

ART XIX.—*Two Charters at Rydal Hall.* By R. E. PORTER, M.C.

THE summer meeting of the Society in 1933 was held in the Ambleside district, and the last place to be visited was Rydal Hall. Members reached Rydal in the midst of a violent thunderstorm, but none the less enjoyed hearing Mr. W. T. McIntire describe the history of this ancient house and the family of le Fleming who have been settled there since the fifteenth century.

Among the charters and manuscripts set out for members' inspection, none are of greater interest than those of Margaret de Brus, granting Rydal, with parts of Loughrigg and Ambleside, to Roger de Lancaster and the confirmatory charter of Edward I.

These charters, which are referred to by Sir Daniel Fleming and in the work of Nicolson & Burn, were not seen by the Historical Manuscripts Commission when the report on the Rydal MSS. was compiled. For an unknown time, they lay forgotten in the offices of the family lawyers, but by chance were brought to light a few years ago, together with many other charters. Our vice-president, Mr. Stanley le Fleming, entrusted the documents to Mr. W. G. Collingwood, who made a calendar of them, and recent volumes of *Transactions* contain some of his gleanings.

The lands which Margaret granted to Roger formed part of the royal barony of Kendal, and came to her family by the grant of Roger de Mowbray, who, in turn, held of the king. In 1150-1153, he gave "all my land of Lonsdale, and of Kendal, and Horton of Ribblesdale" to one William, son of Gilbert de Lancastre, to hold by service of four knights. This William of the family



CHARTER OF MARGARET DE BRUS.

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calling themselves de Lancastre was succeeded by his son, likewise William, who, dying in 1184, left a daughter and heiress named Helwise, who married Gilbert, son of Roger fitz Reinfred.

Gilbert and his wife, Helewise, had three children—William, Alice and Helewise, who took the surname of de Lancaster. Gilbert died some time between 1217 and June, 1220, and was succeeded by his son, William III de Lancaster, the last baron of Kendal. This William died in 1246 without issue, and his lands were taken over by the crown. After inquisition, the king assigned a reasonable dower to William's widow, Agnes de Brus, and handed over the remaining property to his true heirs.

These heirs were William's nephews, Peter de Brus and Walter de Lindeseye, the sons of William's sisters, Helewise and Alice. In these two lines (except for a further revision of the Brus portion) the lands of the barony remained, until they were united under the crown in Queen Elizabeth's days; and the crown in Charles II's time leased them to the Lowther family. Subsequently the crown rights were purchased by the Lowthers, in which family the barony now remains. The division between these two sisters was a complicated one, for instead of a line drawn across the barony with all the lands on one side assigned to Helewise and all on the other to Alice, the partition was scattered and struck through town, parish and township alike. For this reason the manorial rights in the barony have always been peculiarly involved.

Peter de Brus died childless and his lands passed to his four sisters, one of whom was Margaret de Brus who married Robert de Ros of Werk. It was this Margaret who granted Rydal to Roger de Lancaster by her charter of 1274, two years after the death of her brother, Peter de Brus.

This Roger de Lancaster was a man of strong personality

and his name frequently appears in the records of the time, but to quote from Nicolson & Burn (Vol. I, 64), "who this Roger was, is a matter of curious disquisition. It hath been shewed that William de Lancaster, the third and last of that name in the direct line, died without issue, leaving his sisters co-heirs. And yet nevertheless this William had a brother; which was this same Roger: so William calls him in one of his grants to Furness Abbey—'Teste Rogero fratre meo.' And from hence it hath been concluded, that this Roger was a brother of the half-blood. None the less through Roger the family of the Lancasters flourished and long continued in this county at Rydal, Howgill and other places."

Both the deed of Margaret de Brus and the confirmatory charter of Edward I are in an excellent state of preservation, as will be seen by the illustrations.

The king's charter reads:—The King to Archbishops, Bishops, etc., greeting. We have inspected a charter which Margaret, formerly the wife of Robert de Ros of Werk, made to our well beloved and faithful Roger de Lancastre, in these words:—

Know all men present and to come that I, Margaret de Brus, formerly the wife of Sir Robert de Ros of Werk, in my liege widowhood and full power, by the assent and will of my august Prince and Lord, Edward, by the grace of God, King of England, have given, granted and by this my present charter confirmed to Sir Roger de Lancastre, the whole of my forest of Rydale, with all its appurtenances, without any retention, that is, by these bounds. Beginning from the Dove crag by the ridge of the mountain between Rydal and Scandal as the water deals, following that ridge unto Standenesstan (standing stone) in the Swythene, and so descending from the Swythene by a certain path that is called the Weythesty unto the park of Ambleside, and so following outside the park unto Scandalebec, and so following Scandalebec unto Routha, and following Routha in going upwards to Routhemere, and so following Routhemere to opposite the Brockestan, and so in a straight line unto the Brockestan, and from the Brockestan to the summit of the Nab, and so ascending by the ridge, as the water deals unto Laverdcrag by the heights ascending by the ridge unto the Erne-crag,



CHARTER OF EDWARD I.

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and thence ascending by the ridge of that mountain unto the bounds of Westmorland, and so by the bounds of Westmorland unto the summit of the Dove-crag.

Moreover, I have given and granted to the said Sir Roger, the whole of my part of Amelsate and Loghrigg, with all the appurtenances, by their right bounds, without any retention, with common pasture within the bounds of Gressemere, for all manner of his beasts. Also I have granted, for me and my heirs, that the aforesaid Sir Roger and his heirs, and their men dwelling within the aforesaid bounds of Rydale, shall have common of pasture everywhere with my men of Gressemere; To have and to hold to the said Sir Roger and his heirs or assigns and their heirs, all the aforesaid forest, with free chase of the said forest and all the appurtenances, with nothing retained, as is aforesaid, without gainsay of me or my heirs, as freely, quietly, well wholly, in peace, right and inheritance, as Peter de Brus, formerly my brother, or William de Lancastre, formerly my uncle, in their time held the same, without any diminution or retention, in ways, paths, meadows, marshes, waters, pools, mills, woods, all manner of deer feeding grounds, pastures, plains and all other liberties and easements to the said forest and lands belonging, of the said lord the King and his heirs in chief, in the third year of the reign of the said King by the service of the fourth part of one knight's fee, for ever, for all service, customs, exactions, demands, and all manner of suit which at any time by me or my heirs or assigns or their heirs could be demanded. For which forest and lands aforesaid, the said King has taken the homage of the aforesaid Roger, by my assent and by my instance; and to the lord the King and his heirs I have remised and quit-claimed, for me and my heirs, all my right and claim to the homage and service of the said Roger or his heirs for the said forest and lands and their appurtenances whatsoever. And I Margaret and my heirs will warrant to the aforesaid Roger and his heirs or assigns and their heirs all the aforesaid forest and all that is aforesaid, without any retention against all people for ever. In testimony of which to this present charter I have placed my seal, these being witnesses: Thomas de Musegrave, then sheriff of Westmerland, John de Hyrlawe, John de Morevill, Ranulph de Dacre, Henry de Stavelegh, Michael de Haricla, and Roger de Burton, knights; William de Wyndlesor, Roger, son of Sir Gilbert de Lancastre, Thomas de Derleye, Ralph de Patton, Roger de Brunnluesheved, Gilbert his son, Thomas de Lancastre, and others.

We, moreover, grant and confirm the aforesaid gift and con-

cession to the aforesaid Roger and his heirs, as the charter reasonably witnesseth; so that the said Roger and his heirs shall have and hold the forest aforesaid, and the said part of Amelsate and Loghrigg and all others contained in the charter aforesaid, of us and our heirs in relief, performing therefor the service of the fourth part of one knight's fee for all service for ever. Witness, Robert of Bath and Wells, and Walter of Rochester, Bishops; William de Valencia, Edmund our brother, Earl of Lancastre, John Fitz John, John de Vesey, Pagan de Chaworth, Robert de Tynetol, Stephen de Penecastre, William de Helyun and others.

Given by our hand at Westminster, 30th May (1274).