

**THE PUBLICATIONS OF THE SURTEES
SOCIETY ESTABLISHED IN THE YEAR
M.DCCC.XXXIV. VOL XCIV.
FOR THE YEAR M.DCCC.XCIV. PEDES
FINIUM EBOR, REGNANTE JOHANNE, A.
D. MCXCIX.-A. D. MCCXIV.**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649668915

The Publications of the Surtees Society Established in the Year M.DCCC.XXXIV. Vol XCIV. For the Year M.DCCC.XCIV. Pedes Finium Ebor, Regnante Johanne, A. D. MCXCIX.-A. D. MCCXIV. by William Brown

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Cover @ 2017

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WILLIAM BROWN

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LEEDS:
PRINTED BY J. WHITEHEAD AND SON,
TRINITY STREET.

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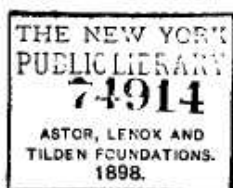
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PEDES FINIUM
EBOR.
REGNANTE JOHANNE

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Published for the Society
BY ANDREWS & CO., DURHAM
WHITTAKER & CO., 2, WHITE HART STREET, PATERNOSTER SQUARE
BERNARD QUARITCH, 15, PICCADILLY
BLACKWOOD & SONS, EDINBURGH

1897



At a Meeting of the Council of the SURTEES SOCIETY, held in Durham, on Tuesday, December 4th, 1896, the Dean of Durham in the Chair—

It was ordered,

That the Secretary do prepare a volume of Yorkshire Feet of Fines for the reign of King John, as a second volume for the year 1894, in place of the English Miscellany, which was to have been edited by the late Secretary.

INTRODUCTION.

THE Yorkshire feet of fines for the reign of King John, preserved in the Public Record Office, were till lately kept together in two bundles; the first containing the fines for the first six years of that king's reign, referred to in this volume as Yorkshire or *Ibid.*, and the second those for the remaining years of the reign, and referred to as Yorkshire* or *Ibid.** These fines are now arranged in separate books for each year of his reign, but are not placed in strict chronological order, such as has been adopted in the present volume.

The number of these Yorkshire fines is 459, all of which have been printed. In addition, twenty-three similar documents relating to Yorkshire have been interpolated from the feet of fines for Divers Counties and for Unknown Counties. These are distinguished by the addition of a letter of the alphabet affixed to them. The arrangement of these has not been changed.

To economize space, the more formal parts of the several fines have been omitted. To show what the omitted parts are like I print the commencement of No. xxiii., as I happen to have the chirograph in my own possession:—

Hæc est finalis concordia facta in curia domini Regis apud Westmonasterium in crastino S. Martini, anno regni Regis Johannis

tertio, coram G. filio Petri, Simone de Pat'hill, Johanne de Gestling', Godefrido de Insula, Waltero de Crepping', Justiciariis, et aliis fidelibus domini Regis ibidem tunc presentibus, Inter etc.

All fines commence in this way, and from the opening words, *Finalis concordia*, a "fine" derives its name. The justices of course are not in every case the same. A list of the justices before whom the fines in this volume were levied is printed in the Appendix, with references to the fines in which their names occur.

At what period the feet of fines assumed this stereotyped form is not known. Those *tempore* Richard I. (the Yorkshire ones are being printed in the Yorkshire Archæol. Journal, xi. 177-188) differ in no wise from those of John's reign. There is no collection of fines for Henry II.'s reign in the Record Office, but a certain number exist in chartularies. A Yorkshire instance, printed in the Guisbrough Chartulary, i. 167 (Surtees Soc. lxxxvi.) was levied at York on Feb. 1, 1188-9. The only variation occurs after the names of the justices, when it proceeds, "tunc Justiciariis domini Regis, et coram aliis Baronibus et fidelibus domini Regis, qui tunc aderant." With this slight difference, and the fact that no consideration is given (an omission probably due to the transcriber), it is similar in form to the ordinary feet of fines.

As the law relating to fines has for many years past been a matter of antiquarian interest only, it may be worth while to state what were the five essential parts to the levying of a fine¹:—(1) The original writ

¹ The law as stated here is rather more elaborate than was the case at this early period. The Court of Common Pleas was not yet in existence.