vicecomitibus et omnibus ministris suis Anglie salutem. Sciatis q[uod] ecclesia beati Swithuni Wint[onie] et Robertus prior et monachi ibidem deo servientes et omnes res et possessiones sue sunt in mea manu et custodia et protectione Et ideo volo et firmiter precipio ut ecclesiam illam et priorem et monachos ipsius ecclesie et omnes res et possessiones suas custodiat et manuteneatis et protegatis ita quod nullam eis iniuriam vel contumeliam faciatis nec fieri permittatis Et siquis super hoc eis in aliquo forisfacere presumpserit sine dilatione eis inde iusticiam faciatis T. G[aufrido] Arch[idiacono] apud Wudestoke.

XLIX

fo. 21.

[1101-18.]

H[enricus] rex Angl[ie] et dux Normann[ie] et Aquit[annie] et com[es] Andeg[avie] iusticiariis vicecomitibus et ministris suis de Dorseta salutem. Precipio firmiter quod omnes terre et homines episcopi et monachorum Winton[ie] sint ita liberi et quieti de sciris et hundredis et placitis et querelis et omnibus geldis et consuetudinibus sicut unquam inde liberiores et quietiores fuerunt tempore regis H. avi mei. Et prohibeo ne quis eis super hoc iniuriam vel contumeliam faciat. T. Ric[ardo] de Hum[eto] constab[ulario] apud Ware[n]g'.

Castle Watchmen

IN dealing with Mr. Lapsley's paper on 'The Staff of a Castle in the Twelfth Century',¹ I seem to have omitted the watchmen (*vigiles*), because there was nothing much to be said about them. There is, however, some special evidence on the watchmen of Norwich castle which is worth putting together.

Towards the end of the twelfth century Jocelin de Brakelonde mentions the payment of *Waite-fe* to the watchmen of Norwich castle from land of the abbot of St. Edmund's at Tivetshall (Norfolk). He speaks of it as a prescriptive payment :

Est autem quaedam terra in Tiretreshale de feudo abbatis quae reddere solet vigilibus de castello Norwici *Waite-fe*, id est xx solidos per annum, scilicet quinque solidos in quolibet ieiunio quatuor temporum. Antiqua est haec consuetudo, &c.²

Jocelin's editor describes it as 'the ancient payment of *Waite-fe* to the guards of Norwich castle'; but it was paid, not to the guards but to the watchmen (*vigilibus*) of the castle. One has to insist on this distinction because the editor of the *Red Book*, referring to this passage (p. ccxl), writes :

Why were not the Castle-ward rents of Rochester also entered here,

¹ *Ante*, xxxv. 90.

² *Memorials of St. Edmund's Abbey* (ed. Arnold), i. 271.

and those payable by the tenants of St. Edmund by the name of Waite-fe, with other commuted services ?¹

The answer is that he has confused the well-known castle-ward of the knights with the *waite-fe* due to the watchmen.

An inquest of 1251 deals with the Suffolk manor of Kentwell, of which the demesne paid '63s. a year to Norwich castle or ward and *waytefe*'.² An inquest after death in 1292 shows us 29*d.* paid 'for the guard of the castle of Norwich and 4*d.* for "*Waytefe*"';³ in another we read of a payment 'of 7*s.* monthly for the guard of the castle of Norwich and $\frac{1}{2}$ mark yearly there for "*waytefe*"';⁴ and, in yet another (1282), of '1 mark for the guard of the castle of Norwich every six weeks, and 15*s.* "*waytefe*"'.⁵ In all these cases the watchmen's '*waytefe*' was carefully distinguished, we see, from the castle-guard rents of the knights. Municipal '*waits*' are familiar to us in old corporation records, and '*the waits*' who watch by night are, as we know to our cost, with us still at Christmas.

J. H. ROUND.

Article 13 of the Articles of the Barons (1215)

In a short note upon this clause contributed to the *Law Quarterly Review* of January 1920 (xxxvi. 58-60), Mr. W. C. Bolland suggests that the word *abbrevientur* in the barons' request '*ut assisae de nova dissaisina et de morte antecessoris abbrevientur*' means 'recorded' and not, as Mr. McKechnie translates, 'shortened'. In the sense of 'record' the word in general use was *inbreviare*, not *abbreviare*;⁶ but, quite apart from this, Mr. Bolland's arguments for his translation of *abbreviare* in the document of 1215 will not, I fear, stand the test of investigation. Mr. Bolland makes three contentions in support of his view.

1. 'In 1215 assizes were heard and determined in the county court. The sheriff, who was the presiding judge, kept no rolls.' The recognition was a privilege authorized by a royal writ, and the subsequent action was from the first heard and determined before the king's justices. The writs, as given by Glanvil, make this quite clear. Thus the writ opening a case of novel disseisin instructs the sheriff to put the tenement in question

¹ Mr. Hall here cites 'i. 269' of the *Memorials*, but the statements on that page relate to the services of the abbey's knights, not to the watchmen and their *waite-fe*.

² *Cal. of Inquis.*, *Miscell.* i, no. 113.

³ *Cal. of Inquis. Post Mortem*, iii, no. 30.

⁴ *Ibid.* ii. 116.

⁵ *Ibid.* ii. 281.

⁶ It should be noted that the charter of Henry II quoted by Ducange s.v. '*abbreviare*' is an inferior text of Magna Carta (c. 26 *inbreviare catalla defuncti*). See *ante*, xxiii. 235 n.