

ART. V.—*The Honour of Cockermouth*. By T. H. B. GRAHAM, M.A., F.S.A.

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THE *Chronicon Cumbriae* contains a connected history of Cockermouth, based on tradition, marred by the errors of transcribers, but corroborated by evidence from other sources. A carefully edited version of the document is printed in Canon Wilson's *Register of the Priory of St. Bees*, p. 491. From its contents it may be gathered that, in early days, when Ranulf Meschin was over-lord of all the "Land of Carlisle" extending to the Derwent and local administrator of Henry I., the extreme western portion of the modern county was divided into two tracts, separated from one another by the river Derwent, as it flowed from Bassenthwaite Lake to the sea. The tract lying "below" the river and abutting on its north bank formed the barony of Allerdale,* of which Waldeve, son of Gospatric (see Pedigree, p. 80) had been enfeoffed by Ranulf. Papcastle was the *caput baroniae* of Allerdale in after times and no doubt in Waldeve's day.

The tract lying "above" the river Derwent and abutting on its south bank formed the barony of Coupland, of which William Meschin (Ranulf's brother) had been enfeoffed by the king. Egremont was the *caput baroniae* of Coupland, sometimes styled the "barony of Egremont."

About the year 1122, Ranulf Meschin surrendered his overlordship to Henry I, and the barony of Allerdale became, *ipso facto*, a tenancy in chief holden immediately of the king. This narrative is therefore consistent with the statement of the *Sheriff's Return*, 1212 (Wilson, *op. cit.*, p. 527) that Henry I gave Allerdale to Waldeve.

* Throughout this article "Allerdale" signifies Allerdale-below-Derwent.

Meanwhile, Waldeve had acquired from William Meschin, lord of Coupland, by way of subinfeudation, a strip of territory on the *south* bank of the Derwent; comprising the wastes hemmed in by that river and its tributary the Cocker, and *five vills*, namely, Brigham, Eaglesfield, Dean (with Branthwaite) Greysouthen and the two Cliftons (with Stainburn). The new manor, thus acquired by Waldeve, did not merge in his barony of Allerdale, because it was held by a distinct title. It remained dependent on Coupland; for when Waldeve granted, to the church of the Holy Mother of God and St. Bega, Stainburn, parcel of the five vills, the gift was confirmed by William Meschin, lord of Coupland (Wilson, *op. cit.*, p. 29). Waldeve is said to have erected at the mouth of the Cocker the capital mansion of his new strip of territory, which became known as "the manor of Cockermouth."

Alan, son of Waldeve, succeeded his father, and made a gift, at Cockermouth (perhaps his residence) to the monks of St. Bees (Wilson, p. 451). He was one of the founders of the Abbey of Holmcultram, in 1150. Alan died without male issue, and was succeeded by William, son of Duncan, *Nepos ipsius Alani et heres, procreatus ex Ethreda, sorore Waldevi, patris sui* (*Chron. Cumb.*). The term *nepos*, when applied to collaterals, usually signifies the son of a brother or sister. Alan had an aunt and a sister named respectively Ethreda (or Etheldreda) and the context implies that *nepos* must here be translated "first cousin." Doubt has been expressed (these *Transactions*, N.S. xiv., p. 427) whether William was, in very truth, next heir of Alan. But the compiler of the *Memorandum* (printed in Wilson, *St. Bees*, p. 530) obviously intends to say that the elder Gospatric had, by one marriage, a *son and daughter*, namely Waldeve and Etheldreda. Descent was traced from Waldeve's son, Alan (the person last seised) and, consequently, the

nearest male heir of the *whole blood* was Etheldreda's son, William. The English Translation of the *Memorandum* (*Cal. Doc. Scot.*, ii., p. 15) implies that the younger Gospatric and Dolfin were of illegitimate birth. The rules of descent prevalent at that period differed from those in force at the present day and are stated in *Blackstone's Commentaries*, edit. Christian, 1799, vol. ii., p. 223).

The first husband of Ethreda, the elder (Alan's aunt) was a certain Waldeve, son of Gilemin. Her second husband was Duncan II, king of Scots, slain in 1094* (Wilson, p. 44). Their son William *fitz* Duncan (see Pedigree) married Alicia, daughter of the aforesaid William Meschin, lord of Coupland, by Cecilia de Rumelli, lady of Skipton, Yorks. The fact is clearly proved by the records of the Priory of Bolton in Yorkshire (Dugdale, *Monasticon*, edit. Caley, vol. vi., p. 201).

The Chronicon is therefore wrong as regards that point. William *fitz* Duncan is stated to have been living in 1151 (Wilson, p. 45). It appears from the sequel that he was dead in 1157, when the deputed sovereignty of Cumberland was surrendered to the crown of England. He was survived by his widow, Alicia, who adopted her *mother's* surname, "de Rumelli" (Wilson, p. 40) and inherited the barony of Coupland (or Egremont) from her brother, Ranulf: by his only son, William, "the boy of Egremont,"† who, according to the well-known tale, died under age: and by his three infant daughters, Cecilia, Amabilla and Alicia, who became King Henry II's wards, in respect of *Allerdale*. After the death of his widow, Alice de Rumelli, Henry II made a fresh grant of the baronies of Allerdale and Coupland and other escheated lands to those three co-parceners and their respective

* For the Scottish history of this period, see Skene, *Celtic Scotland*, i, 437.

† Tradition says that Alicia de Rumelli founded Bolton Priory in consequence of the boy's death (Whitaker, *Craven*, 3rd edition, p. 447), but the boy attested its foundation charter in 1151 (Dugdale, *Mon.* vol. vi, p. 204).

husbands. The barony of Coupland *alias* Egremont here drops out of the present story.

To Alicia, the youngest co-parcener and her husband Gilbert Pipard, Henry II assigned Allerdale and the "liberty" of Cockermouth. Until then, Cockermouth had been a manor dependent on the barony of Egremont, but the effect of the royal gift was to constitute it an independent tenement in chief, for, in after times, lawyers describe it as the "honour of Cockermouth." The term *honour* signifies a seigniorship in chief, upon which several inferior lordships, or manors, are dependent, and is also applied to the land subject to such seigniorship.

Alicia, the youngest co-parcener, like her mother, assumed the surname "de Rumelli" (Wilson, p. 42) survived her first husband, Gilbert Pipard, who died in 1191-2; and her second husband, Robert de Curtenai, who died in 1209-10 (Wilson, p. 449) and was in possession of Allerdale at the date of the Sheriff's Return made in 1212 (printed, Wilson, p. 527).

At her death without issue, Cockermouth and Allerdale devolved upon the *heirs* of her elder sisters, Cecilia and Amabilla, in *undivided* moieties.

In 1215, the manor of Cockermouth, with its appurtenances, was delivered by King John to one of those heirs, namely, William de Fortibus (second of that name) Earl of Albemarle, pending partition (these *Transactions*, N.S. xi, p. 130).

Partition was made, *coram rege*, on November 26, 1224, between the said earl and Thomas de Multon, the justiciar (d. 1240) step-father and guardian of Amabilla and Alicia, infant daughters of Richard de Lucy,* who were also entitled as co-heiresses. Schedules, therein referred to but now missing, divided the lands of Cockermouth and Allerdale into two specific shares of equal value. Subsequent records mention certain items in-

* Richard de Lucy died in 1213 (Wilson, p. 446).

cluded in the *earl's share*. The senior parcener usually obtained the capital messuage, and so it was expressly agreed that the earl should have the "Castle" (*Cal. Doc. Scot.*, i, p. 158) and with it, no doubt, the appurtenant honour, or overlordship, of the whole manor of Cockermouth. He seems also to have obtained the *manerium*, or manor house, of Papcastle, at which the tenants of Allerdale continued to attend and do suit of court (See *infra*).

In 1278-9, the *other share* had, by family arrangement, become vested in the younger co-heiress, Alicia de Lucy, solely (*Cal. Doc. Scot.*, ii., p. 36) and descended to her grandson, Anthony de Lucy, so the reader may dismiss it from his mind. But such a tempest of litigation arose about the earl's share that it is necessary to investigate the family history of its holder.

Cecilia, eldest daughter of William *fitz* Duncan, was given in marriage by Henry II to William de Blois, commonly called "le Gros," Earl of Albemarle, who died in 1179, and they had a daughter named Hawisia (see Pedigree).

William de Mandeville, Earl of Essex, married Hawisia, *with the whole inheritance of her father*. That statement is contained in the MS. history of the de Mandevilles belonging to the Abbey of Walden, founded by that family in Essex (Dugdale, *Monasticon*, edit. Caley, vol. iv., p. 144) and implies that she was the *only* child of William "le Gros," but it was afterwards alleged that such was not the fact.

William de Mandeville died without issue in 1189 (Hoveden, iii, 19) and the king gave Hawisia in marriage to William de Fortibus (first of that name) who died in 1195 (Hoveden, iii, 306). By that marriage Hawisia had a son William de Fortibus (the second).

Hawisia married a third husband, Baldwin de Betun, who died in 1212 (Wilson, p. 47) and, after her death

and the death of Baldwin de Betun, entitled in her right, her son William succeeded to the earldom of Albemarle, and shortly afterwards (as heir of his great aunt, Alicia "de Rumelli") to a moiety of Cockermouth and Allerdale, as has been already mentioned. William de Fortibus (the second) married Avelina, daughter of Richard de Montfichet, and died in 1241.

Their son, William de Fortibus (the third) Earl of Albemarle, married Isabel, daughter of Baldwin de Redvers, Earl of Devon, and died in 1260 (*Cal. inq. p. m.*, 44 Hen. III, p. 132).

To his widow, Isabel, there was assigned, as will presently appear, for her life in dower, the entire moiety of the manors of Cockermouth and Allerdale which constituted the *earl's share* and, on April 6th, 1269, Henry III gave Avelina, last surviving child of William and Isabel de Fortibus, in marriage to his second son, Edmund Plantagenet, Earl of Lancaster. On February 2nd, 1273, there was an order to cause Edmund, the king's brother, and Avelina, his wife, to have seisin of her inheritance, taken into the king's hand on William's death, by reason of the minority of the heir, because Avelina was of such age that the lands should be restored to her (*Cal. Close Rolls*, 1 Ed. I., p. 7). But Avelina died without issue, before December 28th, 1274 (*Cal. Fine Rolls*, 3 Ed. I., p. 38) and the *honour* of Cockermouth and the inheritance of the moiety of Cockermouth and Allerdale (subject to the Countess Isabel's estate in dower), escheated to the king, as lord paramount.

And now the storm burst. In 1275, John de Eston, of Eshton, near Skipton, Yorks., commenced proceedings, alleging that William "le Gros," Earl of Albemarle, had a younger daughter, *named Amicia*,* mother of Constance, mother of Ranulf, father of John, father of the claimant John de Eston, who was consequently next heir of Avelina,

* Or Avicia, a variant of Hawisia.

and, as such, entitled to the earldom of Albemarle, the *honour of Cockermouth* and much besides (*Rot. Parl.*, i, p. 348). He was feebly opposed by Alicia de Lucy and her nephew, Thomas de Multon (the first) of Egremont (*Cal. Genealog.*, edit. Roberts, p. 257) but was successful in his claim; for, on June 26th, 1278, it was ordered that John de Eston should have £100, for his expenses in prosecuting the right claimed by him in the inheritance of Avelina, against the king in his court (*Cal. Close Rolls*, 6 Ed. I., p. 466) and, on November 4th, 1278, there was an enrolment of the release, by John de Eston to the king, of his right in the earldom of Albemarle and all lands which belonged to William "le Gros" and Hawisia his daughter, together with all the right therein of *Amicia* and other ancestors of John de Eston (*Cal. Close Rolls*, 6 Ed. I., p. 511).

A modern writer suggests that these proceedings were fictitious, and were launched in order to give Edward I a colourable pretence for retaining in his own hands the hereditaments thereby claimed; because, by admitting John de Eston's claim and then *purchasing* those hereditaments from him, the king effectually barred the right of all future claimants to the same (*Collectanea Top. et Gen.*, vol. vi., p. 262).

In the Pleas of Assize, 1278-9, it is recorded that (Isabel) Countess of Albemarle, through the earl's death, held in dower of the king the manor of Cockermouth* and *manor of Papcastle* with a moiety of the barony of Allerdale, and that Alicia de Lucy held a *moiety* of the manor of Cockermouth in chief of the king, by homage and service (*Cal. Doc. Scot.*, ii., p. 36).

The honour of Cockermouth (some legal magic lurked in the phrase) seems to have attended the inheritance of the moiety of the manor then in the king's hand. It should be noted, by the way, that, upon Walter de

* The context shows that it was a moiety only.

Wigton's death, before February 13th, 1285-6, a verdict was returned that he held Wigton and its dependencies of (Isabel) Countess of Albemarle, for suit at the *court of Papcastle* and payment of the 5 marks cornage which the countess had to render at the exchequer (*Cal. inq. p. m.*, 14 Ed. I., p. 359). That circumstance calls for a parenthetical remark about Wigton. It has been shown that Waldeve son of Gospatric was lord of Allerdale, with its court at Papcastle, *plus* Cockermouth, with its court at that place, and he made a sub-infeudation of Wigton to Odard the Sheriff (these *Transactions*, N.S., xxvii., pp. 41, 43). Its geographical situation and the fact that it did suit at Papcastle suggest that it was carved out of Allerdale. Nevertheless, at John de Wigton's death in 1315, it was held as of the honour of Cockermouth and did suit at Cockermouth (*Cal. inq. p. m.*, 8 Ed. II., p. 297). That arrangement may have been one of convenience, for Allerdale and Cockermouth still remained united.

Isabel, Countess of Albemarle, remained in possession of Cockermouth Castle until her death in 1293 (*Cal. inq. p. m.*, 21 Ed. I., p. 98).

In Trinity term, 1307, Thomas de Multon (the second) of Egremont and Thomas de Lucy alleged that they were the heirs of Avelina, and claimed the manor of Cockermouth, but the king's serjeants answered that the claim was barred by John de Eston's release to the crown (*Abbreviatio Placitorum*, 35 Ed. I., p. 261). Again, in Easter term, 1316, Thomas de Multon (the second) of Egremont and Anthony de Lucy (brother of the said Thomas de Lucy, deceased) commenced fresh proceedings to recover the manor of Cockermouth. They pleaded that John de Eston was not in fact the heir of Avelina, and that William "le Gros" and Cecilia his wife never had a daughter named Amicia, and, in support of their claim,

they produced the pedigree which is set out in the pleadings (*Abbrev. Placit.*, 9 Ed. II., p. 323).

In that pedigree, the words *Thomas qui nunc petit* are written beside the name of Thomas de Multon the *second* in succession. Those words form an explanatory note applicable to that Thomas, and not a statement that there was a Thomas third in succession making the claim. There was not (*Cf. Cokayne, Peerage*).

The *Chronicon Cumbriae*, in spite of its shortcomings, is the basis of the history of Cockermouth. Its origin, nature and authority have been the subject of doubt and surmise, but Canon Wilson has solved the problem (See *Victoria Hist. Cumb.*, i., p. 297; and Wilson, *Reg. of St. Bees*, p. xviii).

It is nothing more or less than an abstract of the de Lucys' title to the manor of Cockermouth and other family estates in West Cumberland. There are several versions of the abstract, displaying a process of evolution. Canon Wilson contends (and his contention is irresistible) that those versions were all compiled during the progress and for the purpose of the tedious family litigation. When John de Eston first made a claim in 1275, Alicia de Lucy and her nephew Thomas de Multon (the first) of Egremont opposed it, but were evidently taken by surprise. It is suggested that they referred for information to the religious houses of Holmcultram and St. Bees, depositories of family tradition, and, as a result of such reference, compiled the first version of their abstract of title.

It is entitled *Memorandum concerning the descendants of Waldeve*, and occurs amongst the *Tower Miscellaneous Rolls*. The Latin text is printed in Wilson, *St. Bees*, p. 530, and an English translation in *Cal. Doc. Scot.*, ii., p. 15. The concluding passage suggests that part of its information was derived from the abbey of Holmcultram. It traces descent to Alicia de Lucy, claimant in 1275, and that may be the date of its compilation.

The second version, entitled *Distributio Cumberlandiae*, occurs in the *transcript* of the register of Wetheral Priory. The text is printed in Prescott, *Wetherhal*,* p. 384. It traces descent to Thomas de Multon (the second) of Egremont and Thomas de Lucy, claimants in 1307.

The third version, entitled *Chronicon Cumbriae*, occurs in the register of St. Bees Priory, and is printed in Wilson, *St. Bees*, p. 491. It traces descent to Thomas de Multon (the second) of Egremont and Anthony de Lucy, claimants in 1316.

The claims of the de Lucys to the moiety originally vested in the family of de Fortibus, though well founded, were doomed to failure from the outset, and consequently abortive. After the death of the Countess Isabel, in 1293, the *honour*, castle and last-mentioned moiety of the manor of Cockermouth were given by the king, together or separately, to various subjects (see these *Transactions*, N.S. xi., pp. 135-40) but, like the dove sent forth from the ark, they soon returned to the master's hand. Anthony de Lucy inherited the *undisputed* moiety of the manor of Cockermouth and barony of Allerdale at the death of his brother, Thomas, in 1308, and, on June 4th, 1323, he obtained, for "good service rendered," a grant in fee simple of "the castle and *honour of Cockermouth* and of the *manor of Papcastle* in Allerdale, with all appurtenances, including the royal liberties belonging to the said castle, honour and manor, and the return of all the king's writs, as hitherto used," to hold of the king by the service of one knight's fee (*Cal. Charter Rolls*, 16 Ed. II., p. 452). That royal grant made him master of the whole of the premises, namely the honour of Cockermouth and the barony of Allerdale.

* Since Chancellor Prescott published his work, the long-lost copy of the register of Wetheral has been restored to the custody of the Dean and Chapter of Carlisle. It contains a version of the abstract of title which is collated with the *Chronicon Cumbriae* in Wilson, *St. Bees*, p. 491.

The history of West Cumberland is a tangled web. The records of Cockermouth are main threads, which reveal the texture of the whole fabric.

NOTE ON CHRONICON CUMBRIAE.

If the three above-named documents, the *Memorandum* of the Tower Rolls, the *Distributio* of Wetheral and the *Chronicon* of St. Bees contain the evidence in support of de Lucy's claim (practically a claim against the king) to Cockermouth and Allerdale, one would suppose that they were compiled with very great care. But exception has been taken to the opening statement that William the Bastard, Conqueror of England, gave all Cumberland to Ranulf Meschin. That statement, though not true in fact, is true in theory. Writers of Border history constantly allege that William I did not conquer Cumberland. But he did so, technically, when he won the battle of Hastings and acquired by conquest all the land over which the old kings of England had held sway. It was the commencement of a new era. His successors on the throne were described as *rex post conquestum Angliae* and all their acts derived validity from that momentous event. It was *qua* Conqueror that William I gave seisin of the Land of Carlisle, together with delegated authority, to Malcolm of Scotland (see these *Transactions*, n.s. xxvi, p. 279). William Rufus, in token of the Crown's title by conquest, resumed that land and delegated authority, and he, or Henry I, conferred on Ranulf Meschin the same Land of Carlisle and probably the delegated authority as well, for Ranulf was something more than a mere tenant *in capite*. The compilers of the three documents seem to adopt that line of argument and treat the Conquest of England as the root of de Lucy's title.

PEDIGREE OF ANTHONY DE LUCY.

