

1377.

*Membrane 22—cont.*

said earldom of Richmond, and honor, castles, &c., aforesaid, by charter dated 25 June, 46 Edward III., under this condition: that if the heirs of the said duke shall recover by judgment thereupon rightfully given the said earldom of Richmond, its honor, castle, manors and lands, or any parcel thereof, by virtue of the aforesaid gift in tail, and thereof have possession, affirming that recovery, it shall be lawful for the king to re-enter and hold for ever the castles, manors, honors, &c., so given to the duke in exchange; and if the latter or any parcel thereof be recovered from the duke or his heirs, the king shall make due compensation, so, however, that the said duke or his heirs pray aid of the king, and apply due diligence about the salvation of that which may happen to be sued against them. And if it happen that the former be put out of the hands of the king or his heirs in fee simple or tail, and thereafter shall come by just cause into the hands of the same king or his heirs in fee, both parties may have back on either side, entirely or proportionately, the premises, and restitution thereupon be made, to hold as before; [*Wadera.*] and (3.) that by charter dated 4 June, 51 Edward III., the towns of Grenstede, Seford and Laghton in Morthyng were included in the preceding grant. [*Hardy's Duchy Charters: No. xii.*]

2. Declaring that on his special petition to the king in Parliament,—alleging (1.) that by the late king's grant of the said earldom of Richmond, its honor, castle, &c., to John, now duke of Brittany, and Joan his wife, in special tail, the premises may easily, and probably will, revert to the king, and so he (the duke) may be ousted of the castles, manors, &c., held by him in exchange, and he be restored to the said earldom, and that he is not called upon, the condition of restitution being taken away, to repair the said castles, manors, &c., with their buildings, which at the time of the said exchange were grievously dilapidated, as he would be if the condition of restitution stood, and praying (2.) that the king would either restore him to his original estate in the said earldom, or to such an estate in the castles, manors, &c., granted in exchange, as he or his heirs had in the earldom before the exchange—the king, with the assent of Parliament, and for securing the speedier repair of the castles and manors aforesaid (some of which are upon the sea coast, and open to hostile attack) has granted that, even should the said earldom revert in whole or in part to him or his heirs, he (the duke) and his heirs are to retain the castles and manors so granted to him in exchange; and that the duke, appearing in person in Parliament, has granted that the king and his heirs are in like manner to retain the lands of the earldom, neither party being bound to make restitution as aforesaid. Witnesses: S. archbishop of Canterbury, A. archbishop of York, A. bishop of St. Davids, chancellor, Thomas, bishop of Exeter, treasurer, Edmund, earl of Cambridge, Richard, earl of Arundel, William, earl of Salisbury, John de Neville, Roger de Bello Campo, Guy de Bryen, chamberlain of the household, Richard Lescrope, steward of the household, John Knyvet, councillor, John de Cavendissh, Robert de Bealknap, William de Skipwyth, Roger de Kirketon and Roger de Fulthorpe, justices.

By K., with the assent of the whole Parl.

*Memorandum: That on 22 February, one part of this indenture was delivered to Thomas Orgrave, clerk of the treasurer, to be kept in the Treasury.*