

ART. I.—*Hugh de Morvill*. By T. H. B. GRAHAM,
M.A., F.S.A.

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THE little manor of Burgh-by-Sands was the nucleus of the barony of the same name and was doubtless co-extensive with the modern parish (see map of the Solway Shore, *Trans.* N.S. xxxi, p. 28). Its boundary is indicated upon the Ordnance Survey map of 1874 by a dotted line, which includes the village of Burgh and the hamlets of Longburgh, Shield, Dykesfield, Boustead Hill, Thurstonfield, Moorhouse and Wormanby. The *caput manerii*, or lord of the manor's residence, was probably situate at the eastern extremity of the village, where Horsley noticed (*Britannia Romana*, p. 156) remains of the "old castle" (see Mr. R. G. Collingwood's map *Trans.*, N.S. xxiii, p. 2). The adjacent Roman Wall furnished abundant supplies of building stone, but Curwen seems to suggest (*Castles and Towers*, p. 1) that it was at first nothing more than a timber erection of the usual motte and bailey type, within which, perhaps, the manorial courts were held.

The parish church was dedicated to St. Michael (H.C.* p. 1) but it did not originally possess the massive peel tower which forms its most conspicuous feature. That was a work of Edwardian times.

Hugh de Morvill, who died in King John's reign, 1202-3, held the manor and parish of Burgh *in capite*.

But the manor and parish of Burgh were a mere fragment of a larger tract of land (styled the "barony of Burgh") bounded west and north by the Solway Shore; east by the river Eden and originally by the ancient

* *The Register of Holm Cultram*, by Grainger and Collingwood, edit. 1929, is thus referred to in this article.

road running from Carlisle to Thursby; and south by the river Wampool; likewise held, from time out of mind of the king *in capite*, by the said Hugh de Morvill and his ancestors, who found it convenient to constitute their said motte and bailey residence in the village of Burgh the capital messuage of the larger tract. That residence grew in importance, since it enjoyed the two-fold status of *caput manerii* and *caput baroniae*. It was the centre at which all local business was transacted.

Pollock and Maitland (*Hist. Eng. Law*, i, p. 238) describe *baronia* as a complex of knights' fees held of a single overlord. *Honor* (e.g. the honor of Cockermouth) was a similar complex, but sometimes one of larger geographical extent. Both are conventional expressions, rather than technical terms.

The barony of Burgh was in turn parcel of a still larger composite territory, which Ranulf Meschin, Henry I's feudal tenant *in capite* and plenary administrator, carved out of his great fee, "the land of Carlisle,"* and conferred upon the patriarch Robert de Trivers, remote ancestor of Hugh de Morvill. That composite territory included not only the barony of Burgh but the distant manors of Kirkoswald, Lazonby and Bewcastle as well, and, in order to maintain his general scheme for defence of the realm, Ranulf Meschin further gave to Robert de Trivers the hereditary chief forestership of the royal forest of Cumberland (see the authoritative Sheriff's Return, 1212, cited below). In Henry I's reign, Englewood was the only afforested region in Cumberland. It's new *annexe*, the West Ward, was first afforested by Henry II.

When Ranulf Meschin, *circ.* 1122, surrendered his over-lordship and privileges to Henry I, his own immediate grantees became by express arrangement tenants

* This term was used by the late Chancellor Ferguson to indicate the tract of country, sometime ruled by Dolfin son of Gospatric, and conferred by Henry I upon Ranulf Meschin. It is called *Chaerleotium* in the pipe roll of 1130, and coincided with the *original* diocese of Carlisle (*Trans. N.S.* xxvi, p. 281).

In 1200 (1 John) Hugh de Morvill gave to the king 15 marks and three good palfreys, for having his own court concerning liberties, namely toll and theam, infangenth (*sic.*) furc (gallows) ordeal by fire and water, and other such, except those which pertained to the Crown (*corona*) while Helewisa his wife continued in a secular habit (*Rotuli de Oblatis*, edit. Hardy, p. 54, under the heading "Lancashire").

And on March 1, 1201 (2 John) Hugh de Morvill obtained royal permission to enclose his wood (*boscus*) at Kirkoswald, to fortify (*firmare*) his house there, and to hold a market every Thursday, and an annual fair on St. Oswald's day. William de Stutevill attested the grant (*Rotuli Chartarum*, edit. Hardy, p. 89).

Hugh de Morvill, *qua* lord of the manor and parish of Burgh, gave to the Abbey of Holm Cultram the rectory and advowson of the parish church of Burgh with its appurtenances (H.C., p. 5) and "by desire of his wife Helewisa" gave his body to be buried in the same abbey (H.C., p. 10).

He further gave to the abbey a net at Polleburc (Powburgh beck in Burgh) and other places on the Eden, in common with his tenants of Burgh, together with a booth (*botha*) and a place at which to dry their nets (H.C., p. 7).

The same donor confirms to the monks of Wetheral Priory two salt-pans in the parish of Burgh, which Simon "my father" confirmed to them, as grantees (*ex dono*) of Ranulf Engayne and William his son, to be held for ever, the first lying adjacent to the salt-pan of the church towards the west, and the second on the other side towards the east. The confirmation is witnessed by Richard, chaplain of Burgh (*Wetherhal*, p. 189).

The Sheriff's Return, 1212 (*Vict. Hist. Cumb.*, i, p. 421) compiled some nine years after Hugh de Morvill's death, contains the following passage:—

Richard de Lucy and Richard Gernun hold *the land which was*

Hugh de Morvill's, with the said Hugh's two daughters, from the king, by rendering yearly for cornage £10. 2. 10½. Earl Ranulf,* formerly *lord of Cumberland*, gave the said land to Robert de Trivers, predecessor of the said Hugh de Morvill, by the said service. The said earl gave to the said Robert de Trivers *custody* of the *forest of Cumberland*, i.e. Englewood plus West Ward, by rendering thence annually ten marks. The king has the custody of the said forest in his hand.

Prescott was of opinion that the "land which was Hugh de Morvill's," charged with a lump sum of £10. 2s. 10½d. in lieu of cornage, included not only the barony of Burgh but the manors of Kirkoswald and Lazonby (*Wetherhal*, p. 188, note) and one ventures to add to the list the capital manor of Bewcastle, an ancient adjunct of the barony of Burgh (see *Trans.* N.S. xxix, p. 57 *et seqq.*). Robert de Budecaster (Bewcastle) was one of Hugh de Morvill's knights (*Cal. Doc. Scot.*, i, p. 57).

John Denton was wrong in supposing that this Hugh de Morvill, of Cumberland, was the notorious assassin of Thomas à Becket.

The little manor and parish of Burgh-by-Sands was deemed *ab antiquo* to be the centre and pivot of the great landed possessions enjoyed by Hugh de Morvill and his predecessors in title. It forms a convenient base from which to attack the history of the great barony of Burgh and its appurtenances, a history which puzzled the investigators, until all matters of doubt were rendered clear by Prescott's skilful handling of the monastic records.

TERMINAL NOTE.

The partition of Hugh de Morvill's great possessions between his two daughters, Ada and Johanna, was doubtless a tedious process. In 1204, King John allotted to Ada, then wife of Richard de Lucy of Egremont, and *her* heirs the hereditary forestership of Cumberland, without partition, the *ainescia*, or elder daughter's

* Ranulf Meschin became Earl of Chester.

privileges, and a *reasonable share* of the whole inheritance (*Rotuli Chartarum*, edit. Hardy, p. 132). But as regards Aikton, for instance, a fine was levied long afterwards in 1232,¹ by Thomas de Multon (the justiciar) and the said Ada, who had become his wife, *versus* Richard Gernun and the said Johanna his wife, by which Johanna conceded to Ada, as her *reasonable share*, moieties, consisting of 20 acres² of arable demesne land, 30 acres of marsh and 300 acres of wood, in Aikton, that is to say, a bovate which Richard Faber (the smith) of Aikton then held; two acres upon Brakanping towards the west, two acres upon Birkingeflat towards the west;* a moiety of all the marsh towards the cover (*umbra*); and a moiety of the wood of Isel (in exchange for a moiety of the wood of Aikton).

Ada, on the other hand, conceded to Johanna a road 12 feet wide from the water of Derwent to the fishing of Bastonewater, besides a moiety of the land which Ada previously held at Aikton (*F.F. Cumb.*, case 35, file 2, no. 14). The last-quoted record may have led John Denton to conjecture (*Accompt*, edit. *Ferguson*, p. 71) that Downhall was the capital mansion of the manor of Aikton and the residence of the younger daughter, Johanna and her husband Richard Gernun.

By the way, the original parish of Kirkandrews-on-Eden was hemmed in by lands belonging to the barony of Burgh. Nicolson and Burn, followed by the Lysons, assert that it was parcel thereof.† But that assertion needs *correction*, because, from Henry I's reign and onwards the manor and parish of Kirkandrews-on-Eden formed a limb of the barony of Levington (Kirkclinton) held by the de Boyvills and their descendants of the king *in capite* (see *Trans.*, N.S. xxx, p. 27).

* These acres were evidently strips of demesne land lying in the common field.

† See *Trans.* N.S. xxxi, p. 39.