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Some Notes On the Purlieus of the Forest of Dean

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SOME NOTES ON THE PURLIEUS OF THE FOREST OF DEAN.

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IN 1878, the late Sir John Maclean pointed out the importance of collecting materials for the earlier history of the Forest of Dean, as in his opinion it was "an obscure page of Gloucestershire history that deserved to be cleared up."¹

I venture, therefore, to contribute the following notes, deeming them worthy of the attention of future writers on the subject.

It is well known that during the thirteenth century the perambulations of the northern bounds of the Forest were altered from time to time, and the area enclosed consequently considerably enlarged. Under Henry II., Richard I., and John, the boundary was gradually extended, until at length it practically included all the manors south of the modern high road from Gloucester, passing through Newent, Kilcott, and Gorsley, to Bollitree, in the parish of Weston-under-Penyard, Herefordshire; from there to Walford, south of Ross, and thence to the River Wye at Goodrich Ferry.

According to Rudder,² these bounds were set forth at Gloucester in 1282 in consequence of certain disputes respecting the ancient Forest boundary. The effect of this was the appointment of a commission to inquire and report on the grievance.

In 1300 a perambulation was made, defining the boundary as advised by the commissioners. It was then made clear to the tenants that all lands taken in after the coronation of

¹ *Trans. B. and G. Arch. Soc.*, vol. iii., p. 367, and vol. xiv., p. 356.

² Rudder, *Hist.*, Appendix, Nos. 1 and 2.

Henry II. should be disafforested, but the woods to be considered as purlieus of the Forest.¹ This latter consideration was due to the fact that such woods might harbour the deer, and where no rights of free warren existed the Verderers would be free to control the cutting of the underwood.

There was, however, a charter of Henry III., dated 1225,²—much earlier than the date given by Rudder—which disafforested all lands taken in since the coronation of Henry II. (1154), excepting such lands as were in the king's demesne.

This charter is quoted by Mr. Wood in a paper on Penyard Chace, read before the Woolhope Naturalists' Field Club in 1901.⁶ Mr. Wood also quotes the verdict of the jury, given on 18th April, 1228,³ when the following boundary was defined as the ancient bounds of the Forest before the coronation of Henry II. That is to say:—

“ From Gloucester Bridge, along the great road to Newent, and thence by the same road as far as Gorstley Brook ; thence ascending the same brook to its head, and then by road to Brooms Ash ; and thence going down by the same road to Alton ; and thence by the same road to the Wye.” The Jurors also said that “ the Bishop of Hereford has his chace by ancient title in a certain wood called Lax Penyard, within the Forest aforesaid.⁴

The perambulation of the Forest in 1300 is given in detail,⁵ and shows the following boundary line. From Gloucester Bridge to Newent, and on to Ell Bridge, and thence by the brook to “ Gorstelyeforde ; ” and thence “ following the metes and bounds between the counties of Gloucester and Hereford, to a place where is a stream called the Bishop's Brook, which falls into the Wye.” From this it will be seen that Herefordshire was entirely disafforested, but the old northern boundary in Gloucestershire remained much the same.

¹ *Ibid.*, p. 28.

² 9 Henry III., Forest Charter.

³ Chancery Ancient Forest Proceedings, No. 10; also Close Roll, 12 Henry III., m. 10.d.

⁴ *Trans. Woolhope Field Club*, 1900-1, p. 207.

⁵ T. R., Forest Proceedings, No. 255, 28 Edward I.

By the following deeds and charters connected with the manor of Kilcott,¹ and the extract from the chartulary of the Priory of Newent, it will be apparent that although strictly within the Forest bounds, yet the parish of Newent was debatable ground, being a long way to the north, and of importance only to the Forest so far as its scattered woodlands might harbour deer.

The most northerly point in the perambulation was the manor of Kilcott, in the parish of Newent, held at that time in part by John Muchgros, in right of his wife, Dulcia or Cecilia, heiress of William Averal of English Bicknor, and² partly by William Waleran, in right of his wife, one of the coheiresses of Hugh de Kilpec,³ a former lord of the manor.

About the year 1280, Bogo de Knovill, Governor of Dolvo-ron Castle, on the Welsh marshes, a former sheriff of Shropshire and Staffordshire,⁴ one of King Edward's trusty supporters during the first Welsh war of 1277, purchased from William Waleran his moiety of Kilcott Manor, and obtained considerable grants of woodland from the king.

It is probable that Edward I., during his expedition into North Wales, had been anxious to secure the loyal co-operation of his tenants-in-fee, on the confines of the marches, by grants of free warren and coppice rights. Bogo de Knovill appears to have taken advantage of this franchise with regard to Kilcott Wood.

A writ, dated 5th December, 1280,⁵ was issued to Ralph de Sandwich, steward of the king's demesne, calling upon him to inquire into the exact amount of damage and loss, if any,

¹ The manor of Kilcott was formerly part of the royal demesne (T. R. E.), and as such, had been excepted by the charter of Henry III. (1225) from being disafforested. See *Ante*, p. 294.

² *Trans. B. and G. Arch. Soc.*, vol. iv., p. 318, Pedigree of this family, &c.

³ Rudder.

⁴ *Complete Peerage*, by G. E. C. De Knovill was Sheriff from 1275 to 1278.

⁵ Chan. Inq. P. M., 9 Edward I., No. 65.

should the king grant Kilcote Wood to Bogo de Knovill, &c., &c. A jury of twelve men stated on oath at the inquiry which was held in February, 1281, that if the king granted to Bogo his great Wood of Killecote—which is within the Forest of Dene—to sell and take profit thereof, it would be to the damage of the king and the hurt of the said Forest, but what damage and hurt they knew not. They said further, that if granted to the said Bogo to sell the wood, he (the king) would lose all the attachments of the said wood of the Verderers, who were wont, and ought, to plead before the justices of the pleas of the Forest, and to be there amerced. He would also lose the repair of his beasts which came and went, &c., &c.

This inquiry was held on the Tuesday next after the Purification of the Virgin Mary, 1281.

The result of this inquest appears to have been that the damage was slight, and Kilcote Wood was granted to Bogo de Knovill.

Yet it was subject to further inquiries with regard to the large timber.

In 1283 an inquiry was held at Newent before Grimbald Pauncefoot,¹ keeper of the Forest, when a jury of twelve stated on oath that “if the king granted to Bogo de Knovill that he might cut down the large oaks in all his Wood of Kyllicote, which is within the metes of the Forest of Dene, and take his profit thereof, it would be to the damage and hurt of the king yearly of ten shillings, by reason of the attachments of the sergeants and other ministers of the said forest, and of the repair of the beasts of the king.

“It is also to the damage of William de Astonene (Aston Ingham), who has common when pannage² happens of five

¹ Chan. Inq. P. M., 2 Edward I., No. 68. This inquest may have been one following upon the writ of 1281.

² *Pannage* = The right of pasturing swine in woods. Also *Pannage* = The money taken by the agistors for the privilege of feeding hogs upon the mast of the forest.

shillings ; and of Thomas de Bolesdon [Bolesdon Manor joined Kilcott], who has common as above of five shillings ; and of the Rector of the Church of Aston, for the time being, who has common like the said William of five shillings. There is there no repair of beasts, except rarely passing through and returning."

In this document we notice the words " within the metes of the Forest," *i.e.* within the boundaries of the perambulations.

Again Bogo de Knovill was successful, and in June, 1284, licence was granted to him to fell all the oaks in his Wood of Kylcote, within the metes of the Forest, provided that the underwood remain equally thick for harbouring of deer.¹

This last clause appears to have troubled de Knovill, as in the following year he obtained a charter² of Free Warren over his lands at Kilcott. Bogo de Knovill died in 1307, and was succeeded by his son Bogo.³

In the same year, soon after the accession of Edward II., a further inquiry was considered necessary concerning the woods at Kilcott, held by Bogo, son of the grantee.

On 19th March, 1307-8, a precept was issued to John Hanlowe, Warden of the Forest of Dene, to hold an inquiry " whether it be to our loss or prejudice, or of others, or an injury to the aforesaid Forest, if we grant permission to our beloved and trusty Bogo de Knovill, that in his coppice of Kyllecote, which is within the confines⁴ of the aforesaid Forest, he should be able to cut down his coppice, and sell the underwood when cut down, and to make profit therefrom, &c., &c. ; and how much that coppice contains in itself by number of acres or perches of the Forest, and if there be a well-stocked cover for our wild game, &c., &c. Given at Westminster, 19 March, in the first year of our reign."

¹ Patent Roll, 12 Edward I., Mem. 9.

² Charter Rolls, 13 Edward I., No. 95.

³ Inq. P. M., 35 Edward I.

⁴ Qui est infra forestam predictam.

The answer to this was that at an inquest held at St. Briavells on Friday, the morrow of St. Ambrose,¹ in the first year of King Edward, son of the illustrious King Edward, in the presence of Roger de Tydemerch, deputy of Lord John Hanlowe, Keeper of the Forest of Dene, &c. 12 Jurors: Hugo de Bray, Richard de Malemort, Walter de Auste, Richard Edy, Robert de Malemort, Walter de Ketford, Robert Wyther, William Ely, John de Aure, William Peressone, William Bleyth de Killicote, and John Yuor. Who say on their oath that it is not to the loss or prejudice of the king, nor of others, nor to the injury of the aforesaid Forest if the said Bogo cut down and thereby make profit from his coppice aforesaid. They also say that there is no cover [place of resort] of the king's wild game, because it is a long distance from the covers of the aforesaid Forest, and that the coppice contains in itself sixty acres.²

The following extract from the chartulary of Newent Priory is of considerable interest in showing that the woods within the manor, although purlicus, were not subject to the Verderer's Court.

The Priory of Newent was a cell of the Benedictine Abbey of St. Mary of Cormeilles, in the diocese of Lisieux, Normandy.

The Manor of Newent had been given to the abbey by William I. at the instance of Roger, second Earl of Hereford. The prior at Newent acted as bailiff to the abbot, who in all official documents is spoken of as lord of the manor.

In consequence of certain reports from the prior on the subject of the alteration of the boundaries of the Forest, the abbot objected to the visitations, or "viewings" of his lands and wood by the Forest officials, and apparently appealed to Edward II. for protection against their trespass and orders.

From the chartulary of the priory³ I take the following:—

"Hugh le Despenser, Justice of the King's Forest this side of Trent, sent the following writ to John Hanlo, Warden of the

¹ St. Ambrose, April 4th.

² Inq. ad quod damnum, 1 Edward II., file 66, No. 1.

³ Brit. Mus. add. MS. 15,668, fol. 4.

Forest of Dean or his deputy, 29 January, 1 Edw. II. [1308^a]. Edward the King to Hugh le Despenser. It is shown to us on behalf of the Abbot of Cormeilles that whereas Henry King of England, by his charter which we have inspected, granted to the Abbot and Monks of Cormeilles the Manor of Newent and Wood of Yarclesdon¹ in the Forest of Dean, to hold according as they had held that wood from the time of King Henry (grandfather of the said Henry) from which time the Abbot there had reasonable estovers² in the said wood; yet now you and your servants molest the said Abbot therein: We therefore command you to desist from such molestations. Langeleye,³ 7 Dec., 2 Edw. II. [1308].”

For some years this warning was attended to, but in 1323 the Prior of Newent had again to appeal against the conduct of the Keeper of the Forest. From the same chartulary I take the following:—

Writ dated at Gloucester, 9 June, 16 Edw. II.

“William de Cleydone, lieutenant of Lord Adomar [Aymer] de Valence Earl of Pembroke, Justice of the Forest this side of Trent. Having inspected the Charters of the progenitors of the now King, granting to the Prior of Newent estovers and all necessaries for house-bote hey-bote and fuel in his Wood of Yarkeldone and hearing that Robert de Sapi, Keeper of the Forest of Dene has impeded the said Prior in this matter he commands the said Robert or his deputy to leave the said Prior and his men unmolested in the taking of estovers and other necessaries.”

Even this writ did not prevent the succeeding keeper from troubling the prior, as the following entry to the same effect occurs in the Newent Chartulary, dated 1325:—

¹ Now known as Newent Wood, situate on the northern slope of May Hill. A farm there is still known as “Yartledon.”

² Estovers—comprehending house, plough, fire, cart and hay or hedge botes, *i.e.* so much of the wood as was necessary for fuel and the repairs of buildings and fences.

³ Langley, in Wychwood Forest, Oxon., four miles from Burford, a favourite hunting lodge of our early kings.

“Writ of Hugh le Despenser, Earl of Winchester, Justice of the Forest this side of Trent, to John de Myners, Keeper of the Forest of Dene, or his deputy,” warning the keeper not to molest the prior in his taking estovers, &c., &c. (similar to the above). Dated at Kennington, 17 Oct., 19 Edw. II.

As I find no further evidence that this right of estovers was questioned, it would appear that the prior at last gained his liberty from the control of the Forest keepers on this point. With regard to this wood being within the Forest boundary, there is an interesting note in the priory chartulary to the following effect :—

“Writ of Hugh le Despenser, Earl of Winchester,¹ Justice of the Forest this side of Trent, to John de Myners, Keeper of the Forest of Dene or his Deputy. Whereas the King has commanded his Justices of the Peace to enlarge the highways according to the Statute of Winchester,² that merchants and others may pass more safely ; the said Hugh commands the said John to suffer the Prior of Newent to enlarge the highway in his Wood of Yarkeldone. Dated 1326. Bardsley, 5 Aug., 20 Edw. II.”

This writ distinctly shows the wood to be within the jurisdiction of the Forest Court at that date.

The Abbot of Gloucester was also interested in the alteration of the Forest bounds by the perambulation of 1300, so far as his lordship over the Manor of Hope Mansel was concerned. Before that date his woods were within the Forest, and in 1278 he had to obtain leave before he could use the “fallage” or cut any timber.

In 1324 his manor lying in Herefordshire was without the Forest, yet his woods were considered to be purlieus. He was nevertheless able to cut wood in Birchwood and Hope Maloy-sell without demand or view of the foresters.⁴ By a petition⁵

¹ Created Earl 1322. ² 13 Edward I. (1285).

³ Pat., 9 Edward I. Esch., 9 Edward I., No. 57.

⁴ Clau. Rot., 17 Edward II., M. 21—22.

⁵ Pet. Parl., 11 Edward III.

in parliament 2 Ed. III., the Abbot and Convent of Gloucester beg their right to the Wood of Hope MaloySELL as heretofore (they said) in purlieu, &c., &c.

In 1807 a private Act was obtained for enclosing "certain commonable and waste lands once called the Abbot's Purlieu, and since the Reformation, the Bishop's Purlieu," within the Manor and Parish of Hope Mansell.¹

The boundary question was also a subject of interest to the Bishop of Hereford. During a tour or visitation of his diocese in 1286, the Bishop visited Ross,² and on that occasion a deer hunt was organised in the Chace of Penyard, which was then within the Forest. The register of Bishop Swinfield records the following interesting particulars:—

"A.D. 1286. Be it remembered that when the Lord Bishop was at Ross on Monday next before S. Matthew the Apostle, his huntsman with some of his men coursed in his Chace of Penyard and caught a young stag and there arose a dispute between the Huntsman and the Foresters of the King about that stag in respect of the place wherein it was caught; and after the departure of the Bishop an inquiry³ was held at Hull Cnole [Howl Hill, near Walford] on Thursday before the feast of S. Matthew 14 Ed. I. 12 men out of Walford, Coughton, Bicknore, Ruardean, Hope Mansell, Longhope, Eccleswell and Dean being Juorors. The witnesses, keepers and other servants, were examined on oath by Gimbald Pauncefoot and the Verderers whether the stag was killed within the Forest or not. All the men examined declared that the stag was caught without the Forest where the Chace of the Lord Bishop was wont to be; and the Villagers and the Juorors agreed in all things. When Gimbald Pauncefoot enquired of whom the hunting party consisted, the Villagers pleaded ignorance, but

¹ Additions to vol. ii. of Duncumb's *Hist. of Herefordshire*, by W. H. Cooke, p. 371.

² "Roll of the household expenses of Bishop Swinfield, 1289 and 1290," Camden Soc., 1854.

³ *Inquisitio de cervo de Ros Reg. Swinf.*, fol. 37a.

the Foresters asserted that William de Clevering the Huntsman N. the Carter, John de Herley were the persons.

After 1300 the bishop's "chace" at Penyard was of course free from Forest Law. Mr. Wood mentions in his interesting paper on Penyard Chace, already noticed, that there is a record of a commission issued in January, 1227-8, to Hugh Nevill to proceed to the king's Forest of Penyard, and there set out by metes and bounds a division between the king's "fee of Penyard" and the bishop's "fee of Ross." Unfortunately Mr. Wood was unable to find the return to this writ. There are doubtless many other inquisitions concerning the disafforestation and the purlieus of the Forest still to see the light. The foregoing pages will, I trust, assist those interested in the history of the Forest of Dene.
