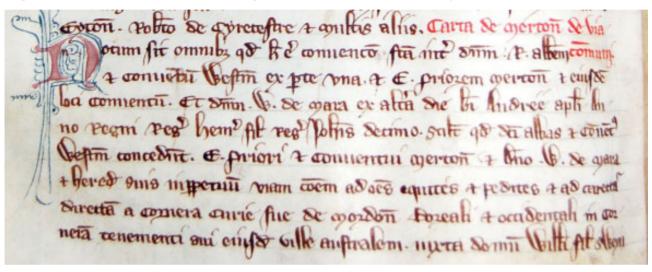
Westminster Abbey Muniments Book 11: 'The Westminster Domesday', fo. 169b-170 British Library Cotton MS Cleopatra C. vii folio cxj.v|

Charter of Merton touching a common way.

Covenant between Dom. R(ichard de Berkyng) Abbot and the Convent of Westminster on one side, and E(gidius de Bourne) Prior and the Convent of Merton, and Dom. W(illiam) de Mara on the other side, whereby the Abbot and Convent of Westminster grant to the Prior and Convent and Dom. W(illiam) de Mara a common way for all men on horse and afoot, and for carts straight from the north and west corner of their Court at Mordone to the south corner of their tenement in the same vill near the house of William Fitz Sweyn on the west side as it can extend behind their Court at Mordone across their meadow there. In return whereof the Prior and Convent and W(illiam) de Mara quitclaimed to the Abbey and Convent the road which they required of them across their court at Mordone and a path across their meadow. Witnesses: Gilbert de Edington; Mag. Philip de Hamme; Mag. William de Cheiham; John de Bedinton; John de Gatesdene; Geoffrey de Mora; Roger de NorÞebroc; Alexander de Wicford; Ypolitus the Sheriff's servant; Geoffrey Motier.



Carta de Merton de via communum. Charter of Merton concerning a common way.

Notum sit omnibus quod haec est convencio facta inter Dominum R Abbatem (1)/ et conventum Westmonasterii ex una Let all know that this is the covenant made between the lords R the Abbot and the convent of Westminster on the one part

parte et E Priorem Merton et eiusdem (2)/loci conventum, et Dominum W de Mara ex altera, die beati Andree Apostoli, and E the Prior of Merton and the convent of the same place, and the lord W de Mara on the other, on the day of the

anno (3)/ regni Regis Henrici filii Regum Johannis, decimo scilicet quod dicti Abbas et conventus (4)/ Westmonasterii Blessed Apostle Andrew in the tenth year of the reign of King Henry son of King John, namely that the said Abbot and

concedunt E Priori et conventui Merton et Domino W de Mara (5)/ et heredibis suis in perpetuum viam communem ad convent of Westminster have granted to E the prior and convent of Merton and the lord W de Mara and his heirs in

omnes# equites et pedites et ad carectas (6)/ directam a cornera curiae suae de Mordon boreali et occidentali in (7)/ perpetuity, a common way for all riders and pedestrians and for carts direct from the northern and western corner of their

corneiam[§] tenementi sui eiusdem villae australem iuxta domum Willelmi filii Sweyn (8)/ court of Morden to the southern corner of their tenement in the same vill next to the house of William son of Sweyn

Merton Cartulary (ibid) has homines; Westminster Domesday uses the abbreviation oës for omnes.

\$ Merton Cartulary (ibid) has corneram.

NOTES:

Will. Svein is listed in the Custumal of Westminster Abbey manors of c.1225, as a villein with the smallest customary holding in Morden, of just 3 acres. (British Library Additional Charter 8139 and WAM 9287)

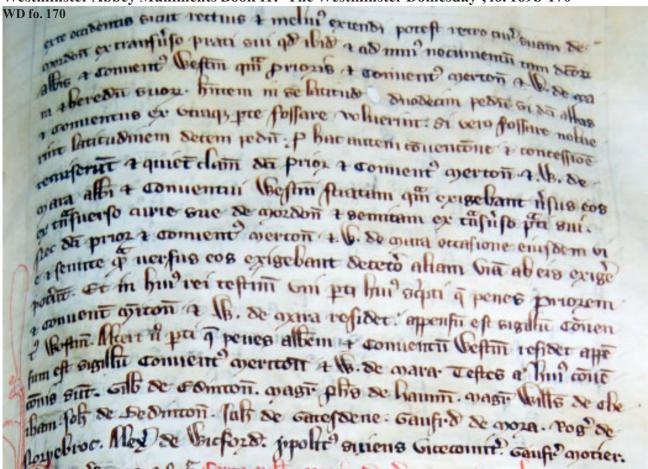
A memo at the foot of British Library copy – BL Cotton MS Cleopatra C. vii folio cxj. v. reads: *Morden Iste Willno de Mara fuit domino de Ravesbury*. Morden: the same William de Mara was lord of Ravensbury.

Daniel Lysons, *The Environs of London* (1792) I, 353, dates this reference to 1250. The document appears to have been copied into the Merton Cartulary in the 13th century, but the handwriting of the footnote appears to date from the late 14th /early 15th century (British Library – personal communication).

The translation in Alfred Heales *The Records of Merton Priory* p. 86 has a number of errors. Also, his shorthand in referring to the abbot without mentioning the convent, and therefore saying 'his court', has led to the misunderstanding that it was William de Mara's court instead of the abbot's court.

WAM Book 11 gives more witnesses than BL Cotton MS Cleopatra C. vii.

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exte/ex parte## occidentis sicut rectius et melius extendi potest retro curiam[?] suam de (l)/ Mordon ex transverso prati on the west side, extending just as straight and best as possible, behind their court of Morden, going across their meadow

sui quod ibidem est ad minus nocumentum tam dictorum (2)/ Abbatis et conventus Westmonasterii quam Prioris et that is there to the least harm, not only to the said Abbot and convent of Westminster, but also to the Prior and convent

conventus Merton et W de Mara (3)/ et heredum suorum, habentem in se latitudinem duodecim pedum si dicti Abbas (4)/ of Merton and W de Mara and his heirs, having in its breadth twelve feet, if the said Abbot and convent, on both sides,

et conventus ex utraque parte fossare voluerint. Si vero fossare noluerint (5)/ latitudinem decem pedum. Pro hac autem wish it to be ditched, or if indeed they do not wish it to be ditched, by breadth of ten feet. Thus for this covenant and

conventione et concessione (6)/remiserunt et quietum clamam dicti prior et conventus Merton et W de (7)/Mara Abbati concession, the said prior and convent of Merton and W de Mara have resigned and quitclaimed to the Abbot and

et conventui Westmonasterii stratam quam exigebant versus eos (8)/ ex transverso curiae sua de Mordon et semitam ex convent of Westminster the road that they required from them going across their court of Morden and the pathway going

transverso prati sui (9)/ Nec dicti Prior et conventus Merton et W de Mara occasione euisdem viae (10)/ et semite quam across their meadow. Yet the said prior and convent of Merton and W de Mara, by reason of the same way and path that

versus eos exigebant decetero aliam viam ab eis exigere (11)/ potuerunt. Et in huius rei testimonium uni parti huius is required of them, henceforth are able to require from them another way. And in witness whereof, to one part of this

scripti que penes priorem (12)/ et conventum Merton et W de Mara residet appensum est sigillum conventus (13)/ writing that shall reside with the Prior and convent of Merton and W de Mara, has been affixed the seal of the convent of

Westmonasterii. Alteri unius parti que penes Abbatem et conventum Westmonasterii residet appensum (14)/ est sigillum Westminster. To the other part that with the Abbot and convent of Westminster shall reside, has been affixed the seals of

conventus Merton et W de Mara. Testes autem huius convencionis (15)/sunt Gilbertus de Edinton, Magister Phillipus the convent of Merton and of W de Mara. Witnesses to this covenant are Gilbert de Edinton, Master Phillip de

de Hammes, Magister Willelmus de Cheiham, Johannes de Bedinton, John de Gatesdene, Gaufridus de Mora, Roger de Hammes, Master William de Cheiham, John de Bedington, John de Gatesdene, Geoffrey de Mora, Roger de

Noryebroc, Alex de Wicford, Ypolitus serviens vicecomitus Gaufridus Motier. Northbroc, Alexander de Wicford, Ypolitus servant of sheriff Geoffrey Motier.

Merton Cartulary (ibid) has ex parte; Westminster Domesday has exte.