officia dispositorum in secundo sedili.
have-learned so you-have the-offices of-those-arranged on the-second seat
Quid ad Pictavensem Archdiaconum nunc Wintoniensem
what to the-Poitiers Archdeacon now of-Winchester
Episcopum.
Bishop
D. Si bene memini, primus ad dextram praesidentis
Disciple if well I-remember first at the-right of-the-presiding-one
residet Wintoniensis Episcopus, cujus officium in scaccario
sits of-Winchester the-Bishop whose office in the-exchequer

vellem protinus expediri. Magnus enim est et nisi
I-would-wish forthwith to-be-dispatched great for he-is and except
magnis occupari non debeat.
with-great-things to-be-occupied not he-ought
M. Magnus est proculdubio; et magnis intentus
Master great he-is without-doubt and with-great-things busied
in multa distrahitur, sicut in Tricolumni plenius est
into many-things he-is-drawn as in the-Tricolumnis more-fully it-is
ostensum. Hic autem tempora promotionis, dum paulo
shown he moreover in-the-times of-promotion while a-little
inferior in regis curia militaret, visus est fide et
lower in of-the-king court he-served seemed he-was by-faith and
industria regis negotiis necessarius, et in computationibus
industry of-the-king for-business necessary and in computations
atque in rotulorum et brevium scripturis satis alacer et
and in of-rolls and of-writs the-writings quite eager and
officiosus. Unde datus est ei locus ad latus thesaurarii,
dutiful whence given was to-him a-place at the-side of-the-treasurer
ut scilicet scripturae rotulorum et hiis omnibus cum
that namely to-the-writing of-the-rolls and to-these all-things with
ipso intenderet. Thesaurarius quidem tot et tantis
him he-might-attend the-treasurer indeed by-so-many and so-great
curis et sollicitudinibus per omnia distrahitur, ut fas
cares and anxieties through all-things is-drawn-apart that right
sit interdum tanto operi subrepere somnum. In humanis
it-be sometimes on-so-great a-work to-steal sleep in human
autem actionibus vix aliquid est usquequaque perfectum.
moreover actions scarcely anything is in-every-way perfect
D. Quid est quod dicis? nec enim novi quid sit
Disciple what is it-that you-say nor for I-know what may-be
Tricolumnis.
Tricolumnis

M. Libellus quidem est a nobis utcunque tempore juventutis
Master a-little-book indeed it-is by us somehow in-the-time of-youth
editus, de tripartita regni Angliae historia, sub illustri
published about the-tripartite of-the-realm of-England history under the-illustrious
Anglorum rege Henrico secundo; quem quia per tres
of-the-English king Henry second which because through three
columnas per universum digessimus, diximus Tricolumnum.
columns through the-whole we-arranged we-called Tricolumnis
In prima quidem de ecclesiae Anglicanae negotiis plurimis,
in the-first indeed about of-the-church English affairs very-many
et de nonnullis rescriptis sedis apostolicae. In secunda
and about some rescripts of-the-see apostolic in the-second
vero de insignibus praedicti regis gestis, quae fidem
but about the-notable of-the-aforesaid king deeds which belief
humanam excedunt. In tertia vero de pluribus negotiis tam
human exceed in the-third but about many affairs both
in publicis quam in familiaribus, necnon in curiae judiciis,
in public and in private and-also in of-the-court judgments
agitur. Hic si forte in manus tuas inciderit, cave ne
it-is-treated this if perhaps into hands your it-will-have-fallen beware lest
te effugiat; utilis enim poterit futuris esse temporibus et
you it-escape useful for it-will-be-able to-future to-be times and
jocundus his, qui de regni statu sub praedicto principe
pleasant to-those who about of-the-realm the-state under the-aforesaid prince
solliciti fuerint. Hic enim rex licet atavis regibus
anxious will-have-been this for king although from-ancestral kings
editus fuerit, et per longa terrarum spatia triumphali
born he-was and through long of-lands spaces by-triumphal
victoria suum dilataverit imperium; majus tamen est, quod
victory his he-extended empire greater yet is that

prodigum in se famae titulum strenuis actibus superavit.
the-lavish on himself of-fame title by-strenuous acts he-surpassed
Sed de his hactenus. Nunc coepta negotia prosequamur.
but about these-things hitherto now the-begun business let-us-pursue
D. Esto, si sic placet. Salva sit igitur reverentia thesaurarii:
Disciple be-it if so it-pleases saved be therefore the-reverence of-the-treasurer
hic videtur ejus dignitati derogatum, quia non est soli
here it-seems his from-dignity detracted because not it-is to-the-sole
fidei ipsius per omnia creditum.
faith his through all-things entrusted

THE TREASURER AND HIS SCRIBE

The master answers that so many great men sit to honor the king, not from distrust. The treasurer dictates the roll, which none may change after the session but the king. His scribe writes rolls of sheepskin in a fixed order: the county's farm, alms, tithes, liveries, and lands given, then the writs, purprestures and escheats, the debts, and fugitives' chattels. Farms are of manors and fixed; cens are of woods, which rise and fall. An error is struck through with a line, never scraped.

M. Absit; immo magis sic ejus laboribus parcitur et
Master far-be-it nay rather so his labors are-spared and
indemnitati providetur; non enim quod vel ipsi vel alii
to-(his)-indemnity it-is-provided not for because either to-him or to-another
non creditur, tot et tanti resident ad scaccarium: sed
not it-is-entrusted so-many and so-great sit at the-exchequer but
quia rebus magnis et regni negotiis sub tanto principe
because to-things great and of-the-realm to-business under so-great a-prince
decet magnos ac multos deputari, non tamen ut utilitati
it-befits great-men and many to-be-deputed not yet that to-advantage
prospiciant, sed excellentiae et honori regis deserviant.
they-may-look-to but to-the-excellence and honor of-the-king they-may-be-devoted

D. Prosequere, si placet, de officiis.
Disciple proceed if it-pleases about the-offices
Quid ad Thesaurarium.
what to the-Treasurer
M. Officium thesaurarii, vel cura vel sollicitudo ipsius vix
Master the-office of-the-treasurer or the-care or anxiety of-him scarcely
explicari posset verbis, etiamsi esset mihi calamus scribae
to-be-unfolded could in-words even-if there-were to-me the-pen of-a-scribe
velociter scribentis. In omnibus enim et per omnia, quae
swiftly writing in all for and through all-things which
vel in inferiori scaccario vel in superiori geruntur, ipsius
either in the-lower exchequer or in the-upper are-done his
sollicita diligentia necessaria est. Ex praedictis tamen magna
anxious diligence necessary is from the-aforesaid yet great
ex parte constare potest, in quibus amplior sit ejus
from part to-be-established it-can in which-things fuller be his
cura, adeo ut ab hiis avelli non possit manente
care so-much that from these to-be-torn-away not he-can with-remaining
scaccario; in recipiendis scilicet compotis vicecomitum, et
the-exchequer in being-received namely the-accounts of-the-sheriffs and
in scriptura rotuli. Ipse namque ministrat verba secundum
in the-writing of-the-roll he for supplies the-words according-to
qualitatem negotiorum in scripturam rotuli sui, a quo
the-quality of-the-business for the-writing of-roll his from which
postmodum illud idem excipitur ab aliis rotulis, sicut supra
afterward that same is-taken-down by the-other rolls as above
dictum est; et cavendum est ipsi, ne vel in numero,
said it-is and to-be-guarded-against it-is by-him lest either in the-number
vel in causa, vel in persona sit error, ne absolvatur
or in the-cause or in the-person there-be error lest be-absolved
qui quietus non est, vel rursus conveniatur qui meruit
he-who quit not is or again be-sued he-who has-deserved

absolvi. Tanta namque rotuli ejus auctoritas est, ut nulli
to-be-absolved so-great for of-roll his the-authority is that for-none
liceat ei contradicere vel mutare; nisi forte tam manifestus
it-be-allowed it to-contradict or to-change unless perhaps so manifest
error fuerit, ut omnibus pateat: neque tunc nisi de
the-error will-have-been that to-all it-lie-open nor then except by
communi consilio omnium baronum mutari debet, et
common counsel of-all the-barons to-be-changed it-ought and
ipsis praesentibus cum adhuc scilicet scaccarium illius diei
with-them present while still namely the-exchequer of-that day
perseverat: scripturam vero rotuli praeterito anno factam, vel
continues the-writing but of-the-roll in-past year made or
etiam hujus anni exstantis, post solutum scaccarium nulli
even of-this year standing after the-dissolved exchequer to-no-one
mutare licet nisi regi, cui super his licent
to-change it-is-allowed except to-the-king to-whom about these-things are-allowed
quaecunque libent. Item ad eum spectat, ut ad omnia magna
whatever-things please likewise to him it-pertains that for all great
negotia cum superioribus assumatur, et nil eum lateat.
business with the-superiors he-be-taken and nothing him escape
Quid ad Scriptorem Thesaurarii.
what to the-Writer of-the-Treasurer
Scriptoris qui proximus est thesaurario officium est praeparare
of-the-writer who nearest is to-the-treasurer the-office is to-prepare
rotulos ad scripturam ex pellibus ovinis, non sine causa.
the-rolls for writing from skins sheep's not without cause
Longitudo autem eorum est quanta surgit ex duabus
the-length moreover of-them is as-great-as rises from two
membranis; non tamen quibuslibet, sed magnis, ad hoc
membranes not yet any-whatever but great for this
opus ex industria procuratis: latitudo vero paulo plus una
work on purpose procured the-width but a-little more-than one

expansa et semis. Regulatis igitur rotulis a summo pene
span and a-half with-ruled therefore rolls from the-top almost
usque deorsum, et ex utraque parte, lineis a se
right downward and on each side with-lines from each-other
decenter distantibus, praenotantur in summo rotuli comitatus
fittingly distant are-noted-first at the-top of-the-roll the-counties
et bailliae, de quibus infra compotus redditur: facto
and bailiwicks of which below the-account is-rendered with-made
vero modico intervallo quasi trium vel quatuor digitorum,
but small interval as-if of-three or four fingers
praescribitur in medio lineae nomen comitatus de quo primo
is-written-first in the-middle of-the-line the-name of-the-county of which in-first
loco agendum est. Deinde in capite sequentis lineae nomen
place to-be-dealt it-is then at the-head of-the-following line the-name
vicecomitis depingitur, subsequente hoc tenore verborum; 'Ille
of-the-sheriff is-painted with-following this tenor of-words this-one
vel ille vicecomes reddit compotum de firma illius vel
or that-one sheriff renders account of the-farm of-this or
illius comitatus.' Deinde paulo post in eadem linea scribitur,
of-that county then a-little after in the-same line is-written
'in thesauro,' nec apponitur aliud nisi consummato compoto,
in the-treasury nor is-set other unless with-completed the-account
propter urgentem causam, quae in agendis vicecomitum
on-account-of an-urgent cause which in the-business of-the-sheriffs
manifesta est. Deinde in capite sequentis lineae, quid in
manifest is then at the-head of-the-following line what in
eleemosyna et decimis constitutis, quid etiam in liberatione,
alms and tithes fixed what also in livery
de firma comitatus expendatur, exprimitur. Post haec
from the-farm of-the-county be-spent is-expressed after these-things
in capite lineae inferioris in terris datis annotantur ea
at the-head of-the-line lower in lands given are-noted those-things

quae regum munificentia contulit ecclesiis, vel his qui
which of-kings the-munificence conferred on-churches or on-those who
eis militarunt, in fundis suis quae coronae annominantur,
to-them have-served in estates their which to-the-crown are-annexed
quibusdam blancos, quibusdam numero.
to-some blanch to-some by-number
D. Movet me quod dicis quosdam fundos dari blancos,
Disciple moves me what you-say certain estates to-be-given blanch
quosdam numero.
certain by-number
M. Prosequamur ad praesens de scriptoris officio; et
Master let-us-proceed for the-present about of-the-writer the-office and
in agendis vicecomitis super hoc, si libet, interroga. Post
in the-business of-the-sheriff about this if it-pleases ask after
terras datas, facto intervallo unius lineae ut videantur
the-lands given with-made interval of-one line that they-may-seem
etiam ipsa sui ratione sejuncta, annotantur ea quae
also themselves their by-reason separated are-noted those-things which
jussa sunt de firma expendi per brevia regis; quia haec
ordered are from the-farm to-be-spent by the-writs of-the-king because these
constituta non sunt, sed casualia; quaedam etiam, quae
fixed not are but casual some also which
sine brevibus computantur per consuetudinem scaccarii,
without writs are-reckoned by the-custom of-the-exchequer
de quibus infra dicetur: et sic terminatur compotus de
about which below it-will-be-said and so is-ended the-account of
corpore comitatus. Post hoc, facto intervallo quasi sex vel
the-body of-the-county after this with-made interval as-if of-six or
septem linearum, fit compotus de purpresturis et escaetis
seven lines is-made the-account of purprestures and escheats
sub his verbis; 'Idem vicecomes reddit compotum de firma
under these words the-same sheriff renders account of the-farm

purpresturarum et escaetarum;' sed et de omnibus firmis
of-purprestures and escheats but also of all farms
maneriorum et de censu nemorum, quae annuatim debentur
of-manors and of the-cens of-woods which yearly are-owed
et solvuntur. Post haec suo ordine compoti collocantur,
and are-paid after these-things in-their order the-accounts are-placed
exceptis quibusdam civitatibus et villis et bailliis, quarum
except-for certain cities and towns and bailiwicks whose
majores compoti sunt; quia constitutas habent eleemosynas vel
greater accounts are because fixed they-have alms or
liberationes, et terras datas; et ad custodes earum terrarum
liveries and lands given and to the-keepers of-those lands
propriae summonitiones de debitis regis diriguntur. De his
own summonses about the-debts of-the-king are-directed about these
autem compoti fiunt post consummatum omnino compotum
moreover the-accounts are-made after completed wholly the-account
de comitatibus in quibus sunt. Qualia sunt Lincolnia,
of the-counties in which they-are such-as are Lincoln
Wintonia, Mienes, Berchamstede, Colecestria, pleraque alia.
Winchester Meon Berkhamsted Colchester and-many others
D. Miror dixisse te quosdam reditus constitutos dici
Disciple I-wonder to-have-said you certain revenues fixed to-be-called
firmas, quosdam vero census.
farms certain but cens
M. Firmae maneriorum sunt, census autem nemorum
Master farms of-manors are cens however of-woods
tantum. Quae enim ex maneriis proveniunt, quia per
only what-things for from manors come because by
agriculturam quolibet anno renovantur et redeunt, et praeter
agriculture in-every year they-are-renewed and return and beyond
haec in ipsis certi sunt constituti redditus consuetudinum
these-things in them fixed are established revenues of-customs

jure perpetuo, merito firma et immutabilia nominantur.
by-right perpetual deservedly firm and unchangeable they-are-named
Quae vero ex nemoribus, quae quotidie succiduntur et
what-things but from woods which daily are-cut-down and
pereunt, annua lege debentur, quorum non est tam firmus vel
perish by-annual law are-owed of-which not is so firm or
immobilis quaestus, sed est in eis ascensus et descensus,
immovable the-gain but there-is in them rise and fall
licet non annuus frequens tamen, census dicuntur: et sic
although not yearly frequent yet cens they-are-called and so
per aphaeresim redditus hos censeri dicunt. Sunt tamen
by aphaeresis revenues these to-be-assessed they-say there-are yet
qui credunt, censum dici quae a singulis hominibus
who believe cens to-be-called what-things by individual men
solvuntur; firma vero quae ex his surgit; ut sit firma
are-paid farm but what from these rises so-that be farm
nomen collectivum, sicut turba: ob hoc igitur sicut creditur,
a-name collective like crowd for this therefore as it-is-believed
sic censetur, ut annuum indicet, et firmum non esse
so it-is-assessed that annual it-may-show and firm not to-be
designet. Post haec constituta, facto iterum intervallo
it-may-mark after these fixed-things with-made again interval
fit compotus de debitis, super quibus summonitus est
is-made the-account of the-debts about which summoned is
vicecomes; praetitulatis tamen nominibus illorum judicum
the-sheriff with-written-at-the-head yet the-names of-those judges
quorum haec sunt. Ultimo vero de catallis fugitivorum,
of-whom these-things are last but about the-chattels of-fugitives
vel mutilatorum pro excessibus suis. Et his expletis,
or of-the-mutilated for excesses their and with-these completed
compotus illius vicecomitatus terminatur. Cavendum autem
the-account of-that shrievalty is-ended to-be-guarded-against moreover

est scriptori, ne aliquid motu animi sui scribat in rotulo,
it-is by-the-writer lest anything by-impulse of-mind his he-write in the-roll
nisi quod thesaurario dictante didicerit. Quod si forte
except what with-the-treasurer dictating he-will-have-learned but if perhaps
per negligentiam vel alium quemlibet casum, contigerit
through negligence or other any chance it-will-have-happened
eum errare in scriptura rotuli, vel in nomine, vel in
him to-err in the-writing of-the-roll either in name or in
numero, vel in causa, in quibus vis major scripturae
number or in cause in which-things the-force greater of-the-writing
consistit; non praesumat abradere, sed linea subtili
consists not let-him-presume to-scrape but with-a-line fine
subducta cancellet, et scribat in serie quod oportet: habet
drawn-under let-him-cancel and write in the-series what is-fitting has
enim rotuli scriptura hoc commune cum cartis et aliis
for of-the-roll the-writing this in-common with charters and other
scriptis patentibus, quod abradi non debet: et ob hoc
writings patent that to-be-scraped not it-ought and for this
cautum est ut de pellibus ovinis fiant; quia non facile
provided it-is that from skins sheep's they-be-made because not easily
nisi manifesto vitio rasurae cedunt.
unless with-manifest flaw to-scraping they-yield

Each scribe receives five shillings from the treasury at Michaelmas, from which they find the parchment for the rolls, the summonses and the receipts. The chancery scribe copies the treasurer's roll word for word and writes the writs of issue, of computate and of pardon, whose forms the master gives, and the summonses. The chancellor's clerk follows the roll, urges the sheriff to pay, cancels debts paid, and corrects and seals the summonses, the heaviest labor after the treasurer's. The constable's clerk brings the counter-writs; Master Thomas Brown keeps a third roll of the realm's rights and the king's secrets.

D. Scriptor iste de proprio an de fisco rotulos
Disciple writer this from own or from the-treasury the-rolls
invenit?
finds
M. In termino iste Sancti Michaelis v. solidos de
Master in the-term this-one of-Saint Michael 5 shillings from
fisco recipit, et scriptor cancellariae alios nihilominus
the-treasury receives and the-writer of-the-chancery other nonetheless
v.; ex quibus ad utrumque rotulum, et ad summonitiones
5 from which for each roll and for the-summonses
et receptas inferioris scaccarii membranas inveniunt.
and receipts of-the-lower exchequer membranes they-find
Quid ad Scriptorem Cancellariae.
what to the-Writer of-the-Chancery
Cura, labor, studium, reliqui scriptoris ad ejus latus
the-care labor zeal of-the-remaining writer at his side
residentis in his maxime consistit, ut scilicet excipiat
sitting in these-things chiefly consists that namely he-take-down
de rotulo altero verbum e verbo, eodem ut praediximus
from roll the-other word from word with-the-same as we-said-before
ordine servato. Item ad hunc pertinet brevia regis de
order kept likewise to him pertains the-writs of-the-king about

exitu thesauri scribere, de his tantum rebus quae
the-issue of-the-treasury to-write about these only things which
consideratione baronum, consedente scaccario, a thesaurario
by-the-consideration of-the-barons with-sitting the-exchequer by the-treasurer
et camerariis liberari debent: nihilominus hic brevia
and chamberlains to-be-delivered ought nonetheless he the-writs
regis scribit de computandis vel perdonandis his, quae
of-the-king writes about being-reckoned or being-pardoned those-things which
barones ad scaccarium computanda vel perdonanda decreverint.
the-barons at the-exchequer to-be-reckoned or to-be-pardoned will-have-decreed
Ad hunc etiam spectat, ut peractis compotis vicecomitum,
to him also it-pertains that with-completed the-accounts of-the-sheriffs
et taxatis debitis regis de quibus summonitiones fiunt,
and with-assessed the-debts of-the-king about which summonses are-made
easdem per totum regnum dirigendas diligenti simul et
the-same through the-whole realm to-be-directed with-diligent at-once and
laboriosa discretione conscribat: ex quibus, et in quorum
laborious discretion he-write from which and for whose
gratia, sequentis termini scaccarium convocatur.
sake of-the-following term the-exchequer is-convened
Quis sit tenor Brevium Regis factorum ad Scaccarium,
what be the-tenor of-the-Writs of-the-King made at the-Exchequer
sive de exitu Thesauri, sive de computandis, sive de
whether about the-issue of-the-Treasury or about things-to-be-reckoned or about
perdonandis.
things-to-be-pardoned
D. Brevia regis de exitu thesauri sub quo tenore
Disciple the-writs of-the-king about the-issue of-the-treasury under what tenor
verborum fiunt?
of-words are-they-made

M. Thesaurarius et camerarii nisi regis expresso
Master the-treasurer and the-chamberlains unless of-the-king by-express
mandato vel praesidentis justiciarii, susceptam pecuniam non
mandate or of-the-presiding justiciar received money not
expendunt: oportet enim ut habeant auctoritatem rescripti
spend it-behooves for that they-have the-authority of-a-rescript
regis de distributa pecunia, cum ab eis compotus
of-the-king about distributed money when from them account
generalis exigetur; est autem hic tenor; 'H. rex etc. N.
general will-be-demanded is moreover this the-tenor H king etc to-N
thesaurario et illi et illi camerariis salutem. Liberate
treasurer and to-this-one and to-that-one chamberlains greeting deliver
de thesauro meo illi vel illi, hanc vel hanc summam.
from treasury my to-this-one or that-one this or that sum
Testibus his apud N. ad scaccarium.' Additur autem 'ad
with-witnesses these at N at the-exchequer is-added moreover at
scaccarium,' ut sic fiat discretio brevium quae in curia
the-exchequer that so be-made a-distinction from-the-writs which in the-court
regis fiunt. Oportet etiam ut facto brevi de exitu
of-the-king are-made it-behooves also that with-made the-writ about the-issue
thesauri, ut diximus, faciat idem scriptor rescriptum ejus,
of-the-treasury as we-said make the-same writer a-copy of-it
quod vulgo dicitur contrabreve; et illud penes se
which commonly is-called counter-writ and it in-possession-of himself
reservabit clericus cancellarii in testimonium liberatae factae
will-keep the-clerk of-the-chancellor for testimony of-the-livery made
per breve regis originale, quod thesaurarius et camerarii
by the-writ of-the-king original which the-treasurer and chamberlains
habent. Brevia quoque de computandis vel perdonandis
have the-writs also about being-reckoned or being-pardoned
his, quae barones decreverint computanda vel perdonanda,
those-things which the-barons will-have-decreed to-be-reckoned or to-be-pardoned

praecognita domini regis voluntate, sub hoc tenore verborum
with-foreknown of-the-lord king the-will under this tenor of-words
fiunt; 'H. Dei gratia etc., baronibus de scaccario salutem.
are-made H of-God by-grace etc to-the-barons of the-exchequer greeting
Computate illi vel illi hanc vel hanc summam, quam
reckon to-this-one or that-one this or that sum which
liberavit ad hoc vel ad illud negotium meum. Testibus hiis
he-delivered for this or for that business my with-witnesses these
ibi ad scaccarium.' Item; 'Rex baronibus de scaccario salutem.
there at the-exchequer likewise the-King to-the-barons of the-exchequer greeting
Perdono illi, vel clamo quietum hunc vel illum de hoc
I-pardon this-one or I-declare quit this-one or that-one of this
vel de illo. Testibus hiis ibi ad scaccarium.' Horum autem
or of that with-witnesses these there at the-exchequer of-these moreover
omnium brevium rescripta penes jamdictum clericum
all writs the-copies in-possession-of the-already-said clerk
residebunt, in testimonium factorum brevium. Originalia enim
will-remain for testimony of-the-made writs the-originals for
computatorum vel perdonatorum brevia forulis marescalli,
of-the-things-reckoned or things-pardoned the-writs in-the-bags of-the-marshal
factis vicecomitum compotis includuntur; de cetero, nisi
with-made of-the-sheriffs accounts are-shut-in for the-rest unless
contentio de eis oriatur, non exponenda. Quod autem
dispute about them arise not to-be-shown-forth what moreover
de brevibus regis dicimus, intelligendum est similiter de
about the-writs of-the-king we-say to-be-understood is likewise about
brevibus praesidentis justiciarii, tantum cum rex absens est,
the-writs of-the-presiding justiciar only when the-king absent is
et cum sigilli ejus impressione jura regni statuuntur,
and when of-the-seal his by-the-impression the-rights of-the-realm are-established
et causae citantur, ut condemnentur vel absolvantur qui
and causes are-cited that they-may-be-condemned or absolved who

vocantur ad curiam. Ceterum dum rex in regno Angliae
are-called to the-court for-the-rest while the-king in the-realm of-England
fuerit, brevia scaccarii nomine regio fient, sub
will-have-been the-writs of-the-exchequer in-the-name royal will-be-made under
ejusdem praesidentis et alicujus alterius magni testimonio.
of-the-same presiding-one and of-some other great-man the-testimony
Quis autem sit tenor brevium illorum quae summonitiones
what moreover be the-tenor of-writs those which summonses
dicuntur, plenius infra dicetur in titulo de summonitionibus.
are-called more-fully below will-be-said under the-title about summonses
Quid ad Clericum Cancellarii.
what to the-Clerk of-the-Chancellor
Clericus cancellarii qui huic proximus est, licet non proprio
the-clerk of-the-chancellor who to-him nearest is although not in-own
sed alieno nomine militet, magnis tamen occupatur,
but in-another's name he-serve with-great-things yet he-is-busied
et in multa distrahitur: adeo ut ab ipso initio
and into many-things is-drawn so-much that from the-very beginning
compotorum usque ad finem inde avelli non possit;
of-the-accounts right to the-end thence to-be-torn-away not he-can
nisi forte dum sibi propitius est; substituto sibi
unless perhaps while to-himself favorable he-is with-substituted for-himself
interim discreto vicario. Huic enim prima cura est post
meanwhile a-discreet deputy to-him for first care is after
thesaurarium in hiis omnibus quae illic geruntur; maxime
the-treasurer in these all-things which there are-done most
tamen circa rotulorum ac brevium scripturam; in hiis enim
yet about of-rolls and of-writs the-writing in these for
praecipue versatur; nam ne forte sui calamus scriptoris
especially he-is-occupied for lest perhaps of-his the-pen of-the-writer
aberret prospicit hic, alium sequitur dum passibus aequis.
stray he-looks-out he the-other follows while with-steps equal

Item hic intuetur diligenter alterius anni rotulum sibi
likewise he looks-at diligently of-another year the-roll to-himself
propositum, donec a vicecomite satisfactum fuerit de
set-before until by the-sheriff satisfied it-will-have-been about
debitis hiis quae illic annotantur, et de quibus summonetur.
debts those which there are-noted and about which he-is-summoned
Item residente vicecomite ad compotum, computatis et
likewise with-sitting the-sheriff for the-account with-reckoned and
scripto deputatis his quae constituta sunt in comitatu,
in-writing assigned those which fixed are in the-county
breve summonitionis, cui regis sigillum appensum est,
the-writ of-summons to-which of-the-king the-seal attached is
suscipit a vicecomite, et de his debitis quae illic scripta
he-receives from the-sheriff and about these debts which there written
sunt urget vicecomitem, pronuncians in publicum et dicens,
are he-presses the-sheriff proclaiming in public and saying
'redde de hoc tantum, et de illo tantum.' Debita vero quae
render for this so-much and for that so-much the-debts but which
solvuntur in integrum, et de quibus satisfit, cancellet idem
are-paid in full and for which it-is-satisfied let-cancel the-same
clericus linea ducta per medium; ut sit distinctio
clerk with-a-line drawn through the-middle that there-be a-distinction
per hoc etiam inter soluta et solvenda. Hic etiam
through this also between paid and to-be-paid he also
custodit contrabrevia factorum ad scaccarium. Hic etiam
keeps the-counter-writs of-the-things-done at the-exchequer he also
summonitiones factas, ut praedictum est, corrigit et sigillat;
the-summonses made as aforesaid is corrects and seals
et est ei labor infinitus, atque post thesaurarium maximus.
and is to-him labor infinite and after the-treasurer greatest
D. Utilis hic esset magis Argus, quam Polyphemus.
Disciple useful here would-be rather Argus than Polyphemus

Quid ad Clericum Constabulariae.

what to the-Clerk of-the-Constabulary

M. Clericus constabulariae magnus et officiosus in regis

Master the-clerk of-the-constabulary great and busy in of-the-king

curia, ad scaccarium etiam ad majora quaeque cum magnis

court at the-exchequer also for greater-things all with great-men

ascitur, et assensu ejus regia fiunt negotia. Destinatur

is-admitted and with-the-assent his royal are-done the-affairs he-is-sent

autem a rege ad scaccarium cum contrabrevibus ad terminos

moreover by the-king to the-exchequer with counter-writs at the-terms

scaccarii, de hiis tantum quae ad curiam fiunt. Hic etiam

of-the-exchequer about these only which at court are-made he also

cum constabulario liberationibus militum vel quorumlibet

with the-constable to-the-liveries of-the-knights or of-any

eorum intendit, ut praedictum est; et est interdum laboriosum

of-them attends as aforesaid is and is sometimes laborious

satis officium ejus, licet paucis exprimatur. Explet tamen

enough office his although in-few-words it-be-expressed he-fulfills yet

illud frequentius per suppositam personam, sicut cancellarius;

it more-often through a-substituted person like the-chancellor

quapropter majores non facile possunt a regis praesentia

wherefore the-greater-men not easily can from of-the-king the-presence

longius ire. Sic habes dispositorum in secundo sedili ad

farther to-go so you-have of-those-arranged on the-second seat at

dextram praesidentis utcunque distributa officia.

the-right of-the-presiding-one somehow distributed the-offices

Quid ad Brunum.

what to Brown

Porro in capite quarti sedilis quod opponitur justiciariis,

further at the-head of-the-fourth seat which is-opposite to-the-justiciars

residet Magister Thomas cognomento Brunus. Hujus ad

sits Master Thomas by-surname Brown his at

scaccarium non vilis est auctoritas. Magnum enim et
the-exchequer not cheap is authority great for and
validum fidei ejus et discretionis est argumentum, quod
strong of-faith his and of-discretion is a-proof that
a tam excellentis ingenii principe electus est, ut praeter
by so excellent of-genius a-prince chosen he-was that beyond
antiquam consuetudinem tertium habeat rotulum, in quo
the-ancient custom a-third he-may-have roll in which
regni jura regisque secreta conscribat, et eundem
of-the-realm the-rights and-of-the-king the-secrets he-may-write and the-same
penes se reservans quocunque voluerit deferat.
in-possession-of himself keeping wherever he-will-wish he-may-carry
Habet etiam clericum suum in inferiore scaccario, qui
he-has also clerk his in the-lower exchequer who
juxta clericum thesaurarii residens, liberam habet facultatem
beside the-clerk of-the-treasurer sitting free has faculty
scribendi quae recipiuntur et expenduntur in thesauro.
of-writing what-things are-received and are-spent in the-treasury
D. Nunquid principi cognita est eo usque fides ejus
Disciple surely-not to-the-prince known is to-that point faith his
atque discretio, quod ad hoc opus merito non aestimetur
and discretion that for this work deservedly not is-reckoned
alius ad illum?
another to him

Thomas Brown, great at the Sicilian court, left when a new king turned on him and came home at Henry's call to great business at the exchequer. The knight silverer carries a purse of forty-four shillings to the upper exchequer, weighs out a pound, and takes it with two sheriffs to the fire, where the melter refines it; what the fire takes from that pound is taken from every pound of the farm. Coin losing over sixpence a pound is not lawful. The silverer keeps the liveries' counter-tallies.

M. Magnus hic erat in magni regis Siculi curia,
Master great this-one was in of-the-great king Sicilian the-court
consiliis providus, et in regis secretis pene praecipuus.
in-counsels provident and in of-the-king the-secrets almost chief
Surrexit interea rex novus qui ignorabat illum, qui prava
arose meanwhile a-king new who did-not-know him who wicked
habens latera patrem persequebatur in suis. Compulsus est
having sides the-father persecuted in his-men compelled was
igitur vir iste, mutatis rebus prosperis, vitae suae consulere,
therefore man this with-changed things prosperous for-life his to-provide
et licet pateret ei cum summo honore accessus ad
and although lay-open to-him with highest honor access to
regna plurima, tamen frequenter vocatus ab illustri rege
kingdoms very-many yet often called by the-illustrious king
Anglorum Henrico, cui fama veritate ipsa minor est,
of-the-English Henry to-whom fame than-truth itself less is
praeelegit ad natale solum et successorium ac singularem
he-preferred to native soil and hereditary and singular
dominum suum accedere. Susceptus igitur ab ipso sicut
lord his to-go received therefore by him as
utrumque decuit, quia apud Siculum magnis intenderat, hic
each befitted because among the-Sicilian to-great-things he-had-attended here
etiam ad magna deputatur negotia scaccarii. Sic igitur et
also to great is-deputed business of-the-exchequer so therefore both

locum et dignitatis officium adeptus est; ad quaelibet etiam
a-place and of-dignity the-office obtained he-has for any also
scaccarii magna negotia cum magnis assumitur. Sic habes
of-the-exchequer great business with great-men he-is-taken so you-have
omnium qui ad majus scaccarium ex officio resident jura
of-all who at the-greater exchequer by office sit the-rights
distincta. Consequens autem est, ni fallor, ut quae sint
distinguished following moreover it-is unless I-am-mistaken that what be
eorum dignitates ratione sessionis ad scaccarium prosequamur.
their dignities by-reason of-sitting at the-exchequer we-pursue
D. Immo, si placet, de officio militis quem argentarium
Disciple nay if it-pleases about the-office of-the-knight whom silverer
dicis, nec non de fusoris officio dicendum est; quia
you-call nor not about of-the-melter the-office to-be-spoken it-is because
cum sibi videantur annexa, et ad majus scaccarium
since to-each-other they-seem joined and to the-greater exchequer
pertinentia, hucusque dilata sunt.
pertaining hitherto put-off they-have-been
M. Cerno quod te promissorum memoria non praeterit,
Master I-see that you of-the-things-promised the-memory not passes-by
ex quo spes certa concipitur, quod te jam dictis
from which a-hope certain is-conceived that you already of-the-things-said
non fraudabit oblivio. Credebam sane de officiis tibi
not will-cheat forgetfulness I-believed indeed about the-offices to-you
fuisse satisfactum, quia de residentibus ad scaccarium
to-have-been satisfied because of those-sitting at the-exchequer
neminem praetermiseram. Sed hii de quibus commemoras
no-one I-had-passed-over but these about whom you-make-mention
certas non habent sibi deputatas sedes, immo pro imperio
fixed not have to-them assigned seats nay at the-command
praesidentis vel thesaurarii suum explent officium.
of-the-presiding-one or of-the-treasurer their they-fulfill office

Quid ad Militem Argentarium.

what to the-Knight Silverer

Porro miles argentarius ab inferiori scaccario ad superius

further the-knight silverer from the-lower exchequer to the-upper

defert loculum examinandi argenti, cujus supra meminimus;

carries the-purse of-to-be-assayed silver of-which above we-made-mention

quem cum intulerit signatum sigillo vicecomitis,

which when he-will-have-brought-in sealed with-the-seal of-the-sheriff

sub omnium oculis effundit in scaccario quadraginta quatuor

under of-all the-eyes he-pours-out on the-exchequer forty four

solidos, quos de acervo sumptos prius signaverat, factaque

shillings which from the-heap taken before he-had-marked and-with-made

commixtione eorundem, ut ponderi respondeant, mittit in

mixing of-the-same that to-the-weight they-may-answer he-puts in

unum vasculum trutinae libram ponderis, in alterum vero

one little-vessel of-the-balance the-pound of-weight in the-other but

de denariis quod oportuerit, quo facto numerat eosdem,

of the-pennies what will-have-been-fitting with-which done he-counts the-same

ut ex numero constare possit, si legitimi ponderis sint;

that from the-number to-be-established it-can if of-lawful weight they-be

cujuscunque vero ponderis inventi fuerint, seorsum mittit

of-whatever but weight found they-will-have-been apart he-puts

in ciffum libram unam, hoc est xx. solidos ex quibus examen

into a-cup a-pound one that is 20 shillings from which the-assay

fiat; reliquos vero xxiiii. solidos mittit in loculum. Item

be-made the-remaining but 24 shillings he-puts into the-purse likewise

duo denarii praeter libram examinandam dantur fusori, non

two pennies besides the-pound to-be-assayed are-given to-the-melter not

de fisco sed de parte vicecomitis, quasi in praemium

from the-treasury but from the-part of-the-sheriff as-if as a-reward

sui laboris. Tunc eliguntur a praesidente, vel a thesaurario

of-his labor then are-chosen by the-presiding-one or by the-treasurer

si ille absens fuerit, alii duo vicecomites, ut simul cum
if he absent will-have-been other two sheriffs that together with
argentario nec non et vicecomite cujus examen faciendum
the-silverer nor not even the-sheriff whose assay to-be-made
est, procedant ad ignem; ubi fusor ante praemonitus
is they-proceed to the-fire where the-melter before forewarned
praeparatis necessariis eorum praestolatur adventum: ibi
with-prepared necessaries their awaits arrival there
iterum praesente fusore et hiis qui a baronibus missi
again with-present the-melter and with-these who by the-barons sent
sunt, diligenter computantur, et fusori traduntur.
are diligently they-are-counted and to-the-melter are-handed-over

Quid ad Fusorem.
what to the-Melter

Quos ille suscipiens manu propria numerat, et sic disponit
which he receiving with-hand own counts and so arranges
eos in vasculum ignitorum cinerum quod in fornace est. Tunc
them in the-little-vessel of-glowing ashes which in the-furnace is then
igitur artis fusoriae lege servata redigit eos in massam,
therefore of-art of-melting with-the-law kept he-reduces them into a-mass
constans et emundans argentum. Ceterum cavendum est
making-firm and cleansing the-silver for-the-rest to-be-guarded-against it-is
ei, ne citra perfectum subsistat, vel importunis aestuationibus
by-him lest short-of the-finished he-stop or with-untimely heatings
vexet illud atque consumat; illud propter regis, hoc
torment it and consume that on-account-of of-the-king this
propter vicecomitis jacturam; sed modis omnibus provideat
on-account-of of-the-sheriff the-loss but in-ways all let-him-provide
et procuret quanta poterit industria, ut non vexetur,
and procure with-as-great-as he-will-be-able industry that not it-be-tormented
sed ad purum tantum excoquatur: hoc autem ipsum providere
but to the-pure only be-smelted this moreover itself to-provide

debent hii, qui ad idem missi sunt a majoribus. Facto
ought those who for the-same sent are by the-greater-men with-made
igitur examine, defert illud argentarius ad barones, comitantibus
therefore the-assay carries it the-silverer to the-barons with-accompanying
illis, et tunc in omnium oculis ponderat illud cum libra
them and then in of-all the-eyes weighs it with the-pound
praedicta ponderis: supplet autem mox, quod ignis consumpsit,
aforesaid of-weight supplies moreover soon what the-fire consumed
appositis denariis ejusdem loculi, donec aequilibriter se habeat
with-added pennies of-the-same purse until in-equal-balance itself has
examen cum pondere; tunc inscribitur idem examen desuper
the-assay with the-weight then is-inscribed the-same assay above
ducta creta his verbis, 'Everwicscira. Libra arsit tot,
with-drawn chalk with-these words Yorkshire the-pound burned so-many
vel tot denariis;' et tunc illud essaium dicitur; non enim
or so-many pennies and then it essay is-called not for
inscribitur nisi praeconcesso quod sic stare debeat. Quod
it-is-inscribed except with-granted-beforehand that so to-stand it-ought but
si vicecomes cujus est, calumpniatus fuerit illud quasi plus
if the-sheriff whose it-is challenged will-have-been it as-if more
justo consumptum fuerit, ignis scilicet exaestuatione, vel
than-just consumed it-had-been of-the-fire namely by-the-overheating or
plumbi infusione; vel etiam fusor ipse qualibet occasione
of-lead by-the-pouring-in or even the-melter himself on-any occasion
defecisse fateatur examen, iterum numerentur viginti solidi,
to-have-failed confess the-assay again let-be-counted twenty shillings
qui residui sunt in loculo praedicto, coram baronibus, sicut
which remaining are in the-purse aforesaid before the-barons as
dictum est, ut eadem ratione servata fiat examen. Hinc
said is that with-the-same system kept be-made the-assay hence
tibi constare potest, qua consideratione de acervo magno
to-you to-be-established it-can by-what consideration from the-heap great

praepositae pecuniae quadraginta quatuor solidi seorsum ab
of-the-placed money forty four shillings apart from
initio mittantur in loculum apposito vicecomitis sigillo.
the-beginning are-put into a-purse with-set of-the-sheriff the-seal
Notandum vero est, quod fusor duos percipit denarios
to-be-noted but it-is that the-melter two receives pennies
pro examine, sicut diximus. Quod si quovis casu aliud
for the-assay as we-said but if by-any chance another
faceret, etiam si tertio examinaverit, non percipiet
he-should-make even if a-third-time he-will-have-assayed not he-will-receive
quicquam, sed contentus erit semel susceptis duobus.
anything but content he-will-be once with-received two
D. Miror a tantis tantam adhiberi diligentiam in
Disciple I-wonder by so-great-men so-great to-be-applied diligence in
unius librae examinatione, cum nec magnus ex eo quaestus
of-one pound the-assaying when nor great from it gain
nec multa jactura perveniat.
nor much loss comes
M. Non propter hanc tantum fiunt haec, sed propter
Master not on-account-of this only are-done these-things but on-account-of
omnes illas quae ab eodem vicecomite sub eodem nomine firmae
all those which by the-same sheriff under the-same name of-farm
simul cum hac persolvuntur. Quantum enim ab hac libra per
together with this are-paid as-much for from this pound through
ignem purgatorium decidit, tantundem ex singulis aliis libris
the-fire purgatorial falls-away so-much from every other pound
noverit vicecomes de summa sua subtrahendum: ut si centum
let-know the-sheriff from sum his to-be-subtracted that if a-hundred
libras numeratas solverit, et libra examinis xii. denar.
pounds counted he-will-have-paid and the-pound of-the-assay 12 pennies
exciderit, non computentur ei nisi nonaginta quinque.
will-have-fallen-away not be-reckoned to-him except ninety five

D. Nunc videre videor quaestum ex hiis provenire
Disciple now to-see I-seem gain from these-things to-come
posse non modicum, sed cui cedere debeat ignoro.
to-be-able not small but to-whom to-go it-ought I-do-not-know
M. Semel dictum est et semper intelligatur, soli regiae
Master once said it-is and always let-it-be-understood alone the-royal
utilitati in his omnibus serviri. Licet autem a talea
advantage in these all-things to-be-served although moreover from the-tally
vicecomitis combustio detrahatur, mittitur tamen seorsum in
of-the-sheriff the-burning be-subtracted it-is-put yet apart on
taleam alteram breviorem, ut de summa ejus thesaurarius et
a-tally other shorter that for the-sum its the-treasurer and
camerarii respondeant. Sciendum vero quod per hanc taleam
the-chamberlains may-answer to-be-known but that through this tally
combustionis dealbatur firma vicecomitis; unde in testimonium
of-burning is-blanched the-farm of-the-sheriff whence in testimony
hujus rei semper majori taleae appensa cohaeret.
of-this thing always to-the-greater tally attached it-clings
D. Pulsat adhuc me quaestio non dissimilis illi, quam
Disciple troubles still me a-question not unlike to-that which
in agendis inferioris scaccarii proposuisse me memini; quare
in the-business of-the-lower exchequer to-have-proposed me I-remember why
videlicet libra una plus altera decidat, cum par debeat
namely pound one more than-another falls-away when equal ought
esse conditio omnium operantium in moneta.
to-be the-condition of-all working in the-coinage
M. Ad hanc sicut ad illam quaestionem sufficit respondere,
Master to this as to that question it-suffices to-answer
fieri posse hoc per falsarios et nummorum detonsores.
to-be-done to-be-able this through forgers and of-coins clippers
Fuerunt autem, qui crederent, quibus nec ego dissentio, non
there-were moreover who believed with-whom nor I disagree not

esse legitimam hujus regni monetam, si examinata libra
to-be lawful of-this realm coinage if assayed the-pound
decidat plusquam vi. den. a pondere, cui numerata
fall-away more-than 6 pennies from the-weight to-which counted
respondet; et etiam delatam ad scaccarium hujusmodi
it-answers and even brought to the-exchequer of-this-kind
pecuniam fisco debere cedere, nisi forte novi sint
money to-the-treasury ought to-go unless perhaps new they-be
et non usuales denarii, quorum etiam superscriptio suum
and not usual pennies of-which also the-superscription its
prodat auctorem; tunc enim idem monetarius super opere
may-betray author then for the-same moneyer about work
suo districte convenietur, et legibus constitutis sine jactura
his strictly will-be-sued and by-laws established without loss
vicecomitis condemnabitur vel absolvetur. Quod si per
of-the-sheriff will-be-condemned or absolved but if through
examinationem probatis et reprobatis denariis monetarius
assaying with-approved and rejected pennies the-moneyer
condemnatus et punitus fuerit, denarii a fusore
condemned and punished will-have-been the-pennies by the-melter
scaccarii, praesentibus aliis hujus artis peritis, redigentur
of-the-exchequer with-present others of-this art skilled will-be-reduced
in massam, et pondus ejus vicecomiti computabitur. Verum
into a-mass and the-weight its to-the-sheriff will-be-reckoned but
totum hoc pene nunc abolitum est et multum relinquitur,
whole this almost now abolished is and much is-left
quoniam in moneta generaliter peccatur ab omnibus. Cum
since in the-coinage generally it-is-sinned by all when
autem ad debitum et lege determinatum modum moneta
moreover to the-due and by-law determined measure the-coinage
pervenerit, primitivae constitutionis legem observari necesse
will-have-come of-the-original ordinance the-law to-be-observed necessary

erit. Contra, si quis vicecomes nummos attulisset, quorum
it-will-be on-the-contrary if any sheriff coins had-brought of-which
libra combusta a v. vel iiii. vel infra se cohiberet, et
the-pound burned at 5 or 4 or below itself held and
viderentur de novo facti, non usuales vel cursorii, simili modo
they-seemed from new made not usual or current in-like way
non legitimi dicebantur, quasi excedentes legem communem;
not lawful they-were-called as-if exceeding the-law common
unde et infiscari poterant sicut et alii. Item sunt
whence also to-be-confiscated they-could as also the-others likewise there-are
ad scaccarium liberationes constitutae quae statutis terminis
at the-exchequer liveries fixed which at-fixed terms
sine brevi regis solvuntur: qualis est liberatio naucleri,
without writ of-the-king are-paid such-as is the-livery of-the-shipmaster
custodis scilicet navis regiae quam esneccam dicimus, qui
of-the-keeper namely of-the-ship royal which esnecca we-call who
xii. den. percipit quaque die; de qua et consimilibus taleae
12 pennies receives each day about which and similar-things tallies
fiunt a camerariis, quia de hiis brevia non habent. Miles
are-made by the-chamberlains because about these writs not they-have the-knight
autem argentarius horum recauta habet, i.e. contrataleas.
moreover silverer of-these the-counterfoils has that-is counter-tallies
Hic simul et fusor rogati a camerariis, cum necesse
he together and the-melter asked by the-chamberlains when necessary
fuerit et plurima delata pecunia opprimit computatores,
it-will-have-been and very-much brought money overwhelms the-tellers
juvant eos in computatione: voluntarium tamen est eis, non
help them in the-counting voluntary yet it-is for-them not
necessarium. Sic habes militis argentarii et fusoris officia.
necessary so you-have of-the-knight silverer and of-the-melter the-offices

Silver counts as undone while a black cloud is seen over the melt, and as assayed when tiny grains rise from the bottom and dissolve. Under the first William and up to the time of his son Henry, the king's manors paid in victuals at fixed prices; when the king needed coin for wars abroad and the tenants complained of carrying food, men were sent to survey the manors and turn the victuals into money farms, paid first by scale, sixpence on the pound, then by weight. A prudent man, made bishop of Salisbury, saw that weight did not prove the metal, and the assay was instituted, which also makes the sheriff keep the moneyers honest; some counties pay by tale alone. The disciple then asks after the usher of the upper exchequer, and the master begins on his office.

D. Quae sunt signa facti vel infecti examinis?
Disciple what are the-signs of-a-done or undone assay
M. Non satis novi; quia nec sollicitus super hiis
Master not enough I-know because nor anxious about these-things
fui. Verum quamdiu super jam liquidum argentum nigra
I-was but as-long-as above the-already liquid silver black
quaedam nubecula circumferri conspicitur, infectum dicitur.
a-certain little-cloud to-be-carried-about is-seen undone it-is-called
At cum quaedam quasi grana minuta ab imo deducuntur
but when certain as-if grains tiny from the-bottom are-drawn
ad summum, et illic dissolvuntur, signum est examinati.
to the-top and there are-dissolved a-sign it-is of-the-assayed
A quibus vel ad quid instituta fuerit argenti examinatio.
by whom or for what established it-was of-the-silver assaying
D. A quibus vel ob quam rem instituta fuit examinatio
Disciple by whom or for what thing established was assaying
haec vel combustio?
this or burning

M. Ut de his tibi constare possit, paulo altius
Master that about these-things to-you to-be-clear it-may a-little higher
oriendum est. Sicut traditum habemus a patribus, in
to-be-begun it-is as handed-down we-have from the-fathers in
primitivo regni statu post conquisitionem, regibus de
the-original of-the-realm state after the-conquest to-the-kings from
fundis suis non auri vel argenti pondera sed sola victualia
estates their not of-gold or of-silver weights but only victuals
solvebantur; ex quibus in usus quotidianos domus regiae
were-paid from which for the-uses daily of-the-house royal
necessaria ministrabantur. Et noverant, qui ad haec
the-necessaries were-supplied and knew those-who for these-things
deputati fuerant, quantum de singulis fundis proveniebat.
deputed had-been how-much from each estate came
Ceterum ad stipendia vel donativa militum et alia necessaria,
for-the-rest for the-wages or gifts of-the-knights and other necessaries
de placitis regni vel conventionibus, et ex civitatibus
from the-pleas of-the-realm or agreements and from cities
vel castellis a quibus agricultura non exercebatur, pecunia
or castles by which agriculture not was-practiced money
numerata succrescebat. Toto igitur regis Willelmi
counted accrued through-the-whole therefore of-king William
primi tempore perseveravit haec institutio, usque tempora
first time continued this institution right-to the-times
regis Henrici filii ejus; adeo ut viderim ego ipse quosdam,
of-king Henry son his so-much that I-have-seen I myself certain-men
qui victualia statutis temporibus de fundis regiis ad curiam
who victuals at-fixed times from the-estates royal to the-court
deferri viderint: certumque habebant officiales domus
to-be-carried had-seen and-certain had the-officials of-the-house
regiae a quibus comitatibus triticum, a quibus diversae
royal from which counties wheat from which various

species carnium vel equorum pabula, vel quae necessaria,
kinds of-meats or of-horses fodder or what-things necessary
debebantur. Hiis vero solutis secundum constitutum
were-owed with-these but paid according-to the-established
modum cujusque rei, regii officiales computabant vicecomiti
measure of-each thing the-royal officials reckoned to-the-sheriff
redigentes in summam denariorum: pro mensura scilicet
reducing into a-sum of-pennies for a-measure namely
tritici ad panem c. hominum, solidum unum; pro corpore
of-wheat for bread of-100 men shilling one for the-carcass
bovis pascualis, solidum unum; pro ariete vel ove, iiii.
of-an-ox pastured shilling one for a-ram or sheep 4
d.; pro praebenda xx. equorum, similiter iiii. d.
pennies for the-provender of-20 horses likewise 4 pennies
Succedente vero tempore, cum idem rex in transmarinis
with-following but with-time when the-same king in overseas
et remotis partibus sedandis tumultibus bellicis operam
and remote parts for-calming tumults warlike effort
daret, contigit ut fieret sibi summa necessaria ad
was-giving it-happened that there-was-made for-himself a-sum necessary for
haec explenda numerata pecunia. Confluebat interea ad
these-things to-be-fulfilled in-counted money flowed-together meanwhile to
regis curiam querula multitudo colonorum, vel, quod
of-the-king court a-complaining multitude of-tenants or what
gravius sibi videbatur, praetereunti frequenter occursabat,
more-grievous to-him seemed to-him-passing often it-met
oblatis vomeribus in signum deficientis agriculturae;
with-offered plowshares as a-sign of-failing agriculture
innumeris enim molestiis premebantur occasione victualium,
with-countless for annoyances they-were-pressed on-the-occasion of-the-victuals
quae per plurimas regni partes a sedibus propriis
which through very-many of-the-realm parts from homes own

deferebant. Horum igitur querelis inclinatus rex, diffinito
they-carried of-these therefore by-the-complaints inclined the-king with-defined
magnorum consilio, destinavit per regnum quos ad
of-the-great-men with-the-counsel sent through the-realm those-whom for
id prudentiores et discretiores cognoverat, qui circueuntes
this more-prudent and more-discreet he-had-known who going-around
et oculata fide fundos singulos perlustrantes, habita
and by-eyewitness faith estates each surveying with-had
aestimatione victualium, quae de hiis solvebantur, redegerunt
the-valuation of-the-victuals which from these were-paid reduced-them
in summam denariorum. De summa vero summarum quae
into a-sum of-pennies for the-sum but of-the-sums which
ex omnibus fundis surgebat in uno comitatu, constituerunt
from all estates arose in one county they-established
vicecomitem illius comitatus ad scaccarium teneri; addentes,
the-sheriff of-that county at the-exchequer to-be-held adding
ut ad scalam solveret, hoc est propter quamlibet numeratam
that at scale he-should-pay that is for any counted
libram vi. d. Rati sunt enim tractu temporis de
pound 6 pennies reckoned they-have for in-the-course of-time from
facile posse fieri, ut moneta tunc fortis a suo statu
easy to-be-able to-be-done that the-coinage then strong from its state
decideret. Haec eos fefellit opinio; unde coacti sunt
would-fall-away this them deceived opinion whence compelled they-were
constituere ut firma maneriorum non solum ad scalam,
to-establish that the-farm of-the-manors not only at scale
sed ad pensum solveretur; quod perfici non poterat
but at weight be-paid which to-be-accomplished not could
nisi longe pluribus appositis. Servabatur per plures annos
unless by-far with-more added was-kept for many years
ad scaccarium lex hujus solutionis: unde frequenter in
at the-exchequer the-law of-this payment whence often in

veteribus annalibus rotulis regis illius invenies scriptum, in
the-old annual rolls of-king that you-will-find written in
thesauro c. libras ad scalam; vel, in thesauro c. libras ad
the-treasury 100 pounds at scale or in the-treasury 100 pounds at
pensum. Surrexit interea vir prudens, consiliis providus,
weight arose meanwhile a-man prudent in-counsels provident
sermone discretus, et ad maxima quaeque negotia per
in-speech discreet and for the-greatest all business through
Dei gratiam repente praecipuus, dicens, in eo completum
of-God the-grace suddenly preeminent saying in him fulfilled
quod scriptum est, 'nescit tarda molimina Spiritus Sancti
what written is not-knows slow efforts of-the-Spirit Holy
gratia.' Hic ab eodem rege ad curiam vocatus, licet ignotus
the-grace he by the-same king to the-court called although unknown
non tamen ignobilis suo perdocuit exemplo
not yet ignoble by-his taught-thoroughly example

Paupertas tenuis quam sit foecunda virorum!
poverty slender how be fruitful of-men

Hic igitur, succrescenti in eum principis ac cleri
he therefore with-growing toward him of-the-prince and of-the-clergy
populique favore, Sarisberiensis episcopus factus, maximis
and-of-the-people with-the-favor of-Salisbury bishop made with-the-greatest
in regno fungebatur honoribus, et de scaccario plurimam
in the-realm was-discharging honors and about the-exchequer very-much
habuit scientiam; adeo ut non sit ambiguum sed ex ipsis
had knowledge so-much that not it-be doubtful but from the-very
rotulis manifestum, plurimum sub eo floruisse; de cujus
rolls manifest very-much under him to-have-flourished from whose
stillicidiis nos quoque modicum id quod habemus per
droppings we also little that which we-have through

traditionem accepimus. Super hoc ad praesens multa loqui
tradition have-received about this for the-present many-things to-say
supersedeo; quia pro qualitate sui status nobilissimae
I-refrain because according-to the-quality of-his state of-a-most-noble
mentis indicem superstitem sibi memoriam dereliquit. Hic
mind as-indicator surviving himself a-memory he-left he
postmodum ex mandato principis accessit ad scaccarium; ubi
afterward by the-mandate of-the-prince came to the-exchequer where
cum per aliquot annos persedisset, comperit hoc solutionis
when through some years he-had-sat he-discovered by-this of-payment
genere non plene fisco satisfieri: licet enim in numero
kind not fully to-the-treasury to-be-satisfied although for in number
et pondere videretur satisfactum, non tamen in materia:
and weight it-seemed satisfied not yet in material
consequens enim non erat, ut si pro libra una numeratos
following for not it-was that if for pound one counted
xx. solidos etiam librae ponderis respondentes solvisset,
20 shillings even of-a-pound of-weight answering he-had-paid
consequenter libram solvisset argenteam: poterat enim cupro
consequently a-pound he-had-paid of-silver he-could for with-copper
vel quovis aere mixtam solvisse, cum non fieret examinatio.
or with-any bronze mixed to-have-paid since not was-made assaying
Ut igitur regiae simul et publicae provideretur utilitati,
that therefore royal at-once and public it-be-provided for-the-advantage
habito super hoc ipso regis consilio, constitutum est ut
with-had about this itself of-the-king with-the-counsel established it-was that
fieret ordine praedicto firmae combustio vel examinatio.
there-be-made in-the-order aforesaid of-the-farm the-burning or assaying
D. Quomodo publice?
Disciple how publicly

M. Sentiens enim vicecomes se praegravari per
Master feeling for the-sheriff himself to-be-overburdened through
combustionem deterioris monetae, cum firmam est soluturus,
the-burning of-worse coinage when the-farm he-is about-to-pay
sollicitam adhibet diligentiam ut monetarii sub eo constituti
anxious he-applies diligence that the-moneyers under him established
legis constitutae fines non excedant; quos cum
of-the-law established the-bounds not exceed whom when
deprehenderit, sic puniuntur, ut eorum exemplo ceteri
he-will-have-caught so they-are-punished that by-their example the-others
terreantur.
be-terrified

D. Nunquid de omnibus comitatibus firma blanca solvi
Disciple surely-not from all counties the-farm blanch to-be-paid
debet, vel ex omnibus comitatibus examinatio fieri?
ought or from all counties assaying be-made

M. Non; sed qui de antiquo jure coronae regiae
Master no but those-which from ancient right to-the-crown royal
annominantur sic solvunt. Qui vero per incidentes aliquos
are-annexed so pay those-which but through occurring some
casus infiscantur, solo numero satisfaciunt; quales sunt Salop,
chances are-confiscated alone by-number satisfy such-as are Shropshire
Sudsex, Northumberland et Cumberland. Liberum est etiam
Sussex Northumberland and Cumberland free it-is also
vicecomiti ut pro firma blanca solvat examinati argenti pondera;
for-the-sheriff that for the-farm blanch he-pay of-assayed silver weights
et sic effugiat jacturam combustionis; sic tamen ut fusor
and so escape the-loss of-burning so yet that the-melter
regis eadem suscipienda discernat. Habes igitur quod petisti,
of-the-king the-same to-be-received discern you-have therefore what you-sought
a quibus scilicet et ob quam causam instituta fuerit examinatio.
by whom namely and for what cause established was assaying

D. Video per hanc ad litteram impletum quod scriptum
Disciple I-see through this to the-letter fulfilled what written
est: 'quale fuerit cujusque opus ignis probabit.' Sed jam
is of-what-sort was of-each the-work the-fire will-test but already
nunc placeat coeptis insistere.
now let-it-please to-the-begun to-press-on
M. Fiat. Consequens est, ut credo, secundum dispositae
Master let-it-be following it-is as I-believe according-to of-the-arranged
rationis ordinem, ut quae sunt dignitates residentium ad
system the-order that what are the-dignities of-those-sitting at
scaccarium ex officio, vel ex regis mandato, prosequamur.
the-exchequer by office or by of-the-king the-mandate we-pursue
D. Miror satis qua consideratione cum de officiis ageretur,
Disciple I-wonder enough by-what consideration when about the-offices it-was-treated
de ostiario majoris scaccarii et ejus officio vel ex industria
about the-usher of-the-greater exchequer and his office either by design
suppressisti, vel oblivionis injuria resistente praeteriisti.
you-suppressed or of-forgetfulness with-wrong resisting you-passed-over
M. Gratulor te memorem praedictorum; in proficiente
Master I-rejoice you mindful of-the-aforesaid in a-progressing
quippe discipulo gloria doctoris est. Nosti jam dictum
indeed disciple the-glory of-the-teacher is you-know already said
ostiarium liberationem percipere cum aliis officialibus, et ideo
the-usher livery to-receive with other officials and therefore
merito requiris, quid sit ejus officium. Est autem hujusmodi;
deservedly you-ask what be his office it-is moreover of-this-kind

The usher keeps the doors of the exchequer and of the barons' secret chamber, gives free entry only to those who sit there, carries the summonses through England, and calls in the sheriffs. Those who sit at the exchequer by office or the king's command cannot be summoned to other courts while it sits, pay no toll on their household's victuals, and are avenged on whoever abuses them; quarrels among the great are reserved to the king. They are quit of common assizes, murder fines, scutage, and Danegeld, their share entered as pardoned by the king's writ though no writ issues; whoever is so pardoned must not exact the same from his own men.

Quid ad Ostiarium Superioris Scaccarii.

what to the-Usher of-the-Upper Exchequer

Ostium domus illius in qua scaccarium residet, ostiarius ille

the-door of-the-house that in which the-exchequer sits usher that

solus sine consorte custodit; nisi cum de domo propria

alone without partner guards except when from house own

servientes assumit in onus officii sui. Nihilominus custodit

servants he-takes-up into the-burden of-office his nonetheless guards

idem ostium thalami secretorum, qui collocatus est juxta

the-same the-door of-the-chamber of-secrets which placed is beside

domum ubi scaccarium est. Ad hunc accedunt barones, cum

the-house where the-exchequer is to it come the-barons when

proponitur eis verbum ambiguum ad scaccarium, de quo

is-put-before them a-word doubtful at the-exchequer about which

malunt seorsum tractare quam in auribus omnium; maxime

they-prefer apart to-treat than in the-ears of-all most

autem propter hoc in partem secedunt, ne compoti qui ad

moreover on-account-of this to one-side they-withdraw lest the-accounts which at

scaccarium fiunt impediantur; quibus moram facientibus in

the-exchequer are-made be-hindered with-whom delay making in

consiliis, consuetus cursus compotorum agitur. Si quid vero

counsels the-customary course of-the-accounts is-carried-on if anything but

natum fuerit quaestionis, referetur ad eos. Liberum
born will-have-been of-question it-will-be-referred to them free
etiam est ostiario, ut quibuslibet magnae auctoritatis viris
also it-is for-the-usher that to-any of-great authority men
ad hoc opus non necessariis impune praecludat aditum
for this work not necessary with-impunity he-shut-off approach
cum voluerit. Solis vero hiis qui, ad scaccarium ex officio
when he-will-wish only but to-these who at the-exchequer by office
vel ex regis mandato resident, voluntarius patet ingressus
or by of-the-king mandate sit voluntary lies-open entry
in utrumque thalamum. Quod si auctenticae sint personae,
into each chamber but if authentic they-be persons
quas singulariter incedere non est idoneum, unum vel duos
whom singly to-walk not is fitting one or two
introducere poterunt in exteriorem domum scaccarii,
to-bring-in they-will-be-able into the-outer house of-the-exchequer
sed in thalamum secretorum soli majores introeunt,
but into the-chamber of-secrets alone the-greater-men enter
ceteris exclusis; nisi cum ad quaelibet regia negotia
with-the-others shut-out except when for any royal business
explenda a dominis suis vocantur. Item ostiarius factas
to-be-fulfilled by lords their they-are-called likewise the-usher made
summonitiones et signatas a marescallo suscipit; soluto
summonses and sealed by the-marshal receives with-dissolved
scaccario illius termini, in propria persona vel per fidelem
the-exchequer of-that term in own person or through a-faithful
nuncium per Angliam, sicut supra dictum est, easdem
messenger through England as above said it-is the-same
defert. Hic etiam ex mandato praesidentis convocat in
carries he also by the-mandate of-the-presiding-one summons into
praesentiam ejus vicecomites qui extra domum ubicunque
presence his the-sheriffs who outside the-house wherever

dispersi sunt, cum indiguerit illis. Item ad hunc pertinet,
scattered are when he-will-have-needed them likewise to him it-pertains
ut sollicitus sit circa minuta quaelibet necessaria quae in
that anxious he-be about small any necessaries which in
domo scaccarii sunt, velut ad sternenda et praeparanda
the-house of-the-exchequer are as for to-be-spread and to-be-prepared
sedilia circa scaccarium, et hujusmodi. Ex praedictis, ut
seats around the-exchequer and of-this-kind from the-aforesaid as
credimus, de officiis omnium qui ad scaccarium resident
we-believe about the-offices of-all who at the-exchequer sit
tibi constare potest. Nunc quae sunt eorum jura vel
to-you to-be-clear it-can now what are their rights or
dignitates ratione sessionis ad scaccarium ostendemus.
dignities by-reason of-sitting at the-exchequer we-shall-show
Quae sunt jura et dignitates residentium ad Scaccarium
what are the-rights and dignities of-those-sitting at the-Exchequer
ratione sessionis.
by-reason of-sitting
Oportet autem de cetero nobis amplius parcat lingua
it-behooves moreover for the-rest us more spare the-tongue
detractoris, et dens aemulus ne laniet insultando; vix
of-the-detractor and the-tooth envious not tear by-insulting scarcely
enim ad notitiam tuam aliquid horum pertingeret, si non
for to the-knowledge your anything of-these would-reach if not
usitatis rerum vocabulis, sed exquisito verborum schemate
with-usual of-things with-words but with-exquisite of-words with-figure
vel confectis nominibus duxerimus insistendum.
or with-made-up names we-shall-have-thought to-be-insisted
D. Solam verborum novitatem a principio vitare
Disciple alone of-words the-novelty from the-beginning to-avoid
praemonui, et circa communia communibus et usitatis uti
I-forewarned and about common-things with-common and usual to-use

verbis obtinui, ne disciplinalia rudimenta novitas insueta
words I-obtained lest the-disciplinary rudiments novelty unaccustomed
turbaret. Sic igitur, ut coepisti, coeptum libeat iterum
disturb so therefore as you-began the-begun-thing let-it-please again
explere. Quod si te sic gradientem detractoris aemula mens
to-fulfill but if you so stepping of-the-detractor the-envious mind
vel lingua repererit, illud obtineas ab eo, ut qui in
or tongue will-have-found that may-you-obtain from him that he-who in
scriptis suis sine peccato est, primus in te lapidem mittat.
writings his without sin is first at you a-stone may-throw
M. Sponte pareo, dummodo lex ista servetur. Dignitas
Master willingly I-obey provided-that law that be-kept the-dignity
residentium ad scaccarium in pluribus consistit. Sive enim
of-those-sitting at the-exchequer in many-things consists whether for
de clero sint sive de regis curia qui assident ex
of the-clergy they-be or of of-the-king court who sit-beside by
mandato, ab ea die qua convenient usque ad generalem
mandate from that day on-which they-will-convene right-to to the-general
sessionem, ad alias quaslibet causas sub quibuscunque
sitting to other any causes under whatever
judicibus non evocantur; et si forte vocati fuerint,
judges not they-are-summoned and if perhaps summoned they-will-have-been
ratione publicae potestatis excusantur. Quod si sint actores
by-reason of-public power they-are-excused but if they-be plaintiffs
et non rei qui assident, et alias habent lites, in eorum
and not defendants who sit-beside and other have suits in their
erit arbitrio vel experiri per procuratorem, vel absque
will-be choice either to-try through a-proctor or without
omni detrimento sui juris diem prorogare. Si vero judex sub
all loss of-his right the-day to-postpone if but the-judge under
quo litigant, sive sit ecclesiasticus sive forensis, legis hujus
whom they-litigate whether he-be ecclesiastical or secular of-law this

ignarus, ab jam dicta die convocationis ad scaccarium
ignorant from the-already said day of-convocation to the-exchequer
citaverit quemlibet eorum, et absentem forte per sententiam
will-have-cited any of-them and absent perhaps by sentence
possessione sua vel quovis jure spoliaverit, auctoritate
from-possession his or from-any right will-have-despoiled by-the-authority
principis et ratione sessionis revocabitur in eum statum
of-the-prince and by-reason of-sitting will-be-recalled into that state
causa ipsius, in quo erat ante citationem: sed judex propter
the-cause his in which it-was before the-citation but the-judge for
hoc puniri non meruit; quod enim sui officii est, est
this to-be-punished not has-deserved what for of-his office is he-has
exequutus; licet pro publica potestate non consequatur
carried-out although on-account-of the-public power not it-follow
effectum. Quod si sic citatus fuerit, ut fatalis dies
effect but if so cited he-will-have-been that the-fatal day
lege determinatus sibi constitutus, diem convocationis ad
by-law determined for-him established the-day of-convocation to
scaccarium praeveniat, non poterit se per illud excusare,
the-exchequer precede not he-will-be-able himself by that to-excuse
vel judicis sententiam declinare, vel in se latam irritam
or of-the-judge the-sentence to-decline or against himself passed void
facere, etiamsi alter alteri sic proximus sit, ut iter
to-make even-if the-one to-the-other so near be that the-journey
cogatur arripere. Procuret itaque sibi procuratorem vel
he-be-compelled to-seize let-him-procure and-so for-himself a-proctor or
responsalem, et ipse regiis addictus negotiis ad curiam sine
a-respondent and he to-royal devoted business to the-court without
simulatione festinet. Praeterea barones qui ad scaccarium
pretense let-him-hasten besides the-barons who at the-exchequer
resident, de victualibus suae domus in urbibus et castellis et
sit for victuals of-their house in cities and castles and

maritimis emptis, nomine consuetudinis nihil solvunt. Quod
seaports bought in-the-name of-custom nothing pay but
si minister vectigalium de hiis quicquam solvere compulerit,
if the-officer of-tolls for these anything to-pay will-have-compelled
dummodo praesens sit serviens ejus qui suis usibus empta
provided-that present be the-servant his who for-his uses bought
fuisse oblata fide probare voluerit, baroni quidem
to-have-been with-offered faith to-prove will-have-wished to-the-baron indeed
exacta pecunia restituetur in integrum, et improbus exactor
the-exacted money will-be-restored in full and the-wicked exactor
pro qualitate personae pecuniariam poenam luet. Item
according-to the-quality of-the-person a-pecuniary penalty will-pay likewise
si quilibet etiam magnus in regno inconsulto calore
if anyone even great in the-realm with-unconsidered heat
animi quemlibet ad scaccarium residentem probris vel
of-mind any at the-exchequer sitting with-insults or
conviciis lacessierit, si praesidens ille praesens est, excessus
with-abuse will-have-provoked if the-presiding-one that present is the-excess
hujusmodi ultricem poenam pecuniariam statim excipiet.
of-this-kind an-avenging penalty pecuniary at-once will-receive
Absente vero praesidente, illatam injuriam si constanter ille
with-absent but the-presiding-one the-inflicted injury if steadfastly he
negaverit, et acclamaverint consedentes dixisse eum quod
will-have-denied and will-have-cried-out those-sitting-together to-have-said him what
sibi objicitur, nihilominus regi cui militatur in pecuniam
to-him is-objected nonetheless to-the-king whom it-is-served in money
reus statim judicabitur, nisi festinaverit postulando
the-defendant at-once will-be-judged unless he-will-have-hastened by-asking
misericordiam praevenire judicium. Quod si se invicem hii
mercy to-forestall the-judgment but if themselves in-turn those
qui ad scaccarium resident, contumeliosa qualibet objectione
who at the-exchequer sit with-insulting any objection

molestaverint, mediantibus aliis sui ordinis ministris in
will-have-troubled with-mediating other of-their order officers into
pacem redeant; ut satisfiat ab ipso qui innocentem laesit,
peace let-them-return that it-be-satisfied by him who the-innocent harmed
ad eorum aestimationem. Si vero acquiescere noluerit,
at their estimation if but to-acquiesce he-will-have-refused
sed magis in sua temeritate perseveraverit, proponatur verbum
but rather in his rashness will-have-persisted let-be-put-before the-word
praesidenti, et ab eo postmodum quod justum fuerit
to-the-presiding-one and from him afterward what just will-have-been
uterque suscipiat. Ceterum si per incentorem malorum
each let-receive for-the-rest if through the-instigator of-evils
diabolum, qui fraternae pacis jocundam laetitiam non aequis
the-devil who of-fraternal peace the-pleasant joy not with-equal
aspicit oculis, fieri contigerit, ut inter ipsos majores
looks-on eyes to-be-done it-will-have-happened that between the-very greater-men
dissensionis oriatur occasio, deinde quod absit succrescant
of-dissension arise an-occasion then what far-be-it spring-up
conviciorum jurgia, et addente stimulos Sathana, per alios
of-abuse quarrels and with-adding spurs Satan through other
collegas operis ejus pax reformari non possit; horum omnium
colleagues of-work his peace to-be-restored not can of-these all
cognitio ipsi principi reservabitur; qui secundum quod
the-cognizance for-the-very prince will-be-reserved who according-to what
cordi suo Deus, in Cujus manu ipsum est, inspiraverit,
to-heart his God in Whose hand it is will-have-inspired
excessum puniet; ne qui praesunt aliis ferre videantur
the-excess will-punish lest those-who preside over-others to-bear seem
impune quod decernunt in aliis puniendum.
with-impunity what they-decree in others to-be-punished

D. Ex his manifestum est, quod Salomon ait, 'mors
Disciple from these-things manifest it-is what Solomon says death
et vita in manibus linguae;' et item Jacobus; 'lingua
and life in the-hands of-the-tongue and likewise James the-tongue
modicum membrum est, et magna exaltat.'
a-small member is and great-things exalts
M. Sic est; sed prosequamur de dignitatibus. Fiunt
Master so it-is but let-us-proceed about the-dignities are-made
interdum per comitatus communes assisae, a justitiis
sometimes through the-counties common assizes by the-justices
itinerantibus quos nos deambulatorios vel perlustrantes judices
itinerant whom we walking or surveying judges
nominamus; quae ideo dicuntur communes, quia cognita
name which therefore are-called common because with-known
summa quae de comitatu requiritur communiter ab his
the-sum which from the-county is-required in-common by those
qui in comitatu fundos habent, per hydas distribuitur, ut
who in the-county estates have through hides it-is-distributed that
nihil desit de illa cum ventum fuerit ad scaccarium
nothing be-lacking of it when come it-will-have-been to the-exchequer
solutionis. Ab hiis omnibus omnes hii qui ad scaccarium
of-payment from these all all those who at the-exchequer
ex principis mandato resident liberrimi sunt; adeo ut non
by of-the-prince mandate sit most-free are so-much that not
solum a dominiis sed etiam ab omnibus feodis suis nihil
only from demesnes but also from all fees their nothing
horum exigatur. Si vero qui residet ibi fundum habeat vel
of-these be-exacted if but he-who sits there an-estate have either
ad firmam, vel in custodiam, vel etiam in pignus pro pecunia,
at farm or in custody or even in pledge for money
liber non erit, sed magis de hiis legibus publicis obnoxius
free not he-will-be but rather to these laws public liable

fiet. Amplius autem praeter has liber erit ad scaccarium
he-will-become further moreover besides these free he-will-be at the-exchequer
a murdris, a scutagiis, et a Danegeldis. Quod autem ad
from murder-fines from scutages and from Danegelds what moreover to
ipsum pertinet a summa constituta decidet, et vicecomiti
him pertains from the-sum established will-fall-away and to-the-sheriff
computabitur per haec verba; 'in perdonis per breve regis,
will-be-reckoned through these words in pardons by writ of-the-king
illi vel illi hoc vel illud;' cum tamen nullum super
to-this-one or that-one this or that when yet no about
hoc breve regis habuerit. Caveat autem cui dimittitur
this writ of-the-king he-has-had let-beware moreover he-to-whom is-remitted
aliquid a principe, ne postea sibi dimissum requirat a
anything by the-prince lest afterward to-himself remitted he-demand from
subditis, sed magis memor sit verbi illius, 'dimittite
subjects but rather mindful let-him-be of-word that forgive
et dimittemini;' quia cum hoc fuerit deprehensum,
and you-will-be-forgiven because when this will-have-been caught
princeps evangelicae aemulator doctrinae nec dimittet eum
the-prince of-the-gospel emulator of-doctrine neither will-forgive him
nec debitum dimittet ei, sed forsitan in centuplum puniet;
nor the-debt will-forgive to-him but perhaps into a-hundredfold will-punish
quia impensa sibi gratia videtur abuti, cum ab aliis
because bestowed on-himself the-grace he-seems to-abuse when from others
irreverenter exigit quod gratis sibi dimissum est.
irreverently he-exacts what freely to-himself remitted was

A baron quit at Easter stays quit at Michaelmas, for the king's pardons are not revoked. The entry 'pardoned by the king's writ' where no writ exists goes back to Henry I, who was persuaded to make the barons pay, then repented and sent a writ freeing them forever; the bishop of Ely, Henry I's treasurer, told the master so. Henry II quitted the Templars, Hospitallers and Cistercians of money dues by a writ entered as pardons. Scutage is a sum set on each knight's fee to pay hired soldiers.

D. Dictum est, si bene memini, quod quicunque regis
Disciple said it-was if well I-remember that whoever of-the-king
praecepto residet ad scaccarium quibusdam a lege determinatis
by-order sits at the-exchequer from-certain by the-law determined-things
ratione sessionis liber est. Additum est etiam, si bene recolo,
by-reason of-sitting free is added it-was also if well I-recall
considere scaccarium in termino Paschae, non tamen quae
to-sit the-exchequer in the-term of-Easter not yet what-things
illic fiunt omnino terminari, sed eorum consummationem
there are-done wholly to-be-ended but their completion
termino Sancti Michaelis reservari. Cum igitur possibile sit,
for-the-term of-Saint Michael to-be-reserved since therefore possible it-be
immo et frequenter contingat, aliquem ex regis mandato
nay even often it-happen someone by of-the-king mandate
in termino Paschae ad hoc assumi, qui in termino Sancti
in the-term of-Easter for this to-be-taken who in the-term of-Saint
Michaelis vel fati debita solvit, vel ad alia regni negotia
Michael either of-fate the-debts pays or to other of-the-realm business
mandato regis transfertur, vel quod fortius quibusdam
by-the-mandate of-the-king is-transferred or what harsher to-some
visum est, medio tempore principi factus exosus, tam
seemed it-has in-the-middle time to-the-prince made hateful so
excellentibus negotiis indignus judicatur: quaero si qui
excellent of-business unworthy is-judged I-ask if he-who

termino Paschae quietus est quo pauca terminantur, sed
in-the-term of-Easter quit is in-which few-things are-ended but
omnia per iteratam summonitionem innovantur, hic talis in
all-things through repeated summons are-renewed he such in
termino Sancti Michaelis absolvi mereatur, cum etiam et
the-term of-Saint Michael to-be-absolved deserve when also both
scaccarii sessionem et ipsam principis gratiam demeruerit.
of-the-exchequer the-sitting and the-very of-the-prince grace he-has-forfeited
M. Ad hujus quaestionis partem utramque construendam
Master for of-this question side each to-be-built
copiosa forsitan est rationum inventio, sed noveris regiae
abundant perhaps is of-reasons the-finding but you-should-know of-royal
munificentiae libertatem, post semel indultam absolutionis
munificence the-liberality after once granted of-absolution
gratiam, etiam cum pecuniae dispendio, in partem meliorem
the-grace even with of-money loss toward the-side better
semper esse proniorem: quippe similis est donorum et
always to-be more-inclined indeed alike is of-gifts and
perdonorum regis ratio, ut sicut dona ejus revocari vel
of-pardons of-the-king the-system that as gifts his to-be-revoked or
repeti non debent, sic nec regis dimissa quae
to-be-demanded-back not ought so neither of-the-king the-remissions which
vulgo perdonata dicuntur, nequeunt in irritum devocari.
commonly pardons are-called cannot into void to-be-called-back
Liber igitur et absolutus est in termino consummationis,
free therefore and absolved is in the-term of-completion
qui quocunque modo in praecedenti meruit absolvi.
he-who in-whatever way in the-preceding deserved to-be-absolved
D. Movent me quaedam, quae praedicta sunt. Primo quod
Disciple move me certain-things which aforesaid are first that
dicis aliquid alicui dimitti sub hoc tenore verborum,
you-say anything to-anyone to-be-remitted under this tenor of-words

‘in perdonis per breve regis, illi vel illi hoc
in pardons by writ of-the-king to-this-one or that-one this
vel illud,’ cum tamen nullum breve regis dimissionis
or that when yet no writ of-the-king of-remission
obtinuerit. Quomodo enim fieri potest, ut sic falsa non
he-has-obtained how for to-be-done it-can that so false not
deprehendatur scriptura rotuli, non video.
be-caught the-writing of-the-roll not I-see
M. Movet te nec immerito; quod me diu movit; atque (ut
Master moves you nor undeservedly what me long moved and as
credo) nondum patuit omnibus haec scripturae ratio: unde
I-believe not-yet has-lain-open to-all this of-writing system whence
licet non sit magnum quod petis, attamen est insolitum, et
although not it-be great what you-seek yet it-is unaccustomed and
videtur absurdum, ut per breve regis dicatur dimissum quod
seems absurd that by writ of-the-king be-said remitted what
sine brevi semper est dimittendum. Ea propter de
without writ always is to-be-remitted these-things on-account-of about
hac ipsa sollicitus fui circa dominum Eliensem virum utique
this itself anxious I-was with the-lord of-Ely a-man certainly
hujus officii peritissimum, cujus memoria in benedictione sit
of-this office most-skilled whose memory in blessing be
in aeternum. Hic illustris illius Anglorum regis Henrici primi
for ever he of-illustrious that of-the-English king Henry first
thesaurarius, et nepos Sarisberiensis cujus supra meminimus,
the-treasurer and nephew of-Salisbury of-whom above we-made-mention
incomparabilem suis temporibus habuit scaccarii scientiam:
incomparable in-his times had of-the-exchequer knowledge
maximus etiam existens in hiis quae ad sui status
greatest also being in these-things which to of-his state
dignitatem pertinebant, celebrem sui nominis famam fecit,
the-dignity pertained famous of-his name the-fame he-made

adeo ut pene solus in regno sic vixerit et sic decesserit
so-much that almost alone in the-realm so he-lived and so departed
ut gloriam ejus invida lingua denigrare non audeat. Hic
that glory his an-envious tongue to-blacken not dare he
etiam ab illustri rege Henrico secundo frequenter rogatus,
also by the-illustrious king Henry second often asked
scaccarii scientiam continuata per multos annos bellica
of-the-exchequer the-knowledge with-continued through many years with-warlike
tempestate pene prorsus abolitam reformavit, et totius
with-storm almost entirely abolished restored and of-the-whole
descriptionis ejus formam, velut alter Esdras bibliothecae
description its the-form like another Ezra of-the-library
sedulus reparator, renovavit. Credidit sane vir prudens
zealous repairer renewed believed indeed the-man prudent
satius esse, constitutas ab antiquis leges posteris innotescere,
better to-be the-established by the-ancients laws to-posterity to-become-known
quam sua taciturnitate ut novae conderentur efficere; vix
than by-his silence that new be-founded to-effect scarcely
enim modernitas in quaestu pecuniae mitiora prioribus jura
for modernity in the-getting of-money milder than-the-earlier rights
dictavit. Ab hoc igitur super hoc hujusmodi responsum accepi;
has-dictated from him therefore about this of-this-kind an-answer I-received
'frater, qui aures audiendi avidas habet, facile detractoris
brother he-who ears for-hearing eager has easily of-a-detractor
linguam invenit; etiam is qui non habet non facile eandem
the-tongue finds even he who not has not easily the-same
effugiet. Accessit itaque ad regem Henricum primum vir
will-escape came and-so to king Henry first a-man
aliquis habens sibila serpentis, dicens ei; "barones vestri
some having the-hissings of-a-serpent saying to-him the-barons your
qui ad scaccarium resident ut quid quae de terris eorum
who at the-exchequer sit to what-end what-things from lands their

exsurgunt non solvunt? Cum quidam constitutas habeant ad
arise not pay since certain fixed have at
scaccarium liberationes pro sessione sua; quidam etiam pro
the-exchequer liveries for sitting their certain also for
officio suo fundos habent et fructus eorum; hinc ergo
office their estates have and the-fruits of-them hence therefore
gravis jactura fisco provenit." Cum igitur ille principis
heavy loss to-the-treasury comes when therefore he of-the-prince
emolumentum allegans frequenter instaret, mentem ejus
emolument alleging often pressed the-mind his
vix tandem verbum istud eo usque possedit, ut omnia
scarcely at-last word that to-that point possessed that all-things
constituta ab omnibus solvi praeciperet, nec aliquid alicui
established by all to-be-paid he-ordered nor anything to-anyone
dimitti, nisi quis super hoc expressum ejus obtinuisset
to-be-remitted unless one about this express his had-obtained
mandatum: factumque est ita. Succedente vero tempore,
mandate and-done it-was so with-following but with-time
cum recordaretur princeps consilii Achitophel, poenituit eum
when remembered the-prince the-counsel of-Ahithophel it-repented him
acquievisse. Decrevit autem omnibus illic ministrantibus
to-have-acquiesced he-decreed moreover for-all there serving
omnia praedicta computari, nihil ducens jacturam modici
all-things aforesaid to-be-reckoned nothing considering the-loss of-a-little
aeris respectu magni honoris. Destinavit itaque breve suum
bronze in-respect of-great honor he-sent and-so writ his
ad scaccarium, ut assidentes illic ab his liberi essent jure
to the-exchequer that those-sitting-beside there from these free be by-right
perpetuo. Ab hoc igitur brevi ex tunc et modo dicitur,
perpetual from this therefore writ from then and now it-is-said
"in perdonis per breve regis;" sicque factum est, ut quod
in pardons by writ of-the-king and-so done it-was that what

indultum est patribus etiam nunc perseveret in posteris.'
granted was to-the-fathers even now persists in posterity
Simile autem huic aliquid temporibus modernis nos vidisse
like moreover to-this something in-times modern we to-have-seen
meminimus, quod tractu temporis sub consimili verborum
we-remember which in-course of-time under a-similar of-words
tenore hiis qui absolvi meruerint computabitur. Praecepit
tenor for-those who to-be-absolved will-have-deserved will-be-reckoned ordered
namque dominus rex Henricus secundus in termino Sancti
for the-lord king Henry second in the-term of-Saint
Michaelis xxiiii. anno regni sui, ut milites Templi, et
Michael in-the-24th year of-reign his that the-knights of-the-Temple and
fratres Hospitalis, et monachi Cisterciensis ordinis, quibus
the-brothers of-the-Hospital and the-monks of-the-Cistercian order to-whom
per cartae suae libertatem longe ante quietantiam indulserat
by of-charter his the-liberty long before quittance he-had-granted
omnium quae ad denarios pertinent, excepta justitia mortis
of-all-things which to pennies pertain except-for the-justice of-death
et membrorum, amodo quieti essent de hiis omnibus quae
and of-limbs henceforth quit be of these all-things which
ad denarios per singulos comitatus pertinerent, adeo ut
to pennies through each county should-pertain so-much that
de cetero cartas suas ad scaccarium deferre non cogerentur.
for the-rest charters their to the-exchequer to-carry not they-be-compelled
Hoc enim regiae pietatis decrevit auctoritas, ut sic semel
this for of-royal piety decreed the-authority that so once
baronum consideratione de hiis omnibus expedirentur; ne
of-the-barons by-consideration from these all they-be-freed lest
qui ad frugem vitae melioris transierunt, et orationibus
those-who to the-fruit of-life better have-passed and to-prayers
potius vacare tenentur, ad scaccarium propter hoc cum
rather to-be-free are-bound at the-exchequer on-account-of this with

cartis suis inutilem et taediosam moram facere compellantur.
charters their useless and tedious delay to-make be-compelled
Consilio igitur et consideratione baronum qui interfuerunt
by-the-counsel therefore and consideration of-the-barons who were-present
factum est breve domini regis sub hoc tenore; 'Clamo
made was the-writ of-the-lord king under this tenor I-declare
quietos milites Templi de quinque marcis, quae exiguntur
quit the-knights of-the-Temple of five marks which are-demanded
ab hominibus eorum pro defectu; et prohibeo ne amodo
from men their for default and I-forbid lest henceforth
ab ipsis vel hominibus eorum vel terris aliquid exigatur
from them or men their or lands anything be-demanded
vel capiatur, quod ad denarios pertineat. Testibus his ibi.'
or be-taken which to pennies pertain with-witnesses these there
Sic et fratribus Hospitalis, et monachis praedictis. Hujus
so also to-the-brothers of-the-Hospital and to-the-monks aforesaid of-this
autem auctoritate mandati, amodo per singulos comitatus
moreover by-the-authority of-mandate henceforth through each county
de omnibus quae ad denarios pertinent quieti erunt: sic
of all-things which to pennies pertain quit they-will-be so
ut dicatur in annali, 'in perdonis per breve regis
that it-be-said in the-annual-roll in pardons by writ of-the-king
illud,' scilicet cujus supra meminimus.
that namely of-which above we-made-mention
D. Satis intellexi quod dictum est. Nunc si placet, quid
Disciple enough I-have-understood what said is now if it-pleases what
sit scutagium, murdrum, vel Danegeldum, aperire non differas.
be scutage murder-fine or Danegeld to-open do-not delay
Barbara quidem esse videntur; sed eo magis me sollicitant,
barbarous indeed to-be they-seem but by-that more me they-trouble
quod ab hiis dicis liberos esse scaccarii ministros.
that from these you-say free to-be of-the-exchequer the-officers

Quid Scutagium, et quare sic dictum est.
what Scutage and why so called it-is
M. Fit interdum, ut imminente vel insurgente in
Master it-happens sometimes that with-threatening or rising against
regnum hostium machinatione decernat rex de singulis
the-realm of-enemies with-the-scheming decree the-king from each
feodis militum summam aliquam solvi, marcam scilicet
fee of-knights a-sum some to-be-paid a-mark namely
vel libram unam; unde militibus stipendia vel donativa
or pound one whence for-the-knights wages or gifts
succedant. Mavult enim princeps stipendiarios, quam
may-follow prefers for the-prince paid-soldiers rather-than
domesticos bellicis opponere casibus. Haec itaque summa,
household-men to-warlike to-oppose chances this and-so sum
quia nomine scutorum solvitur, scutagium nuncupatur. Ab
because in-the-name of-shields it-is-paid scutage is-called from
hoc autem quieti sunt ad scaccarium residentes.
this moreover quit are at the-exchequer those-sitting

Quid Murdrum, et quare sic dictum

THE MURDER FINE AND DANEGELD

A murder fine falls on the hundred where a Norman is found secretly slain and his killer unknown, instituted when the conquered English waylaid the Normans; now that the races are mingled, any secret killing is so punished, except of villeins. The English who had not fought against William held their lands by their lords' favor and by agreement, not by inheritance. Danegeld, two shillings on the hide, paid men to guard the coasts against the Danes. The master holds the barons quit of assarts made before Henry I died: Earl Robert of Leicester gave up a writ of quittance when Bishop Nigel objected, and the master himself won back assart money paid.

Porro murdrum proprie dicitur mors alicujus occulta,
further murder properly is-called the-death of-someone hidden
cujus interfector ignoratur. Murdrum enim idem est quod
whose slayer is-unknown murdrum for the-same is as
absconditum vel occultum. In primitivo itaque regni
hidden or secret in the-original and-so of-the-realm
statu post conquisitionem, qui relicti fuerant de Anglicis
state after the-conquest those-who left had-been of the-English
subjectis in suspectam et exosam sibi Normannorum
subjects against the-suspected and hateful to-them of-the-Normans
gentem latenter ponebant insidias, et passim ipsos in
race secretly were-laying ambushes and here-and-there them in
nemoribus et locis remotis, nacta opportunitate, clanculo
woods and places remote with-gotten opportunity secretly
jugulabant: in quorum ultione cum reges et eorum
were-cutting-the-throats-of in whose vengeance when the-kings and their
ministri per aliquot annos exquisitis tormentorum generibus
officers through some years with-exquisite of-tortures kinds
in Anglicos desaevirent, nec tamen sic omnino desisterent,
against the-English raged nor yet thus wholly they-desisted

in hoc tandem devolutum est consilium, ut centuriata,
into this at-last rolled was the-counsel that the-hundred
quam hundredum dicunt, in qua sic interfectus Normannus
which hundred they-call in which so slain a-Norman
inveniebatur, quia mortis ejus minister non exstabat,
was-found because of-the-death his the-agent not existed
nec per fugam quis esset patebat, in summam grandem
nor by flight who he-was was-evident into a-sum great
argenti examinati fisco condemnaretur, quaedam scilicet
of-silver assayed to-the-treasury be-condemned some namely
in xxxvi., quaedam in xliiii. l., secundum locorum
into 36 some into 44 pounds according-to of-the-places
diversitatem et interfectionis frequentiam; quod ideo factum
the-diversity and of-killing the-frequency which therefore done
dicunt, ut scilicet poena generaliter inflicta praetereuntium
they-say that namely a-penalty generally inflicted of-passers-by
indemnitatem procuraret, et festinaret quisque tantum punire
the-safety might-procure and might-hasten each-one so-great to-punish
delictum, vel offerre judicio per quem tam enormis
the-offense or to-offer to-judgment through whom so enormous
jactura totam laedebat viciniam. Ab horum, ut praediximus,
loss the-whole was-harming neighborhood from of-these as we-said-before
solutione sedentes ad tabulam liberos noveras.
the-payment those-sitting at the-table free you-had-known
D. Nunquid pro murdro debet imputari clandestina mors
Disciple surely-not for murder ought to-be-imputed the-secret death
Anglici sicut Normanni?
of-an-Englishman as of-a-Norman
M. A prima institutione non debet, sicut audisti: sed jam
Master from the-first institution not it-ought as you-heard but now
cohabitantibus Anglicis et Normannis, et alterutrum uxores
with-dwelling-together the-English and Normans and each-other wives

ducentibus vel nubentibus, sic permixtae sunt nationes,
marrying or being-married so mingled are the-nations
ut vix discerni possit hodie, de liberis loquor, quis
that scarcely to-be-distinguished it-can today of free-men I-speak who
Anglicus quis Normannus sit genere; exceptis duntaxat
English who Norman be by-race except-for only
ascriptitiis qui villani dicuntur, quibus non est liberum
the-bound who villeins are-called to-whom not it-is free
obstantibus dominis suis a sui status conditione discedere.
with-opposing lords their from of-their state the-condition to-depart
Ea propter pene quicunque sic hodie occisus reperitur,
these-things on-account-of almost whoever so today slain is-found
ut murdrum punitur, exceptis his quibus certa sunt ut
as murder is-punished except-for those to-whom certain are as
diximus servilis conditionis indicia.
we-said of-servile condition signs
D. Miror singularis excellentiae principem et acerrimae
Disciple I-wonder of-singular excellence a-prince and of-keenest
virtutis hominem, in subactam et sibi suspectam
virtue a-man toward the-subdued and to-himself suspected
Anglorum gentem hac usum misericordia, ut non solum
of-the-English race this to-have-used mercy that not only
colonos per quos agricultura posset exerceri indempnes
the-tenants through whom agriculture could to-be-practiced unharmed
servaret; verum ipsis regni majoribus fundos suos et
he-kept but to-the-very of-the-realm greater-men estates their and
amplas possessiones relinqueret.
ample possessions he-left
M. Licet haec ad suscepta negotia quibus debitor
Master although these-things to the-undertaken business to-which debtor
factus sum non attinent, tamen quae super hiis ab
made I-am not pertain yet what-things about these from

ipsis indigenis accepi, gratis exponam. Post regni
the-very natives I-received freely I-shall-set-out after of-the-realm
conquisitionem, post justam rebellium subversionem, cum
the-conquest after the-just of-the-rebels overthrow when
rex ipse regisque proceres loca nova perlustrarent, facta
the-king himself and-of-the-king the-nobles places new were-surveying made
est inquisitio diligens, qui fuerint qui contra regem in bello
was an-inquiry diligent who they-were who against the-king in war
dimicantes per fugam se salvaverint. His omnibus et
fighting through flight themselves had-saved to-these all and
item haeredibus eorum qui in bello occubuerunt, spes omnis
likewise to-the-heirs of-those who in war fell hope all
terrarum et fundorum atque redituum quos ante possederant,
of-lands and of-estates and of-revenues which before they-had-possessed
praeclusa est: magnum namque reputabant frui vitae
shut-off was great for they-reckoned to-enjoy of-life
beneficio sub inimicis. Verum qui vocati ad bellum nec
the-benefit under enemies but those-who called to war not
dum convenerant, vel familiaribus vel quibuslibet necessariis
yet had-assembled or with-domestic or with-any necessary
occupati negotiis non interfuerant, cum tractu temporis
busied with-business not had-been-present when in-course of-time
devotis obsequiis gratiam dominorum possedissent, sine spe
by-devoted services the-favor of-the-lords they-had-possessed without hope
successionis sibi tantum pro voluptate tamen dominorum
of-succession for-themselves only at the-pleasure however of-the-lords
possidere coeperunt. Succedente vero tempore cum dominis
to-possess they-began with-following but with-time when to-lords
suis odiosi passim a possessionibus pellerentur, nec esset
their hateful here-and-there from possessions they-were-driven nor was
qui ablata restitueret, communis indigenarum ad
there-one-who the-taken-things might-restore a-common of-the-natives to

regem pervenit querimonia, quasi sic omnibus exosi et rebus
the-king came complaint as-if so to-all hateful and of-things
spoliati ad alienigenas transire cogerentur. Communicato
despoiled to foreigners to-pass they-were-compelled with-communicated
tandem super his consilio, decretum est, ut quod a
at-last about these with-counsel decreed it-was that what from
dominis suis exigentibus meritis interveniente pactione legitima
lords their with-requiring merits intervening agreement lawful
poterant obtinere, illis inviolabili jure concederentur: ceterum
they-could to-obtain to-them by-inviolable right be-granted for-the-rest
autem nomine successionis a temporibus subactae gentis
however in-the-name of-succession from the-times of-the-subdued race
nihil sibi vendicarent. Quod quidem quam discreta
nothing for-themselves they-should-claim which indeed with-how discreet
consideratione cautum sit, manifestum est, praesertim cum sic
consideration provided it-be manifest is especially since so
modis omnibus ut sibi consulerent, de cetero studere
in-ways all that for-themselves they-might-provide for the-rest to-strive
tenerentur devotis obsequiis dominorum suorum gratiam
they-were-bound by-devoted services of-lords their the-favor
emercari. Sic igitur quisquis de gente subacta fundos vel aliquid
to-purchase so therefore whoever of the-race subdued estates or anything
hujusmodi possidet, non quod ratione successionis deberi
of-this-kind possesses not what by-reason of-succession to-be-owed
sibi videbatur, adeptus est; sed quod solummodo meritis
to-himself seemed obtained he-has but what only with-merits
suis exigentibus, vel aliqua pactione interveniente, obtinuit.
his requiring or with-some agreement intervening he-obtained
D. Quid sit centuriata vel hundredum non satis novi.
Disciple what be a-hundred or hundred not enough I-know

M. Sustine modicum: scies postea loco suo, hoc est in
Master bear a-little you-will-know afterward in-place its that is in
titulo de libro judiciario. Nunc prosequamur de Danegeldo
the-title about the-book judicial now let-us-proceed about Danegeld
et ut ratio nominis tibi constet, paulisper adverte.
and that the-reason of-the-name to-you be-established for-a-little attend
Quid Danegeldum, et quare sic dictum.
what Danegeld and why so called

Insula nostra suis contenta bonis peregrinis
island our with-its content goods with-foreign
Non eget. Hanc igitur merito dixere priores,
not needs this therefore deservedly called the-forebears
Divitiisque sinum deliciisque larem.
both-of-riches the-bosom and-of-delights the-hearth

Propter haec innumeras ab exteris injurias passa est;
on-account-of these-things countless from foreigners injuries suffered it-has
quia scriptum est; furem preciosa signata sollicitant.
because written it-is the-thief precious sealed-things tempt
Circumjacentium enim insularum praedones irruptione
of-the-surrounding for islands the-pirates with-an-incursion
facta maritima depopulantes, aurum, argentum, et quaeque
made the-coasts ravaging gold silver and whatever
pretiosa tollebant. Verum cum rex et indigenae bellicis
precious were-taking but when the-king and the-natives with-warlike
apparatibus instructi in suae gentis defensionem instarent,
with-equipment furnished for of-their race the-defense pressed
illi fugas aggrediebantur aequoreas. Inter hos itaque pene
they flights undertook seaward among these and-so almost
praecipua et semper pronior ad nocendum erat bellicosa
chief and always more-inclined to harming was warlike

illa et populosa gens Dacorum; qui praeter communem
that and populous race of-the-Danes who beyond the-common
raptorum avaritiam acrius instabant, quia aliquid de
of-plunderers greed more-keenly pressed because something from
antiquo jure in ejusdem regni dominatione vendicabant, sicut
ancient right in of-the-same realm the-lordship they-claimed as
Britonum plenius narrat historia. Ad hos igitur arcendos
of-the-Britons more-fully tells the-history for these therefore to-be-kept-off
a regibus Anglicis statutum est, ut de singulis hidis
by the-kings English established it-was that from each hide
regni jure quodam perpetuo duo solidi argenti solverentur
of-the-realm by-right a-certain perpetual two shillings of-silver be-paid
in usus virorum fortium, qui perlustrantes et jugiter
for the-uses of-men brave who surveying and continually
excubantes maritima impetum hostium reprimerent. Quia
keeping-watch-over the-coasts the-onset of-the-enemies might-check because
igitur principaliter pro Dacis institutus est hic redditus,
therefore chiefly for the-Danes established is this revenue
Danegeldum vel Danegeldus dicitur. Hic igitur annua lege,
Danegeld or Danegeldus it-is-called this therefore by-annual law
sicut dictum est, sub indigenis regibus solvebatur, usque
as said it-is under native kings was-paid right-to
ad tempora regis Willelmi primi de gente et genere
to the-times of-king William first of the-nation and race
Normannorum. Ipso namque regnante, tam Daci quam
of-the-Normans with-him for reigning both the-Danes and
ceteri terrae marisque praedones hostiles cohibebant incursus;
the-other of-land and-of-sea pirates hostile restrained incursions
scientes verum esse quod scriptum est; 'cum fortis
knowing true to-be what written is when a-strong-man
armatus custodit atrium suum, in pace sunt ea quae
armed guards court his in peace are those-things which

possidet.' Noverant autem etiam quod acerrimae virtutis
he-possesses they-knew moreover also that of-keenest virtue
homines impunitas non ferunt injurias. Cum ergo diu
men unpunished not bear injuries when therefore long
siluisset terra sub ejusdem regis imperio, noluit hoc
had-been-silent the-land under of-the-same king the-rule he-was-unwilling this
ut annuum solvi, quod fuerat urgente necessitate bellicae
as annual to-be-paid which had-been with-pressing necessity of-warlike
tempestatis exactum, nec tamen omnino propter inopinatos
storm exacted nor yet wholly on-account-of unexpected
casus dimitti. Raro igitur temporibus illius vel successorum
chances to-be-remitted rarely therefore in-the-times of-him or of-the-successors
ipsius solutus est: hoc est cum ab exteris gentibus
his paid it-was that is when from foreign nations
bella vel opiniones bellorum insurgebant. Verum quocunque
wars or rumors of-wars were-rising but at-whatever
tempore solvatur, ab ipso liberi sunt qui assident ad
time it-be-paid from it free are those-who sit-beside at
scaccarium, sicut dictum est. Vicecomites quoque licet inter
the-exchequer as said it-is the-sheriffs also although among
barones scaccarii non computantur, ab hoc quieti sunt de
the-barons of-the-exchequer not they-are-reckoned from this quit are for
dominiis suis, propter laboriosam ejusdem census collectam.
demesnes their on-account-of the-laborious of-the-same tax collection
Noveris autem dominica cujuslibet haec dici, quae
you-should-know moreover the-demesnes of-anyone these-things to-be-called which
propriis sumptibus vel laboribus excoluntur; et item quae
by-own expenses or labors are-cultivated and likewise which
ab ascriptitiis suis suo nomine possidentur. Quia enim
by bound-men his in-his name are-possessed because for
ascriptitii de regni jure non solum ab hiis quae
the-bound-men by of-the-realm right not only from these-things which

modo possident ad alia loca a dominis suis transferri
now they-possess to other places by lords their to-be-transferred
possunt: verum etiam ipsi quoque licite venduntur vel
can but even they themselves lawfully are-sold or
quomodo libet distrahuntur; merito tam ipsi quam terrae,
in-what-way it-pleases are-scattered deservedly both they and the-lands
quas excolunt ut dominis suis serviant, dominia reputantur.
which they-cultivate that to-lords their they-may-serve demesnes are-reckoned
Item fertur ab his quibus antiqua scaccarii dignitas
likewise it-is-reported by those to-whom the-ancient of-the-exchequer dignity
oculata fide pernotuit, quod barones ejus ab
by-eyewitness faith has-become-thoroughly-known that the-barons its from
essartis forestarum liberi sunt de dominiis suis. Quibus
assarts of-the-forests free are for demesnes their with-whom
et nos consentire videmur; adjecta determinatione, ut de
also we to-agree seem with-added a-determination that of
hiis essartis dicantur quieti, quae fuerant ante diem qua
these assarts they-be-called quit which had-been before the-day on-which
rex illustris Henricus primus rebus humanis exemptus
the-king illustrious Henry first from-things human removed
est. Si enim de omnibus quocunque tempore factis vel
was if for of all-things at-whatever time made or
faciendis quieti essent, liberum videretur baronibus propter
to-be-made quit they-were free it-would-seem for-the-barons on-account-of
impunitatem nemora sua in quibus regia foresta consistit,
impunity the-woods their in which the-royal forest consists
pro sui arbitrii voluntate succidere; quod nequaquam
according-to of-their judgment the-will to-cut-down which by-no-means
impune possunt, nisi praecedente regis consensu vel
with-impunity they-can unless with-preceding of-the-king with-the-consent or
principalis forestarii. Porro in necessarios etiam usus suae
of-the-chief forester further for necessary even uses of-their

domus de propriis nemoribus non assumunt hii, qui in
house from own woods not take those who in
foresta sua habent domicilia, nisi per visum eorum qui
the-forest their have dwellings except through the-view of-those who
ad forestae custodiam deputantur. Verum sunt plures qui
to of-the-forest the-custody are-deputed but there-are many who
suis velint argumentis astruere, quod de essartis hiis
by-their would-wish arguments to-build-up that of assarts these
nullus liber sit ratione sessionis ad scaccarium. Si quis
no-one free be by-reason of-sitting at the-exchequer if anyone
omnium illic residentium erga principem quovis delinqueret
of-all there sitting toward the-prince in-any should-offend
infortunio, unde pecuniariter puniri mereretur, a poena
misfortune whence in-money to-be-punished he-would-deserve from penalty
illa liber non esset nisi speciali principis mandato. Cum
that free not he-would-be except by-special of-the-prince mandate since
ergo essartum factum excessus sit in forestam regis,
therefore an-assart made an-excess be against the-forest of-the-king
non debet, ut dicunt, is qui sic delinquit et propter hoc
not ought as they-say he who so offends and on-account-of this
punitur, nisi regis expresso mandato liberari. Haec itaque
is-punished except of-the-king by-express mandate to-be-freed this and-so
ratio licet subtilis sit, et videatur aliquibus pene sufficiens,
reasoning although subtle it-be and seem to-some almost sufficient
obviat tamen illi quod poena pro essartis constituta
stands-against yet that that the-penalty for assarts established
sit et communis in illos, qui sic delinquunt; ut scilicet
is and common against those who so offend that namely
pro essarto jugeris unius triticei solidus unus solvatur; pro
for the-assart of-an-acre one of-wheat shilling one be-paid for
jugere vero quo seritur avena, vi. d. jure perpetuo.
an-acre but in-which is-sown oats 6 pennies by-right perpetual

Ex hiis autem particulis coacta summa quaedam exsurget,
from these moreover particles a-gathered sum some will-arise
de qua vicecomes ad scaccarium respondere tenetur; sicut
for which the-sheriff at the-exchequer to-answer is-bound as
ex constitutis duobus solidis vel uno per singulas hidas
from the-fixed two shillings or one through each hide
comitatus summa una quae communis assisa nuncupatur,
of-the-county a-sum one which common assize is-called
excrescit. Quia igitur in hiis expressam habet similitudinem
grows because therefore in these express it-has likeness
essartum cum assisa communi, sicut dictum est, videri
the-assart with the-assize common as said it-is to-seem
potuit non immerito similiter quietos habendos illos ab
it-could not undeservedly likewise quit to-be-held those from
essartis ut ab aliis communibus assisis. Item obviat eis
assarts as from other common assizes likewise stands-against them
consuetudinis ususque longaevi non vilis auctoritas. Sic enim
of-custom and-of-usage long-lasting not cheap authority so for
retroactis temporibus fuisse commemorant quibus cana
in-past times to-have-been they-recall to-whom hoary
memoria est. Vidi ego ipse qui loquor tecum temporibus
memory is I-saw I myself who speak with-you in-times
modernis Legrecestriae comitem Robertum, virum discretum,
modern of-Leicester the-earl Robert a-man discreet
litteris eruditum et in negotiis forensibus exercitatum. Hic
in-letters learned and in business forensic practiced he
ingenitam habens animi virtutem, paternae quoque prudentiae
inborn having of-mind virtue of-paternal also prudence
aemulator effectus est: cujus industria pluribus examinata
an-emulator made was whose industry by-many tested
est penes principem nostrum Henricum secundum, quem
was with prince our Henry second whom

nec palliata prudentia nec dissimulata fallit ineptia; ut ex
neither cloaked prudence nor dissembled deceives folly so-that by
mandato ipsius non solum ad scaccarium, verum etiam per
the-mandate his not only at the-exchequer but also through
universum regnum praesidentis dignitatem obtinuerit. Hic
the-whole realm of-the-presiding-one the-dignity he-obtained he
semel imminente visitatione nemorum quam reguardam vulgo
once with-threatening the-visitation of-the-woods which regard commonly
dicunt, quae tertio anno fit, breve regis obtinuit,
they-call which in-the-third year is-made a-writ of-the-king obtained
ut quietus esset ab hiis quae de terra ipsius pro
that quit he-be from those-things which from land his for
essartis exigebantur, apposito numero qui de his exsurgebat:
assarts were-demanded with-set the-number which from these arose
quo delato et lecto ad scaccarium in publico stupebant
with-which brought and read at the-exchequer in public were-astounded
omnes et mirabantur, dicentes; 'Nonne comes iste libertatem
all and wondered saying surely earl this liberty
nostram infirmat?' Contuentibus igitur se invicem qui
our weakens with-looking-at therefore themselves in-turn those-who
assidebant, exorsus est felicis memoriae Nigellus tunc Eliensis
sat-beside begun has of-happy memory Nigel then of-Ely
episcopus, sic inquiens cum modestia: 'Domine comes, irritam
bishop thus saying with modesty lord earl void
fecisse videris per hoc breve scaccarii dignitatem, qui
to-have-made you-seem by this writ of-the-exchequer the-dignity you-who
mandatum regis de hiis rebus impetrasti, a quibus liber
the-mandate of-the-king about these things obtained from which free
es per sessionem scaccarii: ac si consequenter amodo
you-are through sitting of-the-exchequer as if consequently henceforth
per locum a majori debeat inferri; qui de essartis
by the-topic from the-greater it-ought to-be-inferred he-who for assarts

breve regis non obtinet, solutioni mox obnoxius fiat; sed
a-writ of-the-king not obtains to-payment soon liable become but
salva reverentia, perniciosus est propter exemplum hic
with-saved with-reverence pernicious is on-account-of the-example this
absolutionis modus.' Cum igitur, ut fit in dubiis, quidam
of-absolution manner when therefore as happens in doubts certain-men
sic quidam aliter sentirent, allatus est in hujus rei validum
so certain-men otherwise thought brought was for of-this matter a-strong
argumentum, rotulus annalis de tempore regis illius magni
proof the-roll annual from the-time of-king that great
cujus supra meminimus, sub quo plurimum floruisse
of-whom above we-made-mention under whom very-much to-have-flourished
dicitur dignitas et scientia scaccarii; et inventum est
is-said the-dignity and knowledge of-the-exchequer and found it-was
aliquid, quod episcopo de dignitate residentium alleganti
something which to-the-bishop about the-dignity of-those-sitting alleging
consonum videbatur: quibus auditis, paulisper deliberans
consonant seemed with-which heard for-a-little deliberating
secum comes, sic ait; 'Fateor me super hiis rebus breve
with-himself the-earl thus says I-confess me about these things a-writ
regis impetrasse, non ut jus vestrum infirmarem sed
of-the-king to-have-obtained not that right your I-might-weaken but
ut sic sine molestia declinarem importunam nimis, regi
that so without trouble I-might-avoid the-importunate too to-the-king
tamen incognitam, alaniorum exactionem.' Abdicans ergo
yet unknown of-the-foresters exaction renouncing therefore
breve suum, per libertatem sessionis praeelegit absolvi.
writ his through the-liberty of-sitting he-preferred to-be-absolved
Succedente tempore cum praedictus episcopus infirmitate
with-following time when the-aforesaid bishop by-infirmity
detentus adesse non posset, me ipso supplente ad
detained to-be-present not could with-me myself filling at

scaccarium vices ipsius in quibus poteram, contigit essarta
the-exchequer the-turns his in which-things I-could it-happened assarts
solvi; cum ergo de dominio ejus exacta solverentur,
to-be-paid when therefore from the-demesne his the-exacted-things were-paid
questus sum in publicum allegans jus absolutionis. De
complained I in public alleging the-right of-absolution by
communi ergo omnium consilio et consideratione, quae
common therefore of-all counsel and consideration which
jam soluta fuerat mihi restituta est summa; reservans
already paid had-been to-me restored was the-sum reserving
autem quae de dominio suo provenerant, ascriptitiis ejus
moreover which from demesne his had-come to-the-bound-men his
quod de quolibet exactum fuerat cum integritate restitui,
what from each exacted had-been with entirety to-be-restored
ut hujus rei testis esset superstes memoria.
that of-this thing a-witness be a-surviving memory

THE FOREST, ASSARTS, THE TREASURY, AND DOMESDAY

Forest law stands apart, under the king's will. An assart is woodland cut and tilled, fined even in a man's own woods. The treasury is the money and the place; its chests hold the seal and Domesday Book, made from King William's survey by county, hundred, and hide, whose sentence, like the Last Judgment's, admits no appeal.

D. Salva reverentia, non exemplis sed rationibus in
Disciple with-saved with-reverence not with-examples but with-reasons in
hiis utendum est.
these-things to-be-used it-is
M. Ita est; sed fit interdum, ut causae rerum
Master so it-is but it-happens sometimes that the-causes of-things
dictorumque rationes occultae sint, et tunc sufficit de his
and-of-sayings the-reasons hidden be and then it-suffices about these

exempla subjicere, praesertim de viris prudentibus sumpta,
examples to-set-under especially from men prudent taken
quorum opera circumspecta sunt et sine ratione non fiunt.
whose works circumspect are and without reason not are-done
Verum quicquid super his dixerimus allegantes pro
but whatever about these-things we-shall-have-said alleging for
hac libertate vel contra eam, certum habeas quod nihil
this liberty or against it certain may-you-have that nothing
in hac parte certum dicimus, nisi quod principis auctoritas
in this part certain we-say except what of-the-prince the-authority
decreverit observandum. Sane forestarum ratio, poena
will-have-decreed to-be-observed indeed of-the-forests the-system the-penalty
quoque vel absolutio delinquentium in eas, sive pecuniaria
also or absolution of-those-offending against them whether pecuniary
fuerit sive corporalis, seorsum ab aliis regni
it-will-have-been or corporal apart from the-other of-the-realm
judiciis secernitur, et solius regis arbitrio vel cujuslibet
judgments is-separated and of-alone of-the-king to-the-judgment or of-any
familiaris ad hoc specialiter deputati subjicitur. Legibus
intimate for this specially deputed is-subjected by-laws
quidem propriis subsistit; quas non communi regni jure,
indeed own it-subsists which not on-the-common of-the-realm right
sed voluntaria principum institutione subnixas dicunt; adeo
but on-the-voluntary of-princes institution based they-say so-much
ut quod per legem ejus factum fuerit, non justum
that what by law its done will-have-been not just
absolute, sed justum secundum legem forestae dicatur. In
absolutely but just according-to the-law of-the-forest be-called in
forestis etiam penetralia regum sunt, et eorum maximae
the-forests also the-inner-sanctums of-kings are and their greatest
deliciae; ad has enim venandi causa curis quandoque
delights to these for for-the-sake of-hunting with-cares sometimes

depositis accedunt, ut modica quiete recreentur. Illic
laid-aside they-come that with-small with-quiet they-be-refreshed there
seriis simul, et innatis curiae tumultibus omissis, in
with-serious-things at-once and inborn of-the-court with-tumults omitted into
naturalis libertatis gratiam paulisper respirant; unde fit, ut
of-natural liberty the-grace for-a-little they-breathe whence it-happens that
delinquentes in eam soli regiae subjaceant animadversioni.
those-offending against it to-alone royal be-subject punishment
D. Ab ungue primo didici, quod prave prudentis est
Disciple from the-nail first I-learned that perversely of-a-prudent-man it-is
ignorantiam pati malle, quam dictorum causas inquirere;
ignorance to-suffer to-prefer than of-sayings the-causes to-inquire
ut ergo de praedictis plenius constet, aperire non
that therefore about the-aforesaid more-fully it-be-established to-open do-not
differas quid foresta sit, et quid essartum.
delay what the-forest be and what an-assart
Quid Regis Foresta, et quae ratio hujus nominis.
what of-the-King Forest and what the-reason of-this name
M. Foresta regis est tuta ferarum mansio; non
Master the-forest of-the-king is a-safe of-wild-beasts dwelling not
quarumlibet sed sylvestrium; non quibuslibet in locis sed
of-any but of-woodland not any in places but
certis et ad hoc idoneis; unde foresta dicitur, e mutata
certain and for this suitable whence forest it-is-called with-e changed
in o, quasi feresta, hoc est ferarum statio.
into o as-if feresta that is of-wild-beasts the-station
D. Nunquid in singulis comitatibus foresta regis est?
Disciple surely-not in each county a-forest of-the-king is
M. Non; sed in nemorosis, ubi et ferarum latibula
Master no but in wooded where both of-wild-beasts lairs
sint et uberrima pascua: nec interest cujus sint nemora,
be and richest pastures nor does-it-matter whose be the-woods

sive sint regis, sive regni procerum, liberos tamen
whether they-be of-the-king or of-the-realm nobles free yet
et indempnes habent ferae circumquaque discursus.
and unharmed have the-wild-beasts round-about runnings
Quid Essartum, et quare sic dictum.
what an-Assart and why so called
Essarta vero vulgo dicuntur, quae apud Isidorum
assarts but commonly are-called what-things in Isidore
occationes nominantur; quando scilicet forestae nemora vel
occationes are-named when namely of-the-forest woods or
dumeta quaelibet pascuis et latibulis opportuna succiduntur;
thickets any for-pastures and lairs suitable are-cut-down
quibus succisis et radicitus avulsis, terra subvertitur et
with-which cut-down and by-the-roots torn-out the-earth is-overturned and
excolitur. Quod si nemora sic excisa sint, ut subsistens quis
is-cultivated but if woods so cut-out be that standing someone
innixus exstanti succisae quercus vel alterius arboris stipiti,
leaning on-a-standing of-a-cut-down oak or of-another tree stump
circumspiciens v. succisas viderit, vastum reputant, hoc est,
looking-around 5 cut-down will-have-seen waste they-reckon that is
vastatum per syncopen sic dictum. Excessus autem talis etiam
wasted by syncope so called the-excess moreover such even
in propriis cujusque nemoribus factus, adeo gravis dicitur, ut
in own of-each woods done so grave is-said that
nunquam inde per sessionem scaccarii liberari debeat; sed
never thence through sitting of-the-exchequer to-be-freed it-ought but
magis juxta sui status possibilitatem pecuniariter puniri.
rather according-to of-his state the-means in-money to-be-punished
Hactenus de dignitatibus residentium ad scaccarium, quod
thus-far about the-dignities of-those-sitting at the-exchequer what
brevitas succincta permisit, et menti meae repente se
brevity concise permitted and to-mind my suddenly itself

obtulit, utcunque figuraliter exposui. Ceterum regum
offered somehow figuratively I-have-set-out for-the-rest of-kings
munificentiae terminum in hiis quem non transgrediantur
for-the-munificence a-limit in these-things which not they-may-transgress
non constitui; proni etiam sunt omnes propter gratiam
not I-have-established inclined also are all on-account-of the-favor
sibi creditam in suae dignitatis gloriam promovendam, hii
to-them entrusted to of-their dignity the-glory to-be-promoted those
praesertim qui recte sapiunt: at ille maxime mundanorum
especially who rightly are-wise but he most of-worldly
principum maximus illustris Anglorum rex Henricus secundus
princes greatest illustrious of-the-English king Henry second
in augendis dignitatibus sibi militantium semper aspirat;
in being-increased the-dignities to-himself of-those-serving always aspires
sciens pro certo, quod indulta suis beneficia nominis sui
knowing for certain that granted to-his-men benefits of-name his
gloriam immortalis famae titulis emercantur. Nunc igitur
the-glory of-immortal of-fame with-titles purchase now therefore
ad alia currentem calamum convertamus.
to other-things the-running pen let-us-turn

D. Consequens est, ni fallor, sicut ex praedictis
Disciple following it-is unless I-am-mistaken as from the-aforesaid
videor comperisse, ut de regis sigillo, et libro judiciario
I-seem to-have-found that about of-the-king seal and book judicial
prosequaris, quorum primum si bene memini in thesauro
you-proceed of-which the-first if well I-remember in the-treasury
servatur et inde non recedit.
is-kept and thence not departs

M. Immo et utrumque, sed et pleraque alia.
Master nay also each but also very-many other-things

Quod Thesaurus interdum dicitur ipsa pecunia, interdum
that the-Treasury sometimes is-called the-very money sometimes
locus in quo servatur.
the-place in which it-is-kept
Noveris autem thesaurum quandoque dici pecuniam
you-should-know moreover treasure sometimes to-be-called the-money
ipsam numeratam; vasa diversi generis aurea vel argentea, ac
itself counted vessels of-various kind golden or silver and
vestimentorum mutatoria. Secundum hanc acceptionem dicitur,
of-garments changes according-to this sense it-is-said
'ubi est thesaurus tuus, ibi est cor tuum.' Dicitur enim
where is treasure your there is heart your is-called for
thesaurus locus in quo reponitur, unde thesaurus auri thesis,
treasure the-place in which it-is-stored whence treasure of-gold thesis
id est positio, nominatur; ut nunc incongrue respondeatur
that is placing is-named so-that now unfittingly it-be-answered
quaerenti de quolibet ubi sit, in thesauro est, hoc est, ubi
to-one-asking about anything where it-be in the-treasury it-is that is where
thesaurus reponitur. Numerata quidem pecunia vel alia
treasure is-stored counted indeed money or other-things
praedicta semel in tuto loco reposita non efferuntur, nisi cum
aforesaid once in a-safe place stored not are-carried-out except when
ex regis mandato in necessarios usus distribuenda sibi
by of-the-king mandate for necessary uses to-be-distributed to-him
mittantur. Verum plura sunt in repositoriis archis thesauri,
they-be-sent but many-things are in the-repositories chests of-the-treasury
quae circumferuntur, et includuntur et custodiuntur a
which are-carried-around and are-shut-in and are-guarded by
thesaurario et camerariis, sicut supra plenius ostensum est:
the-treasurer and chamberlains as above more-fully shown it-is
qualia sunt sigillum regis de quo quaeris, liber judiciarius,
such-as are the-seal of-the-king about which you-ask the-book judicial

rotulus qui exactorius dicitur, quem quidem nominant breve de
the-roll which exactory is-called which indeed they-name the-writ of
firmis. Item magni annales, compotorum rotuli, privilegiorum
farms likewise the-great annals of-the-accounts rolls of-privileges
numerosa multitudo, receptarum recauta ac rotuli receptarum,
a-numerous multitude of-the-receipts counterfoils and rolls of-receipts
ac brevia regis de exitu thesauri, et pleraque alia
and writs of-the-king about the-issue of-the-treasury and very-many other-things
quae, consedente scaccario, quotidianis usibus necessaria sunt.
which with-sitting the-exchequer for-daily uses necessary are
Qui sit usus Sigilli Regii quod est in Thesauro.
what be the-use of-the-Seal Royal which is in the-Treasury
Usus sigilli regii qualis esse debeat ex praemissis
the-use of-the-seal royal of-what-kind to-be it-ought from the-premises
constare potest: hoc enim factae summonitiones et
to-be-established it-can with-this for made summonses and
alia pertinentia duntaxat ad scaccarium regis mandata
other-things pertaining only to the-exchequer of-the-king mandates
signantur; nec effertur alias; sed sicut supra dictum est,
are-sealed nor is-carried-out elsewhere but as above said it-is
a cancellario custoditur per vicarium. Expressam autem
by the-chancellor is-guarded through a-deputy express moreover
habet imaginem et inscriptionem cum deambulatorio curiae
it-has the-image and inscription with the-traveling of-the-court
sigillo, ut par cognoscatur utrobique jubentis auctoritas,
seal that equal be-known in-both-places of-the-one-ordering the-authority
et reus similiter judicetur pro hoc et pro illo, qui
and the-defendant likewise be-judged for this and for that who
secus egerit. Porro liber ille de quo quaeris sigilli
otherwise will-have-acted further book that about which you-ask of-the-seal

regii comes est individuus in thesauro. Hujus institutionis
royal the-companion is inseparable in the-treasury of-this institution
causam ab Henrico quondam Wintoniensi episcopo sic accepi.
the-cause from Henry formerly of-Winchester bishop thus I-received
Quid Liber Judiciarius, et ad quid compositus.
what the-Book Judicial and for what composed
Cum insignis ille subactor Angliae rex Willelmus ejusdem
when renowned that subduer of-England king William of-the-same
pontificis sanguine propinquus, ulteriores insulae fines
pontiff by-blood near the-farther of-the-island bounds
suo subjugasset imperio, et rebellium mentes terribilium
to-his had-subjugated rule and of-the-rebels the-minds of-terrible
perdomuisset exemplis; ne libera de cetero daretur
had-thoroughly-tamed with-examples lest free for the-rest be-given
erroris facultas, decrevit subjectum sibi populum juri
of-error the-faculty he-decreed the-subjected to-himself people to-law
scripto legibusque subjicere. Propositis igitur legibus
written and-to-laws to-subject with-set-forth therefore with-the-laws
Anglicanis secundum tripartitam earum distinctionem, hoc est
English according-to the-threefold their distinction that is
Merchenelage, Denelage, Westsaxenelage, quasdam reprobavit,
Mercian-law Danelaw West-Saxon-law certain he-rejected
quasdam autem approbans, illis transmarinas Neustriae
certain moreover approving to-them the-overseas of-Normandy
leges, quae ad regni pacem tuendam efficacissimae
laws which for of-the-realm the-peace to-be-guarded most-effective
videbantur, adjecit. Demum ne quid deesse videretur ad
seemed he-added at-last lest anything to-be-lacking seem for
omnem totius providentiae summam, communicato consilio,
every of-the-whole of-foresight sum with-communicated counsel
discretissimos a latere suo destinavit viros per regnum
most-discreet from the-side his sent men through the-realm

in circuitu. Ab hiis itaque totius terrae descriptio diligens
in a-circuit by these and-so of-the-whole land a-description diligent
facta est, tam in nemoribus, quam in pascuis et pratis,
made was both in woods and in pastures and meadows
nec non in agriculturis, et verbis communibus annotata in
nor not in cultivated-lands and in-words common noted into
librum redacta est; ut videlicet quilibet jure suo contentus,
a-book brought was that namely anyone with-right his content
alienum non usurpet impune. Fit autem descriptio per
another's not usurp with-impunity is-made moreover the-description by
comitatus, per centuriatas, et per hidas, praenotato in ipso
counties by hundreds and by hides with-written-first at the-very
capite regis nomine, ac deinde seriatim aliorum procerum
head of-the-king with-the-name and then in-series of-the-other nobles
nominibus appositis secundum status sui dignitatem, qui
with-the-names set according-to of-their state the-dignity who
videlicet de rege tenent in capite. Apponuntur autem
namely from the-king hold in chief are-set moreover
singulis numeri secundum ordinem sic dispositis, per
to-each numbers according-to the-order so arranged through
quos inferius in ipsa libri serie, quae ad eos
which lower in the-very of-the-book series the-things-which to them
pertinent, facilius occurrunt. Hic liber ab indigenis Domesdei
pertain more-easily occur this book by the-natives Domesday
nuncupatur, id est, dies judicii per metaphoram; sicut
is-called that is the-day of-judgment by metaphor as
enim districti et terribilis examinis illius novissimi sententia
for of-the-strict and terrible examination of-that last the-sentence
nulla tergiversationis arte valet eludi: sic cum orta fuerit
by-no of-evasion art can to-be-eluded so when arisen will-have-been
in regno contentio de his rebus quae illic annotantur; cum
in the-realm a-dispute about these things which there are-noted when

ventum fuerit ad librum, sententia ejus infatuari non
come it-will-have-been to the-book the-sentence its to-be-made-foolish not
potest vel impune declinari. Ob hoc nos eundem librum
can or with-impunity be-declined for this we the-same book
judiciarium nominavimus; non quod in eo de propositis
judicial have-named not because in it about set-forth
aliquibus dubiis feratur sententia; sed quod ab eo sicut
any doubtful-things be-passed a-sentence but because from it as
a praedicto judicio non licet ulla ratione discedere.
from the-aforesaid judgment not it-is-allowed by-any reason to-depart

THE HIDE, THE HUNDRED, THE COUNTY, AND THE EXACTORY ROLL

A hide is a hundred acres, a hundred is some hundreds of hides, and a county is made of hundreds; the earl takes the third penny of the county's pleas, and the sheriff stands in his place. Not every county has an earl. The exactory roll lists the king's farms. The master urges the disciple to labor rather than idleness; when the disciple fears that nightfall will cut the work short, the master answers that he had feared rather to bore him, and turns to the summonses: from what they are made, how, and for what.

D. Quid comitatus, quid centuriata, vel quid sit hida, si
Disciple what a-county what a-hundred or what be a-hide if
placet edissere; alioquin plana non erunt quae praemissa
it-pleases explain otherwise plain not will-be what-things set-forth
sunt.
are

Quid Hida, quid Centuriata, quid Comitatus, secundum
what a-Hide what a-Hundred what a-County according-to
vulgarem opinionem.
common opinion
M. Ruricolae melius hoc norunt; verum sicut ab ipsis
Master the-countrymen better this know but as from them
accepimus, hida a primitiva institutione ex centum acris
we-received the-hide from the-original institution of a-hundred acres
constat: hundredus vero ex hidarum aliquot centenariis, sed non
consists the-hundred but of of-hides some hundreds but not
determinatis; quidam enim ex pluribus, quidam ex paucioribus
determined some for of more some of fewer
hidis constat. Hinc hundredum in veteribus regum Anglorum
hides consist hence the-hundred in the-old of-the-kings English
privilegiis centuriatam nominari frequenter invenies. Comitatus
privileges centuriata to-be-named often you-will-find the-counties
autem eadem lege ex hundredis constant, hoc est quidam
moreover by-the-same law of hundreds consist that is some
ex pluribus quidam ex paucioribus, secundum quod divisa est
of more some of fewer according-to what divided is
terra per viros discretos. Comitatus igitur a comite dicitur,
the-land by men discreet the-county therefore from earl is-called
vel comes a comitatu, Comes autem est qui tertiam
or earl from county the-earl moreover is he-who the-third
portionem eorum quae de placitis proveniunt in quolibet
portion of-those-things which from the-pleas come in any
comitatu percipit. Summa namque illa quae nomine firmae
county receives the-sum for that which in-the-name of-farm
requiritur a vicecomite, tota non exsurgit ex fundorum
is-required from the-sheriff whole not arises from of-the-estates
redditibus, sed ex magna parte de placitis provenit; et
the-revenues but from great part from the-pleas comes and

horum tertiam partem comes percipit; qui ideo sic dici
of-these the-third part the-earl receives who therefore so to-be-called
dicitur, quia fisco socius est et comes in percipiendis.
is-said because to-the-treasury a-partner he-is and companion in being-received
Porro vicecomes dicitur, quia vicem comitis suppleat in
further sheriff he-is-called because the-place of-the-earl he-fill in
placitis illis, quibus comes ex suae dignitatis ratione participat.
pleas those in-which the-earl by of-his dignity reason shares
D. Nunquid ex singulis comitatibus comites ista
Disciple surely-not from each county earls these-things
percipiunt?
receive
M. Nequaquam: sed hii tantum ista percipiunt,
Master by-no-means but those only these-things receive
quibus regum munificentia, obsequii praestiti vel eximiae
whom of-kings the-munificence of-service rendered or of-outstanding
probitatis intuitu, comites sibi creat, et ratione dignitatis
probity in-regard earls for-itself creates and by-reason of-dignity
illius haec conferenda decernit, quibusdam haereditarie,
that these-things to-be-conferred decrees to-some hereditarily
quibusdam personaliter.
to-some personally
Quid Rotulus Exactorius.
what the-Roll Exactory
Rotulus exactorius ille est, in quo distincte satis et
the-roll exactory that is in which distinctly enough and
diligenter annotantur firmae regis, quae ex singulis
diligently are-noted the-farms of-the-king which from each
comitatibus exsurgunt, cujus summa minui quidem non
county arise whose sum to-be-diminished indeed not
potest, sed per operosam justiciarii diligentiam frequenter
can but through the-laborious of-the-justiciar diligence often

augetur. Reliquorum ratio, scilicet annalium rotulorum, et
is-increased of-the-remaining the-account namely of-annual rolls and
aliorum quorum supra meminimus, quae in thesauro sunt et
of-others of-which above we-made-mention which in the-treasury are and
inde non recedunt, ex praedictis satis liquet. Restat igitur
thence not depart from the-aforesaid enough is-clear it-remains therefore
ut ad majores et magis necessarias institutiones scaccarii
that to the-greater and more necessary institutions of-the-exchequer
convertamur, in quibus ut praedictum est excellentior est
we-turn in which as aforesaid is more-excellent is
et utilior et a pluribus remotior scaccarii scientia.
and more-useful and from many more-remote of-the-exchequer the-knowledge
Audi, mi frater, et auribus audiendi percipe quae loquor
hear my brother and with-ears of-hearing perceive what-things I-speak
tibi. Non poenitebit te modicum tempus ereptum otiis
to-you not it-will-repent you a-little time snatched from-leisure
impendere velle negotiis. Sunt enim nonnulli, qui non
to-spend to-wish on-business there-are for some who not
erubescunt dicere in cordibus suis, 'qui apponit scientiam,
blush to-say in hearts their he-who adds knowledge
apponit et dolorem:' hiis onerosa est doctrina et jocundum
adds also sorrow to-these burdensome is learning and pleasant
desipere. Propter hoc ab hiis longe facta est veritas,
to-be-foolish on-account-of this from these far made is truth
qui metuentes jocundum disciplinae laborem incidunt in
who fearing the-pleasant of-discipline labor fall into
errorem. Fiunt igitur caeci corde, viarumque pericula
error they-become therefore blind in-heart and-of-the-ways the-dangers
non videntes pronis gressibus in praecipitium ruunt.
not seeing with-headlong steps into the-precipice rush
Verum te, frater, nullus dies otiosum inveniat; ne te forte
but you brother no day idle may-find lest you perhaps

vacantem pessimis quibusque subjiciat pronior in malum
unoccupied to-worst all subject the-more-inclined to evil
infirmitatis humanae conditio. Quod si forte tibi nulla sunt,
of-infirmity human condition but if perhaps to-you none are
honesta tamen finge negotia; ut semper exercitatus animus
honest yet feign business that always exercised the-mind
expeditior sit ad doctrinam. His igitur negotiis in quae
more-ready be for learning to-these therefore business into which
nos impegisti paulisper attende; non ut ex eis magnos
us you-have-thrust for-a-little attend not that from them great
laboris metas fructus, sed tantum ne sis otiosus.
of-labor you-may-reap fruits but only lest you-be idle
D. Vereor ne instantis noctis crepusculum praecipitem
Disciple I-fear lest of-the-approaching night the-twilight a-headlong
imponat finem negotiis, et omissis pluribus necessariis
set end to-the-business and with-omitted many necessary-things
acceleres, ut careas importunitate quaerentis.
you-hurry that you-may-be-free-of the-importunity of-the-asker
M. Immo ego magis veritus sum, ne te post longa
Master nay I rather feared have lest you after long
silentia, propter agrestem stilum, diu suppressus cachinnus
silences on-account-of the-rustic style long suppressed a-guffaw
succuteret, vel forte tacitus tecum pertractasses, qualiter
should-shake or perhaps silent with-yourself you-had-considered how
sine nostra molestia ab his avelli posses, ad quae
without our trouble from these to-be-torn-away you-could to which
nos coegisti. Ob hoc fateor me finem intempestivum pene
us you-compelled for this I-confess me an-end untimely almost
posuisse dicendis: sed tamen cum docilis sis et in
to-have-put to-the-things-to-be-said but yet since teachable you-are and in
te nondum tepuerit attentionis industria, coepto ferar
you not-yet has-cooled of-attention the-industry on-the-begun I-shall-be-borne

itinere. Ut igitur dispositae rationis ordini satisfiat, de
journey that therefore of-the-arranged system to-the-order it-be-satisfied about
summonitionibus primo loco dicendum est: ex quibus
summonses in-first place to-be-spoken it-is from which
scilicet et qualiter, et ad quid fiant. Atque ut de
namely and how and for what they-be-made and that about
his tibi plenius constet, sit trium praemonstrandorum
these to-you more-fully it-be-established let-be of-the-three things-to-be-shown-first
primo prius ultimum, hoc est, ad quid fiant.
first the-earlier the-last that is for what they-be-made

Fiunt autem summonitiones, ut Scaccarium fiat

BOOK II: THE SUMMONSES, WHY AND HOW THEY ARE MADE

The summons calls those needed, to judge or to pay, to a named place, stating each debt and its cause; a debt not summoned need not be answered. After the session the treasurer's clerks draw the debts from the great roll, the greater men set what each must pay, and the writ takes a fixed form, adding what the itinerant justices' rolls record as owed. A clause against debtors who moved their goods lapsed; the practice stands. Easter is a view of account; Michaelmas restates its sums, increased, and an error is blotted out.

Praecedente namque brevi summonitionis, quod regiae
with-preceding for with-the-writ of-summons which of-royal
auctoritatis signatur imagine, convocantur ad locum
authority is-sealed with-the-image are-convened to the-place
nominatum qui necessarii sunt; nec enim necesse habent
named those-who necessary are nor for need they-have
accedere, nisi summonitione praemissa. Accedunt autem
to-come unless with-summons sent-ahead come moreover
quidam ut sedeant et judicent, quidam ut solvant
some that they-may-sit and judge some that they-may-pay
et judicentur. Sedent et judicant ex officio vel ex
and be-judged sit and judge by office or by
principis mandato barones quorum supra meminimus. Solvunt
of-the-prince mandate the-barons of-whom above we-made-mention pay
autem et judicantur vicecomites et alii plures in regno,
moreover and are-judged the-sheriffs and other many in the-realm
quorum quidam voluntariis oblationibus, quidam necessariis
of-whom some for-voluntary offerings some for-necessary
solutionibus, obnoxii sunt, de quibus infra plenius dicemus
payments liable are about which below more-fully we-shall-speak
in agendis vicecomitis. Horum itaque cum per omnes
in the-business of-the-sheriff of-these and-so since through all

comitatus numerosa sit multitudo, oportet in ipsa citatione
counties numerous be the-multitude it-behooves in the-very citation
emissa de singulis seriatim exprimi, quantum in instanti
sent-out about each in-series to-be-expressed how-much in the-present
termino solvi debeat, adjecta etiam causa; ut si dicatur,
term to-be-paid ought with-added also with-the-cause as if it-be-said
de illo habeas hanc vel illam summam, propter hanc
from that-one have this or that sum on-account-of this
vel hanc causam. Quod si autem residente ad compotum
or this cause but if moreover with-sitting for the-account
vicecomite, requiratur aliquid de quovis debitore qui sit in
with-the-sheriff be-required anything from any debtor who be in
comitatu suo, de quo tamen in summonitione nulla fuit
county his about whom yet in the-summons no was
mentio, non tenebitur respondere; sed magis excusabitur;
mention not he-will-be-bound to-answer but rather will-be-excused
quia non praecessit hujus rei summonitio. Ad hoc ergo
because not preceded of-this thing a-summons for this therefore
summonitiones fiunt, ut firmae regis et debita multiplici
summonses are-made that the-farms of-the-king and debts by-manifold
ratione requirenda fisco proveniant. Verum sunt aliqua,
reason to-be-required to-the-treasury may-come but there-are some-things
quae per manum vicecomitis provenire necesse est, etiamsi
which through the-hand of-the-sheriff to-come necessary it-is even-if
nulla de his summonitio fiat; sed haec magis casualia sunt
no about these summons be-made but these more casual are
quam constituta vel certa, sicut ex consequentibus liquebit.
than established or certain as from what-follows will-be-clear

Qualiter Summonitiones fiant.

how Summonses be-made

Qualiter autem vel quo ordine fiant, primo dicendum

how moreover or in-what order they-be-made first to-be-said

est, ac demum ex quibus. Noveris autem quod,

it-is and at-last from which-things you-should-know moreover that

soluto scaccario termini illius quo fiunt summonitiones,

with-dissolved the-exchequer of-the-term that in-which are-made summonses

excipiuntur a clericis thesaurarii debita regis per

are-taken-down by the-clerks of-the-treasurer the-debts of-the-king through

singulos comitatus a magno rotulo illius anni, et in

each county from the-great roll of-that year and in

brevioribus annotantur, simul cum causis; quo facto

shorter-ones are-noted together with the-causes with-which done

secedunt hii in partem quos majores diximus, proposito

withdraw these to one-side whom the-greater-men we-called with-set-forth

comitatu quolibet, et de singulis debitoribus illius decernunt

county any and about each debtor of-it decide

quantum summonitioni debeat, habita consideratione secundum

how-much to-the-summons it-ought with-had consideration according-to

qualitatem personae, et secundum qualitatem negotii et

the-quality of-the-person and according-to the-quality of-the-business and

causae pro qua regi tenetur. Authenticus etiam annalis

of-the-cause for which to-the-king he-is-bound the-authentic also annual

rotulus a quo debita excepta sunt, tenetur a thesaurario vel

roll from which the-debts taken-down are is-held by the-treasurer or

ejus clerico, ne forte fuerit in excipiendo quomodolibet

his clerk lest perhaps there-have-been in taking-down in-any-way

erratum. Est etiam alius clericus, qui quod illi taxaverint

erred there-is also another clerk who what they will-have-assessed

in exceptis annotat studiose; de quibus summonitio fit

in the-excerpts notes zealously about which the-summons is-made

per haec verba; 'H. rex Anglorum, illi vel illi
through these words H king of-the-English to-this-one or that-one
vicecomiti, salutem. Vide sicut teipsum et omnia tua diligis,
sheriff greeting see as yourself and all-things your you-love
quod sis ad scaccarium ibi vel ibi, in crastino Sancti
that you-be at the-exchequer there or there on the-morrow of-Saint
Michaelis, vel in crastino clausi Paschae, et habeas ibi
Michael or on the-morrow of-the-close of-Easter and have there
tecum, quicquid debes de veteri firma vel nova, et nominatim
with-you whatever you-owe from the-old farm or new and by-name
haec debita subscripta; de illo x. marcas pro hac causa, et
these debts written-below from that-one 10 marks for this cause and
sic deinceps.' Annotatis autem omnibus debitis illic seriatim
so thereafter with-noted moreover with-all debts there in-series
cum causis, quae in majori annali rotulo continentur,
with causes which in the-greater annual roll are-contained
proferuntur minores quique perambulantium judicum rotuli,
are-brought-forth the-lesser all of-the-traveling judges rolls
ex quibus excipiuntur quae in singulis comitatibus
from which are-taken-down the-things-which in each county
domino regi debentur, labore et industria ipsorum; et
to-the-lord king are-owed by-the-labor and industry of-them and
hiis taxatis a majoribus, in summonitionibus annotantur;
with-these assessed by the-greater-men in the-summonses are-noted
quibus ordine digestis, terminatur summonitio per haec
with-which in-order arranged is-ended the-summons through these
verba: 'Et haec omnia tecum habeas in denariis, taleis,
words and these all-things with-you may-you-have in pennies tallies
et brevibus et quietautiis, vel capientur de firma tua;
and writs and quittances or they-will-be-taken from farm your
teste illo vel illo, ibi ad scaccarium.' Fuerunt tamen
with-witness this-one or that-one there at the-exchequer there-were yet

qui crederent dicendum in denariis vel taleis vel brevibus
who believed to-be-said in pennies or tallies or writs
vel quietantiis; non intelligentes vel quandoque subdisjunctive
or quittances not understanding or sometimes subdisjunctively
poni. Superflua tamen est hujusmodi de verbis contentio,
to-be-put superfluous yet is of-this-kind about words contention
cum de eorum intellectu constiterit: sive enim
when about their understanding it-has-been-established whether for
dixeris 'in denariis vel brevibus vel quietantiis,' vel 'in
you-shall-have-said in pennies or writs or quittances or in
denariis et brevibus et quietantiis,' idem est intellectus;
pennies and writs and quittances the-same is the-understanding
ut scilicet in hiis omnibus vel eorum aliquibus, satisfiat
that namely in these all or of-them in-some it-be-satisfied
de his quae in summonitione continentur. Praeterea,
about those-things which in the-summons are-contained besides
quia novis morbis per nova remedia decet subveniri,
because for-new diseases through new remedies it-befits to-be-helped
additum fuit in summonitionibus hoc subscriptum, ex
added was in the-summonses this written-below from
novella constitutione, hoc est post tempora regis Henrici
a-recent ordinance that is after the-times of-king Henry
primi: quod 'si forte de alicujus debito summonitus es,
first that if perhaps about of-anyone the-debt summoned you-are
qui terram vel catalla non habet in baillia tua, et noveris
who land or chattels not has in bailiwick your and you-shall-know
in cujus baillia vel comitatu habuerit; tu ipse vicecomiti
in whose bailiwick or county he-will-have-had you yourself to-sheriff
illi vel ballivo per breve tuum hoc ipsum significes, deferente
that or bailiff by writ your this itself signify with-carrying
illud aliquo a te misso, qui ei breve tuum in
it with-someone by you sent who to-him writ your in

comitatu, si potest, vel coram pluribus liberet.' Haec
the-county if he-can or before many may-deliver these-things
quae praediximus apponere ridiculosa satis et dispendiosa
which we-said-before to-add ridiculous enough and costly
quorundam subterfugia compulerunt. Cognito enim quibus
of-certain-men subterfuges compelled with-known for by-what
determinatis summonitiones emittebantur, antequam pervenisset
determined-things summonses were-sent-out before had-come
ad comitatum summonitio de debito suo, vacuatis horreis
to the-county the-summons about debt his with-emptied barns
et pecuniis suis quocunque sibi distractis vel ad loca
and with-moneys his anywhere by-himself scattered or to places
tuta translatis, vacuus in domo sua residens, vicecomitis
safe transferred empty in house his sitting of-the-sheriff
et ceterorum officialium securus exspectabat adventum; et
and of-the-other officials secure was-awaiting the-arrival and
hac arte plurimis annis regiae summonitionis auctoritas
by-this art for-very-many years of-the-royal summons the-authority
non sine dispendio videbatur eludi. Ille enim, ad quem
not without loss seemed to-be-eluded he for to whom
cum facultatibus suis metus hujus causa transierat, cum
with possessions his of-fear of-this for-the-sake he-had-passed since
inde mandatum non haberet, in res suas manum mittere
thence a-mandate not he-had on things his a-hand to-put
non praesumebat. Hac ergo consideratione per aliquot
not presumed with-this therefore consideration through some
annos in summonitionibus appositum fuit verbum quod
years in the-summonses set was the-word which
praemissum est; nec postea alicui patuit locus subterfugii,
set-before is nor afterward to-anyone lay-open a-place of-subterfuge
quin satisfaciat omnis debitor per omnem modum, nisi
but-that satisfy every debtor in every way except

quem sola suprema excusat inopia. Cum autem jam
whom alone supreme excuses poverty when moreover already
omnibus vicecomitibus et debitoribus constitisset quia
to-all sheriffs and debtors it-had-been-established that
sic sophisticae poterant importunitates determinari, non
so the-sophistical could importunities to-be-ended not
oportuit amplius illud verbum apponi, nec apponitur: modus
it-behooved further that word to-be-set nor is-it-set the-manner
tamen ille qui dictus est coercionis debitorum quacumque
yet that which said is of-coercion of-debtors wherever
se transtulerint, perseverat apud vicecomites, et
themselves they-will-have-transferred persists among the-sheriffs and
quasi quodam jure perpetuo constitutus servatur.
as-if by-a-certain right perpetual established is-kept
D. Audivi jamdudum referentibus multis, quod bis in
Disciple I-have-heard long-since with-reporting many that twice in
anno scaccarium convocetur, hoc est in termino Paschae et in
the-year the-exchequer be-convened that is in the-term of-Easter and in
termino Sancti Michaelis. Dixisti etiam, si bene memini, nisi
the-term of-Saint Michael you-said also if well I-remember unless
praemissis summonitionibus scaccarium non teneri. Cum ergo
with-sent-ahead summonses the-exchequer not to-be-held since therefore
summonitiones ad utrumque terminum fiant, rogo te, si placet,
summonses for each term be-made I-ask you if it-pleases
aperias, si in utrisque summonitionibus lex una servetur, vel,
you-open if in both summonses law one be-kept or
si in verborum tenore dissonantia est, quae sit, et quare sic.
if in of-words the-tenor a-discord is what it-be and why so

Quae sit differentia summonitionum utriusque termini.
what be the-difference of-the-summonses of-each term
M. Magnum tuae provectionis est argumentum quod super
Master great of-your advancement is the-proof that about
hiis jam nosti dubitare. Porro certo certius est, quod
these-things already you-know to-doubt further than-certain more-certain it-is that
bis scaccarium in anno convocatur et tenetur; praecedentibus
twice the-exchequer in the-year is-convened and is-held with-preceding
tamen, ut praedictum est, summonitionibus. Terminorum
yet as aforesaid is with-summonses the-terms
utriusque sessionis satis bene meministi. Sed attende, quod
of-each sitting enough well you-have-remembered but attend that
in termino Paschae a vicecomitibus non compoti sed quidam
in the-term of-Easter by the-sheriffs not accounts but certain
visus compotorum fiunt; unde pene nihil eorum quae illic
views of-accounts are-made whence almost nothing of-those-things which there
tunc geruntur scripturae commendatur; sed totum reservatur
then are-done to-writing is-committed but the-whole is-reserved
alii termino; et tunc diligenter in magno annali rotulo
for-the-other term and then diligently in the-great annual roll
singula per ordinem annotantur; tamen quaedam memoranda
each-thing in order are-noted yet certain memoranda
quae frequenter incidunt a clerico thesaurarii seorsum
which often occur by the-clerk of-the-treasurer apart
conscribuntur; ut soluto scaccario illius termini de
are-written that with-dissolved the-exchequer of-that term about
hiis discernant majores; quae quidem non facile propter
these may-decide the-greater-men which indeed not easily on-account-of
numerosam sui multitudinem, nisi scripto commendarentur,
the-numerous their multitude unless to-writing they-were-committed
occurrerent. Insuper quid vicecomes in thesauro solverit de
would-occur moreover what the-sheriff in the-treasury has-paid of

firma; ac deinde si satisfacit, in eadem linea scribitur, 'et
the-farm and then if he-satisfies in the-same line is-written and
quietus est:' si non, debitum ejus in inferiori linea distincte
quit he-is if not debt his in the-lower line distinctly
ponitur, ut sciatur, quantum de summa illius termini desit;
is-put that be-known how-much of the-sum of-that term be-lacking
et statim satisfaciat ad arbitrium praesidentium. Quilibet enim
and at-once let-him-satisfy at the-judgment of-the-presiding-ones any for
vicecomes medietatem firmae illius quae de suo comitatu
sheriff the-half of-the-farm that which from his county
per annum exsurgit, in termino illo soluturus est. Noveris
through the-year arises in term that about-to-pay is you-should-know
autem, quod in hiis summonitionibus tenor verborum non
moreover that in these summonses the-tenor of-words not
mutatur nisi quod ad terminum pertinet vel locum; si scilicet
is-changed except what to the-term pertains or the-place if namely
decreverint majores alias tenendum scaccarium Paschae,
will-have-decreed the-greater-men elsewhere to-be-held the-exchequer of-Easter
et alias scaccarium Sancti Michaelis; sed eadem virtute
and elsewhere the-exchequer of-Saint Michael but with-the-same with-force
verborum in utrisque summonitionibus servata, dissimilis est
of-words in both summonses kept unlike is
debitorum exceptorum annotatio. In summonitione namque
of-the-debts taken-down the-noting in the-summons for
contra terminum Paschae facta, quod tunc annus ille dicitur
against the-term of-Easter made because then year that is-said
initiari, simpliciter dicetur de illo, 'habeas x. libras;' et
to-be-begun simply it-will-be-said from that-one have 10 pounds and
de hac summonitione non nisi solvendo tunc vel satisfaciendo
from this summons not except by-paying then or by-satisfying
de x. libris absolvetur. At cum facienda est summonitio
of 10 pounds he-will-be-absolved but when to-be-made is the-summons

de termino Sancti Michaelis in quo clauditur et terminatur
about the-term of-Saint Michael in which is-closed and is-ended
idem annus, et fit annalis rotulus, addetur praedictis
the-same year and is-made the-annual roll will-be-added to-the-aforesaid
x. li. aliae x. li., vel plura, sicut praesidentibus visum
10 pounds other 10 pounds or more as to-the-presiding-ones seen
fuerit, et dicetur, 'de illo habeas xx. li.' qui
it-will-have-been and it-will-be-said from that-one have 20 pounds who
tamen termino Paschae de hac ipsa summa x. solverat, sed
yet in-the-term of-Easter of this very sum 10 had-paid but
solvens x. li. in denariis nunc, et proferens taleam de
paying 10 pounds in pennies now and bringing-forth the-tally of
x. jamdudum solutis, absolvi merebitur a summonitione:
10 long-since paid to-be-absolved will-deserve from the-summons
dictum est enim in summonitione, 'haec omnia habeas
said it-is for in the-summons these all-things may-you-have
in denariis et brevibus et taleis.' Noveris praeterea,
in pennies and writs and tallies you-should-know besides
quod facta summonitione, si dum corrigitur inventus
that with-made the-summons if while it-is-corrected found
fuerit error, non debet subducta linea cancellari, sed
will-have-been an-error not it-ought with-drawn-under a-line to-be-canceled but
nec abradi, quia patens scriptura est: immo potius, in
nor to-be-scraped because patent the-writing is nay rather in
quo erratum fuerit, debet penitus oblitterari, ut quod
which erred it-will-have-been it-ought wholly to-be-blotted-out that what
scriptum fuerat nulli pateat; cujus rei causa, si tecum
written had-been to-no-one lie-open of-which thing the-cause if with-yourself
super hiis actitaveris, facile tibi valet occurrere.
about these-things you-shall-have-discussed easily to-you can to-occur

The disciple fears a sheriff could alter the summons he keeps; the master answers that every debt is recorded elsewhere, and that the archdeacon of Poitiers, now bishop of Winchester, once had every summons copied, until the debts grew too many. The master praises Henry II, who overcame his rebellious wife and sons and spared the conquered. The king divided the realm among six circuits of itinerant justices, whose rolls, once delivered, they cannot change: they pay any error themselves. The treasurer enters those rolls in the great roll, and the summonses are drawn from them.

D. Cum, sicut commemoras, patens sit illud scriptum, et
Disciple since as you-recall patent be that writing and
sic vicecomiti destinetur, et per longa tempora penes
so to-the-sheriff be-sent and through long times in-possession-of
ipsum suosque resideat, soli fidei ejus summonitionis
him and-his-men remain to-the-sole faith his of-the-summons
indemnitas committitur. Posset enim, quod vellet
the-safety is-entrusted he-could for what he-might-wish
impune delere, mutare, vel minuere, cum non exstet
with-impunity to-delete to-change or to-diminish since not exists
aliquod penes barones ejus rescriptum.
any in-possession-of the-barons of-it a-copy
M. Posset fortasse, si vellet; sed foret hoc insani capitis
Master he-could perhaps if he-wished but would-be this of-an-insane head
argumentum, si tantis se periculis sponte opponeret;
a-proof if to-so-great himself dangers willingly he-should-oppose
praesertim cum non auferre sic regis debita posset,
especially since not to-take-away so of-the-king debts he-could
sed vix differre. Omnia namque debita de quibus
but scarcely to-delay all for debts about which
summonitiones fiunt, alias diligenter annotata servantur;
summonses are-made elsewhere diligently noted are-kept

unde non posset quis a debito suo, etiam procurante
whence not could anyone from debt his even with-procuring
vicecomite, hac arte liberari. Verum ad majorem hujus rei
the-sheriff by-this art to-be-freed but for greater of-this thing
cautelam vidimus a Pictavensi archidiacono nunc Wintoniensi
caution we-have-seen by the-Poitiers archdeacon now of-Winchester
episcopo omnium summonitionum rescripta fieri, nec
bishop of-all summonses copies to-be-made nor
aliquatenus originales emitti, nisi factis et diligenter
at-all the-originals to-be-sent-out unless with-made and diligently
correctis earum rescriptis. Cum autem, sedente vicecomite
with-corrected their with-copies when moreover with-sitting the-sheriff
ad compotum, legeretur summonitio a clerico cancellarii,
for the-account was-read the-summons by the-clerk of-the-chancellor
inspiciens clericus archidiaconi rescriptum, observabat eum ne
looking-at the-clerk of-the-archdeacon the-copy was-watching him lest
exorbitaret. Procedente vero tempore, cum numerus debitorum
he-should-go-astray with-proceeding but with-time when the-number of-debts
cresceret in immensum, adeo ut uni summonitioni unius
grew into the-immense so-much that for-one summons of-one
membranae longitudo non sufficeret, cessum est multitudini
membrane the-length not sufficed yielded it-was to-the-multitude
et laborioso operi, et sola originali summonitione,
and to-the-laborious work and with-the-sole original summons
sicut antiquitus, contenti sunt. Sic habes, ut credo, quantum
as of-old content they-are so you-have as I-believe as-much-as
brevitas permisit, qualiter et ad quid summonitiones fiant.
brevity permitted how and for what summonses be-made
Nunc ex quibus fieri debeant libet intueri; licet ex
now from which-things to-be-made they-ought it-pleases to-look-at although from
praemissis hoc ipsum magna pro parte jam constet.
the-premises this itself great in part already be-established

Ex quibus Summonitiones fiant.
from which-things Summonses be-made
Illustris Anglorum rex Henricus hoc nomine participantium
illustrious of-the-English king Henry by-this name of-the-sharing
regum secundus dictus est, sed nulli modernorum fuisse
kings second called is but to-none of-the-moderns to-have-been
creditur in rebus componendis animi virtute secundus:
is-believed in things to-be-ordered of-mind by-virtue second
ab ipso enim suae dominationis exordio totum in hoc
from the-very for of-his lordship beginning the-whole to this
direxit animum, ut paci rebellantes et dyscolos multiplici
he-directed mind that to-peace the-rebelling and the-unruly by-manifold
subversione contereret, et pacis ac fidei bonum in cordibus
overthrow he-might-crush and of-peace and of-faith the-good in the-hearts
hominum modis omnibus consignaret. Hujus igitur insignia
of-men in-ways all he-might-seal of-this therefore the-distinctions
cum jam in omnes gentes celeberrima fama vulgaverit,
since already among all nations most-celebrated fame has-spread
adeo ut his exponendis insistere supervacuum videatur:
so-much that on-these to-be-set-out to-insist superfluous it-seem
unum tamen est, quod cum silentio praeterire non valeo, ex
one yet is which with silence to-pass-over not I-am-able from
quo solo singularis ejus probitas et pietas inaudita firmatur.
which alone singular his probity and piety unheard-of is-confirmed

Non tamen hoc hominis fuit, immo Dei miserentis,
not yet this of-man was nay of-God pitying
Quod sibi, quod toti cum paucis restitit orbi.
that against-himself that to-the-whole with few resisted world

D. Qualiter sibi resistere dici possit opus insigne,
Disciple how against-himself to-resist to-be-said can a-work notable
nisi planum feceris, non video.
unless plain you-shall-have-made not I-see
M. Licet haec ad opus coeptum vel propositum non
Master although these-things to the-work begun or proposed not
adpertineant, memor tamen regis illius magnanimi, cum
pertain mindful yet of-king that great-souled with
pace meae mentis hiis supersedere non valui. Videas
peace of-my mind on-these to-refrain not I-was-able may-you-see
ergo quam miraculose vir ille sibi restitit, in suos
therefore how miraculously man that against-himself resisted against his
filios quidem suae carnis, immo et animae suae spem post
sons indeed of-his flesh nay also of-soul his the-hope after
Deum unicam et gloriam singularem; dum parvuli essent,
God sole and glory singular while little they-were
et ratione aetatis cerei supra modum et in omnem
and by-reason of-age waxen beyond measure and toward every
animi motum proni, vulpeculae pertinaces consiliis pravis
of-mind movement inclined little-foxes obstinate with-counsels wicked
demolitae sunt, et tandem in patrem tanquam in
destroyed have and at-last against the-father as against
hostem sua viscera converterunt; 'facti sunt etiam inimici
an-enemy their bowels turned made were also enemies
homines domestici ejus, et qui custodiebant latus ejus,
the-men of-household his and who guarded side his
consilium inierunt adversus eum; dicentes' filiis et hostibus
counsel entered against him saying to-the-sons and enemies
'persequimini et comprehendite eum, quia non est qui
pursue and seize him because not there-is one-who
eripiat;' diceres in hiis verbum completum prophetae;
may-rescue you-would-say in these-things the-word fulfilled of-the-prophet

'filios enutrivi et ecce ipsi spreverunt me.' Cum igitur uxor
sons I-nourished and behold they have-spurned me when therefore the-wife
in virum, filii in patrem suum, domestici sine causa
against the-husband the-sons against father their the-household without cause
desaevirent in dominum; nonne satis optime sibi
raged against the-lord surely enough best against-himself
rebellantem virum diceres? Verum contra numerosam
rebelling the-man you-would-call but against the-numerous
hostium multitudinem solius Divinae gratiae magnitudo
of-enemies multitude of-the-sole Divine grace the-greatness
subvenit, et quasi pugnante pro se Domino, sic in brevi
came-to-help and as-if with-fighting for him with-the-Lord so in short
pene rebelles omnes obtinuit, ut longe fortius quam prius,
almost the-rebels all he-overcame that far more-strongly than before
ex eo quo infirmari debuit, confirmaretur in regno.
from that by-which to-be-weakened he-ought he-was-confirmed in the-realm
Norunt enim per hoc potissimum qui conspiraverant
knew for through this most those-who had-conspired
adversus eum in omni virtute sua clavam a manu Herculis
against him in all strength their the-club from the-hand of-Hercules
nisi vix extorqueri non posse. Comprehensis insuper
unless scarcely to-be-wrested not to-be-able with-seized moreover
hostibus tam enormis sceleris incentoribus inaudita pepercit
with-the-enemies of-so enormous crime with-the-instigators unheard-of he-spared
misericordia; ut eorum pauci rerum suarum, nulli vero
mercy that of-them few of-things their none but
status sui vel corporum dispendia sustinerent. Si legeres
of-state his or of-bodies losses sustained if you-should-read
ultionem quam exercuit David in subversores Absalonis filii
the-vengeance which exercised David on the-overthrowers of-Absalom son
sui, diceres hunc illo longe mitiorem exstitisse: cum
his you-would-say this-one than-that-one far milder to-have-been when

tamen de illo scriptum sit; 'inveni virum secundum
yet of that-one written be I-have-found a-man according-to
cor Meum.' Licet autem rex insignis pluribus abundaret
heart My although moreover the-king notable with-many abounded
exemplis, et posset in eos vel vilissimam exercere vindictam;
examples and could on them even most-vile to-exercise vengeance
maluit tamen expugnatis parcere quam eos punire, ut ejus
he-preferred yet the-conquered to-spare than them to-punish that his
regnum crescere videant vel inviti. Vivat igitur in longo
realm to-grow they-see even unwilling may-live therefore in long
tempore rex ille gloriosus et felix, et pro inpensa gratia
time king that glorious and happy and for bestowed grace
gratiam mereatur ab alto. Vivat et proles ejus ingenua,
grace may-he-deserve from on-high may-live also offspring his noble
patri suo subjecta nec ei dissimilis: et quia nati sunt
to-father his subject nor to-him unlike and because born they-are
populis imperare, paterno simul et proprio discant
for-the-peoples to-rule by-paternal at-once and own may-they-learn
exemplo, quam gloriosum sit 'parcere subjectis et debellare
example how glorious it-be to-spare the-subjected and to-war-down
rebelles.' Nos autem suscepta negotia prosequamur. Quod si
the-rebels we moreover the-undertaken business let-us-pursue but if
de hiis et aliis strenuis ejus actibus libet plenius instrui,
about these and other strenuous his acts it-pleases more-fully to-be-instructed
libellum cujus supra meminimus, si placet, inspicito. Igitur
the-little-book of-which above we-made-mention if it-pleases look-into therefore
post naufragum regni statum pace reformata, studuit
after the-shipwrecked of-the-realm state with-peace restored strove
iterum rex avita tempora renovare; et eligens discretos
again the-king ancestral times to-renew and choosing discreet
viros secuit regnum in sex partes, ut eas electi judices quos
men cut the-realm into six parts that them chosen judges whom

errantes vocamus perlustrarent, et jura destituta restituerent.
errant we-call might-survey and the-rights abandoned might-restore
Facientes ergo sui copiam in singulis comitatibus,
making therefore of-themselves access in each county
et hiis qui se laesos putabant justitiae plenitudinem
and to-those who themselves harmed thought of-justice the-fullness
exhibentes, pauperum laboribus et sumptibus pepercerunt.
showing of-the-poor the-labors and expenses they-spared
Contigit autem in hiis excessus varios plerumque
it-happened moreover in these-things excesses various mostly
variis modis pro negotiorum qualitate puniri, ut
in-various ways according-to of-the-business the-quality to-be-punished that
quidam corporalem, quidam pecuniariam poenam luant.
some a-corporal some a-pecuniary penalty pay
Porro pecuniariae delinquentium poenae in rotulis errantium
further the-pecuniary of-the-offenders penalties in the-rolls of-the-errant
diligenter annotantur; et consedente scaccario coram omnibus
diligently are-noted and with-sitting the-exchequer before all
thesauro traduntur. Caveant autem judices, ut correctos et
to-the-treasury are-handed-over let-beware moreover the-judges that corrected and
per ordinem depositos rotulos thesaurario liberent; non enim
in order deposited rolls to-the-treasurer they-deliver not for
fas erit ipsis etiam judicibus, facta traditione, iota
right it-will-be for-the-very even judges with-made the-handing-over jot
unum mutare etiam in quod omnes judices consenserint.
one to-change even into which all the-judges will-have-agreed
D. In hoc mirabile est, quod cum scriptorum suorum
Disciple in this wonderful it-is that since of-writings their
auctores sint, et non nisi de ipsorum industria vel labore
the-authors they-are and not except from their industry or labor

proveniat, etiam in unum aliquid consentientes scriptum
it-comes even in one something agreeing writing
proprium mutare non possunt.
own to-change not they-can
M. Cum indulta sint correctionis tempora, et legem noverint
Master since granted be of-correction the-times and the-law they-know
constitutam, sibi imputent; oblatorum enim summa
established to-themselves let-them-impute of-the-things-offered for the-sum
vel ab ipsis debitoribus si in hanc condemnati sunt, vel
either from the-very debtors if into this condemned they-are or
ab ipsis judicibus requiretur. Ut si in rotulo condemnatum
from the-very judges will-be-required as if in the-roll condemned
aliquem in solutione xx. descripserint, et tradita jam
someone in payment of-20 they-will-have-written and with-handed-over already
cautione thesaurario recordati fuerint, quod non teneatur
with-the-security to-the-treasurer remembered they-will-have that not be-bound
ille nisi in x.; ipsi judices de residuo satisfacient; quia
he except in 10 the-very judges for the-residue will-satisfy because
scriptum suum cum deliberatione factum et correctum post
writing their with deliberation made and corrected after
traditionem revocare non possunt. Susceptorum vero rotulorum
the-handing-over to-revoke not they-can of-the-received but rolls
debita thesaurarius in magno annali rotulo diligenter et
the-debts the-treasurer in the-great annual roll diligently and
distincte per singulos comitatus annotari facit, simul cum
distinctly through each county to-be-noted makes together with
causis; praenotatis, ut jam dictum est, nominibus judicum;
the-causes with-written-first as already said is with-the-names of-the-judges
ut per hoc exactorum fiat discretio. Ex his igitur
that through this of-the-exacted-things be-made a-distinction from these therefore
summonitiones fiant sic; 'de placitis illorum N. de illo
summonses are-made thus from the-pleas of-those N from that-one

illud;' secundum quod praesidentes prius debita taxaverint.
that according-to what the-presiding-ones before the-debts will-have-assessed
Habes ex praedictis, ut credimus, quantum necesse est, ex
you-have from the-aforesaid as we-believe as-much-as necessary it-is from
quibus et qualiter et ad quid summonitiones fiant: nunc ad
which-things and how and for what summonses be-made now to
agenda vicecomitis transeamus. Decet autem te dicendis
the-business of-the-sheriff let-us-pass it-befits moreover you to-things-to-be-said
sollicitam adhibere diligentiam, quia in hiis excellentior
anxious to-apply diligence because in these the-more-excellent
scaccarii scientia consistit, sicut dictum est ab initio.
of-the-exchequer knowledge consists as said it-was from the-beginning

De agendis Vicecomitum multipliciter

THE SHERIFF'S DUTY TO ATTEND, AND HIS EXCUSES

Every sheriff summoned must come and pay, on peril of his head: a hundred shillings the first day, ten pounds the second, his movables the third, his body the fourth. If he has spent the farm on the king's works he is held until the debts are paid. A sheriff who cannot come must send the money ahead by lawful men with letters of excuse; for sickness he names deputies, and otherwise only his eldest son may account for him, unless the king appoints another.

Omnes igitur vicecomites et ballivi, ad quos summonitiones
all therefore the-sheriffs and bailiffs to whom summonses
diriguntur, eadem necessitate legis constringuntur; hoc est,
are-directed by-the-same necessity of-law are-bound that is
auctoritate regii mandati; ut scilicet die nominato
by-the-authority of-the-royal mandate that namely on-the-day named
designatoque loco conveniant, et de debitis satisfaciant;
and-designated in-place they-convene and for the-debts satisfy

quod ut manifestius fiat ipsius summonitionis tenorem
which that more-manifest it-be-made of-the-very summons the-tenor
diligentius intuere; ait enim: 'Vide sicut teipsum et omnia
more-diligently look-at says for see as yourself and all-things
tua diligis, ut sis ad scaccarium ibi tunc; et habeas
your you-love that you-be at the-exchequer there then and have
tecum quicquid debes de veteri firma et nova, et haec
with-you whatever you-owe from the-old farm and new and these
debita subscripta.' Attende igitur, quia duo dicuntur, quae
debts written-below attend therefore that two-things are-said which
duobus sequentibus coaptantur: hoc enim, 'vide sicut teipsum
to-the-two following are-fitted this for see as yourself
diligis,' refertur ad 'sis ibi tunc;' illud vero, 'et sicut omnia
you-love is-referred to you-be there then that but and as all-things
tua diligis,' referri videtur ad hoc, 'et habeas tecum haec
your you-love to-be-referred seems to this and have with-you these
debita subscripta:' ac si aperte dicatur; 'absentia tua, tu
debts written-below as if openly it-be-said absence your you
quicunque suscipis summonitionem, nisi necessariis et lege
whoever receive the-summons unless for-necessary and by-law
definitis causis possit excusari, in capitis tui periculum
defined causes it-can to-be-excused into of-head your the-peril
redundabit; videris enim sic regium sprevisse mandatum,
will-overflow you-seem for so the-royal to-have-spurned mandate
et in contemptum regiae majestatis irreverenter egisse,
and in contempt of-the-royal majesty irreverently to-have-acted
si citatus super regis quibus addictus es negotiis nec
if cited about of-the-king to-which devoted you-are business neither
veneris, nec excusatorem miseris. Verum si per
you-shall-have-come nor an-excuser you-shall-have-sent but if through
te steterit, quo minus debita subscripta solvantur,
you it-will-have-stood whereby less the-debts written-below be-paid

tunc de firma quam soluturus es, aliena debita de
then from the-farm which about-to-pay you-are another's debts about
quibus summonitus es capientur; firma vero de catallis
which summoned you-are will-be-taken the-farm but from the-chattels
et fundorum tuorum redditibus perficietur; te interim,
and of-estates your the-revenues will-be-completed with-you meanwhile
si barones decreverint, in loco tuto sub libera custodia
if the-barons will-have-decreed in a-place safe under free custody
collocato.' Cum ergo praemissa fuerint a vicecomite
placed when therefore the-aforesaid will-have-been by the-sheriff
suscepta summonitio, ipsa die nominata veniat et
received the-summons on-the-very day named let-him-come and
ostendat se praesidenti, si adesse eum contigerit,
show himself to-the-presiding-one if to-be-present him it-will-have-happened
vel thesaurario, si praesidens ille praesens non fuerit.
or to-the-treasurer if the-presiding-one that present not will-have-been
Deinde salutatis majoribus, ipsa die sibi vacet, et in
then with-greeted the-greater-men on-that day to-himself let-him-be-free and on
crastino et deinceps die qualibet ad scaccarium rediturus.
the-morrow and thereafter on-day any to the-exchequer about-to-return
Quod si forte nec venerit nec justam praemiserit
but if perhaps neither he-will-have-come nor a-just will-have-sent-ahead
excusationem, prima die regi condemnabitur in c. solidis
excuse on-the-first day to-the-king he-will-be-condemned in 100 shillings
argenti de quolibet comitatu, sequenti vero in x. libris
of-silver for each county on-the-following but in 10 pounds
argenti, similiter in tertia, sicut ab his accepimus, qui nos
of-silver likewise on the-third as from those we-received who us
praecesserunt, in beneplacito regis erunt quaecunque mobilia
preceded in the-good-pleasure of-the-king will-be whatever movables
possidet; quarto vero quia jam ex hoc contemptus
he-possesses on-the-fourth but because already from this of-contempt

regiae majestatis convincitur, non solum in rebus suis,
of-the-royal majesty he-is-convicted not only in things his
sed in propria persona soli regiae misericordiae subjacebit.
but in own person to-alone royal mercy he-will-be-subject
Sunt tamen qui credant ad omnem summam solam poenam
there-are yet who believe for every sum alone the-penalty
pecuniariam sufficere; ut scilicet prima die in c. solidis;
pecuniary to-suffice that namely on-the-first day in 100 shillings
secunda similiter in c. solidis; et ita deinceps per
on-the-second likewise in 100 shillings and so thereafter through
singulos dies in singulis centenis puniantur absentes. His
each days in each hundreds be-punished the-absent with-these
ego non dissentio; si tamen is cui delinquitur in hoc
I not disagree if yet he against-whom it-is-offended to this
ipsum consenserit; hunc autem poenae modum velle regem
itself will-have-consented this moreover of-penalty manner to-wish the-king
admittere satis probabile est, cum ejus gratia singularis ad
to-admit enough probable it-is since his grace singular for
poenam pigra sit, et haec ad praemia velox.
punishment slow be and this for rewards swift
D. Imprudentis pariter et impudentis est auditoris
Disciple of-an-imprudent equally and of-an-impudent it-is listener
currentem calamum ante provisum dicendorum finem
the-running pen before the-foreseen of-the-things-to-be-said end
praeoccupare; ideoque sustinui volvens in animo quod
to-anticipate and-therefore I-waited turning in mind what
ex parte me turbat: dixisti enim, si per vicecomitem
in part me disturbs you-said for if through the-sheriff
steterit quo minus debita subscripta solvantur, tunc de
it-will-have-stood whereby less the-debts written-below be-paid then from
firma quam soluturus est capientur. Si ergo vicecomes
the-farm which about-to-pay he-is they-will-be-taken if therefore the-sheriff

per brevia regis vel in operationes vel alias universa
by the-writs of-the-king either on works or elsewhere all-things
distribuerit, quae hic fuerat soluturus; quid fiet?
will-have-distributed which here he-had-been about-to-pay what will-be-done
M. Cum ex regis mandato vel in camera curiae,
Master when by of-the-king mandate either in the-chamber of-the-court
vel in operationibus, vel in quibuslibet aliis, firmam
or on works or on any other-things the-farm
comitatus expenderit, si in debitis solvendis minus egisse
of-the-county he-will-have-spent if in debts being-paid less to-have-done
deprehenditur, per fidem suam ubi majores decreverint
he-is-caught on faith his where the-greater-men will-have-decreed
detinebitur, donec de hiis satisfaciat sicut de firma
he-will-be-detained until for these-things he-satisfy as for the-farm
satisfacturus fuerat.
about-to-satisfy he-had-been
D. Cum citatum vicecomitem et non venientem vel
Disciple since the-cited sheriff and not coming or
excusantem, tum rerum mobilium tum immobilium tum
excusing now of-things movable now of-immovable now
et proprii corporis gravis jactura sequatur, nisi suam non
also of-own body heavy loss follow unless his not
voluntariam sed necessariam absentiam excusaverit; rogo
voluntary but necessary absence he-will-have-excused I-ask
te, si placet, ut quas citatus praetendere possit absentiae
you if it-pleases that what cited to-put-forward he-can for-absence
suae sufficientes causas aperire non differas.
his sufficient causes to-open you-do-not delay

Quibus de causis absentia Vicecomitum servatur indemnis.
which for causes the-absence of-Sheriffs is-kept unharmed
M. Plures sunt excusationum modi, quibus vicecomitis
Master many are of-excuses the-ways by-which of-the-sheriff
absentia servatur indemnis, sic tamen ut, occasione vel
the-absence is-kept unharmed so yet that with-occasion or
excusatione postposita, die nominata per legitimos viros
excuse put-aside on-the-day named through lawful men
pecuniam regis ante collectam praemittat; qui porrigentes
the-money of-the-king before collected he-send-ahead who holding-out
praesidenti litteras excusationis, et absentiae domini sui
to-the-presiding-one letters of-excuse and of-the-absence of-lord their
causas necessarias allegantes, etiam sacramento corporaliter
the-causes necessary alleging even with-an-oath bodily
praestito, si praesidenti placuerit, easdem confirment.
rendered if to-the-presiding-one it-will-have-pleased the-same may-confirm
Quod si vicecomes, vel alius serviens citatus, infirmitate detentus
but if the-sheriff or other sergeant cited by-infirmity detained
adesse non poterit; addat in litteris excusationis, quae ad
to-be-present not will-be-able let-him-add in the-letters of-excuse which to
scaccarium diriguntur: ‘et quia venire non possum; mitto vobis
the-exchequer are-directed and because to-come not I-can I-send to-you
hos servientes meos N. et N., ut loco meo sint, et quod
these sergeants my N and N that in-place my they-be and what
ad me pertinet faciant, ratum habiturus quod ipsi fecerint.’
to me pertains they-do ratified about-to-hold what they will-have-done
Provideat autem qui excusat, ut alter vel uterque missorum
let-provide moreover he-who excuses that one or both of-the-sent
miles sit, vel laicus alius ratione sanguinis vel aliter sibi
a-knight be or a-layman other by-reason of-blood or otherwise to-himself
conjunctus, hoc est cujus fidei vel discretioni se et
joined that is to-whose faith or discretion himself and

sua committere non diffidat: solos enim clericos ad hoc
his-things to-commit not he-distrust alone for clerics for this
suscipi non oportet; quia si secus egerint, non decet
to-be-received not it-behooves because if otherwise they-will-have-done not it-befits
eos pro pecunia vel ratiociniis comprehendi. Si vero citatum
them for money or for-reckonings to-be-seized if but the-cited
vicecomitem abesse contigerit, non infirmitate quidem
sheriff to-be-absent it-will-have-happened not by-infirmity indeed
sed qualibet alia causa praepeditum, sic forsitan a poena
but by-any other cause hindered so perhaps from the-penalty
constituta poterit liberari: verum ad explendum compotum
established he-will-be-able to-be-freed but for being-completed account
suum nullus pro eo suscipietur, nisi primogenitus filius; nec
his no-one for him will-be-received except the-firstborn son nor
generalis ejus procurator, etiamsi breve suum direxerit,
general his proctor even-if writ his he-will-have-directed
se ratum habiturum quod ille vel ille pro se fecerit;
himself ratified about-to-hold what this-one or that-one for him will-have-done
solius vero mandati regii vel etiam praesidentis auctoritate,
of-alone but mandate royal or even of-the-presiding-one by-the-authority
si rex absens fuerit, ad compotum suum explendum
if the-king absent will-have-been for account his to-be-completed
alium poterit substituere: si tamen aliud a domino rege
another he-will-be-able to-substitute if yet other from the-lord king
negotium sibi gerat assignatum, ipse ad scaccarium
business for-himself he-conduct assigned he at the-exchequer
in propria persona praesentem nominet, qui, juxta quod
in own person present let-him-name who according-to what
supra dictum est, possit et debeat vicecomitis absentis
above said is can and ought of-the-sheriff absent
negotia procurare. Illud autem breve regis vel praesidentis,
the-business to-manage that moreover writ of-the-king or of-the-presiding-one

vel vicecomitis excusantis, in forulo marescalli, cujus supra
or of-the-sheriff excusing in the-bag of-the-marshal of-whom above
meminimus, in testimonium hujus rei reservabitur. Quod si
we-made-mention for testimony of-this thing will-be-reserved but if
vicecomes alias regi necessarius ab ipso vocatus fuerit
the-sheriff elsewhere to-the-king necessary by him called will-have-been
extra regnum, vel accepta licentia pro familiaribus negotiis
outside the-realm or with-received license for domestic business
exire disposuerit, prius praesidentem adeat, et viva
to-go-out will-have-arranged first the-presiding-one let-him-approach and by-living
voce vices suas ad scaccarium deleget cui voluerit
voice turns his at the-exchequer let-him-delegate to-whom he-will-wish
viro legitimo; quo facto, cum absens fuerit, nec
man lawful with-which done when absent he-will-have-been neither
breve mittere, nec absentiam suam excusare cogetur.
a-writ to-send nor absence his to-excuse he-will-be-compelled
Excusante vero se vicecomite causa infirmitatis, cum
with-excusing but himself with-the-sheriff by-cause of-infirmity when
necesse fuerit ad scribendum ejus compotum in annali
necessary it-will-have-been for being-written his account in the-annual
rotulo, dicetur, 'Willelmus vicecomes de Lundoniis, Robertus
roll it-will-be-said William sheriff of London Robert
filius ejus pro eo, reddit compotum de firma de Lundoniis.'
son his for him renders account of the-farm of London
At si per regis mandatum alius sibi substituitur,
but if through of-the-king mandate another for-himself is-substituted
vel ipse viva voce, sicut praedictum est, aliquem pro se
or he by-living voice as aforesaid is someone for himself
designaverit praesidenti, sic per omnia dicendum est
will-have-designated to-the-presiding-one so through all-things to-be-said it-is
ac si ipse in propria persona ad compotum resideret.
as if he in own person at the-account sat

Other excuses: an eldest son or wife near death, a liege lord's suit or testament, or a funeral; none lets the sheriff keep the king's money. The king may make any man sheriff. The sheriff sits alone at the account; the treasurer asks whether the alms, tithes, liveries, and lands given stand as last year. Lands are given blanch with the hundred, or by tale without it, on the king's writ or charter. Liveries are of the needy and of servants; then come the writs, and costs allowed without one.

D. Nunquid infirmitas sola sufficiens est excusatio, per
Disciple surely-not infirmity alone sufficient is the-excuse through
quam citatus absens servetur indemnis?
which cited absent be-kept unharmed
M. Absit: sunt enim plures ad scaccarium; sed haec
Master far-be-it there-are for many at the-exchequer but this
tam in litibus quam in aliis negotiis ecclesiasticis et
both in suits and in other business ecclesiastical and
forensibus est usitatior. Porro decet te memorem esse
forensic is more-usual further it-befits you mindful to-be
praedictorum, ut intelligas nullam excusationem hoc
of-the-aforesaid that you-may-understand no excuse this
efficere, ut regis pecunia de comitatu collecta penes
to-effect that of-the-king the-money from the-county collected in-possession-of
eum detineatur impune, vel ad scaccarium die nominata
him be-detained with-impunity or to the-exchequer on-the-day named
non mittatur. Praemissa ergo pecunia, poterit excusari
not be-sent with-sent-ahead therefore with-the-money he-will-be-able to-be-excused
per infirmitatem, sicut dictum est. Item si filius ejus
through infirmity as said is likewise if son his
primogenitus, quem declaravit haeredem post se futurum,
firstborn whom he-declared heir after himself to-be
morti proximus adjudicetur, excusabitur. Item si uxor ejus
to-death near be-adjudged he-will-be-excused likewise if wife his

dolore partus periclitari coeperit, vel quavis alia de
by-the-pain of-childbirth to-be-endangered will-have-begun or for-any other from
causa morti proxima decubuerit, quia portio suae carnis
cause to-death near will-have-lain-down because a-portion of-his flesh
est, excusari poterit. Item si dominus ejus, qui vulgo
she-is to-be-excused he-will-be-able likewise if lord his who commonly
ligius dicitur, hoc est, cui soli ratione dominii sic tenetur,
liege is-called that is to-whom alone by-reason of-lordship so he-is-bound
ut contra ipsum nihil alii debeat rege duntaxat
that against him nothing to-another he-owe with-the-king only
excepto, vocaverit ipsum, ut adsit sibi tracto in jus
excepted will-have-called him that he-be-present to-him drawn into law
de toto feudo suo vel ejus maxima parte, vel super alia
about whole fee his or its greatest part or about other
causa quae in status vel corporis sui detrimentum redundare
cause which into of-state or of-body his the-detriment to-overflow
videatur, excusari poterit; sic tamen si dominus ille nec
seems to-be-excused he-will-be-able so yet if lord that neither
amplius excusare nec aliter litem declinare valuerit.
further to-excuse nor otherwise the-suit to-decline will-have-been-able
Quod si idem dominus alium super hujusmodi sollicitaverit,
but if the-same lord another about of-this-kind will-have-solicited
et liberum sit ei absque enormi damno diem prorogare,
and free it-be for-him without enormous loss the-day to-postpone
si vocaverit domini regis vicecomitem hominem quidem
if he-will-have-called of-the-lord king the-sheriff man indeed
suum, venire non tenebitur; quia nec sic ad scaccarium
his to-come not he-will-be-bound because nor so at the-exchequer
posset excusari. Item si idem dominus infirmitatis pondere
he-could to-be-excused likewise if the-same lord of-infirmity by-the-weight
pressus, testamentum coram suis condere voluerit, et ad
pressed a-testament before his-men to-make will-have-wished and for

hoc cum aliis fidelibus suis ipsum evocaverit, excusabitur.
this with other faithful-men his him will-have-summoned he-will-be-excused
Item si dominus ejus, vel uxor, vel filius debita carnis
likewise if lord his or wife or son the-debts of-the-flesh
solverit, et hic debita funeris obsequia procuraverit,
will-have-paid and he the-due of-the-funeral rites will-have-managed
excusari merebitur. Sunt et aliae plures excusationes
to-be-excused he-will-deserve there-are also other many excuses
absentiae vicecomitis, necessariae quidem et legibus
for-the-absence of-the-sheriff necessary indeed and by-laws
determinatae, quas non abdicamus vel excludimus, immo,
determined which not we-renounce or exclude nay
cum sufficientes visae fuerint a majoribus, libenter
when sufficient seemed they-will-have-been by the-greater-men willingly
suscepimus; sed has quae menti meae se ad praesens
we-have-received but these which to-mind my themselves for the-present
obtulerunt, quasi frequentiores exempli causa subjecimus.
offered as-if more-frequent of-example for-the-sake we-have-set-under
D. Videor ex praedictis perpendere, quod miles, vel quilibet
Disciple I-seem from the-aforesaid to-weigh that a-knight or any
alius discretus possit a rege vicecomes vel alius ballivus
other discreet can by the-king sheriff or other bailiff
creari, etiamsi nil ab ipso possideat, sed solum ab aliis.
be-created even-if nothing from him he-possess but only from others
M. Debetur haec praerogativa dignitatis publicae potestati,
Master is-owed this prerogative of-dignity to-public power
ut cujuscunque sit, cuicunque vir aliquis in regno militet
that of-whomever he-be to-whomever man any in the-realm serve-as-knight
vel ministret, si regi necessarius visus fuerit, libere
or minister if to-the-king necessary seemed he-will-have-been freely
possit assumi, et regiis obsequiis deputari.
he-can to-be-taken and to-royal services be-deputed

D. Ex hoc etiam cerno verum esse quod dicitur,
Disciple from this also I-see true to-be what is-said

'An nescis longas regibus esse manus?'
or do-you-not-know long to-kings to-be hands

Sed jam nunc, si placet, ad agenda vicecomitis manum
but already now if it-pleases to the-business of-the-sheriff a-hand
mittere non differas; ad haec enim, te monente, totam
to-put do-not delay for these-things for with-you advising the-whole
attentionis industriam jam collegi; sciens ex his excellentem
of-attention industry already I-have-gathered knowing from these the-excellent
scaccarii scientiam, sicut praedictum est, debere requiri.
of-the-exchequer knowledge as aforesaid is to-be-bound to-be-required
M. Gratulor te memorem praemissorum; unde fateor
Master I-rejoice you mindful of-the-premises whence I-confess
languenti pene calamo te stimulos addidisse. Noveris
to-the-languishing almost pen you spurs to-have-added you-should-know
autem quod vicecomes, nisi facto prius examine debitisque
moreover that the-sheriff unless with-made before with-the-assay and-with-the-debts
de quibus summonitus est solutis, residere non debet ad
about which summoned he-is paid to-sit not he-ought at
compotum: cum autem accesserit et jam resederit, alii
the-account when moreover he-will-have-come and already will-have-sat the-other
vicecomites excludantur; et resideat solus cum suis, ad
sheriffs let-be-shut-out and let-him-sit alone with his-men to
interrogata responsurus. Provideat autem ut, ipsa die vel
the-things-asked about-to-answer let-him-provide moreover that on-that-very day or
praecedente, debitoribus sui comitatus innotuerit qua die sit
the-preceding to-the-debtors of-his county it-be-known on-what day he-be
ad compotum sessurus; vel etiam circa domum scaccarii, vel
for the-account about-to-sit or even around the-house of-the-exchequer or

vicum, vel villam, voce praeconia ipsis denunciet se tunc
the-street or the-town by-voice of-the-crier to-them let-him-announce himself then
vel tunc sessurum. Tunc sedentibus et audientibus omnibus,
or then about-to-sit then with-sitting and hearing with-all
thesaurarius, qui sicut dictum est, ratione officii sui sibi
the-treasurer who as said is by-reason of-office his to-him
videtur adversari, quaerat, si paratus est reddere compotum;
seems to-be-opposed let-him-ask if ready he-is to-render account
quo respondente 'praesto sum,' inferat thesaurarius, 'dic
with-whom answering ready I-am let-add the-treasurer say
igitur imprimis si eleemosynae, si decimae, si liberationes
therefore first if the-alms if the-tithes if the-liveries
constitutae, si terrae datae sic se habent hoc anno sicut
fixed if the-lands given so themselves have this year as
in praeterito.' Quod si similiter se habere responderet;
in the-past but if likewise themselves to-have he-should-answer
tunc scriptor thesaurarii praeteritum annalem rotulum
then the-writer of-the-treasurer the-past annual roll
diligenter in hiis constitutis scribendis sequatur, contuente
diligently in these fixed-things to-be-written let-follow with-looking-on
simul thesaurario, ne forte manus scriptoris aberret. Et quia
at-once with-the-treasurer lest perhaps the-hand of-the-writer stray and because
satis in titulo de officio scriptoris thesaurarii de ordine
enough in the-title about the-office of-the-writer of-the-treasurer about the-order
scripturae dixisse me memini hiis ad praesens supersedeo.
of-writing to-have-said me I-remember on-these for the-present I-refrain
D. Dic ergo, si placet, de hiis quae jamdudum
Disciple say therefore if it-pleases about those-things which long-since
usque ad agenda vicecomitum distulisti, quid scilicet sit,
right-to to the-business of-the-sheriffs you-put-off what namely it-be

quasdam terras a rege dari blancas, quasdam numero;
certain lands by the-king to-be-given blanch certain by-number
hoc enim me sollicitavit ab initio.
this for me troubled from the-beginning
M. Satis, ut credo, tibi constat ex praedictis, quid
Master enough as I-believe to-you it-is-established from the-aforesaid what
sit quasdam firmas solvi blancas quasdam numero. Firma
it-be certain farms to-be-paid blanch certain by-number the-farm
quidem blancas solvitur, cum ipsa facto examine dealbatur.
indeed blanch is-paid when it with-made the-assay is-whitened
Quid sit quosdam fundos dari blancos quosdam numero.
what it-be certain estates to-be-given blanch certain by-number
Quis insuper fuerit hujus institutionis auctor, et quae
who moreover was of-this institution the-author and what
instituendi ratio, satis innotuit. Porro firmam numero
of-instituting the-reason enough has-become-known further the-farm by-number
solvi diximus, cum tantum numerando non examinando
to-be-paid we-said when only by-counting not by-assaying
de ipsa satisfit. Cum ergo rex fundum aliquem alicui
for it it-is-satisfied when therefore the-king estate some to-someone
contulerit simul cum hundredo vel placitis quae ex hoc
will-have-conferred together with the-hundred or the-pleas which from this
proveniunt, dicunt fundum illum illi blancum collatum: ac
come they-say estate that to-him blanch conferred and
cum retento sibi hundredo per quod firma dealbari
when with-retained for-himself with-the-hundred through which the-farm to-be-blanched
dicitur, simpliciter fundum dederit, non determinans cum
is-said simply the-estate he-will-have-given not determining with
hundredo vel blancum, numero datus dicitur. Oportet autem
the-hundred or blanch by-number given it-is-said it-behooves moreover
ut de fundo collato breve regis, vel cartam ejus in termino
that for the-estate conferred the-writ of-the-king or charter his in the-term

Sancti Michaelis cui collatus est ad scaccarium deferat
of-Saint Michael he-to-whom conferred it-is to the-exchequer carry
ut vicecomiti computetur; alioquin in magno annali rotulo
that to-the-sheriff it-be-reckoned otherwise in the-great annual roll
non scribetur, nec vicecomiti computabitur; scribetur
not it-will-be-written nor to-the-sheriff it-will-be-reckoned it-will-be-written
autem sic: post elemosinas et decimas et liberationes
moreover thus after the-alms and tithes and liveries
utriusque generis constitutas, in capite lineae, 'in terris datis
of-each kind fixed at the-head of-the-line in lands given
illi N. xx. l. bl. ibi, et illi N. xx. l. numero ibi.'
to-this N 20 pounds blanch there and to-that N 20 pounds by-number there
Adverte etiam, quod si forte inter terras datas inveneris,
notice also that if perhaps among the-lands given you-shall-have-found
'illi vel illi x. l. bl.' vel 'numero ibi de praestito
to-this-one or that-one 10 pounds blanch or by-number there from the-loan
regis;' cum is qui commodati vel praestiti beneficio gavisus
of-the-king when he who of-the-lent or loaned with-the-benefit rejoiced
est fati debita solverit, nisi per gratiam regis, non
has of-fate the-debts will-have-paid unless through the-grace of-the-king not
uxori, non liberis, non alicui nomine ejus, propter
to-the-wife not to-the-children not to-anyone in-the-name his on-account-of
praestitum reclamandi locus relinquitur; similiter si dictum
the-loan of-reclaiming place is-left likewise if said
fuerit, 'illi x. quamdiu regi placuerit.'
it-will-have-been to-that-one 10 as-long-as to-the-king it-will-have-pleased

Quae sint constituta Vicecomiti computanda, eleemosynae
what be the-fixed-things to-the-Sheriff to-be-reckoned alms
scilicet et decimae, liberationes utriusque generis, et terrae
namely and tithes liveries of-each kind and lands
datae.
given
D. Quid est, quod dixisti liberationes utriusque generis?
Disciple what is it-that you-said liveries of-each kind
M. Liberationum quaedam sunt indigentium; cum ex solo
Master of-liveries some are of-the-needy when from alone
caritatis intuitu ad victum et vestitum alicui a rege
of-charity regard for food and clothing to-someone by the-king
denarius diurnus vel duo vel plures constituuntur. Quaedam
a-penny daily or two or more are-established some
vero sunt servientium, ut has pro stipendiis suscipiant; quales
but are of-servants that these for wages they-may-receive such-as
sunt custodes domorum, aeditui regii, tibicines, luporum
are the-keepers of-houses the-sextons royal pipers of-wolves
comprehensores, et hujusmodi. Heae sunt igitur diversi
catchers and of-this-kind these are therefore of-different
generis liberationes quae diversis ex causis solvuntur, inter
kind liveries which for-different from causes are-paid among
constituta tamen computantur. Et nota quod licet liberum
the-fixed-things yet are-reckoned and note that although free
sit regi quibuslibet indigentibus has liberationes conferre;
it-be for-the-king to-any needy these liveries to-confer
ex antiqua tamen institutione solent his assignari,
from ancient yet institution they-are-wont to-these to-be-assigned
qui in curia ministrantes, cum redditus non habeant,
who in the-court serving since revenues not they-have
in corporum suorum invaletudinem decidunt, et laboribus
into of-bodies their infirmity fall and for-labors

inutiles fiunt. His omnibus per ordinem annotatis,
useless become with-these all through order noted
quaerit thesaurarius a vicecomite, si quid expenderit de
asks the-treasurer of the-sheriff if anything he-will-have-spent from
firma comitatus per brevia regis praeter constituta; tunc
the-farm of-the-county by the-writs of-the-king besides the-fixed-things then
seriatim missa sibi regis brevia tradit clerico cancellarii,
in-series sent to-him of-the-king the-writs he-hands to-the-clerk of-the-chancellor
qui lecta in publicum eadem liberat thesaurario, ut ipse
who read in public the-same delivers to-the-treasurer that he
secundum formam in brevibus conceptam in scripturam rotuli
according-to the-form in the-writs conceived for the-writing of-roll
sui opportuna verba ministret: ipse namque sicut dictum
his the-fitting words may-supply he for as said
est praescribit, et alii conscribentes ab eodem accipiunt.
it-is prescribes and the-others writing from the-same take-down
Hoc facto, ostendit vicecomes si quid expenderit, non
with-this done shows the-sheriff if anything he-will-have-spent not
per brevia, sed per constitutam scaccarii legem, sibi
by writs but by the-established of-the-exchequer law to-himself
computandum; qualia sunt liberationes probatorum regis, et
to-be-reckoned such-as are the-liveries of-the-approvers of-the-king and
item ea quae mittuntur in justitiis et judiciis explendis.
likewise those-things which are-sent in justices and judgments to-be-fulfilled

Quae sint per solam consuetudinem scaccarii computanda, hoc est, sine brevi

WHAT IS ALLOWED BY CUSTOM, AND WORKS BY WRIT

By custom alone the sheriff is allowed the approvers' penny a day, the costs of executions and ordeals, carrying the treasure, salting a royal fish, and tending the king's vineyards. Approvers are criminals who prove their partners guilty in battle to save their lives. For works done by writ, the overseers swear to the cost and a second writ names the sum, for a writ that names no number frees no one.

Adverte autem, justitias hic usualiter nuncupari prolati
notice moreover justices here usually to-be-named the-pronounced
in aliquos viros juris executiones: judicia vero, leges
against some men of-law executions judgments but the-laws
candentis ferri vel aquae. Liberationes igitur probatorum
of-the-glowing iron or of-water the-liveries therefore of-the-approvers
hac ratione fiunt. Propter innumeras regni hujus
by-this reason are-made on-account-of the-countless of-realm this
divitias, et item propter innatam indigenis crapulam,
riches and likewise on-account-of the-inborn in-the-natives drunkenness
quam semper comes libido sequitur, contingit in ipso
which always as-companion lust follows it-happens in it
frequenter furta fieri manifesta vel occulta, nec non
often thefts to-be-done manifest or bidden nor not
et homicidia et diversorum generum scelera, addentibus
also homicides and of-different kinds crimes with-adding
stimulos moechis, ut nihil non audeant vel non
spurs with-adulterers so-that nothing not they-dare or not
attentent qui suis se consiliis subjecerunt. Cum autem
attempt who to-their themselves counsels have-subjected when moreover
a regiis ministris regni pacem excubantibus, reus
by the-royal officers of-the-realm peace keeping-watch-over a-defendant

horum famosus aliquis conprehenditur, propter numerosam
of-these notorious some is-seized on-account-of the-numerous
sceleratorum multitudinem, ut vel sic perversis terra
of-the-wicked multitude that even so of-the-perverse the-land
purgetur, consentiunt et in hoc interdum judices, quod si
be-cleansed agree also in this sometimes the-judges that if
quis hujusmodi de se crimen confitens, sceleris ejusdem
anyone of-this-kind about himself the-crime confessing of-the-crime the-same
consortes provocare voluerit, et objectum alii vel
the-partners to-challenge will-have-wished and the-objected to-another or
aliis crimen commisso duello probare valuerit, mortem
to-others crime with-fought the-duel to-prove will-have-been-able the-death
quam meruit effugiat, et cum impunitate sui corporis,
which he-deserved he-may-escape and with impunity of-his body
exiens tamen totius regni fines, demereatur et abjuret
going-out yet of-the-whole realm the-bounds he-forfeit and abjure
ingressum. Quidam autem conventione cum judicibus prius
entry some moreover with-an-agreement with the-judges before
facta, licet objecta probaverint, non tamen immunes
made although the-objected-things they-will-have-proved not yet unharmed
abscedunt, sed effugientes suspendium vel aliud turpe genus
depart but escaping hanging or other shameful kind
mortis quam de se confessi meruerint, mutilatione
of-death which about themselves confessed they-will-have-deserved with-mutilation
tamen membrorum puniti, miserabile spectaculum fiunt
yet of-limbs punished a-pitiable spectacle they-become
in populo, et temerarios ausus consimilium terribilibus
among the-people and the-rash daring of-the-like with-terrible
compescunt exemplis. Quia igitur objecto et probato
restrain examples because therefore with-objected and with-proved
ejusdem criminis reatu vitam sibi salvare potest, et
of-the-same crime with-the-guilt life for-himself to-save he-can and

item quia ad regis utilitatem proculdubio sit quicquid ad
likewise because for of-the-king the-advantage without-doubt be whatever to
regni pacem videtur accedere, regis probator dicitur. A
of-the-realm the-peace seems to-come of-the-king approver he-is-called from
die vero qua ad probationem suscipitur, usque ad expletum
the-day but on-which for proof he-is-received right-to to the-fulfilled
promissum, vel usque quo defecerit, ad victualia de
promise or right-to when he-will-have-failed for victuals from
fisco percipit quaque die denarium unum, qui vicecomiti
the-treasury he-receives each day penny one which to-the-sheriff
per solam consuetudinem scaccarii computatur. Quod si
by alone custom of-the-exchequer is-reckoned but if
probator ille jussus fuerit ad alia loca transferri, ut
approver that ordered will-have-been to other places to-be-transferred that
convenientibus illic judicibus opportunius promissum expleat,
with-convening there with-judges more-fittingly the-promise he-may-fulfill
vel forte deficiens scelerum suorum poenam condignam
or perhaps failing of-crimes his the-penalty worthy
excipiat, solum id quod in vehiculis illuc conducendis, et
he-may-receive only that which on vehicles thither to-be-hired and
victualibus illi ministrandis invenit, vicecomiti computabitur
victuals to-him to-be-supplied he-finds to-the-sheriff will-be-reckoned
per consuetudinem; cetera vero non nisi per breve regis.
by custom the-rest but not except by writ of-the-king
Sunt praeterea in quibusdam comitatibus plures, qui
there-are besides in certain counties many who
ratione fundorum suorum in condemnatos ultrices manus
by-reason of-estates their on the-condemned avenging hands
mittunt; ut alios suspendio, alios membrorum detruncatione,
put that others by-hanging others of-limbs by-cutting-off
vel aliis modis juxta quantitatem perpetrati sceleris
or by-other ways according-to the-amount of-the-perpetrated crime

puniant. Sunt et quidam comitatus, in quibus sic
they-may-punish there-are also certain counties in which so
condemnandi, non nisi numerata de fisco pecunia,
those-to-be-condemned not except with-counted from the-treasury with-money
puniuntur. Quicquid igitur ad haec judicia vel justitias effectui
are-punished whatever therefore for these judgments or justices to-effect
mancipandas detestabilis avaritiae hominibus, qui haec pro
to-be-delivered of-detestable greed to-men who these-things for
sanguinis effusione suscipiunt, a vicecomite numeratur, per
of-blood the-shedding undertake by the-sheriff is-counted-out by
consuetudinem scaccarii sibi computatur; hoc est, non per
custom of-the-exchequer to-him is-reckoned that is not by
breve regis. Est et aliud quod per consuetudinem solum
writ of-the-king there-is also another which by custom alone
vicecomiti debeat computari: cum regis thesaurus de loco
to-the-sheriff ought to-be-reckoned when of-the-king the-treasure from place
in locum majorum consideratione deferendus, vehiculis
to place of-the-greater-men by-consideration to-be-carried for-vehicles
et hujusmodi minoribus indiguerit: praecipiente thesaurario
and of-this-kind lesser-things will-have-needed with-ordering the-treasurer
vel camerariis, vel servientibus eorum ad haec missis,
or chamberlains or sergeants their for these-things sent
vicecomes de firma sua quod oportuerit invenit, et hoc
the-sheriff from farm his what will-have-been-fitting finds and this
ipsum vicecomiti sine brevi computatur; perhibente tamen
itself to-the-sheriff without writ is-reckoned with-bearing yet
super hoc testimonium coram majoribus ipso thesaurario
about this testimony before the-greater-men with-the-very treasurer
vel quolibet praedictorum qui haec fieri mandaverit;
or any of-the-aforesaid who these-things to-be-done will-have-ordered
et tunc dicetur in rotulo, 'in hiis vel illis necessariis
and then it-will-be-said in the-roll on these or those necessaries

thesauri, hoc vel illud, per hunc vel illum.' Item si piscis
of-the-treasury this or that through this-one or that-one likewise if a-fish
regius, rumbus vel cetus vel alius hujusmodi, comprehenditur,
royal a-turbot or a-whale or other of-this-kind is-caught
quod in his saliendis et aliis necessariis ministrandis a
what on these being-salted and other necessaries being-supplied by
vicecomite mittitur, sine brevi computatur. Item quod in
the-sheriff is-sent without writ is-reckoned likewise what on
excolendis dominicis vineis regis, et hiis vindemiandis,
being-cultivated the-demesne vineyards of-the-king and these being-harvested
vel vasis et aliis necessariis ministrandis expenditur, sine
or vessels and other necessaries being-supplied is-spent without
brevi per fidem vicecomitis computatur; de qua fide, si
writ on the-faith of-the-sheriff is-reckoned about which faith whether
semel aut saepius, qualiter fiat, infra dicetur. Haec
once or more-often how it-be-made below it-will-be-said these
sunt igitur quae ad praesens nobis occurrunt, vicecomiti, per
are therefore which for the-present to-us occur to-the-sheriff by
solam consuetudinem computanda. Nunc de ceteris quae
alone custom to-be-reckoned now about the-other-things which
ad compotum de corpore comitatus pertinent prosequamur.
to the-account of the-body of-the-county pertain let-us-proceed
Quo ordine computanda sunt Vicecomiti quae in
in-what order to-be-reckoned are to-the-Sheriff the-things-which on
operibus missa sunt per breve regis numero non
works sent are by writ of-the-king by-number not
determinans.
determining
Fit interdum ut praecipiat rex vicecomiti per breve
it-happens sometimes that may-order the-king the-sheriff by writ
suum, quod in castris firmandis vel in aedificiis et
his that on castles to-be-fortified or on buildings and

hujusmodi instruendis de firma sua necessaria ministret,
of-this-kind to-be-built from farm his the-necessaries he-supply
per visum duorum vel trium virorum quorum nomina in
by the-view of-two or three men whose names in
ipso brevi exprimuntur; et addat in fine verbum breve
the-very writ are-expressed and he-add at the-end the-word short
sed computantibus necessarium; 'et computabitur tibi ad
but for-those-reckoning necessary and it-will-be-reckoned to-you at
scaccarium.' Cum igitur ventum fuerit ad compotum
the-exchequer when therefore come it-will-have-been to the-account
vicecomitis, veniunt simul qui electi sunt custodes operum,
of-the-sheriff come together who chosen are keepers of-the-works
et fide in publica ab ipsis praestita, quod secundum
and with-faith in public by them rendered that according-to
conscientiam suam ad regis utilitatem in ipso opere
conscience their for of-the-king the-advantage on that work
nominata summa provenerit, fiat inde breve regis
the-named sum has-come be-made thence a-writ of-the-king
ad scaccarium sub testimonio praesidentis et alterius
at the-exchequer under the-testimony of-the-presiding-one and of-another
quem praeceperit, in quo summa illa de qua testati
whom he-will-have-ordered in which the-sum that about which testified
sunt, et item nomina custodum exprimantur; et tunc
they-have and likewise the-names of-the-keepers be-expressed and then
demum vicecomiti computabitur. Quod si per haec missa
at-last to-the-sheriff it-will-be-reckoned but if through these sent-things
consummatum regis opus fuerit, primum illud breve
completed of-the-king the-work will-have-been the-first that writ
de necessariis ministrandis quod vicecomiti directum est, et
about necessaries being-supplied which to-the-sheriff directed is and
hoc ultimum quod ad scaccarium fit, in forulo marescalli
this last which at the-exchequer is-made in the-bag of-the-marshal

de compotis factis recluduntur. Si quid autem restat de
about accounts made are-shut-up if anything moreover remains of
ipso opere faciendum, vicecomes quod sibi directum
the-very work to-be-done the-sheriff which to-himself directed
est breve usque ad idem opus completum penes se
is writ right-to to the-same work completed in-possession-of himself
reservabit; ut hinc sit ei auctoritas operi perficiendo
will-keep that hence there-be to-him authority for-the-work to-be-finished
necessaria ministrare; reliquum vero in forulo de quo dictum
the-necessaries to-supply the-remaining but in the-bag about which said
est recludetur. Cum enim scribatur in annali: 'in operatione
it-is will-be-shut-up when for it-be-written in the-annual-roll on work
illa centum libras;' oportet consequenter apponi per breve
that a-hundred pounds it-behooves consequently to-be-added by writ
regis, 'et per visum horum N.;' quod si non exstaret breve
of-the-king and by the-view of-these N but if not existed a-writ
regis numerum ipsum et nomina custodum continens,
of-the-king the-number itself and the-names of-the-keepers containing
falsa videri posset scriptura rotuli dicentis 'per breve regis.'
false to-seem could the-writing of-the-roll saying by writ of-the-king
D. In hoc verbo sic mihi satisfactum est, ut hiis ad quae
Disciple in this word so to-me satisfied it-is that on-these for which-things
requirenda jam ora laxaveram, sponte supersedeam. Cum
to-be-asked already (my)-mouth I-had-loosened willingly I-refrain when
enim vicecomiti delatum sit breve regis de necessariis
for to-the-sheriff brought be a-writ of-the-king about necessaries
ad hoc vel illud opus inveniendis, et sit adjectum; 'et
for this or that work to-be-found and be added and
computabitur tibi ad scaccarium;' vel hoc, 'inveni de firma
it-will-be-reckoned to-you at the-exchequer or this find from farm
tua,' quod ejusdem pene est auctoritatis, superfluum videbatur,
your which of-the-same almost is authority superfluous it-seemed

ut super alio brevi sollicitus esset; nec enim intelligebam,
that about another writ anxious he-should-be nor for I-understood
quod in ipso brevi numerus esset exprimendus, ut sic
that in the-very writ the-number was to-be-expressed that so
eodem verborum tenore authentico respondeat annali.
with-the-same of-words with-tenor to-the-authentic it-may-answer annual-roll
Quod non absolvitur quis a debito per breve Regis
that not is-absolved one from a-debt by writ of-the-King
numerum non exprimens, etiamsi causam determinet.
the-number not expressing even-if the-cause it-determine
M. Intellige similiter quod in scaccarii negotiis secus est
Master understand likewise that in of-the-exchequer business otherwise it-is
quam in aliis: dicitur enim in plerisque, quod expressa nocent,
than in others it-is-said for in very-many that expressed-things harm
non expressa non nocent: verum hic expressa juvant et
not expressed-things not harm but here expressed-things help and
non expressa fatigant: verbi gratia; si tenetur quis regi
not expressed-things weary of-word for-the-sake if is-bound someone to-the-king
in centum libris; et breve ejus deferat ad scaccarium, nt
in a-hundred pounds and the-writ his he-carry to the-exchequer that
quietus sit de debito quod ei debet, addat etiam 'toto,' et
quit he-be of the-debt which to-him he-owes he-add even whole and
causam simul exprimat sed non numerum; non propter hoc
the-cause at-once express but not the-number not on-account-of this
absolvetur, sed magis per hoc dilationem usque ad aliam
he-will-be-absolved but rather through this a-delay right-to to another
summonitionem promerebitur. Oporteret enim scribi in
summons he-will-earn it-would-behoove for to-be-written in
rotulo, 'in perdonis per breve regis illi N. centum libras;'
the-roll in pardons by writ of-the-king to-that N a-hundred pounds
sed quia non videtur omnino dimissum quod nondum est in
but because not it-seems wholly remitted what not-yet is in

brevi expressum, cogetur is multo labore quaerere per
the-writ expressed will-be-compelled he with-much labor to-seek through
quod mereatur absolvi: ergo in hiis non expressa fatigant.
which he-may-deserve to-be-absolved therefore in these not expressed-things weary

THE OLD FARM, PURPRESTURES, AND ESCHEATS

A writ of pardon that names the cause but no sum does not acquit, and the debtor must find out the law for himself. After the county's farm comes the old farm, then purprestures and escheats: purprestures are crown lands encroached on, taken back and the encroacher fined; escheats are lands that fall to the king for want of an heir. An under-age heir is a ward: while the king holds the land its alms to the needy are paid, and the heir takes it at full age, freely or for a relief.

D. Salva sit reverentia praesidentis et assidentium,
Disciple saved be the-reverence of-the-presiding-one and of-those-sitting-beside
hic non videtur per omnia regis mandato satisfactum;
here not it-seems through all-things of-the-king to-mandate satisfied
nec enim quietus est quem quietum esse mandavit, addens
nor for quit is he-whom quit to-be he-ordered adding
etiam causam pro qua sibi tenebatur.
even the-cause for which to-him he-was-bound
M. Immo salva sit in hiis scrupulosae mentis tuae
Master nay saved be in these-things of-scrupulous mind your
subtilitas. Nosse quidem debueras, quod ei qui lege
the-subtlety to-know indeed you-ought-to-have that to-him who of-law
plurimum indiget, ejus ignorantia non subvenit. Is ergo
very-much needs his ignorance not comes-to-help he therefore
qui regi tenetur, qualiter ab hoc absolvi plene possit,
who to-the-king is-bound how from this to-be-absolved fully he-can
hoc est, secundum legem de hiis constitutam, diligenter
that is according-to the-law about these-things established diligently

inquirat; quod si non fecerit, non praesidenti sed
let-him-inquire but if not he-will-have-done not to-the-presiding-one but
sibi imputet; nec enim licet praesidenti ab eo
to-himself let-him-impute nor for it-is-allowed for-the-presiding-one from that
quod detulit in brevi iota mutare: cum ergo per hoc
which he-brought in the-writ a-jot to-change since therefore through this
quietus non sit, festinet quod expedit impetrare.
quit not he-be let-him-hasten what is-expedient to-obtain

D. Cerno quod haec maxime propter hoc observantur,
Disciple I-see that these-things most on-account-of this are-observed
ut scripturae rotuli non obloquantur. Sed jam nunc
that to-the-writing of-the-roll not they-speak-against but already now
prosequere de ceteris.
proceed about the-other-things

M. Cum igitur omnia fuerint annotata, quae vel constituta
Master when therefore all-things will-have-been noted which either established
sunt, vel per brevia regis, vel per consuetudinem scaccarii
are or by the-writs of-the-king or by custom of-the-exchequer
computanda, sic compotus velut infectus relinquitur, et ad
to-be-reckoned so the-account as-if undone is-left and to
alia convertuntur; nec enim 'et quietus est' vel 'et debet' in
other-things they-turn nor for and quit is or and he-owes in
annali scribetur, per quae scilicet compotus consummatus
the-annual-roll will-be-written through which namely the-account completed
dicitur, donec de omnibus quae in summonitione continentur
is-said until about all-things which in the-summons are-contained
satisfecerit; cujus rei causa satis ex consequentibus
he-will-have-satisfied of-which thing the-cause enough from what-follows
liquere poterit. Post compotum de corpore comitatus, hoc
to-be-clear will-be-able after the-account of the-body of-the-county that
est, de principali firma, qui sicut praedictum est usque in
is of the-principal farm which as aforesaid is right-to to

finem infectus relinquitur; post modicum interstitium ponitur
the-end undone is-left after a-small interval is-set
compotus de veteri firma comitatus, hoc est quae casu
the-account of the-old farm of-the-county that is which by-chance
aliquo de anno praeterito remanserat; ita tamen, si vicecomes
some from the-year past had-remained so yet if the-sheriff
qui tunc ministravit mutatus fuerit; quod si idem
who then administered changed will-have-been but if the-same
perseverat etiam hoc anno, de veteri firma ante inchoatum
continues even this year for the-old farm before the-begun
compotum de nova satisfaciet; et diligenter et distincte
account of the-new he-will-satisfy and diligently and distinctly
scribetur de veteri in principio, et consequenter de
it-will-be-written about the-old at the-beginning and consequently about
nova. Ad haec noveris mutatum vicecomitem de firma
the-new to these-things you-should-know the-changed sheriff for the-farm
veteri summonendum, sicut quemlibet aliorum debitorum; non
old to-be-summoned like any of-the-other debtors not
de parte ejus sed de universo; quia firma est cujus solutio
for part its but for the-whole because a-farm it-is whose payment
differri non debet; sed debitum firmae veteris, quo tenetur
to-be-deferred not ought but the-debt of-the-farm old by-which is-bound
is qui adhuc ministrat, sufficit sub hoc praetextu verborum
he who still administers it-suffices under this pretext of-words
summonuisse, 'quicquid debes de veteri firma et nova.' De
to-have-summoned whatever you-owe from the-old farm and new about
quo satis supra dictum est in titulo de summonitionibus.
which enough above said it-is under the-title about summonses

De excidentibus et occupatis, quae usitatius dicimus de
about things-fallen-in and things-occupied which more-usually we-call about
purpresturis et escaetis.
purprestures and escheats
Post haec autem, facto intervallo quasi sex linearum,
after these-things moreover with-made an-interval as-if of-six lines
sequitur compotus de excidentibus et occupatis, quae nos
follows the-account of things-fallen-in and things-occupied which we
usitatius dicimus 'de purpresturis et escaetis.' In medio
more-usually call about purprestures and escheats in the-middle
quidem lineae sit praenotatio litteris capitalibus, 'de
indeed of-the-line let-be the-heading in-letters capital about
purpresturis et escaetis;' in capite vero inferioris sic scribitur;
purprestures and escheats at the-head but of-the-lower so is-written
'idem vicecomes reddit compotum de firma purpresturarum
the-same sheriff renders account of the-farm of-purprestures
et escaetarum, scilicet de x. l. de hoc et de xx. l.
and of-escheats namely of 10 pounds for this and of 20 pounds
de illo,' et ita deinceps, sicut ex rotulo perlustrantium
for that and so thereafter as from the-roll of-the-surveying
judicum ante conceptum est in annali, 'summa c. l.'
judges before conceived it-is in the-annual-roll the-sum 100 pounds
Dehinc in fine ejusdem lineae ubi summa est, scribitur,
thereafter at the-end of-the-same line where the-sum is is-written
'in thesauro xx. l. in tot taleis, et debet quater
in the-treasury 20 pounds in so-many tallies and he-owes four-times
xx. l.;' vel, 'in thesauro liberavit, et quietus est.' Horum
20 pounds or in the-treasury he-delivered and quit he-is of-these
autem scribendorum ordinem magis oculata fide quam
moreover to-be-written the-order more by-eyewitness faith than
verborum quantalibet argumentosa descriptione cognosces.
of-words by-however argumentative description you-will-learn

D. Quae sint haec excidentia, vel occupata, et qua
Disciple what be these things-fallen-in or things-occupied and by-what
ratione fisco proveniunt, nisi plenius aperueris, non
reason to-the-treasury they-come unless more-fully you-shall-have-opened not
video.
I-see
M. Fit interdum per negligentiam vicecomitis vel ejus
Master it-happens sometimes through the-negligence of-the-sheriff or of-his
ministrorum, vel etiam per continuatam in longa tempora
officers or even through continued into long times
bellicam tempestatem, ut habitantes prope fundos qui coronae
warlike storm that those-dwelling near estates which to-the-crown
annominantur, aliquam eorum portionem sibi usurpent
are-annexed some of-them portion for-themselves usurp
et suis possessionibus ascribant. Cum autem perlustrantes
and to-their possessions ascribe when moreover the-surveying
judices per sacramentum legitimorum virorum haec
judges through the-oath of-lawful men these-things
deprehenderint, seorsum a firma comitatus appretiantur et
will-have-caught apart from the-farm of-the-county they-are-valued and
vicecomitibus traduntur ut de eisdem seorsum respondeant;
to-the-sheriffs are-handed-over that for the-same apart they-may-answer
et haec dicimus purpresturas vel occupata; quae quidem
and these-things we-call purprestures or things-occupied which indeed
cum deprehenduntur, a possessoribus sicut praedictum est
when they-are-caught from the-possessors as aforesaid is
tolluntur et abhinc fisco cedunt. Verum si is a quo
are-taken-away and from-then to-the-treasury go but if he from whom
tollitur occupatum auctor est facti, simul etiam
is-taken-away the-thing-occupied the-author is of-the-deed at-the-same-time also
nisi rex ei pepercerit, pecuniariter gravissime punietur;
unless the-king him will-have-spared in-money most-heavily he-will-be-punished

quod si non auctor sed haeres auctoris fuerit, ad
but if not the-author but the-heir of-the-author he-will-have-been for
poenam sufficit fundi ejusdem sola revocatio. Ex quo sane,
punishment suffices of-the-estate the-same alone the-recalling from which indeed
sicut ex aliis pluribus, regis misericordia comprobatur; dum
as from other many-things of-the-king the-mercy is-proved while
patris tam enormis excessus non punitur in filio, qui usque
of-the-father so enormous the-excess not is-punished in the-son who right-to
ad factam inquisitionem publicae potestatis jactura ditabatur.
to the-made inquiry of-public power by-the-loss was-enriched
Porro escaetae vulgo dicuntur quae decedentibus his
further escheats commonly are-called the-things-which with-dying those
qui de rege tenent in capite, cum non exstet ratione
who from the-king hold in chief when not exists by-reason
sanguinis haeres, ad fiscum relabuntur. De his autem simul
of-blood an-heir to the-treasury slip-back about these moreover together
cum purpresturis compoti fiunt sub una scripturae serie;
with the-purprestures accounts are-made under one of-writing series
sic tamen ut singulorum nomina per ordinem exprimantur.
so yet that of-each-thing the-names in order be-expressed
At cum paterfamilias miles vel serviens, de rege tenens
but when the-father-of-a-family a-knight or sergeant from the-king holding
in capite, fati debita solverit, relictis tamen liberis,
in chief of-fate the-debts will-have-paid with-left yet with-children
quorum primogenitus minor est annis, redditus quidem ejus
of-whom the-firstborn under-age is in-years the-revenues indeed his
ad fiscum redeunt; sed hujusmodi non simpliciter escaeta
to the-treasury return but of-this-kind not simply an-escheat
dicitur, sed escaeta cum haerede; unde nec haeres ab
is-called but an-escheat with heir whence neither the-heir from
haereditate, nec ab ipso haereditas tollitur; sed simul cum
the-inheritance nor from him the-inheritance is-taken-away but together with

haereditate sub regis custodia constitutus tempore pupillaris
the-inheritance under of-the-king custody established in-the-time of-pupillary
aetatis de ipsa haereditate, per regis officiales, tam ipse
age from the-very inheritance through of-the-king the-officials both he
quam ceteri liberi necessaria percipiunt. Cetera vero quae
and the-other children necessaries receive the-other-things but which
de ipsa proveniunt, regiis usibus cedunt. De his autem
from it come to-royal uses go about these moreover
seorsum compoti fiunt; quia non perpetuo, sed quodam
apart accounts are-made because not perpetually but by-a-certain
temporali jure fisco debentur. Cum enim haeres, nunc
temporary right to-the-treasury they-are-owed when for the-heir now
minor, legitimae aetatis adeptus beneficia, sibi suisque
under-age of-lawful age having-gained benefits for-himself and-his-own
disponere noverit, quod jure sibi paterno debetur a
to-arrange will-have-known what by-right to-him paternal is-owed from
regia munificentia suscipiet, quidam gratis, per solam
the-royal munificence he-will-receive some freely through alone
scilicet gratiam principis, quidam promissa summa aliqua;
namely the-grace of-the-prince some with-promised a-sum some
de qua cum compotus fiet, dicetur in annali;
about which when the-account will-be-made it-will-be-said in the-annual-roll
'ille vel ille reddit compotum de centum libris de relevio
this-one or that-one renders account of a-hundred pounds for the-relief
terrae patris sui; in thesauro hoc, et debet hoc:' de hoc
of-the-land of-father his in the-treasury this and he-owes this about this
autem ultra in annali compotus non fiet; cum ad
moreover further in the-annual-roll an-account not will-be-made since to
fiscum post hoc non redeat. Verum dum in manu regis
the-treasury after this not it-return but while in the-hand of-the-king
est, de hoc sic scribetur in annali; 'ille vicecomes
it-is about this so it-will-be-written in the-annual-roll that sheriff

reddit compotum de firma illius honoris,' si baronia est; 'in
renders account of the-farm of-that honor if a-barony it-is in
thesauro hoc; et in procuratione liberorum illius hoc, per
the-treasury this and in the-maintenance of-the-children of-that-one this by
breve regis;' quod ibi ad scaccarium per consuetudinem
writ of-the-king which there at the-exchequer by custom
fiet; 'et debet hoc,' vel 'et quietus est.' Quod si minor
will-be-made and he-owes this or and quit he-is but if lesser
est possessio haec, ut sit fundus unus vel duo vel
is possession this so-that it-be estate one or two or
tres, sic dicetur; 'ille vicecomes' vel 'ille N.' cui forte
three so it-will-be-said that sheriff or that N to-whom perhaps
rex ejusdem rei custodiam deputavit 'reddit compotum
the-king of-the-same thing the-custody deputed renders account
de firma terrae illius N. quae fuit illius N., quam rex
of the-farm of-the-land of-that N which was of-that N which the-king
habet in manu sua,' vel 'quae est in manu regis cum
has in hand his or which is in the-hand of-the-king with
haerede; in thesauro hoc; et debet hoc;' vel 'et quietus est.'
heir in the-treasury this and he-owes this or and quit he-is
Attende praeterea, quod honor ille vel fundus dum in manu
attend besides that honor that or estate while in the-hand
regis cum haerede fuerit, omnes eleemosynae et
of-the-king with heir it-will-have-been all alms and
liberationes indigentium, a prioribus dominis solo caritatis
liveries of-the-needy by the-earlier lords by-alone of-charity
intuitu constitutae, his quibus debentur cum integritate
regard established to-those to-whom they-are-owed with entirety
solvuntur, et ad scaccarium custodi computantur: liberationes
are-paid and at the-exchequer to-the-keeper are-reckoned the-liveries
vero servientum, qui dominis suis ad explenda quaelibet
but of-servants who to-lords their for to-be-fulfilled any

obsequia necessarii visi sint, et ob hoc constituuntur, dum
services necessary seemed have and for this are-established while
rex possidet, voluntariam habent solutionem. Cum autem
the-king possesses voluntary have payment when moreover
in manu haeredis devoluta fuerit haereditas, oportet
into the-hand of-the-heir devolved will-have-been the-inheritance it-behooves
eum patris inhaerere vestigiis; ut scilicet quoad usque
him of-the-father to-cling to-the-footsteps that namely as-long as
vixerint hii quibus haec a patre suo constituta sunt
will-have-lived those to-whom these-things by father his established are
vita comite percipienda, illis satisfaciat, et post haec
with-life companion to-be-received for-them he-satisfy and after these-things
si voluerit, eorum utatur vel non utatur obsequiis.
if will-have-wished their let-him-use or not use services

RELIEFS, FORFEITURES, AND USURERS

A barony's relief is at the king's pleasure; a knight's fee owes a hundred shillings, and a ward owes no relief. A tenant-in-chief who flees or is convicted forfeits everything; fugitives' chattels go to the king, as do treasure trove and the goods of a usurer who dies unrepentant, cleric or layman. Open usury lends for more than the loan; hidden usury takes the fruits of land in pledge. Such a pledge's charter condemns the creditor, and a debtor who recovers the land owes the king the loan.

D. Dixisti, si bene memini, quod si quilibet de rege
Disciple you-said if well I-remember that if anyone from the-king
tenens in capite decedens minorem annis haeredem reliquerit;
holding in chief dying an-under-age in-years heir will-have-left
tandem idem relictus post legitimae aetatis tempora, quidam
at-last the-same left-one after of-lawful age the-times some
gratis, quidam promissa pecunia, quod sibi debetur a rege
freely some with-promised money what to-him is-owed from the-king

suscipit. Quod autem sic solvitur, relevium dicis. Dic ergo
receives what moreover so is-paid relief you-call say therefore
si cujuslibet fundi qui de rege est in capite, relevium sub
if of-any estate which from the-king is in chief the-relief under
consimili summa debeat exigi; vel si sub dissimili, quare sic?
a-similar sum ought to-be-exacted or if under a-dissimilar why so
M. In propriam te videor armasse perniciem. Ex
Master to own you I-seem to-have-armed destruction from
praedictis enim alia conjiciens armatis me vexas
the-aforesaid for other-things inferring with-armed me you-vex
quaestionibus. Noveris autem quod releviorum quae
with-questions you-should-know moreover that of-the-reliefs which
regi debentur, secundum dissimiles possidentium status
to-the-king are-owed according-to the-dissimilar of-the-possessors states
dissimilis summa consurgit: quidam enim de rege tenent
a-dissimilar sum arises some for from the-king hold
in capite quae ad coronam pertinent, baronias scilicet
in chief things-which to the-crown pertain baronies namely
majores seu minores; si ergo pater possessor hujusmodi
greater or lesser if therefore the-father possessor of-this-kind
mortuus fuerit, relicto haerede, qui jam adultus sit, non
dead will-have-been with-left an-heir who already adult be not
secundum constitutam de his summam regi satisfaciet,
according-to the-established about these sum to-the-king he-will-satisfy
sed secundum quod a rege poterit obtinere. Quod
but according-to what from the-king he-will-be-able to-obtain but
si minor aetate fuerit haeres, in custodia constitutus
if less in-age will-have-been the-heir in custody placed
legitimam aetatem praestolabitur; tunc autem vel gratis
the-lawful age he-will-await then moreover either freely
sicut dictum est, vel secundum beneplacitum regis sicut
as said it-is or according-to the-good-pleasure of-the-king like

adultus, haereditatem paternam nanciscetur: si vero decesserit
an-adult the-inheritance paternal he-will-obtain if but will-have-died
quis tenens tunc de rege feodum militis, non quidem
one holding then from the-king the-fee of-a-knight not indeed
ratione coronae regiae, sed potius ratione baroniae cujuslibet
by-reason of-the-crown royal but rather by-reason of-a-barony any
quae quovis casu in manum regis delapsa est; sicut
which by-any chance into the-hand of-the-king slipped has as
est episcopatus vacante sede; haeres jam defuncti si
is a-bishopric with-vacant the-see the-heir of-the-now dead if
adultus est pro feodo militis c. solidos numerabit, pro
adult he-is for the-fee of-a-knight 100 shillings will-count-out for
duobus x. libras, et ita deinceps juxta numerum militum
two 10 pounds and so thereafter according-to the-number of-knights
quos domino debuerat antequam ad fiscum devoluta foret
whom to-the-lord he-had-owed before to the-treasury devolved had-been
haereditas. Quod si minor annis haeres relictus fuerit,
the-inheritance but if less in-years the-heir left will-have-been
quae de haereditate ejus perveniunt ratione custodiae
the-things-which from inheritance his come by-reason of-custody
tempore pupillaris aetatis fisco provenient, sicut dictum
in-the-time of-pupillary age to-the-treasury will-come as said
est: relictus a patre jam adultus pro singulis feodis militum
it-is the-one-left by the-father now adult for each fees of-knights
c. solidos solvet, vel etiam infra, hoc est l. solidos si
100 shillings will-pay or even below that is 50 shillings if
dimidium militis feodum possederit, et sic deinceps. Nec
half of-a-knight fee he-will-have-possessed and so thereafter nor
te lateat quod ejus quem in custodia per aliquot annos
you let-it-escape that of-him whom in custody through some years

habueris et possessionis ejus fructum, cum ad aetatem
you-shall-have-had and of-possession his the-fruit when to age
legitimam pervenerit relevium repetere non valebis.
lawful he-will-have-come the-relief to-demand-back not you-will-be-able
D. In hac parte pro pupillis lex judicat, quod piis
Disciple in this part for orphans the-law judges what to-pious
mentibus bene sedet, decernit.
minds well sits it-decrees
M. Sic est; sed de propositis prosequamur. Item est
Master so it-is but about the-things-set-forth let-us-proceed likewise there-is
et tertium genus excidentium vel escaetarum, quod fisco
also a-third kind of-things-fallen-in or of-escheats which to-the-treasury
provenit jure perpetuo. Cum aliquis de rege tenens in
comes by-right perpetual when someone from the-king holding in
capite perpetrati sceleris sibi conscius, sive sit ei
chief of-a-perpetrated crime to-himself conscious whether it-be to-him
objectum, sive non, relictis tamen omnibus per fugam vitae
objected or not with-left yet with-all-things through flight for-life
consulit: vel si super eodem objecto convictus vel confessus,
provides or if about the-same objected convicted or confessed
terra simul et vita judicatur indignus; omnia quae sui juris
of-land at-once and of-life he-is-judged unworthy all-things which of-his right
fuerant mox infiscantur, et redditus omnes annuo, immo et
had-been soon are-confiscated and the-revenues all by-annual nay even
perpetuo, jure ad scaccarium a vicecomite persolvuntur, et
perpetual right at the-exchequer by the-sheriff are-paid and
quod ex mobilibus eorum venditis provenit, regi cedit.
what from movables their sold comes to-the-king goes
Similiter si cujuscunque conditionis vir vel cujuscunque
likewise if of-whatever condition a-man or of-whatever
domini servus aut liber, metu arctioris assisae quam rex
lord a-serf or free from-fear of-the-stricter assize which the-king

propter sceleratos constituit, a sede sua fugerit, et
on-account-of the-wicked established from home his will-have-fled and
per constitutos ac lege definitos terminos juri se non
by the-established and by-law defined terms to-justice himself not
obtulerit vel excusaverit, vel etiam si acclamante in
will-have-offered or excused or even if with-crying-out against
ipsum vicinia suspectus et postmodum comprehensus,
him with-the-neighborhood suspected and afterward seized
per legem assisae constitutam reus sceleris convictus
through the-law of-the-assize established guilty of-crime convicted
fuerit; omnia ejus mobilia fisco cedunt, immobilia
he-will-have-been all his movables to-the-treasury go the-immovables
vero dominis suis. Mobilium vero pretia per manum
but to-lords their of-the-movables but the-prices through the-hand
vicecomitis ad scaccarium deferuntur, et in annali sic
of-the-sheriff to the-exchequer are-carried and in the-annual-roll so
annotantur; 'idem vicecomes reddit compotum de catallis
are-noted the-same sheriff renders account of the-chattels
fugitivorum vel mutilatorum per assisam de loco illo; scilicet
of-fugitives or of-the-mutilated by the-assize from place that namely
de hoc v., de illo x.,' et sic deinceps per singula capita,
from this 5 from that 10 and so thereafter by each heads
expressis eorum nominibus et summis quae de catallis
with-expressed their with-names and sums which from the-chattels
singulorum exsurgunt; fiet autem in fine summa
of-each arise will-be-made moreover at the-end the-sum
omnium; et circa finem ejusdem lineae in qua summa est,
of-all and near the-end of-the-same line in which the-sum is
scribetur, 'in thesauro xl. l. in tot vel tot taleis, et
will-be-written in the-treasury 40 pounds in so-many or so-many tallies and
debet x. l.,' vel 'et quietus est.' Haec sunt, frater, quorum
he-owes 10 pounds or and quit he-is these are brother of-which

supra meminimus, quae ad scaccarium a vicecomite deferenda
above we-made-mention which to the-exchequer by the-sheriff to-be-carried
sunt, etiamsi summonitio nulla praecesserit. Sic et thesaurus
are even-if summons no will-have-preceded so also treasure
effossa tellure vel aliter inventus. Item cum quis laicum
with-dug-up earth or otherwise found likewise when one a-lay
fundum habens, vel quis etiam publicis inservit usuris; si
estate having or one even public serves usuries if
hic intestatus decesserit, vel etiam his quos defraudavit
he intestate will-have-died or even to-those whom he-defrauded
non satisfaciens, testamentum de prave acquisitis visus
not satisfying a-testament about wickedly acquired-things seemed
est condidisse, sed eadem non distribuit, immo penes
has to-have-made but the-same not distributed nay in-possession-of
se reservavit; quia sic perquisitis incumbens animum
himself kept because so on-the-things-gained brooding the-mind
possidendi deseruisse non creditur, pecunia ejus et omnia
of-possessing to-have-abandoned not he-is-believed the-money his and all
mobilia mox infiscantur; et non summonita per officiales ad
movables soon are-confiscated and not summoned by the-officials to
scaccarium deferuntur; haeres autem jam defuncti fundo
the-exchequer are-carried the-heir moreover of-the-now dead with-the-estate
paterno et ejus immobilibus sibi vix relictis gaudeat.
paternal and its immovables to-him scarcely left may-rejoice
D. Ex praemissis, quae de foeneratoribus dicta sunt
Disciple from the-premises which about the-usurers said are
quaestio gravis animum pulsat, quam vellem, si placet,
a-question grave the-mind strikes which I-would-wish if it-pleases
plenius expediri; dixisti enim, 'cum quis laicum fundum
more-fully to-be-dispatched you-said for when one a-lay estate
habens, vel etiam civis publicis inservit usuris etc.;' ex
having or even a-citizen public serves usuries etc from

quibus verbis personarum quaedam distinctio inter sic
which words of-persons a-certain distinction among so
delinquentes fieri posse videtur; et alia sit clericorum,
the-offending to-be-made to-be-able seems and other be of-clerics
alia laicorum conditio, cum pares sint in delicto. Item ex
other of-laymen the-condition since equal they-be in the-offense likewise from
eo quod additur, 'publicis inservit usuris,' credi potest
that which is-added public serves usuries to-be-believed it-can
esse quasdam non publicas, quibus si quis adhaeserit,
there-to-be certain not public to-which if one will-have-clung
an legi publicarum subjaceat prorsus ignoro.
whether to-the-law of-the-public he-be-subject wholly I-do-not-know
M. Frustra credidi brevibus et communibus tibi
Master in-vain I-believed with-brief and common-things to-you
satisfaciendum; cum ex hujusmodi quaestionem elicias
to-be-satisfied since from such-things a-question you-draw-out
cujus absolutio peritorum quosdam hucusque latuit. Verum
whose solution of-the-experts some hitherto has-escaped but
quod dicis, 'ex verbis tuis, clericorum et laicorum sic
that-which you-say from words your of-clerics and of-laymen so
delinquentium videtur esse dispar conditio, cum pares sint
offending seems to-be unequal the-condition since equal they-be
in delicto,' non approbo: sicut enim in gradibus sic et
in the-offense not I-approve as for in ranks so also
in culpis dissident; juxta verbum illud; 'quanto gradus
in faults they-differ according-to word that by-how-much the-rank
altior, tanto casus gravior;' in bonis etiam et meritoriis
higher by-so-much the-fall heavier in good also and meritorious
operibus, ut quibusdam visum est, dispares sunt: laici
works as to-some seemed it-has unequal they-are the-laymen
enim, qui voti necessitati minus tenentur, ampliorem
for who of-the-vow to-the-necessity less are-bound fuller

gratiam promereri videntur; sicut in perversis actibus, hii
grace to-earn seem as in perverse acts those
qui voto religionis inserviunt, gravius offendunt. Sed de
who the-vow of-religion serve more-gravely offend but about
his hactenus. Habes autem ex praecedentibus unde tuae
these-things hitherto you-have moreover from the-preceding-things whence of-your
quaestionis pars prima valeat absolvi. Ex eo enim quod
question the-part first can to-be-resolved from this for that
clericus usuris inserviens dignitatis suae privilegium demeretur,
the-cleric usuries serving of-dignity his the-privilege forfeits
parem laico sic delinquenti poenam sibi mereatur,
an-equal to-the-layman so offending penalty for-himself he-may-deserve
ut ipso videlicet de medio sublato omnia ejus mobilia
that with-himself namely from the-midst removed all his movables
fisco debeantur. Ceterum sic a prudentibus accepimus.
to-the-treasury be-owed for-the-rest so from the-prudent we-received
In sic delinquentem clericum vel laicum Christianum
against so offending cleric or layman Christian
regia potestas actionem non habet, dum vita comes
royal power action not has while life a-companion
fuerit: superest enim poenitentiae tempus; sed magis
will-have-been there-remains for of-penance time but rather
ecclesiastico judicio reservatur, pro sui status qualitate
for-the-ecclesiastical judgment is-reserved according-to of-his state the-quality
condemnandus: cum autem fati munus expleverit, sua
to-be-condemned when moreover of-fate the-duty he-will-have-fulfilled his
omnia, ecclesia non reclamante, regi cedunt: nisi, sicut
all-things with-the-church not protesting to-the-king go unless as
dictum est, vita comite digne poenituerit, et testamento
said it-is with-life companion worthily he-will-have-repented and with-a-testament
condito quae legare decreverit a se prorsus
made what-things to-bequeath he-will-have-decreed from himself wholly

alienaverit. Restat itaque, ut quas publicas dicamus
he-will-have-alienated it-remains and-so that which public we-call
usuras et quas non publicas expediamus; deinde si pari
usuries and which not public we-dispatch then if by-equal
lege teneantur, qui in utrisque delinquunt. Publicas igitur
law they-be-held who in both offend public therefore
et usitatas usuras dicimus, quando more Judaeorum
and usual usuries we-call when in-the-manner of-the-Jews
in eadem specie ex conventione quis amplius percepturus
in the-same kind by agreement one more about-to-receive
est quam commodavit; sicut libram pro marca, vel pro
is than he-lent as a-pound for a-mark or for
libra argenti duos denarios in septimana de lucro praeter
a-pound of-silver two pennies in a-week as profit besides
sortem: non publicas autem sed tamen damnabiles, cum
the-principal not public moreover but yet damnable when
quis fundum aliquem vel ecclesiam pro commodato suscipit,
one estate some or church for a-loan receives
et manente sortis integritate, fructus ejus, donec
and with-remaining of-the-principal with-the-integrity the-fruits its until
sors ipsa soluta fuerit, sibi percipit. Hoc genus
the-principal itself paid will-have-been for-himself he-takes this kind
propter laborem et sumptum qui in agriculturis solent
on-account-of the-labor and expense which on cultivations are-wont
impendi, licentius visum est; sed proculdubio sordidum est
to-be-spent more-licit seemed it-has but without-doubt sordid it-is
et inter usuras computandum merito. Quod si creditor avarus
and among usuries to-be-reckoned deservedly but if the-creditor greedy
et in ruinam animae suae pronus in scripto sic exprimi
and toward the-ruin of-soul his inclined in writing so to-be-expressed
dignum duxerit, ut dicatur; ‘notum sit omnibus, quod
worthy will-have-thought that it-be-said known be to-all that

ego N. debeo N. centum marcas argenti; et pro his centum
I N owe to-N a-hundred marks of-silver and for these hundred
marcis invadiavi ei terram illam pro x. l.; quousque
marks I-have-pledged to-him land that for 10 pounds until
ego, vel haeres meus, solvam ipsi vel haeredi suo praedictas
I or heir my shall-pay to-him or to-heir his the-aforesaid
centum marcas:' cum post mortem creditoris ad regis vel
hundred marks when after the-death of-the-creditor to of-the-king or
principalis Justiciarii notitiam hujus famosae cartae tenor
of-the-chief Justiciar the-knowledge of-this notorious charter the-tenor
pervenerit: imprimis foedus foenoris quaestus condemnabitur,
will-have-come first foul of-usury the-gain will-be-condemned
et creditor scripto suo deprehensus foenerator, mobilibus suis
and the-creditor by-writing his caught a-usurer of-movables his
indignus judicabitur. Quod si is cujus fundus est a rege
unworthy will-be-judged but if he whose the-estate is from the-king
quomodolibet obtinuerit, ut sic distractus sibi restituatur,
in-any-way will-have-obtained that so alienated to-himself it-be-restored
in sorte tota domino regi tenebitur, etiamsi creditor
for the-principal whole to-the-lord king he-will-be-bound even-if the-creditor
per biennium vel amplius possederit, regis tamen
through two-years or more will-have-possessed of-the-king yet
munificentia de summa sortis illius taxare consuevit,
the-munificence about the-sum of-the-principal that to-assess has-been-accustomed
maxime propter singularis gratiae munus, in quo fidelibus
most on-account-of of-singular grace the-gift in which to-faithful-men
suis debito praelationis tenetur, et tunc quia creditoris seu
his by-the-debt of-preference he-is-bound and then because of-the-creditor or
foeneratoris, qui sui fidelis enormi jactura ditatus fuerat,
usurer who of-his faithful-man by-enormous loss enriched had-been
ratione publicae potestatis bona omnia percepturus est. Sunt
by-reason of-public power the-goods all about-to-receive he-is there-are

et pleraque alia quae singulariter ad fiscum pertinent,
also very-many other-things which singly to the-treasury pertain
quae non facile sub una scripturae serie redigi possunt;
which not easily under one of-writing series to-be-brought can
quia non constituta sed casualia sunt. De hiis tamen
because not established but casual they-are about these yet
excidentibus hujus tertii generis, non supra post firmas,
things-fallen-in of-this third kind not above after the-farms
sed infra post omnia placita compoti fiunt, ante catalla
but below after all the-pleas accounts are-made before the-chattels
fugitivorum; ut ipsa quoque locorum positione videantur
of-fugitives that by-the-very also of-places positioning they-may-seem
pro enormibus culpis delinquentium ad fiscum pertinentia.
for enormous faults of-offenders to the-treasury pertaining

ROBBERS AND THIEVES, THE CENS OF WOODS, AND PLEAS

By the king's assize lords lose condemned villeins' chattels, lest they hunt their own men for gain. Outlaws' chattels go to their captors, robbers' to the king, thieves' to the sheriff; a man who prosecutes his own thief has double restitution, solta and persolta. The cens of woods follows, with tithes to Salisbury and Lincoln; then pleas, which are penalties, and agreements, which are offerings, each debtor answering for himself, save common assizes, Danegeld, and the murder fine (the sheriff's).

D. Miror super his quae dixisti; non enim cum
Disciple I-wonder about these-things which you-said not for with
prioribus stare posse videntur. Cum enim ascriptitiorum
the-earlier to-stand to-be-able they-seem since for of-the-bound-men
dominis liberum sit, non solum illos transferre, verum etiam
for-the-lords free it-be not only them to-transfer but even
quibuscunque modis distrahere, sicut supra dictum est; et
in-whatever ways to-scatter as above said it-is and

non tantum catallorum sed et corporum merito domini
not only of-the-chattels but also of-the-bodies deservedly lords
reputentur; mirandum est cum dominus rerum et hominis
they-be-reckoned to-be-wondered-at it-is since the-lord of-the-things and of-the-man
rei nil delinquat in legem, quare possessione sua
of-the-defendant nothing offends against the-law why of-possession his
privetur: videri enim justum posset, ut regis constitutio
he-be-deprived to-seem for just could that of-the-king the-ordinance
in personam delinquentis puniret excessum, mobilia vero
on the-person of-the-offender should-punish the-excess the-movables but
cum ipsis fundis in usus dominorum cederent.
with the-very estates to the-uses of-the-lords should-go
M. Movet te quod me movet; verum in his longam
Master moves you what me moves but in these-things long
fieri moram superfluum credo, cum ab inceptis negotiis
to-be-made delay superfluous I-believe since from the-begun business
aliena sint. Ut tibi satisfiat; propter solam regis assisam
foreign they-be that to-you it-be-satisfied on-account-of alone of-the-king the-assize
sic esse cognoscas; nec enim est qui regiae constitutioni,
so to-be you-may-know nor for there-is one-who the-royal ordinance
quae pro bono pacis fit, obviare praesumat. Quod si dominis
which for the-good of-peace is-made to-oppose may-presume but if to-the-lords
catalla suorum per assisam condemnatorum provenirent, forte
the-chattels of-their-men by the-assize condemned should-come perhaps
quia cupiditatis humanae fervida sitis in medio posita est,
because of-greed human the-burning thirst in the-midst placed is
propter modicum quaestum quidam in necem suorum
on-account-of small gain certain-men toward the-killing of-their-men
etiam innocentium grassarentur: ea propter rex ipse,
even of-the-innocent would-rush these-things on-account-of the-king himself
cui generalis est et a Deo credita cura subditorum, hoc
to-whom general is and by God entrusted the-care of-the-subjects this

ita decrevit ut sic rei legi satisfacientes corpore
so decreed that so the-defendants to-the-law satisfying in-body
puniantur, et retentis sibi ipsi mobilibus, domesticis
be-punished and with-retained for-themselves themselves with-movables to-household
hostibus, hoc est, dominis suis, non exponantur: verum sicut
enemies that is to-lords their not they-be-exposed but as
jam diximus, sola regis institutio urgente necessitate pro
already we-said alone of-the-king the-institution with-pressing necessity for
bono pacis facta, hujus quaestionis principalis solutio est.
the-good of-peace made of-this question the-principal solution is
D. Video quod non sine causa fit. Nunc, si placet,
Disciple I-see that not without cause it-is-done now if it-pleases
prosequere. Verum restat in praecedentibus quiddam,
proceed but there-remains in the-preceding-things something
quod vellem altius, si placet, expediri. Dixisti enim,
which I-would-wish more-deeply if it-pleases to-be-dispatched you-said for
quod fugitivorum et mutilatorum per assisam mobilia
that of-fugitives and of-the-mutilated by the-assize the-movables
summonita ad scaccarium deferuntur, et in annali suo
summoned to the-exchequer are-carried and in the-annual-roll in-its
loco scribuntur: quid autem de praedonum vel furum
place are-written what moreover about of-robbers or of-thieves
catallis fieri debet non dixisti; si scilicet ad regem
the-chattels to-be-done ought not you-said if namely to the-king
pertineant, vel cui de jure cedere debeant.
they-pertain or to-whom by right to-go they-ought
M. Praedonum, qui et fures manifesti dicuntur, et
Master of-robbers who also thieves manifest are-called and
latenter furantium, conditio dissimilis est; porro tam horum
of-the-secretly stealing the-condition unlike is further both of-these
quam illorum duo sunt genera, ex quorum singulis catalla
and of-those two are the-kinds from of-which each the-chattels

diversis diverso modo proveniunt. Praedonum quidem sicut
to-different in-different way come of-robbers indeed as
et furum quidam exleges sunt, quos usitatius utlagatos
also of-thieves some outlaws are whom more-usually outlawed
dicimus, quidam non: utlagati vero vel exleges fiunt,
we-call some not outlawed but or outlaws they-become
quando legitime citati non comparent, et per legitimos et
when lawfully cited not they-appear and through lawful and
constitutos terminos exspectantur et etiam requiruntur, nec
established terms are-awaited and even are-sought nor
juri se offerunt. Horum itaque catalla sicut et vita
to-justice themselves offer of-these and-so the-chattels as also the-life
in manibus comprehendentium ipsos esse noscuntur, nec ad
in the-hands of-those-seizing them to-be are-known nor to
regem pertinere qualibet ratione possunt: praedonum autem
the-king to-pertain by-any reason can of-robbers moreover
bona qui nondum in hanc miseriae summam delapsi sunt,
the-goods who not-yet into this of-misery height slipped have
si comprehendantur, ad fiscum proveniunt: furum autem
if they-be-seized to the-treasury come of-thieves moreover
ad vicecomitem sub quo deprehensi et puniti sunt. Quod
to the-sheriff under whom caught and punished they-are but
si vicecomes furis causam ad curiam deduci dignam
if the-sheriff of-the-thief the-cause to the-court to-be-brought worthy
duxerit, ut ibi judicetur, nihil ipsis sed totum regi
will-have-thought that there it-be-judged nothing to-them but the-whole to-the-king
debetur, quod fur ille possedit. Si vero furem proprium quis
is-owed which thief that possessed if but thief own one
insecutus fuerit, et in curia prima domini regis, vel etiam
pursued will-have and in the-court first of-the-lord king or even
in comitatu ipsum comprehenderit, et reum furti adjudicata
in the-county him will-have-seized and guilty of-theft with-adjudged

lege probaverit; de catallis furis, si ad id suffecerit,
law will-have-proved from the-chattels of-the-thief if for this it-will-have-sufficed
ablata primum laeso restituantur, praesidente, si
the-things-taken first to-the-harmed be-restored with-presiding if
placet domini regis Justiciario, de summa ablatorum
it-pleases of-the-lord king with-the-Justiciar about the-sum of-the-things-taken
fide ejus qui petit, vel sacramento: post modum autem
on-the-faith of-him who seeks or by-oath after a-while moreover
ex provida studiosorum pacis institutione, idem de bonis
from the-provident of-those-zealous for-peace institution the-same from the-goods
furis tantundem accepturus et in laboris et sumptus
of-the-thief as-much about-to-receive also for of-labor and expense
sui solatium, quantum prius dolo furis amiserat. Haec
his the-solace as-much-as before by-the-fraud of-the-thief he-had-lost this
autem duplex et prudenter procurata solutio ab antiquis solta
moreover double and prudently procured payment by the-ancients solta
et persolta vel prosolta non immerito dicta est; primo enim
and persolta or prosolta not undeservedly called is first for
quod ablatum fuerat et solvitur, et ob hoc solta dicitur:
what taken had-been also is-paid and for this solta it-is-called
deinceps pro laboris et sumptus impendio quod adjicitur pro
next for of-labor and expense the-outlay what is-added pro
vel persolta nuncupatur. His in hunc modum expletis, quod
or persolta is-named with-these in this manner fulfilled what
fuerat in bonis rei residuum fisco proveniet.
had-been in the-goods of-the-defendant residue to-the-treasury will-come
D. Et haec necessaria visa sunt; sed nunc juxta
Disciple also these-things necessary seemed are but now according-to
promissum, de censu nemorum, si placet, prosequere.
the-promise about the-cens of-woods if it-pleases proceed

M. Gratulor quod te tam dictuum virtutem quam
Master I-rejoice that you both of-the-things-said the-force and
dicendorum ordinem memoriter tenuisse conspicio. Superest
of-the-things-to-be-said the-order from-memory to-have-held I-see it-remains
igitur ut votis tuis satisfacere pro viribus non omittam.
therefore that wishes your to-satisfy according-to strength not I-omit
De Censu nemorum.
about the-Cens of-woods
Post compotum purpraesturarum et escaetarum sequitur
after the-account of-purprestures and of-escheats follows
compotus de censu nemorum, brevis satis et expeditus, sub
the-account of the-cens of-woods short enough and quick under
hoc tenore verborum: 'idem vicecomes vel ille alius N. reddit
this tenor of-words the-same sheriff or that other N renders
compotum de xx. l., de censu illius nemoris vel forestae
account of 20 pounds of the-cens of-that wood or forest
de Norhamtescira; in thesauro liberavit, et quietus est.' Sunt
of Northamptonshire in the-treasury he-delivered and quit he-is there-are
tamen quaedam forestae de quibus decimae constitutorum
yet certain forests from which the-tithes of-the-established
censuum ecclesiis majoribus solvuntur; sicut de Wiltescira et
cens to-churches greater are-paid as from Wiltshire and
de Hamptescira ecclesiae Sarisburiensi, de Norhamtescira vero
from Hampshire to-the-church of-Salisbury from Northamptonshire but
ecclesiae Lincolniensi: cujus solutionis causam sic accepi; quod
to-the-church of-Lincoln of-which payment the-cause so I-received what
enim de forestis solvitur pene totum vel ejus maxima pars ex
for from the-forests is-paid almost the-whole or its greatest part from
placitis et exactionibus provenit; sic igitur per datas decimas
pleas and exactions comes so therefore through given tithes
illiciti quaestus utcumque redimi posse visi sunt. De
of-illicit gain somehow to-be-redeemed to-be-able seemed they-have about

his autem sic compoti fiunt: 'ille vel ille reddit compotum
these moreover so accounts are-made this-one or that-one renders account
de xx. l., de censu forestae illius; in thesauro xviii. l.;' et
of 20 pounds of the-cens of-forest that in the-treasury 18 pounds and
in capite proximae lineae inferioris sic; 'et in decimis constitutis
at the-head of-the-next line lower so and in tithes established
illi ecclesiae xl. s.;' deinde in fine ejusdem lineae paulo
to-that church 40 shillings then at the-end of-the-same line a-little
seorsum ab alia scriptura sic, 'et quietus est.' Intellige
apart from the-other writing so and quit be-is understand
etiam semel tibi dictum, quod omnia debita et item ea
also once to-you said that all debts and likewise those-things
quae in thesauro soluta fuerint seorsum ab alia scriptura
which in the-treasury paid will-have-been apart from the-other writing
collocanda sunt; ut juvanti animo et discurrenti oculo
to-be-placed are that to-the-helping mind and to-the-running eye
facilius occurrant; quoniam ex solvendis summonitiones,
more-easily they-may-occur since from things-to-be-paid summonses
et ex jam solutis absolutiones, fiunt. Post diligentem
and from things-already paid absolutions are-made after the-diligent
firmae principalis veteris sive novae compotum, et item
of-the-farm principal old or new account and likewise
post compotum purpraesturarum et escaetarum, et census
after the-account of-purprestures and of-escheats and of-the-cens
nemorum, quae omnia, sicut dictum est, annuo jure
of-woods which all as said it-is by-annual right
solvuntur, sequitur compotus de placitis [et] conventionibus;
are-paid follows the-account of pleas and agreements
in quo primum post modicum intervallum in medio lineae
in which first after a-small interval in the-middle of-the-line
praenotatio sit quorum scilicet judicum haec sint.
a-heading let-be of-which namely judges these-things be

De Placitis et Conventionibus; quo ordine de his
about Pleas and Agreements in-what order about these
compoti fiunt, cum exacta solvuntur.
accounts are-made when the-things-exacted are-paid
Placita autem dicimus poenas pecuniarias in quas incidunt
pleas moreover we-call penalties pecuniary into which fall
delinquentes: conventiones vero oblata spontanea. Cum ergo
the-offenders agreements but offerings spontaneous when therefore
de hiis instat exactio, tunc primum clerico cancellarii
about these presses the-exaction then first to-the-clerk of-the-chancellor
traditur summonitio; qui seriatim de singulis urget
is-handed-over the-summons who in-series about each presses
vicecomitem, dicens; 'redde de illo x. libras; pro hac causa;'
the-sheriff saying render for that-one 10 pounds for this cause
quod si in thesauro solvitur quod requiritur, sic scribetur
but if in the-treasury is-paid what is-required so it-will-be-written
in annali; 'N. reddit compotum de x. l. pro hac causa,'
in the-annual-roll N renders account of 10 pounds for this cause
et ex ordine tota redigatur in scriptum, 'in thesauro
and in order the-whole be-brought into writing in the-treasury
liberavit, et quietus est:' si vero per breve regis quietus est,
he-delivered and quit he-is if but by writ of-the-king quit he-is
ut diximus, numerus exprimatur in brevi, dicetur; 'N. reddit
as we-said the-number be-expressed in the-writ it-will-be-said N renders
compotum de x. l.,' et addat causam; deinde paulo
account of 10 pounds and let-him-add the-cause then a-little
inferius in ipsa linea, 'per breve regis ipsi N. x. l.,
lower in the-same line by writ of-the-king to-the-very N 10 pounds
et quietus est;' quod si de c. summonitus sit, cum tamen
and quit he-is but if for 100 summoned he-be when yet
summa debiti sit in annali x. l. et c. solverit
the-sum of-the-debt be in the-annual-roll 10 pounds and 100 he-will-have-paid

in denariis, vel de c. breve regis impetraverit, dicetur; 'N.
in pennies or for 100 a-writ of-the-king will-have-obtained it-will-be-said N
reddit compotum de x. l.; in thesauro centum solidos, et
renders account of 10 pounds in the-treasury a-hundred shillings and
debet c. solidos,' vel 'in perdonis per breve regis ipsi
he-owes 100 shillings or in pardons by writ of-the-king to-the-very
N. c. solidos, et debet c. solidos.' Et nota, quod in omnibus
N 100 shillings and he-owes 100 shillings and note that in all
compotis de placitis et conventionibus singuli per se
accounts of pleas and agreements each by himself
respondebunt, ut scilicet onus debiti, si non satisfecerit,
will-answer that namely the-burden of-the-debt if not he-will-have-satisfied
vel absolutionem si universum solverit, suo nomine
or absolution if the-whole he-will-have-paid in-his name
suscipiant, exceptis communibus assisis et Danegeldis et
they-may-receive except-for the-common assizes and Danegelds and
murdris; de his enim vicecomes compotum reddit, et super
murder-fines about these for the-sheriff account renders and about
his ipse vel quietus in annali scribitur vel in debito. Quod
these he either quit in the-annual-roll is-written or in debt but
si mutatus fuerit vicecomes, nihilominus is qui succedit
if changed will-have-been the-sheriff nonetheless he who succeeds
ei de eisdem respondebit et de eis summonebitur; et nisi
him for the-same will-answer and for them will-be-summoned and unless
satisfecerit, per firmam quam soluturus est coercendus
he-will-have-satisfied through the-farm which about-to-pay he-is to-be-coerced
est. Quisquis enim in onus ejusdem officii mutato
he-is whoever for into the-burden of-the-same office with-changed
succedit vicecomite, ab ipso suscipit rescripta debitorum
succeeds with-the-sheriff from him receives the-copies of-the-debts
regis in ipso comitatu; ut per hoc nosse valeat
of-the-king in the-very county that through this to-know he-may-be-able

a quibus quae debeant requiri, cum summonitionem
from whom what-things ought to-be-required when the-summons
ad se delatam susceperit. Ad vicecomitem ergo spectat
to himself brought he-will-have-received to the-sheriff therefore pertains
compotus communium, ad quem solum pertinet coercio
the-account of-the-common-things to whom alone pertains the-coercion
singulorum; et qui vicecomes fuerit, dum compotus
of-individuals and he-who sheriff will-have-been while the-account
fit, vel quietus vel in debito hac ratione scribetur.
is-made either quit or in debt by-this reason will-be-written

CHARTERS OF QUITTANCE AND DEBTORS WHO CANNOT PAY

A charter of quittance acquits only when specific. When a debtor cannot pay, the sheriff swears he has found nothing. A knight or freeman owing a penalty is spared by that oath, but a citizen or burgess has his houses and rents seized until he pays, since traders' wealth is easily hidden. A city's aid assessed by heads is levied on each; one offered as a lump sum is the citizens' to raise. A knight who turns trader or usurer must find sureties or have his revenues seized.

D. Teneo memoriter quid fieri debeat cum quis super
Disciple I-hold from-memory what to-be-done ought when one about
aliquo debito summonitus breve regis detulerit, quod
some debt summoned a-writ of-the-king will-have-brought which
numerum qui requiritur exprimat. Quod si regis cartam
the-number which is-required may-express but if of-the-king a-charter
de quietantia rerum ejusdem generis ad scaccarium deferat;
of quittance of-things of-the-same kind to the-exchequer he-carry
ut sic dicatur; 'volo igitur ut haec omnia teneat libere
so-that so it-be-said I-wish therefore that these all-things he-hold freely

et quiete de placitis et murdris,' et his et his, et
and quit of pleas and murder-fines and these and these and
hujusmodi; nunquid in perdonis erit?
of-this-kind surely-not in pardons will-it-be
M. Erit revera; sed non dicetur, 'in perdonis per
Master it-will-be truly but not it-will-be-said in pardons by
cartam regis,' vel 'per libertatem cartae,' hoc vel illud;
charter of-the-king or by the-liberty of-the-charter this or that
immo 'per breve regis;' quod si carta quidem non
nay by writ of-the-king but if the-charter indeed not
specificans sic contineat, 'libere et quiete ab omni exactione
specifying so contain freely and quit from all exaction
et saeculari servitio praedicta possideat;' non tamen ab
and secular service the-aforesaid let-him-possess not yet from
his quae requiruntur per hoc quietus est vel in perdonis
these which are-required through this quit he-is or in pardons
scribetur: nolunt enim qui assident speciali debito per
will-be-written they-are-unwilling for who sit-beside to-a-special debt by
generalem absolutionem derogari.
general absolution to-be-detracted
D. Perniciosa satis est ista subtilitas: qui enim a
Disciple pernicious enough is that subtlety he-who for from
generibus singulorum liber est, et a singulis generum
the-kinds of-individuals free is also from the-individuals of-the-kinds
meretur absolvi.
deserves to-be-absolved
M. Verum est quod dicis; neque nos dissentimus; sed tamen
Master true it-is what you-say nor we disagree but yet
quid fiat dicimus, non quid forte fieri debeat. Igitur cum
what be-done we-say not what perhaps to-be-done ought therefore when
de omnibus hiis quae in summonitione continentur, vel
about all these-things which in the-summons are-contained either

per numeratam pecuniam vel per brevia regis satisfactum
by counted money or by the-writs of-the-king satisfied
fuerit, hac lege scripturae quae supra dicta est semper
it-will-have-been by-this law of-writing which above said is always
utendum est: verum cum non solverit aliquis universum
to-be-used it-is but when not will-have-paid someone the-whole
quod ab ipso requiritur, sed partem ejus vel forte nihil, causa
which from him is-required but part its or perhaps nothing the-cause
statim a vicecomite requirenda est cur is solvendo non fuerit.
at-once from the-sheriff to-be-required is why be solvent not was
Quod si responderit vicecomes, quaesisse se diligenter
but if will-have-answered the-sheriff to-have-sought himself diligently
ejus de quo agitur nec catalla invenire potuisse; inferet
of-him about whom it-is-treated nor chattels to-find to-have-been-able will-add
thesaurarius, 'cave tibi; nam hujus rei fidem,' scilicet
the-treasurer beware for-yourself for of-this thing the-faith namely
quaesisse te nec invenire potuisse per quod satisfieri
to-have-sought you nor to-find to-have-been-able through which to-be-satisfied
posset, 'fide corporaliter praestita confirmabis;' quo
it-could with-faith bodily rendered you-will-confirm with-whom
respondente, 'praesto sum;' in consummatum compotum
answering ready I-am into the-completed account
fidei susceptio differetur; ubi super multis consimilibus
of-the-faith the-receiving will-be-deferred where about many like-things
semel data sufficiat. De hac tamen fide jam circa initia
once given it-may-suffice about this yet faith already about the-beginnings
plura dicta sunt, et restant aliqua suo loco dicenda.
many-things said are and remain some-things in-its place to-be-said

De distinctione personarum quae solvendo non sunt; de
about the-distinction of-persons who solvent not are about
quibus a Vicecomite fides offertur, et sub quo tenore
whom by the-Sheriff faith is-offered and under what tenor
verborum fides detur.
of-words the-faith be-given
Porro hic primum distinguendum est circa debitores et debita;
further here first to-be-distinguished it-is about debtors and debts
ut in quibus fides oblata locum habeat, et quibus non,
that in which-things the-faith offered place may-have and in-which not
tibi constet: si enim miles, vel liber alius, vel ascriptitius,
to-you it-be-established if for a-knight or free other or bound-man
vel quaelibet hujusmodi cujuscunque conditionis aut sexus
or any of-this-kind of-whatever condition or sex
persona, regi tenetur in quovis debito, quod quidem
person to-the-king is-bound in any debt which indeed
poena sit pro excessu, non oblatum spontaneum, fide illa
a-penalty be for excess not an-offering spontaneous with-faith that
vicecomitis oblata et in fine suscipienda contentus erit
of-the-sheriff offered and at the-end to-be-received content will-be
thesaurarius; et iterato scribetur debitor in hoc annali,
the-treasurer and again will-be-written the-debtor in this annual-roll
sicut in praeterito, vir vel mulier cujus actio per inopiam
as in the-past man or woman whose action through poverty
inanis facta est; verum secus est si debitor ille de quo
empty made is but otherwise it-is if debtor that about whom
quaeritur civis est vel burgensis, si scilicet genere civis sit,
it-is-asked a-citizen is or a-burgess if namely by-birth a-citizen be-be
vel facta sibi necessitate commorantium civium legibus
or with-made for-himself with-necessity of-the-dwelling citizens to-the-laws
sponte se subjecerit; non enim sufficit vicecomiti,
willingly himself he-will-have-subjected not for it-suffices for-the-sheriff

quod horum, si qui de requisita summa non satisfaciunt,
that of-these if any for the-required sum not satisfy
mobilia tantum solvat, vel quaesisse se nec invenisse
the-movables only he-pay or to-have-sought himself nor to-have-found
fidem offerat, ut sic ad scaccarium liberetur, nisi eorum et
faith he-offer that so at the-exchequer he-be-freed unless their both
domos et fundos et quoslibet urbium redditus infiscet, et
houses and estates and any of-the-cities revenues he-confiscate and
penes alios collocet, ut vel sic debita regi pecunia
in-possession-of others place that even so the-owed to-the-king money
proveniat; quod si non inveniantur qui suscipiant, parcentibus
may-come but if not are-found who may-take-over with-sparing
sibi invicem ejusdem conditionis hominibus, domos eorum
themselves in-turn of-the-same condition with-men houses their
seris obstruat, et fundos diligenter excoli faciat.
with-bolts let-him-block and the-estates diligently to-be-cultivated let-him-cause
Si vero interim hii solverint quae requiruntur, ad
if but meanwhile these will-have-paid the-things-which are-required to
proprietarios ipsos per manum vicecomitis sine molestia
the-owners themselves through the-hand of-the-sheriff without trouble
quae sui juris sunt reddent.
the-things-which of-their right are they-will-render
D. Mirari satis non possum, ubi culpa dispar non est,
Disciple to-wonder enough not I-can where the-fault unequal not is

Cur genus hoc hominum gravius lex nostra coercet.
why race this of-men more-heavily law our restrains

M. Maxima pars possessionis eorum qui fundos habent et
Master the-greatest part of-the-possession of-those who estates have and
per agriculturam sustentantur, in pecudibus, in animalibus
by agriculture are-sustained in cattle in animals

et in frugibus est, et item in hiis quae non
and in crops is and likewise in these-things which not
facile cohabitantium notitiam possunt effugere: at hiis
easily of-those-dwelling-together the-knowledge can to-escape but for-those
qui mercimoniis inserviunt, et qui parcentes sumptibus,
who trades serve and who sparing expenses
multiplicandis possessionibus totis viribus et modis omnibus
for-being-multiplied possessions with-all strength and in-ways all
insistunt, in numeratam pecuniam sollicitior cura consistit.
press-on in counted money more-anxious care consists
Per haec enim commercia facilius exercentur; et possunt
through these-things for commerce more-easily are-carried-on and can
haec in locis tutis et ignotis facile reponi: unde fit
these-things in places safe and unknown easily be-stored whence it-happens
ut saepe qui dives est, non patentibus his quae
that often he-who rich is with-not lying-open these-things which
latent, pauper reputetur: propter haec igitur in hos
lie-hid poor be-reckoned on-account-of these-things therefore against these
gravius lex illa decernit; quia superabundans pecuniarum
more-heavily law that decrees because the-superabounding of-moneys
puteus non de facili videtur exhaustus.
well not with ease seems exhausted
D. Quid assisa communis, et quis vel quo ordine
Disciple what the-assize common and who or in-what order
de ipsa respondeat, ex praedictis magna ex parte jam
for it answer from the-aforesaid great from part already
constat. Nunc si placet de auxiliis, vel donis civitatum
is-established now if it-pleases about the-aids or gifts of-cities
seu burgorum; qualiter ex hiis compoti fiant, et qui
or of-boroughs how from these accounts be-made and who

principaliter conveniendi vel coercendi super his fuerint,
principally to-be-sued or to-be-coerced about these-things will-have-been
edissere; modus enim coercionis ex praedictis jam patet.
explain the-manner for of-coercion from the-aforesaid already lies-open
M. Gaudeo te memorem praedictorum; et hinc, fateor,
Master I-rejoice you mindful of-the-aforesaid and hence I-confess
me magis animasti. Noveris itaque quod plurimum
me more you-have-encouraged you-should-know and-so that very-much
interest, si donum vel auxilium civitatis per singula capita
it-matters whether the-gift or aid of-the-city by each head
commorantium in ea a Justitiis constituatur: vel si cives
of-those-dwelling in it by the-Justices be-established or if the-citizens
summam aliquam quae principe digna videatur justiciariis
a-sum some which of-the-prince worthy may-seem to-the-justices
offerant, et ab eis suscipiatur: dispar enim in his duobus
offer and by them it-be-received unequal for in these two
modus est coercionis; si enim per singulos a judicibus
the-manner is of-coercion if for by individuals by the-judges
constitutum est donum, et quilibet eorum solvendo non
established is the-gift and any of-them solvent not
fuerit, lex praedicta de civibus non solventibus servatur;
will-have-been the-law aforesaid about citizens not paying is-kept
ut scilicet domibus et redditibus usque ad solutionem privetur.
that namely of-houses and revenues right-to to the-payment be-be-deprived
At si dictum est a civibus, 'dabimus regi mille libras;'
but if said it-is by the-citizens we-shall-give to-the-king a-thousand pounds
et haec summa digna suscipi judicetur; ut statutis terminis
and this sum worthy to-be-received be-judged that at-fixed terms
eadem exsurgat ipsi provideant. Quod si forte excusare
the-same may-arise they-themselves let-provide but if perhaps to-excuse
coeperint, allegantes quorundam inopiam qui in aliqua parte
they-will-have-begun alleging of-certain-men the-poverty who in some part

summae hujusmodi tenebantur; tunc diligenter, hoc est per
of-the-sum of-this-kind were-bound then diligently that is through
fidem vicecomitis, inquirendum est, si a tempore constituti
the-faith of-the-sheriff to-be-inquired it-is if from the-time of-the-established
per eosdem cives doni vel auxilii hii tales exstiterint ut solvere
by the-same citizens gift or aid these such were that to-pay
non valerent; quod si inventum fuerit, provideant alios ex
not they-could but if found it-will-have-been let-them-provide others from
quibus summa prior exsurgat, vel per commune distribuatur
whom the-sum earlier may-arise or through the-community be-distributed
quod restat; verum si tempore constitutionis abundabant, sed
what remains but if at-the-time of-establishment they-were-abounding but
lege fortunae natura mobilis nunc egeant, sustinendum
by-the-law of-fortune by-nature mobile now they-be-in-need to-be-borne
est de hiis quousque per Dei gratiam ditentur.
it-is about these until through of-God the-grace they-be-enriched
D. Cerno quod in omnibus modum servantes semper
Disciple I-see that in all-things measure keeping always
regiis commodis inhaeretis.
to-royal advantages you-cling
M. Memoriter tenes quid de civibus vel burgensibus non
Master from-memory you-hold what about citizens or burgesses not
solventibus sit agendum. Quod si forte miles aliquis vel
paying be to-be-done but if perhaps a-knight some or
liber alius a sui status dignitate, quod absit, degenerans,
free other from of-his state the-dignity which far-be-it degenerating
multiplicandis denariis per publica mercimonia, vel per
for-being-multiplied pennies by public trades or by
turpissimum genus quaestus, hoc est, per foenus, institerit,
the-most-shameful kind of-gain that is by usury will-have-pressed-on
et exacta sponte non solverit, non per fidem tantum
and the-exacted-things willingly not will-have-paid not by faith only

de non inventis vicecomes absolvetur, verum cum haec
about not things-found the-sheriff will-be-absolved but when these-things
praesidenti suggesserit, districtum ab ipso mandatum
to-the-presiding-one he-will-have-suggested strict from him a-mandate
suscipiet ut de summa quae ab illo requiritur statutis
he-will-receive that for the-sum which from him is-required at-fixed
terminis solvenda fidejussores inveniat; quod si noluerit,
terms to-be-paid sureties he-find but if he-will-have-refused
omnes ejus redditus infiscentur; ut in hac parte merito fiat
all his revenues be-confiscated that in this part deservedly it-be-done

Hiis similis qui multiplicant quocunque modo rem.
to-these like who multiply in-whatever way the-thing

WHAT MAY BE SOLD OF A DEBTOR'S GOODS

Movables are sold, but not the victuals for the debtor's household, nor a knight's horse, nor a good knight's armor and horses, unless he shirks the king's service. The plow-oxen are sold last, then the villeins' chattels; for scutage the knights' chattels too, unless they show they have paid their lord. The sheriff collects from the debtor's own debtors, and land alienated after the debt began is liable, for a man condemned in his movables forfeits them all.

D. Dignum revera est, ut a statu suo pro turpi quaestu
Disciple worthy truly it-is that from state his for base gain
recedens degener miles, vel liber alius, praeter communem
withdrawing a-degenerate knight or free other beyond the-common
liberorum legem puniatur. Sed jam nunc si placet edissere,
of-free-men law be-punished but already now if it-pleases explain
quae sunt quae pro catallis ejus qui regi tenetur
what are the-things-which for chattels of-him who to-the-king is-bound

debeant imputari, et utrum ab omnibus omnia tollenda sunt
ought to-be-imputed and whether from all all-things to-be-taken are
a vicecomite, quousque summa quae requiritur exsurgat, quando
by the-sheriff until the-sum which is-required arise when
scilicet principalis debitor exacta sponte non solvit.
namely the-principal debtor the-things-exacted willingly not pays
Quae catalla debitorum vendenda non sunt, cum ipsi sponte
what chattels of-debtors to-be-sold not are when they willingly
non solvunt, et quis in vendendis ordo sit observandus.
not pay and what in being-sold order be to-be-observed
M. In pelagus me quaestionum impellis, nescio, Deus
Master into a-sea me of-questions you-drive I-know-not God
scit, qua emersurum. Noveris itaque, quod sic iterum
knows where about-to-emerge you-should-know and-so that so again
personarum distinctio necessaria est, sicut ex consequentibus
of-persons a-distinction necessary is as from what-follows
liquebit; vellem tamen in hac parte mihi parceres, ne
will-be-clear I-would-wish yet in this part to-me you-would-spare lest
pluribus displicitura proferre compellas.
to-many things-about-to-displease to-bring-forth you-compel
D. Dum a legis constitutae tramite non exorbitaveris,
Disciple while from of-the-law established the-path not you-will-have-strayed
justam prudentis offensam non mereberis: quod si cui
a-just of-a-prudent-man offense not you-will-deserve but if to-anyone
grave videbitur quod lex statuit, ei qui condidit
grievous will-seem what the-law established with-him who founded
irascatur, non tibi.
let-him-be-angry not with-you
M. Ab initio debitor tibi factus sum ex promisso. Hinc
Master from the-beginning debtor to-you made I-am by promise hence
est, quod volens teneor parere volenti vel petenti. Debitorum
it-is that willing I-am-bound to-obey one-willing or asking of-the-debtors

igitur qui exacta sponte non solvunt, catalla, quae licite
therefore who the-things-exacted willingly not pay the-chattels which lawfully
venduntur, sunt eorum mobilia ac sese moventia; qualia
are-sold are their movables and themselves moving such-as
sunt aurum, argentum et ex hiis vasa composita, lapides
are gold silver and from these vessels composed stones
quoque pretiosi, et mutatoria vestimentorum, et hiis similia;
also precious and changes of-garments and to-these like-things
item equorum utrumque genus, usuales scilicet et indomiti;
likewise of-horses each kind usual namely and untamed
armenta quoque boum et greges ovium, et cetera hujusmodi;
herds also of-oxen and flocks of-sheep and the-rest of-this-kind
frugum etiam et quorundam victualium mobilis est natura; ut
of-crops also and of-certain victuals mobile is the-nature that
scilicet libere vendi possint, deductis necessariis sumptibus
namely freely to-be-sold they-can with-deducted necessary expenses
debitoris ad sola victualia, hoc est, ut necessitati, non
of-the-debtor for alone victuals that is that to-necessity not
superfluitati, et item ut naturae satisfiat non crapulae; nec
to-superfluity and likewise that to-nature it-be-satisfied not to-drunkenness nor
soli debitori, sed uxori ejus ac filiis ac familiae quam prius
to-alone the-debtor but to-wife his and children and household which before
exhibuerat dum sibi viveret, huic necessaria ministrantur.
he-had-maintained while for-himself he-lived to-him necessaries are-supplied
D. Quare dicis 'quorundam?'
Disciple why do-you-say of-certain
M. Victualia quae ab eis quotidianis usibus praeparantur
Master the-victuals which by them for-daily uses are-prepared
et quae sine sui mutatione esibus accommodantur,
and which without of-themselves change for-eating are-fitted
qualia sunt panis et potus, nulla ratione vendi possunt;
such-as are bread and drink by-no reason to-be-sold can

victualium igitur ea duntaxat, quae praeter usus necessarios
of-victuals therefore those only which beyond uses necessary
ab ipsis dominis reservanda fuerant ut venalia fierent,
by the-very lords to-be-reserved had-been that salable they-might-become
licite venduntur, qualia sunt carnes sale conditae, casei,
lawfully are-sold such-as are meats with-salt seasoned cheeses
mella, vina, et his similia. Et nota, quod si debitor ille
honeys wines and to-these like-things and note that if debtor that
qui solvendo non est, militiae cingulum semel obtinuerit,
who solvent not is of-knighthood the-belt once will-have-obtained
venditis ceteris, equus tamen ei, non quilibet, sed unus
with-sold the-rest a-horse yet to-him not any but one
usualium, reservabitur; ne qui dignitate factus est eques,
of-the-usual will-be-reserved lest he-who in-dignity made is a-horseman
pedes cogatur incedere. Quod si miles ejusmodi fuerit,
on-foot be-compelled to-go but if a-knight of-this-kind he-will-have-been

Quem juvat armorum decor et juvat usus eorum,
whom delights of-arms the-beauty and delights the-use of-them

et qui meritis exigentibus debeat inter strenuos computari,
and who with-merits requiring ought among the-strenuous to-be-reckoned
tota sui corporis armatura cum equis ad id necessariis a
the-whole of-his body armor with horses for this necessary from
venditoribus erit liberrima; ut, cum oportuerit, ad regis
the-sellers will-be most-free that when it-will-have-been-fitting for of-the-king
et regni negotia armis et equis instructus possit assumi.
and of-the-realm the-business with-arms and horses equipped he-can to-be-taken

Si tamen hic idem cui lex in parte pepercit,
if yet this same-one to-whom the-law in part spared

audita necessitate regis vel regni, delitescens se
with-heard the-necessity of-the-king or of-the-realm lying-hid himself
absentaverit, vel ad hoc vocatus non venerit, sic tamen ut non
will-have-absented or for this called not will-have-come so yet that not
propriis, sed regiis stipendiis militet, et evidenter absentiam
on-own but on-royal wages he-serve and evidently absence
suam non excusaverit, nec ab his venditores temperabunt;
his not will-have-excused nor from these the-sellers will-refrain
sed solo contentus equo propter dignitatem militiae
but with-alone content horse on-account-of the-dignity of-knighthood
sibi relicto, juri communi vivat obnoxius. Caveat autem
to-him left to-right common let-him-live liable let-beware moreover
vicecomes ut venditores suos praemonuerit in vendendis hunc
the-sheriff that sellers his he-will-have-forewarned in being-sold this
ordinem observare; mobilia cujusque primo vendantur, bobus
order to-observe the-movables of-each first be-sold the-oxen
autem arantibus per quos agricultura solet exerceri quantum
moreover plowing through which agriculture is-wont to-be-practiced as-much-as
poterint parcant; ne ipsa deficiente debitor amplius in futurum
they-can let-them-spare lest with-it failing the-debtor more in the-future
egere cogatur. Quod si nec sic quidem summa quae
to-be-in-need be-compelled but if not even so the-sum which
requiritur exsurgit, nec arantibus parcendum est. Cum igitur
is-required arises nor the-plowing to-be-spared it-is when therefore
omnia, quae ad ipsum specialiter pertinent venalia venundata
all-things which to him specially pertain salable sold
sunt; si nondum satisfactum est, ascriptitiorum ejus fundos
are if not-yet satisfied it-is of-the-bound-men his the-estates
adeant, et eorum catalla licite vendant, ordinem simul
let-them-approach and their chattels lawfully let-them-sell the-order at-once
et legem praedictam observantes; haec enim ad dominum
and the-law aforesaid observing these-things for to the-lord

pertinere noscuntur, sicut supra dictum est: quo facto, sive
to-pertain are-known as above said it-is with-which done whether
sic de requisita summa satisfactum sit sive non, venditores
so for the-required sum satisfied it-be or not the-sellers
jubet lex nostra quiescere; nisi forte scutagium sit quod a
orders law our to-rest unless perhaps scutage it-be which from
domino requiritur; pro scutagio namque si non solverit qui
the-lord is-required for scutage for if not will-have-paid he-who
regi tenetur dominus principalis, non tantum propria sed et
to-the-king is-bound the-lord principal not only own but also
militum suorum et ascriptitiorum catalla passim venduntur;
of-knights his and of-bound-men the-chattels everywhere are-sold
ratio namque scutagiorum milites suos magna pro parte
the-reason for of-scutages knights his great in part
respicit; quia non nisi de militibus et ratione militiae
regards because not except from knights and by-reason of-knighthood
regi debentur. Vidi tamen ego ipse, cui nondum cana
to-the-king they-are-owed I-saw yet I myself to-whom not-yet hoary
memoria est, pro singulis debitis eorum qui non satisfaciebant,
memory is for each debts of-those who not were-satisfying
non solum propria sed etiam militum suorum et ascriptitiorum
not only own but also of-knights their and of-bound-men
catalla licite vendi. Sed illustris regis constitutio in
the-chattels lawfully to-be-sold but of-the-illustrious king the-ordinance in
scutagiis tantum hoc observari decrevit, ordine servato, ut
scutages only this to-be-observed decreed with-order kept that
prius propria, dehinc aliena, vendantur. Quod si milites
first own-things then another's be-sold but if the-knights
ea quae de feodis suis proveniunt domino solverint,
those-things which from fees their come to-the-lord will-have-paid

et hoc oblata cautione probare voluerint, pro hiis quae
and this with-offered security to-prove will-have-wished for these which
a dominis requiruntur catalla sua venundari lex prohibet.
from the-lords are-required chattels their to-be-sold the-law forbids
Quod Vicecomes a debitoribus debitoris illius qui Regi
that the-Sheriff from the-debtors of-the-debtor that who to-the-King
non solvit debitam Regi summam suscipiat.
not pays the-owed to-the-King sum receive
Item admonendus est vicecomes ut diligenter et sollicite
likewise to-be-admonished is the-sheriff that diligently and anxiously
quantum poterit investiget, si quis in comitatu suo
as-much-as he-will-be-able he-investigate if anyone in county his
debitori illi in solutionem sibi praestitae vel penes eum
to-debtor that in payment to-him lent or in-possession-of him
depositae pecuniae teneatur: quod si inventum fuerit,
deposited of-money be-bound but if found it-will-have-been
a debitore illo summa illa quae ab ejus creditore qui
from debtor that the-sum that which from his creditor who
regi tenetur requiritur, exigatur, et ne ei super eodem
to-the-king is-bound is-required be-exacted and lest to-him about the-same
respondeat auctoritate publicae potestatis inhibeatur.
he-answer by-the-authority of-public power he-be-forbidden
Quod Vicecomes a fundis ejus qui non solvit quod
that the-Sheriff from the-estates of-him who not pays what
requiritur percipiat, etiamsi eosdem, ex quo regi teneri
is-required receive even-if the-same from which to-the-king to-be-bound
coepit, quomodolibet alienaverit.
he-began in-any-way he-will-have-alienated
Item, si debitor a tempore quo regi teneri coepit,
likewise if the-debtor from the-time in-which to-the-king to-be-bound he-began
fundum suum vel redditum alii locaverit, vel pignus
estate his or revenue to-another will-have-leased or a-pledge

pro pecunia dederit, vel etiam, quod absurdum tibi
for money will-have-given or even what absurd to-you
forte videbitur, dominium ejus per venditionem a se
perhaps will-seem the-ownership its through sale from himself
transtulerit; si alias inventa non sunt per quae regi
will-have-transferred if elsewhere things-found not are through which to-the-king
satisfiat, quaecunque persona fuerit, quocunque titulo
it-be-satisfied whatever the-person will-have-been by-whatever title
possessionem nactus fuerit, nihilominus ex eodem quod ad
the-possession obtained he-will-have nonetheless from the-same what to
regem pertinet accipietur; salva proprietate domino qui justo
the-king pertains will-be-taken with-saved with-ownership for-the-lord who by-just
eam titulo coeperit possidere; nisi forte debitor ille fundi
it title will-have-begun to-possess unless perhaps debtor that of-the-estate
venditi pretium ab initio sponte regi solverit; tunc
sold the-price from the-beginning willingly to-the-king will-have-paid then
enim tuta erit penes emptorem possessio. Hujus autem
for safe will-be in-possession-of the-buyer the-possession of-this moreover
rei causam, licet distorta modicum et regiae nimis utilitati
thing the-cause although distorted a-little and to-royal too advantage
serviens videtur, evidentem tamen et satis justam secundum
serving it-seems evident yet and enough just according-to
patrias leges comprobabis. Quisquis enim in regiam
native laws you-will-prove whoever for against royal
majestatem deliquisse deprehenditur, uno trium modorum
majesty to-have-offended is-caught in-one of-three ways
juxta qualitatem delicti sui regi condemnatur: aut enim
according-to the-quality of-offense his to-the-king is-condemned either for
in universo mobili suo reus judicatur, pro minoribus culpis;
in all movable his guilty he-is-judged for lesser faults
aut in omnibus immobilibus, fundis scilicet et redditibus, ut
or in all immovables estates namely and revenues so-that

eis exhaeredetur; quod si pro majoribus culpis, aut pro
from-them he-be-disinherited but if for greater faults or for
maximis quibuscunque vel enormibus delictis, in vitam suam
greatest any or enormous offenses in life his
vel membra. Cum igitur aliquis de mobilibus in beneplacito
or limbs when therefore someone about movables in the-good-pleasure
regis judicatur, lata in eum a judicibus sententia
of-the-king is-judged with-passed against him by the-judges with-sentence
per haec verba, 'iste est in misericordia regis de
through these words this-man is in the-mercy of-the-king for
pecunia sua;' idem est ac si 'de tota' dixissent. Laicorum
money his the-same it-is as if about the-whole they-had-said of-laymen
enim [sententiae] indefinitae, non his pro quibus tutius est
for the-sentences indefinite not to-these for which safer it-is
eas accipi, hoc est particularibus, sed semper universalibus
them to-be-taken that is to-particular but always to-universal
aequipollent. Cum igitur fundi illius catalla quae debitor prius
are-equivalent when therefore of-estate that the-chattels which the-debtor before
distraxit in beneplacito principis adjudicata fuissent, et ipse
alienated in the-good-pleasure of-the-prince adjudged had-been and he
de requisita summa non satisfecerit, videri potest injustum
for the-required sum not will-have-satisfied to-seem it-can unjust
ut rem non suam, in fisci jacturam, alienaverit.
that a-thing not his to of-the-treasury loss he-will-have-alienated

Quod non licet Vicecomiti debitam sibi pecuniam a non solventibus suscipere; et quid sit agendum si forte susceperit

THE SHERIFF'S OATH, HUSBANDS AND WIVES, AND BARONS' STEWARDS

The sheriff must take nothing owed to himself from a debtor who has not paid the king, nor swear falsely that he found nothing. A husband answers for his wife's debts, a widow with children for her husband's, the lawful heir always. A baron may give his faith by his steward; a steward who comes and does not pay is seized and imprisoned, and the lord's chattels are sold. A knight unable to pay his own debt is kept within the jail's precinct, not in prison.

Item admonendus est vicecomes propter fidei religionem
likewise to-be-admonished is the-sheriff on-account-of of-the-faith the-religion
quae ab ipso de non solventibus exigitur, immo quam ipse
which from him about those-not paying is-exacted nay which he
sponte visus est obtulisse, ut sic a summonitione sibi
willingly seemed has to-have-offered that so from the-summons to-himself
facta liberari valeat, ne a debitore quolibet qui regi
made to-be-freed he-may-be-able lest from debtor any who to-the-king
non solvit, interim aliqua quae sibi juste debebantur suscipiat.
not pays meanwhile anything which to-himself justly were-owed he-receive
Non enim verisimile est, non posse vicecomitem de catallis
not for likely it-is not to-be-able the-sheriff from the-chattels
ejus invenisse, per quae regi debita summa solvatur, qui
his to-have-found through which to-the-king the-owed sum be-paid who
ipsi vicecomiti sponte vel invitus quod requiritur exsolvit.
to-the-very sheriff willingly or unwilling what is-required pays-off
Si tamen ante datam fidem per se vel per alium recordatus
if yet before the-given faith by himself or by another remembered
fuerit vicecomes de his aliqua se suscepisse, vel etiam
will-have the-sheriff about these some-things himself to-have-received or even

post datam, nondum tamen soluto scaccario diei illius, hoc
after it-given not-yet yet with-dissolved the-exchequer of-day that that
est dum compotus ejus recens est, et veniens in publicum
is while account his fresh is and coming into public
querula voce se suscepti tunc immemorem exstitisse,
with-complaining voice himself of-the-received then unmindful to-have-been
fide de his oblata, confirmare voluerit, susceptam
with-faith about these offered to-confirm will-have-wished the-received
summam nomine debitoris persolvens liberabitur. Si vero,
sum in-the-name of-the-debtor paying he-will-be-freed if but
quod absit, post fidem datam, post solutum scaccarium, per
which far-be-it after the-faith given after the-dissolved exchequer through
alium hoc innotuerit, non jam suscepta tantum
another this will-have-become-known not now the-received-things only
solvens absolvetur: sed pro excessu suo in regis beneplacito
paying he-will-be-absolved but for excess his in of-the-king good-pleasure
judicandus pecuniariter punietur. Postremo vicecomitem
to-be-judged in-money he-will-be-punished lastly the-sheriff
commonuisse sufficiat, ut post susceptam summonitionem
to-have-admonished let-it-suffice that after the-received summons
diligenter inquirat per viciniam, si vir qui solvendo non
diligently he-inquire through the-neighborhood if a-man who solvent not
est, uxorem ducens, vel mulier, ditiori nubens, vel quovis alio
is a-wife marrying or a-woman to-a-richer marrying or in-any other
modo ditescat, quatenus de requisitis satisfacere valeat:
way grow-rich so-far-as for the-required-things to-satisfy he-may-be-able
quod si inventum fuerit, propter fidem vicecomitis
but if found it-will-have-been on-account-of the-faith of-the-sheriff
solvere compellatur: quod si nihil horum inventum fuerit,
to-pay he-be-compelled but if nothing of-these found it-will-have-been

poterit tunc purgata conscientia de hiis rebus fidem
he-will-be-able then with-cleansed conscience about these things faith
dare, et imminentem rerum suarum jacturam declinare.
to-give and the-impending of-things his loss to-avoid
Qualiter vir pro uxore, vel uxor pro viro convenienda
how a-man for wife or a-wife for husband to-be-sued
est, cum ille vel illa solvendo non est.
is when he or she solvent not is
D. Nunquid vir pro uxore, quae regi tenebatur, et
Disciple surely-not a-man for a-wife who to-the-king was-bound and
fati debita jam solvit, vel pro viro suo mulier ei
of-fate the-debts already has-paid or for husband her a-woman to-him
superstes conveniri debet?
surviving to-be-sued ought
M. Satis audisti, quod 'qui adhaeret mulieri unum
Master enough you-have-heard that he-who clings to-a-woman one
corpus efficitur;' sic tamen ut caput ejus sit. Merito ergo
body becomes so yet that the-head her he-be deservedly therefore
pro ea conveniendus est; quia mulier sui potestatem non
for her to-be-sued he-is because the-woman of-herself power not
habet sed vir. Quod si vir ex ea prolem susceperit,
has but the-man but if the-man from her offspring will-have-received
cui ratione uxoris debeatur haereditas, et mortua jam
to-whom by-reason of-the-wife be-owed the-inheritance and with-dead now
uxore nondum soluta regi debita pecunia fuerit;
with-the-wife not-yet paid to-the-king owed money will-have-been
vir ille nomine haeredis conveniendus et coercendus est;
man that in-the-name of-the-heir to-be-sued and to-be-coerced is
alias autem non. Porro mulier viro suo superstes
otherwise moreover not further the-woman to-husband her surviving
prolem habens, et in viduitate cum ipsa permanens; ratione
offspring having and in widowhood with it remaining by-reason

prolis, cui debetur haereditas, convenienda et coercenda
of-the-offspring to-whom is-owed the-inheritance to-be-sued and to-be-coerced
est; sic tamen ut doti ejus parcatur, quia praemium pudoris
is so yet that dowry her be-spared because the-reward of-chastity
est. Quod si relictis liberis alii viro mulier adhaeserit,
it-is but if with-left children to-another husband the-woman will-have-clung
legitimus haeres pro debito patris conveniendus est: verum
the-lawful heir for the-debt of-the-father to-be-sued is but
si mulier quae deliquit et regi tenetur, priore viro
if the-woman who offended and to-the-king is-bound with-earlier with-husband
sine liberis mortuo, ad alium se cum sua haereditate
without children dead to another herself with her inheritance
transtulerit, debitum ejus a viro requirendum est. Hoc
will-have-transferred debt her from the-husband to-be-required is this
est igitur quod petisti. Et sic vir causa uxoris, et uxor
is therefore what you-sought and so the-man by-cause of-the-wife and the-wife
causa viri convenienda est. Certum autem habeas,
by-cause of-the-husband to-be-sued is certain moreover may-you-have
quod semper legitimus haeres qui debitori succedit, pro illo
that always the-lawful heir who to-the-debtor succeeds for him
conveniendus est: ut sicut in emolumentum sic in onus
to-be-sued is that as into the-emolument so into the-burden
subeat. Solus autem ascriptitius, et is qui sine haereditate
he-may-go alone moreover the-bound-man and he who without inheritance
decedit, venditis catallis per extremam mortis aleam a
dies with-sold chattels through the-final of-death die from
debito liberantur; non tamen ab annali in quo debita
the-debt are-freed not yet from the-annual-roll in which debts
haec annotantur nisi per breve regis auferentur, cum
these are-noted except by writ of-the-king they-will-be-removed when
scilicet de hiis a thesaurario regi suggestum fuerit
namely about these by the-treasurer to-the-king suggested it-will-have-been

quod inutiliter in rotulo scribantur, cum nullo pacto fieri
that uselessly in the-roll they-are-written since by-no means to-be-done
possit ut ab hiis debita pecunia proveniat.
it-can that from these owed money may-come
Quod non sit idem modus coercionis baronum regis, et
that not be the-same manner of-coercion of-the-barons of-the-king and
aliorum, in poenis pecuniariis.
of-others in penalties pecuniary
Ad haec nosse te convenit, quod in debitis regiis
besides these-things to-know you it-befits that in debts royal
requirendis et debitoribus coercendis, baronum regis et
being-required and debtors being-coerced of-the-barons of-the-king and
ceterorum qui passim pro suis excessibus pecuniariter
of-the-others who here-and-there for their excesses in-money
regi puniuntur, par conditio non est. Porro de hiis qui
to-the-king are-punished equal the-condition not is further about these who
de rege nihil habent in capite, lex praedicta servatur.
from the-king nothing have in chief the-law aforesaid is-kept
At si de rege tenens baroniam, audita summonitione,
but if from the-king holding a-barony with-heard the-summons
fidem in propria persona, vel manu generalis oeconomi
faith in own person or by-the-hand of-the-general steward
quem vulgo senescallum dicunt, in manum vicecomitis
whom commonly seneschal they-call into the-hand of-the-sheriff
dederit, sub hac tenore verborum, quod de hac summa
he-will-have-given under this tenor of-words that for this sum
et de hac summonitione grantum baronum scaccarii
and for this summons warranty of-the-barons of-the-exchequer
die compoti sui faciet, sic vicecomes contentus sit.
on-the-day of-account his he-will-make so the-sheriff content let-him-be

Quid faciendum cum Oeconomus, qui fidem dedit de
what to-be-done when the-Steward who faith gave about
satisfaciendo, non comparet.
satisfying not appears
Si vero die compoti voce praeconia requisitus non
if but on-the-day of-the-account by-voice of-the-crier required not
venerit, nec per se nec per alium satisfecerit, vicecomes
he-will-have-come nor by himself nor by another will-have-satisfied the-sheriff
quod ad ipsum pertinuit fecisse judicabitur, causa vero
what to him pertained to-have-done will-be-judged the-cause but
haec seorsum in memorandis scaccarii praecepto thesaurarii
this apart in the-memoranda of-the-exchequer by-order of-the-treasurer
diligenter annotata in finem scaccarii reservabitur; ut tunc
diligently noted for the-end of-the-exchequer will-be-reserved that then
communicato consilio, gravius qui sic deliquit puniatur.
with-communicated counsel more-heavily he-who so offended be-punished
Quod si post consummatum compotum vicecomitis sui
but if after the-completed account of-the-sheriff his
venerit et satisfecerit; de assidentium gratia, et de
he-will-have-come and will-have-satisfied by of-those-sitting-beside the-grace and by
legis indulgentia poterit absolvi; verum necesse est ut
of-the-law indulgence he-will-be-able to-be-absolved but necessary it-is that
vicecomes fidem ejus in comitatu sub omnium oculis suscipiat:
the-sheriff the-faith his in the-county under of-all the-eyes receive
quia si forte qui dederit volens malignari, datam inficiari
because if perhaps he-who will-have-given wishing to-act-maliciously the-given to-deny
voluerit, adversus eum ad omnem probationis summam
will-have-wished against him for every of-proof sum
recordatio comitatus sufficiet. Quod si alias sibi datam
the-record of-the-county will-suffice but if elsewhere to-himself given
vicecomes confessus fuerit, nihil egisse judicabitur; unde
the-sheriff confessed will-have-been nothing to-have-done he-will-be-judged whence

mox de firma sua requisita summa capietur, ut summonitioni
soon from farm his the-required sum will-be-taken that to-the-summons
satisfaciat in hac parte dicenti, 'vel capientur de firma tua.'
he-may-satisfy in this part saying or they-will-be-taken from farm your
Quid cum veniens non satisfaciat, si Miles est; quid si non
what when coming not he-satisfy if a-Knight he-is what if not
Miles.
a-Knight
Si vero qui fidem se dedisse non diffitetur die
if but he-who faith himself to-have-given not denies on-the-day
nominata venerit nec satisfecerit, si dominus est, ad
named will-have-come nor will-have-satisfied if the-lord he-is at
scaccarium quamdiu sederit detinebitur, fide data in
the-exchequer as-long-as it-will-have-sat he-will-be-detained with-faith given in
manu marescalli, sicut supra diximus, quod a leugata
the-hand of-the-marshal as above we-said that from the-league
villae nisi baronum licentia non recedet: soluto vero
of-the-town unless of-the-barons by-license not he-will-depart with-dissolved but
scaccario illius termini, si nondum satisfecerit, in
with-the-exchequer of-that term if not-yet he-will-have-satisfied in
loco tuto sub libera custodia collocabitur, quousque rex
a-place safe under free custody he-will-be-placed until the-king
ipse si praesens fuerit, vel praesidens cum aliis
himself if present he-will-have-been or the-presiding-one with other
assidentibus, quid de ipso agendum fuerit decernat,
those-sitting-beside what about him to-be-done will-have-been decide
qui fidem se dedisse de satisfaciendo confessus, nullo
who faith himself to-have-given about satisfying having-confessed in-no
modo satisfecit; quod si miles vel alius ejus oeconomus
way satisfied but if a-knight or other his steward
venerit, nec satisfecerit, pro fide laesa comprehendetur, et
will-have-come nor will-have-satisfied for faith broken he-will-be-seized and

marescallo custodiendus tradetur, post solutum scaccarium
to-the-marshal to-be-kept will-be-handed-over after the-dissolved exchequer
licite vinculandus, et in carcerem mittendus, sive miles
lawfully to-be-fettered and into prison to-be-sent whether a-knight
fuerit sive non. Miles vero super debito proprio non
he-will-have-been or not a-knight but about debt own not
satisfaciens, cum tamen de satisfaciendo fidem dederit,
satisfying when yet about satisfying faith he-will-have-given
post solutum scaccarium, non in carcere sed infra septa
after the-dissolved exchequer not in prison but within the-enclosure
domus carceralis, libere custodietur, fide corporaliter
of-the-house of-the-prison freely will-be-kept with-faith bodily
praestita quod inde sine regis vel praesidentis licentia non
rendered that thence without of-the-king or of-the-presiding-one license not
recedet. Decrevit enim memorandae nobilitatis rex illustris,
he-will-depart decreed for of-memorable nobility the-king illustrious
ut quisquis militiae dignitate praefulget, pro debito proprio,
that whoever of-knighthood by-dignity shines for debt own
cum pauper a vicecomite simul et a vicinia reputetur,
when poor by the-sheriff at-once and by the-neighborhood he-be-reckoned
in carcerem non mittatur, sed seorsum infra septa domus
into prison not be-sent but apart within the-enclosure of-the-house
carceralis libere custodiatur: verum quisquis mandato domini
of-the-prison freely be-kept but whoever by-the-mandate of-the-lord
fidem dederit, sicut praedictum est, vicecomiti, et veniens
faith will-have-given as aforesaid is to-the-sheriff and coming
non solvit; hunc comprehendi, et in carcerem soluto
not pays this-one to-be-seized and into prison with-dissolved
scaccario mitti, sive miles sit sive non, lex statuit: et
the-exchequer to-be-sent whether a-knight he-be or not the-law has-established and
quoniam liberum est cuilibet baroni, pro debito quod ab ipso
since free it-is for-any baron for the-debt which from him

requiritur, fidem officialis opponere, ut sic interim vicecomitis
is-required the-faith of-an-official to-set-against that so meanwhile of-the-sheriff
importunitate careat, et de rebus suis opportunius
the-importunity he-may-be-free-of and about things his more-fittingly
ipse disponat; ne sic [in] immensum regii mandati
he-himself may-arrange lest so into the-immense of-the-royal mandate
videatur auctoritas eludi, decretum est, ut comprehenso illo
seem the-authority to-be-eluded decreed it-is that with-seized him
qui laesae fidei reum se non satisfaciens judicavit, statim a
who of-broken faith guilty himself not satisfying judged at-once by
vicecomite servientes dirigantur, qui fundos principalis domini
the-sheriff sergeants be-directed who the-estates of-the-principal lord
perlustrantes, venditis quocunque modo catallis, summam
surveying with-sold in-whatever way with-chattels the-sum
requisitam ad scaccarium ejusdem termini deferant; et tandem
required to the-exchequer of-the-same term may-carry and at-last
ille comprehensus pro laesa fide juxta possibilitatem suam
he seized for broken faith according-to means his
pecuniariam poenam luat, et amplius super eodem debito,
a-pecuniary penalty may-pay and further about the-same debt
etiamsi dominus praeceperit, ad fidem dandam non admittatur.
even-if the-lord will-have-ordered for faith to-be-given not he-be-admitted

Qualiter dominus puniendus est, qui sponte Militem exposuit, ut possit interim liberari

OFFERINGS, RELIEFS, AND HAWKS

A lord who exposes his knight to shield himself loses his delay. Offerings are made for a thing, as land or wardship, and lapse if unpaid, or for a hope of justice, owed only once the suitor has had right; the king refuses some offers. Reliefs are fines, not offerings, and are levied like penalties. Hawks promised are summoned at Michaelmas, a mewed bird or a young one as the promise ran.

Principalis etiam dominus ne haec impune praesumpsisse
the-principal also lord lest these-things with-impunity to-have-presumed
videatur, non per fidem suppositae personae sed solum per
he-seem not by the-faith of-a-substituted person but only by
propriam, dilationis beneficium promerebitur, si forte super
own of-delay the-benefit will-earn if perhaps about
eodem debito ipsum iterato summoneri contigerit. Sunt
the-same debt him again to-be-summoned it-will-have-happened there-are
tamen qui credant ut de cetero super eodem debito nec
yet who believe that for the-rest about the-same debt not
etiam per fidem propriam usque ad scaccarium a vicecomite
even by faith own right-to to the-exchequer from the-sheriff
dilationem obtineat; quod quidem beneficium dilationis magnum
a-delay he-obtain which indeed benefit of-delay great
dicunt qui fisco tenentur; possunt enim interim de rebus
they-say who to-the-treasury are-bound they-can for meanwhile about things
suis mitius disponere et dilatae per aliquot tempus
their more-gently to-arrange and for-the-delayed through some time
solutioni necessaria praeparare; quin potius dicunt quod suscepta
payment the-necessaries to-prepare nay rather they-say that with-received
summonitione liceat vicecomiti juxta communem aliorum
the-summons it-be-allowed for-the-sheriff according-to the-common of-others

legem statim in catalla ipsius manummittere. Hiis ego, fateor,
law at-once on the-chattels his to-lay-hands with-these I I-confess
prorsus non dissentio; sed tamen multis indiciis et testimoniis
wholly not disagree but yet by-many signs and testimonies
verisimile videatur, procurasse dominum, ut miles suus his
likely it-may-seem to-have-procured the-lord that knight his to-these
casibus exponeretur, quatenus posset ipse vel sic interim
chances be-exposed so-far-as he-could he even so meanwhile
liberari; hujus autem rei validissimum est contra dominum
to-be-freed of-this moreover thing the-strongest is against the-lord
argumentum, si copiosus, si rebus abundus, si solutioni
the-argument if abundant if in-things rich if for-payment
sufficiens a vicecomite simul et a vicinia judicetur.
sufficient by the-sheriff at-once and by the-neighborhood he-be-judged
D. Dignum revera est ut is indultam sibi gratiam
Disciple worthy truly it-is that he the-granted to-him favor
demereatur, qui in datoris ejus perniciem eadem abusus est.
forfeit who to of-the-giver its the-destruction the-same abused has
M. Habes ex praecedentibus utcunque distinctum, quae
Master you-have from the-preceding-things somehow distinguished which
catalla vendi debeant et quae non, et etiam in quibus
chattels to-be-sold ought and which not and also in which
personarum discretio tenenda est et in quibus non; tunc
of-persons the-discrimination to-be-held is and in which not then
scilicet cum debitores, qui in pecuniariis poenis regi tenentur,
namely when the-debtors who in pecuniary penalties to-the-king are-bound
solvendo non fuerint: restat, ut quid de oblatis spontaneis
solvent not will-have-been it-remains that what about offerings spontaneous
fieri debeat, cum item non solverint, ostendamus.
to-be-done ought when likewise not they-will-have-paid we-show

Quid de sponte offerentibus faciendum, cum et ipsi non
what about willingly those-offering to-be-done when also they not
solvunt.
pay
Noveris igitur, quod oblatorum regi quaedam in
you-should-know therefore that of-the-things-offered to-the-king some for
rem, quaedam in spem, offeruntur. In rem quidem offerri
a-thing some for a-hope are-offered for a-thing indeed to-be-offered
dicimus, cum oblatum a rege suscipitur, et offerens
we-say when the-offering by the-king is-received and the-offerer
consequenter pro quo obtulit a rege suscipit; ut si quis
consequently that-for which he-offered from the-king receives as if one
pro libertate aliqua, pro fundo, vel pro firma, vel pro custodia
for liberty some for an-estate or for a-farm or for the-custody
cujusque qui minor est annis usque ad annos legitimos
of-anyone who under-age is in-years right-to to the-years lawful
habenda, vel pro quovis alio quod ad suam utilitatem vel
to-be-had or for any other which to his advantage or
honorem accedere videatur, sponte regi c. libras vel c.
honor to-come seems willingly to-the-king 100 pounds or 100
marcas offerat, et assentiente rege statim post oblatum
marks offer and with-assenting the-king at-once after the-offering
suscipiat optatum. De hiis igitur qui sponte se
receive the-desired-thing about these therefore who willingly themselves
obligant, et qui conventione cum principe facta possidere
bind and who with-agreement with the-prince made to-possess
jam coeperint, lex nostra decernit, ut quam diu solvendo
already will-have-begun law our decrees that as long solvent
fuerint indultis sibi beneficiis gaudeant et utantur.
they-will-have-been in-the-granted to-them benefits they-may-rejoice and use
Quod si de regis debito summoniti solvere desierint,
but if about of-the-king the-debt summoned to-pay they-will-have-ceased

statim careant impetratis; sic tamen ut si manente
at-once let-them-lack the-things-obtained so yet that if with-remaining
scaccario super eodem satisfecerint, ablata omnia
the-exchequer about the-same they-will-have-satisfied the-things-taken all
sine molestia sibi restituantur. Et nota, quod qualiscunque
without trouble to-them be-restored and note that whatever-sort-of
persona, cujuscunque etiam conditionis aut sexus fuerit,
person of-whatever also condition or sex he-will-have-been
huic observantiae de sponte oblatis semper erit
to-this observance about willingly the-things-offered always will-be
obnoxia, ut scilicet summonitioni satisfaciat vel impetrato
liable that namely to-the-summons he-satisfy or the-thing-obtained
careat, nisi rex ipse obsequii praestiti vel paupertatis
lack unless the-king himself of-service rendered or of-poverty
intuitu aliquid sibi praeter communem legem indulgeat;
in-regard anything to-him beyond the-common law grant
velut si de oblatore grandis summae, ad quodlibet scaccarium,
as if for the-offerer of-a-great sum at each exchequer
modicum quid ab ipso solvi constituat; et hoc per
a-small something by him to-be-paid he-establish and this by
breve suum baronibus innotescat. In spem vero dicuntur
writ his to-the-barons make-known for a-hope but they-are-said
offerri, cum quis exhibendae sibi justitiae causa, super
to-be-offered when one of-to-be-shown to-himself justice for-the-sake about
fundo vel redditu aliquo regi summam aliquam offert;
an-estate or revenue some to-the-king a-sum some offers
non tamen ut fiat, ne in nos excandescas, et venalem
not yet that it-be-done lest against us you-blaze-up and salable
penes eum justitiam dicas, immo ut sine dilatione
in-possession-of him justice you-call nay that without delay
fiat. Noveris tamen non quaecunque sic offeruntur a
it-be-done you-should-know yet not whatever-things so are-offered by

principe suscipi, etiamsi modum videantur excedere: gratis
the-prince to-be-received even-if the-measure they-seem to-exceed freely
enim quibusdam justitiae plenitudinem exhibet, obsequii
for to-some of-justice the-fullness he-shows of-service
praestiti vel solo caritatis intuitu; quibusdam autem lege
rendered or by-alone of-charity in-regard to-some moreover by-the-law
conditionis humanae nec prece nec pretio vult acquiescere,
of-condition human neither by-prayer nor by-price he-wishes to-acquiesce
obstantibus interdum eorum meritis qui possidere
with-standing-in-the-way sometimes of-those the-merits who to-possess
noscuntur; vel forte propriis postulantium meritis nequaquam
are-known or perhaps with-own of-the-petitioners merits by-no-means
hoc exigentibus, qui vel in regnum vel in regem ipsum
this requiring who either against the-realm or against the-king himself
aliquid deliquisse culpantur: de hiis autem sic constituit
anything to-have-offended are-blamed about these moreover so established
rex insignis, ut antequam rectum habuerint, hoc est
the-king notable that before right they-will-have-had that is
antequam per sententiam obtinuerint, vel re
before by sentence they-will-have-obtained or with-the-thing
sibi penitus abjudicata ab omni spe ceciderint,
from-them wholly adjudged-away from all hope they-will-have-fallen
de oblatis nihil solvant, sed sufficiat de hujusmodi
for the-things-offered nothing they-pay but let-it-suffice about of-this-kind
vicecomiti respondere, rectum nondum habuerunt. Provideat
for-the-sheriff to-answer right not-yet they-have-had let-provide
tamen vicecomes ne per ipsum debitorem stet, quo
yet the-sheriff lest through the-very debtor it-stand whereby
minus causa ejus executioni mandetur, si scilicet juri se
less the-cause his to-execution be-committed if namely to-justice himself
nolit offerre, ut hac arte promissa sibi pecunia
he-be-unwilling to-offer that by-this art of-the-promised to-himself money

rex fraudetur. Cum enim hoc compertum fuerit,
the-king be-cheated when for this discovered it-will-have-been
dolus ei non subveniet, sed per omnia sic coercebitur
the-fraud him not will-help but through all-things so he-will-be-coerced
ac si per sententiam obtinuisset. Hujus autem spontaneae
as if by sentence he-had-obtained of-this moreover spontaneous
dilationis est signum, cum breve regis penes se
delay it-is the-sign when the-writ of-the-king in-possession-of himself
detinens, eo non utitur. Solet tamen cum his miserente
keeping it not he-uses it-is-wont yet with these with-pitying
principe mitius agi, qui post promissam pecuniam a
the-prince more-gently to-be-dealt who after the-promised money from
causa cadunt, ne spe sua frustrati, rebus etiam sine
the-cause fall lest by-hope their cheated of-things also without
emolumento spoliati, duplici contritione conterantur.
emolument despoiled with-double contrition they-be-crushed
Quid de Releviis sponte non solutis.
what about Reliefs willingly not paid
Sunt item tertii generis obventiones, quae non videntur
there-are likewise of-a-third kind revenues which not seem
prorsus inter oblata computandae, sed magis fines ad
wholly among the-offerings to-be-reckoned but rather fines at
scaccarium dicuntur; cum scilicet de rege tenens in capite
the-exchequer are-called when namely from the-king holding in chief
baroniam relicto haerede decesserit, et idem haeres cum
a-barony with-left an-heir he-will-have-died and the-same heir with
rege in quam potest summam componit, ut paterni juris
the-king for whatever he-can sum compounds that of-paternal right
mereatur ingressum; quem finem relevium vulgo dicimus.
he-may-earn the-entry which fine relief commonly we-call
Quod si baronia est, in regis est beneplacito quae debeat
but if a-barony it-is in of-the-king it-is the-good-pleasure what ought

esse summa relevii; si vero de escaeta fuerit, quae in
to-be the-sum of-the-relief if but from an-escheat it-will-have-been which into
manu regis deficiente haerede vel aliter inciderit, pro feodo
the-hand of-the-king with-failing the-heir or otherwise fell for the-fee
militis unius hoc tantum regi nomine relevii solvet, quod
of-a-knight one this only to-the-king in-the-name of-relief he-will-pay which
esset suo domino soluturus, hoc est, centum solidos. Sunt
he-would-be his to-lord about-to-pay that is a-hundred shillings there-are
autem qui credant eos qui in releviis regi tenentur nec
moreover who believe those who in reliefs to-the-king are-bound nor
summoniti solvunt, spontaneorum oblatorum legibus obnoxios;
summoned pay of-spontaneous offerings to-the-laws liable
ut cum solvendo non fuerint, careant impetratis: at
so-that when solvent not they-will-have-been they-lack the-things-obtained but
verius dici potest, ut sicut de pecuniariis poenis fit, sic
more-truly to-be-said it-can that as about pecuniary penalties it-is-done so
fiat de releviis; debita namque filiis ratione successionis
it-be-done about reliefs owed for to-the-sons by-reason of-succession
haereditas a lege sponte oblatorum videtur excludere.
the-inheritance from the-law willingly of-the-things-offered seems to-exclude
Quid de avibus oblatis faciendum, et quo tempore
what about birds offered to-be-done and at-what time
summonendae.
to-be-summoned
Item fit interdum ut aves regiae regi qualibet ex causa
likewise it-happens sometimes that birds royal to-the-king for-any from cause
promittantur; accipitres scilicet vel falcones. Quod si promittens
be-promised hawks namely or falcons but if the-promiser
determinans dixerit, 'accipitrem instantis anni' vel 'mutatum;'
determining will-have-said a-hawk of-the-present year or a-mewed-one
vel locum etiam exprimat, dicens 'Hibernensem,' 'Hispanensem,'
or the-place even express saying an-Irish a-Spanish

‘Norrensem dabo;’ sic satisfaciat. Si vero nec qui promittit
a-Norwegian I-shall-give so let-him-satisfy if but neither he-who promises
nec cui promittitur determinaverit; in arbitrio promittentis
nor to-whom it-is-promised will-have-determined in the-judgment of-the-promiser
erit, si mutatum vel non sit soluturus. Sed si integer
it-will-be whether a-mewed-one or not he-be about-to-pay but if whole
et sanus a regis asturcariis judicetur, quacunque exclusus
and sound by of-the-king falconers it-be-judged wherever hatched
fuerit, suscipitur. Porro si summonitus dignum suscipi
it-will-have-been it-is-received further if summoned one-worthy to-be-received
ad scaccarium detulerit, nec sit tum qui suscipiat;
to the-exchequer he-will-have-brought nor be then one-who may-receive
etiamsi post hoc in annum vel biennium vel amplius
even-if after this for a-year or two-years or more
differatur summonitio, nisi quem maluerit, mutatum
be-deferred the-summons except what he-will-have-preferred a-mewed-one
scilicet vel hornum solvere non cogetur. Quod si
namely or a-year-old to-pay not he-will-be-compelled but if
summonitus solutionem quomodolibet differri procuraverit,
summoned the-payment in-any-way to-be-deferred he-will-have-procured
juxta numerum annorum quibus indulta sibi est dilatio,
according-to the-number of-years for-which granted to-him is the-delay
biennium scilicet vel triennium vel deinceps, mutatum solvet.
two-years namely or three-years or thereafter a-mewed-one he-will-pay
De hiis autem contra terminum Paschae summonitio non
about these moreover against the-term of-Easter summons not
fit; quia earum aestivo tempore rarus est usus; tunc
is-made because of-them in-summer time rare is the-use then
enim cavearum antris inclusae diligenter custodiuntur, ut
for of-cages in-the-caves shut-up diligently they-are-kept that
redeat deposita vetustate pennarum decor, et eorum
may-return with-laid-aside the-oldness of-the-feathers the-beauty and their

ut aquilae juventus renovetur: verum contra terminum
as of-the-eagle youth be-renewed but against the-term
Sancti Michaelis quae regi debentur summonentur;
of-Saint Michael the-things-which to-the-king are-owed are-summoned
ut instante tunc hyeme regiis aptentur obsequiis. In
that with-approaching then winter to-royal they-be-fitted services in
coercendis autem his qui sic se sponte obligant nec
being-coerced moreover those who so themselves willingly bind nor
solvunt, lex praedicta de sponte oblatis servatur.
pay the-law aforesaid about willingly the-things-offered is-kept

De auro Reginae

THE QUEEN'S GOLD, ESCHEATS, AND THE FINAL ACCOUNT

Whoever offers the king a hundred marks owes the queen a mark of gold, collected by her clerk. Clerics and laymen are bound alike for offerings. An escheat farmed is accounted at a sum; one in custody by the keeper's verdict, without allowance for his keep. The farm is blanched by the assay and set against what was paid, and the sheriff swears once to a lawful account. The master defers the mysteries: he has cut rough timber for a wiser builder to smooth, and bids the king farewell.

Ad haec noverint hii qui in pecunia numerata regi
besides these-things let-know those who in money counted to-the-king
sponte se obligant, quod reginae similiter tenentur,
willingly themselves bind that to-the-queen likewise they-are-bound
licet expressum non fuerit. Quamvis autem non sit
although expressed not it-will-have-been although moreover not it-be
expressum, est tamen promisso compromissum; ut cum
expressed it-is yet in-the-promise co-promised that when
regi centum vel ducentas marcas promiserit, reginae
to-the-king a-hundred or two-hundred marks he-will-have-promised to-the-queen

pariter teneatur pro centum marcis argenti regi promissis,
equally he-be-bound for a-hundred marks of-silver to-the-king promised
in una marca auri; pro ducentis, in duabus marcis auri; et sic
in one mark of-gold for two-hundred in two marks of-gold and so
deinceps. In his autem perquirendis eadem lege vicecomes
thereafter in these moreover being-sought-out by-the-same law the-sheriff
per omnia utetur, qua in regiis usus est, non tamen
through all-things will-use by-which in the-royal-things used he-has not yet
ante sed post. Cum ergo de regiis debitis summonitiones
before but after when therefore about royal debts summonses
fiunt, adest clericus reginae ad hoc constitutus, et addit in
are-made is-present the-clerk of-the-queen for this established and adds in
summonitione, 'de illo habeas centum marcas pro causa illa,
the-summons from that-one have a-hundred marks for cause that
et ad opus reginae unam marcam auri.' Summonita autem
and for the-use of-the-queen one mark of-gold the-things-summoned moreover
ad scaccarium ab ejus officialibus ad hoc constitutis seorsum
at the-exchequer by her officials for this established apart
suscipiuntur. Noveris etiam quod licet rex de promissa
are-received you-should-know also that although the-king about the-promised
sibi pecunia mediam partem dimiserit vel universam,
to-himself money the-half part will-have-remitted or the-whole
vel etiam summonere distulerit, de hiis tamen quae ad
or even to-summon will-have-deferred about these yet which to
reginam pertinent, secundum quod sibi visum fuerit
the-queen pertain according-to what to-her seen it-will-have-been
per omnia fiet; ut ea nolente neque dimittantur
through all-things it-will-be-done so-that with-her unwilling neither be-remitted
neque differantur quae sibi debentur; sed summonita
nor be-deferred the-things-which to-her are-owed but summoned
solvantur, et non solventes praedicto modo coerceantur.
they-be-paid and not those-paying in-the-aforesaid way be-coerced

D. Nunquid de promissis regi citra centum marcas
Disciple surely-not from things-promised to-the-king short-of a-hundred marks
aliquid reginae debetur?
anything to-the-queen is-owed
M. Quibusdam sic videtur, ut usque ad x. marcas teneatur; ut
Master to-some so it-seems that right-to to 10 marks he-be-bound that
scilicet is qui x. regi promiserit, in una uncia auri reginae
namely he who 10 to-the-king will-have-promised in one ounce of-gold to-the-queen
teneatur; aliis non nisi de centum et supra ab initio
be-bound to-others not except for a-hundred and above from the-beginning
promissis. De his igitur ad praesens cum modestia sustine:
promised about these therefore for the-present with modesty bear
quia re nondum terminata, suspensa resolutio est.
because with-the-matter not-yet ended suspended the-solution is
Litigat sane de his pars reginae cum debitoribus; et adhuc
litigates indeed about these the-party of-the-queen with the-debtors and still
sub judice lis est. De misericordia autem Judaeorum et de
under the-judge the-suit is about the-mercy moreover of-the-Jews and about
redemptione monetariorum; sicut de sponte oblatis dictum
the-redemption of-the-moneyers as about willingly things-offered said
est, sua portio secundum formam praedictam reginae debetur.
it-is her portion according-to the-form aforesaid to-the-queen is-owed
D. Nunquid in pecuniariis et sponte oblatis, clericos
Disciple surely-not in pecuniary-penalties and willingly things-offered clerics
et laicos sine differentia lex una coercet?
and laymen without difference law one coerces
M. In sponte oblatis apud omnes lex una servatur; ut
Master in willingly things-offered among all law one is-kept that
sive clericus sit sive laicus qui solvendo non fuerit, donec
whether a-cleric he-be or a-layman who solvent not will-have-been until
satisfecerit, careat impetrato. Observatur etiam idem in
he-will-have-satisfied he-lack the-thing-obtained is-observed also the-same in

omnibus aliis quae quovis pacto regi debentur a clericis;
all other-things which by-any means to-the-king are-owed by clerics
cum scilicet suae dignitatis et liberae possessionis privilegium
when namely of-their dignity and of-free possession the-privilege
allegare neglexerint: de allegantibus autem quid fieri
to-allege they-will-have-neglected about those-alleging moreover what to-be-done
debeat, a discretis et Deum timentibus laicis, si placet, rescito;
ought from discreet and God fearing laymen if it-pleases find-out
hiis enim ad praesens ex industria supersedeo, ne dicar meae
on-these for for the-present by design I-refrain lest I-be-said of-my
conditionis hominibus ultroneas leges et mitiora jura dictasse.
condition for-men voluntary laws and milder rights to-have-dictated
D. Dixisti, si bene memini, frequenter in manum regis
Disciple you-said if well I-remember often into the-hand of-the-king
baronias vel fundos incidere; vellem igitur si placet
baronies or estates to-fall I-would-wish therefore if it-pleases
explicares quo ordine redditus escaetarum ad fiscum
you-would-explain in-what order the-revenues of-escheats to the-treasury
proveniant; si uno modo vel dissimiliter.
come whether in-one way or differently
Quod aliter de firmis, atque aliter de custodiis,
that otherwise for farms and otherwise for custodies
respondendum, et sub alio tenore fides danda.
it-is-to-be-answered and under another tenor the-faith to-be-given
M. Cum in manum regis baronia vel magnum aliquid
Master when into the-hand of-the-king a-barony or great something
excidit, mandato ejus vel praesidentis, ad hoc discreti
falls by-the-mandate his or of-the-presiding-one for this discreet
utriusque ordinis viri diriguntur, qui singula perlustrantes
of-each order men are-directed who each-thing surveying
redditus eorundem in summam redigunt, et de hac in scaccario
the-revenues of-the-same into a-sum reduce and for this at the-exchequer

teneri vicecomitem vel quemlibet alium constituunt: satisfaciens
to-be-held the-sheriff or any other they-establish satisfying
igitur de hac summa is qui ad hoc constitutus est, in denariis
therefore for this sum he who for this established is in pennies
vel brevibus vel taleis, subsequente fide de legitimo compoto,
or writs or tallies with-following faith about lawful account
meretur absolvi; et de ea sic scribetur in annali: 'ille
deserves to-be-absolved and about it so it-will-be-written in the-annual-roll this-one
vel ille reddit compotum de firma honoris illius; in thesauro
or that-one renders account of the-farm of-honor that in the-treasury
hoc; et quietus est;' vel 'et debet.' Verum cum rex escaetae
this and quit he-is or and he-owes but when the-king of-escheat
suae custodiam fidei alicujus commiserit, ut videlicet quod
his the-custody to-the-faith of-someone will-have-committed that namely what
inde provenerit ad scaccarium solvat, post factum compotum
thence will-have-come at the-exchequer he-pay after the-made account
fides illa sub praedicto verborum tenore non dabitur: immo,
faith that under the-aforesaid of-words tenor not will-be-given nay
quod quantum inde vel in denariis vel aliis quibuscunque
that as-much-as thence either in pennies or in-other any
rebus suscepit tantum secundum conscientiam suam ad
things he-received so-much according-to conscience his at
scaccarium solvit; exceptis his duntaxat victualibus, quae,
the-exchequer he-paid except-for these only victuals which
ipso nomine xeniorum non procurante, sibi collata sunt.
with-himself by-name of-gifts not procuring to-himself conferred are
D. Nunquid custos ille de his redditibus victui necessaria
Disciple surely-not keeper that from these revenues for-food necessaries
percipit?
receives

M. Licet scriptum sit 'non alligabis os bovi
Master although written it-be not you-shall-bind the-mouth to-the-ox
trituranti;' tamen nisi expresso regis mandato de his nihil
treading yet unless by-express of-the-king mandate of these nothing
percipiet; propriis enim stipendiis, quisquis ille fuerit,
he-will-receive on-own for wages whoever he will-have-been
in his regi militabit: de hujusmodi autem sic in
in these-things to-the-king he-will-serve about of-this-kind moreover so in
annali scribetur: 'ille vel ille reddit compotum
the-annual-roll it-will-be-written this-one or that-one renders account
de exitu illius honoris per veredictum suum.' Cum igitur
of the-issue of-that honor by verdict his when therefore
de omnibus praedictis constitutis vel casualibus satisfactum
about all the-aforesaid established or casual-things satisfied
fuerit, et fuerint singula per ordinem authentice
it-will-have-been and will-have-been each-thing in order to-the-authentic
rotuli scripturae deputata, convocatis omnibus assidentibus ad
of-the-roll writing assigned with-convened all those-sitting-beside for
principalis firmae compotum consummandum, qui in summo
of-the-principal farm the-account to-be-completed which at the-top
rotuli annotatus est redditur, et hoc ordine perficitur; soluta
of-the-roll noted is it-is-returned and in-this order is-completed with-paid
hoc termino a vicecomite firma de qua examen factum est,
in-this term by the-sheriff with-the-farm of which the-assay made is
in primis a calculatore per numerales acervos in distantium
in first by the-calculator through numerical heaps in of-distant
virgarum spatiis distribuetur; deinde facta detractione per
of-rods the-spaces it-will-be-distributed then with-made the-subtraction through
combustionem, sicut supra dictum est, eadem dealbatur, et
the-burning as above said it-is the-same is-blanched and
appensa sibi taleola combustionis, quae tamen vicecomiti
with-attached to-it with-the-little-tally of-burning which yet to-the-sheriff

non computatur, summa quae relinquitur in taleam redigitur.
not is-reckoned the-sum which is-left into a-tally is-brought
Similiter et quod solutum fuerat in termino Paschae, et
likewise also what paid had-been in the-term of-Easter and
dealbatum, in eadem talea. Sic et combustio de eodem termino
blanched on the-same tally so also the-burning of the-same term
cum combustione finalis termini mittitur; ut una sit utriusque
with the-burning of-the-final term is-put that one be of-each
solutionis talea, et similiter una combustionis: quo facto
payment tally and likewise one of-burning with-which done
thesaurarius rotulum exactorium cujus supra meminimus
the-treasurer the-roll exactory of-which above we-made-mention
proferens, summam, quae de comitatu illo, per acervos supra
bringing-forth the-sum which from county that by heaps above
et seriatim disponi facit; ab hac igitur imprimis quod
and in-series to-be-arranged causes from this therefore first what
solutum est in thesauro et dealbatum detrahitur; deinde quod
paid is in the-treasury and blanched is-subtracted then what
rex de firma comitatus contulit aliquibus blancum; post
the-king from the-farm of-the-county conferred on-some blanch after
haec iterum, quae alias soluta sunt per brevia regis
these-things again the-things-which elsewhere paid are by the-writs of-the-king
vel aliter, per acervos disponuntur, et haec per subtractionem
or otherwise by heaps are-arranged and these through the-subtraction
xii. denariorum e singulis libris dealbantur, sicut quae
of-12 pennies from each pound are-blanched as the-things-which
in thesauro solvuntur dealbata per combustionem. Tunc ergo
in the-treasury are-paid blanched by the-burning then therefore
fit inferioris expensae a superiore summa detractio; et
is-made of-the-lower expense from the-upper sum the-subtraction and
si penitus absolvi meruerit, in fine compoti ejusdem
if wholly to-be-absolved he-will-have-deserved at the-end of-the-account of-the-same

litteris patentibus scribitur, 'et quietus est;' vel infra in capite
in-letters patent is-written and quit he-is or below at the-head
lineae inferioris, 'et debet;' et tunc demum consummato
of-the-line lower and he-owes and then at-last with-completed
compoto, numerus solutorum in thesauro apponitur ei
the-account the-number of-the-things-paid in the-treasury is-set to-that
quod jamdudum diximus scriptum in thesauro, et quod
which long-since we-said written in the-treasury and which
fuerat huc usque sic ex industria relictum, ne forte cogatur
had-been hither up-to so by design left lest perhaps be-compelled
abradere qui scribit; quod maxime circa numeros et
to-scrape he-who writes which most about numbers and
nomina et causas jamdudum vitandum diximus.
names and causes long-since to-be-avoided we-said
Quod fides de legitimo compoto semel data sufficiat per
that faith about lawful account once given suffice through
universum.
the-whole
Consummato vero, sicut dictum est, de corpore comitatus
with-completed but as said it-is of the-body of-the-county
compoto, a marescallo fides vicecomitis sub forma praedicta
with-the-account by the-marshal the-faith of-the-sheriff under the-form aforesaid
semel suscipitur, et sic absolutus dimittitur. Fuerunt tamen qui
once is-received and so absolved he-is-dismissed there-were yet who
crederent, de singulis per fidem firmandis sigillatim fidem
believed about each-things by faith to-be-confirmed singly faith
a vicecomite dandam; ut quoties diceret sic esse aliquid
by the-sheriff to-be-given that as-often-as he-should-say so to-be something
quod sola posset fide confirmari, toties fidem daret: sed
which alone could by-faith to-be-confirmed so-often faith he-should-give but
a prudentibus et legis Divinae peritis perniciosa satis visa
by the-prudent and of-the-law Divine skilled pernicious enough seemed

est subtilitas, cum semel fidem dederit se legitimum
has the-subtlety when once faith he-will-have-given himself a-lawful
per omnia compotum salva conscientia fecisse. Ea
through all-things account with-saved with-conscience to-have-made these-things
propter haec sententia post modicum meruit cum suo
on-account-of this opinion after a-little deserved with its
auctore contemni; et una fide, hoc est, semel data,
author to-be-despised and with-one faith that is once given
contenti sunt; quia in unius fidei confessione unum sunt.
content they-are because in of-one faith the-confession one they-are
D. Sentio, jam languente stylo, quod dicendorum finis
Disciple I-feel already with-languishing the-pen that of-the-things-to-be-said the-end
adesse festinat; verum licet instantis noctis crepusculum
to-be-present hastens but although of-the-approaching night the-twilight
et productioris operis labor prolixior ad alia nos evocent,
and of-the-longer work the-labor more-prolonged to other-things us call
et paululum respirare compellant; vellem tamen, si fieri
and a-little to-breathe compel I-would-wish yet if to-be-done
posset, ut suspensam et hactenus fluctuantem in verbo tuo
it-could that the-suspended and hitherto wavering in word your
discipuli tui mentem confirmares, ostendens quid sit, quod
of-disciple your the-mind you-would-confirm showing what it-be that
ab initio dixisse te recolo, totam scilicet scaccarii
from the-beginning to-have-said you I-recall the-whole namely of-the-exchequer
descriptionem quaedam esse sacramentorum latibula, quae
description certain to-be of-sacraments hiding-places which
revelanda sunt cum omnium libri aperti erunt et janua clausa.
to-be-revealed are when of-all the-books opened will-be and the-door shut
M. Magnum est quod quaeris et alterius egens inquisitionis;
Master great is what you-ask and of-another needing inquiry
nec his exponendis ex promisso debitor tibi factus sum. His
nor for-these to-be-set-out by promise debtor to-you made I-am on-these

igitur ad praesens supersedeo, in alterius diei disputationem
therefore for the-present I-refrain for of-another day the-disputation
eadem reservans; vereor quidem ne si pluribus onerato
the-same reserving I-fear indeed lest if with-many-things to-burdened
novam sarcinam imponerem, sub pondere deficeres; item si
a-new load I-should-place under the-weight you-would-fail likewise if
jam dictis, et memoriae commendandis novarum rerum
to-the-already said-things and to-memory to-be-committed of-new things
studia consuerem, utraque te fastidire compellerem. Contentus
the-studies I-should-sew both you to-loathe I-should-compel content
ergo jam dictis esto, ad quae me coegisti; habes
therefore with-the-already said-things be to which me you-compelled you-have
enim in his, quantum madidae se potuit offerre memoriae,
for in these as-much-as to-the-soaked itself could to-offer memory
quaecunque circa scaccarii scientiam potiora tibi visa sunt,
whatever about of-the-exchequer the-knowledge better to-you seemed have
initialiter utcunque distincta. Ceterum ad singula, quae tractu
at-the-outset somehow distinguished for-the-rest for each-things which in-course
temporis videri poterunt necessaria, ungue tenus explananda,
of-time to-seem will-be-able necessary to-the-nail as-far-as to-be-explained
nec virtus hominis nec vita forte sufficeret; ex variis enim
neither the-virtue of-man nor the-life perhaps would-suffice from various for
et insolitis casibus vel nulla fiet vel adhuc incognita
and unusual chances either no will-be-made or still unknown
disciplina. Unde fit ut detractoriis linguis hinc potius
discipline whence it-happens that to-detracting tongues hence rather
exponar, dum succedente tempore pleraque dubia nec dum
I-be-exposed while with-following time very-many doubtful-things nor yet
audita proponi continget; de quibus, aut consimilibus cum
heard to-be-proposed it-will-happen about which or like-things when
hic nihil invenerint, incipiant illudere, dicentes, hic homo
here nothing they-will-have-found they-may-begin to-mock saying this man

coepit aedificare, et non potuit vel non novit consummare.
began to-build and not was-able or not knew-how to-finish
His ego non dissentio; pessimum namque magistrum
with-these I not disagree the-worst for master
meipsum secutus sum; feci tamen, te cogente, quod
myself followed I-have I-did yet with-you compelling what
potui, duce carens et exemplari; de intacta namque rudique
I-could a-guide lacking and an-exemplar from untouched for and-rough
sylva regiis aedificiis missa securi ligna secui, prudentioris
forest for-royal buildings with-sent axe timbers I-cut of-a-more-prudent
architecti dolabro complananda. Cum igitur ex hiis regiae
architect by-the-adze to-be-smoothed when therefore from these of-the-royal
domus structura surrexerit, is qui dedit initia, primam
house the-structure will-have-risen he who gave the-beginnings the-first
licet non praecipuam gratiam mereatur, Valeat rex illustris.
although not the-chief grace may-deserve farewell the-king illustrious