THE LANGUAGE OF PLEADING IN THE MANORIAL COURTS OF LATE 13th CENTURY ENGLAND, WITH EXAMPLES DRAWN FROM THE COURT OF THE MANOR OF HALES OWEN

Luis Iglesias-Rábade
Universidad de Santiago de Compostela

After the conquest of England in 1066, the Norman followers of William I were handsomely rewarded with land taken from the conquered, yet from the legal point of view they failed to attain all the privileges once enjoyed by the latter. The Anglo-Saxon Witenagemot[1] had had both deliberative and executive functions, power had been widely distributed among the earldoms, and within the earldoms the individual thegns were also often largely independent of their theoretical lords. As a major contribution to ensuring his continued control of the situation in his new lands, William changed all this by imposing the feudal system in its purest form, a strictly centrifugal administrative hierarchy in which *all* land ultimately belonged to the Crown, which granted tenure to its subjects in return for service and/or tribute. In keeping with this philosophy, the Norman Curia Regis was composed mainly of officers of the King's Household; in principle, nobles and prelates in general had no power in matters affecting the nation as a whole.

The new power structure was accompanied by a parallel reformation of the judicial system. This is not to say that all elements of Anglo-Scandinavian law were completely eradicated; on the contrary, the Normans, pragmatical and eclectic as always, approved of and retained many features of the former system[2], which, linguistically at least, had been one of the most highly developed in all Europe. But there took place a general process of standarization, for justice, like land, was now ultimately in the hands of the King; throughout England, and in courts of all levels, justice was done in the King's name.

It was in fact not only in the King's name that justice was done, but also in the King's language, Anglo-Norman. At the beginning of the fourteenth century, the chronicler Robert Holcot wrote that William the Conqueror "ordinavit quod nullus in curia regis placitaret nisi in gallico"[3]; and in the *Modus componendi brevia,* written shortly after 1285, we read that "... the usage of the kingdom of England is such that pleas before the royal judges are pleaded by the pleaders in French *(romanis verbis)* and not in Latin, ..."[4]. Court records, of course, were kept in Latin, whatever the language in which the words recorded had been spoken, but the Year Books written after 1292 contain numerous examples of literal quotation of the French used by pleaders and judges[5]. Furthermore, by the end of the thirteenth century French was also beginning to be used in written legal documents. The most formal (charters and writs the Great Seal) continued to be made out in Latin, but wills, writs under the Privy Seal and petitions in Parliament were taken down

and presented in French[6], and in 1275 the Customal of Winchester was also written in French (it was not until a century later that an English translation appeared)[7]. The replacement of Latin by French in legal documents was probably accelerated by the influx of Poitevins and other Frenchmen into England in the first half of the thirteenth century[8].

It is thus clear that in Royal Courts (those presided over by the King's justices) the language employed by judges and pleaders was Anglo-Norman, but what was the linguistic situation in other courts? By royal charter, the tenant of each English manor was furnished with jurisdictional competence to preside over a court judging offences committed by the villagers against the lord of the manor, the community or one another. To what extent was Anglo-Norman used in these local courts dealing with the grievances and misdeeds of the native English population? In Woodbine's opinion.

> "What the tongue used in the contemporary (13th century) county and hundred courts was we do not know. By William's edict they had been ordered to administer the old English law. They could hardly get rid of the technical words of that law in actual court business, any more than the Norman kings themselves could dispense with many of the same words in their writs and charters. They may, for any evidence forthcoming to the contrary, have used English almost or quite exclusively"[9].

And in a footnote he continues:

> "In the manorial courts, where the business had to do largely with the unfree villeins and serfs, English would undoubtedly be employed"[10].

Thus it was all very well for William I to have forbidden pleading in anything but French, but was this prohibition realistic at the local level? Did the majority of Englishmen speak French well enough to plead? If not, were they left defenceless before the law? It is the aim of this article to sketch some likely answers to these questions as far as the late thirteenth century is concerned, a time at which Anglo-Norman is claimed by some scholars to have already become an "artificial language of culture"[11]. For this purpose, the social circumstances of those attending local courts will be considered; examples will frequently be drawn from the records of the relatively well-documented Worcestershire manor of Hales Owen (see Appendix).

The villeins who made up the bulk of the population of a thirteenth century English manor worked the lord of the manor's demesne in return for benefits ranging from the possession of a cottage or plots of land of their own (for which they usually also paid rent) to the mere receipt of bed and board in the manor house or its outhouses. Between the villeins and the lord of the manor there was nevertheless a "middle class" of freeholders and free tradesmen who paid rent for their land or premises but were free from the obligation to work the demesne. The

richer members of this middle class, most of them of French origin and presumably Francophones[12], kept servants of their own. In addition, a typical manor featured the parson and the manor's two chief administrators, the steward and his assistant the bailiff (in Hales Owen, with its monastic lord, the steward's functions were in fact performed by the cellarer of the monastery). There is evidence that the posts of steward and bailiff were often in practice virtually hereditary; the occupants of these posts were in any case men enjoying the lord of the manor's confidence (especially in the many manors whose lords were permanently absent at court or at war), i.e. men of French descent. Apart from these major manorial officers, the management of the manor also required the existence of a number of minor officers, the chief of whom, the reeve, was the person actually responsible for organizing the service done by the villeins in the demesne (in the case of Hales Owen there were two reeves, one for each side of the River Stour)[13]. The duties and denominations of the other minor officers varied considerably from one part of the country to another; typically, they included a hayward to watch over the lord's corn and other crops at harvest time, a woodward to guard the lord's woodland, an aletaster to inspect weights and measures at market, and a beadle to deliver summonses and collect fines and rents. In view of the nature of his duties, the beadle was chosen directly by the lord of the manor (or his steward), but the others, including the reeve(s), were elected by the villagers themselves and were generally English freemen.

It was the duty of the mediaeval Englishman not only to obey the law, but also to participate actively in its administration. In principle, all the freemen and tithingmen of a manor were obliged to do suit at (attend) the manor court, or hallmote, which was normally held every three weeks, even if they were not to be involved in the proceedings as plaintiff or defendant, so as to be available to testify or serve as jurymen in cases involving persons of their same station. The matters dealt with at such sessions included administrative business such as payment of heriot or marriage licences, or ingress in tithings, but were mainly concerned with quarrels between the villagers (pleas of slander or debt, etc.) or with offences against the lord of the manor or the rules of husbandry, or with breaches of the peace. In the latter cases the presentment, or formal accusation, was made against the offender by the relevant manorial officer and/or by the head of the offender's tithing, while in suits between villagers it was the wronged party who presented charges. Every six months a Great Court was held; this was presided over by the Sheriff of the Shire (or, periodically, by an itinerant Justice in Eyre)[14] whose duty was to try important cases, to ascertain that justice was being correctly administered and, in particular, to hold the View of Frankpledge[15].

In accordance with the legal maxim "curia domini debet facere judicium et non dominus", the presiding officers at Great Courts and hallmotes did not in theory judge the cases presented before them, put merely gave effect to the verdict emitted by the jury, a body of from five to twenty-three men (usually twelve) chosen from among the suitors. Examination of the Court Rolls of Hales Owen shows that successive juries at Great Courts were made up of practically the same

set of rich freemen[16]. By contrast, the composition of hallmote juries varied considerably and apparently, in accordance with the principle that offenders should be tried by their peers, depended on the station of those involved in the case; juries are recorded that were composed wholly of freemen ("omnes libere tenentes dicunt per suum sacramentum quod...")[17], wholly of villeins ("omnes nativi dicunt de eorum consuetudine...")[18], or partly of freemen and partly of villeins ("omnes homines tam liberi quam nativi summoniantur pro afforciamento pro judicio reddendo de villata de Oldebure que...")[19]. The last of these three possibilities was the most common. It may be supposed that the villeins serving on juries were probably tithingmen, who would have been considered as the most responsible of the villeins.

We are now in a position to approach the questions raised above regarding the language spoken in manorial courts. To begin with, everything points to the language used by the steward or cellarer in presiding the proceedings having been Anglo-Norman. Perhaps the best evidence of this is the fact that all the known copies of *La Court de Baron,*[20] a manual of court procedure for the use of those presiding manorial courts, are written in French, none in English. But support is also found in court records, which abound in Latin calques of Anglo-Norman. In the Court Rolls of Hales Owen, for example, we find Latinized Anglo-Norman in "*Tastores cerevisia* dicunt quod Radulphus de la Grene *braciavit* contra *assisam*"[21] or "Simon Gregory venit et petiit unum *chalonem* et dua *linthiamina* que *inventa* fuerunt in custodia *ballivi* tanquam a se *elongata* et *provabit* ea esse suum fidele *catallum* per *sacramentum* juratorum"[22], and there are many other examples[23]. It is also significant that there are a number of French words found in thirteenth-century English texts which, though apparently used informally in everyday speech, must have originated in legal contexts. Examples include *plait, plaid, plaiding* ("ðat *plait* was stif an starc an strong", that suit (debate) was stern, hard and strong)[24]; *grant* ("3ef ðou ðis wolt *granti* me", if you will grant me this)[25]; *hostage* ("four and twenti *hostages*/Childrich ðar bitahte", twenty-four hostages Childric gave)[26]; *selen* ("*isealed* writes", sealed letters)[27]; *sputen, desputen, desputinge* ("nan swa deope ilearet ðat durste *sputin* wið us", none so deeply learned that he dare dispute with us)[28]; *juggen, jugement, gugement* ("nis ðer no riht dom, ne no riht *gugement*", there is no right verdict, nor right judgement)[29]; *order* ("*i-ordret* ant sunderliche", ordered and sat separately)[30]; *eir, eritage, desheriten* ("Hwat wenden de *desherite* me?", Why do they think to disinherit me?)[31]; and *honur, deshoneur* ("haue ιðs to ðin *honur*", take this to your honour)[32].

In view of the above, it is probable that Anglo-Norman was also used by the manorial officers in presenting charges against offenders, for presentments were highly stylized, and thus lent themselves to being learnt almost by rote, even by those who were not fluent in Anglo-Norman. Indeed, all those parts of the proceedings that may loosely be described as "formal rigmarole" are likely to have been performed in Anglo-Norman (in particular the defendant's customary word-for-word denial of the charges made), because great importance was placed upon strict compliance with such formalities; "many a plea was lost because a man did

not repeat the formulas correctly... [in which respect] the hallmotes were more archaic than the royal courts"[33]. Since such "formulas" came from above, they were evidently largely French (perhaps with a smattering of Latin), not English.

At the same time, the less formal parts of the proceedings, such as the questioning of plaintiffs, defendants and witnesses, seem almost certain to have often taken place in English. There is evidence of this in an account of a hundred court suit between the abbey of Croyland and the prior of Spalding, in which the chronicler comments that one of the witnesses, though allegedly a knight, "did not so much as know how to speak French"[34]. In manorial courts such linguistic tolerance will have been all the more necessary, for it is difficult to see how justice could have been done, as the records suggest it usually to have been done, if French was really insisted on in cases involving only English-speaking villeins. In such suits, the presiding officer (who at the end of the thirteenth century will have been, like the jury, perfectly capable of understanding English, if not bilingual) must surely have turned a blind eye to the use of English for the presentation of substantive evidence, which was not, after all, part of "court procedure". In this respect it is significant that by-laws agreed upon by the villagers are included in English in the thirteenth-century Court Rolls of some manors[35]. It must be borne in mind, however, that the English of this period was itself riddled with Anglo-Norman vocabulary in the legal field.

The paradoxical but definitive triumph of French in the legal sphere became manifest when during the first half of the fourteenth century the ruling classes finally acquired the habit of talking English, even among themselves. Evidence of this state of affairs is provided by the Statute of Pleading (1362):

> "Because it is often shewed to the King by the prelates, dukes, earls, barons, and all the commonalty, of the great mischiefs which have happened to divers of the realm, because the laws, customs, and statutes of this realm be not commonly known in the same realm; for that they be *pleaded, shewed, and judged in the French tongue, which is much unknown in the same realm;* so that the people which do implead, or be impleaded, in the king's court, *and in the courts of others* [i.e. "private" manorial courts], have no knowledge nor understanding of that which is said for them or against them by their serjeants and other pleaders; and that reasonably the said laws and customs shall be most quickly learned and known, and better understood in the tongue used in the said realm, and by so much every man of the said realm may the better govern himself without offending of the law, and the better keep, save, and defend his heritage and possessions; and in divers regions and countries, where the king, the nobles, and others of the said realm have been, good governance and full right is done to every person, because that their laws and customs be learned and used in the tongue of the country: the king, desiring the good governance and tranquillity of his people, and to put out and eschew the harms and mischiefs which do or may happen in this behalf by the occasions aforesaid, hath ordained and established by the assent aforesaid, that all

> pleas which shall be pleaded in his courts whatsoever, before any of his justices whatsoever, or in his other places, or before any of his other ministers whatsoever, or in the courts and places of any other lords whatsoever within the realm, shall be pleaded, shewed, defended, answered, debated, and judged in the English tongue, and that they be entered and enrolled in Latin"[36].

Unfortunately, this entirely reasonable linguistic ordinance was even less successful than William the Conqueror's edict imposing the use of French, for as late as 1730 George III was obliged to issue a practically identical decree[37]. In fact, it has been said that to this day English legal language is "the technical language of the French-speaking lawyers in the England of Edward I and later"[38]. Though perhaps a little hyperbolical, this judgement lays its finger on the cause of this peculiar phenomenon: the emergence of a legal profession that respected Anglo-Norman legal terms as the tools of its trade, and which, in the absence of specific authoritative Anglicization of this terminology, preferred to go on employing Anglo-Norman expressions and syntax that were increasingly opaque to the layman but well understood by the initiated. According to Maitland and Pollock, "...before the end of the 13th century the professional pleader might already be found practising before a petty court tribunal and speaking the language of Westminster Hall"[39]. The Court Rolls of Hales Owen, the nine-fold increase in whose population between the time of *Domesday* and the late 13th century must have brought with it increasing complexity in many legal disputes, provide many references to the new class of "professional pleaders"; in March of the year 1280, for example, one Richard Atwood appointed Thomas de la Voley (a member of the richest family in the manor) as his attorney in a suit concerning tenancy of certain land[40].

It has been argued elsewhere[41] that the speech behaviour exhibited on the late 13th-century English manor was "social subordinate bilingualism of a diglossic character": "social" because some degree of bilingual ability will have been possessed by a large part of the population rather than by just a few gifted or privileged individuals; "subordinate" because the abilities of all but a few individuals in French and English will have been quite unequal, some speaking better French than English and others better English than French; and "diglossic" because the switch from English to French or *vice versa* will have depended on the social context in which the speaker found himself. Specifically, the upper classes —freemen and tradesmen of French or Norman descent, the major manorial officers, the parson and the lord of the manor himself, it present— may be taken to have spoken Anglo-Norman almost exclusively, with the ability to understand English, and to a lesser extent to speak it, being widespread but deficient; villeins probably acquired some ability to understand Anglo-Norman, but will almost without exception have spoken only English; while English freemen are likely to have been diglossic, their competence in Anglo-Norman in certain formal contexts having been grafted onto the native English employed for most purposes, including

domestic intercourse. The arguments employed in the present article support this picture in three ways. Firstly, the recording of bylaws in English confirms that this was the language of the lower classes; secondly, the need for minor manorial officers and tithingmen to be competent in Anglo-Norman for Court formalities implies their diglossic linguistic abilities; and thirdly, the fact that Anglo-Norman was retained by lawyers for professional purposses in the 14th century, when the everyday speech of society as a whole was English, is evidence that Anglo-Norman was the natural medium of communication among the early professional pleaders of the 13th century, and hence that the social class to which they belonged (rich families of French origin) continued to speak French at that time.

APPENDIX

Hales Owen (which since the disappearance of Worcestershire as an administrative unit in 1974 has been a borough known as Halesowen belonging to the Metropolitan County of West Midlands) was in 1218 granted to the Premonstratensian Order by Peter de Roches, Bishop of Winchester. The charter by which Peter de Roches had in turn been granted the manor for this purpose by King John reads as follows.

> "John, by the grace of God... to Archbishops, Bishops, Abbots, ... Know that we for the safety of my soul and of those of our ancestors, have given, granted... to the Lord Peter, Bishop of Winchester, our manor of Hales, with all its appurtenances... freely and quietly... Besides we grant to them [the Premonstratensians who were to be the immediate tenants] that they should have throughout the said manor soc and sac, toll and team, infangthief and outfangthief, and that they may hold the aforesaid manor free and quit of suits and shire-courts and of hundreds, and of pleas and suits of the forest and of money given as forfeiture for murders, and of wapentake and scutage and of geld, danegeld, hidage, assizes, works at castles, parks bridges, limepits, for serdwyte, leyrwyte, hundred penny, tithing penny, hangwyte, flemeshfryth, hamsoken, ward penny, blodwyte and fyrwyte. And that they and their men may be quit through all our land from all toll for all things which they or their men shall be able to assure, which they shall buy for their proper use of the religious themselves or of their men who dwell there, and for those who may succeed them in their lands; from pontage and passage, and lastage and stallage, and from everything and on other occasions, except alone justice for death or loss of limb. And we prohibit their being placed in any plea concerning any tenement except before ourselves or our chief justice. Also we grant to them that if any of their men ought to lose life or limb, or shall fly, or refuse to stand judgement, or shall commit any other wrong for which he ought to lose his chattels, their chattels shall be those of the said religious house as much as they belong to us or to our court"[42].

The privileges granted under this charter, while not totally exceptional in their extent, are certainly much more comprehensive than those afforded to ordinary knights (though this does not affect the relevance of references to Hales Owen to the arguments employed in this article). The monks and their men were in fact freed from all taxes, fines and punishments, save only in the case of death or loss of limb (and even then the crown transferred its rights of confiscation to the monastery); and any property disputes involving the monastery were to be lodged directly before the chief justice. Let us examine some of the individual rights mentioned. "Soc and sac" was by the twelfth century a formula referring to right of jurisdiction over the inhabitants of the manor and the right to retain the profits of such jurisdiction (fines, etc.). "Toll" is the right to levy taxes (usually, but not necessarily, rights of passage), and "team", though originally referring to the right to try and benefit from claims for stolen goods, was probably by 1218 a mere linguistic appendage to "toll", without clear independent meaning. "Infangthief" was the right to arrest and try thieves living in the manor; "outfangthief" might variously be interpreted as the right to pursue such thieves outside the manor, or merely to bring them back, once convicted elsewhere by others, to be hung on the manor's own gallows. Duties from which the abbot of Hales Owen and his men were exempt included attendance at and subjection to shire and wapentake courts (the wapentake was a division of the shire equivalent to the hundred of other parts of England): "pontage" (a toll paid for passage over a bridge); "lastage and stallage" (levies paid to be able to trade at a fair or erect a stall in a market place); "scutage" (tax paid in lieu of military service by the tenant of a knight's fee); and "geld, danageld, hidage" (all land taxes paid to the Crown). In particular, independence of the shire and wapentake courts implied freedom from "assizes" (weights and measures ordinances established by the shire or wapentake) and from hundredpenny (a local land tax). And this independence, together with "soc and sac", implied the right of the lord of the manor himself (in this case the abbot) to impose fines and taxes on the inhabitants of the manor, and to receive the benefit of this income: "wardpenny" was paid in lieu of military service by the villagers, "bloodwyte" was a fine imposed for bloodshed, "leyrwyte" was a fine for fornication (at least 17 women were so fined in Hales Owen in the years 1270-1300), and fines were also imposed for transgressing the lord of the manor's own assizes.

NOTES AND REFERENCES

1. The Witanagemot, the Anglo-Saxon national assembly, was composed mainly of tenants-in-chief holding by virtue of military service. Cfr. V. Liebermann, *The National Assembly in the Anglo-Saxon Period* (London: 1913) and T. J. Oleson, *The Witanagemot in the Reign of Edward the Confessor* (London: 1955).
2. Words taken over from Anglo-Scandinavian and found in mediaeval texts include *scira, hundredum, hida, soka, geldum, thegnus, sochemannus, wert, wite* and *ordeal.*
3. Robert Holcot, *Chronicle,* quoted by Johan Vising, *Anglo-Norman Language and Literature* (Connecticut: Greenwood Press, 1970; 1st ed., 1923), p. 13. Holcot's assertion is considered authoritative by Vising and other scholars.
4. Quoted by George E. Woodbine, "The Language of English Law", *Speculum,* XVIII (Oct. 1943), 428.
5. *Year Books 20 & 21 Edward I* (London: Rolls Series), p. 75. Cfr. also *Year Books 1 & 2 Edward II* (Oxford: Selden Society), p. xxxiii *et seq.*
6. The first Anglo-Norman Parliamentary writ is of 1274-5, and the first petition of 1275. Cfr. *Rolls of Parliament* for those years. For examples of laws drawn up in Anglo-Norman in the second half of the 13th century, see *Statutes of the Realm,* I, xl.
7. John S. Furley, *Ancient Usages of the City of Winchester,* (Oxford: Selden Society, 1914), p. 3.
8. In 1233, "Peter Bishop of Winchester [and Justiciar of England] and his colleagues had so perverted the King's heart with hatred and contempt for his English subjects, that he endeavoured by all the means in his power to exterminate them, and invited such legions of people from Poitou [Henry III's mother's birth place] that they entirely filled England, [...] and nothing was done in England except what the Bishop of Winchester and this host of foreigners determined on" (Roger of Wendover, *Flores Historiarum,* ed. H. G. Howlett, trans. J. A. Giles (London: Rolls Series, 1886-9), II, pp. 565-6). In 1236, when Henry III married Eleanor of Provence, another chronicler wrote that "our English King [...] has fattened all the kindred and relatives of his wife with lands, possessions and money" (Mathew Paris, *Chronica Majora,* ed. H. R. Luard, trans. J. A. Giles (London: Rolls Series, 1872-84), I, p. 122. And in 1246, another influx of Poitevins took place when Henry invited his half-brothers to England after his mother's death (*ibid.,* II, p. 433).
9. George E. Woodbine, *op. cit.,*p. 426.
10. *Ibid.,* p. 426, footnote.
11. See Michel Richter, "Towards a Methodology of Historical Sociolinguistics", *Folia Linguistica Historica* 6 (1985), 41-61. Cfr. Ian Short, "On Bilingualism in Anglo-Norman England". *Romance Philology,* 33 (May 1980), 467-479.
12. The most important families of the manor of Hales Owen bore French surnames: Volatu, la Voley, Blanche, Archer, Pourte, la Grene, and others. See the *Court Rolls of the Manor of Hales, Parts I and II, 1270-1307,* eds. J. Amphelett, S. G. Hamilton and R. A. Wilson (London: Worcestershire Historical Society, 1912), pp. 96, 107, 170, 171, etc.
13. *Court Rolls of the Manor of Hales,* pp. xxxv-xxxvi.
14. Richard I's Justiciars were the first to send parties of itinerant judges around the country

to hear important matters reserved for their visit. These proceedings were undoubtedly run in French.

15. The male inhabitants of an English manor who were above 12 years of age were grouped in "tithings", each with a head (the tithingman, or chief pledge). The members of a tithing were collectively responsible for each other's behaviour, and it was the duty of the tithingman to report breaches of the peace, *etc.* The View of Frankpledge checked that everyone had been assigned to a tithing.
16. In eleven lists of post-1293 Great Court jurors that have survived, William Tewenhale figures ten times, John Warley and John Walter nine times each, and William Yeldingtree and Henry de Volatu eight times each. All were wealthy Hales Owen freeholders (*Court Rolls of the Manor of Hales,* pp. xxx-xxxi).
17. *Court Rolls of the Manor of Hales,* I, p. 140.
18. *Ibid.,* I, p. 460.
19. *Ibid.,* I, p. 406.
20. George C. Homans, *English Villagers of the Thirteenth Century* (New York: Norton & Company, 1975), p. 373.
21. *Court Rolls of the Manor of Hales,* p. 4. "The aletasters affirmed that Radulphus de la Grene brewed contrary to the ordinances." Here we have *tastor* (Gallic Latin *tastor,* probably a blend of *tangere* = 'touch' and *gustare;* O. Fr. *tasteur,* from the v. *taster*), the officer encharged with determining whether ale (whence *aletaster*), bread (whence *bread-taster*), *etc.* met the standard set by the *assizes* (ordinances, regulations); *cerevisia* (G. L. *cerevisia*; O. Fr. *cerevisia*), beer; *braciavit* (G. L. *braciare*; O. Fr. *brasser*), brew; and *assisam* (G. L. *assidere;* O. Fr. *assisi,* substantivized p.p. of *asseir*), assizes, a sitting of a legislative or judicial body, in particular those at which standards of weight and measure were established, and the standards so established.
22. *Ibid.,* p. 327. "Simon Gregory came and claimed a counterpane and two sheets that were in the bailiff's possession as having been seized from him, and proved them to be his on the oath of twelve jurors." Here we have *chalonem* (G. L. *chalon; O. Fr. chalon*), a woven woolen material chiefly used for linings; *linthiamina* (M. L. *linteamen;* O. Fr. *lintheame*), fine linings; *inventa* (G. L. *invenire;* O. Fr. *invenire*), the right to seize strayed property (this verb is also found in classical Latin, but with the meaning it has here it comes from O. Fr.); *ballivi* (G. L. *ballivus;* O. Fr. *bailiff*), an officer appointed by the Lord of the Manor; *elongata* (G. L. *elongare;* O. Fr. *eloignere*), remove; *provabit* (L. *probare,* which in G. L. and O. Fr. acquired the meaning 'to verify before a tribunal'), prove; and *catallum* (an A. L. calque of O. Fr. *chatel*), movable property.
23. *Hutesium* (p. 16) from O. Fr. *huer et crier* (it was a man's duty to raise a hue and cry whenever he believed a crime to have been committed); *merchetum* (p. 40) from A. N. *merchet,* a fee paid to the Lord of the Manor by a villein on giving his daughter in marriage; *heriotum* (p. 42) from A. N. *heriot,* a death duty (often the best beast) appropriated by the Lord of the Manor from the estate of a deceased village (cfr. *mortuarium* from A. N. *mortuarie,* a similar duty —often the second-best beast— appropriated by the parson); *defalta* (p. 9); *attachiare* (p. 87); *constables* (p. 251); *attornei* (p. 320); etc.
24. *The Owl and the Nightingale,* 1.5, MS. Cotton Caligula A. IX.
25. *Layamon's Brut,* 1.167, MS. Otho C. XIII (cfr. in MS. Cotton Caligula the O.E. word *ȝette*).
26. *Ibid.,* 1.454 (cfr. O.E. *gisles* in MS. Cotton Caligula).
27. *Saint Catherine,* 1.183, MS. Royal 17 A XXVII.
28. *Ibid.,* 1.607-608.
29. *Ancrene Riwle,* Morton's ed., 1.118.

30. *Sawles Warde,* MS. Bodleian Library 34, 1.261.
31. *Havelock the Dane,* MS. Laud Misc. 108, Bodleian Library, 1.2547.
32. *Floris and Blauncheflur,* MS. W4 I, National Library of Scotland (Auchinleck MS), 1.111.
33. George C. Homans, *op. cit.,* pp. 315-6.
34. Quoted by A.C. Baugh in *A History of the English Language* (London: Routledge & Kegan Paul Ltd., 2nd edition, 1959), p. 147.
35. The first by-laws recorded in the Court Rolls of Hales Owen appear as early as 1.241 (Treadway R. Nash, *Collections for the History of Worcestershire* (London: 1789-1899), I, p. 512). By-laws were agreed upon by the villagers to regulate the use of common pasture, the common field, etc. (cfr. Warren O. Ault, "Some Early Village By-Laws", *English Historical Review,* 45 (Apr. 1930) 226.
36. *Statutes of the Realm,* I, 375-6 (English translation taken from A. C. Baugh, *op. cit.,* pp. 177-178). This decree replied to the petition registered in *Rolls of Parliament* II, 273.
37. *Statute,* 4 George III, C, 26.
38. Woodbine, *op. cit.,* p. 395.
39. F. W. Maitland and F. Pollock, *History of English Law* (Cambridge: Cambridge University Press, 1898), pp. 25-6.
40. *Court Rolls of the Manor of Hales,* pp. 129-130, 149-50, 156-7, 347-9, etc.
41. Luis Iglesias-Rábade, "Norman England: A Historical Sociolinguistic Approach", *Revista Canaria de Estudios Ingleses* (in press). Cfr. also Luis Iglesias-Rábade, "Language and Society in the Manor of Spelsbury at the End of the Thirteenth Century", *Miscelánea,* N.º 8 (Zaragoza: Dept. de Filología Inglesa y Alemana, Univ. de Zaragoza, in press).
42. Treadway R. Nash, *op. cit.,* I, p. 510.