

ART. XVIII.—*Mauld's Meaburn, the Alston Mines, and a branch of the Veteriponts.* By the Rev. FREDERICK W. RAGG, M.A., F.R.Hist.S.

FROM documents which will be specified later on, of the beginning of the reign of Henry VI., we learn that John lord de Clifford was found by his Inquisitio post mortem to have died possessed of the manors of Aldeston (Alston), Elryngton, and Gerardgill (Garrigill), which had belonged to "Nicholas de Veteriponte the last, deceased," and that these manors were in the hands of Elizabeth de Clifford, widow of lord John and Elizabeth, widow of Thomas lord de Clifford, father of lord John, as custodians of the manors, tenements, and castles of Thomas de Clifford, son and heir of lord John, till he came of age. These manors and the mines of Alston were claimed in 1 Henry VI. (1423) by William de Stapilton and Mary his wife as their inheritance. At that date the son of William, another William, had already been married to Margaret, daughter and heir of Nicholas de Veteripont and lady of Alston Moor, as the inscription on the tomb which holds her and her husband at Edenhall describes her.\* Her husband, William de Stapilton the younger, died in 1458, leaving two daughters as co-heiresses, who at that time (Inquisitio post mortem, 36 Henry VI., No. 48) were widows, and at the time of Margaret's death in 1469 (Inquisitio post mortem, 8 Edward IV., No. 40) were returned as one of the age of 55, and the other of (perhaps) 49.† Fifty-five from 1469 takes us back to

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\* The brass has figures and the inscription "Hic jacent Willius Stapilton : r- miger quondam dominus de Edenhall qui obiit xxvj die Augusti A D M<sup>o</sup>CCCLV<sup>o</sup> IJ et Margareta uxor ejus que erat filia et heres quondam Nicholai de Veteripont et domina de Aldeston Mor quorum animabus propicietur Deus."

† The document is in parts very difficult to decipher.

1414, and to the marriage of the heiress of Alston Moor at an earlier date than that. And, moreover, the grant of Alston to John de Clifford could not have been made till after the death of Nicholas, whose daughter Margaret was.

Here we have preliminary signs of a complicated history. Why do William and Mary claim and not William and Margaret, the heiress of Alston Moor? The complication deepens as we proceed. This will be seen below. And working backwards also through what records still exist we come to points that need sound argument to make them clear. Records are sparse except at intervals. They are abundant at the time of Edward I., though even so defective. Some are given in digest by Bain,\* but his purpose was Scottish history, and the especially local matters of interest which belong to our Society's field are naturally not dwelt on. The most convenient approach to the whole history is perhaps afforded by the accounts of the trials in the Courts of Edward I. as given in *Placita de Quo Waranto*. Herein we learn (p. 197) † that Robert de Veteripont was summoned before the justices in eyre to account to the king for his possession of the manor of Aldeneston with its belongings, "which was part of the demesne of the Crown in Cumberland." Robert's attorney represented that William "the elder," king of Scotland, granted the manor together with other lands in Tyndale to William de Veteripont, his ancestor, whose heir he was, and that William "the second," king of Scotland, conceded and confirmed this grant to Ivo de Veteripont, son of William, and to Ivo's heirs, by a charter produced in Court, and that John, king of England, the king's grandfather, confirmed this confirmation by another charter which he produced, dated May 17th, in the

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\* Calendar of documents relating to Scotland preserved in the Public Record Office.

† This case is given from Assize Roll 1076 m. 8 d. amongst the Yorkshire cases.

eleventh year of his reign. This is curious. There had been but one William, king of Scotland.

But, we are told, Alan de Walkingham, prosecutor for King Edward, called on Robert to show any proof he had of the grant of the aforesaid William the elder, king of Scotland, and there was none to show. Thereupon Alan asked for judgment to be given for King Edward's side, since Robert alleged, but without proof or warrant, that William the elder gave the manor to his ancestor, and could only produce a concession and confirmation given by the second William, king of Scotland, and the confirmation of this by King John; these he did not allow were proofs of a former grant. Moreover he asserted that Ivo, to whom the confirmation of possession was granted, had a "son and right heir living, Laurence," and that "J." said that Robert (who was son of Nicholas) had nothing in the aforesaid manor except through intrusion, putting himself into possession.\* The case was to be heard in the subsequent Trinity term.

Independently of this but yet not altogether so, the same prosecutor brought a case against Alexander, king of Scotland, requiring to know on what ground he claimed to have sundry liberties in the manor of Aldeneston (Alston) which was part, he again asserted, of the demesne of the English Crown in Cumberland. King Alexander's attorney stated that these rights were what Alexander and his ancestors had held from time immemorial, and that they belonged to the Crown and dignity of the king of Scotland. And being asked whether he could produce charter or muniment which made mention of the grant of these liberties, replied that he could not. Alan then demanded judgment whether there was sufficient warrant for the king of Scotland's claim seeing that he could show nothing which had special mention of such a concession

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\* If this plea had been sound, Lawrence, who certainly was alive, could have had an assize of mort d'ancestor against Robert with all the chances in his favour.

of liberties, and no one held these in the realm, he said, except by special grant of the English kings. He further charged the ancestors of Alexander with encroachments in the days of King John and King Henry, the king's father; and Alexander himself with encroachments in King Henry's days. The attorney for Alexander denied the charge, and like the English prosecutor appealed to trial by jury. This case was also to come off in the succeeding Trinity term. The record of both cases is brief enough, and as far as it goes seems sufficiently clear, although in Robert's case one is left uncertain who "J." was. Perhaps it stands for "jurata"—the jury. We gain at any rate from the Veteripont trial a first impression that Robert's attorney had not the earliest charter to produce, and that, besides, perhaps the king's prosecutor took advantage in a quiet satirical way of the mistake of making two Williams kings of Scots. But after wading through several other documents concerned with these trials, we discover that these impressions would be wrong. Unfortunately the date of this trial is not given, and we have to go through a real mental debate with the documents to settle it. It will, I think, be shown that it was most probably in the Easter term of 1279, and somewhat late perhaps in that term.

For what in part seems to have led up to it was this. An assize was held November 2nd, 1278, by John de Vallibus and William de Saham and their associates in eyre at Carlisle.\* Questions about the Alston mines, called the mines of Carlisle, came up, and they looked into the records of assizes past, and they found that Richard de Levington, kt., and William de Dacre, in 31 Henry III., then sheriff of the county, held an assize at Alston. They were sent thither by the justices in eyre "according to the custom of the mine and the liberties of the miners." This appears to have been the last assize

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\* Assize Roll 143.



thitherto held at Alston. The justices came to the conclusion that there had been alienation of the mines, and withdrawal of them from the authority of the king. They had the question gone into before a jury of knights and seneschals of the large owners and freeholders of the county. This jury stated on oath that alienation had been made by Ralf de Levington, who held the manor of Alston at "firm" (as lessee) of Nicholas de Veteripont, and that when the lease was over and the manor was again in the hands of Nicholas the alienation was continued, and after the death of Nicholas, Robert his son prolonged it and allowed the coroners of the king of Scots of Tyndale to discharge the duty of coroner, whereas that duty belonged to the serjeant of the mine on behalf of the king of England. Robert was accused by them of sheltering criminals. He was not present in court. And the justices decided to take into the hands of the king (*i.e.*, to sequester) the mine, the moor, and the waste of Alston, and to send to Alston Hugh de Multon of Hof, kt., and Robert de Wardewyk to "hear and terminate" the Crown pleas which had emerged since the last assize. These held their court on Monday, January 16th, 1279 (the Monday after St. Hilary), when the following presentments were made by the jury there\* :—That Ralf de Levington, deceased, while he held the manor of Alston at firm, *i.e.* as lessee of Nicholas de Veteripont, removed the gallows of the king from Amestehou (Ameshaugh) to Bales (Bayles), and that Robert, son of Nicholas, held trials of felons there contrary to the liberty of the mine, by what warrant they did not know, and that before the miners had been thus withdrawn from the authority of the English king neither Nicholas de Veteripont nor his ancestors had any liberty of holding trials for theft in their court at Alston, and that such trials ought to be held at

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\* Assize Roll 132.

the court of the mines and nowhere else.\*—Robert was to be amerced for various fines which he and his father had imposed on felons, because they had taken possession of their goods without warrant. They stated also that Nicholas de Veteripont had appropriated the right of free warren and free chace “within the mine,” *i.e.* the liberty of the mine, by what warrant they did not know.—This matter was to have a further trial.—Again, that Robert had obstructed a useful road leading from Alston to Gossipesgate, to the detriment of the mine; he was to remove the obstruction at his own cost under the supervision of the jury.—And again, that Robert had sheltered, keeping him from the justices, a fugitive from Cumberland, John, son of Sirede de Bosco, who had killed Adam, son of Adam, son of Martin de Laysingby; John was to be produced—The jury were asked whether Robert had sheltered any other fugitive, and answered “no” Various accused persons were then tried before the king’s justices—one for burglary, for carrying away crops that belonged to Laurence de Veteripont, and for robbing a woman whose name was unknown, at Croscrun; another for stealing a cow belonging to Nicholas de Veteripont. These were acquitted. A complaint was next made by John, son of Aldritha, that William de Belingham, bailiff at Werk† of the Scottish king, had seized and imprisoned him, and kept him in prison for 40 days so as to exact 20s. for his ransom, and he petitioned for redress. William denied the charge and the jury acquitted him, but said that Robert de Veteripont had sent this man to Werk and had had him imprisoned there till he paid his redemption money, because he had stated that he was a subject of the king of England. The advowson of Alston Church was next asserted to be the king’s right, but the

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\* Nullam libertatem habuerunt faciendi judicia de latronibus in curia sua de Aldeneston set si aliquid hujusmodi iudicii fieri debuisset hoc fieri deberet in curia minatorum et non alibi infra mineriam.

† Wark in Tyndale, not Wark on Tweed.

prior of Hexham held it, the jury said, by gift of Ivo de Veteripont deceased.\* The next is a most interesting point—"The jury present that the lord king ought to have every ninth 'disk' of ore (*discum mine*) which the miners dig out, and it should be understood that the 'disk' † ought to be of weight and size sufficient to hold an amount of mineral such that a strong man is needed to lift it from the ground." ‡ And from the sale of the other eight disks the king should have every 15th penny realised, it being understood (*ita scilicet*) that the king provide at his own expense for the miners a man called "drivere," who understands how to separate the silver from the lead. The jury were asked what the mine was worth yearly, and replied that that could not be known except in the actual working; it depended on the amount and quality of the metal obtained. There was sufficient mineral there, they said, to last till the end of the world. And they said that "Robert" de Levington at the first prevented them from mining, and then began to have the mine worked in the time of Nicholas de Veteripont, and that Nicholas had also acted thus.

The results of this and of the Carlisle assize seem to have been an appeal sent to the king or to King's Bench, and a writ from the king dated April 5th, 1279, reached the justices in eyre, of which the following is the purport § :—

\* Ivo's grant to Hexham Priory of the church of Alston and the chapel of Gerargill was sanctioned by Henry III. in an "inspeximus," and is recorded on the Charter Rolls of 17 Henry III., m. 15 (November 21st, 1232), but the charters are not transcribed. The mere particulars of two tofts and all the land belonging, in his demesne at Alston, and of the advowson of both being given, is all that is recorded.

† "Discus debet esse tam magni ponderis et tante mesure quod continet tantam mineriam quantum unus homo fortis potest elevare de terra." As it was the ore extracted and not the smelted metal, I can but suppose the "disk" to have been a pan or tray or scale such as is used for weighing, but of large size.

‡ *Diskr* was the Norse form of the English *dish*, which is still used as a term of measurement for ore in mining; see the New English Dictionary, s.v. *Dish*.  
—ED.

§ Assize Roll 143.

Edward by God's grace king of England, lord of Ireland and duke of Aquitaine to his beloved and faithful justices in eyre in Westmorland John de Vallibus and his associates, greeting; our miners of our manor of Aldeneston in Cumberland have represented to us that whereas they hold that mine with its silver and lead and all its other belongings by payment to us from it yearly of 10 marcs by the hands of our sheriff of Cumberland, saving to us the revenues and profits of the mine and the attachments and the pleas that belong to the Crown there, and saving to the miners their proper and customary stipends for converting the ore into lead and silver; and that whereas our father Henry, king of celebrated memory, took them and their men and their lands, rents and all their possessions into his special protection and granted to them that they should continue to have the same liberties which they had held in the times of our predecessors, kings of England, forbidding any one under penalty of £10 to infringe their rights in this; nevertheless Nicholas de Veteripont and Robert his son of Kerkehalgh (Kirkhaugh) in the marches of Scotland, men of our most dear brother Alexander king of Scots, have taken forcible possession for 40 years past, without warrant or assent of our aforesaid father or any reasonable cause, of the aforesaid manor over the heads of our aforesaid subjects some of whom they have seized and have carried away into Scotland to be incarcerated, some they have slain; they have harassed them unceasingly with exactions and extortions of money for ransom and with other enormities, to the disinheriting of us and of our subjects; asserting the aforesaid manor to belong to the kingdom and the fief of the king of Scotland and not to our kingdom and our fief, and keeping possession of the manor thus seized; and the aforesaid Robert after his father's death continued to keep possession till you in your late eyre took the manor into our hands. Other very great injuries our miners represent have been continually wrought by them contrary to the peace of the lord king our father and our own peace and contrary to the aforesaid protection granted: and although you in your office on your late eyre made restitution of the manor to be held of us as it was held of our royal father and appointed bailiffs and coroners in the manor according to wont, the aforesaid Robert notwithstanding this, with a band of evildoers and disturbers of our peace has frequently since prevented these bailiffs and coroners from the execution of their duty, and hinders us from having possession of our manor. Wishing therefore that such enormous wrongs to ourself our bailiffs and our other subjects should not be done unpunished, and also to have precise knowledge of the record and process of the trials, we command you to send the record with all that throws light upon it under your seals so that we may have it in

the Octave of Holy Trinity wherever we may be in England; and return this writ with it, and cause the aforesaid Robert to be attached by our sheriff of Cumberland that he may have him to appear before us in the same term to hear the record and to give account to us for the occupation aforesaid and for the slaughter of our subjects and the other trespasses. And we have commanded the sheriff that at your mandate he shall do this and shall support and protect the bailiffs and coroners in the manor whom you in our name placed in seisin thereof. Witness ourself at Lechlade, 5 April in the 7th year of our reign.

More of what was happening that Spring we learn from the letter sent by the justices in eyre, John de Vallibus and his associates, to R. de Hengham, justice in King's Bench, of which the purport is this\* :—

John de Vallibus and W. de Saham and their associates justices in eyre in the County of York to their well beloved friends and associates R(alf) de Hengham and his associates, justices for pleas before the lord king (coram rege) greeting. Since the king after the representation (*ad ostentationem*) of his miners of Alston, of late commanded us by his writ to send the record of the processes in Court about the manor of Alston to him wherever he might be in England in the Octave of Holy Trinity, we send to you under our seals the record, together with the king's writ, giving you to understand that the aforesaid miners in their appeal (*impetracione sua*) made a false suggestion to the king in representing that we took the manor of Alston into the king's hand and that we ought to have made restitution of it to them to be held of him as they held it forty years back, before the occupation and alienation of it which Nicholas de Veteripont and Robert his son and their ancestors made over the head of King Henry, father of the present king: this will appear plainly and clearly in the record sent; for we took nothing into the king's hand saving the mine of Alston with its moor and waste land and its liberties. And because we felt insufficiently informed in the case by the inquisition held before us at Carlisle, we W(illiam) de Saham and J. de Methingham took with us the sheriffs of Cumberland and Westmorland and a sufficient company of knights and other freeholders and men of legal standing from these counties and made a more thorough inquisition into the alienation and usurpation aforesaid and into the rights (*jure*) of Robert son of Nicholas de

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\* Assize Roll 143.

Veteriponte and likewise into the right boundaries between Alston and Tyndale which we inspected with our own eyes and deliberated on (*quas vidimus et oculata fide perpendimus*), because certain bailiffs of the king of Scots from Tyndale had come before us and claimed that Alston was within the Scottish king's liberty of Tyndale. By means of this inquisition we found that the ancestors of Nicholas and Robert had no entrance into possession of Alston by any charter of the ancestors of the king of Scots as they claim to have, but that a certain Ivo de Veteriponte who by the appointment of his brother Robert was custodian of the mine on behalf of the king of England, used to receive from the miners for his services 100s: that is to say 2d for every beast that was pastured on the moor and waste, and by reason of the payment of this 100s occupied and appropriated to himself the lands and tenements within the bounds of Alston, which his heirs still hold in this way and not by any other right. We also found that before this usurpation there was neither manor nor vill (township) in the whole part of the moor and waste where the king's mines are (*nunquam fuit ibidem manerium nec villa in tanto more et vasti ubi minera domini regis fuit*), and that the following are the rightful bounds between Alston which is in Cumberland, and Tyndale: namely beginning from the head of Gilderdale burn and going to the Tyne, then ascending along the Tyne to the stream of Alneburn (West Allen?), then ascending by that stream to its head and going from the head of the mountain across to a place called Alnegrene ( ) then going from Alnegrene across to a place called Harecros.\* Whence it appears the whole vill (township) of Alston with its moor and waste and all that belongs thereto is within the county of Cumberland and outside of the Scottish king's liberty of Tyndale; and this we do you to wit as ordered. And it is expedient that the lord king should have a writ issued about Robert de Veteriponte concerning the *manor* of Alston with its belongings, except the advowson of the church which the prior of Hexham holds, about which a separate writ should be issued. We send to you herewith transcripts of the charters of

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\* It should be understood that this perambulation was not of the whole bounds of Alston. The object was to determine whether Alston was or was not in the part of the Tindale valley which was held by the king of Scots as fief of the English king. The Scottish king's barony of Tindale was the more northerly part, that in Northumberland outside the boundary of Cumberland. The perambulation thus was to settle the north boundary of Alston, and began on the Gilderdale burn near the point where the boundary of Northumberland reaches it, and was continued across the Tyne valley and up the heights on its east side to a point on the ridge between Coalcleugh Moor and Kilhope Moor where the boundary of Durham meets those of Northumberland and Cumberland, and there terminated. But the charters and the controversy give one the impression that Alston originally reached across this boundary.

Robert de Veteriponte to look into, from which it will be clear that there is insufficient title, particularly since the charters of confirmation do not accord with the original charter of grant. Farewell.

The king's writ, returned as usual, follows in the roll. Then the report of the inquisitions, and very briefly of that at Appleby just before this letter of John de Vallibus and his associates was sent. To this assize Robert de Veteripont went\* and admitted that the mine belonged to the king and that he had no claim in it, and he was attached by order, by the sheriff who was present, to secure his appearance to answer for his trespass in the mines. The question (except for the justices in eyre) had up to that point evidently been a mixed one of manor and mines. It now became a question of manor as well as mines. The usurpation of liberties in the mines had been brought into evidence, and only the judgment for that was awaited. The question of the right to the manor and manorial courts still was on trial; and here I think came in—in Yorkshire, whence John de Vallibus and his associates sent their letter—the trial reported on p. 197 of *de Quo Waranto*. The right of the king of Scotland to exercise his jurisdiction in the liberty of Tyndale and the right of Robert de Veteripont to have a manorial court there both, as we saw, were in question. But we see from what I have just detailed that Robert had in possession the original charter which Alan de Walkingham asked for, and the transcript of it which these justices sent up to R. de Hengham in King's Bench is given below. From Alan's pleading we might conclude that it had not been forthcoming, but the fact instead seems to be that after the inquisition and the perambulation of the north bound of Alston by the justices in eyre, as just related, that charter was simply not allowed to be tendered as evidence in the Court, on the ground that the lands specified in it were not those specified in the charters of confirmation; and

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\* Assize Rolls 132, and 143.

as no other could be produced it was as if the original charter was not forthcoming, and the title was nullified by the refusal to allow it.

It is now time to give the charters, which come next in the communication between the sets of justices. The earliest charter is this :—

CHARTER I. (ALSTON).

W. Rex Scottorum Episcopis Abbatibus Comitibus Baronibus justiciariis &c [salutem]. Sciant presentes et futuri me judicio Curie mee reddidisse et dedisse et concessisse et hac carta mea confirmasse Willo de Veteriponte Ardinchestorp et Kerke denen Hornerhedenen Alrinton Kirkheale et Aldeneby per suas rectas divisas cum omnibus justis pertinentiis suis in bosco et in plano in pratis et pascuis et aquis, tenenda sibi et heredibus suis de me et heredibus meis in feodo et hereditate libere et quiete per servitium quatuor militum. Quare volo et firmiter precipio ut predictus Willus et heredes sui prenominate terras et tenuras teneant et habent ita libere et quiete, plenarie et honorifice cum tol et them et socca et sacca et infangethef\* sicut pater ejus eas melius liberius quietius et honorificentius plenius tenuit.

W. king of the Scots to his bishops, abbots, earls, barons, justices, &c., greeting. Know all living and all to come that by the resolution of my court I have restored and given and conceded and by this my charter have confirmed to William de Veteriponte, Ardinchestorp and Kerkehedenen, Hornerhedenen, Alrington, Kirkhaugh, and Aldeneby according to their rightful boundaries, with all their belongings in woodland and cleared land in meadow and pasture and stream; for him and his heirs to hold of me and my heirs in fee and hereditary right freely and undisturbedly by the service of four knights. Wherefore I will and firmly order that the aforesaid William and his heirs shall hold and have the aforesaid lands and holdings freely and undisturbedly in full and honourable tenure with tol

\* Sake and soke taken together were the right to have a court in which to hold trials, and to levy fines and to keep the fines levied. In this couple of alliteratives soke seems to be the "wite"-seeking—i.e., fine-inflicting power (see Maitland, *Domesday and beyond*, 258, &c). Tol was the right to tolls; theam, apparently the right to own persons, serfs, e.g.; infangethef, the right to have the whole possessions mulcted of a thief who was the baron's tenant. Except in a barony where this right was allowed these proceeds, though exacted by the sheriff, were accounted for by him to the king, to whose exchequer they went.



His testibus David\* fratre meo Nicho Cancell† Waltero fil Alani dapifero ‡ David Olif Ricardo Capellano Willo de Haye pincerna Waltero de Windelesovre Gilberto fil Ricardi Rogero de Valon' Roberto de Berkeley Waltero de Berkeley.§ Apud Lanark.

and theam and soke and sake and infangthef, just as his father heid them. As witness these, David my brother, Nicholas the chancellor, Walter son of Alan the Steward, David Olif, Richard the Chaplain, William de Haye the butler, William de Windsor, Gilbert son of Richard, Roger de Valoines, Robert de Berkeley, Walter de Berkeley. Dated at Lanark.

The date of this charter is between 1153, the accession of William, and the death of Walter f. Alan, 1177.

CHARTER II. (ALSTON).

W. Dei gratia rex Scottorum omnibus probis hominibus totius terre sue, clericis et laicis salutem. Sciant presentes et futuri me concessisse et hac presenti carta mea confirmasse Ivoni de Veteriponte terras illas quas Willelmus de Veteriponte pater ejus tenuit in Tyndale, scilicet Alrington et Aldenestoun et Kirkehale cum justis pertinentiis suis, tenendas sibi et heredibus suis de me et heredibus meis in feodo et hereditate per servitium unius militis ita libere et quiete sicut predictus Willelmus de Veteriponte pater ejus illas tennit. Testibus Comite Patricio|| Philippo de Valoniis¶ Cancell(ario) tunc Roberto de

W. by God's grace king of the Scots to all right minded men of all his land, clerical and lay, greeting. Know all who are living and all to come that I have granted, and by this my present charter have confirmed to Ivo de Veteripont those lands which William de Veteripont his father held in Tyndale; namely Alrington and Alston and Kirkehaugh with all their just belongings: for him and his heirs to hold of me and my heirs in fee and hereditary right by the service of one knight; as freely and undisturbedly as the aforesaid William de Veteripont, his father, held them. As witness these, Earl Patrick, Philip de

\* Earl of Huntingdon, died 1219.

† Died in 1171, *Chron. de Mailros* (Melrose).

‡ Ancestor of the Stuarts, died 1177.

§ Chamberlain in 1165, and baron of Inverkeilor.

|| Earl Patric succeeded his father Waltheof in 1182 (*Chron. de Mailros*).

¶ A Philip de Valoines, who evidently belonged to the north of England, died 6 Richard I., 1194 (Dugdale).

London(iis) filio meo Willo de Bosco clerico meo\* Engelramo de Balliolo Hugone de Norman(villa). Apud Srivel(in) 11<sup>o</sup> die Oct.

Valoines then chancellor, Robert de Lundin my son, William de Bosco my cleric, Engelram de Baliol, Hugh de Normanvill. Dated at Stirling 11 October.

King John's charter of confirmation is this :—

CHARTER III. (ALSTON).

Johannes Dei gratia rex Anglie dominus Hibernie dux Normannie et Aquitanie et Comes Andegavie, Archiepiscopis Episcopis Abbatibus Comitibus baronibus justiciariis vicecomitibus prepositis et omnibus ballivis et fidelibus suis: Sciatis nos concessisse et hac carta nostra confirmasse Ivoni de Veteriponte concessionem quam dominus W. rex Scottorum ei fecit et carta sua confirmavit de terris quas Willelmus de Veteriponte pater ipsius Ivonis tenuit in Tyndale, scilicet Alrington et Aldeneston et Kirkehale cum pertinentiis suis, tenendas eidem et heredibus (suis) de rege Scottorum et heredibus suis per servicium unius militis sicut carta ejusdem regis quam ei fecit rationabiliter testatur. His testibus: P. Wintonie Episcopo Thoma de Samford Stephano de Turneham, Roberto de Berkel(ey) Johanne filio Hugonis Ad(am) de Stawell. Datum per manus Ricardi de Marisco, apud Bristoll: 17<sup>o</sup> die Maij, anno regni nostri 11<sup>o</sup> (1209 or 1210).†

John, by the grace of God king of England, lord of Ireland, duke of Normandy and Aquitaine and earl of Anjou, to his archbishops, bishops, abbots, earls, barons, justices, sheriffs and reeves, and all bailiffs and faithful subjects. Know ye that we have granted and by this our charter have confirmed to Ivo de Veteripont the grant which William, king of Scots, made to him and confirmed by his charter of the lands which William de Veteripont, father of the said Ivo, held in Tyndale, namely Alrington and Alston and Kirkehaugh with their belongings: to be held by the said Ivo and his heirs of the king of the Scots and his heirs by the service of one knight, as the charter of the same king allowably attests. As witness, Pierre (des Roches) bishop of Winchester, Thomas de Samford Stephen de Turneham, Robert de Berkeley, John son of Hugh, Adam de Stawell, Given by the hands of Richard de Marisco at Bristol, 17th May, in the 11th year of our reign.

\* Richard the king's cleric, who witnessed the former charter, became Bishop of Moray, March 1st, 1187 (*Chron. de Mailros*).

† If the dates given in the notes to the second charter are any guide to its date, this confirmation was some years later.

Comparing the names in the first charter—Ardinchestorp, Kerkehedenen, Hornerhedenen, Alrington, Kirkheale and Aldeneby, with those in the other two—Alrington, Kirkehal and Aldeneston, we gain a hint as to the reason why the first charter was rejected in the eyre courts. Two names only remained which were clearly the same. Aldeneby in the short interval between the charters seems to have been replaced by Aldeneston and the other names to have gone out of use, so that in the time of Edward I. all, Aldeneby included, had been obliterated from memory. This is incidental witness of changes in the borderland. Of the two names which had not changed Kirkheal remains as Kirkhaugh to this day, and Alrington is probably Elrington near Haydon Bridge, though this seems rather far afield.

The case does not look hopeful for Robert de Veteripont after all these eyre courts, and we expect forfeiture. But the courts of Edward I. were intended for justice, and evidently there was reconsideration of the whole matter before the king, for in the Trinity term of that year, June 21 (Close Roll, 7 Edward I.), an order was sent to the sheriff of Cumberland to restore to Robert de Veteripont all his lands of Aldeneston which that sheriff had taken into the king's hands by order of the justices last in eyre in Cumberland, and to restore to the king of Scotland the possession of his liberty of Aldeston taken in the same way into the hands of the English king. The evidence of the charters must therefore have been accepted, and the grant in the earliest had included *infangenethef* and its accompanying privileges, which were, in fact, manorial or rather seigniorial rights. There is no record in the *Coram Rege* Rolls of a trial in King's Bench as the result of the appeal before that date of June 21st, and this leaves it possible that the king by himself decided the question and that his decision caused the order of restitution.

The question of the manor came up again later; but

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this is a convenient moment for going into various particulars about these Veteriponts and their other possessions.

William de Veteripont, to whom the first of the charters were given, was son of Robert, who married Maud de Cuveville. From the charter itself we learn that Robert had held the lands which were therein granted to William, and had held them with the accompaniments which were understood in those days to imply seigniorial and manorial rights. William, to whom these were continued by the charter, was the husband of Maud de Morville, owner of the moiety of Meaburn. Their sons were Robert, to whom King John (c. 1203) granted the shrievalty of Westmorland, and Ivo, to whom came his mother's land of Meaburn, as well as Alston and lands in Ireby (*Feet of Fines*, Cumberland, 15 Henry III.); and together with his second wife Sibyl he held land in Blencarn, Ainstable and Waverton, and tenements in Carlisle (*Feet of Fines*, Cumberland, 11 Henry III.). In 1230 he had a case of novel disseisin (*i.e.*, unwarrantable taking possession) about land in Crofton. In 1232 he had a case of novel disseisin against Robert de Hellebec about land in Askham (Westmorland). King John granted him the custody of Mount Sorrel Castle in Leicestershire, then an important post, in 1204, and in several years he received grants of money for its repairs. He took King John's side against the Pope in 1211\*; but was one of those who signed the legate's letter to the king urging a council at Bordeaux (Close Rolls, John). In 1217 the sheriff of Northamptonshire was ordered to hand over to Ivo's brother Robert his land at Mount Sorrel, he being among the king's enemies (Close Rolls, 3 Henry III.).

In that year (Fine Roll, 3 Henry III.) Robert was sheriff of Cumberland as well as Westmorland, and he sent up a complaint to the king that Hugh de Baliol was

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\* Rog. of Wendover (Chron.).

hindering the miners of Alston from free access to Carlisle by roads, and Hugh was ordered to desist. In 1219 (Rot. Cur. Reg., 70 a) the abbess of St. Mary de Pratis (Northamptonshire) claimed a hide of land each from Ivo and from William de Veteripont in Hardingstone. Ivo called on William as warrantor for his hide; William called on Alexander, king of Scots, as warrantor for both. This fee seems to have belonged to the earldom of Huntingdon, of which Scottish kings were earls. Who this William de Veteripont was is uncertain. It is probable that he was the William who in 1 Henry III. was in prison at Nottingham, and whose son in 1213 was hostage of the king of Scots, and who afterwards together with Ivo (not Ivo our present subject, for he was dead) in or about 1244 represented that he was not of counsel to do injury to the dominions of the king of England.\* These Veteriponts may very well have been cousins to Ivo, and of the family of a former Ivo, son of Robert and Maud de Cuveville.

Before 6 Henry III. (1221) Ivo seems to have been no longer reckoned as disloyal, for he was one of the knights who were ordered to "view" the forest of Cumberland under Brian de Insula, and settle bounds and adjust disafforestation where expedient (Close Rolls, 6 Henry III.), and in 9 Henry III. (1224-5) was appointed as a collector of the tax called fifteenths from those owners in Cumberland whose tenure was not military tenure. It was in this last year that complaint went up to the king that he was illtreating and imprisoning the miners of Alston (Close Rolls, 9 Henry III.). The sheriff was ordered, if Ivo was willing to put matters right with the king and to make amends to the miners, to place his land and the mine and woodland in security so that no harm might happen. In 1230 Ivo was a justice in an assize at Appleby (Patent Roll, 14 Henry III.).

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\* Earl Patric and Walter Comyn were amongst the signatories to these documents.

Ivo's first wife was Isabel de Lancaster, as charter v. (Meaburn) to St. Leonard's, York, shows; who Sibyl, his second wife, was I have not so far discovered. He had had money lent to him by King John (*Pipe Rolls*, Cumberland, Parker, *various years*), of which the last repayment was made in 17 Henry III. (1233-4); the amount seems to have been 11¼ marcs (probably gold marcs since the repayment was certainly slow). He made various grants to St. Leonard's Hospital of York from his lands in Meaburn, the charters of which come at the end of this paper. Besides all this he confirmed his mother's gift of Reagill to Shap Abbey in a lost deed, the only record of the existence of which seems to be an eighteenth century translation of a portion thereof which is amongst the Lowther muniments. This confirmation, together with his mother's gift, Robert de Veteripont (as lord of Westmorland) confirmed in a charter dated Cliburn, April 24th, 1212. Ivo's charter, according to the translation, stated that he granted\* "to Shapp Abbey the village of Revegill and all the lands and interests he held there of his lord and well beloved Robert de Veteripont, and made a division" (probably set out boundaries—*divisas*) "for the sake of the abbey" between his vill of Meaburn and the vill of Reagill, "viz., Leveneth which parts the villages to Holebecke, under Littlebank up to Revegill beck, and thence to Museholmes to a trench under Thirlefrith, then south between Thirlefrith bank and the land of St. Mary of Karliol held under the lord of Mauldes Meburne to the way between Hep and Appleby; then to Burnebank and to Whygill sike."† Some six years before his death Ivo had leased all his lands in Westmorland to Gervase de Louthier, archdeacon of Carlisle, who in turn subleased them to John le Franceys (son of Hugh), one of the barons of the Exchequer and a cleric, for 10 years. ‡ He

\* I should say confirmed.

† A conjectural date of 1238-40 is given to this in the translation, but clearly in error. Robert died in 1227.

‡ *Pipe Rolls of Cumberland* (Parker), p. 80 (23 Henry III.).

also granted, but in what year there is nothing to tell, to one of his daughters, Joan, what a later record (Assize Roll, 1321) of A.D. 1300-1 shows to have been a moiety of Meaburn Maud. This charter I give, so far as I could decipher it, from Curia Regis Roll, 130 :—

Sciant presentes et futuri quod ego Ivo de Veteriponte dedi et concessi et hac presenti carta mea confirmavi Johanne filie mee pro honagio et servitio suo unum toftum cum crofto quod fuit Alani quondam prepositi de Medbrunne cum toto gardino meo ex opposito aule mee ultra aquam in eadem villa et totam culturam meam de Smaleburghamis (?) et totam culturam meam de Grofflat et totam culturam meam de Setebergh et medietatem totius culture mee de Trellesic versus Austrum et medietatem totius culture mee de Gretland versus Austrum et medietatem totius crofti mei juxta aulam meam versus aquilonem in territorio de Medbrunne cum omnibus pertinentiis suis absque ullo retinemento et totum pratium meum quod nominatur Redmyre, de Fulsike quamdiu durat versus Austrum et 13 acras prati mei inter Wyttelsike et Spytelbanc et totum pratium meum de Trellesike in eodem territorio de Medbrunne cum omnibus pertinentiis suis absque ullo retinemento et medietatem totius pasture spectantis ad totam villam de Medbrunne cum exitibus provenientibus ex eadem pastura absque ullo retinemento. Dedi

Know all living and all to come that I, Ivo de Veteriponte, have given and granted and by this my present charter have confirmed to Joan my daughter for her homage and service one toft with a croft which was Alan's formerly reeve of Meaburne with all my garden across the stream and opposite my hall in the same vill, and all my ploughland of Smaleburghamis (?) and all my ploughland of Grofflat and all my ploughland of Setebergh and the half towards the south of all my ploughland of Trellesic, and the half towards the south of all my ploughland of Gretland and the half towards the north of my whole croft by my hall in the part belonging to Meaburn, with all that thereto belongs without any reserve, and the whole of my meadow land named Redmyre from Fulsike as far as it reaches southwards, and 13 acres of my meadow land between Wyttelsike and Spytelbanc and the whole of my meadow land of Trellesike in the same part belonging to Meaburn with all that thereto belongs without any reserve, and half of the whole of my pasture land belonging to the whole village of Meaburn with the rents that come therefrom, without any reserve. I have

et concessi eidem Johanne medietatem totius molendini mei aquatici de Medbrunne cum medietate totius secte spectantis ad medietatem dicti molendini et medietatem totius bosci mei de Barnesthagh et medietatem totius pasture mee inter Wytelsik et Sipittelbanc et medietatem totius vivarii mei de Wytelsike. Dedi et concessi eidem Johanne 2 bovatas terre cum omnibus pertinentiis suis quas Robertus Wolward quondam de me tenuit et 2 bovatas terre quas Johannes Homel quondam de me tenuit et 1 bovatom terre cum omnibus pertinentiis suis quam Michael Tunne quondam de me tenuit et 1 bovatom terre cum omnibus pertinentiis suis quam Elyas filius Willi quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis suis quas Gilbertus Carpentar(ius) quondam de me tenuit et 2 bovatas terre cum pertinentiis quas Adam de Pynkeny quondam de me tenuit et 1 bovatom terre cum omnibus pertinentiis quam Thomas de Crokham quondam de me tenuit et 1 bovatom terre cum pertinentiis quam Gregorius de Nenby quondam de me tenuit, et 2 bovatas terre cum omnibus pertinentiis suas quas Gilbertus Makeles quondam de me tenuit, et 1 bovatom terre cum omnibus pertinentiis quam Robertus Hydman quondam de me tenuit et 1 bovatom terre cum (omni-

also given and granted to the same Joan the half of my whole water mill of Meaburn with the half of the whole suit\* belonging to that half, and the half of my whole woodland of Barnesthagh† and the half of all my pasture land between Wytelsik and Sipittelbanc and the half of my whole preserve of Wytelsike. I have also given and granted to the same Joan 2 bovates of land with all that belongs thereto which Robert Wolward formerly held of me, and 2 bovates of land which John Homel formerly held of me and 1 bovat of land with all that belongs thereto which Michael Tunne formerly held of me and 1 bovat of land with all that belongs thereto which Elyas son of William formerly held of me and 2 bovates of land with all that thereto belongs which Gilbert the Carpenter formerly held of me and 2 bovates of land with their belongings which Adam de Pynkeny formerly held of me, and 1 bovat of land with all that belongs thereto which Thomas de Crokham formerly held of me and 1 bovat of land with its belongings which Gregory de Newby formerly held of me, and 2 bovates of land with all its belongings which Gilbert Makeles formerly held of me and 1 bovat of land with all that thereto belongs which Robert Hydman formerly held of me, and 1 bo-

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\* *i.e.*, services, tolls, and dues.

† Now Barnesceugh.



bus) pertinentiis quam Willus filius Petri quondam de me tenuit et 1 bovatom terre cum pertinentiis quam Willus filius Inethe quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis quas Walterus filius Ad(am ?) quondam de me tenuit et 1 bovatom terre cum pertinentiis quam Eda Bone quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis quas Robertus de Keldelith quondam de me tenuit et 2 bovatas terre cum omnibus pertinentiis suis quas Galfridus prepositus quondam de me tenuit et 1 bovatom terre cum omnibus pertinentiis suis quas Ada Tod quondam de me tenuit, et 2 bovatas terre cum omnibus pertinentiis suis quas Gilbertus Cocus quondam de me tenuit, et 1 bovatom terre cum omnibus pertinentiis suis quam Hugo Man [ ] quondam de me tenuit, et 4 acras terre cum pertinentiis suis omnibus quas Adam le Fuglere quondam de me tenuit et 5 acras terre cum omnibus pertinentiis quas Adam Cocus quondam de me tenuit. Dedi et Johanne predicte et concessi homagium et servitium Walteri de Medbrunne de toto tenemento libero quod de me tenuit in Medbrunne et Ravenesbiggung et homagium et servitium Thome de Pinkeney de toto libero tenemento quod de me tenuit in Medbrunne et homagium et servitium Willi (filii) Gilberti de toto libero tenemento quod de me tenuit in eadem villa et homagium et servitium Ger-

vate of land with (all) that thereto belongs which William son of Peter formerly held of me and 1 bovat of land with its belongings which William son of Inethe (? Janet) formerly held of me, and 2 bovates of land with all that thereto belongs which Walter son of Adam formerly held of me, and 1 bovat of land with its belongings which Eda Bone formerly held of me and 2 bovates of land with all that thereto belongs which Robert de Keldelith formerly held of me and 2 bovates of land with all that thereto belongs which Geoffrey the reeve formerly held of me and 1 bovat of land with all that thereto belongs which Ada Tod formerly held of me, and 2 bovates of land with all that thereto belongs which Gilbert the Cook formerly held of me, and 1 bovat of land with all that thereto belongs which Hugh Man(ne?) formerly held of me and 4 acres of land with all that thereto belongs which Adam the Fowler formerly held of me, and 5 acres of land with all that thereto belongs which Adam the Cook formerly held of me. I have also given to (the same) Joan and granted the homage and service of Walter de Meaburn from the whole free tenement which he held of me in Meaburn and Ravenesbiggung, and the homage and service of Thomas de Pinkeney from the whole free tenement which he held of me in Meaburn, and the homage and service of William

ardi le Tayllur de 2 bovatis terre quas de me tenuit in eadem villa et homagium et servitium Willi Crey(?) de toto libero tenemento quod de me tenuit in eadem villa et homagium et servitium Willi de Pinkeney de toto libero tenemento quod de me tenuit in eadem villa et homagium et servitium Willi filii Sun' de toto libero tenemento quod de me tenuit in Wykersbec. Et medietatem totius servitii Alani de Richemund cum acciderit de suo libero tenemento quod ei dedi in maritagio cum Jama (? Jaina or Jania) filia mea in Medbrunne et Wykeslak. Dedi et concessi eidem Johanne Gilbertum Carpenter(ium) cum omnibus catallis et tota sequela sua et Nigrat [ ] filium Gamell(i) cum omnibus catallis et tota sequela sua et Robertum Godelimoine cum omnibus catallis suis et tota sequela sua et Johannem Homel cum omnibus catallis et tota sequela sua. [Dedimus hec omnia ego vero et heredes mei eidem Johanne, tenenda et habenda de me et heredibus meis eidem Johanne et heredibus suis vel assignatis vel cui [dederit] quecunque et quodcunque . . . omnia prescripta cum omnibus pertinentiis suis [bene] et heredarie et libere et quiete integre plenarie pacifice et honorifice, in viis semitis [stagnis] vivariis et aquis, boscis et planis pratis pascuis pastis moris tubariis mariscis lapidariis nec non omnibus libertatibus] tam infra villam de

son of Gilbert from the whole free tenement which he held of me in the same vill, and the homage and service of Gerard the Tailor from 2 bovates of land which he held of me in the same vill, and the homage and service of William Crey(?) from the whole free tenement which he held of me in the same vill, and the homage and service of William de Pinkeney from the whole free tenement which he held of me in the same vill, and the homage and service of William son of Sunn . . . from the whole free tenement which he held of me in Wykersbec, and half of the whole service of Alan de Richemund when it is due from the free tenement which I gave to him in marriage with Jama (? Jaina or Jania) my daughter, in Meaburn and Wykeslak. I have given and granted to the same Joan Gilbert the Carpenter with all his chattels and his whole household and Nigrat [ ] son of Gamel with all his chattels and his whole household, and Robert Godelimoine with all his chattels and his whole household. All these I and my heirs have given to the same Joan, to be held and to be possessed of me and my heirs, by Joan and her heirs or assigns or any one to whom she shall give any of it at any time:—all these with all that belongs to all, to hold in good and hereditary and free and undisturbed possession in entirety in full and peaceful and honourable tenure, with the

Medbrunne quam extra absque ullo retenemento: reddendo inde annuatim mihi et heredibus meis unum spervarium s[orum] vel unum denarium ad festum Sti Laurentii et reddendo inde annuatim servitia pertinentia ad terram in villa de Medbrunne

Et ego vero Ivo et heredes mei warrantizabimus Johanne predictae et heredibus suis predicta[m] terr[as] et

cum omnibus [pertinentiis] contra omnes homines in perpetuum. [Et ut] mea . . . concessio . . . confir[m]aretur hanc cartam meam apposito . . . sigilli mei sigillo feci robo[rari]. His testibus Johanne de Veteriponte [ ] filio Willi Thoma filio [ ] Willo de Dak[er] [ ] de Kabergh tunc vice Comite Westmorlande [ ] de Hellebek Henrico le Taillour Roberto de [ ] [ ] de Musegrave Johanne [ ] [ ] Maunsel Alano Pincerna Roberto [ ] [ ] de Budecastro . . . .\*

roads, paths, ponds, preserves and streams, woodlands and cleared lands, meadows, pastures, grazing lands, moors, turbaries, marshes, quarries, and all liberties: those within the vill and those outside, and without any reserve; she giving to me and to my heirs yearly 1 "sore" sparrow-hawk or one penny at the festival of St. Laurence, and rendering yearly the services belonging to the land in the vill of Meaburn

And I, Ivo, and my heirs will warrant to the aforesaid Joan and to her heirs all the aforesaid lands and tenements and with all that belongs thereto against all men for all time. And that my grant . . . may be confirmed, I have made it secure by the sealing of my seal. As witness these, John de Veteripont, [ ] son of William, Thomas son of [ ], William de Dacre, [ ] de Cabergh then sheriff of Westmorland, [ ] de Hellebek, Henry le Taillour, Robert de [ ], [ ] de Musgrave, John [ ], [ ] Maunsel, Alan le Botiler, Robert [ ], [ ] de Bewcastle.

After Ivo's death Robert, his son and heir, by a charter still existing at Lowther, quoted almost word for word (the first person being altered into the third) in the Pipe Roll for Cumberland of 23 Henry III., 1239-40,† granted

\* This charter towards the end is much blurred and faded. The parts between brackets are provisional restorations, which would be easier to conjecture except that some of the expressions are unusual. The charter is wordy.

† Parker's *Pipe Rolls of Cumberland and Westmorland*, pp. 80 and 85.

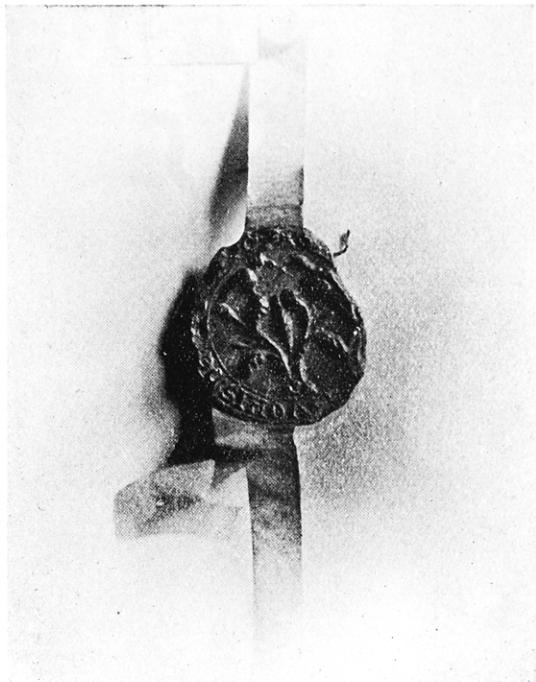
to John le Fraunceys a lease of all his lands and tenements in Westmorland for 10 years. In the Pipe Roll only one name of a witness is given, William de Haverhul, the king's treasurer.\* The Pipe Roll copy states that the lease was to begin in 1244 A.D.; this must be understood as the intention, for the entry in that roll cannot be later than 1240; the lease was thus to have succeeded that granted by Gervase de Lowther in Ivo's lifetime, of which there were still four years to run. It is curious that the date of commencement of the lease is given in the charter itself as 1240 A.D. The entry of agreement is, however, cancelled in the Pipe Roll, and a different arrangement entered in the next year whereby Robert encoffed John le Fraunceys in the manor of Meaburn Mauld. This as regards half of the manor was apparently placing a submesne lord over the head of Joan his sister. Questions between the Veteriponts and the le Fraunceys feoffees came up afterwards, as we shall see later. In one of these Robert chose Nicholas de Veteripont as one of his sureties. Before 6 Edward I. (1277-8) Robert and his sister Joan were both dead and apparently Robert left no son, for in a case about land in Meaburn brought before the assize, and put off because Gilbert le Fraunceys was dead (Assize Roll, 1239), Laurence de Veteripont was the claimant; the claim was renewed in 1288 by Robert de Veteripont, son and heir of Laurence, against Richard, son of Gilbert le Fraunceys, when a charter which he had just granted was produced against him showing that he had granted all to Richard le Fraunceys.† The action could only have been a "friendly trial" to make Richard's possession more secure.

After this, unless Alan de Richmond and Jania had children who remained as owners of land there, the con-

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\* The others given in the original charter are P. Grimbald and Ralf de Ely, then barons of the king's Exchequer, Magister Thomas Aschewi (?), Robert Lupus, William de Daker and Robert his brother, Richard son of Yngram, "and others."

† Assize Roll 132.



*Photo. by Dr. Haswell.*

SEAL OF ROBERT DE VETERIPONTE,  
SON OF IVO.

TO FACE P. 282.

nexion of the Veteriponts with Meaburn Maud ends. I will now return to Alston. That Nicholas succeeded Ivo in Alston as one of Ivo's heirs, and that too while still Laurence, son of Ivo, was living, is shown by the representation of the jury in 1279 that he began his "usurpations" over the miners' rights 40 years before, which 40 years take us back to 1239, the year of Ivo's death. But there is incidental evidence that Ivo had placed him in as freeholder even earlier, for in 1232 (Patent Roll, 16 Henry III., m. 2 d.) the question of right of patronage of the church of Kirkhalch (Kirkhaugh) was before the assize at Werk, and in this record Ivo's name is written and crossed through and for it Nicholas is substituted. Partition of estates seems characteristic of the Veteripont family in those days. The inheritance of Alston—William's—and that of Meaburne and Reagill—Maud's—came not to the elder son Robert, but to Ivo the younger son; and we find Ivo dividing among his family what he held. Alston after the time of Nicholas seems to have gone down in his family by primogeniture for some time through male heirs. Nicholas was living in 1266 when he paid half a marc to have an assize before Henry de Bratton. In 6 Edward I., 1277-8, the prior of Hexham brought complaint against Robert de Veteripont and others for damage done, in trespassing, to his pasture at Alston. In this, so far as I can judge, the trespass had been committed by Robert's tenants, and his name came in only as being their overlord. The case was undefended, and was to be transferred to Newcastle.\* In the next year, 1277-8, Alan de Veteripont had a writ granted against the prior for trespass but did not prosecute, and Laurence de Veteripont had an action against William de Swynburn which was to be heard at Westminster,† and Robert himself was reported for not taking up knighthood though he possessed lands of the value of a knight's fee.

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\* Assize Roll, 130.

† Assize Roll, 649.

Robert died before 1282. And again the manor of Alston was claimed by the justices of the king from his son Nicholas, who was summoned for Thursday, December 6th, 1291, before Hugh de Cressingham and his fellow justices in eyre to surrender it to the king.\* He did not appear. The sheriff was ordered to take the manor into the king's hands—*i.e.*, to sequester, in all particulars and to summon him for October 17th, Wednesday after St. Luke, 1292. He made default again. The sheriff certified that all that was required of him had been done, and therefore the decision was that the king should again take possession of the manor thus forfeited by default. But execution of the decision was suspended till the king's pleasure should be known.

For Adam de Berton came to the court, and produced a charter which the king had granted ten years previously couched in these terms:—

Edward by God's grace king, &c. Know ye that although we recovered in our Court by the decision of that Court against Robert de Veteriponte the manor of Alston and its belongings as of our county of Cumberland, still at the request of our beloved nephew Alexander son of the high Prince Alexander illustrious king of Scots, we have granted the manor to Nicholas son and heir of the aforesaid Robert to be had and held, by him and his heirs, of the aforesaid king of Scots and his heirs for all time by the services therefrom due, saving to us and our heirs the mine of Alston the miners and the liberty of the mine and miners which we have retained fully for us and our heirs; and we grant for us and our heirs that the aforesaid manor henceforth shall belong to the Liberty of the said lord king of Scots of Tyndale reserving this that the miners of that mine shall account to us and our heirs for the mineral, as they have hitherto given account In witness whereof we have caused these letters patent to be made Witness ourself at Chester 4 July in the 10th year of our reign (1282).

After their report had reached the king, an order was sent to them thus couched:—

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\* *De Quo Waranto*, p. 129; Chancery Miscellanea, Bundle 53, file 1 (20).

Edward by God's grace king, &c., to his, &c., justices in eyre in the county of Cumberland, greeting. Because we are given to understand that in your eyre you are dragging into Court before you Nicholas de Veteriponte in a way in which he ought not to be caused to appear, and in which neither he nor his ancestors have been accustomed to be made to appear in the past, we, not wishing that he should be harassed in an undue manner in this matter, charge you that in your present eyre you do not cause him to be brought into Court otherwise than he ought and than he and his ancestors have been accustomed. Witness ourself at Roxburgh 11 Dec<sup>r</sup> in the 21st year of our reign (1292).

But the justices seem not to have felt satisfied. They looked up the rolls of John de Vallibus of 1279 and the inquisitions made and the perambulation of bounds of which I have already given detail. They had another jury, and from them a presentment about the liberty of Aldeynston, the record of which is not given in the *de quo Waranto* volume nor in the rolls from which that is derived, and I have not found it except in a transcript\* sent up for a later investigation, which was called for in 1356.

The jury give, almost word for word, the former jury's statement about the king's right to every "ninth disk" of ore and every fifteenth penny from the proceeds of sale; they tell of the man whom the king is to supply to separate the ores, "le drivere," as before. They were asked this time what the revenue from the mine had been in the 14 years since the last inquisition; £4 and 2d. they answered, which amount they believed Thomas de Normanvill, the king's escheator, had received and had accounted for at the Exchequer—certainty on this point was ordered to be gained by application to the Exchequer. The jury then presented that there was on the moor an iron mine belonging to the king, and that the sale of mineral therefrom brought in 15s. yearly. And that Ralf de Levington when lessee of Alston in the first instance took that mine

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\* Chancery Miscellanea, Bundle 53, file 2 (66).



over the head of King Henry, father of the younger king (*regis junioris*), and held it for 20 years, and that during that time the mine produced £15, from the yearly sale producing 15s.; (and not more) because there was not woodland there to supply wood for the smelting.

The justices then ordered the sheriff to distrain Richard de Kirkbride, Walter de Corry, Walter de Twynham, Gilbert de Suthayk, Patrick Trumpe, Matilda de Carrik, and John de Seton, heir of the aforesaid Ralf de Levyington, and Nicholas, son of Robert de Veteripont, and to cause them to appear at Newcastle-on-Tyne in the next Hilary term to account for the 14 years' revenue. They admitted that they held the lands which had been held by Ralf de Levington, and offered to pay their proper proportions. These were apportioned between them and paid.

The result of the investigation was that the justices decided to put the whole matter afresh before the king (*ideo inde loquendum cum domino rege—de quo Waranto*, p. 129). The reply to that was this letter:—

Edward by God's grace king, &c., to his, &c., justices in eyre in Cumberland greeting. Although we in our Court before you in Cumberland by the decision of the Court recovered against Nicholas de Veteripont the manor of Alston, which manor we before that time by our letters patent had granted to him and his heirs to hold of Alexander of good memory formerly king of Scotland and his heirs for all time by the accustomed services: we will, notwithstanding, that this judgment made by your Court should be totally annulled, and that Nicholas should have again his possession of the manor. We require you accordingly to restore to Nicholas the said manor according to the tenor of our letters patent. Witness ourself at Newcastle on Tyne 6 Jan<sup>y</sup> in the 21st year of our reign.

The Court accordingly proceeded to give Nicholas seisin of the manor. The king's letter was almost accompanied by another requiring the justices to observe in every particular the letter in which he had granted back the manor to Nicholas to hold, as his ancestors had held it before him, of the king of Scots within his liberty of Tyndale.

But Alexander's death wrought great change, and the quarrel with the Scots. John Baliol could not hold his own. In the beginning of 1293 the liberty of Tyndale was in the hands of the king of England, and was finally separated from the demesne of the Scottish kings.

A few stray items next occur. William, son of Nicholas de Veteripont, in 1296 was outlawed for felony, and his messuage and four acres in Alston taken into the king's hands (sequestered).\* It was returned as held of the prior of St. John of Jerusalem. It was retained "in the king's hands" for a year and a day. William was pardoned at the instance of Robert de Clifford (Patent Roll, 1296).† In 1301 (Assize Roll, 1321) an assize was held to settle whether Nicholas de Veteripont and Eda, widow of Laurence de Veteripont, had dispossessed William de Veteripont, son of Alan, of his free tenement in Gerardgil and Alston—*i.e.*, of one messuage, 12 acres of land and 8 of meadow. Nicholas was attached for not appearing to answer to the charge. Eda got out of the way, and could not be found. The land was sequestered, and the jury decided that Alan had died in possession and William his son had rightfully entered into possession, and Nicholas had deprived him and was at the mercy of the Court. William was put again into possession. Eda, the jury decided, was not in fault, and William (at "the mercy of the Court") would have been fined for bringing the charge against her except that he was pardoned because he was under age. It is quite possible, if we knew more about the case, that it was one of those which were often coming up, exercising custody of the heir when the

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\* *Inquisitio post mortem*, 24 Edward I., No. 81. Held at Carlisle. The jury were William de Wynton (?), Simon de Penruddok, Gilbert Hoboye (?), John de Mora of Alston, William de Sutton, Geoffrey Fraunceys, Adam Armstrang, Michael de Harlaxton, Walter de Mounby (?), Thomas de Docwra, Ralf de [ ], and John son of Ranulf.

† On October 3rd, 1298 (*Patent Rolls*, 26 Edward I.), John de Byroun, sheriff of York, was pardoned for allowing the escape from the gaol in York Castle of Nicholas, William, Simon, Robert, and Robert, all de Veteriponts, and William and James de Ros. Probably these were taking the side of the Scottish king.

tenure was not cornage but socage, and therefore illegally exercising it. Nicholas was paid in November, 1311,\* for losses of beasts incurred in the raid under Robert de Clifford—presumably against the Scots—towards Faringby. His *Inquisitio post mortem* was taken at Penrith on the Wednesday after St. Luke, 8 Edward II.† (October 23rd, 1314). This tells us that he had a capital messuage (manor house) in Aldreston (Alston) worth 40d. yearly and 14 acres of ploughland in demesne each worth 6d. yearly, 100 acres of meadow, each worth 3d. yearly. He had 33 tenants at Gerardgill occupying 23 shielings (*scalingas*) and paying £5 18s. yearly, 13 tenants at Amoteschalth (Ameshaugh) paying 68s. 4d. In Alston he had 16 tenants holding 16 messuages and paying 37s. 6d., and at Nent and Corbriggate (Corbygates) 22 tenants holding 22 shielings and paying 111s. There was a watermill worth £4 yearly and a fulling mill worth 10s. There were 3000 acres of pasture on the moor which brought in 10 marks yearly for the depasturing. He received also 3s. of freeholders' rents; and the pleas of the Court at Alston were worth 20s. yearly. All these he held under the manor of Werk (Wark in Tyndale) which was in the king's hands, by the service of suit to the Court of Werk every three weeks. Robert his son, they said, was his heir and was 14 years old, and Nicholas held no other lands in Cumberland.‡ Robert, if of that age at that time, would naturally come into possession in 1321. For some undiscovered reason, however, his possession was only sanctioned in 1334 (Patent Roll, 7 Edward III., pt. 2), when his fee for having possession sanctioned was 20s. The king's letters patent inform us that he had inspected the letters patent of Edward I. of 1282, already

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\* Exchequer Q.R. Miscellanea, vol. 7, Army 35 (18).

† Inq. post mortem, Chancery, Edward II., 35 (16).

‡ The jury in this inquisition were John de Hoton Roff, John de Laisingby, John Hunter, Thomas Holley, John de Peneredd (Penrith), John de Blaconmore, William de Sutton, Robert de Bales, Robert de Nent, Reginald de Bales, Thomas de Bales and John del Houses.

mentioned, granting to Nicholas the manor, and consenting to his holding it as his ancestors had held it up to that time. This letter is dated Dunstable, January 22nd. Edward III., at some date which I have not yet discovered, granted the liberty of Tyndale to his wife Queen Philippa.\* In Chancery Miscellanea, Bundle 53, file 2 (69), we have his letter to the barons of the Exchequer saying that the miners of Alston had complained to him bitterly that although their land was parcel of Cumberland, and they and their ancestors who from time to time mined there had been accustomed from of old to pay 10 marcs yearly at the Exchequer of Carlisle, they were now compelled by Queen Philippa's bailiffs of Tyndale, part of Northumberland, to attend the Courts there and to pay various sums of money for Philippa's use, in addition to their rightful dues, and were forced to bear other burdens which were not rightfully imposed, and that too by heavy penalties, and that they were oppressed in many ways to the damage of the king's mines and the impoverishment of the miners, and they prayed for release from the oppression.† The king wished to be informed whether Alston was part of Cumberland or part of the liberty of Tyndale and whether the rent of 10 marcs yearly was the rent, and he ordered the barons of the Exchequer to examine the rolls of the justices in eyre and the Exchequer rolls and memoranda which bore on the matter and were in their custody, and to return to him what they found recorded without delay under their seals (May 16th, 1356). The answer sent back with the returned writ was in separate schedules (*cedule*) sewed to it as usual, and with their endorsements explaining what they were. The Exchequer had looked up the Pipe Rolls, and found that

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\* Edward II. had granted it to Piers Gaveston and Margaret his wife, the king's niece, in 1311; and after that, in 1322, to Andrew de Harcla, earl of Carlisle. Between the forfeiture of Andrew and the grant to Queen Philippa I do not know who held it.

† Wherever the term miners comes in these records, it of course means the masters and not the men.

in 12 Henry III. (1227-8) the sheriff received 10 marks from the "firm" of the mine, and so from year to year they say the entry appears in that reign and in the reign of Edward, grandfather of the king, and of Edward, the king's father, till the present king's twenty-eighth year. In the eleventh year of the king's grandfather, they say, the entry is "from the king's mine in Alston as is contained in Rotulo Originali of the tenth year," and so from year to year the item occurs up to the same 28th year of this present king. In the Rotulo Originali of 10 Edward I. they found that the king after recovering the manor from Robert de Veteripont gave it back at the instance of Alexander, son of the Scottish king, to Nicholas, son of Robert, to be held by him of the Scottish king—all as before related—the mine being reserved to the English kings. They next add the copy of the proceedings before Hugh de Cressingham and the other justices, of which detail has been already given. Presumably the encroachments of the bailiffs were stopped, but I have found as yet no further record of this case.

The wife of Robert de Veteripont of this date, Margaret, seems to have inherited lands in Ukmanby or Hucmanby and Midelscough (Middleseugh), but as her *Inquisitio post mortem* is missing, though catalogued, we cannot tell what lands she held, nor do we know her family name. In 1355 Robert was sheriff (Patent Roll, 29 Edward III.). In 1357 (Patent Roll, 31 Edward III.) he and one of his sons, William, were perpetrators together with other men of Alston Moor and with John Parnyng, rector of Skelton, of one of those riotous cruelties which make some of the most unpleasant reading in mediæval history. They broke into Nicholas Skelton's house at Skelton, and assaulted him and cut off his left foot, causing the death of his wife Ellen, through grief, and of her unborn babe. What the cause of the riot was and what punishment was inflicted, if any, I have not yet discovered. The wife of Nicholas de Veteripont, Robert's eldest son, was Elena Daubenay,

daughter of Robert Daubenay (Inquisitio post mortem, 41 Edward III., 1st Nos., 60).\* She died after her husband and had been married again, to John de Moriceby, by whom she had a child. The children of Nicholas and Elena were two daughters and a son, Robert, who died on All Saints Day, 1369, at about 19 years of age (Inquisitio post mortem, Chancery, file 217).† Elena was possessed of land in Kescliff (Westmorland) held of the barony of Greystoke, of the manor of Dufton held in cornage, of rents there; and of clearings in the forest of Inglewood called Kirkethwayt and Lynethwayt held of the king in chief by payment of 60s. yearly to the Exchequer of Carlisle. The worth to the owner was 6s. 8d. yearly; she held also the manor of Johnby, which was to revert to John de Lancaster‡ if Nicholas and she had no progeny. There were great searchings of hearts and of records and several inquisitions and trials in Court to settle of whom Johnby was held. Elena held it in cornage. As her son Robert died unmarried, her inheritance went down to her two daughters—Elizabeth, wife of Thomas de Blencow, and Joan, wife of William de Whitlaw, both over 20 years of age.

It is from the Inquisitio post mortem of Robert their grandfather that we have the next information (Inquisitio post mortem, 45 Edward III., 1st Nos., 60). A part of it is torn away and the names of the jury are gone and it

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\* The jury were—at Appleby, Thomas de Blenkansopp, Thomas de Warcopp, William de Crakanthorp, Hugh de Berewys, John de Colby, William de Colby, Thomas de Helton, Robert de Layburn, William del Bornes (?), Roger de Cundale, Walter Tyle, and Ralf de Bagley; at Penrith, Christopher de Moriceby, Thomas de Beauchamp, John Dicconson, John de Leysingby, Adam de Blencowe, John de Alaynby, John de Carleton, William de Hoton, Thomas son of Hugh de Skelton, William de Hoton of Salkeld, John de Dolphinby, and William de Laton.

† The jury were William de Stapelton, Andrew de Laton, Roger de Salkeld, John de Alanby, Gilbert de Suthayk, William (de) Vaux, John de Carlton, William de Hoton, John de Levington, Richard de Laton, John de Leysingby, and William Kityson. The inquisition was held at Penrith and a second also, with the same jury. A third was held, but of this only a small fragment remains.

‡ John de Lancaster was interim feoffee. I have found no other connexion of his with Johnby.

is much discoloured, but enough is left and is decipherable with patience to make out its interesting information. Of this I give a digest. Robert de Veteripont had given his manors of Alston and Ellerington and the advowson of Kirkhalgh to William de Salkeld, rector of a moiety of Dyketon, and Ralf de Kryngeldyk, chaplain, as interim feoffees, and had received them back granted to him for life and entailed on his sons Nicholas, William, and John, and their male heirs in turn in case of failure of male issue of the elder. Nicholas and William at the time of the inquisition were both dead leaving no male heirs, and the next heir in entail was John to whom the jury said the manors and lands ought to come and to his heirs male. The manor of Alston itself,\* they said, bought in no profit over and above its expenses. In the manor were three carucates of land each worth 20s., 40 acres of meadow of demesne which were worth 10s. 11d. There were 40 dwelling houses called schelles (shielings) on the moor of Alston, each worth 6s. 8d. yearly. John (de) Williamston held a freehold by fealty containing one messuage and 40 acres of land called "le Houses"† in Gerardesgill, and paid 12d. yearly at Michaelmas. John de Williamston and Richard de Laton held conjointly one messuage and 100 acres of land in Raynerholm by fealty. Walter de Tyndale held one messuage and three carucates of land in Kirkhalgh, and paid 13s. 4d. at Michaelmas. There were 1000 acres of moor which brought no revenue over their expenses. The site of the manor of Ellerington was of no value over its expenses. There was one carucate of land in demesne there which was worth 20s., and there were three acres of meadow worth 3s. in all. There were four messuages there and four husbandry lands (*terre husbandree*), each worth 40s. and each containing 18 acres. There was one cottage worth 3s. and a close of herbage worth

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\* That is, the homestead and its belongings.

† "The Houses" is marked on Saxton's map of Cumberland in the 1610 edition of Camden's *Britannia*.

3s., and 20 acres of woodland worth nothing beyond expenses. A water-mill there was worth 13s. 4d. yearly. John de Elleryngton paid 24s. for the lands and tenements which he held in Elleryngton. John Leker held a freehold of one messuage and one husbandry land by fealty and payment of one pound of pepper at Michaelmas. The manors and the advowson were held of the king as of the manor of Werk in Tyndale by the service of one knight. Robert held no other lands of the king either in fee or for life. He died on Saturday before St. Mary Magdalen, 1371 (July 18th). Elizabeth and Joan, daughters of Nicholas, were his next heirs; Elizabeth then of 22 and more and Joan of 21, but the reversion of the manors and the advowson was to John, who was still living, and belonged to him and his male heirs.

One is surprised in this by the absence of all mention of the mines. After this—1371—till November 13th, 1414, a space of 43 years, I have come upon no record dealing with Alston. In amongst the multitudes in the Record Office there may easily be undiscovered entries, and amongst private muniments some may be yet existing, to explain what had happened. On November 13th, 1414, Henry V. by letters patent (Patent Roll, 2 Henry V., pt. 2, m. 3) granted to William de Stapilton and his tenants at will of his manor of Aldeston, the continuance of their tenure of the mine with all its profits, liberties, franchises, and immunities as aforetime held; he and his ancestors, lords of this manor, the Patent Roll says (*Willus de Stapilton et antecessores sui domini dicti manerii*) had paid and were still paying for the said mine 10 marcs yearly to the Exchequer of Carlisle, though for 50 years and more the mine had been of no profit to them. The continued tenure was conditional on the continued payment. This entry comes as a surprise, and the next set carries on the surprise. It is a set of records; Placita in Cancellaria, file 25 (17); Chancery Miscellanea, Bundle 53, file 1, Nos. 20 and 22; and Coram Rege Roll, 652, m. 94, all of the



beginning of the reign of Henry VI.—the first of them of his first year, the second of dates between the beginning of his reign and January, 1426, and the Coram Rege of Hilary, 1425. These give the proceedings in the series of actions in which William de Stapilton and Mary his wife tried to recover possession of the manors of Alston, Elyngton, and Gerardgill. The proceedings and trials are interesting enough, but I must simply give a digest; the whole long serpentine progress told in involved wordiness is too long to give in full. The grant to John lord de Clifford of the manors which had been owned by Nicholas de Veteripont “the last deceased” could only have been made a few years preceeding 1422; William de Stapilton held the manor and the mines as we have seen in 1414, but how, we have to discover. John de Clifford held them, according to his *Inquisitio post mortem*, by the service of paying 10 marcs (£6 13s. 4d.) to the Exchequer at Carlisle. Now this was simply the “ancient” service for the tenure of the mines, and had nothing to do with the service for the manor, military service of one knight, and it looks as though the grant by Henry V., if we could only find it, had been only of the mines, and that in those years of warfare mines and manor had again become confused.

The claim of William and Mary de Stapleton was brought into the Court of Chancery on November 13th, 1422. There they alleged that there was within the realm of England a regal barony (*dominium regale*) contiguous with Cumberland called Tyndale; that from time immemorial it had been a regal barony, and that it was distinct from that county entirely; that Thomas Grey and Isabel his wife, at that time owners of this barony, and all others who had held it had successively had their own chancery, their own courts of common pleas and pleas of the Crown and sheriff's courts, and all other pleas and inquisitions, just as these were held in the king's courts; and that regal jurisdiction of every kind was theirs throughout this barony except only within the mine of Alston, called also

the mine of Carlisle; that it was never the case, except with regard to the mine, that any action about rights in land or claims were taken to the king's chancery from the barony, or that any king's writ was current; that it was never the case that any chancellor, treasurer, justice, sheriff, escheator, or any official of the king exercised jurisdiction there or filled office, except again as regards the mine and touching the liberties and franchises of the mine; that it was never the case that the barony or any part of it or any tenement in it, except the mine, was part of or was in the county of Cumberland\*; that the manors of Alston, Elryngton, and Gerardgill, and every part of them, were in the barony and not in the mine, and had always been in the barony; that it was never the case that these manors and tenements were in the county of Cumberland, but they were held of the lords of the barony of Tyndale for the time being by military service, and were not held in chief of the king as the *Inquisitio post mortem* of John de Clifford had set forth; and they, William and Mary de Stapilton, were seised of these manors and tenements, they said "in demesne as of fee," till by pretext of that inquisition they were dispossessed. They offered to give evidence to prove their statements in what way the Court agreed to hear it, and petitioned that delivery of these manors should not be given to Thomas de Clifford nor to his custodians nor to Elizabeth, widow of John de Clifford, on the pretext of that inquisition, but that the king's hands (sequestration) should be removed, and the revenues accruing since the grant to the Cliffords should be returned to them, the claimants.

The Crown pleader urged that the letters patent of May 27th, 1422, had granted to the two Elizabeths, widows of Thomas and of John lords de Clifford, the custody of all the Clifford castles, manors, lands, and tenements, because

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\* This must be understood to mean that no part of Tyndale barony was in the county jurisdiction of Cumberland. Inside the nominal bounds of the county part of it certainly was, but the County Courts had no jurisdiction there.

of the minority of the heir; and since the inquisition had included these three manors in the Clifford lands, the three were included in the king's grant, and he maintained that the Court could not proceed without the presence of the two grantees to show why the grant should not be annulled.

It took some time to get under weigh, but to the sheriff of Cumberland a writ went on the 5th of July, 1423, nominally from the king, in reality from the Court of Chancery, summoning the Cliffords to appear in Chancery towards Michaelmas, 1423. Of almost the same date (July 2nd, 1423) was a writ to the Exchequer of Carlisle requiring transcripts of the record of the case of the king against Nicholas de Veteripont in the time of Edward I. (already detailed), to be sent up under seal by the Exchequer; and another, dated July 4th, to the same Exchequer requiring transcripts of the charters of Robert de Veteripont concerning the manor of Alston, "which are in our treasury under your custody, as is said," to be sent to the Chancery at Westminster also under the seal of the Exchequer of Carlisle. The report of the law case, and the transcripts of the three charters (as already given earlier in this paper), were sent sewed to the writs and endorsed with explanations of what they were, and sewed to the writs they remain to this day.

On September 14th, 1423, the writs and the answers being duly returned, both parties appeared in Chancery by attorney. The Clifford attorney claimed in defence that the letters patent ought to hold good, and that the Cliffords, the grantees, ought not to be called to answer for possession without the king, the grantor, being called on (as warrantor). Henry V. was of course dead, and they petitioned the help of his heir, the reigning king. The plea was allowed, and William and Mary were told to seek for a license from the king to proceed with their case if they wished to do so. Before the end of 1423 their attorney appeared in Court bringing

a writ of privy seal, dated November 27th, 1423, to the chancellor, T. Langley, bishop of Durham, allowing the Court to proceed in the case notwithstanding the allegation about letters patent, but judgment was not to be pronounced without consulting the king. The Crown attorney questioned the statements made about the manors, and claimed that they were of and in the mine and parcel of it, and offered to prove this in whatever way the Court thought best. The attorney of William and Mary reasserted that the manors were never of nor in the mine nor parcel of it, and he in turn offered to prove his case, and both sides appealed to have a jury belonging to the country side about Alston. A day was then appointed for the case to be heard *Coram Rege* (in King's Bench) in the Easter term of 1424. The sheriff of Cumberland was ordered to find a jury of 24 knights and men of standing and probity from the vicinity of Alston, and not related to the Stapletons nor connected with them. The day came and the names of the jury from the sheriff—but no jury-men. The sheriff was ordered to distrain, and to have them to appear in the Octave of Holy Trinity. The attorneys of both parties came at the time appointed, but this time the writ had not been returned by the sheriff. Hence delay once more, and an injunction to the sheriff to require attendance within a month of Michaelmas, 1424, unless the justices of the assizes held assize at Carlisle before the Vigil of the Assumption (Monday, August 14th).

Michaelmas came and with it not only the attorneys of both sides, but a letter from the justices of assize in Cumberland with the record of what had gone on there concerning the case. There William and Mary attended in person, and the jury came. Proclamation "as was wont" was made that if any one on behalf of the lord king wished to challenge the jury or to give information about the matters in question he should come forward and say what he had to say. No one offered, and the Court

proceeded to take the inquisition. The jury, "tried and sworn," gave as their verdict upon oath that the manors and tenements of Alston, Elrington, and Gerardgill, with their belongings, were not nor any parcel of them, nor were they at the time of the Inquisitio post mortem of John lord de Clifford, in or of the mine or any part of the mine, but were as William and Mary had alleged. On the receipt of this report the parties were ordered to appear in the next Hilary term (January, 1425); and William and Mary were told to obtain in the meantime license from the king to proceed. In the Hilary term the attorneys came, and the attorney of the Stapletons produced a close letter of November 28th, 1424, ordering the justices to proceed without delay to give judgment and to do full and speedy justice to William and Mary, the king's writ bidding them not to proceed notwithstanding.

And the last step was that the inquisition of John lord de Clifford so far as it touched the manors was annulled, the letters patent recalled, the sequestration removed, and William and Mary were put into possession and granted the arrears of revenue, "Saving always the rights of the lord king, &c." On February 1st, 1426, a king's writ was sent out requiring a record of the whole trial (Chancery Miscellanea, Bundle 53, file 1, 22). And there the account ends. I only hope I have put together aright the pieces of the puzzle which the different documents and the wordy procedure form.

But the result is to find oneself on a shore of problems. In what way had the inheritance become William's and Mary's inheritance? What was her share in the claim? Who were the ancestors of William that were lords of the manor of Alston as described in the Patent Roll of 2 Henry V.? Were these ancestors his or his wife's? Had there been, if they were his, any interim feoffee entailing them on him and her? If they were his wife's were they granted to him and her in "frank marriage?" Was her's a widow's portion, a life interest only?

A difficulty at the outset is that the manors of Alston and Elryngton were entailed, as we have seen, by Robert de Veteripont, who died in 1371, on heirs male. But facts as well as settlements have to be faced, and, as we have also seen, Margaret, daughter and heir of the last owner, succeeded as "domina" to Alston Moor.

Robert's male heirs must then have entirely failed. But Margaret is not called "domina de Alston" simply; then had the inheritance been divided before it came to Nicholas? This would make him a Veteripont, husband of a Veteripont heiress. We might suppose again that William de Stapleton, husband of Mary, was tenant under a Veteripont, and handed down this freehold to his son, who by marriage with Margaret became mesne lord and not underlord. But the grant to Clifford would not have disturbed this underlordship, and their claim was against the Cliffords for the lordship which Nicholas de Veteripont had had; and there seems no place for a Stapleton underlord in the *Inquisitio post mortem* of 1371, where the list of freeholders is complete. And William, Mary's husband, in his *Inquisitio post mortem* in 10 Henry VI., 1433, is described as owner of "a mine of Aldeston More." The possession of the mine *did* descend from him to his son William, who in conjunction with Margaret, the heiress of Alston Moor, was enfeoffed in it by interim feoffees (*Inquisitio post mortem*, 36 Henry VI., 48). We might now begin to imagine that the mother of William the younger was probably the rightful owner—the co-claimant in 1422. But here again we are on an encumbered path. After the death of William, the father—husband of the co-claimant in 1433—troubles arose between his widow, Mary, and his son, which we are told he had foreseen. William blocked possession of the dowry his father wished to leave her. The troubles were aggravated when a little later Mary was married to Thomas de Bethom; evidently William felt that her new husband was getting a too large share of his estate, though it was only for life. Petitions

went up from Thomas de Bethom\* and his wife to the lords chancellors complaining against William. From one of these petitions† we learn to our astonishment that Mary had had a husband before she married William de Stapleton, and that this, her first husband, was Nicholl Wapont (Nicholas de Veteripont), who could hardly be other than "Nicholas de Veteripont the last deceased" of the record of 1422, and father of Margaret, wife of William Stapleton the younger, and owner of Alston Moor! Records are merciless, but we have one more surprise which make this a sort of possibility. In 1443 (Patent Roll, 21 Henry VI.), July 3rd, the king grants to a justice, Richard Neville, 100s. yearly out of rents in Carlisle and Inglewood held for life by Mary, which Richard was to have during the life of Roger, "son of Thomas de Bethom and Mary his wife, late wife of William Stapleton." Mary had a son then after 1433—or 1434. But when in 1433 William Stapleton the elder died, his son was returned as of 40 years of age and over (Inquisitio post mortem, Henry VI., file 59, 8, 9, 10, 11 Henry VI., 40). Therefore he was born about 1393. And since his father was 16 in 1380 (Inquisitio post mortem, 2 Richard II., No. 62) this is quite easy. But Mary, the widow of Nicholas de Veteripont and of William Stapleton, could not have been the younger William's mother, and for the same reason *a fortiori*, she could not have been the mother of Margaret de Veteripont. She must then have been second wife to Nicholas as well as to William. Her identity is established by the entry from the Patent Roll last quoted; for we can trace back the Inglewood grants, first to confirmation of them in 1437 (Patent Roll, 16 Henry VI., pt. 1, No. 32) after her marriage with Thomas de Bethom, and then to 1414 (Patent Roll, 2 Henry V.) when they were confirmed to William de Stapleton and

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\* Early Chancery Proceedings, Bundle ix., 68; ix., 307; xii., 220; lxx., 85.

† lxx., 85.

settled on her, Mary, for life after William's death. Therefrom we learn that Nicholas was at that time dead, and she was William's wife. And now a way begins to open. For it is in this very year that Henry V. confirms to William the tenure of the mines as held by his "ancestors," lords of Alston. We recognise that all male heirs of Veteriponts had come to an end, otherwise Margaret, daughter of Nicholas, could not have inherited Alston Moor. And we look back once more; Elena, widow of a former Nicholas, at her death in 1362 held in her own right the manor of Johnby and that of Kescliff in Dufton, Westmorland; these possessions were handed down, parted, between her two daughters, Elizabeth de Blencow and Joan de Whitlaw, her co-heiresses, who are also called the heirs of Robert de Veteripont their grandfather, though not to the entailed manors. Now the assignment of the dowry of Mary, widow of William de Stapleton, who died in 1433, as well as his own *Inquisitio post mortem*, shows that William held lands in demesne in Kescliff and in Johnby, though not the manors; part were assigned to Mary for life, part went down to his son. This is strong evidence for either William Stapleton the elder or his wife being a descendant and heiress of either Elizabeth de Blencow or Joan de Whitlaw. William it could not have been for we know that his mother was a Ritson, and going further back is to go too far. Therefore his wife (whose name I have not found) and mother of his son was the descendant, and on total failure of Veteripont male heirs heir to part of the estate. On this hypothesis we can clear away mystery, and construct a probable history. The death of Nicholas brought to William, through his wife who had left a son and heir, the reversion of tenures in Alston; and the possession of tenures in Kescliff and Johnby were already his through his wife. William chose to marry the widow of Nicholas, and there-through became joint sharer in her Veteripont dower for life. He married his son William to the daughter of



Nicholas, and so made him in her right joint possessor of Alston Moor, and thus brought into the Stapleton family the whole inheritance of the Veteriponts, except the portion which would go to the descendants of the other daughter of Elena, and if these also had failed, the whole. This hypothesis is countenanced by the attempt to assign to Mary much out of the Alston tenements for life, which would be her Veteripont dower, and by the final assignment in her dower after the somewhat natural troubles with William, the husband of the heiress, were settled, of no lands at all in Alston, but Stapleton tenures only.

## EARLY CHANCERY PROCEEDINGS,

## B. 70, No. 85.

This is by far the most full of particulars of all the petitions sent up. It is not only delightful as a specimen of the local English of the period, but is interesting for the particulars afforded regarding the arrangements attempted in trying to settle the dower of Mary; and taken in contrast with the actual settlement made after inquisition it helps to clear some dubious points. The four "brether-in-lawe" are given in another petition (B. 9, 307) as Henry Fenwyk, kt., Hugh Lowther (of the Cumberland branch presumably), Robert Clexton, and Thomas Salkeld, the other two "thriftie" persons as "men leving in the lawe," and their names John Urswyk and Thomas Burgham. The date of the petition, which from the word "faderhode" near the end was sent up to a chancellor who was also bishop, is limited to two periods 1436-7, when Henry Fenwick was sheriff of Cumberland, or 1439-40 when Hugh Lowther was sheriff; these are the only brothers-in-law who as sheriffs came within possible limits. Either period would suit the chancellorship of John Stafford, bishop of Bath and Wells, and to him the petition B. 9, 307, was addressed. The dower was not assigned till 1443; and even after that things did not run smoothly. On May 11th, 1444, a mandate was

sent to arrest William Stapleton to cause him to cease preventing Thomas Bethom from executing an order given in Chancery; and on June 8th, 1444, he was reported as not found, having betaken himself to unknown places to escape being compelled. The tabulation which follows the petition is given to save space instead of the separate inquisitions.

## EARLY CHANCERY PROCEEDINGS, 70/85.

Meacly beseiches Thomas of Bethome and Mary his wife some-  
tyme wife to Nicholl Wapont and afterward wife to William of  
Stapulton that where as the saide William lying on his dethebede,  
dredyng gret debate and hevynes to fall after his decesse betwene  
his saide wyfe and William of Stapulton his son about dyvers  
joyntures and astatez, dowers of dyvers londys, and tentez, made  
a wille and appoyntement, to the whiche the saide Mary and  
William the son were agreeet, and sworne upon a boke truly to  
hoode and performe, that is to say that the said Mary shulde have  
for terme of hir lyve certeyne londes and tentes in Bocharby  
Staynton and Dolfenby, and that the saide William the son shulde  
have the maner of Ednel with the towne of Brambray, and that all  
the remnant of the londez and tentez of the saide William the fader  
shulde evenly be departet betwene the saide Mary and William the  
son, the whiche londs and tentez so appertenynge to the saide Mary  
ben of the value yerly over all charges of a c marcs and xx. And  
where as the saide William the fader was full in purpose to have  
made the saide Mary his sofe executrice, and that she shulde have  
hade the residue of all his godez; his body buryet, his debts whytte\*  
and his bi whestez† performat, the(n) be mediation of the saide  
Mary the saide William the son was made his executor, because of  
the grete trist that she hade to hym for his said othe; the whiche  
residewe is of the valewe of m<sup>l</sup> m<sup>l</sup> marc' (2000 marcs) and more;  
after that the saide William the fader passet to God. After (whose)  
decesse the saide William the son variet with the substauce of this  
appoyntement and accorde, whereupon be mediacion of thaire  
frendes the said Mary and William the son were sworne to abide  
the ordenaunce of all this mater of iiij brether in lawe of the saide  
William the son. duryng which [ ] an(d) ensuraunce the saide

\* Quitted.

† Bequests.

Mary suffret the sayd William the son to have the kynges writtes of office to be servet after his own entent agayn the saide Mary wrongwisly; and the awarde made be othe [of] the said iiij brether accordyng to the first appoyntement he refuset to perfourme; and because [that?] the saide William the son yet efte refuset to perfourme this appoyntment when the saide Mary hade taken to husbonde the saide Thomas, the saidez supliauntz and William the son were put in awarde ordenaunce and dome of vi thrifte persones of which vi foure were brether in lawe to the said William the s[on] [which were] sworne upon a boke to be even men betwene the saide suppliauntez and the saide William the son, the whiche awardet that the saide Mary shulde have all the londez and tentez in Bocherby Staynton Penereth Dereham Thurstanefeld Gaytscales Wgtredsete Sebraham Aldate Bruht\* Sandholm Gamylsby Hurbrightby Stapulton Haidanebrigge and Kryngildike and also all the londez and tentez which Hoge Vicars John Bramwra Thomas Clerke John Vicars Thomas Jacson Thomas Cwersour (?) John Hansell William Bakster William Bales John Dryburn Thomas Fawell Vicar of Aldeston Robert Bramwra William Alisaunderson John Watson John Lekson (?) William Archer Wat Hechonson William Cobes John Boweman John Bakster William Diconson John Richardson of Dryburn and Robert Shortrede at that tyme helde in Aldeston more, and also a place callet Galhoue (?) a place callet Jopeeshe a place callet Smythehill, a place in the tenure of Thomas Fawewell, a place callet Poundesholme, a place callet Hundhawe, a place callet Blakgill, 13s 4d of the ferme of Kirkehagh 12d of the ferme of Thomas Wepound† and a place callet Topley side in Aldeston more with all the arrerags<sup>s</sup> of rentes then lying unpaide in the hondez of the tenauntez of the said tentez after the deth of the saide William the fader; and that the saide Mary shulde be made sewre of the same ten(emen)tez to terme of her lyve be the saide William the son and his assignes as in the awarde made and e[ ]t be the [ ] six arbitrours, here redy to shewe, hit playnle apperes. Also the said arbitrours ordenet and awardet that the saide William the son shulde have other certeyn tentez parcell of the tentez of the saide William the fader as in the saide awarde apperez. Also the saide arbitrours awardet that the saide Mary shuld have [all the?] halvendele the residewe of all the godes and catellez of the saide William the fader; his dettes whitte and his wquistz‡ performat, except that the saide Mary shulde have all the

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\* Burgh-on-Sands.

† Vipont—Veteripont.

‡ For bi quistz, bequests.

array for her own body clere without particion, and the saide William the son all the array that was to the body of the saide William the fader the day of his deghyng\* clerely without particion, and except also that the saide Mary shulde have al the money that at the tyme of that awarde yeven she had in her possession, that was to the saide William the fader the day of his deghyng, clere without clayme of the saide William the son or of his assignes. And that the said William the son shulde have all the money that was in his possession the tyme of the saide awarde gyven, the which was to the saide William the fader tyme of his deghyng with(out) clayme of the saide Mary. After whyche awarde yeven the saide partiez were sworne to mete at a certeyn tyme at Penereth, and that thai shuld have ther at that tyme all the dedez and munimentz concernyng the said tentez the which that thai had in thaire possession, or any other maner to thaire use, to the effecte that the saide landez and tentez shu(ide) be departed accordyng to the saide awarde, and that ayther partie myght have the dedez and munimentz concernyng thaire part of the saide tentez: at which tyme and place the saide partiez mette and one Thomas Salghill, the which had certens dedez and munimentez concernyng the saide ten(ementz) be livery of the saide Mary when she was sole, to kepe to her use at the request of the said arbitrours, sende† by a servaunt of his the saide dedez and munimentez to the same place at the same tyme to be delivered to the saide Mary; at which tyme the said William the son with force and armiez made‡ to take the saide dedez and munimentez fro the saide servaunt of the saide Thomas Salkell; of which dedez and munimentez the saide suppliauntez have no copy. And the saide Mary not lret§ ne full notice having in certeyn how she shall ask theyme be course of the commyn lawe. Also where (as) the saide suppliauntes hav to ferme of the kyng diverse wodez in Barrokfeld Itonfeld and Brongill by syde Karlill, there the saide William the son hath fallen and lad away grete quantite of these wodez, and labours|| an action of wast¶ to be sewet for the kyng agayn the saide suppliauntez for the wast done by the saide William the son, agaynes all maner of consciens; the which William the son also holdez and occupiez the substance of all the maners londez and tentez that the saide Mary shulde have in the fourme afore rehercet

\* Dying.

† Sent.

‡ Caused.

§ Probably l[ette]ret=informed.

|| Exerts himself to cause.

¶ Waste.

and also withholdez fro the saide Mary the substance of the residue of the godez and catell aforesaide appurteining to the saide Mary. Also, hevying trefy taken be the worshipfull lordez the Erles of Stafford and Northumberland betwene the said suppliantes and the said William the son, he sewet pryvely an accion of wast agaynes the saide suppliantez, supposyng\* thayme to have done wast in the saide tentes in Staynton; and thai not warnet ne soment, he hade opon thaire defaute a writ to the Shirref of Cumberland his brother in lawe to enquere of the wast, and the under-shirref delyveret to the saide William the son the writ and inquisicion; by force thereof taken to retorne hit, the saide William (the) son chonget the Inquisicion and the verdit and retornet a grettor somme by ciili xijs xd then ever the Jurie saide, to gret hurte and perillous deceyt to the said suppliantez, of the whch wrongez, odious deceytes and offences the saide suppliantez may † have no dewe remedy be course of the commyn lawe. Please hit unto your gracious fader hode to consider these premiszez and (that) the said William (the) son may be examyned of the maters and articlez aforesaide, and that the saide Thomas and Mary may have, and rejoyce, all that ‡ right gode faithe and conscience requeren in this partie by zoure hiegh and wise discrecion, for the love of God and in way of chari(tie).

## WILLIAM STAPLETON'S POSSESSIONS,

AND THE PROPOSED AND FINAL SETTLEMENTS OF THE DOWER OF MARY HIS WIFE, WIDOW OF NICHOLAS VETERIPONT.

\* Proposed by William himself, together with even partition of all others except Edenhall and Bramwra.

† Proposed by the "brether-in-lawe."

‡ Settled by inquisition.

Kesclyff (lands in) .	Burgh-on-Sands. † ‡
Yanwyth † „	(Brught)
Brammwra.	Studeholm. †
Penreth. †	Gamlesby. †
Carleton. †	Hughterset. † ‡
Joneby, † part.	Dereham. † ‡
Lasyngby.	Udale.
Blencarn.	Stapilton. †
Cargowe and fishery.	Levyngholme. †

\* Alleging.

† Can.

‡ That which

Comquyntyge.	Alston Mine.
Gryngyldyke.†	Alston Moor,† tenements in
Hubrightby.†	Bochardby.* †
Stanewyges.	Stanton.* † (not in inquis.)
Karliol,† tenements in	Sebraham.†
Ragheton.	Aldale.†
Gaytescales.†	Haidenebrigge.†
Castel Soureby.	Kirkhaugh,† tenements in.
Thurstanesby.†	Dolfenby. * †
Lambergh.†	Edenhall.

She had by royal grant for life Barrofeld, Itonfeld, and Brougill in Inglewood Forest.

## CHARTERS TO ST. PETER'S HOSPITAL, YORK.

### GRANTS IN MEABURN MAULD AND CROSBY RAVENSWORTH.

These charters are copied from a series of transcripts in the Charter Rolls of 22 Edward I. The original grants were subject to confirmation by the kings from time to time, and when this happened the charters were sometimes copied on the Charter Rolls. The copying was not too accurately done. In one or two of them the names of the witnesses were so misread that one can hardly make even a good conjecture what names the originals had on them. These grants are valuable, however, for the light they throw on the history of de Morvilles and de Veteriponts.

#### CHARTER I.

The first charter is a grant by William, the husband of Mauld de Morville. It must date from the latter half of the twelfth century. We cannot conclude for certainty that it was drawn up after the death of Earl Henry (son of David I., king of Scotland), which took place in 1152, but we may almost presume this because William does not include his wife among those for the safety of whose souls the grant is given, but only mentions her consent,

and this looks as if the others mentioned, like his father and mother, were dead.\* I think the name Langerun among the witnesses must be for Langetun (Longton in Leyland, Lancashire); p'tor was probably for presbyter, Alurei for Alured (Alfred), Princanei for Pincerna—but these are only conjectures.

CHARTER I. (MEABURN).

MAULD DE MORVILLE'S INHERITANCE.

Sciant omnes audientes et videntes has literas quod ego Willelmus de Veteri Ponte dedi et concessi fratribus hospitalis Sancti Petri Eboraci 4 bovatas terre liberam et quietam in elemosina in Mebrun pro salute animarum Henrici comitis et Fuconis fratris mei et Ivonis fratris mei et patris mei et matris mee; et † hoc concessisse Mahald femine mee ‡ Hii sunt testes Alexander clericus de Crossebi Raulf de Liti (Lib?) Paganus de Langerun Gillemichel p'tor Alurei venator Frem' Raven Willelmus Princanei Frebald Walter.

Know all who hear and see this letter that I, William de Veteripont, have given and granted to the brothers of the Hospital of St. Peter of York 4 bovates of land free and released (from all secular service) in alms in Meaburn: for the safety of the souls of Earl Henry and of Fulk my brother and of my father and my mother: and that Mahald my wife has granted this. These are witnesses, Alexander clerk of Crosby, Ra(n)ulf de Liti (?), Payn de Langetun (?), Gillemichel presbyter (?), Alfred (?) the huntsman, Frem' Raven, William Pincerna (? the butler), Frebald, Walter.

CHARTER II. (MEABURN).

A charter of grant by Mauld herself. Garethorn is still identifiable as Garthorn. One of the most interesting points in the charter is the clause in which she says that she will obtain her brother's sanction to the grant within

\* William was living between 1153 and 1171, as Charter I. (Alston) shows. These are the limits of date of that charter, and not 1153-1177, as by a slip I gave them. That Ivo succeeded him at Alston between 1182 and 1187 we learn from Charter II. (Alston).

† Probably "sciant" is to be understood.

‡ Sic, for feminam meam.

six months of his return to England. That charter of sanction is not in the series on the roll, but a corresponding one confirming a grant is No. IV. On this and the light it throws I comment when we reach it.

William Bacun, a witness, may be an early ancestor of the family that held Hilton Bacon. Davull is probably Davill. A Walter de Davill (Farrer, *Lancashire Cartulary*, p. 389) witnesses a grant by Roger de Mowbray to William, son of Gilbert de Lancaster. There is nothing to settle which Aliza de Gant this was; mother, daughter of William Paganell, or daughter married to Robert, son of Harding.

CHARTER II. (MEABURN).

MAULD DE MORVILLE'S.

Sciunt omnes fideles tam futuri quam presentes quod ego Matildis de Morevill et heredes mei concessimus et dedimus et carta nostra confirmavimus Deo et pauperibus Hospitalis beati Petri Eboraci totam terram nostram nomine Garethorn cum omnibus suis pertinentiis, tenendam de nobis in feudo et hereditate libere et quiete, reddendo nobis singulis annis unam marcam argenti pro omni servicio et consuetudine humana, scilicet dimidiam ad Pentecosten et dimidiam ad festum Sti Martini. Insuper dedimus eisdem pauperibus communam in Mebrun cum hominibus nostris ejusdem ville. Quare volumus et precipimus ut predicti pauperi supra memoratam terram in bene et pace in nostra firma custodia ac protectione teneant; pefatam quippe terram eis contra omnes homines tenebimus et warrantizabimus. Et preterea hoc sciendum

Know all the faithful both those to be and those living now that I, Matildis de Morevill, and my heirs have granted and given and by our charter have confirmed to God and the poor men of the Hospital of the blessed Peter of York the whole of our land named Garethorn with all its belongings; to be held of us in fee and heredity in free tenure and released (from other services) they giving to us each year one mark of silver for all service and customary dues (payable) to man: that is to say, one half mark at Pentecost and one at the feast of St. Martin. We have also given to the same poor men common in Meaburn to be held as our men of the same vill hold it. Wherefore we will and order that the aforesaid poor men shall hold the above mentioned land to advantage and in peace in our assured guardianship and protection:



est quod faciam Hugonem de Morevill, fratrem meum et dominum, infra primum dimidium annum in redditu suo in Angliam, supradictam concessionem et donationem cum omnibus pertinentiis suis prescriptis eisdem carta sua confirmare pauperibus [predictis]. His testibus Roberto Davull Radulfo de Beauver Willelmo Davull Adam Luvell Willelmo Bacun Roberto de Bucu Roberto de Bello Campo Henrico de Stemgrif Ivone de Dacis Aliza de Gant Gilberto Capellano Nicholao Capellano Willelmo clerico.

and we will ensure and warrant the aforesaid land to them against all men. Further it is to be known that I will cause my brother and lord, Hugh de Morevil, within the first six months after his return to England to confirm to the said poor men the aforesaid grant and donation with all that thereto belongs. As witness these:— Robert Davull, Ralf de Beauver, William Davull, Adam Luvell, William Bacun, Robert de Bucu (? Bussci), Robert de Beauchamp, Henry de Stemgriff(?), Ivo de Dacis, Aliza de Gant, Gilbert the chaplain, Nicholas the chaplain, William the cleric.

#### CHARTER III. (CROSBY RAVENSWORTH).

This charter of Thorphin de Alverstayn I have inserted chiefly because of its being that confirmed by Hugh de Morville, assuredly the brother of Mauld. The charter mentions a Hugh de Morville, who was evidently dead, for Thorphin renews the conditions under which St. Peter held in the time of Hugh, but the benefits are desired for a Sir Hugh in which a distinction seems to be made between two of the name. This would be intended for the benefit of the Hugh who sanctions.

An interesting item in this charter is the grant of a right of way as if in "severalty" over the common, to St. Peter. The witnesses are chiefly members of St. Peter's Hospital.

#### CHARTER III. (CROSBY RAVENSWORTH).

Notum sit Archiepiscopo Eboraci et Decano et toto capitulo ecclesie Sti Petri, et universis Sancte Matris Ecclesie filiis quod ego Thorphinus de Alverstayn

Be it known to the Archbishop of York and the Dean and the whole chapter of the church of St. Peter and to all sons of Holy Mother Church that I, Thorphin

et Alanus filius meus et heres concessimus et dedimus Deo et Sancto Petro et Sancto Leonardo et pauperibus Hospitalis Sti Petri Eboraci 40 acras in Crosby juxta molendinum in uno tenore ubi edificia hominum Hospitalis sunt, et 9 acras, ad Blascher ubi edificia fratrum sunt, in continue juxta 24 acras, et tocius ejusdem ville communem pasturam in latitudinem 6 perticarum ad exitium sibi et hominibus suis qui manserint super illam elemosinam ubi tempore Hugonis de Morevilla a primo exitum habuerunt, et hec omnia optulimus super altare Sti Petri ad opus pauperibus Hospitalis in firmam and puram et perpetuam elemosinam liberam et quietam et solutam ab omnibus geldis et consuetudinibus et auxiliis et ab omni humano servicio et regis et aliorum dominorum; et hoc fecimus pro Dei amore et pro anima domini Hugonis de Morevilla et pro nobismetipsis et pro salute dominorum nostrorum et pro animabus omnium antecessorum nostrorum, ut sinus participes omnium bonorum et orationum que fiunt in illa sancta domo, tam in vita quam in morte. Insuper concessimus et dedimus fratribus ejusdem Hospitalis ad tenendum de nobis et heredibus nostris jure hereditario 6 bovatas terre, videlicet illam terram totam a 40 acris elemosine per supercilium montis qui dicitur Brunebanca usque ad veterem fossatam que descendit de

de Alverstayn, and Alan my son and heir have granted and given to God and St. Peter and St. Leonard and the poor brethren of the Hospital of St. Peter of York 40 acres in Crosby situate by the mill in one stretch where the buildings of the men (tenants) of the Hospital are, and 9 acres at Blascher where the buildings of the brethren are next to their 24 acres, and a breadth of 6 perches of the common pasture of the whole of the said vill, for an exit for them and their men (tenants) who shall reside on their eleemosinary land, where they had from the first an exit in the time of Hugh de Morvill; and all this we have offered on the altar of St. Peter for the use of the poor brethren of the Hospital in assured and pure and perpetual alms, free and quit and discharged from all gelds, customary dues, and aids, and all secular service due to the king and other lords; and this we have done for love of God and for the soul of Sir Hugh de Morevill and for ourselves and for the salvation of our lords and for the souls of all our ancestors, that we may be participators in all the good deeds done and prayers made in that sacred house, both in life and in death. Moreover we have granted and given to the brothers of the same Hospital, to be held of us and of our heirs in hereditary right 6 bovates of land, namely all that land from the 40 acres of alms stretching along the brow of the

Brunebanca ad semitam de Askeby et sic per illam semitam usque ad viam que vadit de Appelby ad Tebay et sic per divisas de Mebrunna usque ad terram ecclesie de Crossebi et sic per illam terram usque ad supradictas 40 acras elemosine, et 12 acras in Blaskersica; reddendo nobis per annum et heredibus nostris predictis, 16 solidos pro omni servitio; 8 solidos ad Pentecosten et 8 solidos ad festum Sti Martini. Nos vero nullos monachos nec religiosos in territorio de Crosby recipiemus nec aliquem divitem propter gravamen supradictorum fratrum. Hec omnia nos eis acquietabimus et warrantabimus erga dominos nostros et omnes alios homines. Nos vero hoc servaturos sine fraude et malo ingenio fide et juramento firmavimus, cujus rei hi sunt testes, Robertus decanus Simon camerarius Willelmus Tillemur Walterus filius Fagenolfi Magister Robertus de \* Scot Stephanus Camerarius Robertus Morel Durandus de Wyntonia Alveredus capellanus Robertus Scire Petrus de Vestiario Patricius Capellanus Radulphus de Saxtun Ricardus clericus decanus Petrus de Hemeleseia Johannes clericus Rogerus Inker Johannes de Vestiario Ermisius de Blackestrete.

hill called Brunebanc to the old dyke which goes down from Brunebanc to the path to Asby, and then along that path to the road which goes from Appleby to Tebay, and so along the bounds of Meaburn to the land of the church of Crosby, and so along that land to the aforesaid 40 acres of elemosinary land and (their) 12 acres in Blaskersic: they giving us and our heirs yearly 16s. for all services: 8 at Pentecost and 8 at St. Martin's feast day. And we will receive (as tenants) no monks nor religious in the laud belonging to Crosby nor any rich man to the hurt of the aforesaid brethren. All this we will acquit (from other services) and warrant to them against our (over)lords and all men else. And we have taken oath and given security that we will keep to this without fraud and fraudulence: of which thing these are witnesses, Robert the dean, Simon the chamberlain, William Tillemur, Walter son of Fagenolf, Mr. Robert the Scot, Stephen the chamberlain, Robert Morel, Durand de Wynton, Alfred the chaplain, Robert Scire, Peter of the vestry, Patrick the chaplain, Ralf de Saxtun, Richard cleric and dean, Peter de Hemeleseia (? Helmsley), John the cleric, Roger, Inker, John of the vestry, Ermisius (? Ernisius) de Blackestrete.

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\* "De" probably for le, a mistake which occurs not so seldom as one would expect.

## CHARTER IV. (CROSBY RAVENSWORTH).

The value of this charter is, I think, that it settles a long existing doubt. The grantor, Hugh de Morville, is shown by the very diction to be in a very different position from that of a lord of a manor. The whole tone is that of the owner of a barony containing manors under it. He grants his "firm peace throughout his land" in the style of one who has seignorial position and officials to carry out his rule. The term the king's peace was the insurance of the king's protection to his subjects in his realm; a baron's peace was the baron's protection to the tenants in his barony in a franchise quasi regal; and both needed officials to enforce their peace. In amongst the witnesses we have Haverd the constable of Knaresborough. This was the castle of Hugh de Morville, lord of Westmorland and Knaresborough till 1173 (Farrer, "On the tenure of Westmorland," these *Transactions*, n.s., vol. vii., p. 103), and the sanction could be given by no other than this Hugh. Comparing this with the undertaking by Mauld in Charter II. we get an unmistakeable identification of the slaughterer of Becket with her brother. Evidently her father's name was also Hugh as we cannot but judge from the language in Thorphin's charter. That the grant of the barony of Westmorland to Robert de Veteripont, Mauld's eldest son, who if Hugh left no children was his heir, was a continuance of its holding by the same family, as I suggested (these *Transactions*, n.s., vol. ix., p. 260) seems thus confirmed. But I was wrong there in suggesting that the slaughterer of Becket was Hugh, father of Mauld, and the tentative pedigree wants correction. The date of the charter, as shown by Gospatrik Ormson being witness and by the date of the deprivation of Hugh's barony of Westmorland, must have been before 1179.

## CHARTER IV. (CROSBY RAVENESWORTH).

## CONFIRMATION BY HUGH DE MORVILLE.

Hugo de Morevilla omnibus suis hominibus et ministris suis universisque Sancte Matris ecclesie filiis tam presentibus quam futuris salutem. Notum vobis facio me concessisse et hac presenti carta mea confirmasse Deo et Sto Petro et pauperibus Hospitalis beati Petri Eboraci totam terram et pasturam in Crossebi quam Torphin de Alvestayn et Alanus filius ejus eis in elemosinam perpetuam prius dederant liberam et solutam et quietam, eisdem metis et eisdem divisis sicut in carta Thorphini et Alani prenominatorum; et preterea confirmo predictis pauperibus terram quam tenent de Thorphino et Alano ejus filio in feodo et hereditate in campis de Crossebi in omnibus sicut carta virorum prenominatorum testatur. Quare volo et firmiter precipio quatenus predicti pauperes prefata teneant in bene et in pace and honorifice, et concedo eis et hominibus suis et omnibus qui ad se pertinent meam firmam pacem per totam terram meam, et prohibeo ne aliquis ministrorum meorum sibi vel suis forisfaciat aut disturbet sive injuste implacitet. Hec autem feci pro salute anime mee et pro animabus patris mei et matris mee et omnium antecessorum meorum ut simus participes omnium beneficiorum et orationum que fiunt vel facienda sunt in illa

Hugh de Morevill to all his men and officials and all sons of Holy Mother Church, greeting. I do you to wit that I have granted, and by this my present charter have confirmed to God and St. Peter and the poor brethren of the Hospital of St. Peter of York all the land and pasture in Crosby which Torphin de Alverstayn and Alan his son had given to them in perpetual alms, discharged and quit (of all other services) within the same bounds and limits as in the charter of Torphin and Alan aforesaid are described; and moreover I confirm to the aforesaid poor brethren the land which they hold of Thorphin and Alan his son in fee and heredity in the fields of Crosby in all points as described in the charter of theirs aforesaid. Wherefore I will and charge that the aforesaid poor brethren shall hold these to advantage and in peace in honourable tenure; and I grant to them and their men (tenants) and to all who belong to them my firm peace throughout my land, and I forbid any of my officials to forfeit or disturb or unjustly implead them or theirs. This I have done for the safety of my soul and for the souls of my father and my mother and all my ancestors that we may participate in all the good deeds done or to be done and

sancta domo Dei nocte et die tam in vita quam in morte. His testibus, Roberto Archidiacono de Karliolo Roberto dapifero Roberto Aristotele et toto capitulo de Appleby Thorphino filio Roberti Reginaldo de Belshamp Gilberto filio Serlonis Gospatricio filio Orm Hauerd Constabulario de Cnaresboro Henrico clerico.

all the prayers made or to be made in that sacred House of God night and day in life and death. As witness these, Robert archdeacon of Carlisle, Robert the steward, Robert Aristotle and the whole chapter of Appleby, Thorphin son of Robert, Reginald de Beauchamp, Gilbert son of Serlo, Gospatrick son of Orm, Haverd constable of Knaresborough, Henry the cleric.

#### CHARTERS V., VI., AND VII.

Charters V. and VI. are by Ivo de Veteripont. In V. he mentions particulars of his kindred. The Hugh de Morville mentioned must be his mother's father. It would seem that Ivo had only one brother, Robert, since he makes no mention of another. Isabel de Lancaster, his wife, was very probably a daughter of William de Lancaster I. and Gundreda,\* daughter of Roger, earl of Warwick. Gundreda's grandmother was Isabel of Vermandois, and the name of Ivo's first wife seems like a reminiscence of that name.

Of the witnesses Henry de Cundale was of Bampton, Ranulf de Pinkeney of Meaburn and Wickerslak, Richard of the abbey was probably of Shap. A witness to Charters VI. and VII., Richard de Camera, was probably of Little Strickland (these *Transactions*, N.S., ix., p. 267). The le Butiler family held King's Meaburn. My attempts to find the modern names of the places in Meaburn and Crosby mentioned, except those recorded on modern maps, were failures. Old lists and old memories were consulted, but in vain. Charter VII. simply finishes the series of grants to St. Peter connected with Garthorn, which begins with Mauld's gift in Charter II.

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\* If Gundreda was, as Colonel J. Parker maintains (*Yorkshire Archaeological Journal*, xxi., p. 67), widow not daughter of Roger, earl of Warwick, Isabel would be her mother.

## CHARTER V. (MEABURN).

## MAULD DE MORVILLE'S INHERITANCE.

Omnibus Sancte matris ecclesie filiis has literas visuris vel auditoris Ivo de Veteri Ponte salutem. Noveritis me intuitu caritatis pro salute anime mee et pro animabus Hugonis de Morvill et Willelmi de Veteripontis patris mei et Matille de Veteri Ponte matris mee et Roberti fratris mei et Isabelle de Loncastre sponse mee et omnium predecessorum et heredum et successorum meorum dedisse concessisse et hac presenti carta mea confirmasse Deo et pauperibus Hospitalis Sti Leonardi de Eboraco Garethorn cum pertinentiis secundum limites et divisas subscriptas, scilicet ab antiquiore stagno molendini de Garethorn usque ad Ghile proximum terre arabili usque ad magnam fossam et ita ex transverso vie que venit de Kendale usque ad magnum lapidem et inde usque ad finem quatuor lapidum et ita descendendo usque ad capud de Windecotghile inferius et inde ad Rudekeldesic, in Rudekeldesic descendendo per rivulum Driabecghile usque ad divisas de Hof, et sic ex transverso usque ad divisam que est inter Ascheby et Gareth[orn] usque ad rivulum de Ascheby et inde ascendendo usque ad predictum antiquum stagnum; totam hanc predictam terram secundum limites predictos dedi et concessi et hac presenti carta mea con-

To all sons of Holy Mother Church who shall see or hear this letter Ivo de Veteriponte, greeting. Know ye that guided by charity, for the safety of my soul and for the souls of Hugh de Morvill and William de Veteripont my father and Matilda de Veteripont my mother and Robert my brother and Isabel de Lancaster my wife and all my ancestors and heirs and successors, I have given and granted and by this my present charter have confirmed to God and the poor (brethren) of the Hospital of St. Leonard of York Garethorn with its belongings according as the under written limits and boundaries show: that is to say, from the older mill pond of Garethorn to the Ghil next the ploughland as far as the great dyke, and then across the way which comes from Kendal, up to the great stone, and then to the end of the four stones; thence descending to the lower head of Windecoteghil, and thence going to Rudekeldsike; in Rudekeldsike descending by the stream of Driabecghile to the bounds of Hof; then transversely to the boundary between Asby and Garethorn to the stream of Asby, and thence ascending to the aforesaid old pond: the whole of the aforesaid land according to the aforesaid limits I have given and granted and by this my

firmavi Deo et prefato Hospitali in puram et perpetuam elemosinam cum molendino de Garethorn et pertinentiis et cum communa pasture de Mebrun, habenda et participanda fratribus ejusdem Hospitalis de averiis suis de Garethorn cum hominibus meis de Mebrun rationabiliter quantum pertinet ad tenementum de Garethorn liberam solutam et quietam de me et heredibus meis in perpetuum ab omni seculari servitio et exactione. Fratres autem illius Hospitalis non excolent amplius de terra illa quam tempore hujus donationis mee excoluerant; salva tamen eis pura et perpetua elemosina in terra illa. Preterea dedi et concessi et hac eadem carta mea confirmavi predicto Hospitali in puram et perpetuam elemosinam dimidiam carucatam terre in Mebrune quam ibidem tenuerant in vita patris mei et matris mee cum omnibus pertinentiis suis infra villam et extra, cum rationabili instauro secundum quod aliqua alia dimidia carucata terre in eadem villa pati potest et cum omnibus aliis aisiamentis et libertatibus excepto quod homines (qui) in terra manebunt sequentur molendinum meum. Ego vero Ivo et heredes mei warrantizabimus prefato hospitali omnes supradictas terras cum pertinentiis in puram et perpetuam elemosinam ita libere et pure et quiete sicut aliqua elemosina libere haberi potest, et defendemus et acquietabimus eas in perpetuum contra

present charter have confirmed to God and the aforesaid hospital in pure and perpetual alms together with the mill of Garethorn and its belongings and with common of the pasture of Meaburn: to be had and shared in conjunction with my men of Meaburn, as far as belongs to the tenement of Garethorn by the brethren of the same hospital for their beasts of Garethorn; in free tenure released and quit of all secular service and exaction, of me and my heirs for ever. The brethren of the hospital shall not turn to tillage more of the land than they had tilled at the time of this grant; saving to them their rights in the land, of pure and perpetual alms. Moreover I have given and granted and by this same charter have confirmed to the aforesaid hospital in pure and perpetual alms half a carucate of land in Meburn which they had held in the life of my father and my mother with all that belongs to it within and without the vill with a reasonable renewal of stock such as any other half carucate in the same vill is allowed, and with all other easements and liberties, except that their men who shall dwell on the land shall do suit to my mill. And I, Ivo, and my heirs will warrant to the said hospital all the aforesaid lands with their belongings in pure and perpetual alms as freely and completely as any alms can be had, and we will defend and acquit them for ever against all



omnes homines ob omni seculari servitio et exactione. Hanc vero donationem et warantizationem meam sigillo meo presenti impressam super altare ejusdem Hospitalis manu propria optuli. His testibus: Rogero de Bello Campo Ricardo fratre ejus Rogero de Bedhum Willo de Wytheud Henrico de Cundale Fulcone de Neuport Willelmo et Gregorio de Hvale de Ravenesby Ranulpho de Pynkeni, Jacobo et Roberto de Neuby Roberto filio Ulf Willelmo filio Simonis Ada fratre ejus Johanne clerico de Lanesdale Johanne de Capella Ricardo de Abbatia Willelmo Ada' Petro Willelmo sacerdotibus Bernardo stabulario Alano Eustachio et multis aliis.

men, from all secular service and exaction; and this gift and warrant with my present seal attached I have offered on the altar of the same hospital with my own hand: with these as witnesses: Roger de Beauchamp, Richard his brother, Roger de Betham, William de Wytheud, Henry de Cundale, Fulk de Neuport, William and Gregory de Whale of Ravenesby, Ranulf de Pinkeney, James and Robert de Newby, Robert son of Ulf, William son of Simon, Adam his brother, John the cleric of Lanesdale, John of the chapel, Richard of the abbey, William, Adam, Peter and William priests, Bernard the staller, Alan, Eustace and many others.

#### CHARTER VI. (MEABURN).

##### MAULD DE MORVILLE'S INHERITANCE.

Omnibus Sancte matris Ecclesie filiis ad quos presens scriptum pervenerit Ivo de Veteri Ponte salutem. Noverit universitas vestra me caritatis et pietatis intuitu et pro salute anime mee et animarum omnium antecessorum et successorum meorum concessisse et dedisse et presenti carta mea confirmasse Deo et pauperibus hospitalis Sancti Petri Eboraci totam illam terram in territorio de Mebrun ab inferiore capite de Wndecotgile usque ad sicham que est in superiore ejus capite et ita in longum juxta predictam sicham versus Austrum usque ad foveam juxta puplicam

To all sons of Holy Mother Church to whom the present writing shall come Ivo de Veteri-ponte, greeting. Know all of you that guided by charity and piety and for the safety of my soul and of the souls of all my ancestors and successors, I have granted and given and by my present charter have confirmed to God and the poor men of the hospital of St. Peter of York all that land in the part belonging to Meaburn which stretches from the lower head of Windecotgil to the sike which is in its higher head, and reaches alongside of the aforesaid sike towards the south as far as the pit by the

stratam que vadit ab Appellby usque Tibbay et ita juxta eandem publicam stratam versus occidentem usque ad divisam de Crosseby et exinde usque ad divisam de Askeby et usque ad Keldeheved et exinde versus orientem inter divisas de Mebrun et Askeby usque ad molendinum et usque ad terram quam antea dederam in elemosinam predicto hospitali, tenendam scilicet et habendam et colendam totam predictam terram cum suis pertinentiis predictis pauperibus in puram et perpetuam elemosinam liberam solutam et quietam ab omni seculari servitio et exactione sicut aliqua elemosina liberius et melius dari potest. Ego autem et heredes mei totam predictam terram predictis pauperibus warrantabinus acquietabimus et defendemus in omnibus et contra omnes homines in perpetuum, ut ego et omnes antecessores et successores mei simus participes omnium benefactorum que fient in predicta domo Dei in perpetuum. Testibus Thoma filio Johannis tunc Vicecomite de Appelby Johanne de Ormeshevede Wilhelmo de Morvilla Ada persona de Askeby Thoma de Hastings Ricardo de Camera Waltero senescallo Gilberto coco Ada Langestirape and multis aliis.

public way which goes from Appleby to Tebay, and then alongside the same public way towards the west as far as the bounds of Asby reaching to Keldhead, and thence towards the east along the boundary of Meburn and Asby as far as the mill and the land which I had aforetime given in alms to the aforesaid hospital; to be held and tilled, the whole of the said land with its belongings, by the aforesaid poor men, in pure and perpetual alms, in free tenure, and as quit and released from all secular service and exaction, as any alms could be given. And I and my heirs will warrant, acquit (of service) and defend the aforesaid land, to the aforesaid poor men in all things against all men for ever; that I and my ancestors and successors may participate in all the good which shall be done in the aforesaid house of God for ever: as witness these, Thomas son of John, then sheriff of Appleby, John de Ormside, William de Morville, Adam parson of Asby, Thomas de Hastings, Richard de Camera, Walter the seneschal, Gilbert the cook, Adam Langstirape, and many others.

CHARTER VII. (CROSBY RAVENESWORTH).

Sciunt omnes presentes et futuri quod ego Thomas de Hastings caritatis et pietatis

Know all living and all to be that I Thomas de Hastings guided by charity and piety for

intuitu pro salute anime mee et animarum antecessorum meorum dedi et concessi et hac presenti carta (mea) confirmavi Deo et pauperibus Hospitalis Sti Petri Eboraci turbam et briweram cum communa de Crossebi ad estoveria sua et ad sustentationem grangie eorundem de Garthorn et ad carandum extra feodum de Crossebi usque ad grangiam de Garthorn quantum eis ibidem necesse fuerit sine venditione et donatione; tenendum et habendum predictis pauperibus in puram et perpetuam elemosinam, libere integre et quiete ab omni servicio et exactione seculari sicut aliqua elemosina liberius et melius teneri et haberi potest. Ego autem et heredes mei predictam turbam et predictam briweram cum omnibus prenomatis, predictis pauperibus warrantizabimus adquietabimus et defendemus in omnibus contra omnes homines in perpetuum. In hujus autem rei robur et testimonium huic scripto sigillum meum apposui. His testibus Gilberto de Kyrketon tunc vice comite de Appelby Thoma filio Johannis Henrico de Suleby Matheo de Rademan Philippo de Hastinghes Waltero de Stirkeland Alexandro de Wyndesoures Willelmo de Morvill Ricardo de Preston Alano le Buteiler Ricardo de Camera [Rolando de Crosseby Waltero de Mebrun and multis aliis.

the safety of my soul and that of my ancestors have given and granted and by this my present charter have confirmed to God and the poor brethren of the hospital of St. Peter of York peat and heather with common of Crosby for their fires and for keeping up their grange of Garthorn, and for carrying outside the fee of Crosby to their grange of Garthorn of as much as they have need there and not for sale or bestowal: to be held and had by the aforesaid poor brethren in pure and perpetual alms freely and in full and as quit of all secular service and exaction as any alms can be held. And I and my heirs will warrant the aforesaid peat and heather together with all the aforesaid belongings to the aforesaid poor brethren and will acquit and defend them against all men for all time. In establishing and attestation of which I have affixed my seal to this writing; as witness these: Gilbert de Kirketon then sheriff of Appleby, Thomas son of John, Henry de Suleby, Mathew de Rademan, Philip de Hastinghes, Walter de Stirkeland, Alexander de Wyndesoures, William de Morvill, Richard de Preston, Alan le Butiler, Richard de Camera, Roland de Crosby, Walter de Meaburn, and many others.

# de Veteripont (Vieuxpont).

