

## The Forest Charter, 1217

Henry, by the grace of God, king of England, lord of Ireland, duke of Normandy, Aquitaine, and count of Anjou, to the archbishops, bishops, abbots, priors, earls, barons, justices, foresters, sheriffs, stewards, servants, and to all his bailiffs and faithful subjects, greeting. Know that out of reverence for God and for the salvation of our soul and the souls of our ancestors and successors, for the exaltation of holy church and the reform of our realm, we have granted and by this present charter confirmed for us and our heirs for ever, on the advice of our venerable father, the lord Gualo, cardinal priest of St Martin and legate of the apostolic see, of the lord Walter archbishop of York, William bishop of London and the other bishops of England and of William Marshal earl of Pembroke, ruler of us and of our kingdom, and our other faithful earls and barons of England, these liberties written below to be held in our kingdom of England for ever.

- 1 *In the first place, all the forests which king Henry our grandfather made forest shall be viewed by good and law-worthy men, and if he made forest any wood that was not his demesne to the injury of him whose wood it was, it shall be disafforested. And if he made his own wood forest, it shall remain forest, saving common of pasture and other things in that forest to those who were accustomed to have them previously.*
- 2 *Men who live outside the forest need not henceforth come before our justices of the forest upon a general summons, unless they are impleaded or are sureties for any person or persons who are attached for forest offences.*
- 3 *All woods made forest by king Richard our uncle, or by king John our father, up to the time of our first coronation shall be immediately disafforested unless it be our demesne wood.*
- 4 *Archbishops, bishops, abbots, priors, earls, barons, knights and freeholders who have woods within forests shall have them as they had them at the time of the first coronation of the aforesaid king Henry our grandfather, so that they shall be quit forever in respect of all purprestures [the unlawful seizure of the king's land], wastes and assarts [new fields created from previously waste land, with the agreement of the lord] made in those woods between that time and the beginning of the second year of our coronation. And those who in future make waste, purpresture or assart in them without licence from us shall answer for wastes, purprestures and assarts.*
- 5 *Our regards shall go through the forests making the regard as it used to be made at the time of the first coronation of the aforesaid king Henry our grandfather, and not otherwise.*

- 6 The inquest or view of the expediting of dogs in the forest shall henceforth be made when the regard ought to be made, namely every third year, and then made by the view and testimony of law-worthy men and not otherwise. And he whose dog is then found not expedited shall give as amercement three shillings, and in future no ox shall be seized for failure to expedite. The manner, moreover, of expediting by the assize shall generally be that three claws of the forefoot are to be cut off, but not the ball. Nor shall dogs henceforth be expedited except in places where it was customary to expedite them at the time of the first coronation of king Henry our grandfather. **[this was a process called 'lawing'. It meant of course that the dog would be incapable of hunting the King's game]**
- 7 No forester or beadle shall henceforth make scotale or levy sheaves of corn, or oats or other grain or lambs or piglets or make any other levy. And by the view and oath of twelve regards when they make the regard as many foresters are to be set to keep the forests as shall seem to them reasonably sufficient for keeping them. **[Scotale was where the officer of the forest kept an alehouse, and basically forced the locals to come and use it, on the understanding that if they didn't he'd find a way to make trouble for them.]**
- 8 No swanimote shall henceforth be held in our kingdom except three times a year, namely a fortnight before the feast of **St** Michael, when the agisters meet to agist our demesne woods, and about the feast of St Martin, when our agisters ought to receive our pannage-dues; and at these two swanimotes foresters, verderers and agisters shall appear but no one else shall be compelled to do so; and the third swanimote shall be held a fortnight before the feast of St John the Baptist for the fawning of our beasts, and for holding this swanimote foresters and verderers shall come but no others shall be compelled to do so. And in addition every forty days throughout the year the verderers and foresters shall meet to view attachments of the forest both of the vert and of the venison on the presentment of those foresters and with the attached present. The aforesaid swanimotes however shall only be held in counties in which they were wont to be held. **[A swanimote was a forest court. The king had been given to sending out his foresters to take courts, to raise revenue for the crown as much as bringing truth, light and justice. So now there are rules. Agist is pasturage, the right to grazing. Pannage is similar, but refers specifically tot right to take pigs into the forest to feed. And dig up truffles, eat acorns, that sort of thing.]**
- 9 Every free man shall agist his wood in the forest as he wishes and have his pannage. We grant also that every free man can conduct his pigs through our demesne wood freely and without impediment to agist them in his own woods or anywhere else he wishes. And if the pigs of any free man shall spend one night in our forest he shall not on that account be so prosecuted that he loses anything of his own.

- 10 No one shall henceforth lose life or limb because of our venison, but if anyone has been arrested and convicted of taking venison he shall be fined heavily if he has the means; and if he has not the means, he shall lie in our prison for a year and a day; and if after a year and a day he can find pledges he may leave prison; but if not, he shall abjure the realm of England. [Venison now of course means Deer, but then referred to the meat of any game.]
- 11 Any archbishop, bishop, earl or baron whatever who passes through our forest shall be allowed to take one or two beasts under the supervision of the forester, if he is to hand; but if not, let him have the horn blown, lest he seem to be doing it furtively.
- 12 Every free man may henceforth without being prosecuted make in his wood or in land he has in the forest a mill, a preserve, a pond, a marl-pit, a ditch, or arable outside the covert in arable land, on condition that it does not harm any neighbour.
- 13 Every free man shall have the eyries of hawks, sparrowhawks, falcons, eagles and herons in his woods, and likewise honey found in his woods.
- 14 No forester henceforth who is not a forester-in-fee rendering us a farm for his bailiwick may exact any chiminage [this is a toll levied on transport] in his bailiwick; but a forester-in-fee rendering us a farm for his bailiwick may exact chiminage, namely for a cart for half a year 2d and for the other half year 2d, and for a horse with a load for half a year 1/2d and for the other half year 1/2d, and only from those who come from outside his bailiwick as merchants with his permission into his bailiwick to buy wood, timber, bark, or charcoal and take them elsewhere to sell where they wish; and from no other cart or load shall any chiminage be exacted, and chiminage shall only be exacted in places where it used to be exacted of old and ought to have been exacted. Those, on the other hand, who carry wood, bark, or charcoal on their backs for sale, although they get their living by it, shall not in future pay chiminage. In respect of the woods of others no chiminage shall be given to our foresters beyond [that given] in respect of our own woods.
- 15 All who from the time of king Henry our grandfather up to our first coronation have been outlawed for a forest offence only shall be released from their outlawry without legal proceedings and shall find reliable pledges that they will not do wrong to us in the future in respect of our forest.
- 16 No castellan or other person may hold forest pleas either of the vert or the venison but each forester-in-fee shall attach forest pleas of both the vert and the venison and present them to the verderers of the districts and when they have been enrolled and closed under the seals of the verderers they shall be presented to the head forester when he arrives in those parts to hold forest pleas and be determined before him. [Pleas of the 'vert'

*are pleas concerning any aspect of maintaining the plant life and cover the 'venison' needed. Verderes are therefore the king's officials responsible for maintaining the vert.]*

- 17 *These liberties concerning the forests we have granted to everybody, saving to archbishops, bishops, abbots, priors, earls, barons, knights, and other persons, ecclesiastical and secular, Templars and Hospitallers, the liberties and free customs, in forests and outside, in warrens and other things, which they had previously. All these aforesaid customs and liberties which we have granted to be observed in our kingdom as far as it pertains to us towards our men, all of our kingdom, clerks as well as laymen, shall observe as far as it pertains to them towards their men. Because we have not yet a seal we have had the present charter sealed with the seals of our venerable father the lord Gualo cardinal priest of St Martin, legate of the apostolic see, and William Marshal earl of Pembroke, ruler of us and of our kingdom.*

Witness the aforesaid and many others. Given by the hands of the aforesaid lord, the legate, and of William Marshal at St Paul's, London, on the sixth day of November in the second year of our reign (i.e. John's son, Henry III)

Source: [historyofengland.co.uk](http://historyofengland.co.uk)