

ART. X.—*On the Tenure of Westmorland temp. Henry II. and the date of creation of the Baronies of Appleby and Kendal.* By W. FARRER.

Read at Carlisle, April 9th, 1906.

THE late Mr. Hodgson-Hinde, the learned editor of *The Pipe Rolls of Cumberland and Westmorland during the reigns of Henry II., Richard I., and John*, fell into serious error in his account of the tenure under the Crown of the barony of Appleby during the latter part of the reign of Henry II. From the Pipe Roll of 24 Henry II., under the heading "Westmarieland," he transcribed the following entry:—

Tedbaldus de Valeines debet xxx^{li} de Relevio vj militum (p. 165).

In tracing the history of Westmorland during the twelfth century, he says (p. xlvi.):—

In the Pipe Roll of the 2d of Richard I., it is styled the "Honor" of Westmorland, which clearly indicates that it had been in the meantime [*i.e.*, since 25 Henry II.] in the possession of a subject.

A short entry in the accounts of the 24th of Henry II. affords the only information we possess of the proprietorship.

"Theobald de Valeines owes £30 for 6 knights' fees."

This comprised the entire county; the barony of Appleby, with the Bailiwick, being rated as 4 knights' fees, and Kendal as 2.

Kendal, at this period, was clearly held of the Honor of Westmorland, as it had been previously of the Mowbrays; Gilbert Fitz-Reinfrid being the first who held it directly of the Crown. Although the Lancaster family were the possessors of the soil, they did suit to the shire courts of Westmorland, and paid to its lord Cornage and Customs, as appears both from the Pipe-Rolls and the charter of Richard I. The fishery also belonged to the feudal superior.

Theobald was not in possession of Westmorland until the 26th year, nor do the accounts of the 25th notice the debt due from him for his relief. He probably owed this magnificent possession to his

connection with Ranulph de Glanville, the husband of his daughter, who enjoyed the unlimited favour of his sovereign. On the accession of Richard I., Glanville was deprived of all his appointments, and subjected to a heavy fine. The Royal displeasure seems to have extended to his father-in-law, for the Honor of Westmorland was seized into the King's hands.

Mr. Hodgson-Hinde's remarks with reference to the subordinate position of the lords of Kendal under the lords of Westmorland in the twelfth century may be correct, but the remainder of his remarks reprinted above are quite erroneous, owing to an incomplete examination of the original Rolls and insufficient information about the great Yorkshire feudatories of the twelfth century.

A more painstaking examination would have revealed the fact that the entry in the Pipe Rolls of the 24th and 25th years of Henry II. belongs to "the honour of Count Conan of Brittany" and not to "Westmarieland," although included by accident in the Roll of the 24th year with items of account belonging to the latter.

The Roll of the 25th year, at the end of the accounts entered under the heading "Honor Comitum Conani,"* has the following entry:—

Theobaldus de Valoniis reddit compotum de xxx^{li} de Relevio vi militum. In thesauro xx^{li}. Et debet x^{li}.

Still more important are three entries in the Roll of the 26th year, under the heading "Honor Comitum Conani":—

Theobaldus de Valeines reddit compotum de x^{li} de Remanenti Relevii sui vj. militum. In Thesauro c^s. Et debet c^s.

Idem [Randulfus de Glanvill] reddit compotum de xxxj^s et viij^d de Nouitegeldo anni preteriti.† In pardonis Militibus de Templo v^s per libertatem carte sue. Et debet xxvj^s viij^d.

* Rot. 2, m. i. in dorso.

† Hodgson-Hinde, *Pipe Rolls*, p. 167. This debt had been brought over from the 25th year.

Computus de Westmerieland et de Nouitegeldo ejusdem terre non est exigendum ab ipso Randulfo quia Rex concessit ei eundem Redditum ad se sustentandum in servicio suo quamdiu Regi placuerit per breve Regis, et sic inde quietus est.*

In the 30th year Theobald liquidated the remaining "100^s" of his debt for relief of the six knights' fees which he held of the count of Brittany. He had succeeded his father, Robert de Valoignes, lord of Parham, co. Suffolk, who appears as tenant of seven knights' fees in a feodary of the honour of Richmond of uncertain date, but in the case of some items of a date at least as early as 1166.† Of these fees three were in Ditton Valence and Newmarket, co. Cambridge; ‡ two in Hickling, co. Norfolk; § $\frac{1}{2}$ in Rockwith, co. York; || the remainder elsewhere and unidentified. Mr. Hodgson-Hinde's statement that in the twelfth century the barony of Appleby was rated as four knights' fees and Kendal as two also falls to the ground. This matter will be discussed later.

But to return, the last paragraph quoted above from the Roll of the 26th year proves incontestably that the honour of Westmorland was in the hands of Henry's chief justice, Ranulf de Glanvill, from 1179. Upon the accession of Richard I., as Mr. Hodgson-Hinde rightly observes, Ranulf was deprived of all his appointments, but he, and not his father-in-law Theobald de Valoignes, was then deprived of the honour of Westmorland.¶

Mr. Hodgson-Hinde does not discuss the tenure of this honour during the first half of the reign of Henry II. beyond the bare statement that it was "enjoyed by Hugh de Morevill, to whom the King also granted the castle and

* Everwichscire m. 2 in dorso.

† Gale, *Regist. Honor. Richmond.*, app. 26.

‡ *Ibid.*, app. 53; *Red Bk. of the Exch.* (Rolls Ser.), 532; *Feudal Aids* (Rolls Ser.), i., 139.

§ Gale, *Regist. Honor. Richmond.*, app. 45, 48; *Red Bk. of the Exch.*, 480.

|| Gale, *Regist. Honor. Richmond.*, 33, 35; *Red Bk. of the Exch.*, 588.

¶ The whole of the Pipe Rolls of Cumberland and Westmorland for the reign of Richard I. were dated by Mr. Hodgson-Hinde one year later than the correct date. Consequently he has *two* rolls for the year ending at Michaelmas, 1199.

honour of Knaresborough, and other lands in Yorkshire," from which we may assume that the writer considered that Morevill held the honour directly of the Crown.* This conclusion is fully borne out by the oft-repeated statement in the *Rotuli de quo warranto* that Henry II. demised "Westmarieland" to Hugh de Morevill. But the reasons which he adduces to explain why the issues of "Westmarieland" were not accounted for in the Pipe Rolls from the time of the murder of Becket until Michaelmas, 1174, fail to carry conviction to any one conversant with these Rolls. He says:—

On the murder of Thomas á Becket, of which he was one of the perpetrators,† his possessions were forfeited to the Crown, but no revenue was derived from them for the next three years. We know that, for a year after the murder, De Moreville remained with his confederates at his castle of Knaresborough,‡ and it is probable that during this period he kept possession of Westmorland. The following year the northern counties were invaded by the King of Scotland, and in that succeeding, the Royal fortresses of Appleby and Brough were taken.§ In the former year there was a great deficiency in the revenue of the adjoining county of Cumberland, in consequence of the war, and in the latter the Sheriff did not account at all. It is not, therefore, surprising that Westmorland, which suffered much more severely, should have contributed nothing to the treasury till the 21st year.

Hugh de Morevill was not deprived of Knaresborough and Aldborough after the assassination of Becket; on the contrary, he continued to enjoy these lordships until the beginning of 1173,|| when the King resumed possession, and almost immediately conferred them upon William de Stutevill. This proceeding was undoubtedly due to

* In the Pipe Roll of 8 Henry II. (1161-2) under "Everwichescira," the sheriff in his account of the collection of Danegeld notes an item due under that heading from Hugh de Morevill in Westmorland—"Et debet vij^{ll} et iij^s et vij^d qui sunt in Westmarieland super Hugonem de Morevill."—*Pipe Roll Soc.*, v., 52; vi., 58; ix., 37.

† Becket was murdered 29th December, 1170.

‡ *Hoveden* (Rolls Ser.), ii., 17.

§ This is derived from *Jordan Fantosme* (Surtees Soc.), II., 1463-1512.

|| *Pipe Roll Soc.*, xix., 1-2.

Morevill's connexion with the rebellion of 1173-4, which commenced about Easter in the former year.* The loss of these lordships, which he held by the King's grant and during his pleasure, was followed by the loss of Westmorland, apparently about Michaelmas, 1174.

This is apparent from the particulars contained in the roll for the year ending at Michaelmas, 1177, in which the sheriff accounts for the issues of lands which Hugh de Morevill had in gage and in custody—viz., “113^s 8^d for the year 1174-5, 6^{li} 2^s 4^d for the year 1175-6, and 8^{li} 4^s 2^d for the year 1176-7; and for the perquisites of the same land, *i.e.* of Westmorland, 17^{li} 12^s 9^d for the year 1174-5, 4^{li} 5^s 4^d for the year 1175-6, and 8^{li} 16^s 4^d for the year 1176-7.” Whilst the sheriff also accounts for the farm of Westmorland, arising mainly from the issues of the demesne lands, for these three years, he only accounts for neatgeld for the last year of the three. It does not appear who received it for the years 1174-5 and 1175-6.† As shown above, Ranulf de Glanvill took all the issues of Westmorland from Michaelmas, 1179, until Easter, 1190, when Richard had been in possession of the Crown nearly seven months.

Returning to the question when military service was first performed for Westmorland and Kendal, we may safely declare that there is no evidence of any military service being due for Westmorland before 1203. On the 31st March, in that year, the castles of Appleby and Brough and the bailiwick of Westmorland were committed to Robert de Veteri Ponte “to keep during the King's pleasure,”‡ and on the 28th October, in the same year, the King granted to him in fee “Appleby and Brough with all their appendages with the bailiwick and the rent of the county of Westmorland,” with the services of all

* Stubbs, *R. Diceto* (Rolls Ser.), i., 367.

† *Pipe Rolls of Cumberland and Westmorland*, 162-3; *Pipe Roll Soc.*, xxvi., 123.

‡ *Patent Rolls* (Rec. Com.), 27.

tenants not holding of the King by military service, to hold by the service of four knights.* This undoubtedly marks the commencement of military service due from the barony of Appleby.

With regard to that portion of Westmorland and Kendal which was held by William de Lancaster (son of Gilbert) and William de Lancaster his son, who died about 1184, it is probable from the evidence of the Pipe Rolls that it was held during the reign of Henry II. of the lord of Westmorland by the service of "14^{li} 6^s 3^d" for neatgeld.

When Roger de Mowbray gave "all my land of Lonsdale,† and of Kendal, and Horton of Ribblesdale" to William, son of Gilbert de Lancaster, to hold by the service of four knights,‡ it is evident that he made the feoffment as tenant *in capite*. But when he made a return of the knights' fees which he held *in capite* in 1166, he certified that William de Lancaster held but two knights' fees of him. What had become of the remaining two fees, and what lands did they represent? I submit that the two fees returned in the *carta* of 1166 lay in Ewcross wapentake, which formed part of the Mowbray fee in 1130,§ and in which the descendants of William de Lancaster I. certainly held lands under Mowbray in the latter part of the twelfth century;|| that the two remaining fees represented Kendal and its members, and that the lordship of Kendal had been taken from Mowbray at, or possibly before, the accession of Henry II. and united to Westmorland as a mesne lordship held by the service of rendering neatgeld. Thus would William de Lancaster I.

* Nicolson and Burn, *History of Cumberland and Westmorland*, i., 267-8, note.

† In the Cockersand Chartulary, under the heading of "Londesdale," are included all places lying in Ewcross wapentake, co. York. The whole wapentake, except Horton "in Ribblesdale," is in the watershed of the river Lune and its tributaries.

‡ Farrer, *Lancashire Pipe Rolls*, 389.

§ *Pipe Roll, 30 Hen. I.* (Rec. Com.), 138.

|| Coucher of Furness, Addit. MS., 33,244, 98-9.

become the tenant of Hugh de Morevill, and the absence of any mention in the Pipe Rolls of service due to the Crown for Kendal, either by knights' or neatgeld service, be explained.

Immediately after Richard I. had resumed possession of Westmorland he converted the tenure of this fee, by the service of neatgeld, to military service—viz., the service of one knight. This grant was in favour of Gilbert fitz Reinfred, who gave the King 600 marks for the acquittance of neatgeld; it bore date the 15th April, 1190.* The new service is noted in the *Red Book of the Exchequer*, † as follows:—

CARTA GILBERTI FILII REINFRIDI.

Gilbertus filius Reinfridi de j milite de terra sua de Westmerlande et Kendále.

As is well known, part of the lands belonging to the barony of Kendal lay within Westmorland proper (*i.e.*, the barony of Appleby)—viz., in the parishes of Morland, Barton, and Kirkby Stephen, hence the description of Gilbert's lands as "in Westmorland and Kendal."

Of even date with this charter to Gilbert was another confirming to him his forest of Westmorland, of Kendal, and of Furness, as William de Lancaster (the son of Gilbert) had held it, and granting that he should have the forest in Kendal which the King had given him with six librates of land as fully and freely as Nigel de Albini had ever held it; that what had been waste in the underwoods of Westmorland and of Kendal in the time of William de Lancaster, the son of Gilbert, should still be waste, except the purprestures which had been made by the licence and consent of the lords of the fee of Kendal and of Westmorland.‡

Possibly also of even date with the above charters to

* Farrer, *Lancashire Pipe Rolls*, 396.

† *Op. cit.* (Rolls Ser.), 444.

‡ Farrer, *Lancashire Pipe Rolls*, 399.

Gilbert was a third granting to him sixteen carucates of land in Levens, Farleton, Beetham, Preston Richard, Holme, Burton in Kendal, Hincaster, Preston Patrick, and Lupton to hold by the service of one knight.* For this grant he had proffered "100^{li}" sterling to the King and Hubert, archbishop of York, at the Isle of Andely in 1197,† but the date of the grant was before the 3rd March, 1195, the date of the death of Hugh, bishop of Durham, one of the witnesses named in it. Moreover the allowances claimed by the sheriff of Westmorland, on account of the loss in the issues of the county occasioned by these grants, all began from Easter, 1190, and so suggest the 15th April in that year as the date common to all three grants. The items of allowance were:—"14^{li} 6^s 3^d for neatgeld acquitted, 8^{li} 18^s 2^d for the lands in Kendal given to Gilbert, and 5^{li} for the fishery of Kendal."‡

In respect of the third grant, the *Red Book of the Exchequer* records under the heading given above:—

Idem tenet j carucatam terræ in Lefnes cum piscaria, et iiij carucas terræ in Farlinton et Bethum, et iiij carucas terræ in Prestone [et in Holme] et ij carucas terræ in Bertone, et j carucatam terræ in Hennecastria, et j carucatam terræ in Prestone, et iiij carucas terræ in Luptone, et j piscariam pertinentem ad eadem terras, per servitium j militis.§

These probably constituted the lands described as "6 librates of land in Kendal," and the last-named fishery that charged in the sheriff's roll at "5^{li}" per annum.

From these particulars we may with some degree of certainty fix the date of creation of the barony of Appleby as the 28th October, 1203, and that of the barony of Kendal as the 15th April, 1190, the former being rated as four and the latter as two knights' fees.

* *Ibid.*, 400.

† *Pipe Rolls of Cumberland and Westmorland*, 180.

‡ *Ibid.*, 171.

§ *Red Book of the Exchequer* (Rolls Ser.), 444.