

ART. XVIII.—*Charters to Byland Abbey.* By the Rev.
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Communicated at Appleby, September 10th, 1908.

THE first entry existing in the cartulary of Byland (Brit. Mus. Addl. MS. 18,388) is but a fragment (*a*) very faded, and all that I succeeded in deciphering in the light there was and in the time I had to spare was the names of some of the witnesses—"Johe de Ormesheved (John de Ormeside), Henrico de Suleby (Henry de Soulby), Willo Anglico (William le Engleys), Galfrido (Geoffrey . . .), Galfrido dec . . . (? decano) (Geoffrey, dean?), . . . ano de Warcopp, . . . de Cottesford, Galfrido de Cottesford (Geoffrey de Cottesford), et multis aliis."

(*b*) A charter follows headed "A charter of Roger Montyng of Askby granting 5 acres in the furlong called Beauchamp (*in cultura que vocatur Beuchamp*)," and of the witnesses still fewer names were legible—"Roberto de Askby? . . . Willo de Warcopp, Thoma . . ."

(*c*) Then one headed "Carta cyrographata cum signo Rogeri Archiepiscopi Eboraci inter nos et Ricardum de Cottesford de quadam terra in pace possidenda infra divisas . . . in tractura de Askeby et de communa pasture animalibus liber[. . .] nostre cum animalibus dicti Ricardi." Indenture with the signature of Roger, archbishop of York, between us and Richard de Cottesford about our possessing a certain portion of land in peace in the prescribed bounds . . . in the part belonging to Asby, and about common of pasture for the beasts of our freehold and the beasts of the said Richard.

(*d*) A charter of Geoffrey de Cottesford follows, "de quietationibus inter nos et predictum Ricardum"—charter

of Geoffrey de Cotesford relating to the settlements between us and the aforesaid Richard. This last is a copy of the charter I give here as No. IV. The headings in the cartulary of this and the preceeding indenture give us a hint as to what the questions were which had been agitated between the monks and members of the family of de Cotesford.

The arrangement of the cartulary seems to be according to the alphabetical order of the names of places in which the lands and rents were which were granted, and the charters appear to have been transcribed in approximately chronological order for each place. If this was so, the charters above (*a*, *b* and *c*) must all be earlier than 1191, when Roger ceased to be archbishop, and in this case there was an earlier Geoffrey de Cotesford than the Geoffrey who granted charter IV.

Byland Abbey was Cistercian, founded by Roger de Mowbray in 1143.

I.

Eboracensi Archiepiscopo et omnibus Sancte Matris Ecclesie filiis Hugo de Moravilla salutem. Notum sit vobis me concessisse et donasse et hac presenti cartā mea confirmasse Deo et monachis Sancte Marie de Bellalanda illam terram infra territorium de Ascabio quam tenuerunt in tempore patris mei solutam et quietam et liberam ab omni terreno servicio in perpetuam elemosinam in terris et pratis et ceteris asiamentis and communa pasture sicut eam prius et melius tenuere et sicut ego in manu mea retinui quando eam ab eis recepi. Hanc autem terram cum ceteris asiamentis do predictis monachis, et warrantizabo ego et heredes mei, pro anima mea et

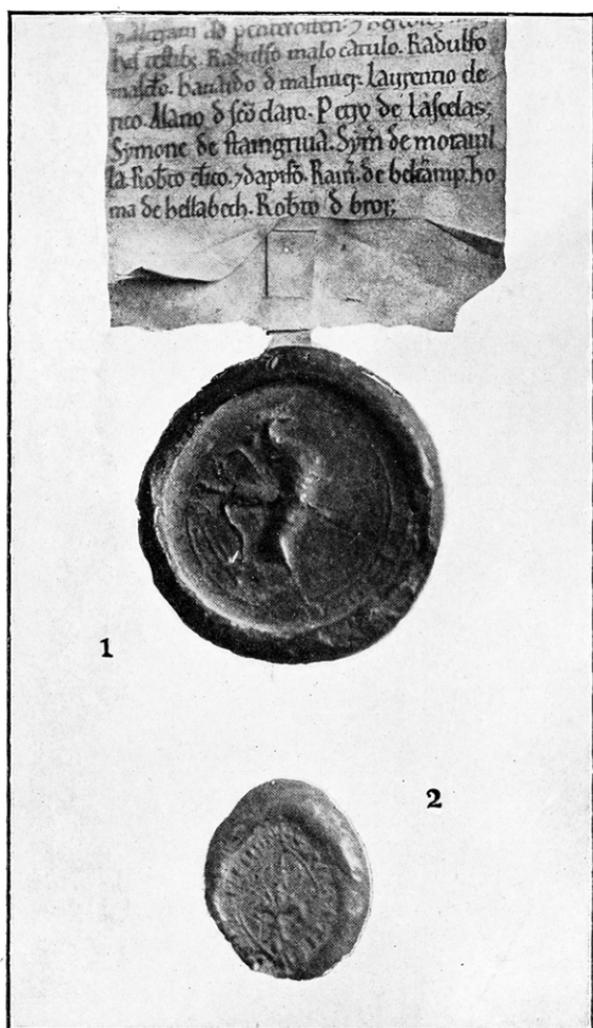
To the archbishop of York and all sons of Holy Mother Church, Hugh de Morville greeting. Be it known to you that I have granted and given and by this my present charter confirmed to God and the monks of St. Mary of Byland that land in the part belonging to Asby which they held in my father's time, released and quit and free from all secular service, in perpetual alms, be it cultivated land or meadow, and with it all the other easements and rights of common pasture; to be held by them as beneficially as they held it before and as I held it in my own hands when it was handed over to me by them. This land with all the other

patris mei et antecessorum meorum contra omnes homines. Monachi vero dabunt mihi duas marcas in recognitione annuatim, scilicet unam ad festum Sancti Martini et alteram ad pentecosten et heredibus meis. His testibus Radulfo Malo Catulo Radulfo Masculo Havardo de Malnuer Laurentio clerico Alano de Sancto Claro Petro de Lascelas Symone de Staingriva Symone de Moravilla Roberto clerico et dapifero Rain' de Belchampho, Thoma de Hellabech Roberto de Broj.

easements I give to the aforesaid monks and I will warrant, I and my heirs to them against all men, for the sake of my soul and of my father's soul and the souls of my ancestors. And the monks will give yearly 2 marks in recognition, one at the feast of St. Martin, the other at Pentecost, to me and to my heirs. As witness these: Ralf Machael, Ralf "Masculus," Havard de Malnuer, Laurence the cleric, Alan de St. Clair, Peter de Lascelles, Simõn de Staingrive, Simon de Morville, Robert the cleric and steward, Rain' de Beauchamp, Thomas de Helbeck, and Robert de Broy.

The Hugh de Morville of this charter is evidently Hugh, son of Simon and Ada Engaine (Prescott, *Register of Wetherhal*, p. 193), who confirmed the gifts of his father and his mother's father to Wetheral, and the gift of land in Crosby by Torphin de Alverstain to St. Peter of York for the soul of another Hugh de Morville (*Levens MSS., Hist. MSS. Commission*, Report 10). The first mention of this Hugh in the Pipe Rolls is in 1168, the year succeeding his father's death; he must at that time have been of age and more. He married Helewisa de Stuteville, widow of William de Lancaster II., and this could not be before 1184, when William died (Farrer, *Pipe Rolls of Lancashire*, p. 395). Hugh died in 1201 or 1202 (2 John); at least in that year comes the intimation in the Pipe Roll that he was dead, and that his widow offered sixty marks and paid in the first instalment of twenty that she might not be compelled to marry again against her will, though the accounts of the last dues which Hugh owed to the exchequer linger on till 1211.

The date of the charter it is not easy to fix. Robert de Broy, one of the witnesses, occurs in the Pipe Roll of



SEALS TO BYLAND CHARTERS.

1.—HUGH DE MORVILLE (p. 254).

2.—ROBERT F. WM. LE FLEMING (p. 269).

Photo. by Dr. Haswell.

TO FACE P. 254.

1177. A Reginald de Beauchamp was witness to a deed at Levens which is thought to date before 1171, and perhaps the Rein' of this charter may be short for Reinold (Reginald). It would appear from the trial related in *de Quo Warranto*, to which I now am coming, that it was in the time of Henry II. that the grant was made, and that it received that king's confirmation; its date would then be between 1168 and 1189. In the course of those investigations into encroachments and supposed encroachments on the sovereign's rights which are digested in the *de Quo Warranto* reports, one is given in which William Inge, the prosecutor for the king in 20 Edward I. (1291-92), claimed for the king against the abbot of Byland four carucates of land, 1,000 acres of woodland, and 100 acres of pasture in Tebay and Asby on the ground that King Henry, his great-grandfather, possessed these as of fee and as his right. The abbot, represented by attorney, disputed the king's claim on such ground to the four carucates in Asby, and petitioned for the matter to be decided by jury. William Inge replied that King Henry II. being in possession demised the land claimed to one Hugh de Morvil—this was different from granting the fee out and out—as he could prove from the records of the Chancery and the Exchequer. The case was, however, adjourned to be heard before a jury at Newcastle-on-Tyne, and there, since evidence on the king's side from the records was not produced, an arrangement was come to.

As regards the rest of the land King Henry's possession of it was admitted by the abbot, but he stated that that king granted by charter to Gerard, one of his predecessors as abbot, the whole of Bridesdale (Bretherdale) which, the abbot explained, was the land in question in Tebay, and he produced a charter granted by King Henry which confirmed Hugh de Morville's grant to the abbey of the land "in pure and perpetual alms for the rent of two marks of silver yearly," and the king's charter specified that the whole of Bridesdale and its appurtenances and

easements were to be held of the king by the abbey for ever by the service of paying 5s. yearly. And thus the abbot's claim stood. Whereupon William Inge objected that Abbot Gerard was not in possession of any of the land, and that the present abbot was not paying and had not for a long time paid the annual 5s. The abbot, being questioned about this, answered that after the county was given by the king's predecessor to Robert de Vespont it had been paid to Robert and his heirs. The jury then gave verdict about the right of possession of the land. They were Thomas de Derwentwater, Hugh de Multon, William de Strickland, John de Rosgill, Richard de Preston, knights, and John Mauchel, William de Crackenthorp, John le Fraunceys de Clyburn, Richard de Wardcopp, Nicholas de Musgrave, and John de Whale, all of whom were holding lands in the neighbourhood. The verdict was that the abbot had a greater right in the land claimed than the king had. On this point then the abbot was allowed to go *sine die*, "saving the rights of the lord king." As to the 5s. of rent, a day was appointed for further hearing, and when that day came the case was adjourned again, and the result is not recorded. We know what was done with this rent, however, and those who care to refer to the last volume of these *Transactions* ("Feoffees of the Cliffords," p. 322) may notice that the amounts mentioned in the charter of Hugh and in the *de Quo Warranto*, two marks (26s. 8d.) and 5s., were paid to the Cliffords, heirs of the Veteriponts, by the abbey for Asby Grange and Bretherdale. But from the *de Quo Warranto* we learn that the two marks were what were due to the Cliffords as successors of Hugh de Morville, and that the 5s. was a royalty due for the same lands to the king, which passed to the Veteriponts and their successors on the grant of the hereditary sheriffdom. In the *Inquisitiones post mortem* they look like separate payments due for separate lands to the Cliffords.

The abbey was able to make some profit by leasing

these lands, for among the Lowther documents is one of 1477 which shows that the abbot leased Asby Grange—"except the part which Edmund Scaif held"—to Thomas Scaif, brother of Edmund, for ten years (1477-1487) for eight marks yearly (£5 6s. 8d.).

The name of the first witness as given shows a rough scribal play in Latinising names, which we sometimes meet with in old records. *Malus Catulus*, "bad whelp," is the well-known perversion of the Gaelic Christian name *Maol-Chathail* (votary of St. Cathal),* which appears as *Malchael* in the Pipe Roll of 1176, and later as *Mauchel* and *Machel*, and sometimes with an "n" (*Maunchell*, &c.), which seems to be a simple scribal error beginning with *Manchell* for *Mauchell*. The name of the second witness also, given as *Radulfus Masculus* ("male"), seems to be another specimen of the same rough play. In the St. Bees cartulary (Harl. MS. 434), charter 59 of Book I., is one of "*Rogerus Masculus*" granting a salt pan in *Kylwen* (*Culwen*) in the south of Galloway. What name it represents I cannot tell. *De Sancto Claro* is of course the name which is modernized as *Sinclair*, but to which of the families of the name the witness belonged it is impossible to say.

Thomas de Hellebek must have been of the second or third generation earlier than the Thomas de Hellebek who, together with his wife *Avicia*—left printed as *Amicia* by an unfortunate oversight in the last volume, p. 269—had so many possessions in Westmorland. Of their descendants I hope to say something in the future.

Simon de Morville, I think, must be a hitherto unrecorded brother of Hugh.

II.

Notum sit omnibus hominibus presentibus et futuris quod ego Robertus de Veteri Ponte dominus Westmerlande concessi et

Be it known to all men living and to come that I, Robert de Veteriponte, lord of Westmorland, have granted and con-

* For the name of this Celtic saint, I am indebted to the Editor.

confirmavi Abbati et Monachis de Beghland et eorum successoribus pro amore Dei et salute anime mee et antecessorum et heredum meorum omnes terras suas redditus et possessiones cum omnimodis pertinentiis suis in terra et aqua boscis et planis moris clausis viis semitis stagnis communis pascuis et pasturis quibuscunque locis in tota Westmerlanda in liberam puram et perpetuam elemosinam solutas et quietas ab omnibus serviciis terrenis exactionibus consuetudinibus et demandis in perpetuum, salva annua firma quam iidem Monachi solvunt, scilicet pro terra sua in Askeby 2 marcas et pro Bretherdal 5 solidos pro omnibus serviciis. Et sunt liberi et quieti in perpetuum de secta comitatus et omnium aliorum exactionum, secundum tenorem cartarum suarum regalium, quas quidem cartas secundum preceptum et voluntatem ipsorum Regum in omnibus et singulis que in ipsis cartis continentur ego Robertus et heredes mei seu assignati volumus et tene-mur fovere et manutenere in curiis justiciariis, et presentem confirmacionem nostram defendere et warrantizare dictis monachis et eorum successoribus omnibus in perpetuum. Et sciendum quod pro hac confirmacione Monachi receperunt me et heredes meos in omnibus oracionibus et bonis spiritualibus que fuerint in domo sua et in ordine suo in perpetuum. His testibus Ricardo de Bello Campo

firmed to the abbot and monks of Byland and their successors, for the love of God and the safety of my soul and the souls of my ancestors and my heirs, all the lands, rents and possessions they hold with all belongings thereto, in land and water, woodland and cleared land, moor, close, road, way, pool, common grazing and pasture in whatever places situate throughout Westmorland, in free, pure and perpetual alms, released and quit of all secular services, requirements and customary dues and imposts for ever: saving however the annual rent which the said monks pay, namely for their land in Asby 2 marks and for Bretherdale 5s. in lieu of all services for these. And they are free and released for ever from suit to the county and all other requirements, according to the purport of their royal charters; which charters according to the charge and wish of the kings who granted them, in all and singular the points which are contained in them, I, Robert, and my heirs or our assigns wish and are bound to cherish and to maintain in the courts of justice, and to protect and warrant this our present confirmation for the said monks and their successors for ever. And be it known that in return for this confirmation the monks have received me and my heirs as sharers in all the prayers and spiritual benefits such as shall be carried on

Vicecomite Westmerlande Ada de Musgrave Radulfo Deyncurth Thoma filio Thome Galfrido de Watheby Willo de Morville et aliis.

their house and elsewhere by their Order, for ever. As witness these:—Richard de Beauchamp sheriff of Westmorland, Adam de Musgrave, Ralf Deyncurt, Thomas son of Thomas, Geoffrey de Watby, William de Morville, and others.

The charter of Robert de Veteripont must of course be of a date between 1203, when to him was granted the barony of Westmorland, and 1227, when he died. Since the name of Ralf Deyncurt is given as witness and not Gervase, we may suppose that either Gervase (Ralf's father) was old or dead. This would not be till after 1210, for in that year Gervase was juror of an assize Prescott, *Register of Wetherhal*, p. 339), and the date 1227 limits the matter to the former of the two Ralf Deyncurts, father and son. William de Morville was witness together with Alan le Botiller (c. 1200-1250) and Peter de Rosgill (of about the same period) and others to a grant of services in Rosgill to Shap Abbey. This is among the Lowther documents and is imperfect, but the purport is clear and the names of the witnesses are easily decipherable, several of whom belong to the period just mentioned.

Thomas, son of Thomas, is Thomas, grandson of Gospatrik, son of Orm. He was under age in 1201, as witness the Pipe Rolls, when his mother married Roger de Beauchamp; he was dead before 1257, the date of a grant to Shap Abbey by Patrick his brother; and that deed is witnessed by John de Morville, who succeeded William. The date of this of Robert will then be between perhaps 1215 and 1227.

The de Morville family does not seem to have been prolific, nor so far as can be judged by such data as exist to have been of a long lived stock. Of only two can we feel that they must have lived for sixty years and more, and the appearance on the stage of history of what seem

different persons of the same Christian name can so easily and without violence to dates and circumstances be reduced to re-appearances of only few, that it seems a pity not to try to construct a scheme of the descent. It will not be necessary here for me to give all the minutiae of calculations which result in the following, and I do not wish to be considered as doing more than giving the result of real probabilities.

The earliest de Morville on record, so far as I know, is the Hugh mentioned by Archdeacon Prescott (*Register of Wetherhal*, p. 186) as being witness to the charter of Earl Henry, son of David, King of Scots, to Holm Cultram in 1150, a fellow witness with William Engaine, father of Ada, Simon de Morville's wife. There is nothing in time or distance of position to prevent this being the same Hugh who, in the chronicle of Melrose, is said to have founded Dryburgh Abbey and to have died in 1162. The Hugh who comes next in date is the lord of Knaresborough and possessor of the Honour of Westmorland, who was concerned in the death of Thomas à Becket. We first meet him at Newcastle-on-Tyne in 1158 as witness to a charter of Henry II. to Hubert de Vallibus (Eyton, *Itinerary of Henry II.*, p. 33), grandfather of the Robert who married Simon de Morville's widow. Here he is in company with belongings of the district, and after this he is either acting as justice or is with the King's Court. We are not told much of the history of Becket's slaughterer. But he was married, as appears from *Materials for the History of Thomas Becket*, vol. i. (Record Publications). And the tradition about Meaburn and its partition can hardly be explained except as forfeiture which left a portion to an only daughter of Hugh. I cannot explain it consistently with custom and tenure in any other way. Hugh himself disappeared for a time to go to the Holy Land in 1171.*

* For this Hugh de Morville's forfeiture of Westmorland, see Farrer in these *Transactions*, N.S., vol. vii., pp. 103-4. I take it that the grant of the barony to Robert de Veteriponte was restoring it to the family of Hugh, no unlikely reason for the grant.

Maud de Morville's son, Robert de Veteriponte, must have been well over age in 1204 when King John granted him Westmorland as a barony, and she had then another son, Ivo, of man's estate too. She might therefore have been born about 1165, well within Hugh's time of being in possession of his estates.

To the first Hugh (who died 1162) may probably be credited this Hugh and Simon, father of the third Hugh, as sons. The third Hugh is he of our first charter. Simon died in 1167. His widow, as already mentioned, married Robert de Vallibus, and she had a son named Hubert. That this might be the case, she cannot very easily be credited with being born earlier than 1122, if so early. Hugh had reached his majority at his father's death since he appears as an official of the king in the very next year. He married, not before 1185, the widow of William de Lancaster, who died in 1184 (Farrer, *Pipe Rolls of Lancashire*, p. 395), when he might perhaps be forty-five years old. He left two daughters under age, Ada and Johanna, when he died in 1201 or 1202. Simon had another son named Richard, who became hereditary constable of Scotland, and married Avice, daughter of the first William de Lancaster. He and Avice and William their son were benefactors to Melrose in 1188. Richard died in 1189 as an inmate of Melrose; Avice died in 1191; William, their son, in 1196, after which the office of hereditary constable descended to his sister Ada (who died in 1217), her husband, and their heirs. All this we learn from the chronicle of Melrose.

The de Morvilles of the generation of the last Hugh remaining are Simon, who witnessed Hugh de Morville's charter, and may easily be a brother of Hugh and son of Simon bearing his father's name (of him we hear nothing more), and John, the solitary de Morville left. He was a consenting party to the surrender of Appleby in 1175, and was fined for it. We find him in the Pipe Roll of 1178 paying £5 5s. 8d. that he might have his land in

Brampton* (Westmorland), which Hugh de Morville was holding in security (*vadimonium*) probably on the king's behalf. There is nothing outrageous in supposing him to be a brother of Hugh. His last appearance in the Pipe Rolls is in 1202. We come to what seems to be a later generation in Nicholas, who in 1197 had a plea brought against him—the fee for it is recorded in the Pipe Roll for that year—by Gamel de Clifton and John de Dene for possession of a carucate of land in Helton. After this the succession at any rate is clear. The charters at Lowther show a William who comes next, and must have been of about twenty years of age at least to have witnessed the charter of Robert de Veteripont to Shap Abbey in 1211 already mentioned. After William comes John, one of the longest livers of the race, whose first recorded appearance, so far as I know, is that mentioned by Archdeacon Prescott (*Register of Wetherhal*, p. 330) in an assize at Carlisle in 1237. He took up knighthood, and was witness to various charters at Lowther till November, 1286.† An action brought against him in 6 Edward I. (1277-8) (Assize Roll 980) by Thomas de Hellebec to recover land claimed by him in Helton Morville was lost by the simple defence that there was no Helton Morville, it was Helton "Flechin;" but the mistake in the name shows how Helton had been associated in idea with its Morville owners. Robert follows John. Sheriff in 1287, and grantor of a charter in 1288, he was dead before 1291, for in Assize

* Brampton was held under the lords of Greystock; and John de Morville (see these *Transactions*, N.S., vol. iii., p. 247) appears as giving land in Creke-stoc to St. Mary of Carlisle. He appears therefore to have held under that barony there also. In 1208 Nigel de Morville, under assize of Mort d'Ancestor, sought for ten bovates in Brampton which William, son of Ranulf of Greystock, had granted over his head, during wardship probably, to Richard de Touleston. Nigel had to be content with three acres in Stainton and three roods elsewhere. But he appears to have kept a hold upon the mill at Brampton (Feet of Fines, Westmorland, 2^d, 32 and 34). To the mills lords of demesnes clung tightly. Taking dates into consideration, Nigel might be nephew or son of Nicholas. Nothing more occurs about him.

† In 1241 a final concord was made between John and Michael de Moreville, probably his brother, after an assize of Mort d'Ancestor, by which Michael gave up to him for half a mark the fourth part of the manor of Helton.

Roll 985 (20 Edward I., 1291-92) action was brought against his executors for debts unsettled. Margaret de Wessington and Idonea le Engleys—the Idonea who married Robert, not the Idonea who married William le Engleys—were his two sisters and coheirs, for Margaret's son in granting a charter to his son (in 1303) calls John his grandfather, his mother's father. There were disputes in 1293 and 1294 between these two families about the division of the inheritance.

There are very obscure traces, so far as I have seen, of any other and later descendants of the name in Westmorland. But having regard to the handing down of Christian names as well as to the dates, it does not seem unnatural to suppose that Nicholas, the first mentioned at Helton, was a son, elder or younger, of the John who was apparently of the generation of the last Hugh.

All this would make the conjectural scheme work out as in the pedigree appended on opposite page.

III.

Omnibus Christi fidelibus presentis et futuris Cecilia filia Roberti filii Durandi de Askebi salutem. Sciatis me dedisse et concessisse et hac presenti carta mea confirmasse pro salute anime mee et omnium antecessorum meorum Deo et monachis Sancte Marie Bellalande in perpetuam elemosinam 1 rodam terre in territorio de Askebi, illam scilicet que jacet propinquior terre quam Robertus pater meus dedit eisdem monachis ex parte meridiana versus Stainkelde. Confirmavi et predictis monachis omnes donaciones quas Robertus pater meus fecit eis tam in terris quam in pratis et in aliis rebus ad tenendum et habendum omnia predicta in perpetuam ele-

To all Christ's faithful, living and to come Cecilia, daughter of Robert, son of Durand de Asby, greeting. Know ye that I have given and granted and by this my present charter have confirmed, for the safety of my soul and the souls of all my ancestors, to God and the monks of St. Mary of Byland in perpetual alms one rood of land in the part belonging to Asby, that, be it understood, which lies close to the land which my father Robert gave to the same monks, southwards towards Stainkelde. I have also confirmed to the said monks all the donations which my father Robert made to them whether in cultivated land or meadow or in any other thing;

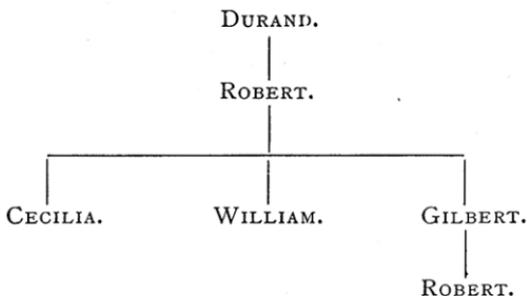
mosinam libera et quieta ab omni terreno servicio et seculari exactione. Et ego affidavi pro me et pro heredibus meis quod nos fideliter warrantizabimus predictis monachis omnia predicta contra omnes homines in perpetuum. His testibus Adam tunc decano Westmerlande Ricardo de Cothessford Roberto filio Gilberti de Askebi Adam Langstirap, Willo Anglico, Willo le Flameng Ricardo de Camera Willo de Eboraco Herberto de Askeby.

for them to hold and to have all the aforesaid gifts in perpetual alms, free and quit of all secular requirements. And I have undertaken for myself and my heirs that we will faithfully warrant to the said monks all the aforesaid gifts against all men for ever. As witness these: Adam then dean of Westmorland, Richard de Cotesford, Robert son of Gilbert de Asby, Adam Langstirap, William le Engleys, William le Fleming, Richard de Camera (del Chambre), William of York, Herbert de Asby.

Robert, son of Durand de Askeby, granted lands to St. Peter's Hospital at York, as appears from the Levens MSS., in 1211-12, the date being determined by the name of the sheriff for that year, Eudo de Beauchamp, as witness to the grant. Cecilia's grant would not be made till after her father was dead. The name of Adam, dean of Westmorland, gives us only a negative limit, and this indeed indefinite, to judge by; Walter was dean in or close after 1231 (Prescott's *Register of Wetherhal*, p. 325), for how long does not appear, but a Richard, vicar of Morland, seems to follow (Prescott, 355), and another Walter to come on in about 1250. These things suggest, though they do not necessitate, looking for the date before 1230. A Walter de Meburn witnessed the charter of Robert de Veteriponte to Shap dated Cliburne, 1211 (Dugdale's *Monasticon*), but he had a son Walter. A William le Engleys follows Richard le Engleys of the Pipe Roll of 1178, but he also was followed by a son named William. The former of these it must have been who also witnessed that charter of Robert de Veteriponte to Shap Abbey. Robert, son of Gilbert de Askby, gave land to Byland Abbey (Levens MSS.) as settled by the sheriff's date in 1242-3. This could very well be the case,

and yet he might be witness seventeen to eighteen years earlier to a charter. Herbert de Askeby occurs in the Pipe Roll for 1233-34. On the whole it seems safe to suggest about 1225 for the date. The name de Camera is that of owners of land in Little Strickland in the thirteenth century. It appears in later charters and other records as "del Chambre." William of York was most probably an official of some position.

Of the members of the family which Cecilia belonged of the period of these charters we have :—



IV.

Omnibus Christi fidelibus presentibus et futuris Gaufridus de Cotesford salutem. Sciatis quod concessi et presenti carta mea confirmavi Deo et monachis beate Marie de Bellanda convenciones innovatas inter ipsos et Ricardum de Cotesford et factas coram domino R Archiepiscopo Eboracensi sicut autenticatum ipsius Archiepiscopi testatur et affidavi pro me et pro heredibus meis quod nunquam in perpetuum calumpniam vel querelam movebimus versus eosdem monachos contra formam predictae quietacionis, et quia sigillum non habui cartam illam signavi sigillo domini Ade tunc decani de Westmerlanda.

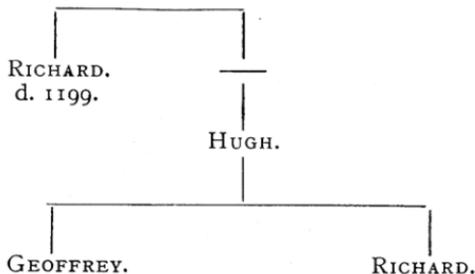
To all Christ's faithful, living and to come, Geoffrey de Cotesford greeting. Know ye that I have granted, and by my present charter have confirmed, to God and the monks of the blessed Mary of Byland the covenants begun between them and Richard de Cotesford and completed in the presence of the lord R(oger), archbishop of York, as the authentication of the archbishop himself attests; and I have undertaken for myself and for my heirs that we will never for evermore stir any claim or question against them contrary to the form of the aforesaid settlement. And because I had no seal I have attached to this

His testibus domino A tunc decano Roberto de Askebi filio Gilberti Roberto filio Hugonis de Askebi Willo de parva Askebi Anglico Willo le Flaming Ricardo de Camera Waltero de Mebrun Ada Langstirap Roberto Scoto.

charter the seal of Sir Adam, then dean of Westmorland.

As witness these: Sir A(dam) dean, Robert de Asby son of Gilbert, Robert son of Hugh de Asby, William of Little Asby, Le Engleys, William le Fleming, Richard de Camera (del Chambré), Walter de Meaburn, Adam Langstirap, Robert le Scot.

Richard de Cottesford, the first recorded of that Christian name, was dead in 2 John (1200), when his widow offered four marks and paid an instalment of two that she might not be obliged to marry against her will. Hugh de Cottesford in the preceding year gave five marks in final payment to have full seisin of land worth 60s. which Richard possessed at death, claiming to be his heir (Pipe Rolls). Hence Richard's death took place in 1199. Archbishop R. was Roger de Pont l'Eveque, who held the see between 1154 and 1191. Hugh de Cottesford, Richard's nephew evidently, and Geoffrey, presumably Hugh's son, witnessed a charter of Gilbert, son of Robert, son of Coleman, to St. Peter's Hospital at York sometime before 1217 (Levens MSS.). This Geoffrey is the grantor of this charter. Five of the witnesses to it, including Adam, dean of Westmorland, are witnesses to Cecilia's charter, and the date would probably be about the same. Of these early Cotesfords, the only scheme I am at present able to give is this:—



V.

Omnibus Christi fidelibus presentibus et futuris Robertus filius Willelmi Flamang salutem. Sciatis me concessi dedisse et hac presenti carta me confirmasse Deo et beate Marie et Monachis de Belland 1 acram terre super Magnam Hayberh inter terram quam Robertus filius Durandi dedit ecclesie beati Petri in Askeby et terram eorundum monachorum de Bellanda in purum et perpetuam elemosinam liberam et solutam et quietam ab omni terreno servicio et exactione seculari: reddendo annuatim ecclesie beati Petri de Askeby 1 obolum ad thus in die Pasche. Et ego affidavi pro me et heredibus quod nos warrantizabimus predictis monachis predictam acram terre cum liberis introitibus et exitibus suis contra omnes homines et feminas in perpetuum.

His testibus domino Ada tunc decano Roberto filio Gileberti Roberto de Cottesford Willo Anglico Gaufrido de Cottesford Roberto Scoto.

To all Christ's faithful living and to come Robert, son of William le Fleming, greeting. Know ye that I have granted and given and by this present charter have confirmed to God and the blessed Mary and the monks of Byland one acre of land above Great Hayberh lying between the land which Robert, son of Durand, gave to the church of the blessed Peter in Asby and the land of the same monks of Byland, in pure and perpetual arms free and released and quit of all secular service and secular requirements: they giving yearly to the church of the blessed Peter of Asby one halfpenny for incense on Easter Day. And I have undertaken for myself and my heirs that we will warrant to the aforesaid monks the aforesaid acre of land with free entry to it and egress from it against all men and women for ever.

As witness these: Sir Adam then dean, Robert son of Gilbert, Robert de Cottesford, William le Engleys, Geoffrey de Cottesford, Robert le Scot.

This last charter, containing the names of three witnesses and of these one Dean Adam again, though it must be later than those witnessed by the grantor's father, William le Fleming, can be but little later, and its date must be before 1231. Geoffrey de Cottesford, the grantor of the charter preceding, is a witness to this. The impression one gets from the charters themselves is that the same hand executed them.

There is no means at present of fitting the two le Flemings into their places in that family which specially called itself le Fleming, and was also called sometimes de Furness or de Furnellis. It was not an unprolific family, and we find it ramified in different directions. But there is nothing intrinsically against the relationship. Anselm de Furness, one of them, had been not far away as the Pipe Rolls show, whose daughter was married to Ralf Deyncurt; and at the time the Deyncurt family was holding part of the manor of Hackthorpe in Lowther as well as Sizergh. The first le Fleming of whom we have mention, I think, in existing records, Michael of 1127 (Farrer, *Lancashire Pipe Rolls*, p. 302), could hardly be the first of the race. The numbers of descendants of the twelfth and thirteenth centuries seem too great for that, though by no means too great for the tradition which I believe was common to the earls of Wigton, the barons of Slane, and the le Flemings of Coniston and Rydal that their ancestor was a Michael of some fifty years earlier. It was the supposition that William I. put him in possession which made the position seem false. The Michael of the Cumberland Pipe Roll of 1179 may easily have been even the third of the name, for I see no reason to reject the tradition, nor to refuse the idea that Flemingby (Flimby) was the original settlement, quite separate from any Norman work. The mixture of races in Cumberland and North Westmorland was evidently very great. Not only have we two sets of Gaelic personal names in these early records to deal with, but we have transparent surnames—le Bret, le Scot, le Engleys, le Fraunceys (Francigena, and sometimes Frankys), this last appearing sometimes as “la Frauncayse” for the fair sex of the family, as well as le Aleman (Alemannus) and le Fleming; and Scandinavian names interwoven among them all.