

WARENNIANA—ANCIENT LETTERS AND NOTICES
RELATING TO THE EARLS DE WARENNE.

PARTLY FROM ORIGINAL MSS.

BY W. H. BLAAUW, ESQ., M.A., F.S.A.

PARTLY READ AT THE ARUNDEL MEETING, AUGUST 9, 1849,
AND SUBSEQUENTLY ENLARGED.

THE prominent and intimate connection of the Earls de Warenne with the history of Sussex, and the enduring traces of their influence, still represented by the descendants of their family, justify the contribution of any fresh notices of them. Among the long series of earls from the Conquest, the usual proportion of loyalty and violence, of enterprise and failings, has been put on record; but it is not intended here to dwell on their genealogy or general biography, which have been amply illustrated by Dr. Watson in his 'History of the Warennes.' It will be readily remembered that the first Norman Lord, on whom so much Sussex wealth was bestowed, the husband of the royal Gundrada, had only two male lineal successors of his power and title, after whom the heiresses of two generations, in 1148 and 1163, carried them to members of the royal family, by whose descendants they were enjoyed until, in 1347, the title became secondary when absorbed by the Fitz Alans, Earls of Arundel.

The following scattered notices, necessarily miscellaneous, only purport to add any incidental light, derived either from printed documents little known, or from manuscripts, among which are some letters, now six hundred years old, offering genuine evidence of the manners and feelings of the times.

The first letter here introduced has been frequently printed in Latin,¹ but the spirited reproaches of the Archbishop of Canterbury, to the widowed Countess de Warenne, deserve to form

¹ By Selden, in his *Hist. of Tythes*; by Vincent, p. 517; by Watson, p. 139; and by

Sir H. Ellis, *Orig. Lett.* 35, i, 23, from the original in Cott. MSS. Vesp. F. xiii, f. 3.

part of the more familiar history of Sussex. Adela, daughter of the Earl of Belesme, had lost her husband, William, the third Earl de Warenne, the last male of his line, in 1148, and not choosing to acknowledge any claim of tithes upon the lands of her dower, though they had been granted to Lewes Priory by its founder, received this reproof from the archbishop. The writer has been supposed by some, from his initial T., to be Thomas à Becket, but as the matter arose soon after her widowhood, and as she afterwards married Patrick D'Evreux, first Earl of Salisbury, who died in 1167, he was more probably Theobald, archbishop from 1138 to 1160. In an age when superstition and violence coexisted, when, as Gibbon² observes, the wealth of the church "was alternately bestowed by the repentant father, and plundered by the rapacious son," it is not surprising to find a widowed foreigner of high rank refusing their dues to English monks. The lady persisted in not paying, and never confirmed the grants to the Priory. The only mention of her in the Lewes Chartulary is as a witness to her husband's grant of Nereford Mill, in Norfolk, to the monks (f. 34), and finally that "she died on the fourth of the ides of December, in the year of grace 1174, twenty-six years after her husband: where she is buried is unknown." (f. 108).

"T(*heobald*), by the grace of God Archbishop of Canterbury, Primate of the English, and Legate of the Apostolical See, to his dear daughter Ala, Countess Warenne, greeting.

"An astonishing complaint of the religious brethren, the monks of Lewes Church, has come to our ears, that, whereas they, by the ancient donation of the Earls Warenne, namely, the grandfather and father of thy husband, and by his own also, before thou hadst succeeded to thy dower, they had always without dispute possessed, as the endowment of their church, the tithes of the rents from all domains of the earl, thou, after receiving the investiture of thy dower, hast withdrawn from the said brethren the tithe appertaining to thy dower. At which, if so it is, we vehemently wonder, since of those things which have been notoriously contributed in alms to God and the church, thou neither oughtest or canst claim anything. For it is cruel, and next to sacrilege, again to reclaim and transfer to secular uses what has been once devoutly offered on the Divine altar. Wherefore we wholesomely advise and admonish thee in the Lord, that, as thou mayest wish thy right to be freely preserved to thee by God, in like manner thou shouldest conscientiously restore their right to the monks, and on no account hold back the tithes of the rents of thy dower granted to them. Otherwise we cannot be deficient in doing them that justice which we owe to all. Farewell."

² Hist., chap. lxix.

Passing over more than a century and a half, the next letter is one of William Plantagenet, the sixth Earl de Warenne, excusing himself from attendance on King Henry the Third's coronation in 1216. This must have been written a few months only after he had done homage to the French Prince Louis, as king of England, and his alleged illness may only represent a natural reluctance to appear so soon afterwards as the bearer of the sword of state, before the young king, however anxious he was to uphold his privilege. His grandson John, the next earl, exhibited his loyalty at the next coronation in a singular manner, by "turning out loose five hundred great horses, for any one to catch."

"To his revered Lord Henry, by the grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitain, Count of Anjou, Sir William Earl de Warenne greeting, and due reverence.

"Your Highness (*vestra celsitudo*), Sire, will have learnt that I am detained by grievous sickness, on which account I am unable to be present at your coronation, as would be my duty and wish, which saddens me more than my sickness. May it please my lord to know, that if I could have been present there at that time, I should be entitled by the right of my predecessors, which they received from your predecessors, to carry the sword before you. Wherefore, I devoutly implore you, as my excellent Lord, not to permit my privilege to perish or be diminished on account of my absence, but that you will cause it to be preserved uninjured and entire. Know moreover, my lord, that, agreeable to what you have signified to me, if God shall grant me recovery of health, I will willingly go towards the King of Scotland to escort him. I have indeed already sent him my letters patent [to acquaint him] that, as soon as ever God shall have restored me to health, I will come to meet and escort him, with your envoys. May your health flourish for many seasons."—*In Latin, printed in Fæder. i, 160, from the Tower MSS. 628.*

The King of Scotland here alluded to was Alexander II, who married, in 1221, Joan, sister of King Henry III. The records of Henry the Third's second year exhibit a safe conduct for six weeks given him for his homeward journey, and mention his doing homage to the English crown at the time.

The summary account of this Earl de Warenne's possessions in 1218, gives us an idea of his extended power. "The Earl de Warenne owes £43. 15s. for 35 fiefs of the fiefs of Gilbert de Aquila, and the fiefs of Moriton, and £120. for the 60 fiefs of his own barony."³

³ Mag. Rot. 2^o H. III, in Maddox, *Baronia Angl.*, p. 33.

The system of restrictions to which commerce was then subject is exhibited by the royal license required before a liegeman of this earl could take a cargo of goods from Lewes across the channel.

“Our Lord the King has granted to the Earl de Warenne, that the vessel, in which the goods and merchandize of the said earl’s liegeman, Bartholemew of Poitou, are loaded, may for one voyage be carried across from Lewes to Flanders, and to other places, except those within the power of the King of France, with the goods and merchandize of the said Bartholemew; and the bailiffs of the port of Sefford are commanded, after receiving security from the same, that he will not turn aside with his goods and merchandize into the power of the King of France, to allow the said vessel freely and without impediment to pass. Westminster, February 8, (1225).” *Rot. Claus.* ii, 15^b.

Hubert de Burg, to whom the next letter is addressed, and who experienced so many vicissitudes of court favour and disgrace under Henry III, was allied to this sixth Earl de Warenne, by his marriage with Beatrix de Warenne. The letter seems to have been written before his creation as Earl of Kent, in 1227. The Earl de Warenne was one of de Burg’s bail, in 1232, when the king was persecuting him.

The Countess d’Eu, whose arrival the letter announces, was Alicia countess in her own right, as sole heiress of Henry, Count d’Eu, and Matilda, daughter of Hamelin, Earl de Warenen. She mentions the writer of the letter as her uncle (*avunculo meo*) in a charter dated 1219,⁴ being then widow of Ralph d’Issoudun, a brother of Hugh de Lusignan, who married King John’s widow. A writ was issued in August, 1219, to give her possession of “Tikhull,” co. York, and she quitted England in 1225. Her seal, on a Norman deed, exhibits the arms of “barry, a label of sable points.” Her niece, Alice de Lusignan, became, in 1247, the wife of John, the seventh Earl de Warenne, then a minor.

“To his most dear friend, Hubert de Burg, Justiciary of England, his in all things (*suus in omnibus*), William, Earl de Warenne greeting, and the fullness of entire love.

“As I think you will be rejoiced at the arrival in England of the lady

⁴ *Rot. Scacc. Norman*, ii, 231.

Countess d'Eu, my niece, and your kinswoman, (*Comitisse Auge neptis nostre et cognate vestre*), I inform you that she is come here, and I and she (*ego et ipsa*) have already spoken with my lord the king, and he, readily and kindly receiving us, has appointed us a day on the Octaves of the Nativity of the Blessed Mary, wherever he may be. We affectionately implore therefore your love, on which we place the greatest possible reliance, that you would be present on the day appointed, because I believe the affairs of our lord the king, and my own, will be brought to a happy and prosperous conclusion, by the intervention of your council and assistance. And this, as you love us and the said countess, both for the sake of our lord the king, and of ourselves, on no account omit to do. Farewell."—*Orig. Latin, Tower MSS. 629.*

The importance attached to deeds being expressly witnessed by every party interested, is well shown in the following application to the feudal lord of Sussex, and William, the sixth Earl de Warenne. The writer, W. de Avrenches, having been taken and imprisoned as a rebel by King John in 1216, was released on payment of a large ransom, to raise which, he and his mother, Cecilia, had sold the manor of Sutton, near Seaford, to the Abbey of Robertsbridge, and their seals remain affixed to the Latin original.⁵

"To his most dear Lords William, Earl de Warenne, the Lord William de Aubeney, Earl of Sussex, and Sir Gilbert de Aquila, William de Avrenches (Abrincis), and Cecilia, his mother, greeting.

"Since we cannot have your presence at the drawing up the deeds between us and the abbot and monks of Robertsbridge, concerning the manor of Sutton, near Seaford, we beg and earnestly intreat that you will be pleased to be witness as to these our deeds, on which your names have been put in writing (*ascripti*) as witnesses, in order to ensure certainty. Farewell."

The next letter is a curious exhibition of the urgent needs occasionally experienced by feudal chiefs of wide domains and high connection. No tradesman striving to keep up appearances, by offering large reduction in prices, could use greater urgency to raise ready money than this great earl.

It will be observed that three distinct debts are alluded to in the letter: one due to the Earl of Arundel, probably arising from his guardianship of Hugh de Albini when a minor; another thankfully acknowledged of money lent on a former occasion by the Justiciary to Earl de Warenne; and a third, the main subject of the letter, of money lent by the earl at the request of the Justiciary and William the Marshal, on which he offers discount for prompt payment.

⁵ Sir H. Ellis's Orig. Letters, 3 Ser. 1 v. p. 25.

“To his most dear lord and friend, Hubert de Burg, Justiciary of England, William, Earl de Warenne, greeting, and sincere love.

“I request and most earnestly beseech you, as my dearest lord and friend, now to assist me in my straitest need with the monies for which you and Sir William the Marshall were sureties (*plegiū fuistis*). For I owe a hundred pounds to the Lord Earl of Arundell, which it behoves me necessarily to pay him on this his demand at the Feast of St. John. I am bound to you also in a similar manner for a long time past for monies, with which, thanks to you, you accommodated me in my great trouble. Learn, however, that in my present necessity I have no refuge but with you, for if I could have got assistance from either Jews or Christians, I would not set out any complaint about it before you. Be pleased, therefore, so to act in this matter that you may derive honor from it, and that I may be bound in more abundant gratitude towards you. And be pleased to call to mind that I lent the money at your request and that of Sir William the Marshall. If, however, it would please you that I should forego something of it, know that I am willing to forego as much as you please, on condition that I may receive the residue more promptly. Be assured also that I have never, on any occasion, applied to you in so strict a necessity, for I owe very great debts to those who have taken the Cross, to whom I must both pay their own and give of my own. Wherefore I beseech you so much the more earnestly, by the mutual friendship between us, to act so that I may know you love me. Moreover, be assured that you will have done more for me, and I shall be more grateful to you, if only you will afford me this assistance, than if, after the feast of St. John, you should have given me a thousand pounds. Let me know by Sir Elyas de Marevill, and by Sir Mainard, his brother, what you will be willing to do in this matter. Inasmuch, however, as I have not my great seal with me, I have caused those letters to be sealed with my private seal. I beg you also to give credence to what Sir Elyas de Marevill and his brother, Sir Mainard, may say to you on my behalf. Farewell.”—*Latin, Tower MSS.* 228.

The brothers Mareville, here acknowledged as the earls' agents, were well known at the English court, having received repeated gifts from Kings John and Henry III, from 1216 to 1222. One was a grant of land in Lincolnshire, which is described as having belonged to the king's enemies, and was avowedly given for the express purpose of supporting Sir Elyas in the royal service.

What was the result of the earl's entreaties, whether the cash was thus obtained or not, is unknown. It was not the last occasion, however, on which this earl was pressed for money. The executors of a Suffolk knight, whose guardian he had been, summoned him into court, in 1232, for not paying his debts.⁶

The next letter, which must have been written between 1232 and 1240, to the same earl, was from one of the most

⁶ Excerpta e Rot. Finium, i, 227.

distinguished men of his times, Robert Greathead, Bishop of Lincoln, and the mediæval clergy rise in our estimation when we see them, as here, exercising the strength of their exclusive power of knowledge with the courage to reprove and restrain the physical strength of the armed chieftains around them. It will be seen with what a stately courtesy the bishop maintains his episcopal rights, and how vivid a picture he draws of the riotous manners of a baronial hall. When the Norman estates of the Warennes were confiscated by the French king, the manor of the Sock of Graham (now Grantham), within the diocese of Lincoln, had been given to the earl, in 1205, by King John in compensation, and confirmed by Henry III, in 1217.⁷ It was here that the earl had encouraged his own chaplain to use the hall of his residence as a chapel for divine service.

“To the noble man and most dear friend in Christ, William Earl Warenne, Robert, by the grace of God Bishop of Lincoln, greeting, and sincere love in the Lord.

“You have written to us, that you are much astonished, because we have decided that you and your chaplain N. should be summoned to answer and submit to the law before us and our official, adding, that the said N., your chaplain, had been suspended without any monition. The astonishment, therefore, of Your Discretion is a manifest insinuation that we have been wrongful to you and your chaplain in the said summons, and you clearly enough insinuate the same as to the manner of suspension. You appear, however, in these, your insinuations, to have wronged us, saving your reverence, since you have not yet established that we have wronged you in anything, and a father’s weaknesses should be veiled rather than revealed. But that Your Discretion may know that we have not wronged you, as you insinuate, we inform you that information was brought to us by good and trustworthy persons that you caused mass to be celebrated by the said N., your chaplain, in your hall (*in aula vestra*) of Graham, that you even authorised him to do this by your writing, adding as a reason, that this was done necessarily, owing to the sickness of your body. Since, however, your hall is not a dedicated place, but a common habitation of men, the receptacle of eaters and drinkers, conversing frivolously, scurrilously, and perhaps often filthily (*immunda*), and perhaps sometimes even acting filthily, with dogs also running about it, and sleeping and often leaving their dirt there, no Christian should be unaware how unfitting it is to consecrate (*consecrare*) and to handle there the body of our Lord Jesus Christ, Son of the living God, who was born of a most pure Virgin, suffered on the cross, was glorified in resurrection, and raised above heaven—especially since the precepts of the Old and New Testament, and canonical authorities most evidently prohibit the solemnity of masses to be celebrated elsewhere than in places dedicated and consecrated to God, unless on compulsion of the

⁷ Rot. Claus.—Turnor’s Grantham, Henry III temporarily resumed the grant 4to, 1806. It was valued at £110. a year. in 1249, but restored it.

strongest necessity. Do you therefore yourself judge if it belongs to my duty to take judicial cognisance if such things have been done, and if done, by what authority, and by whom done, and whether they have any reasonable excuse of necessity; which, when you have well considered, we believe you will not think our summons wrongful. Neither has your priest (*sacerdos vester*) been wrongfully suspended without previous warning, but on account of his repeated contumacy, the due course of law has been most justly observed. As an obedient son, therefore, as you profess yourself, and as we believe you to be, do not despise obedience to the law, in order to show your innocence, to clear away any stain of guilt (*delicti*), if there should be such, and to earn favour from God and praise from men on this matter. Since obedient sons, when summoned according to canonical authorities, even by one who is not their judge (*a non suo iudice*), ought to appear and plead the privilege of their own court (*fori sui*). Nor let any one suggest to Your Discretion, that it is an indecorum for your Excellency to be summoned by Bishops, and to appear before them, and to submit to law, because such a suggester does this that Christ may be despised in his Bishops, though Jesus Christ says, 'he who despises you despises me,' Luke x, 16; and Moses, speaking of himself and his brother Aaron, in the character of high priests to certain children of Israel, says, 'Your murmur is not against us but against the Lord.' Exod. xvi, 8. Nor let Your Discretion suppose that there was any other motive for summoning you than the duty of our office and your own salvation, which you may know us to care for with a sincere and special love. May your love always prosper in the Lord."—*Fasciculus rerum expetendarum et fugiendarum*. Fol. 1690, t. 2, p. 345, *Epist.* 56.

The following letter in French, which still prevailed among the descendants of the Normans, even after the French had deprived them of all their Norman estates, must be referred to the three years' absence in France (1286-9) of King Edward the First, it being addressed to his cousin, son of Richard, king of the Romans, then exercising by his appointment the authority of a regent in England. There must have been great difficulty in such times to restrain nobles, like John the seventh Earl de Warenne (1240-1304) from settling their disputes by the force of their own feudal vassals. Having succeeded his father when only twelve years old, and being immediately married to King Henry the Third's half-sister Alice, the lands of this Earl John were, on paying a fine of £542, put into the custody of his mother, who undertook to devote £200 a year to his support till he came of age. During a long life he had many opportunities of displaying not only his military energy, but also the violence of his character. His assault in 1269 on Alan de Zouche in a court of justice, and the subsequent exhibition of his old sword, when his title deeds were called for, are well known.

The proud and encroaching spirit with which he exercised his feudal rights in Sussex has been put on authentic record by the numerous complaints against him, embodied in the answers of the juries in each hundred⁸ to King Edward the First's inquiries in 1274. Although the king's chief motive for thus probing the social wrongs inflicted on his subjects was probably the maintenance of the rights of the Crown, more than the repression of his nobles' excesses, yet by the stringent questions he put throughout his kingdom, much feudal oppression and some striking traits of the state of society were brought to light, of which some specimens from Sussex may be adduced. To the inquiry whether any new chase or free warren had been recently appropriated, the hundreds of Steyning, Poynings, and Fishersgate, &c. report that the Earl de Warenne had, without warrant, extended and established such over his whole barony of Lewes. Fishersgate adds, with respect to Portslade, that this had been going on "for twenty-two years, to the great damage of the country who used to enjoy the right."

Poynings states that the earl, for the sake of his hares and wild game (*pro leporibus et feris suis*), imprisoned and fined at will other persons who hunted, that he had seized the oxen of Richard Aguylun, at Edburton, for that cause, and confined his servants in Lewes Castle, where he asserted a right to imprison persons at his pleasure for a period of three days, and had refused entrance there to the king's writ commanding their delivery, acting with so much contempt of law that even the sheriff in person was afterwards with difficulty able to effect it. The hundreds of Brightford (Broadwater and four other parishes) and of Bottinghill (Hurstpierpoint, Worth, and ten other parishes) complain that the warrens of the earl are so full of game that they destroy nearly all the corn grown near them, which they nevertheless dare not protect by any hedge or fence for fear of imprisonment, and that neither knight or freeman dare hunt at all, to the inestimable damage of the country. The canons of South Malling had been thus illegally ousted in the hundred of "Lokesfield" from their right of chase at Stanmere and Baldesden. The earl is charged also with claiming all wrecks on the coast without the liberty of redeeming the

⁸ Rotuli Hundredorum.

goods ; with levying fines at will on bakers, brewers, butchers, tanners, and others ; of making encroachments (*perpresturas*) on the king's highways at Cuckfield, Balcombe, Worth, Barcombe, and other places ; of exacting 100*s.* from every military fief in his barony, to inclose the town of Lewes with a stone wall without warrant ; that his bailiffs had broken down the "vivarium" of Richard de Pleyz after his death, and had destroyed his wood at Werplesburn in the hundred of Street ; that the inclosed parks claimed by him at Ditchling, Cuckfield, and Worth, were so strictly watched that even the Sheriff Mathew de Hasting's horse, which he had sent to be shod at Ditchling, had been stopped by Walter the park-keeper with his men, when the groom was beaten, wounded, and robbed by them. These and sundry other complaints the earl was summoned to answer in open court, a few years later, in 1279, before John de Reygate and other justices at Guildford. It is most probable that his behaviour on this occasion gave rise to the current anecdote of the earl having produced his best title from his scabbard.

Whether the incident occurred or not, he did not, however refuse to answer ; but boldly and frankly avowed all imputed to him, as appertaining to his feudal rights, "by the same warrant as all his ancestors had held them from time immemorial, and that neither he or his ancestors had ever incroached upon or usurped the king's rights." The jury, formed on his demand to inquire into the truth of this assertion, returned for their verdict that it was true, and the earl was honourably dismissed from all suit (*eat sine die*).⁹

It would appear, therefore, that the grievances and oppressions complained of by the Hundreds were legally justified by the comprehensive grasp of feudal jurisdiction.

What occasioned the dispute referred to in the following letter of the Earl of Warwick (whose mother was third in descent from a daughter of the second Earl de Warenne) does not appear. As Reginald Grey de Wilton, the justice in Chester, was concerned in it, it probably related to the earl's lands in North Wales. During the king's absence in France, the Earl of Cornwall marched into Wales, and there destroyed Droselan Castle, and, as the king's lieutenant, he had strictly

⁹ *Placita quo Warr.*, 7^o Edw. I, 751.

enjoined the Earl of Warwick, to whose command the army in Cheshire had been entrusted, as well as other nobles, "to take especial care to keep all things quiet, and on no account to allow any one to move with armed force, to the terror of the king's lieges, and to the disturbance of the peace."¹⁰

Notwithstanding these cautions, however, the king, on his return from abroad, found the social state of England in great confusion.

"To his very dear Lord, Monsire Edmund Earl of Cornwall, his William de Beauchamp, Earl of Warwick, greeting and all reverence.

"We have before us the transcript of your letter, which the Earl de Warenne has sent us, concerning the quarrel arisen between him and Sir Reynaud de Grey, at which we are amazed and troubled. But inasmuch as you, Sire, hold the place of our Lord the King, as long as he is abroad, and as we were directed by his own self to be observant of you and your command, so we do not wish, without your command and your advice, that horses or arms should stir anywhere on the territory of our King. On which matter we beg you therefore, dear Sire, to be pleased to signify to us your pleasure. And it appears to us, Sire, that you should strictly forbid persons from stirring at all in such a manner, and should devise how the quarrel might be abated by other means, so that more serious damage may not arise, and that no one may be found to raise up more serious impediments, which would be more difficult to appease. Adieu, dear Sire."

"A son tres cher seigneur mun Sire Edmund, Comte de Cornewalle, le soen William de Beauch', Cunte de Warrick, saluz e tute reverences.

"Nus avoms enveu, sire, le transcrit de votre lettre, ke le Cunte de Warenne nous envea de cuntele aleve entre li e sire Renaud de Grey dunt nous sumes esmerveillet e annuyet: mes pur ceo, sire, ke vous tenet le Lyw nostre seigneur le Rey taunt cume il est hors de terre, e nous fumus par li memmes assigne de estre entendant a vous e a vostre commaundement, si ne volums saunz vostre commaundement e vostre conseil nule part a chevaus e armes en la terre nostre le Rey aler. Dunt nous vous prioms, cher sire, ke vous nus voillet vostre volunte de ceo maunder. E il nous semble, sire, ke vous endevet ben defendre ke genz ny ayllent mie en celle maniere e purveer coment le cuntel pusse par autre veye estre abessee. Issi ke greyvaur damage ny aveyne e ke auchesunz ne pussent estre trovez de greyvurs baretz alever ke plus forts sereyent de apeser. A deu, cher sire."—*Tower MSS., No. 1136.*

The Earl de Warenne about the period of this letter had endured the sudden loss of his only son William, at a tournament, January 15, 1286. More than five months afterwards a posthumous grandson, afterwards the eighth earl, was born. Many years later, in 1299, Edward I expressed his sympathy with the father when at Lewes, by making

¹⁰ Rot. Claus., 16^o Edw. II. m. 3.

offerings there during a mass celebrated in his presence, for the repose of his son's soul. (C.R. MSS. EB. 2033.)

The honours and estates of the Warennes were destined in the next century to be absorbed by the heirs of the Albinis, whose descendants still hold an eminent place in Sussex history. Deriving its origin from the village of St. Martin d'Aubigny, in the Norman district of Le Cotentin, the family early divided into two branches, the oldest of which became Earls of Arundel, holding the office of king's butler (pincerna) by the barony of Bekeman in Norfolk, and from the younger brother, Nigel, came the Mowbray branch. A golden lion is attributed to the shield of the former, and a silver one to the latter; but the seal of Bertrand d'Aubigny (de Albiheio) attached to a Norman deed of gift (c. 1150-1200) to the Abbey of Savigny "for the soul of his father Aleman d'Aubigny," bears "trois pots, deux et un." William d'Aubigny, pincerna, retained his Norman fiefs in Bougey and Dampvou under the Bishop of Bayeux, and confirmed the grants of his ancestors to the Abbey of Montebourg when his brother Humphrey became a monk there, but in the time of King Philip Augustus, the fiefs of the Albinis were held by the Counts de Ponthieu.¹¹

The writer of the following letter was probably the son of the Earl of Arundel, third of the name of William, and became himself the fourth earl in 1221.

"To the noble man his Lord (*nobili viro Domino suo*) Henry, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou, his in all things, William de Aubigny, son of the Earl of Arundell, greeting and all manner of reverence.

"May your Excellency know that I shall be in all things obedient to your injunctions as much as possible, and that according to your injunction neither I nor my knights will in any way approach the tournament, and have entirely remained away. Wherefore I beseech and most earnestly request your Excellency, that you will be pleased to signify your pleasure in all things to me, as to your servant prompt and ready to follow and perform all your commands. May the Lord alway preserve you."—*Latin, Tower MSS. 67.*

The prohibition to attend tournaments was very frequently, perhaps forty times, issued to the young knights during the

¹¹ See 'Recherches sur le Domesday,' p. 96; and 'Extrait des Chartes et autres Actes Normands ou Anglo-Nor-

mands,' Caen, 1835, pp. 160-427; both works by Léchaudé d'Anisy.

troubled reign of Henry III, as such assemblages were often the pretext for indulging private feuds, or for carrying on political conspiracies.

No such reason existing to render such a gathering of armed force dangerous at the time, in February, 1305, Edward I being then at Bamburgh, of which castle the old warrior John Earl de Warenne had been governor in 1294-5, dispatched John the young earl, his grandson, expressly in order to attend a tournament at Guildford, a portion of the tolls of which town the earl held in capite as parcel of his barony of Surrey.¹² The wardrobe accounts of the period preserve to us the record of numerous payments made to him while thus employed in the king's service. The sums thus paid, from 40s. to £30, amounted in a short space to £79. 10s. 2d.

The earl was but eighteen, when the king arranged his marriage with his grand-daughter Joanna. Her father Henry, the third of that name, Count de Bar,¹³ had married, September 20th, 1293, the king's eldest daughter Eleanor, and on March 15th, 1306, this second marriage was publicly announced, though the bride was not much more than half the age of her young husband. Discord, sorrow, and disgrace were the eventual results of this union; but the early days of welcome and festivity in the court betrayed no augury of such a fate, and the childish bride was probably too much delighted with the strains of the royal minstrels, the sports of falconry, and the pomp of her new chariot to heed the future. From her landing at Dover in April, 1306, entries of numerous large payments for her reception are recorded.

"In oblations of the king at the altar in his chapel, on account of the good news he heard from France by the Lady Johanna de Baar, viis. April 12."
—*EB.* 2038.

"For the expenses of the daughter of the Count de Bare coming from Dover to the king, April 13, *xxli.*—On the 20th April, *xxli.*—On the 28th April, *cs.*—On the 29th, *cs.*—Again, *xls.*—On May 4, *cs.* and *xlii.*"—*Wardrobe Acc. EB.* 983-1912.

All this was preparatory to the marriages of the two orphaned grandchildren of the king on successive days—Hugh

¹² Madox, Bar. Angl., p. 250.

¹³ The princess and her husband are erroneously styled duke and duchess in Mrs. Wood's Lives of the Princesses, 2, 305, usually so accurate; but the county

was not raised to a duchy till 1334. The appearance of the family in England was also long anterior to the date of 1290, assigned by her.

le Despenser (who with his father was beheaded twenty years later), to Eleanor de Clare, daughter of the Princess Joan of Acre, Countess of Gloucester; and the Earl de Warenne to Joanna de Barr. The king's youngest daughter had been also recently married to Humphrey de Bohun, when the festivities at court, including ten casks of wine and 302 lbs. of wax on the wedding day had swelled the week's expenses to £335. 18s. 9d. (*Carl. R. 734, W. N. 33^o Edw. I.*) On the present occasion there are also some details recorded.

"25th day of May, in money lent and disbursed in the presence of the king, at the nuptials celebrated in the king's chapel at Westminster, between John, Earl de Warenne, and the Lady Joanna daughter of the Count de Barr, xls."

A similar entry on May 26 records Despenser's marriage.

"Paid to divers minstrels, by command of the king, on the days of the nuptials of the Countess de Warenne and the Lady Le Despenser, as appears under the head of gifts, xxxviii li iiii s."—*EB. 983, Wardrobe Acc.*

"For letting fly the king's girfalcon.—For letting fly the king's falcon called Berewyk,—another called Drokenesse,—another called Hereford, on same day.

"To Thomas the coachmaker (*le charrou*), advanced on the making a chariot for the Earl de Warenne, June 28, lxs.

"To Walter de Bardeney, advanced on harness—making for the said earl,—on the same day, cs.

"To Walter de Bedewynde, to pay for a new carriage (*pro uno novo curru*) for the use of the Countess de Warenne, by the order of the treasurer, by the hands of John Flambard, Emeric Frescobaldi, and Marchio Gerardi.

"July 4.—For three horses bought for a chariot for the use of the Countess de Warenne, grand-daughter of the king, by order of the Treasurer, xlii. 1^m.

"July 5.—To Sir Peter de Tolyngburn, by the hands of Edmund Suthese his valet, for cash paid by him for the expenses of the Countess of Hereford, the Countess de Warenne, and other ladies dwelling in their suite in the month of June this year (1306), by order of the treasurer."—1912 *EB. 34^o Edw. I.*

What the quality of the music may have been we know not; but the sum of £37. 4s. given above to the minstrels, seems nearly on a scale fit for modern times, and far beyond what was usual at this period, as may be observed by some other examples:

"To John Symphonista, the elder and the younger, dwelling at Canterbury, and to 12 other minstrels, for performing their minstrelsy in the cathedral church before the king several times while he was there, xls.

"To Master Elias, the harper (*citharista*) at Lincoln, xxs."

“To the lady Ada, wife of Saracen, the minstrel, by the king’s gift, because she played on the psaltry (salteria) before the king, 20s.”—*EB.* 2668, 27° *Ed. I.*

“To Thomasina Vithal, and Janett, trumpeters (*trompar*) of the prince, performing their minstrelsy in presence of the Lords Thomas and Edmund, sons of the king, by their gift, to each of them 5s.

“To Richard and John, being boys and trumpeters with the Countess of Hereford, in presence of the same two princes, iiis.”—*W.N.* 1955, 33° *Ed. I.*

“In 1306, ‘To little William, the organist of the Countess of Hereford, 5s.’ Other payments to the harper—le Taborer—le croudere—tromptours—‘Guillaume sans maniere.’

“To Gillot, fidler (*vidulator*) of the Earl of Arundel, half a mark.

“To Geoffry, the harper of the Earl de Warenne, 11s.—to Matilda Makejoye, xii^d.”—*Roll of Exec. Q. Elean.*, p. 144.

So little has been mentioned by English genealogists concerning the family of Bar, with which King Edward I accepted an alliance for the second time on this occasion of the Countess de Warenne’s marriage, that a few words on the subject may be here allowed. Their territory formed le Barrois, a country between Champagne and Lorraine, with which it was ultimately united in 1418. King John, in 1212, had corresponded with Thibaut I, then Count de Bar, and his son Henry, urging them to come over to England for permanent service under him. (*Rymer’s Fæd.* i, 106.) The grandson of this Henry was the husband of the princess Eleanor, who with his brother John was frequently employed by Edward I. On the marriage of the princess, the castle of Bar among other places was settled upon her in dower, and the king instructed his commissioners to take seizin of it, April 15, 1294, the king giving her 1000 marks (£666. 6s. 8^d.) “pur son atir” payable in seven years. This payment not being completed at the time of his son-in-law’s death, in 1302, the king again bound himself and his heirs in 1306 to fulfil the engagement. (*Rymer’s Fæd.* i, 798, 944, 998.)

From this marriage, promising so much honour and happiness, there ensued calamity to all the parties and their children. The Count de Bar was induced by his high alliance to adopt the quarrel of the English king against the French,¹⁴ and, in 1297, he fell a prisoner into their hands at Comines. After being carried to Paris in chains, he was detained at

¹⁴ The king wrote to Adolphus, king of the Romans, urging him to defend Bar against the French, and he interested

himself also with the pope in favour of Theobald de Bar, brother of his son-in-law, for the bishopric of Metz. *Rym.* 863-867.

Bourges, until after four years' captivity he purchased liberty by doing homage for his county to the French king, against which his own liegemen protested. At Christmas he went on a crusade, and died on his return at Naples, in 1302, leaving two orphan children (for the princess Eleanor had died previously), Joanna, who became Countess of Warenne, and Edward, under the care of his brother John. Almost as soon as the young Count Edward attained manhood, he was involved in misfortunes similar to his father, from his zeal against the French. Having been taken prisoner, and redeemed after five years' confinement by the payment of a large ransom and the surrender of many of his towns, he soon afterwards was shipwrecked in Cyprus, and there died. Before reverting to Joanna, we may remark that John de Bar alone seems to have prospered in the English service, and he was much trusted by the king. He was, in 1282, one of the forty knights' sureties for Charles d'Anjou, and is recorded as feasting at Odiham with Prince Edward: he went as an envoy to Flanders in 1297, and accompanied the king in his Scotch wars. He there appeared as a witness to a deed on the breach of the truce, dated "in the camp or tent of the king of England near Maidens' Castle (*castrum puellarum*), commonly called Edenburgh." A later document, in 1299, appointing him an envoy to treat of peace, describes him as "Monsieur Johan de Bar, chivaler, de notre conseil;" and another deed, dated Dumfries, October 30, 1300, mentions him as "chivaler, ditz Piau de Chat," a nickname apparently derived from his mother Jeanne de Foy's territory of Puisaye.¹⁵ John was among the knights at Carlaverock, and the poem of that siege thus records his bearing:

"Johan de Bar iloez estoit
 Ken la baniere inde portoit
 Deus bars de or et fu croissillée
 O la rouge ourle engraillee."

Sir H. Nicolas states, in a note, p. 174, that there is an effigy in mail armour in the church of Berwick St. John, co. Wilts, whose shield bears Bar, apparently within a bordure.

The subsequent life of Joanna, the young Countess of

¹⁵ Rymer's *Fœd.* vol. i. *Dict. de la Noblesse*—*L'art de Verifier les Dates*, iii, 49 —Pere Anselme, v, 509—*Devon's Issues of Exchequer*—*Moreri, Dict. Hist.*, t. 2.

Warrenne, so early bereaved of both her parents, and at so childish an age consigned to the care of a profligate husband, though it began so brilliantly in courtly pomp, can be afterwards traced chiefly by the results of her husband's scandalous conduct. His almost rebellious siege of Piers Gaveston in Scarborough Castle had, in 1311, earned for him the displeasure of the king, and a few years later he incurred the sentence of excommunication from the Bishop of Chichester for adultery, and on assaulting that prelate's officers was even imprisoned.

Possibly local circumstances had led to the scene being so soon changed. Matilda de Neirford,¹⁶ the partner of his guilt, appears to have belonged to an ancient knightly family in Norfolk, where the earl had such wide domains, and this vicinity may have led to his early familiarity with her. She was the wife of Sir Simon de Derby, at the time when she supplanted the Countess Joanna in the home and affection of the earl. The Archbishop of Canterbury, Robert de Winchelsey, previous to his death, which occurred May 11, 1313, had sent the earl, from a provincial council held in London, a solemn monition on the scandal of his disorderly life with this lady ("de vostre desordené vie que vous mesnez gardant et retenant Maude de Neyrford"); but this not having produced any effect on him, the succeeding archbishop, Walter Reynolds, with eleven of his suffragan bishops, again, May 23, 1314, admonished him to amend without delay, as otherwise they could no longer suffer such contempt of holy church. The earl's answer seems to have been an application for a divorce on account of consanguinity, a convenient plea often used in those lax times. The archbishop informing him in reply that such a suit could only be carried on by consent of the bishops in whose dioceses his lands lay, again urged him to have more regard for his soul, and for his lineage, and noble personal qualities, than to continue to grieve all his clerical and lay friends to the heart. ("Comme vus estes estret de si noble linage, et vos mesmes si bealx et si nobles par la grace que Dieu vous ad donné.")

¹⁶ A family of the name of Nerford held extensive manors in Houghton Hundred and elsewhere in Norfolk. At Wrenningham the manor was held of the Earl de Warrenne, by Richard de Nerford, who sealed with "3 fusils in fess ermine." Sir

John de Nerford, who was summoned to Parliament, died 29^o Edw. I, holding 32½ fiefs. His arms were "Gules, a lion rampant ermine." Inq. p. mort.—Blomefield's Norfolk.

Disregarding these reproofs the earl had in the meanwhile procured a bull of divorce from the pope, which he now communicated to the prelates, but they treated it with less respect than documents issued by such an authority usually commanded, and again (London, May 26) formally repeated their conviction that the "Countess Joanna, that good lady, his consort, who so languished in expectation of his good pleasure and favour, was nevertheless his true and lawful wife, and that he could never be legally separated from her while she lived, for any reason that they had heard."

"Veismes bien, sire, et avisames la tenour de la bulle par la quelle nostre sente pere le pape despensa sur le mariage entre vus, et savoms toutz et creoms pour tant que la dite contesse est votre droite femme, et que jamais, tant comme elle est en vie, vus ne purrez estre departi de li pour nule cause que nus avoms entendu—cele bone dame vostre compaignie et vostre vraie et droite femme qui tant languist en attendant vostre bone volunte et vostre grace.

As there was indeed a remote cousinship between the parties, each being connected with the royal family, this pretext seems to have prevailed at Rome, however sternly the English prelates rejected its efficacy, and refused to recognise such foreign jurisdiction.

Maud de Neirford had attempted to procure the divorce of the earl and countess on this plea of nearness of blood,¹⁷ probably in the diocesan court of Norwich, and a citation in this suit was even served on the countess in the king's palace, for which audacious breach of privilege the officer was immediately sent to the Tower. The earl on his side showed similar imprudence, for the king in council with the Bishops of Norwich and Hereford, the Earl of Lancaster,¹⁸ and other nobles (optimates) charged John Langton, the Bishop of Chichester, to consider whether it was not "time to draw the sword of the Lord to pluck out and destroy such vice," inasmuch as the earl, "unlike a true Christian or son of holy mother Church, had no ways blushed to lead such an odious and execrable life, disregarding all good counsel, and had broken into parks" (this offence is put first), and, moreover, on the day

¹⁷ There is no mention of any plea of previous contract with herself in the Lambeth Register.

¹⁸ This earl's wife was, in 1317, perhaps in revenge, forcibly abducted by the Earl

de Warenne from Canford to Reigate, and after a divorce married to Richard St. Martin; the Earl of Lancaster was afterwards defeated, and executed in 1322 by his orders.

when Maud de Neyrford was to appear in court, he had boasted with threats that it should ill betide any one who should gainsay her. The bishop, on the earl's petition, granted his licence for the suit of divorce to be carried on, and several hearings took place in April before Gilbert de Middleton and William de Bray, canons of St. Paul, and the Prior of Trinity in Southwark Church. One of the archiepiscopal citations describes the earl as "imitating the obstinacy of Pharaoh, and closing his ears like a serpent (more aspidis), degenerate from his high ancestry, regardless of his salvation, and prodigal of his fame and honour, while he lived in notorious adultery with Matilda de Neyrford, who had been duly married to Sir Simon de Derby" (*domino Simoni de Dribi nuptiis ex more celebratis et matrimonialiter conjuncta*).

The earl's French letter to the archbishop, dated from Sandal in Yorkshire, exhibits him as apparently anxious to prove himself blameless.

"To the honourable father in God and our dear friend Walter, by the grace of God Archbishop of Canterbury, Primate of all England, his (le soen) John de Warenne, Earl of Surrey, greeting and due honour. Sire, in respect to that which we have learnt by your order, be pleased to understand that we are and shall be ready to do every thing that holy Church can demand by law and in reason, and upon divers other points we will answer you in time in such a manner that no man shall be able to blame us rightfully or with reason; and, sire, if you wish us to do anything that we can, be pleased confidently to command us, and we will do it to the utmost of our power. Adieu, sire, and may God preserve you. Given at our castle of Sandale, the 10th day of June."

A few days later (June 18th) the earl in another letter urged that the matter was so serious (*la chose et si haute en sei*), that it behoved him to be well advised in his answer, and that he should require for that purpose a more distant day than the Quinzaine of St. John (June 24th) which had been fixed.¹⁹

King Edward II must have been anxious to put an end to

¹⁹ I am much indebted to the Rev. Mr. Thomas, now Librarian at Lambeth Palace, for the facility of consulting and copying the MSS. Registers of Archbishop Reynolds concerning this matter. The extracts above given are in the ori-

ginal volume at pp. 52, b.—72, a. b.—73,—106. a. b.—107, a.—125, a. An abstract of all the Lambeth Registers was made by Dr. Ducarel, in fifty-two volumes folio, now in the British Museum, Addl. MSS. 6065.

such a scandal in his court, where his cousin the countess was living, and at Lincoln, February 20, 1316, consented to a sort of compromise, allowing Maud's suit of divorce to be commenced afresh, on condition that all previous proceedings before the Archdeacon of Norfolk should be annulled, and that, if the Countess Joanna should do nothing to delay final sentence or to appeal from it, all her costs should be paid, and the earl would grant her 740 marks a year for her life, secured on his Lincolnshire estates. (*Rot. Pat. p. 2, m. 32, original MS. in French.*)

Aymon de Juvenzano was appointed by the king to carry on this suit, and was paid *xivli. ivs.* for his expenses, and this arrangement seems to have been carried out by the consent of all parties. A species of legal separation, *a mensa et thoro*, was thus at least effected, though Joanna never lost her title as Countess de Warenne; and after surrendering his estates to the king, and receiving them back by a fresh grant, the earl was enabled, on August 4, 1316, to settle Coningsburgh and his Yorkshire estates on Maud de Nereford, and her sons John and Thomas in succession. As early as Nov. 20, 1312 (6^o Edward II), "John de Nerford, Thomas, son frère,"²⁰ appear as witnesses to the earl's grant of some tithes in Norfolk to Lewes Priory (*Chartulary, f. 32*). If these were Maud's sons, they must have been infants. There is no record of any complete divorce, however, and that none took place is proved by Earl John's charter, confirmatory of the grants to Lewes Priory, to which her assent had been carefully procured many years later. It is dated from his castle at Lewes, on the last day of May, 1331, and decorously alleges one of the motives of his grant to be "for his own soul and that of the Countess Joanna de Baar, his consort." Among the seals of the witnesses are expressly recorded those of "the Lady Joanna de Barr, Countess de Warenne, William her chaplain, and of Richard Russell, who, by direction of the lord the earl, wrote this charter, and saw all the above-placed seals affixed." (*MS. Chartulary, Vespas. xv. F. f. 36.*)

²⁰ These names frequently occur in the earl's grants as "sons of Matilda," but in a grant to the priory of Thetford, in 1315, they are described as "*puerorum*

nostrorum." Watson, volume ii, p. 56. The name is found variously spelt as Nerford, Nereford, Neirford, Neyrford, in documents even of the same date.

There is a seal of her arms in Watson's Hist. of the Warrens, vol. 2, 44, and in Sandford's Royal Genealogies, p. 122. The seal is remarkable as exhibiting all the coats of England, Castile, Leon, and Bar, arranged round that of Warenne, each in a separate lozenge. Bar, "azure, semé of cross crosslets fiché, or. two *barbels* endorsed of the same, over all."

How little was known of her at the residence of her husband, appears by the brief and erroneous entry concerning her in the chartulary of the Lewes monks, who confused her brother Edward with her father Henry, when enumerating the Countesses of Warren, so many of whom lay under the tombs in their priory.

"The lady Joanna de Bars, Countess of Surrey, daughter of Edward, Count de Baars, wife of John, the last earl, died on the last day of August in the year of grace 1361. She is not buried in England (*non jacet in Anglia*)." *f.* 109.

The countess had probably dwelt little in England during her latter days, but before she carried to a foreign grave the title of a husband who had repudiated her, full retribution had fallen on him in a manner which must have deeply mortified the representative of so noble a line. There were no children from his own unhappy marriage with Joanna: Maud de Neirford's sons, and Maud herself, were all dead. King Edward III, esteeming him as a soldier,²¹ had entrusted him with the defence of the Sussex coast in 1339, and with more covetousness than propriety, in disregard of his own cousin's rights, had strangely authorised the earl's second marriage with Isabel de Houland, though the Countess Joanna was yet living, on the condition formally expressed in the king's license, that the heir of such union should contract a royal marriage, in order to transfer all the Warenne estates to the royal family. The earl, however, had died in 1347, without any male issue, and was therefore the last who bore the title of Warenne. Edward III, by a deed dated June 30, 1359, agreed with the Countess Joanna to pay her £120 yearly, in

²¹ The gateway tower of Lewes Castle, was probably built by him in the year 1334, lately opened to view by this Society,

lieu of the Yorkshire estates settled in dower upon her, which at the same time he granted to his son, Edmund de Langele. (*Rot. Pat.* 33^o *Edw. III.*, p. 1, m. 1.) The remaining wealth and honours of the Warennes had passed away, and had been added by the last earl's sister, Alice, to those of the Fitz-Alans, by whom the Arundel earldom of the Albinis had been already acquired by another alliance. It was thus, under circumstances discreditable and inglorious, that the great name of Warenne became at length lost or at least overshadowed;—a name, originally derived from an obscure river in Normandy, raised to honour on its first transference to England by alliance with the Conqueror's daughter, and enriched by the spoils of his conquest, distinguished by martial prowess and its full share in the great events of English history during three centuries;—a name in many successive generations so interwoven with royalty, that two princes did not disdain to assume it, was thus finally destined to be obscured and made secondary, when death stilled the passions and the pride of John, the eighth earl of an heroic race.
