

Medieval Laws of Navigation

A King's Eye View
From the Patent Rolls
by Andy Biddulph



Commission of oyer and terminer to Brian de Stapelton, William de Melton, John Sayvyll, Robert Constable of Flaynburgh, knights, the mayor of York, William Moubray, Richard Basy of Bilburgh, Robert de Howom, Thomas de Howom, Jolin Berden, Simon de Quixlay, Thomas Thurkill, Robert Sauvage, John Houden and John, de Sadyngton Add in each man's retinue and they would have enough force to get the rivers cleared so that ships and boats may have their large and free passage.

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Introduction

There has been much talk about how to interpret medieval navigation laws. However, the truth of the matter will not be found in the cantilena of modern lawyers. We must look at how the Kings, as chief magistrate, applied those statutes in their own times. The Patent Rolls tell us how the Kings administered the statutes. These facts cut through the fog of words and show us what was really happening.

The first thing we need to do is cleanse our minds of the post industrial revolution idea of a weir and a mill. In the medieval period, there was neither the technology or the economic incentive to build massive pieces of civil engineering to drive overshot wheels to power a whole factory. Weirs were lightly constructed, often out of timber. They did not dam the stream but were more like scoops built in shallow water to direct part of the flow against the bank where they drove undershot wheels of a few horse power or provided a place to set nets, in which case they were called kiddles.

Fishing, especially for the massive migrations of Atlantic salmon, was an important source of protein and income. There was a strong economic incentive to maximise fishing on large rivers near London and the newly chartered cities. This led to conflicts with navigation since the kiddles were easily extended to encroach on more and more of the river channel. On the Thames, it appears that people just set up and started fishing. If they were driven off they just moved somewhere else, cut down a few trees and started again. The idea of a private fishery was only just entering the minds of men. On the Thames and Severn, there were some big land owners involved. On the Trent near Nottingham there was a “problem family” at Colwick who for generations were a considerable nuisance. Yorkshire appeared to be a problem county with sinners on all the rivers.

Only those intractable problems on commercially sensitive waterways got as far as the King's Court; most issues were resolved by the Assizes. This accounts for the preponderance of issues on the great rivers in the record. There is no evidence of the law being any different for great rivers. Indeed the only mention of great rivers is in 1427 in the context “waters and great rivers,” as a single category. Many rivers which are not great rivers are named as the subject of various commissions.

Edward III (13 November 1312 – 21 June 1377) intervened on smaller rivers and unnamed waters with and without citing his statute [25 Edward III. stat. 3, cap. 4.]

[Edward III, vol. 2, p. 290](#) Derwent, [Edward III, vol. 2, p. 572](#) Wye, [Edward III, vol. 5, p. 311](#) [Edward III, vol. 5, p. 312](#) Derwent, [Edward III, vol. 6, p. 91](#) Don, [Edward III, vol. 6, p. 392](#) [Edward III, vol. 6, p. 393](#) Tyne, [Edward III, vol. 10, p. 400](#) all rivers in Yorkshire, [Edward III, vol. 10, p. 547](#) All rivers in Somerset, [Edward III, vol. 11, p. 422](#) All Yorkshire rivers, [Edward III, vol. 11, p. 583](#) Waters and rivers in Yorkshire (Note the inclusion of all waters capable of navigation not only those called rivers), [Edward III, vol. 13, p. 282](#) River Lee, [Edward III, vol. 14, p. 201](#) Tyne, [Edward III, vol. 14, p. 345](#) [Edward III, vol. 14, p. 346](#) River Lee, [Edward III, vol. 15, p. 109](#) Tyne, [Edward III, vol. 16, p. 151](#) [Edward III, vol. 16, p. 152](#) River Witham and diverse waters

This clearly demonstrates that Edward III did not consider his 1337 statute applied only to great rivers as some ignorant persons now suppose. Indeed it seems Edward III was content to extend his law to unnamed waters that were physically navigable when not obstructed by miscreants. The confusion arises from the wording of [25 Edward III. stat. 3, cap. 4.] which mentions the complaints being made against obstruction of the great rivers but then proposes a general remedy just as clause 23 of the 1297 statute of Magna Carta begins with a specific complaint on the Thames and Medway which was generalised to “tout le roielm Dangleterre” Richard II set up commissions for a number of counties such as Sussex and Cornwall which contain no great rivers. A PRN on all unregulated

watercourses was simply assumed by the Kings of this period. Although the superiority of navigation rights was always asserted the overall picture was of sharing the natural resource of the river in a reasonable and sustainable manner for the common good; a mind set and mark of civilisation that we would do well to return to.

The idea of there being “King's Rivers” with a special navigational status does not appear anywhere in the record and appears to be an anachronistic notion from a later time. There is no distinction made between tidal waters and freshwaters. Indeed there are commissions for freshwaters only, tidal waters only, and mixed tidal and freshwaters, all with the same remit. The distinction between tidal and non-tidal also appears to be an anachronistic notion from a later time.

The case of the Yorkshire Derwent is interesting in view of the various judgements made about it in recent years. I have highlighted these references in case anyone would like to take it up.

I am grateful to the University of Iowa for their online resource <http://www.uiowa.edu/~acadtech/patentrolls/> and excellent search engine which made this work possible. Although it would have been easier if they had set the pages straight before scanning. Some of the links appear to only work properly within their search tool so it is best to access their originals from their website.

From the Patent Rolls. I have presented most of the references to weirs except for a few that were entirely about fishing or flood defence and those where weirs are just listed as part of a property. A few about sustainable fishing have been put in for balance.

1265 Feb. 15.

Commission to Gilbert de Preston and William de Engleby to enquire, by sworn men as well within as without the city of Lincoln, touching a complaint made on behalf of the commonalty of the said city, that certain religious men and others in past times, by the negligence and connivance of certain bailiffs and citizens of the said city, have made purprestures and trespasses in the suburb and other appurtenances of the said city, to wit, in occupying certain common pastures belonging to the said city; raising houses and mills there; bringing certain pastures into cultivation and appropriating them to themselves; and narrowing the course of the water of the said city, so that where there used to be a course of that water they have built houses and planted trees : obstructing the dyke which for the defence of the city without the wall used of ancient time to be broad and deep and building houses there ; making weirs in the said water of their own authority and appropriating the fishery thereof to themselves ; raising foreign chambers beyond the said water to the nuisance of those inhabiting the said city ; and doing many other trespasses to the very great damage and detriment of the city. [Henry III, vol. 5, p. 479](#)

1265 Feb. 25.

Commission to the said Gilbert, with those whom &c, to enquire touching a complaint made on behalf of the burgesses of Nottingham that whereas the waterway (iter navium) in the water of Trent between the town of Nottingham and Thorkese ought to be of the breadth of one perch on each side of the middle (fill) of that water, certain persons of those parts have raised weirs in divers places in the said stream without their assent and thereby so narrowed the waterway that ships cannot get to the said town as they used to do ; and to hear and correct the said trespasses and that inquisition &c. [Henry III, vol. 5, p. 480](#)

1271 June 24.

Commission to William Pasket reciting that, whereas fishers and others on the Thames and the course of other waters in the counties of Middlesex, Surrey, Berks, Buckingham and Oxford take

small fish with narrow nets smaller than the assize, and cause their gorges and weirs to be narrowed and dammed and such nets to be placed in them, so that vessels carrying divers necessities or small or other fish cannot pass the courses of the said water, because of this narrowing, as they used to do ; and R. king of Almain and other magnates and others, having lands near the water of Ottemore sustain grave damage through excessive adding (appositionem) of the wattles (clayarum) of the water of the said moor and the inundation of the said water and by the said fishers, and the lands adjoining the said moor are submerged to the damage of the whole country ; the king has appointed him to enquire into this matter by jurors of the counties, burn all nets made beyond the assize, destroy all gorges and weirs made as above, and amerce all fishing with and having such nets and gorges and weirs. [Henry III, vol. 6, p. 597](#)

1277 Feb 7

Order to Adam le Botiller, sheriff of Gloucester, to enlarge and open the banks of the Severn near certain weirs and elsewhere, so that there may be everywhere twenty-six feet of width near the said banks, by the view and testimony of two lawful men of the town of Gloucester and two others of the city of Worcester, specially elected for the purpose by the aforesaid counties, the king having been informed that, owing to the narrowness of the said weirs, ships and boats cannot pass through the said river without impediment and danger; such persons as resist the said sheriff in the matter to be brought before the king in Parliament on the quinzaine of Easter to receive the penalties to be provided against their contempt. The like to Leo de Bolinton. [Edward I, vol. 1, p. 195](#)

1280 April 22.

Commission of oyer and terminer to W. tie Helyun touching trespasses of venison and other trespasses affecting the chace of Bristol, co. Gloucester. The like to Ralph de Sandwyco and Giles de Berkeleye touching weirs on the banks of the Waye between Monemuth and Strugoill, co. Gloucester, which have been unduly raised. [Edward I, vol. 1, p. 408](#)

1281 Feb 21

Commission to the constable of the castle of Gloucester and Walter de Strichele to enquire by jury of that county what priors, abbots and others hold at farm weirs in the Severn belonging to William de Valencia, and divert and alter them from their old and customary state, and to restore them to their former condition. [Edward I, vol. 1, p. 469](#)

1283 June 13

Appointment of the said Grimbald and Walter de Caple, together with the sheriff of Gloucester, to view all weirs of the rivers Severne and Waye, and the nets of all fishermen in those fisheries, to ascertain that they are of the right assize with mandate to the sheriff to produce the fishermen with their nets. [Edward I, vol. 2, p. 66](#)

1286 Feb. 25

Commission to Geoffrey de Picheford and Walter de Agm[odesham] to enquire touching the persons in the counties of Middlesex, Surrey, Berks Buckingham and Oxford who take small fish with nets of smaller mesh than the assize of the river permits in the river Thames and other streams, and who straiten and obstruct weirs (gurgites et waras) there and place such nets on them, so that ships carrying victuals and small and other fish, by reason of the excessive straitening of the course of the said streams, cannot pass through as they were wont; and also touching the fishermen who set kidels (claiarum) excessively in the water of Ottemore, so that magnates and others having lands near the said water sustain damage through the overflowing thereof; with power to burn such nets, destroy weirs constructed against the assize, and amerce all persons using or possessing such nets, keeping such weirs, and committing such trespass in the moor of Ottemore. [Edward I, vol. 2, p. 256](#)

1286 March 14

Commission to Henry de Ribbesford and Leonius son of Leonius, together with Edmund de Mortuo Mari and others in places where the latter has not leisure to attend, to enquire touching the magnates and others who have narrowed and increased in height their weirs ou the river Severn between the towns of Gloucester and Shrewsbury, so that vessels cannot pass through as they were wont, and to pull the same down where necessary. [Edward I, vol. 2, p. 257](#)

1289 Oct. 2.

Commission to Fulk de Lucy and the constable of the castle of Gloucester to enquire touching weirs too high and too narrow, and nets of fishermen which are also loo narrow, in the river Severn, and to correct such as are not of the assize. [Edward I, vol. 2, p. 333](#)

1290 Sept 20

Commission to Nicholas de Segrave to associate with himself some knight of those parts, and to enquire by jury of the counties of Nottingham and Lincoln what magnates and other persons, holding lands by the water of Trent between the town of and Bikerdik', have built new weirs or narrowed or increased the height of old weirs there without the king's licence, and to remove or reduce the same. [Edward I, vol. 2, p. 407](#)

1291 Oct. 24.

Association of Walter de Bello Campo and Fulk de Lucy, with Alexander de Bykenore and others of those parts whom they think fit, to enquire by jury of the counties of Gloucester, Worcester and Salop, touching the magnates and others holding lands near the water of Severn, between the town of Bristol and the king's town of Shrewsbury, who have narrowed and raised weirs (gurgites et waras) there, contrary to the statute of Westminster, so that ships cannot pass as heretofore along that water, and touching others who have taken small salmon in that water with nets and other engines contrary to the same statute. [Edward I, vol. 2, p. 459](#)

1294 July 28

Commission to Robert Malet and William de Bereford to view the gorges and weirs in the Thames in the counties of Middlesex, Surrey, Berks, Buckingham and Oxford, as it appears that divers magnates and others having tenements by the river Thames and the river of the moor of Ottemor, between the city of London and the said moor, have erected gorges and weirs where they were not wont to be, and have straitened and raised the height of others, and that fishermen and others take small fish with narrow nets and kidels contrary to the assize in these and other rivers in the said counties ; by reason whereof vessels cannot pass as they were wont. They are to remove all weirs made or raised contrary to the assize, and to burn such nets and destroy the kidels. [Edward I, vol. 3, p. 114](#)

1299 Oct. 24.

The like to Peter de Leycestre and Henry de Knyveton, on complaint by the mayor and commonalty of Nottingham, that whereas by charters of the king's progenitors, and confirmation thereof by the king, they have the liberty that the water-way of the Trent should be free for persons navigating it for one perch on each side of the middle of the stream, William de Colewyk has by weirs in mid-stream, made by himself and his ancestors, prevented persons navigating so that they cannot come to the town and castle with goods and merchandise. [Edward I, vol. 3, p. 476](#) [Edward I, vol. 3, p. 477](#)

1300 Nov 3

Association of William do Bereford in a commission of oyer and terminer, lately directed to Peter

de Leycestre and Henry de Knyvetou, on complaint by the mayor and commonalty of the town of Nottingham that William de Colewyk had stopped the water-way of the Trent, which should be free for persons navigating it for one perch on each side of the centre of the stream, by weirs raised by himself and his ancestors in the deep water, so that persons navigating cannot come to the town and castle. [Edward I, vol. 3, p. 555](#)

1302 Aug. 5.

Commission to William de Bereford and Roger de Hegham to enquire touching a complaint of the citizens of London and other merchants of the realm passing along the Thames with vessels between that city and the town of Oxford, that magnates and others having lands near the river in the counties of Middlesex, Surrey, Buckingham, Berks and Oxford have constructed weirs, mills, and divers enclosures without licence, and have made the weirs and enclosures narrower and higher than they used to be, so that vessels laden with victuals, and the fish living in the river cannot go through as they were wont; and that fishermen catch fish with two narrow nets, contrary to Magna Carta ; and they are to abate the same. [Edward I, vol. 4, p. 88](#) [Edward I, vol. 4, p. 88](#)

1305 March 9.

Commission to Walter de Gloucestre and John Abel, touching weirs and other engines in the water of Severn, co. Gloucester, constructed to the deterioration of the weirs there of Margaret, queen of England, the king's consort. [Edward I, vol. 4, p. 346](#)

1305 Oct. 28.

The like to William de Bereford, Boger le Sauvage, Roger de Bella Fago and Walter de Aylesbury, on complaint by certain citizens of London and merchants of the realm passing with their ships along the Thames between the said city and the town of Oxford, that magnates and others in the counties of Surrey, Middlesex, Buckingham, Berks and Oxford have made weirs, mills and divers enclosures in that water, without licence, or raised those already made higher than they used to be, so that, by reason of the narrowing of the course of the water, ships and fish cannot pass as they used to do. [Edward I, vol. 4, p. 406](#)

1308 March 9 *** sea coasts and inland in same commission**

Commission de walliis et fossatis to William Howard, John le Bretun and Thomas de Ingeldesthorpe, touching the banks, sewers, bridges, causeys (calceta) and weirs along the sea-coasts and adjacent parts in the county of Norfolk. [Edward II, vol. 1, p. 86](#)

1308 Nov. 4. *** sea coasts and inland in same commission**

Commission de walliis et fossatis to Robert de Clyderhou and John Fillol for the banks, dykes, watergangs, sewers, bridges, causeys, and weirs along the sea-coast of the county of Sussex and of the freshwaters descending into the sea there. [Edward II, vol. 1, p. 165](#)

1316 Feb 20

Commission to John de Donecastre and Robert de Notyngnam to enquire into the complaint of the men of ths counties of Nottingham and Derby, by petition exhibited before the king and Council that, whereas the course. of the river Trente, from the mid stream of the said river, from the river Humber, to the castle of Nottingham, ought to be of the breadth of one perch at least, and of old time, whereof the memory of man exists not, was accustomed to be, so that ships laden with goods and merchandise could freely pass by the said river Trent from the Humber to the said castle, nevertheless, William de Colwyk and his ancestors diverted its course by weirs, and piles fixed in its waters to his watermill at Overcolewyk, whereby such ships cannot pass to the castle, and that by such weirs a great part of the profit which the king ought to receive from the fishery in his weirs and mills at Nottingham have failed him, to his loss, and the loss of all dwelling in those parts. [Edward II, vol. 1, p. 359](#)

1316 May 27.

Commission to William de Monte Acuto, Richard de Beere and Nicholas Rodlond to enquire into the complaint of men of the counties of Oxford and Berks that the abbot of Abindon and other men of those counties, who have weirs on the river Thames between the towns of Oxford and Wallingford, have reconstructed them of such a height that the lauds on each side are flooded, and have constructed certain obstacles on the weirs, which are called 'lokes' (quedani impedimenta, que lakes mncupantur, super gurgites predictos similiter de novo fecerunt) by which ships and boats, laden with victuals, are unable to pass to the town of Oxford and to return from thence as they have been accustomed to do, and to order such additions to be removed. [Edward II, vol. 2, p. 501](#)

1320 Dec 1

Commission to Adam de Brom and Gilbert de Ellesfeld, upon the petition of the burgesses of Oxford and commonalty of the county of Oxford, showing that the navigation of the river Thames for ships and boats passing between the city of London and town of Oxford is impeded by weirs in many places in the counties of Oxford, Berks and Buckingham, to view all such weirs, hold enquires where necessary, and to remove obstructions. [Edward II, vol. 3, p. 547](#)

1324 Dec. 14.

Commission to Henry le Scrop, John de Doneeastre, Hugh de Meygnill and Roger de Verdon to survey the weirs on either side of the Trent between the towns of Nottingham and Gaynesburgh, in the counties of Nottingham and Lincoln, and to cause all bars, chains and engines placed across the thread (tilt) of the stream to be torn up so that ships and boats may not be prevented from passing, as at present they are, and there may be a way of one perch on either side of the thread of the river as there used to be from the rivers Humber and Use to Nottingham for the munition of the king's castle there and the sustenance of the parts adjacent and the western parts. The said bars, &c. are to be at once carried to Nottingham castle and those to whom they belong are to be warned to come without delay to the king to answer herein.

1327 May 8

Commission to John de Cantebrigg', Robert de Kellesey and Robert de Asshele, on petition to the king and council in Parliament by the citizens of London and others who come to the city with their merchandise over the Thames, complaining that divers men of the counties of Middlesex, Surrey, Berks and Oxford have kidels along the banks of the river between London and Oxford, have made weirs in the same river, and fixed pales and piles along its course, and tied the cords of their nets athwart the stream, to the obstruction of ships and boats, contrary to divers charters of the citizens, and more especially to Magna Carta,—to enquire by jury of those counties as to the premises, with power to remove the said kidels, etc., and to punish offenders by fine and otherwise. [Edward III, vol. 1, p. 150](#)

1329 August 15

Commission to Robert de Aston, William de Chilterham and William Davy, to survey the weirs in the Severn between the king's weir at Gloucester and Newenham ferry, which are reported to be so obstructed that the fish cannot get up to the latter weir, contrary to the assize hitherto used there. [Edward III, vol. 1, p. 435](#)

1332 March 28. *** Yorkshire Derwent**

Commission to Roger de Somervill, Thomas Deyvill and Adam de Hoperton to make inquisition in the East Riding of Yorkshire touching complaints that, whereas in time past ships and boats could pass along the river Derwent as far as Staynforthbrig (Stamford Bridge), some persons having weirs and sewers in the river have raised these to such an extent as to obstruct the passage and that such vessels cannot now pass the river. [Edward III, vol. 2, p. 290](#)

1334 March 2

Commission to Robert de Sapy, William de Bradewell and Robert Dapetot, reciting that a commission was lately directed to Henry de Pembrugg, Robert de Aston and Adam Lucas to make inquisition in the counties of Gloucester and Hereford touching a complaint by Henry, earl of Lancastre, that the abbot of Tintern had raised divers weirs in the river Wye, to wit, Blikeswere, Itheleswere, Assshewere, Waiwere, Plumpwere, Stawere, Bathingwere and Brocwere, higher than they used to be so that ships could no longer pass to his town of Monemouthe and the adjacent parts, and that the commissioners in the exercise of their powers therein have caused the weirs of Itheleswere to be thrown down and intend to do the same with the remainder, reciting further that the abbot has since presented a petition before the king and council praying that the execution of the said commission may be stayed on the ground that all these weirs, except a moiety of Blikeswere are within the liberty of Strogull in Wales belonging to the king's uncle, Thomas, carl of Norfolk, the marshal, and are without the body of the county of Gloucester and of every other English county to make inquisition by men of the county of Gloucester, and of the said liberty and certify the king whether the weirs are in England or in Wales. [Edward III, vol. 2, p. 572](#)

1337 March 6

Commission to Nicholas de la Beche, Edmund de la Beche, Richard de Worth parson of the church of Fifhide, John de Thedmerssh, Thomas de Meaux and John Brounz, on complaint by the commonalties of the counties of Oxford and Berks that fishers in the river Thames, and keepers of weirs, sluices and piles fixed across the river, and millers of mills in and by the same take fish great, small and young, by nets made with too narrow meshes and other engines in an unduly destructive manner, contrary to the ordinance regulating nets and engines for taking fish, and that the weirs made for the mills are so raised and obstructed that the adjoining lands meadows and feedings are often flooded, to survey when necessary all nets sluices and engines for taking fish in the river in those counties, and the weirs and mill-ponds causing the floods, to find by inquisition the names of those who have so destroyed fish, to make proclamations against this wherever expedient, and to furnish delinquents, first by amercement, and afterwards by burning the nets and engines, and also to bring down to the proper level weirs and mill-ponds raised above measure and to remove all other obstructions complained of. [Edward III, vol. 3, p. 444](#)

1338 Oct 1

Commission to Nicholas de la Beche, William Trussel, John de Pulteneye, James de Wodestok, William de Langford and William de Latton, on complaint by the commonalties of the counties of Oxford, Berks, Surrey and Middlesex, that fishermen in the river Thames, keepers of the weirs, sluices and piles fixed across the river, and millers of the mills on or near the river take and destroy the young salmon and other fish large and small, with their young, by nets with too narrow meshes and other engines, otherwise than should be done or has used to be done, contrary to the ordinance of the taking of fish, that the stream is so narrowed by these weirs, sluices and piles that the passage of ships and boats with victuals for London and other places is greatly impeded, and that the weirs and stanks in the river made for the mills are so raised and obstructed that the neighbouring meadows and feedings are very often wholly submerged, to survey where necessary all nets, sluices, weirs, piles and engines used in those counties, the obstructions of the passage of boats, and the stanks, piles, and impediments whereby the floods are caused, to find by inquisitions the names of all who have offended against the ordinance, to make proclamations and inhibitions herein in the king's name as shall be expedient, to punish delinquents by amercements and other means, and to bring all sluices and stanks to the proper level. [Edward III, vol. 4, p. 149](#)

1341 July 8 ***Yorkshire Derwent**

The like to Thomas Ughtred, William Scot, William Basset, William Pleyce, and John de Shirburn, touching divers weirs, kidels and sewers raised by some persons in the river Derwent, between the towns of Langrake and Staynfordbrigge, co, York, so that ships and boats laden with merchandise

cannot pass for the common good of the men of those parts, as these used to do, on account of such impediments. [Edward III, vol. 5, p. 311](#) [Edward III, vol. 5, p. 312](#)

1343 May 20

Commission to Roger de Novo Mercato, Thomas Levclaunch, John de Lundynton and John de Rednesse to make inquisition in the counties of York and Lincoln touching petitions of the men of the parts of Merskland, co. York, and the island of Haxholmc, co. Lincoln, before the king and council in the present Parliament, shewing that Edward 11 at their suit setting forth that the river Done, which is the bound between those counties, where there used to be a course of water for the passing of ships from the town of Donecastre to the water of Trent and for making sewers for the adjacent lands, was then obstructed, by letters patent appointed John de Donecastre and others to remove the obstructions and cause the river to be brought back to its ancient course, and they caused the river to be dug at the charges of the men of the said parts from a place called 'Crullflethill' to a place called 'Donmyn' to a breadth of 16 feet and one grain of bailey and the course of the water to be brought back to the ancient course, and now the river is again obstructed by bridges, weirs and other things so that the said breadth is not kept, whereby the passing of ships is impeded and the land adjoining is flooded, and praying him to cause the obstructions to be removed. [Edward III, vol. 6, p. 91](#)

1344 June 25

The like to Roger Hillary, William de Langford, John Syward, John de Croydon and William de Iford, on information that many men of the counties of Middlesex and Surrey at divers places in the water of Thames, under that water near weirs between the town of Westminster and the bridge of Stanes, where ships and boats have been wont to pass, have fixed piles and wattles and other engines for the taking of fish to such an extent that the same ships and boats in the time of the ebbing and drawing off of the water of the river cannot pass for the carriage of victuals and other necessities, to the great damage of the king and people. [Edward III, vol. 6, p. 385](#) [Edward III, vol. 6, p. 386](#)

1344 July 10

Commission to Gilbert de Uniframvyll, earl of Angus, Robert de Fennewyk, sheriff of Northumberland, and Richard de Galeweye, mayor of Newcastle-upon-Tyne, co. Northumberland, to survey weirs and kidels on either side of the water of Tyne, as a large number of these are stated to have been made there of late and of greater length than they ought to be, whereby the passage of ships and boats to the town is narrowed and they cannot now come to the town with merchandise as hitherto, and to remove all beyond the number hitherto allowed there or found to be of greater length or breadth than they should be. [Edward III, vol. 6, p. 392](#)

1344 July 10

Commission to Gilbert de Umframvyll, earl of Angus, John de Fennewyk, Richard de Galeweye, mayor of the town of Newcastle-upon-Tyne and Adam de Corbrigge to survey weirs and kiddles across the water of Tyne, which are said to be now made beyond the number ordained and longer than they ought to be so as to obstruct the passage of boats and ships to the said town, to remove all that they find to exceed the number ordained or to be longer, broader or higher than they ought to be, and to punish by amercements or otherwise as shall be expedient all those whom they shall find making such weirs and kiddles. [Edward III, vol. 6, p. 393](#)

1352 Feb. 26

Commission to John de Bray, Thomas Gerveys, Beynold de Neuport, Alexander de Babeham and Robert de Waltham, to enforce the acts of 25 Edward III [Stat. 3. cap. 4], and Edward I [Stat. Westm. the Second, cap. 47], in the water of Thames between London Bridge and Henlee Bridge, as that water flows by the counties of Middlesex and Berks, to survey all weirs, mills,

stanks, stakes (estachia) and kiddles on the water and all nets put in the water, and to remove all obstructions to the passage of ships and boats there.

The like to them, on both sides of the water of Thames from London

Bridge to Yenlade, as that water flows by the counties of Kent and Essex. [Edward III, vol. 9, p. 276](#)

1356 May 6 ***Yorkshire Derwent**

Commission, pursuant to the statute of the Parliament at Westminster, 25 Edward III, to Thomas Ughtred, William Basset, William Malbys, John de Langeton of York and John Moubray, to survey and enquire by the oath of good men of the county of York touching all weirs, mills, stanks, stakes and kiddles raised in the waters of Ouse, Ayre, Done, Wherf, Swale, Nidde and Derwent, from the time of the king's grandfather, and to remove any that obstruct those waters.

[25 Edward III. stat. 3, cap. 4.] [Edward III, vol. 10, p. 400](#)

1357 Feb. 10

Commission to Walter de Rodeneye, William Fifhide, John Tryvet and John de Roches, pursuant to 25 Edward III, [stat. 3, cap. 4] to survey all weirs, mills, stanks, stakes and kiddles in rivers in the county of Somerset and remove any that obstruct the passage of ships and boats. [Edward III, vol. 10, p. 547](#)

1360 Aug. 16 ***Yorkshire Derwent**

Commission, pursuant to 25 Edward III, [Stat. 3, cap. iv.] to Thomas Ughtred, John Moubray, John de Langeton of York, Illard de Usflete et Hamo de Hessay to survey all weirs, mills, stanks, stakes and kiddles, in the waters of Ouse, Ayre, Done, Wherf, Nidd and Derwent, co. York, and remove any that obstruct the passage of boats. [Edward III, vol. 11, p. 422](#)

1361 July 1 ***Yorkshire Derwent**

Commission, pursuant to 25 Edward III, stat. [3, cap. 4], to William de Skipwyth, Thomas de Ingelby, Illard de Usflete, John de Langeton, Henry de Barton, Thomas de Egmanton, Thomas de Wythornwyk and John de Feryby, to survey kiddles and weirs in the waters and rivers of Ouse, Ayre, Derwent, Wherf, Yore, Swale, Nidd, Hull and Don, and to make inquisition by the oath of good men of the counties adjacent to those rivers whether any of these obstruct the passage.

[Edward III, vol. 11, p. 583](#)

1363 Oct. 20

Commission, pursuant to 25 Edward III [stat. 3, cap. 4], to Richard de Byngham, Richard de Greye of Landeford, Robert de Morton, John Stirap and Roger de Hopwell, to remove obstructions by weirs &c. in the water of Trent, co. Nottingham ; as it has been intimated to the king on behalf of the men of the town of Nottingham that the passage of that water is now much obstructed. [Edward III, vol. 12, p. 449](#)

1365 Feb. 22

Commission of oyer and terminer to John de Clyvedon, knight, Matthew de Clyvedon and Henry de Percehaye, touching a petition, on behalf of the commonalty of the counties of Somerset and Wilts, shewn before the king and council in the present Parliament containing that the

Bristol is so obstructed and narrowed by weirs, piles and palings and land raised on both sides of it that the adjacent lands, meadows and pastures are flooded and the passage of crayers and boats with victuals is impeded. [Edward III, vol. 13, p. 140](#) [Edward III, vol. 13, p. 141](#)

1365 May 1 *** identical provisions for sea.**

Commission to the king's admiral Ralph Spigurnel and his deputies in the West and North to survey,

when necessary, all places in arm of the sea and on the coast where weirs, piles and palings, have been put and fixed by fishermen deeper in the water than they used to be whereby the passage of ships is much impeded and ships sailing for those places are often wrecked and their cargoes lost ; and have all such weirs, piles and palings as they find to exceed due limits drawn up and removed. [Edward III, vol. 13, p. 144](#)

1366 April 23

Commission pursuant to a statute of the Parliament held in the twenty-fifth year, to Alan de Bukeshull, constable of the Tower of London, Thomas la Vache, John de Ardern, Edmund Fitz Johan and Robert de Aldebury, to survey all weirs, mills, stanks, piles and kiddles erected in the river* running from the town of Ware to the town of Waltham and thence into the Thames near the Tower of London, which ought to be repaired by the constable of the said Tower, and to make inquisition in the counties adjoining the said river as to which and how many of the said weirs etc. were erected in the time of Edward I or later, and to remove such as are nuisances ; to make inquisition also touching all other defects, purprestures, shelves (shelpis), bridges and other nuisances, and cross currents existing to the prejudice of the king and his people, and touching the names of those who have taken tolts, customs or other prises, on their own authority and without title, of all ships and boats passing the said weirs, mills, stanks, piles and kiddles, also of all owners of ships and boats, shoots (schutis) of all masters, governors and mariners who have taken excessive wages, against the statute of labourers, or excessive payment for carriage of goods by the said river ; and by whose default the cross current exists and common passage of ships. [Edward III, vol. 13, p. 282](#)

* River Lee

1366 May 6

Commission to John de Boys, Thomas de Fulnetby, Ralph de Redford, William Wascelyn, William Bray and John de Amcotes to survey the water of Ancolne and the weirs and sewers running thereto from a place called Bishopbriggis, co. Lincoln, to the water of Humbre, which are now so narrowed and obstructed that the whole country on both sides of the said water is flooded, and to find by inquisition who are bound to cleanse the said water, weirs and sewers, and to compel such, by distrains and ameracements, to do so. [Edward III, vol. 13, p. 283](#)

1368 Nov. 26

Commission to Gilbert de Umframvill, earl of Angos, Roger de Wyderyngton, Roger de Fulthorp and Richard de Stanapto enforce the statute [13 Edward I. stat. Westm. sec., cap. 47] of the taking of salmon out of season, and the statute of 25 Edward III. [stat. 3, cap. 4] touching new weirs in rivers, in the water of Tyne. [Edward III, vol. 14, p. 201](#)

1369 July 1

Commission to Alan de Buckeshull, constable of the Tower of London Robert Ruthyn, Willam de Halden, Willam Tauk and Edmund Fitz Johan, pursuant to the statute of 25 Edward III. Touching the removal of weirs, mills, stanks, palings and kiddles impeding the passage of rivers, and because the king has learned that there are many defects in the water or river running from Ware to Waltham and thence to the Thames near the Tower of London, which defects ought to be repaired by the constable of the Tower of London, to survey all such weirs &c. in the said river, to make inquisitions as to the time at which these were erected and touching all other defects, purprestures and other nuisances, and to throw down all those found by the inquisitions or other lawful informations to be obstructions ; also to find by the oath of the good men of the counties adjacent to the river the names of those who have taken tolls, customs or other prises or profit of ships, boats and shutes passing by the river, without title, and the names of masters, governors and mariners of the same who have taken excessive wages contrary to the statutes of labourers, or excessive sums in hand or by covenant for carriage in the shutes and boats on the river, and by whose default the passage of the said water or river has been hindered ; and to punish all found

guilty in the premises, and hear and determine all trespasses. [Edward III, vol. 14, p. 345](#) [Edward III, vol. 14, p. 346](#)

1369 July 24

Commission, pursuant to a statute passed at Westminster in the twenty-fifth year, to Aymer de Sancto Amando, Warin de Insula, John de Foxle, Roger de Elmbrugge, Edmund de Chelreye, John de Evesham and John de Herdewyk, to keep the water of Thames between Henle and Rotecote, in the counties of Oxford and Berks, according to the said statute, to find by inquisitions the names of those who have put or erected weirs, palings, stanks and kiddles in that water, to survey all weirs, mills, stanks, palings and kiddles therein and to remove and completely thrown down all that have been erected since the time of Edward I. and obstruct the passage. [Edward III, vol. 14, p. 346](#)
[Edward III, vol. 14, p. 347](#)

1370 Nov. 26

Commission to Robert de Thorpe, 'chivaler,' John de Cavendish, John Pyel and John Geffron, pursuant to a complaint by merchants and others of the counties of Leicester, Derby, Northampton, Bedford and Huntingdon that very many weirs, mills and stanks have been newly placed and erected in the water of Husee* between the towns of Huntingdon and St. Ives, through which ships and boats used to pass with victuals and other merchandise, so that by the erection thereof the stream is totally turned aside and obstructed, — to make inquisition in the county of Huntingdon what weirs, mills and stanks have been there erected in and after the time of the king's grandfather, to have all such removed according to the late ordinance made at Westminster, to compel and distrain all persons who are held to remove the same to do so by any means, to arrest and commit to prison all who are contrariant in the matter, to do all things necessary for the cleansing of the said water and to hear and determine the premises. [Edward III, vol. 15, p. 35](#)

*Great Ouse

1371 March 15

Commission de kidellis to Thomas de Ingelby, Godfrey Foljambe, Robert de Morton and Thomas de Sutton, on information that many weirs, mills, stanks, piles and kiddles have been newly placed in the water of Trente between the town of Notyngam and Kenaldeferye against the form of the ordinance lately made at Westminster. [Edward III, vol. 15, p. 104](#)

1371 May 12

Commission to Gilbert de Umframvill, earl of Angus, William de Eyncheden, Robert de Umframvill, 'chivaler,' Roger de Wyderyngton, Roger de Fulthorp, Clement de Skelton, the mayor of Newcastle-upon-Tyne, and Thomas de Horsele, reciting that whereas the king lately appointed the earl and others to remove all weirs, mills, stanks, piles and kiddles in the waters of Tyne between Prodhowe and Newcastle-upon-Tyne, and thence to the sea, which were put there in the time of Edward I or afterwards, he has now learned from the complaint of men of the county of Northumberland and other counties that although the said weirs &c. were removed by the said commissioners, nevertheless divers men of those parts have raised them and others anew so as to totally obstruct the river for the passage of ships and boats; and appointing them to survey the said weirs &c., make inquisition in the county of Northumberland touching those who raised them anew after they had been removed, punish them by fines, ransoms, amercements and otherwise, cause all such weirs &c. to be removed, and arrest and commit to prison until further order all who are contrariant in the matter. [Edward III, vol. 15, p. 109](#)

1374 Nov. 18 *** identical provisions for sea.**

Commission de walliis et fossatis to the abbot of Battle, Thomas de Reyns, lieutenant of William de Latymer, constable of Dover castle and warden of the Cinque Ports, William Battersford, Roger de Asshebornham, William de Home, Benedict Sely and John Salerne in respect of the bridge built

with the king's licence by the burgesses of Wynchelse at Pypewell across the water called ' le Chanel ' of Wynchelse, and also the walls, dykes, gutters, sewers, bridges, causeways and weirs on either side of the said water between the town of Wynchelse and the towns of Odymere and La Rye. [Edward III, vol. 16, p. 58](#)

1375 May18

Commission to Gilbert, earl of Angus, William de Bussy, ' chivaler/ Henry Asty, Thomas de Oavmond, William Pilet, Thomas de Hagh and Ellis de Middelton,— on information that the water of Wythoin and certain dykes and places through which divers waters in the counties of Nottingham and Lincoln from Cleypole to the city of Lincoln flow into the said water, are so narrowed and choked by earth, sand and the planting of trees that for that reason and by reason of certain weirs and mill-stanks situated on the said water, which hinder the course thereof, the lands, meadows and pastures of the men of those parts have been and are often inundated, and that certain bridges and causeways in those parts are so broken that in winter time there is no way of crossing them,— to survey the said obstructions, bridges and causeways, have the impediments removed, have the stream of the water enlarged to the breadth of 40 or 30 feet and to the depth of 10 feet, make inquisition touching those by whose default the damages have occurred and those who will gain by their removal, and compel them and the bailiffs of the liberties and others, by distrains and amercements, to cleanse and enlarge the dykes and places, remove the obstructions and repair the bridges and causeways. [Edward III, vol. 16, p. 151](#) [Edward III, vol. 16, p. 152](#)

1377 Feb. 22

Commission to Thomas de Ingelby, Roger de Kyrketon, Simon de Leke, William de Burgh and William de Lughtburgh, on complaint that many weirs, mills, stanks, palings and kiddles are newly placed and raised in the water of Trent between Nottingham and Kenaldeferye, so that the course of the water is so diverted, obstructed and narrowed that ships and boats cannot pass as they used, against the form of the ordinance made in the parliament lately held at Westminster, to survey all such weirs, mills, stanks, palings and kiddles, and all other defects of the said water, find by inquisition in the counties of Nottingham and Lincoln what weirs &c. were raised in the time of the king's grandfather and afterwards, and by whom and when, compel the removal of all such and of all other defects of the water by those who raised them and others who are bound to do this, do all other things necessary for the better and safer passage of ships and boats, and hear and determine the premises. [Edward III, vol. 16, p. 489](#)

1378 Feb. 27

Commission to Thomas de Ingelby. Roger de Fullhorp, John de Felton. Gerard de Uslete, Thomas Fitz Henri, Henry de Harton, clerk, Robert, de Haldanby and Thomas do Beverlay, to enquire touching the placing of weirs, fishing nets and other engines, in the river Ouse, in the county of York, contrary to the statute of Westminster, and contrary to the Custom that obtains there. [Richard II, vol. 1, p. 131](#)

1378 Nov. 12

Commission of oyer and terminer to John de Grey of Codenore, knight, Henry Grey of Wylton, knight, William de Burgh, Robert de Morton and Robert Martell, on information that divers weirs, mills, pools, pales and kidels have been newly placed and erected in the water of Trent, co. Nottingham, to the obstruction of the course of ships and boats therein. They are to enquire which of them were so placed in the time of Edward I., and remove those subsequently erected. [Richard II, vol. 1, p. 309](#)

1379 May20

Commission of oyer and torminer to William de Skipwith, Roger de Fulthorp, Robert de Novyll, Henry dc Barton, Thomas Graa Thomas de Nessfeld and Thomas de Thurkhill to survey all weirs,

mills, pools, pales and kidols which have been set up in the rivers Hull and Ouse to the obstruction of ships and boats. They are to enquire which of those were so placed in the time of Edward I., and remove those placed there since, in accordance with the statute of 25 Edward III. [Richard II, vol. 1, p. 363](#)

1380 March 6

Commission of oyer and terminer to Ralph, baron of Graystok, John Marmyon, knight, Ralph de Hastynges, knight, Roger de Fulthorp, knight, Henry de Barton, clerk, John de Grysburn, Thomas Gra and Thomas Thurkill, upon the complaint of the commonalty of York touching the erection in the water of Ouse of divers weirs, mills, ponds, piles, pales and kidels, to the obstruction of ships and boats, in contravention of the statutes of 25 Edward III. and 45 Edward III., with power to reform all defects therein, and compel obedience. [Richard II, vol. 1, p. 471](#)

1380 April 10

Commission of oyer and terminer to Alan de Buxhall, constable of the Tower of London, the abbot of Waltham Holy Cross, John Philipot, William de Walleworth, John de Middelton, John de Bampton, John Orgone, William Rikhill, Robert Neuton, Clement Spice and Walter Sibille, on information of divers defects in the water or river running from Ware to Waltham and thence to the Thames near the Tower which ought to be repaired by the constable of the Tower, to survey all the weirs, mills, pools, pales and kidels therein erected, to enquire by jury of men of the adjacent counties which of them were there in the time of Edward I., and remove those subsequently placed there, in accordance with the statute of 25 Edward III., to enquire who have taken tolls, customs or other prises or profit from ships and boats passing through the said river, &c., with power to punish offenders. [Richard II, vol. 1, p. 474](#)

1382 April 26

Commission to Thomas Morieux, constable of the Tower of London, John Philipot, Nicholas Brembre, William Walleworth, John Norhampton, Walter Sibill, John Chircheman, Hugh Fastolf, Robert Lucas, John Holt, William Rikhill, Hugh Midelton, Robert Heth and Robert Hotot, reciting the statute of 25 Edward III., and directing them to enquire touching weirs, mills, pools, stakes and kiddles erected in the river flowing from Ware to Waltham and thence into the Thames near the Tower, and to remove all so erected since the time of Edward T., and to enquire touching the tolls taken without authority from ships, boats, and shouts (s/infix) at the said weirs, etc., the names of the owners, masters and mariners, and the wages paid, if excessive and contrary to the statute of labourers, and touching the obstruction of navigation, and to act as commissioners of oyer and terminer in respect of the premises. [Richard II, vol. 2, p. 144](#)

1382 June 28

Commission to Rodger de Fulthorp, Robert de Morion, Robert de Haldenby, William de Swynflete and Robert Gauke, at the supplication of the men of Merskland, co. York, and the isle of Haxholm, co. Lincoln, to enquire whether after, by virtue of letters patent of Edward II., John de Donocftstro and others cleared the river Done (the division between those counties and which serves for the passage of ships to the Trent and for sewerage of the lands adjacent) of obstructions between places called 'Crullflehill' and 'Demmyir' to a breadth of 16 feet and a barleycorn, bridges, weirs and other obstructions have since been made in diminution of its breadth, and to cause the same to be removed at the expense of the men of those parts. [Richard II, vol. 2, p. 193](#)

1383 Jan 20

Commission of oyer and terminer to Robert Trenlian, Reginald Malyns, Thomas Sakevill, Gilbert Wace and Nicholas Carrewe, touching the erection of certain weirs, mills, mill-ponds, stakes and kiddles in the Thames between Walyngford and Goryng, in the counties of Oxford and Berks

contrary to the statute of 25 Edward III. [Richard II, vol. 2, p. 250](#)

1383 July 11

Commission of oyer and terminer to Robert Tresilian, Reginald de Malyns, Thomas Sakevill, Gilbert Wace, John Nowers, Edmuud Giffard, Reginald Sheffeld and John Walker of Hampton, on information that divers weirs, mills, pools, stakes and kiddles have been placed in the Thames between Walyngford and Goryng in the counties of Oxford and Berks contrary to the statutes of 25 Edward III. and 45 Edward III., which are recited. [Richard II, vol. 2, p. 351](#)

1383 Nov 16

Commission of oyer and terminer to Edward Courtney, Earl of Devon, Robert Tresilian and John Cary, touching the construction of divers weirs, mills, pools, strakes and kiddels in the river Towe between Brastaple and Molland, co Devon, contrary to the statute of 25 Edward III. [Richard II, vol. 2, p. 355](#)

1383 Nov. 16

Commission to John de Greye of Codenore, William de Nevill, justice of the forest beyond Trent, Sampson de Strelleye, Thomas More, clerk, Robert de Morton, Hugh de Annesleye, Thomas de Merdeleye and William de Lughtburgh to enquire touching the complaint of the king's mother (in respect of her town and castle of Nottingham) and of the people there that Richard Biron of Colwyk has closed his weirs, mills and pools at Colwyk on the Trent between Nottingham and the sea, to the hindrance of navigation. [Richard II, vol. 2, p. 356](#)

1384 Dec. 15

Exemplification, at the request of John Chynnok, abbot of Glastonbury, of the tenor of the record and process had before Guyde Briene, knight, and the other justices de walliis, fossatis, etc. in the county of Somerset on the Monday after St. Margaret, 6 Richard II. reciting the king's commission to them dated 1 June, 5 Richard II. and letters close (in French) under his privy seal dated 10 July, 5 Richard II. inquisitions taken at Bridgewater on the said Monday and the subsequent proceedings, touching a wall called 'Southlakewal' lying between 'la Pathe and Tutteyatetrees' in Weston, choking certain watercourses called 'runes,' which the jury say the abbot and his tenants should repair, and touching two weirs in the Peret called 'Tappynghweres' doing the same, which the abbot of Glastonbury and the bishop of Winchester should remove, and touching a copse of osiers (virgultum) at Tutteyate in Weston appropriated by the said abbot and his tenants, producing the same effect, which they ought to remove; touching the obstruction of the watercourse called 'Wythyrune' by default of the abbot and his tenants of Wythyes on the one side, and Sir William Cogan and his tenants of Honyspull on the other; a subsequent inquisition taken at Taunton on Tuesday after St. Giles, 6 Richard II. wherein the jurors present that the said abbot maintains in Monketon trees hanging over the Tone right across it, so that boats cannot pass as they were wont, viz. between the mill of Tobrigge and Bathepole; that Bathepole mulle erected for grinding corn is raised in the middle of the Tone by stone walls six feet higher than they were ever before, to the damage of the country below the mill-house built upon them by Richard de Acton, knight, and is now held by the abbot; that another mill has been erected for fulling in the same river close by, both by the said Richard since the great pestilence and both in the abbot's hands; and that inundation takes place, the highway between Taunton and Balhepolcbridge is thereby undermined and the passage of boats and fish between Bridgewater and Taunton alike prevented; furthermore, that a piece of ground in Monketon is appropriated on one side by the abbot for the fixing of willow and other trees, and on the opposite side by John Poulet, knight, to the diminution of the breadth of the river from 30 feet to 10 feet, or 12 feet at most, from Bathepole to Criche.

The abbot answers that the said wall is in Othery, not in Weston, which is parcel of his manor of Sowy, that he holds a piece of ground called 'Southlakemore' in Othery containing about 40 acres of land, meadow and pasture, parcel of the said manor, between the said wall and Burwal, that the

Peret adjoins Southlakemore, and the sea ebbs and flows therein, and that Southbikewall is arid has been from time, immemorial for its safety against inundations of sea or fresh water; tint running through Southlakemore there is a highway called ' la Drene,' and that. the. abbot and his predecessors have always maintained the said wall for the, said purpose, without it ever having had any watercourses, 'runes, 1 sowers, etc., and further that, he and his predecessors from time immemorial have had a weir called ' Tappyingwere ' in the river Peret, parcel of their manor of Sowy, of the same dimensions as heretofore, and that the copse complained of has been removed, and the other nuisances abated ; whereupon it is decreed that the said abbot, the said Richard and their tenants should go free,except for certain fines. [Richard II, vol. 2, p. 511](#) [Richard II, vol. 2, p. 512](#)

!388 April19

Commission of oyer and terminer to Brian de Stapelton, William de Melton, John Sayvyll, Robert Constable of Flaynburgh, knights, the mayor of York, William Moubray, Richard Basy of Bilburgh, Robert de Howom, Thomas de Howom, Jolin Berden, Simon de Quixlay, Thomas Thurkill, Robert Sauvage, John Houden and John, de Sadyngton— upon complaint by the commonalty of the county of York that divers weirs, mills, kiddles, etc. have been newly placed in the water of Ouse, and others which were removed by searchers, in accordance with the ordinance of Parliament, have been replaced to the great obstruction of navigation — after survey thereof, to correct the said defaults,and enquire what weirs, etc. existed in the time of Edward I, and what have been subsequently set up, and to remove all obstructions in accordance with the ordinances of the Parliaments of 25 Edward III. and 45 Edward III. which are recited. [Richard II, vol. 3, p. 471](#)

1388 May10

Commission of oyer and terminer to Thomas de Holand, earl of Kent, constable of the Tower, Nicholasde Clifton,William Rykhill, Thomas de Skelton., William Gascoigne and Hugh de Midelton,, on information that divers defects 'exist in the water or river flowing from Ware to Waltham and thence as far as the Thames by the Tower, which ought to be repaired by the constable for the time being. They are to enquire, by oath of men of all the counties adjacent to the said river, what weirs, mills, kiddles, etc. were created in the time of Edward I, and what subsequently, removing the latter in accordance with the statute of 25 Edward III, and also who, without authority, have taken tolls, custom or other prises from ships, boats and shouts thereon,the names of those who have ships, boats and shouts thereon,and of the masters, governors and mariners who take excessive wages contrary to- the statutes of labourers and workmen, or excessive sums for carriage by agreement or otherwise, and by whose default the river is so traversed and the common passage obstructed, and they are to cause all to appear before them to answer touching the premises, with power to punish them in accordance with the aforesaid statute. [Richard II, vol. 3, p. 472](#) [Richard II, vol. 3, p. 473](#)

1390 Feb 20

Commission to John de Grey of Codenore, Robert de Swylyngton, John de Annesley, Robert de Cokfeld, Thomas More, clerk, Hugh de Annesley, Robert Martell and Thomas de Merdeleye, on complaint by queen Anne and the people of the parts adjacent that whereas in Colwyk, which lies on the river Trent between the castle and town of Nottingham and the sea, there was heretofore a trench (quedam trenchea), by which part, of the water of Trent held its course as far as the mills, weirs and pools of Richard Biron there,and descending by the said weirs and mills fell into the river Trent, and by the impetus of the said water of Trent and divers works, restrictions, breaches and elevations in the trench and elsewhere made in the said river the straight course of the said water is diverted into the trench, Moving to the said weirs, mill and pool, the said 'Richard has kept them closed and not open and unjustly keeps them so at present, whereby ships and boats cannot pass or return to the said castle and town, for which grievance they pray redress. The commissioners are to enquire by jury of the county of Nottingham, and if by inquisition or by inspection of the water

or due information they find the premises as alleged to be true, they are to take such order as they deem meet that ships and boats may pass in the channel of the said river with their cargoes too the castle and town of Nottingham without hindrance as heretofore. [Richard II, vol. 4, p. 216](#)

1390 March 9 ***Yorkshire Derwent**

Commission of oyer and terminer to John Godard, knight, John de Ask, William Gascoigne and William Hungate, on information that divers defects exist in the river Derwent between Staynfordbrigg and the Ouso, in contravention of the statute passed in the Parliament at Westminster in the year '25 Edward III against the erection of weirs, mills, stanks, pales and kidells in rivers. The commissioners are to survey all such obstructions in the said river, enquire by jury which of them have been erected since the time of Edward I, and cause them to be removed, and also to enquire what persons of their own authority have taken toll, custom or other eviction from ships, boats and shutes thereon, and the names of those who have such vessels and of the masters, governors and mariners other eviction from ships, boats and shutes thereon, and the names of those who have such vessels and of the masters, governors and mariners who take excessive fees for carriage, contrary to the statute of labourers. [Richard II, vol. 4, p. 266](#) [Richard II, vol. 4, p. 267](#)

1390 May 30

Commission of oyer and terminer to Brian de Stapelton the elder, William de Melton, John Sayvill and Robert Conestable of Flaynburgh, knights, William de Holm and Hugh Arden, upon complaint of the commonalty of the city of York that divers weirs, mills, stanks, piles, pales and kidells have been lately erected in the river Ouse so as to obstruct navigation, in place of others removed by searchers in accordance with the ordinances of Parliament in the years 25 Edward III and 45 Edward III, the latter prohibiting such erection under a penalty of 100 marks. They are to examine the said obstructions and remove such as have been erected since the time of Edward I, and to compel thereto those who are bound to remove them, in accordance with the ordinances aforesaid. [Richard II, vol. 4, p. 272](#) [Richard II, vol. 4, p. 273](#)

1390 Nov. 10

Grant, during pleasure, to John Lounde, esquire, the king's leech, of the office of searcher of the river Wythom and all other weirs thence as far as Henlade, if the office is, and has heretofore been given by the king, and is void, and no one has it by letters patent of the late king or the king. [Richard II, vol. 4, p. 376](#)

1391 Feb 16

Commission to Thomas Barentyne, John Rede, John Toupe, John de Preston the younger and John Coterell to enquire and certify the names of the evildoers who have broken the arrest placed by Ralph Scote—to whom the king granted the custody of the fishery of the Thames from London Bridge to Yenlade on the one side and Oxford Bridge on the other, with instructions to see that the nets and weirs were of right size according to custom, and who by virtue of his office arrested and detained certain nets in Kent, Essex, Middlesex, Surrey, Bucks, Oxford and Berks, which were not of right measure—upon the same, and carried them away; and to certify touching all the circumstances. [Richard II, vol. 4, p. 439](#)

1391 June 1

Commission to John de Grey of Codenore, Robert de Swylyngton, John de Annesley, John Kentwode, Robert de Plesyngton and Robert de Cokfeld, knights, Thomas More, clerk, Hugh de Annesley, Robert Martell, Thomas Claymond and Thomas de Merdeleye to enquire touching the complaint of queen Anne and the people of the parts adjacent to Noin Colwyka trench by which part of the Trent water used to keep its course as far as the mills, weirs and stanks of Richard Biron in that town and descending through the weirs and mills fell into the Trent and by its fall and divers works, narrowings, breaches and risings in the trench and elsewhere in the river itself, the right

course of the water is diverted, and the said Richard has kept the weirs and stanks closed and not open, so that ships and boats cannot go and return to the castle and town of Nottingham. If the commissioners find by inspection of the water or due information that the course of the river is so diverted, and that the said Richard keeps the weirs and stanks closed, they are empowered to ' take order as they deem fit that ships and boats with victuals and merchandise pass up and down the channel of the river without obstruction. [Richard II, vol. 4, p. 442](#) [Richard II, vol. 4, p. 443](#)

1391 July 11 *** identical provisions for sea.**

Commission to John Button, William Coggeshale, and Richard Button, knights, William Rykhill, Clement Spico and John Durward to enquire whether the king's grant by letters patent dated 1 October, 8 Richard II, to John Sewale of Coggeshale, late sheriff of Essex, now deceased, of a sand-bank (quoddam sabulum) in the sea called 'Colnebench Abuttas' on Merseyesheld in that county, for making weirs there for catching fish, to him and his heirs for eighty years at a certain yearly rent, is prejudicial to the king or any of the people; upon information that grave damage and prejudice is done to both and the passage of ships and boats, accustomed to pass freely, obstructed. [Richard II, vol. 4, p. 517](#)

1391 Dec. 6

Commission to Richard Lescrope, knight, John Kentwode, knight, William Thirnyng, Richard Sydenham and John Leek, knight, to enquire in the presence of Richard Byron after notice to him and certify touching the complaint of queen Anne and the people of the parts adjacent to the Trent, that at Colwyk on that river between Nottingham and the sea there was heretofore a trench by which part of the river held its course as far as the mills, weirs and stanks of the said Richard in Colwyk and descending through the said weirs and mills fell into the river, and by the force of the water and divers works, narrowings, breaches and elevations in the trench and elsewhere in the river its right course is diverted, and the said Richard has kept the weirs and stanks closed and still unlawfully keeps them so, so that ships on the river cannot pass to the said queen's castle and town of Nottingham. [Richard II, vol. 5, p. 78](#) [Richard II, vol. 5, p. 79](#)

1397 Feb 12

Commission of over and terminer to Henry de Percy, earl of Northumberland, Ralph de Nevyll, knight, Robert de Nevyll, knight. John de Pepeden, knight, John Ingelby, William l'Yost, mayor of York, Thomas Gray, Thomas Thurkill, and John Wylmot, after examining the weirs, mills, stanks, piles, pales and kidells placed in the river Ouse. co. York, to the hindrance of navigation contrary to the statute of the year 25 Edward III. [Richard II, vol. 6, p. 101](#)

1398 June 10

Commission to the mayor of London, Matthew Southeworth, Nicholas Oarreu, Walter P. okelond', Thomas Tildesley and William Frye, with the assent of certain lords, magnates and knights of the shire coming to the last Parliament for tin* commons of the realm by authority of the said Parliament committed to them herein — to execute the statutes of '25 Edward 111 and '45 Edward 111 against the enhancing and straitening of mills, weirs, stanks, stakes and kiddles, and to survey the weirs and redress offences. in the comity of **Middlesex**. Cf. Bells of Parliament, III, 371. The like to the following, in the counties named :

The mayor of London, William Rykhill, Matthew Southeworth, William Makenade. John Culpepir. John Reche – **Kent**.

June 20.

William Thirnyng, knight. Thomas Ayleslmry, knight, Edmund Hamden, Thomas Shelley. Richard Overtoil. Edmund Brudnell. John Barton. Robert James – **co. Buckingham**

Gerard Braybroke the younger, knight, Ralph Pygot, knight, Thomas Peyver, knight, John Worchepe, John Hervy, Reginald Ragoun, William Teryngton, Robert Baa – **co. Bedford.**

Reginald de Everyngham of Laxston, knight, William Chaworth, knight, Hugh Shyrlay, knight, Edmund Per point, John de Leek, knight, John Markham, John de Gaytford, William de Saunby, Hugh Cressy, Thomas de Soutton – **co. Nottingham**

Miles de Stapelton, knight, Ralph de Shelton, knight, William Rees, John Gurney, William Snetesham, Robert Martham, Thomas Lexham – **Norfolk.**

Philip Spenser, knight, John Bussy, knight, Henry Ratford, knight, William Belisby, knight, Robert de Tirwhit, William Crosby, Robert Cumherworth. William Bolle, John de Mers – **co. Lincoln.**

Henry Grene, knight, Giles Malory, knight, Thomas Grene, John Catesby, John Mulsho, Richard Paries, Robert Haldenby, John Jeffroun – **co. Northampton.**

Walter Clopton, knight, Humphrey Stafford, knight, John Moygne, John Frome, John Perlee, Walter Biere, William Payn – **Dorset.**

Henry Grene, knight, William Thirnyng, knight, William Papworth, knight, John Knyvet, John Styuecle, Robert Baa, Richard Boteler – **co. Huntingdon.**

William Astele, knight, William Bagot, knight, Thomas Astele, knight, Thomas Burdet, knight, John Catesby, Robert Goushill, Guy Spyney, Thomas Purfrey, William Pole – **co, Warwick.**

John Depeden, knight, Richard Redeman, knight, William Gascoigne, John Ingelby, John Conyers. Richard Gascoigne – **West Riding**

Nicholas de Longeford, knight, Nicholas Mountgomery, knight, Robert Fraunceys, knight, Thomas Wenesley, knight, John Curson of Keteleston, Thomas Foljambe, Peter Pole, William Athurley – **co. Derby.**

John Herle, knight, John Colshill, John Arundell, John Tremayn the elder, Roger Trewythennek, Richard Glyvyan – **Cornwall.**

Thomas, earl of Gloucester, John Gassy, knight, Thomas Boteler, knight, Henry de la Ryver, knight, John Cheyne of Bekford, knight, Robert Whityngton, John Cole, Thomas Gayner, – **co. Gloucester.**

William Rykhill, knight, William Serene, Clement Spice, William Bateman, Robert Neuport – **Essex.**

Thomas Cammoys, knight, Nicholas Carreu, Thomas Blast, John Preston, Walter Hoke – **Surrey.**

Aluuiric de Sancto Amando, Richard 'Abborbnry the older, Gilbert Talbot, knight, John Rede, Laurence Dru, Robert Ja[me]s, William Bruns, John Arches – **Berks.**

Hugh do Shirlo, knight, John Eyles'ord, knight, Robert Haryngton, knight, Robert Veer, Thomas Fv\shy, Thomas Hutton, William Palmere, Robert Langham, John Wychard – **co. Leicester**

Robert Turk, knight, Edward Benstede, Thomas Thorneburgh, Robert Neuport, John Ryggewyn, William Kymbirlee – **co. Hertford.**

Thomas, earl of Gloucester, John Gassy, knight, John Russell, knight, John Blount, Henry Bruyn, Robert Russell, Henry Hagley William Botelere – **co. Worcester.**

John Lovell, knight, John Roches, knight, John Lillebon, knight, John Dautesey, knight, William Horneby, William Stourton, John Wykyng – **Wilts.**

Thomas Cammoys, knight, Thomas West, knight, William Percy, knight Thomas Blast, John Preston, Robert Oxenbrigg – **Sussex.**

Robert Hilton, knight, Peter Bukton, knight, Robert Tirwhyte, William Hungate, Nicholas Roscelyn – **East Riding of York.**

William Sturmy, knight, Thomas Skelton, knight, John Ovedale, William Hornby, William Ryngebourn, John Tank – **co. Southampton.**

John Lovell, knight, Richard Abberbury the older, Thomas Harocourt, knight, John Rede, William Wilcotes, John (iolafre, Thomas Barentyn, Richard Overtoil – **co. Oxford**

Philip Courteney, knight, Walter Clopton, knight, Peter Courteney, knight, John Hull, William Bykhull, John Wadham, James Chidele^h, knight, William Hankeford, William Brenchesley, Robert Hull the elder, John Copieston, William Burloston – **Devon.**

Richard Seymour, knight, Peter Court rimy, knight, Walter Oopton, knight, John Ayadham, knight, Ivo Fitz Waryn, knight, John [^]La,ny ford, Thomas Brok, knight – **Somerset.**

[Richard II, vol. 6, p. 369](#) [Richard II, vol. 6, p. 370](#) [Richard II, vol. 6, p. 371](#) [Richard II, vol. 6, p. 372](#) [Richard II, vol. 6, p. 373](#)

1403 Nov.8

Appointment of Peter Courtenay, 'chivaler,' John Hill, 'chivaler,' and William Cheyne, 'chivaler,' as justices for the survey of the rivers in the county of Somerset pursuant to the statutes of 25 and 45 Edward III and 21 Richard II concerning the erection of weirs, mills, stanks, pales and kiddles.

1404 Feb. 28

Appointment of Peter de Courtenay, 'chivaler,' John \Yadham, 'ehivaler,' \William Stourton, Robert Hull the younger. John Manyngford, Thomas Bowet and John Stourton as justices for the supervision of the river of the water of Avene between the city of Bath and the town of Bristol pursuant to the statutes of 25 and 45 Edward III and 1 Henry IV concerning the erection of weirs, mills, stanks, pales and kiddles. [Henry IV, vol. 2, p. 427](#)

1404 Oct 14

Commission of oyer and terminer to Hugh Huls, John Hill, Laurence Dru, John Golaire, Robert James, Robert Bullok and Richard Brouns in the county of Berks pursuant to the statutes of 25 and 45 .Edward III and 1 Henry IV touching the erection of weirs, mills, stanks, pales and kiddles. [Henry IV, vol. 2, p. 504](#)

1408 March 5

Commission of oyer and terminer to William de Gascoigne, Thomas Kukehy, 'chivaler,' Robert Waterton, Henry Wynian, Richard Norton, Nicholas Blakeburn, William Sawlay, Thomas Hesill and William Bowes in the county of York touching offences against the statutes in Parliament of 25 and 45 Edward III and 1 Henry IV concerning the erection of weirs, mills, stanks, pales and kiddles. [Henry IV, vol. 3, p. 473](#)

1410 March 10

Appointment of Hugh de Burnell, John Cokayn, Payn Tiptot, John Colvyll, John Rochefort, Richard Norton and William Ludyngton as justices of the survey and custody of the rivers in the counties of Cambridge and Huntingdon pursuant to the statutes of 25 and 45 Edward III. and 1 Henry IV. concerning the erection of weirs, mills, stanks, pales and kiddles. [Henry IV, vol. 4, p. 181](#)

1415 Feb. 10

Commission of oyer and terminer to Richard Wyot, Thomas Mylrede and Thomas Conyngesby in the counties of Middlesex and Buckingham touching the erection of weirs, mills, stanks, pales and kiddles contrary to the statutes of 25 and 45 Edward III and 1 Henry IV. [Henry V, vol. 1, p. 295](#)

1415 June 10

Commission of oyer and terminer to Gilbert Umfravill, 'chivaler,' William Babyngton, John Slory, Thomas Claymound, John Hampsturley and Robert Blyton on the water of Wythum in the counties of Lincoln and Nottingham from the town of Claypole to Lincoln and the water of Brant in the county of Lincoln touching offences against the statutes in Parliament of 25 and 43 Edward III and 1 Henry IV concerning the erection of weirs, mills, stanks, poles and kiddles. [Henry V, vol. 1, p. 347](#)

1416. Feb. 20

The like to Richard de Veer, earl of Oxford, Walter Grendon, prior of the Hospital of St. John of Jerusalem in England, John Preston, John Barton the elder, Robert Chichele, Henry Barton, John Corf, Walter Grene, John Fraye, John Rokesburgh, Reginald Malyns and Richard Foxe on the water called la Ley between the counties of Essex and Middlesex leading from the town of Ware to the Thames. [Henry V, vol. 1, p. 347](#)

1416 July 5

Commission to Richard de Veer, earl of Oxford, Walter Grendon, prior of the Hospital of St. John of Jerusalem in England, John Preston, John Barton the elder, Robert Chichele, Henry Barton, John Corf, Walter Grene, John Fraye, William Rokesburgh, Reginald Matins and John Walden to be justices of the survey and custody of the water called 'la Ley' in the counties of Hertford, Essex, and Middlesex from the bridge of the town of Ware to the Thames pursuant to the statutes of 25 and 45 Edward III and 1 Henry IV concerning the erection of weirs, mills, stanks, pales and kiddles [Henry V, vol. 2, p. 78](#)

1418. Nov. 24

Commission of oyer and terminer to James Strangways, Richard Fairfax, John de Ask, Guy Fairfax and William Fencotes on the waters of Wherf and Swale in the county of York touching offences against the statutes of 25 and 45 Edward III and 1 Henry IV concerning the erection of weirs, mills, stanks, pales and kiddles. [Henry V, vol. 2, p. 206](#)

1423 July 12

Commission to John Martyn, Thomas Lane, William Haute, Roger Rye and the sheriff of Kent, to hold inquisition as to weirs, stakes and kidells, alleged to have been erected at various points in the rivers of Thames and Medeweie, from a plaice called Reculver to Yendale, and thence to the bridge of Maydeston, to the impediment of navigation, contrary to the statutes of 25 Edward III [St. iii. -c, 4], and 45 Edward III [c. 2]. [Henry VI, vol. 1, p. 123](#)

1427. Feb. 5

Commission to W. bishop of London, Walter Hungerford, knight, treasurer of England, Lewis Robersart, knight, Robert Rolleston, keeper of the great wardrobe, John Fray, Thomas Rolf, John

Leventhorp the elder, Henry Barton, John Symond, and Walter Grene, or to two or more of them, including either Frayor Symond, pursuant to the statute of 25 Edward III, relative to weirs and kidels and subsequent confirmatory statutes, to survey and keep the water called *le Leye' in the counties of Hertford, Essex and Middlesex, from the bridge of the town of Ware to the water of Thames. [Henry VI, vol. 1, p. 402](#)

1427. Dec, 6. *** waters and great rivers**

Commission to John Hals, Thomas Rolf, William Burley, Hugh Burgh, Roger Corbet and John Wynnesbury, and to any two or more of them, including either Hals or Rolf, pursuant to Statutes 25 Edward III [c. 4], 45 Edward III [o.2], 1 Henry IV [c. 12], to be justices to survey and keep the waters and great rivers in the county of Salop, to remove all weirs, mills, stanks, stake and kidels erected since the reign of Henry III, to the impediment of navigation, and any additions to such ancient structures as are too high or too strait. [Henry VI, vol. 1, p. 467](#)