

"Stephen fitz Warin, and half against Richard fitz Stephen, the existing occupants. Stephen and Richard pleaded that Richard de Fennymare had also left a son John, whose name was not inserted in the plaintiff's case. This appears to have been true, and as we shall see obliged the plaintiff to amend her case. At the same assizes, the two defendants in the last suit, were impleaded by Stephen de Assford for disseizing him of common pasture in Fenemere. The defendants proved that they had assarted the common in question by consent of the lord of the fee, before the plaintiff had any tenement in the manor. The plaintiff was nonsuited, but his amercement was excused at the instance of Henry, son of the Earl of Cornwall.

"The Pipe Roll of 1257, exhibits Isolda de Fennygmareis as owing a fine of half a mark for some assize. This Isolda was the Isabella of the former suit. Her new grievance appears on the plea roll of August, 1267. As heir of her father, Richard de Fennemere, she sued Stephen de Asford for a third of three virgates, in Fennemere. She recovered the claim, and John, son of Thomas de Asford, who appeared as Warrentor of Stephen's title, was ordered to give his feoffee an equivalent elsewhere. Again at the assizes of Oct., 1272, Isolda, daughter of Peter (read Richard) de Fennemare, sued Mable de Fennemere, and John, her son, for another third of the manor of Fennemare. She now deduced her claim from one Edwyn, living in the time of King John, to Edwin his son, and heir; from the last Edwin to Richard, his son and heir; from Richard to John his son and heir; from John, who died issueless, to Thomas, his brother and heir; and from Thomas, who died issueless, to Isolda, his sister and heir, the present plaintiff. The defendants replied that Thomas had two sisters, viz: Isolda, the present plaintiff, and Matilda, the elder of the two, of whom there is no mention in the plaintiff's case. Isolda denied this, and affirmed that Peter (read Thos.) had no other sister but herself. The jury found that Thos. (sic, recte) had two sisters; so Isolda was *in misericordia*."

The foregoing extract may be thus summarized—

