

## IX

### MURDER ON FRAMWELLGATE BRIDGE

*H. S. Offler*

Attempts are sometimes made to distinguish between happenings and events. A happening, it is argued, which may be in itself wholly trivial, becomes an event only if interpretation of it in its context justifies, as it were, its promotion to a higher status of significance. What this paper tries to ascertain and explore a medieval chronicler denoted by the non-committal Latin word *res*: "a strange and wholly detestable occurrence in the bishopric of Durham."<sup>1</sup> As Sir Richard Marmaduke, the bishop's steward, was riding in to the county court at Durham, he was attacked and killed on Framwellgate bridge. The assailant, rather loosely described as Richard's kinsman, was Sir Robert Neville, who, we are told, asserted that Richard had betrayed both king and realm. The year was 1318; the month December.<sup>2</sup>

In some ways this act of violence was banal. Framwellgate bridge has witnessed countless disorderly incidents since Bishop Rannulf Flambard first caused it to be built. The early decades of the fourteenth century, from the late years of Edward I onwards, were times when lawless and homicidal passions were notably unrestrained and ineffectively punished. The Lincolnshire trailbaston proceedings in 1305 yield almost sickeningly abundant illustration of individual and gang crimes, violent disorder and wanton cruelty.<sup>3</sup> Only a year before Richard Marmaduke's murder the bishopric of Durham had been the scene of the scandalous activities of the Northumbrian freebooter Sir Gilbert Middleton, operating with his armed gang from Mitford. Near Rushyford on the road between Darlington and Durham Middleton had robbed the baggage of two cardinal legates on their way to Scotland and kidnapped the bishop elect of Durham, Louis Beaumont, and his brother Henry. How helpless the local authorities initially were when confronted by this outrageous character appears from a document dated six weeks after the assault at Rushyford:

"Be it known to all men that I, Gilbert of Middleton, have received 200 marks of silver from the community of the bishopric of Durham by the hand of William of Denum, to ensure as far as I am able that no harm or damage comes to it through me, my men or others, as is contained in an indenture about this between me and the aforesaid William. In witness of which matter I have put my seal on this letter."<sup>4</sup>

Blackmail had been levied and a formal receipt given. Illustrations could be multiplied. At about the same time as Middleton was on the rampage Sir Jocelyn Deyville, we are told, ravaged the Durham manors in Allertonshire with some 200 men, hooded, cowled, sandalled and bearded in the guise of lay brothers from Rievaulx.<sup>5</sup> In the end both Middleton and Deyville suffered the violent deaths their misdeeds had earned. But not all villains did. There comes to mind Dr. Natalie

Fryde's sketch of Sir John Molyns's career in Buckinghamshire: between 1330 and 1340 Molyns, a respected, loyal servant of the crown, was "concurrently pursuing a life of banditry, murder and dissimulation often between missions on the king's behalf."<sup>6</sup> And yet, from 1352 to 1357, he was serving the "gentle" Queen Philippa as steward of her household.

The question to be addressed is why, even amidst all this contemporary welter of violence, was the killing of Richard Marmaduke thought momentous enough to call for mention by at least some of the northern chroniclers?<sup>7</sup> Three aspects of it may perhaps justify an attempt to answer that query by a more detailed investigation than the scattered and incomplete evidence has hitherto received. First, there is the eminence of the parties concerned; the interests they represented, not negligible in themselves, transcended the limits of a merely local feud and were not without significance in the general history of England at the time. Then there are the effects of the crime in reshaping quite definitely the balance of lay proprietorship within the bishopric of Durham. Finally, as in all good murder stories, there is the puzzle, the intractable mystery of motivation. Writing some forty years after the event, but with an insider's knowledge of the society he was discussing, Thomas Gray of Heaton had no doubts: what moved Robert to kill Richard was anger born of emulation as to which of the two was to be the greater lord.<sup>8</sup> Though the element of truth in Gray's dictum must stand, possibly there was rather more to the murder than that.

The assailant, Sir Robert Neville, the eldest son and heir apparent of Rannulf Neville of Raby, had in prospect a very great inheritance: not just Staindrop and Raby from his ancestor Robert Fitzmeldred and the former Bulmer fiefs at Brancepeth in county Durham and clustered round Raskelf and Sheriff Hutton in Yorkshire, but also eventually the Fitzrandolf lands in the North Riding through his grandmother Mary, daughter and heir of Ralph Fitzrandolf of Middleham, together with some part of the Clavinger estates in Northumberland and Essex through his mother Euphemia, daughter of Robert Fitzroger. In 1318 Robert Neville was the effective head of the Nevilles of Raby, for his father Rannulf, formerly so active, had since 1313 been a crushed and discredited man, excommunicated for incest with his daughter Anastasia; withdrawn, we are told, from secular business, he now spent his time frequenting the canons of the family's priories at Coverham and Marton.<sup>9</sup> Robert's victim on Framwellgate bridge was also a man of estate and lineage. But they are less well known than the Nevilles', and so call for more discussion.

The known story of the Fitzmarmaduke line begins in 1127, when Bishop Rannulf Flambard enfeoffed his nephew Richard (some would say his son) with a considerable holding in the Team valley in north-west Durham; centred on Ravensworth, Eighton and Lamesley its terms of tenure were rated beneficially at no more than the service of half a knight.<sup>10</sup> Richard of Ravensworth's son and successor, Geoffrey Fitzrichard, survived until about 1200. In 1166 he had been recorded as holding 1½ knights' fees from the bishop. This increase is to be explained by the family's acquisition of further episcopal fiefs: at Horden on the coast by Easington, at Homildon south of Pallion in modern Sunderland, and probably at Silkesworth (though it is just possible that Silkesworth had come from the monks of Durham, from whom Geoffrey's family certainly held Blakiston in south-east Durham till past the middle of the thirteenth

century).<sup>11</sup> By the 1170s Geoffrey had made Horden his main seat.<sup>12</sup> It was lands there and at Silkesworth which provided the matter for an important but difficult lawsuit in the king's court in 1204 between William of Laton and Geoffrey Fitzrichard's son and successor, Geoffrey Fitzgeoffrey. Some of the details of this suit puzzled contemporaries, and have continued to puzzle scholars ever since. But in the upshot, Geoffrey Fitzgeoffrey did more than vindicate his possessions in Horden and Silkesworth against his opponent's challenge. By thwarting William of Laton's attempt to make him do battle for them, he gave conclusive impulse to the demand that cases concerning the Durham lay feudatories arising in the bishop's court should be tried there according to the up-to-date and evolving procedures of the Curia Regis. That success, as Lapsley saw, had much to do with forcing the bishops of Durham to develop for their liberty a genuinely palatine judicial organization, closely patterned on the royal model.<sup>13</sup> In the light of Geoffrey's experience in 1204 it would be difficult to believe that he was not prominent among those knights and freeholders of Durham who a few years later, in 1208, bought from King John what amounted to the first general charter of liberties for the Durham feudal community, guaranteeing its members legal process according to the laws and customs prevailing throughout the kingdom.<sup>14</sup>

For nearly the whole of the first half of the thirteenth century Geoffrey Fitzgeoffrey was an outstanding baron of the bishopric, his only real peer being Robert Fitzmeldred of Raby. He witnessed frequently and prominently in the courts of both bishop and prior. On the eyres of 1235–6 and 1242 he sat as one of the bishop's justices, representing with Robert Fitzmeldred the landed magnate element in company with such administrative and legal professionals as John Romsey, Walter of Merton, Richard Ducket and Geoffrey Leuknor.<sup>15</sup> Busied locally in the affairs of the Haliwaresfolc community and in consolidating his family estates,<sup>16</sup> he does not seem often to have sought a wider field. No firm evidence suggests that he was involved with the rebellion of the northern knights against King John in 1215–16. Nevertheless, there is one aspect of his story which points to contacts beyond the bounds of Tees and Tyne. During the proceedings in the king's court in 1204 offer to wage battle over a particular issue was made on Geoffrey's behalf by Marmaduke Thweng. Son of Robert Thweng, who held fiefs in east Yorkshire from Percy and perhaps from Bruce, Marmaduke may have come by his forename from the family of his mother, Emma, one of three sisters and co-heirs of Duncan Darel of Lund in the East Riding.<sup>17</sup> When Geoffrey Fitzgeoffrey is found naming his son Marmaduke and himself using (the first of his line to do so) an armorial seal showing a fess between three popinjays, which were also the arms of Thweng, a marriage alliance between the two families is a reasonable conjecture, though proof is lacking.<sup>18</sup> By early in 1248 Marmaduke Fitzgeoffrey had succeeded his father.<sup>19</sup> Fashioned on much the same pattern as Geoffrey, if maybe on a slightly reduced scale, Marmaduke's prominence and assiduity in the public business of the bishopric until well into Robert Stichill's episcopate is abundantly attested.<sup>20</sup> With a satellite group of smaller knights and gentry from his neighbourhood—Scrutvilles, Farnacres, de l'Isles, Lumleys, Bassetts—he maintained without difficulty the predominant standing in northern Durham which his family had now enjoyed for three generations. Before April 1281, it seems

likely, he had been succeeded by his son John Fitzmarmaduke, who had witnessed as a knight in 1275.<sup>21</sup>

John Fitzmarmaduke had more of the thruster about him than his father; he was alive to the wider opportunities on a national scale which the warlike policies of Edward I were opening up. His first wife was a Bruce, Isabella, daughter of Robert Bruce the Competitor, grandfather of King Robert I; she brought with her in marriage the considerable manor of Stranton in Hertness.<sup>22</sup> By her John certainly had a son, Richard Fitzjohn Fitzmarmaduke, whom contemporaries commonly called Richard Fitzmarmaduke or Richard Marmaduke; it was he who was murdered in 1318. From this marriage there was probably also a daughter, Mary, who became the wife of Robert I of Lumley and, it may be assumed, died before her father.<sup>23</sup> The significance of this alliance between John and Isabella Bruce did not escape Thomas Gray, who rightly described Richard Marmaduke as cousin of that Robert Bruce who in 1306 became king of Scots.<sup>24</sup> Isabella had died long before this; by 1285 John Fitzmarmaduke had married again, in circumstances suggesting that he had already managed to bring himself to the favourable notice of Edward I. John's second wife, Lady Ida, had twice been widowed. Her first husband, Roger Bertram III of Mitford, had died by 1272, leaving Ida dowered in Mitford and Felton. Her second husband had been Sir Robert Neville of Raby, grandson and successor of Robert Fitzmeldred and great grandfather of Robert the murderer in 1318; like Ida Sir Robert had been married before, and as far as is known she bore him no children. After his death in 1282 Ida was snapped up by John Fitzmarmaduke. It is unfortunate that the origins of this obviously attractive lady remain obscure, for she plays a part of consequence in the present enquiry. Possibly she came from a family in south Durham and brought in marriage to John Fitzmarmaduke the two Teeside manors, Ulnaby and Carlbury. John's possession of these manors, of which he undoubtedly died seised, is otherwise difficult to explain.<sup>25</sup> There were no children from John's second and Ida's third marriage.

John had acted precipately in wedding Ida without waiting for the royal licence necessary when the widow of a tenant-in-chief married again. But the sequestration of Ida's dower lands which followed was lifted in May 1285 on the grounds that "the king wishes to show favour to John in consideration of his good service".<sup>26</sup> It is likely that this service had been in the field against the Welsh in 1282, for at the Rhuddlan muster on 2 August Sir John Fitzmarmaduke appears among those performing service due from the bishop of Durham.<sup>27</sup> Probably more details about John's military employments during the next three decades could be brought to light by minute scrutiny of such evidence as the pay rolls, letters of protection and horse valuations have to offer. But the general picture is already clear. Like his close northern associates Marmaduke III of Thweng and Walter of Huntercumbe John was making the transition from obligatory feudal service—direct or indirect—to the king, towards becoming a professional mercenary soldier, regularly organizing paid troops for the royal armies in Wales and Scotland.<sup>28</sup> He was campaigning against the Welsh in 1294–5 and against the Scots in 1296.<sup>29</sup> He avoided the disaster at Stirling Bridge in 1297, perhaps because at the time he was overseas with Bishop Antony Bek's forces in Flanders.<sup>30</sup> Ranking now as banneret,<sup>31</sup> he had earned the reputation of being a very

hard man indeed, if we can believe the chronicler's report of how Edward I encouraged him to the ruthless capture of Dirleton on the Falkirk campaign in 1298: "You [John] are a cruel man and at times I have blamed your excessive thirst for blood and the way in which you glory in the death of your enemies."<sup>32</sup> At Falkirk itself John was one of Bishop Bek's bannerets;<sup>33</sup> his prowess at the siege of Caerlaverock in July 1300 earned him repeated mention in the poem celebrating the siege.<sup>34</sup> During the royal sequestration of the bishop's franchise in 1302-3 John in company with Robert Hansard was commissioned to muster the knights and men-at-arms of the bishopric together with 500 foot soldiers for service at the king's wages in Scotland.<sup>35</sup> And as the position of the English in Scotland worsened after Edward I's death, John was esteemed a proper instrument in the efforts to check the rot. Warden of Galloway in 1308, in May 1310 he was appointed to keep Perth for the English king.<sup>36</sup> There he died in the winter of 1310/1311.

He had wished to be buried in the churchyard of the cathedral at Durham. But, defeated by the problem of conveying his corpse through a hostile countryside, his followers at Perth cut the body up and boiled the flesh off the bones, which they preserved: to the scandal of the papal penitentiary at this gross breach of recent canon law.<sup>37</sup> Whether John's bones ever reached Durham is unknown; it is to be hoped that they did. For though he had done the crown good service, John Fitzmarmaduke remained essentially a Durham magnate, one of the two great bulwarks of the bishopric's feudal community. Unlike the Nevilles, his only real peers locally, he held little, if anything, outside the Palatinate; his eight manors all lay within the county. Viewed absolutely that was a modest estate, even taking into reckoning the intangibles of influence and patronage which were undoubtedly exercised through it. In the restricted context of Durham, however, it was quite sufficient to sustain preeminence. The inventory made of John's chattels after his death reveals no great magnificence of household goods at Silkesworth, his chief residence. There he kept his dozen golden spoons, his peacock and two peahens; at St. Leonard's chapel nearby he had endowed masses for himself and his ancestors.<sup>38</sup> Perhaps more interesting are the stock accounts, which indicate a notable degree of specialization: ploughoxen everywhere, of course, but sheep and goats concentrated at Ravenshelme, a ewe flock and pigs at Horden, lambs at Eighton (if that is *Le Spen*) and Wheatley Hill, fatstock at Lamesley and on the Teeside manors, horses at Stranton.<sup>39</sup> The picture is completely framed by Tyne and Tees. Here was the primary field for John Fitzmarmaduke's activities, though his relations with the English crown certainly added to their effectiveness. It was with royal approval that from 1300 onwards Fitzmarmaduke and Rannulf Neville had led the Durham community of knights and freeholders in successful opposition to the authoritarian and at times arbitrary gestures of Bishop Antony Bek. Edward I's support and the active sympathies of a strong faction among the monks of Durham enabled John and Rannulf to secure for the free landowners of the bishopric the important ratification of their privileges which Bek was obliged to concede in May 1303.<sup>40</sup> Though he held no lands directly from the crown, John attended the Lincoln parliament in January 1301. There in company with Rannulf Neville he sealed among the tenants-in-chief of the crown the barons' letter protesting against Pope Boniface VIII's claims to

intervene in the dispute with the Scots. That he appeared at Lincoln not under the title of knight or banneret, but with the seemingly baronial style of *Dominus de Hordene* perhaps reflected the ambivalence of his status.<sup>41</sup> His family had long been “barons of the bishopric”; at Lincoln John moved among the barons of the realm.

Thus on his father’s death Richard Marmaduke inherited not just lands but also heavy public responsibilities in the bishopric: the heavier because, with the impending moral collapse of Rannulf Neville, the fortunes of the Nevilles of Raby were to suffer temporary eclipse. There is no reason to doubt that Richard was ambitious; he was fated to be the most important layman in Durham at a ghastly period in its history. The years 1311 to 1318 witnessed natural calamities of flood, famine and pestilence beyond ordinary experience. But above all there were the repeated inroads into the northern counties of the Scots under their now triumphant king Robert Bruce, ravaging and burning less with intent to acquire territory than to terrorize, take plunder and exact blackmail.<sup>42</sup> The king of England, Edward II, so often at odds with faction among his own magnates, proved quite incapable of protecting his northern subjects; he tried, indeed, but military fiasco followed military fiasco: Bannockburn (1314), the loss of Berwick (1318), the “Chapter of Myton” (1319), defeat near Byland (1321). For the most part the northern counties were left to fend for themselves, and this they did by raising what money they could to buy temporary truces from the Scots, who of course came again when next the harvest was ripening. On at least eight occasions between 1311 and 1327 Durham made its own terms with the Scots, never with hope of securing more than respite from the imminent worst.<sup>43</sup>

From 1312 until his murder Richard Marmaduke played the chief part for Durham in these transactions. It is difficult to imagine who else could have undertaken the task. He enjoyed the confidence of Bek’s successor as bishop of Durham, Richard Kellaw, monk of Durham and member of a local gentry family, who had long been a close friend of his father John;<sup>44</sup> as episcopal councillor he was retained at a higher fee than Robert Neville;<sup>45</sup> it was after much assiduity in the bishop’s service that he was appointed steward and keeper of the bishop’s royal liberty of Durham in December 1314.<sup>46</sup> Significant too was the fact that Richard Marmaduke was a close kinsman, a cousin, of Robert Bruce; his first known appearance in the historic record is as witness to an *inspeximus* by Bruce, still earl of Carrick, at York in 1304.<sup>47</sup> As far afield from Durham as Berwick Richard could thus be esteemed as peculiarly fitted to negotiate with Bruce.<sup>48</sup> Circumstances had cast Richard in the invidious role of chief broker of Durham’s blackmail payments to the Scots; he can be seen occupied in this activity from the summer of 1312 at the latest until shortly before he was killed. It was an arduous and perilous path to tread. Heading the Durham negotiators for the truce bought from the Scots at Hexham in August 1312 he had perforce to accept explicitly the fact of Bruce’s kingship.<sup>49</sup> This was a concession the English crown was not prepared to countenance officially till 1328; when Andrew Harclay made it in 1323 it cost him his life as a traitor.

Amidst almost chaotically disordered circumstances Richard Marmaduke managed to keep the cash flowing northwards; at least in part to his efforts it was due that during these years Durham suffered rather less than Cumbria or Northumberland.<sup>50</sup> They had been the salvation of both the monastery and countryside of Durham, Prior

Geoffrey Burdon declared a few years later.<sup>51</sup> Richard's methods will often have been peremptory, although at any rate nominally he acted on behalf of the *communitas episcopatus Dunelmensis*, that is in effect the available free landowners of standing and the well-to-do of the county. Whether this community was formally embodied in meetings of the county court is perhaps uncertain. Nevertheless, to the king's judges in 1320 it appeared as a viable corporate entity, capable of levying money to buy off the Scots, of authorizing emergency procedures for collecting the money, of exacting oaths from its members to observe the ordinances it made for the general safety of the bishopric, and of appointing its own envoys and agents; actions of recovery lay against the community itself, not against the agents personally. How in practice contributions were assessed and the money raised is not wholly clear, though by 1318 there is regular mention of two collectors of the community's money. The means they sometimes used were rough-and-ready: for instance, a house-to-house search along Durham's North Bailey and forcible seizure of any money found, on promise of future repayment.<sup>52</sup> Richard also made free with the mandatory papal tenths levied from the clergy for the king's purposes. These, we are told, he abstracted from the Durham diocesan collectors and paid them over to the Scots, again with promise of reimbursement.<sup>53</sup>

Probably Richard was not particularly scrupulous about the ways in which he handled the monies levied, nor wholly motivated by altruistic concern for the public weal. Again the witness of Prior Geoffrey Burdon throws a little light. Attempting to defend himself against the charge of improperly alienating a jewelled chapelet or coronal belonging to the monastery, which he had given to Richard, he declared:

“Sir Richard Marmaduke was keeper of the bishopric of Durham and sustained many labours on behalf of the church, both in journeying to Scottish parts to secure truces and in helping in many matters in these parts. And since he [Geoffrey] had no money or other jewels available with which to reward Sir Richard for his efforts, he gave him the chapelet in question to hand over to his wife, who was extremely eager to have it. Which action proved vastly useful to the monastery—and Richard would not have exerted himself to save the monastery if he had not received the chapelet or more.”<sup>54</sup>

Geoffrey Burdon was not a thoroughly admirable character;<sup>55</sup> in trying to justify himself he may have been somewhat less than fair to Richard, who by this time was dead and unable to speak in his own defence. No doubt Richard did pocket any advantages which chance offered: he was that sort of man. Even so, it is difficult to believe that the whole explanation of Richard's murder lay in the Nevilles' desire to divert from him to themselves the incidental profits of the blackmail system.<sup>56</sup> It is necessary to probe deeper, into two of Richard's personal predicaments and an associated political complication.

The first factor involved was Richard's relations with his step-mother, John Fitzmarmaduke's second wife, the Lady Ida. After her husband's death she had claimed her customary widow's third of John's lands. About this claim her step-son behaved so irrationally as to suggest that some profound emotional antipathy divided the two. Richard was obstinately determined to frustrate Ida of her seemingly legitimate dues, and to effect this he was prepared to use every possible resource of

legal chicanery and even violence. He began by arguing with John's executors that his father had died without leaving a widow at all.<sup>57</sup> When that contention appeared too ridiculous, Richard shifted his ground. Though prepared to accept that John and Ida had once been married, he now claimed that a solemn divorce between them had been pronounced in the Galilee of Durham cathedral in Bishop Bek's time. The Durham consistory court declared that there was no evidence of this;<sup>58</sup> whereupon Richard vainly pursued the matter to York.<sup>59</sup> Lady Ida's rights to her thirds were legally quite inexpugnable, and Bishop Kellaw's secular court gave judgement in her favour. Nevertheless Richard continued to do his utmost to prevent her enjoying the lands to which she had been declared entitled.<sup>60</sup> All this harassment took the affair far beyond the limits of a mere family squabble. After all, for some ten years before the death of Sir Robert Neville in 1282 Ida as his wife had been lady of Raby. The murderer in 1318, Robert, was, so to speak, her great grand step-son; her repute among the Nevilles had remained so good that one of his sisters bore her name. Richard's mistreatment of Lady Ida, construed as injury to the pride and perhaps the affection of her former family, must have exacerbated rancour between the representatives of Neville and Fitzmarmaduke.

At the time of his murder Richard, it seems a reasonable guess, was in his late thirties or early forties. He had a wife, Eleanor, who outlived him by half a century; perhaps she was in some way connected with the family of Clare, though that is no more than inference from the evidence of an armorial seal.<sup>61</sup> By the end of 1313 hope of issue from this marriage seems to have been abandoned, leaving open the question of who would eventually inherit the Fitzmarmaduke possessions. Only this, it may be thought, together with Richard's determination that Lady Ida should not profit from the situation, explains the settlement he made of the major part of his Team valley estates, Ravenshelme and Lamesley, on 2 January 1314, on the very same day that judgement had been given against him in Ida's favour and in the same court. The settlement secured a life interest in these Team valley lands to Richard and Eleanor jointly and severally, with remainder to John, son of Robert of Lumley.<sup>62</sup> Lumley genealogy is treacherous ground on which to venture, and John is a neglected figure in the story of this up-and-coming local family. The best interpretation of the evidence appears to be that he was a younger son of Robert I of Lumley by Robert's marriage with Mary Fitzmarmaduke, Richard's sister. Robert I died *c.* 1308; it must be assumed that his wife predeceased her father John.<sup>63</sup> Her eldest son, Robert II, succeeded his father as head of the Lumley family; a younger son, John, another nephew of Richard Fitzmarmaduke, was the remainderman of the settlement in 1314.

Before January 1314 had ended Richard, no doubt still pursuing the bafflement of Lady Ida, had taken steps to settle the rest of his estates. With licence from Bishop Kellaw he enfeoffed John Kinnersley with Horden, Silkesworth, Ulnaby and Carlbury. In this transaction Kinnersley was no more than a nominee for a very great man indeed: none other than Thomas earl of Lancaster, whom Kinnersley served as councillor and eventually as executor; he was the candidate whom Lancaster unsuccessfully supported for the succession to the see of Durham after Kellaw's death in 1316.<sup>64</sup> The naked truth emerged three months later, when Kinnersley returned the estates to Richard to hold for life, with remainder to Thomas of Lancaster and



Lancaster's heirs.<sup>65</sup> That overmighty and obstreperous magnate had acquired the reversion of a considerable landed interest within the palatinate of Durham. Presumably despairing of a future for a family of his own in his native county, Richard was prepared to envisage alienating about half his Fitzmarmaduke inheritance there. In return he secured rent charges on two of Lancaster's manors in Northamptonshire together with a house and land.<sup>66</sup> The grant of the reversion was not a sudden decision. For at least two years before this transaction Richard had been an overt Lancastrian partisan. Bishop Kellaw's steward of Durham was a feed retainer of Thomas of Lancaster for peace and war, esteemed able to serve the earl with a troop of ten men-at-arms. On the list enumerating the adherents of Lancaster granted the king's pardon in October 1313 for complicity in the death of Piers Gaveston sixteen months previously stood the names of Richard Marmaduke and two of his henchmen, the brothers William and Robert of Silkesworth.<sup>67</sup>

Behind the crude act of violence on Framwellgate Bridge in December 1318 thus lay a quite complex story. Thomas Gray's description of it as the outcome of a local struggle for power, though not wrong, is incomplete. More was involved than just who should be the greatest lay lord between Tees and Tyne. Nor can the murder be understood simply as a gesture by the "outs" of disappointed envy at the profits they assumed Richard Marmaduke was making for himself from his brokerage of the blackmail to the Scots; after all, by 1318, with a new bishop in charge, the "outs" had a reasonable prospect of becoming "ins". Family pride was as potent a factor as perceived material interests; the family pride of the Nevilles, already bruised by the disgrace into which Rannulf had fallen, was further injured by Richard Marmaduke's bad behaviour towards Lady Ida. Moreover, the allegation reported by the Bridlington chronicler that Richard was a forsworn betrayer of king and realm cannot be dismissed as wholly implausible. From the point of view of the English crown, Richard's repeated dealings with the king of Scots were bound to arouse suspicion, however explicable they were by the consanguinity between the two, however beneficial, if onerous, they proved for the inhabitants of the bishopric. Hardly less sinister to established authority in England must have seemed Richard's willingness to move closely in the wake of Thomas of Lancaster, with more than a shade of connivance on the part of Bishop Kellaw.<sup>68</sup> The cry of treason against Richard came from an avowed enemy; suspicion is not proof. But it cannot be claimed that on this head there was no case at all for him to answer.

In the short term the murder brought disaster on the Nevilles. In the following summer Robert, seeking perhaps to extenuate his crime and curry royal favour, led his brothers Ralph, John and Alexander with a gang of rough-necks on a freebooting expedition against the Scots in the Marches. At Bewick, about six miles south-east of Wooler, James Douglas, that wily old hand at border warfare, surprised and routed them on 6 June 1319. Robert Neville was killed and his brothers were all captured. Means of paying their heavy ransoms were not found easily.<sup>69</sup> Yet it must be confessed that in the longer term the crime and its consequences turned out very profitably for the Nevilles. It must be reckoned pure gain for them that the erratic, flamboyant Robert was replaced as effective head of the family by his able and long-headed brother Ralph. Above all, the extinction with Richard of the Fitzmarmaduke

duke male line left the Nevilles as indisputably the dominant lay landowners in the bishopric of Durham. The women came out of things comfortably enough. Lady Ida secured her widow's thirds, which she continued to enjoy until perhaps as late as 1340; if so, she may well have been near ninety when she died.<sup>70</sup> Richard's widow, Eleanor, soon married again (an Umfraville from Prudhoe), and yet again (a Mauduit of Eshot in Northumberland); until her death in 1368 she kept control of the Team valley manors according to the settlement of 1314.<sup>71</sup> These two ladies handily confirm the findings of recent demographical expertise about increasing female longevity in the later middle ages. Both seem to have found the same formula: superior feeding (one suspects), three husbands in succession, no children.

The Fitzmarmaduke landed interest, so substantial and coherent at Richard's accession in 1311, broke up when he was killed. Occasionally during the fourteenth century the senior line of the Lumley family tried vainly to establish themselves as Richard's heirs general, on the very dubious argument that Mary Fitzmarmaduke had outlived her brother and inherited from him, passing the inheritance on to her elder son, Robert II of Lumley. Possibly Robert II's marriage to Lucia, daughter and co-heir of Marmaduke III of Thweng, brought hope of asserting a title to the Fitzmarmaduke inheritance along an alternative route, if, as seems likely, one of Richard's thirteenth-century ancestors had married a Thweng. These pretensions of the senior Lumley line had little success. In fact it was a cadet line of the Lumleys, descended from Mary Marmaduke's younger son John, which eventually secured the Team valley manors after Eleanor's death, precisely as envisaged when they had been settled in 1314. By 1406 John's grandson, Sir Marmaduke Lumley of the cadet line, was established in his castle at Ravenshelme.<sup>72</sup> In accordance with the other settlement of 1314, on Richard Marmaduke's death the reversion of Silkesworth, Horden, Carlbury and Ulnaby fell to Thomas of Lancaster. By the summer of 1320 Thomas had conveyed them to his friend, accomplice and man of business, Robert Holland, who granted them back to Lancaster for life, with remainder to Holland and his heirs.<sup>73</sup> "Chicanery and extortion", Dr. Maddicott has assured us, "were characteristic of Lancaster's dealings in land"; this manoeuvre was perhaps designed to frustrate rival claims by other parties alleging themselves to be Richard's heirs.<sup>74</sup> Lancaster's schemes to gain a territorial footing within the palatinate of Durham crashed like all his other ambitions at Boroughbridge and Pontefract in 1322; his estates and those of his supporters were forfeited. But the Hollands were a resilient lot and contrived to salvage some of their remainder rights in the bishopric from the wreck. Silkesworth was lost to them, falling in fee simple by grant from the crown to the royal keeper of rebel lands in Northumberland and Durham, Richard of Emeldon, a powerful urban patrician and office-holder in Newcastle upon Tyne.<sup>75</sup> At Horden, however, the Hollands managed to maintain their hold until the 1340s, when seisin passed by amicable agreement to Ralph Neville and from him to the Menville family with whom it remained despite a challenge from the senior Lumley line.<sup>76</sup> Perhaps it was also through the Hollands that Carlbury and Ulnaby came (or returned) to the Nevilles; at any rate, in 1380 a younger son of Ralph Neville died seized of these two manors.<sup>77</sup> Busily as it hunted for flotsam from the Fitzmarmaduke inheritance, the senior line of Lumley made only one substantial acquisition: Stranton, held under Clifford.<sup>78</sup>

The crime which led to land and lordship being thus dispersed did not lack a certain dramatic irony in its circumstances. It was on the bridge built by Bishop Rannulf Flambard that the male line descended from his kinsman Richard Fitzrannulf came to an end in 1318, shattering the imposing territorial position it had created in northern Durham over five generations. Henceforward, as long as they remained united, the Nevilles could do unopposed much as they pleased in the county. The significance of the murder on Framwellgate bridge, then, was that it produced, or at least hastened, a decisive shift in local power; at the same time potentialities for increased Lancastrian or Scottish influence in the Palatinate were aborted. That much emerges with fair certainty from the sources, imperfect as they are. But the murder was an individual's deed, and on the motives of individuals the records can throw little direct light. The knightly effigy still commemorating Robert Neville in Brancepeth church is in better condition than monuments set up elsewhere for far greater Nevilles. In contrast, Richard Marmaduke has no memorial; his burial place is unknown, though it seems prudent to reject the allegation in a much later source that Robert, not content with killing him, threw his body over the bridge into the Wear.<sup>79</sup> Yet it is the victim of 1318 who provides the deeper mystery. Because of his family tradition, his kinship to the king of Scots, the demands made inescapably on him by the situations of his time, Richard Marmaduke could not be unimportant. But why did he so hate Lady Ida? What did he really think of Robert Bruce, of Thomas of Lancaster, of Edward II? Had failure to produce an heir perhaps bred desperation in this energetic, practical, not very scrupulous man? To such legitimate questions a conscientious historian can give no honest answers.

## APPENDIX

### Settlement of Ravenshelme and Lamesley

Two copies of this final concord on 2 January 1314 survive. Given by Lord Ravensworth to the Society of Antiquaries of Newcastle upon Tyne, they are now deposited at the Northumberland County Record Office, North Gosforth: Ravensworth Deed no. 31, items ii and vi. The earlier and rather more correct version is 31 (vi), referred to here as *a*. It is now attached to a collection comprising all the documents 31 (i)–31 (v), calendared by H. E. Bell, "A calendar of deeds given to the Society by Lord Ravensworth", *AA*<sup>4</sup> xvi (1939), 53–4. This collection, which cannot have been made before 1387, offers the second copy of the 1314 fine: 31 (ii), here called *b*. The text which follows is based on *a*; variants from *b* are noted.

Hec est finalis concordia facta in curia domini Dunelmensis episcopi apud Dunelmum in crastino circumcisionis Domini anno regni regis Edwardi filii regis Edwardi septimo et pontificatus domini Ricardi Dunelmensis episcopi tercio coram Lamberto de Trikingham,<sup>1</sup> Hugone de Louthre, Adam de Middleton', Thoma de Fyschburn<sup>2</sup> et Willelmo de Denum, justiciariis assignatis, et aliis dicti domini episcopi fidelibus tunc ibi presentibus inter Ricardum filium Johannis filii Marmaduci<sup>3</sup> et Alianoram vxorem

eius querentes et Willelmum de Silkesworth<sup>4</sup> deforciantem<sup>5</sup> de maneriis<sup>6</sup> de Rauenshelme et Lamesley cum pertinenciis, vnde placitum conuencionis sum(monitum) fuit inter eos in eadem curia: scilicet quod predictus Ricardus recognouit predicta maneria cum pertinenciis esse ius ipsius Willelmi vt<sup>7</sup> illa que idem Willelmus habet de dono predicti<sup>8</sup> Ricardi. Et pro hac recognicione, fine<sup>9</sup> et concordia idem Willelmus concessit predictis Ricardo et Alianore predicta maneria cum pertinenciis et illa eis reddidit in eadem curia habenda et tenenda<sup>10</sup> eisdem Ricardo et Alianore et heredibus ipsius Ricardi de corpore suo procreatis de domino Dunelmensi episcopo et successoribus suis per seruicia que ad illa maneria pertinent imperpetuum. Et si contingat quod predictus Ricardus<sup>11</sup> obierit sine herede<sup>12</sup> de corpore suo procreato,<sup>13</sup> tunc post decessum ipsorum Ricardi et Alianore predicta maneria cum pertinenciis integre remaneant Johanni filio Roberti de Lumeley<sup>14</sup> et heredibus de corpore suo procreatis tenenda de domino episcopo et successoribus suis per seruicia que ad illa maneria pertinent<sup>15</sup> imperpetuum. Et si contingat quod predictus Johannes obierit sine herede<sup>16</sup> de corpore suo procreato,<sup>17</sup> tunc post decessum ipsius Johannis predicta maneria cum pertinenciis integre remaneant rectis heredibus predicti Ricardi tenenda de domino episcopo et successoribus suis per seruicia que ad illa maneria pertinent imperpetuum. Et hec concordia facta fuit per preceptum ipsius domini episcopi.

<sup>1</sup> Trikyngham *b*; <sup>2</sup> Fissheburn' *b*; <sup>3</sup> Marmeduci *b*; <sup>4</sup> Silkysworth *b*; <sup>5</sup> deforc' *b*, de forinc' *a*; <sup>6</sup> manerio *ab*; <sup>7</sup> vt *b*, et *a*; <sup>8</sup> dicti *b*; <sup>9</sup> fine *b*, siue *a*; <sup>10</sup> et tenenda *om. b*; <sup>11</sup> predictus Ricardus *a*, si predictus *b*; <sup>12</sup> hered' *a*; <sup>13</sup> procreat' *a*; <sup>14</sup> Lomley *b*; <sup>15</sup> pertinent *om. b*; <sup>16</sup> hered' *a*; <sup>17</sup> procreat' *a*.

## NOTES

Documents cited with the prefix DC Mun. are at Durham among the muniments of the Dean and Chapter. The collection of Ravensworth deeds is now deposited at the Northumberland County Record Office, North Gosforth; references to them are according to the numbers given by H. E. Bell in his calendar, *AA*<sup>4</sup> xvi (1939), 43–70 [= *Cal.*].

The following abbreviations are used for printed works or series frequently cited:

- AA* *Archaeologia Aeliana* [a superscript number denotes the series]  
*DS* *Durham Seals*, ed. W. Greenwell and C. H. Hunter Blair, *AA*<sup>3</sup> vii–xvi (1911–21)  
*EHR* *The English Historical Review*  
*FPD* *Feodarium Prioratus Dunelmensis*, ed. W. Greenwell, SS lviii (1872)  
*GEC* *The Complete Peerage*, ed. G. E. Cokayne, rev. by Vicary Gibbs and others, 13 vols., 1910–59  
*HD* R. Surtees, *The History and Antiquities of the County Palatine of Durham*, 4 vols., 1816–40  
*NCH* *A History of Northumberland*, ed. by the Northumberland County History Committee, 15 vols., 1893–1940  
*RPD* *Registrum Palatinum Dunelmense*, ed. Thomas Duffus Hardy, RS, 4 vols., 1873–8  
*RS* Rolls Series  
*SS* Publications of the Surtees Society  
*ST* *Historiae Dunelmensis Scriptores Tres*, ed. J. Raine, SS ix (1839)

<sup>1</sup> BL Harley ms. 1808, f. 23v: res mirabilis et omnino detestabilis.

<sup>2</sup> *Gesta Edwardi de Carnavan auctore canonico Bridlingtoniensi*, ed. W. Stubbs, *Chronicles of the reigns of Edward I and Edward II*, ii (RS 1883), p. 57: asserens ipsum esse regis et regni perfidum

proditorem. The dating from Bridlington is the most acceptable we have; Harl. 1808, f. 23v confirms the year explicitly, though its description of Robert as Richard's *cognatus* must refer to affinity rather than close blood-relationship. Richard was still active in late June and early July

1318: DC Mun. Misc. Chs. 4399, 4086, 4912. So Mrs. Scammell cannot be right in assigning his death to June, *EHR* lxxiii (1958), 396 n. 1. Robert had at least one accomplice in his crime, his younger brother John, who was granted a royal pardon for the death of Richard Marmaduke on 11 September 1322: *CPR 1321-4*, p. 204; cf. *CCR 1318-23*, p. 428.

<sup>3</sup> Edited by Professor Alan Harding in *Medieval Legal Records in memory of C. A. F. Meekings*, ed. R. F. Hunnisett and J. B. Post, London, 1978, pp. 150-68.

<sup>4</sup> Dated from Mitford, 12 October 1317: DC Mun. Misc. Ch. 5053.

<sup>5</sup> According to the *Historia aurea*, printed from Lambeth Palace Library ms. 12, f. 226rb by V. H. Galbraith, *EHR* lxxiii (1928), 208. For a survey of conditions in the north over a longer period, see C. M. Fraser and K. Emsley, "Law and society in Northumberland and Durham, 1290 to 1350", *AA*<sup>4</sup> xlvii (1969), 47-70, in particular pp. 62-3 for violence at Penshaw in 1328.

<sup>6</sup> In *Medieval Legal Records* . . . (as note 3), pp. 198-221.

<sup>7</sup> Though not in *Lanercost* or *Historia aurea*.

<sup>8</sup> Thomas Gray, *Scalacronica*, ed. for the Maitland Club by Joseph Stevenson, Edinburgh, 1836, p. 143: pur coroucesours entre eaux par enuy qui enseroit le plus graunt meistre. This seemed to Surtees, *HD* i.ii. 302, "a very satisfactory reason".

<sup>9</sup> According to a fifteenth-century account of the lords of Middleham, which H. M. Colvin, *The White Canons in England*, Oxford, 1951, p. 298, suggests was probably written by a canon of Coverham; printed by R. H. C. FitzHerbert, "Original pedigree of Tailbois and Neville", in *The Genealogist*, n.s. iii (1886), pp. 31-5, 107-11. It treats Rannulf discreetly (p. 34): nobilis baro fuit, sed quoad regimen temporale non circumspetus erat. Nam maluit inter canonicos de Marton et Couerham quam in castris seu maneriis suis conuersari. For the sordid story of Rannulf's excommunication, see the entries in Bishop Kellaw's register between August and December 1313, *RPD* i, 411, 429, 437, 450, 461, 484. He survived until 1331.

<sup>10</sup> *Durham Episcopal Charters 1071-1152*, ed. H. S. Offler, *SS* clxxx (1969), nos. 23, 23a, pp. 100-7.

<sup>11</sup> See *FPD* p. 123 n. 1; DC Mun. 2.10. Spec.12=*FPD* p. 146 n.

<sup>12</sup> Geoffrey Fitzrichard's daughter Emma re-

ferred to him c. 1170 X 1180 as Gaufridus de Hordene: DC Mun. 3.7.Spec.16=*FPD* p. 124 n. The seal of Geoffrey's son, Geoffrey Fitzgeoffrey, shows the legend [Sigill]vm. Gaufridi. de. Hordene: *DS* no. 1064.

<sup>13</sup> *Curia Regis Rolls* iii.108-10; cf. C. T. Flower, *Introduction to the Curia Regis Rolls*, Selden Society vol. lxii (1943), pp. 94-5; G. T. Lapsley, *The County Palatinate of Durham*, New York, 1900, p. 166-8, 313-6.

<sup>14</sup> *Rot. cart.* 182a: secundum communem et rectam assisam regni Anglie. By the fourteenth century Rannulf Neville had custody of an original of this charter: DC Mun. Cart Vetus, ff. 63r, 152r; Cart. I, f. 114r.

<sup>15</sup> PRO JUST 1/223 m.1d and 1/224 m.1=*Two Thirteenth-Century Assize Rolls of the County of Durham*, ed. K. C. Bayley, *SS* cxxvii (1916), pp. 11, 75; cf. David Crook, *Records of the General Eyre*, H.M.S.O., 1982, pp. 93, 104. See also Newcastle upon Tyne Central Library, Greenwell Deed no. 25; calendared by J. Walton, *A Calendar of the Greenwell Deeds*, Newcastle upon Tyne, 1927, pp. 12-13. In 1212 Geoffrey headed a jury of Durham knights at the king's court: *Curia Regis Rolls* vi. 220.

<sup>16</sup> By 1208 Geoffrey had moved the capital messuage of the Team valley estates from old Ravensworth to Ravenshelme, after enfeoffing his uncle Robert with the former for the service of a quarter of a knight's fee together with the forinsec service for Hedley; Robert quitclaimed the rest: Ravensworth Deeds nos. 6 and 7 (variant texts of the same document); *Cal.* p. 46. William of Hilton, who witnesses, had died before 20 April 1208: *Rot. cart.* 177a. By June 1223 Geoffrey had enfeoffed Robert de l'Isle, member of a family in the service and favour of Bishop Richard Marsh, with Ravenshelme itself, according to the bishop's confirmation of the grant on 4 June: Ravensworth Deed no. 20; *Cal.* p. 50. The de l'Isles quitclaimed Ravenshelme to Geoffrey's grandson John Fitzmarmaduke at the end of the century: Ravensworth Deeds nos. 21-6, *Cal.* pp. 50-2; cf. nos. 28 and 29, *Cal.* p. 52.

<sup>17</sup> On the Thweng family *GEC* XII.i (1953), 735-44 brings many connections to the discursive account by W. M. T'Anson, "Kilton Castle", *Yorkshire Archaeological Jnl.* xxii (1913), 55-125. For a Marmaduke Darel in the household of Bishop Hugh du Puiset see G. V. Scammell, *Hugh du Puiset*, Cambridge, 1956, p. 65, n. 5; the bishop of Durham was overlord of Lund.

<sup>18</sup> *DS* no. 1064, attached to DC Mun. 2.10. Spec.13=*FPD* p. 146 n., which is to be dated 1233 X 1244. Seals of John Fitzmarmaduke and Richard Fitzjohn Fitzmarmaduke show the same arms: *DS* nos. 1709, 1711. For Marmaduke I Thweng's seal see *DS* no. 1708. Perhaps Geoffrey married a sister or daughter of Marmaduke; but the latter's known daughter Cecily married William son of Robert of Holderness: *Early Yorkshire Charters* XI (1962), 203-7.

<sup>19</sup> As can be inferred from Durham County Record Office, Salvin Deed no. 216.

<sup>20</sup> He always appears high among the lay witnesses to episcopal *acta*, commonly immediately after the steward. See for example in the bishopric of Walter Kirkham (1249-60) DC Mun. 3.2. Pont. nos. 4-5, 8a-9b, 12-13; 4.3. Pont.1 (duplicated); 4.5. Elemos.1; 4.1. Spec.21; Misc. Chs. 1816, 5150. For Stichill's episcopate, *FPD* pp. 187 n., 188 n. (1267-8).

<sup>21</sup> J. Raine, *The History and Antiquities of North Durham*, London, 1852, app. no. dccxl, p. 131; DC Mun. 5.1. Elemos.21 (formerly Misc. Ch. 89).

<sup>22</sup> To be inferred from Ralph Lumley's claim to Stranton in 1389: *CCR 1389-92*, p. 428; cf. *Scots Peerage*, ed. J. B. Paul, II, 432, n. 2; *GEC* VIII (1932), 267. On 18 November 1307 John Fitzmarmaduke was ordered to do homage and fealty (for Stranton) to Robert Clifford, to whom Edward I had granted the manor of Hart lately in the tenure of Robert Bruce, earl of Carrick: *CPR 1307-13*, p. 17.

<sup>23</sup> No contemporary evidence about Mary has been found, though she provides the essential link in the claims raised to the Fitzmarmaduke inheritance by the senior line of the Lumley family in the late 1380s: Ravensworth Deeds nos. 31(iii) and 31(v), *Cal.* pp. 53-4; *CCR 1389-92*, pp. 428-9. Against this belated Lumley case, which implied that Mary outlived both her father and her brother and so inherited from them, must be set what Richard declared when arriving at a composition with his father's executors on 16 August 1311. According to Richard, his father at his death *uxorem non habuit nec liberos preter eum*: *RPD* i, 135. While the first part of Richard's statement was blatantly untrue, it is not easy to see why he should have wished to lie about the second.

<sup>24</sup> *Scalacronica*, p. 143: Richard le fitz Marmaduk, que cosyn estoit Robert de Bruys.

<sup>25</sup> See the inventory of John's chattels *post mortem*: *RPD* ii, 675. The early history of these

adjoining manors, lying near the Tees between Piercebridge and High Coniscliffe, is obscure. Seemingly Carlbury had once formed part of the early endowments of Tynemouth Priory in the wapentake of Sadberg, perhaps by gift of Robert Mowbray or Guy Balliol; it is said to have been lost by Tynemouth to the bishop of Durham c. 1265 X 1290: H. H. E. Craster, in *NCH* viii (1907), p. 50. In 1307 it was yielding a farm of 10s. 5d. to the bishop: *Boldon Buke*, ed. W. Greenwell, SS xxv (1852), app., p. xxix. In an assize of mort d'ancestor in 1228 it had been held by Alan *Pelerum* against Petronilla daughter of Alexander: *Feet of Fines, Northumberland and Durham*, Newcastle upon Tyne Records Committee Publications x (1931), no. 281.

<sup>26</sup> *CCR 1279-88*, p. 318.

<sup>27</sup> *Parl. Writs*, ed. F. Palgrave, i (Record Commission, 1827), pp. 228, 235.

<sup>28</sup> On Huntercumbe's military career see J. E. Morris, *The Welsh Wars of Edward I*, Oxford, 1901, pp. 70, 159. John, together with his putative kinsmen Robert II and Marmaduke III Thweng, stood surety for a debt of Huntercumbe's in 1282, *CCR 1279-88*, p. 188, while Huntercumbe was among the witnesses of Bishop Antony Bek's grant to John on 1 January 1289 of free warren at Lamesley and Ravenshelme: Ravensworth Deed no. 19; *Cal.* p. 49.

<sup>29</sup> John handled the prests made to Gilbert Umfraville of Prudhoe on 12 December 1294 at Wrexham and on 30 December at Conway: E. B. Fryde, *Book of Prests of the King's Wardrobe for 1294-5*, Oxford, 1962, p. 146. He was among the notable Englishmen styled as *barones* witnessing at Berwick on 28 August 1296, according to Andrew de Tange's "Ragman" rolls: *Instrumenta Publica, sive Processus super Fidelitatibus et Homagiis Scotorum Domino Regi Factis, AD. MCCXCI-MCCXCVI*, Edinburgh, The Bannatyne Club, 1834, pp. 113-14.

<sup>30</sup> Thirty followers of Bek had letters of protection to perform gratuitous service in Flanders in 1297-8; cf. N. B. Lewis, "The English Forces in Flanders, 1297", *Studies in Medieval History presented to F. M. Powicke*, Oxford, 1948, p. 312, n. 4. Whether John was among them might appear from examination of the supplementary Patent Roll for 25 and 26 Edward I. C. H. Hunter Blair, "The Northern Knights at Falkirk, 1298", *AA*<sup>1</sup> xxv (1947), p. 70, n. 11, is mistaken in supposing that John served as a banneret at Stirling Bridge and valorously cut his way to safety. He has confused John with Mar-

maduke III Thweng, who was there with Huntercumbe: Walter of Guisborough, *Chronicle*, ed. H. Rothwell, Camden 3rd series lxxxix (1957), pp. 301–3; Morris, *Welsh Wars*, p. 283.

<sup>31</sup> John Fitzmarmaduke was still called the bishop's bachelor when Bishop Bek granted him the manor of Wheatley [Hill] forfeited *racione guerre* by John de Parco: C. M. Fraser, *Records of Antony Bek*, SS clxii (1953), no. 55, p. 51, suggesting c. 1297 as the date. John del Park Chiualer had done fealty to Edward I on 28 August 1296: *Instrumenta Publica*, p. 150. His forfeiture was for adherence to John Balliol, according to a late fifteenth-century memorandum about the bishop of Durham's right to forfeitures of rebellion, treason and war within his liberty: *ST* app. no. ccclii, p. cccli. John Fitzmarmaduke kept Wheatley Hill until his death, but his son released it to John de Parco's son, also named John: BL Harley ms. 1985, f. 95v (notes made c. 1580 from Lumley deeds). Between 1318 and 1325 Richard Marmaduke's nephew, Roger II of Lumley, presumably on the (unfounded) assumption that he was Richard's heir, made the following grant, noted by the same source, to John II de Parco and his wife: Ego Robertus de Lumley miles dedi Johanni de Parco et Cecilie vxori sue et heredibus de corpori(bu)s eorum procreatis omnes terras quas habui in villa de Qwetelaw simul cum reuersionibus omnium tenementorum que Ida que fuit vxor domini Johannis filii Marmaducis et Eleonora que fuit vxor domini Ricardi filii Marmaduci tenent in dotem *et cet.* Surtees, *HD* i.ii.100, cites this document as "among the Horden deeds".

<sup>32</sup> Walter of Guisborough, pp. 324–5: Tu autem homo crudelis es et pre nimia crudelitate tua aliquociens redargui te eo quod exultando gaudes in mortem inimicorum tuorum.

<sup>33</sup> John's arms are blazoned Dargent ov ung fesse de gulez et troyz papejoys de vert according to the Falkirk Roll. This, as it exists in BL Harley ms. 6589, Dr. N. Denholm-Young suggested, is a copy of a roll made by Henry Percy's herald Wauter le Rey Marchis from a muster or pay roll: *History and Heraldry, 1254–1310*, Oxford, 1965, pp. 103–9.

<sup>34</sup> *The Siege of Caerlaverock*, ed. N. H. Nicolas, London, 1828, pp. 56, 68, 70; on the song, see Denholm-Young, "The Song of Caerlaverock and the parliamentary Roll of Arms", *Proceedings of the British Academy* xlvii (1962), 255–7; *id.*, *History and Heraldry*, p. 114.

<sup>35</sup> *CPR 1301–7*, p. 134; *Parl. Writs* i.372.

<sup>36</sup> Jean Scammell, "Robert I and the North", p. 399, n. 7; *CPR 1307–13*, p. 228. Shortly before his appointment to Perth John had been granted villis to the yearly value of 200 marks in the manor of Penrith "for his good service to the late king": *CPR 1307–13*, p. 226.

<sup>37</sup> *RPD* ii.1149–50: letter of Berengar Fredoli, cardinal bishop of Frascati, dated 9 December 1311.

<sup>38</sup> DC Mun. Misc. Ch. 6377.

<sup>39</sup> *RPD* ii, 675. For John's acquisition of Wheatley Hill, see note 31.

<sup>40</sup> Together with Rannulf Neville John took a prominent part in the protests of the knights and free tenants of Durham during 1300 against alleged abuses by Bek's officials: *Gesta Dunelmensia A.D. M<sup>o</sup> CCC<sup>o</sup>*, ed. R. K. Richardson, *Camden Miscellany* xiii, Camden 3rd series xxxiv (1924), pp. 13–14. He was summoned to appear before the king on 24 February 1303 with full power from the community of Durham to accept the king's mediation between community and bishop: *Parl. Writs* i.405. The charter of liberties is printed from Bishop Kellaw's register in *RPD* iii, 61–7 and from the Close Roll by C. M. Fraser, *Records of Antony Bek*, no. 89, pp. 93–8; cf. Lapsley, *County Palatine*, pp. 131–4. This important aspect of John's activities is brought out clearly by C. M. Fraser, *A History of Antony Bek*, Oxford, 1957, pp. 176–90.

<sup>41</sup> *Parl. Writs* i.102–4.

<sup>42</sup> The situation in Durham is discussed in detail by Jean Scammell, "Robert I and the North of England", *EHR* lxxiii (1958), 385–403. See also G. W. S. Barrow, *Robert Bruce and the Community of the Realm of Scotland*, London, 1965, pp. 331–69 for a general account of Anglo-Scottish relations from Bannockburn to 1328.

<sup>43</sup> Listed by Jean Scammell, p. 393, n. 2.

<sup>44</sup> At the latest, it may be supposed, from the time when Kellaw as sub-prior of Durham in 1300 had withstood Bek with firmness, good manners and good sense: *Gesta Dunelmensia*, pp. 43–4. On 30 April 1312 Kellaw declared to Archbishop William Greenfield of York: fuit enim prefatus dominus Johannes nobis dum in claustrum egimus admodum benevolus et amicus intimus, *RPD* i, 322–3.

<sup>45</sup> Richard's fee was 20 marks a year, Robert's £10: *RPD* i, 9–10; ii, 1169–70.

<sup>46</sup> Richard frequently witnessed Kellaw's *acta* in the latter's early months as bishop: on seven occasions, for example, between 21 October 1311 and 10 January 1312, *RPD* ii, 1127–8, 1130, 1133,

1140, 1142, 1145, 1149. His commission as steward, printed *RPD* ii, 686, would normally have lapsed on Kellaw's death in October 1316. But Bridlington, pp. 56–7, still describes Richard as steward when he was murdered two years later. Possibly Bishop Louis de Beaumont renewed Richard's commission in an act now lost; alternatively, in a situation of uncertainty and disorder, Richard may have continued in office without regard to formalities. It was only on 26 March 1318 that Beaumont achieved consecration (at Westminster); his career in Durham can have overlapped with Richard's by no more than a few months. Nevertheless, in view of Richard's known Lancastrian leanings, Beaumont may have thought it prudent to establish a not very friendly watchdog alongside him. Though a feed member of the episcopal council under Kellaw, Robert Neville had played a much less prominent role in the administration of the bishopric than Richard. But on 31 October 1317 Robert is to be found acknowledging receipt of one hundred marks from the community's collectors on account of what was owed him for the keepership of the bishopric: in partem solucionis trecentum marcarum racione custodie dicte Episcopatus debitarum, DC Mun. Misc. Ch. 3448; cf. Misc. Ch. 3462 (29 January 1318). If *custodia* be taken to mean an office rather than some undefined function of defence, Robert had either supplanted Richard Marmaduke as "keeper" by this date or been made his coadjutor. In either case, here was a situation pregnant with mischief.

<sup>47</sup> 9 November 1304; noted by J. Bain, *Calendar of Documents relating to Scotland* ii, Edinburgh, 1884, no. 1606 (10), pp. 422–3.

<sup>48</sup> In May [1316] the authorities at Berwick informed Edward II that Richard was with them, ready to try to mediate on their behalf with Robert Bruce: Bain, *Calendar* iii, 1887, no. 486, p. 93.

<sup>49</sup> The text of the truce is printed *RPD* i, 244–5 and by E. L. G. Stones, *Anglo-Scottish Relations 1174–1328*, 2nd edn., Oxford, 1970, pp. 288–91. It designates Bruce: le noble prince monsire Robert par la grace de Dieu roi d'Escoce.

<sup>50</sup> As Jean Scammell accepts, "Robert I and the North", pp. 389–90.

<sup>51</sup> DC Mun. Locellus xxvii no. 31, to art. 25: Necnon per suos labores ac industriam et idem monasterium et patria sunt salvata. In what looks like an effort at accounting in late June 1318 Richard records personally making or authorizing payments to Robert Bruce on five occasions,

with another envisaged. The total money involved in this account is £1274 3s. 9d.: DC Mun. Misc. Ch. 4339.

<sup>52</sup> See the record of proceedings *Coram Rege* 14 Edward II, printed *RPD* iv, 159–65. William of London and Master William Kellaw are named in 1318 as *collectores denariorum communitatis*: DC Mun. Misc. Chs. 3462, 4086, 4399. On the harsh methods at times employed, cf. C. M. Fraser, *Northern Petitions*, SS cxciv (1981), no. 130, pp. 175–7.

<sup>53</sup> Clerical tenths were being levied for the king in the diocese of Durham between October 1309 and June 1312, between October 1313 and April 1314 and between June and October 1318; in the second two instances the official local sub-collectors were the prior and convent of Durham: W. E. Lunt, *Financial Relations of the Papacy with England to 1327*, Cambridge, Mass., 1939, pp. 609, 635–7. With Prior Geoffrey's connivance Richard did not hesitate to take some of the money collected, on promise of repayment, in order to buy off the Scots. He was murdered before he could redeem his promise, and Prior Geoffrey in an attempt to recover the money was reduced to suing (or pretending to sue) Richard's executors and the community of Durham. DC Mun. Locellus xxvii no. 31, to art. 37.

<sup>54</sup> DC Mun. Locellus xxvii no. 31, to art. 25.

<sup>55</sup> Jean Scammell, "The case of Geoffrey Burdon", *Revue bénédictine* lxxviii (1958), 226–50. But the contemporary Durham monastic chronicler admired Geoffrey: *ST*, pp. 95–7, 102.

<sup>56</sup> As Mrs. Scammell seems to imply, "Robert I and the North", p. 401.

<sup>57</sup> *RPD* i, 133–5 gives a memorandum of the composition reached between Richard and his father's executors (Sir Thomas Whitworth and Sir Henry Fitzhugh) in Bishop Kellaw's presence on 16 August 1311: Item, super hiis que dictus dominus Ricardus de bonis dicti patris sui nititur vindicare, pro eo quod pater suus uxorem non habuit, nec liberos preter eum, consistorii nostri Dunelmensis consideracioni tam secundum leges ecclesiasticas quam secundum consuetudines se apposuerunt partes memorate. Controversy between Richard and the executors about John's chattels was still dragging on in October 1314: *RPD* i, 628–9.

<sup>58</sup> Richard had raised the hare about a divorce between John and Ida by 23 April 1313: fuit divortium inter predictum Johannem filium Marmeduci et ipsam Idam solemniter celebratum, executioni mandatum et factum; on 25 July the



Durham consistory court certified that diligent enquiry had failed to discover evidence of any such divorce: *RPD* ii, 946.

<sup>59</sup> *RPD* i, 322–3, 435–7.

<sup>60</sup> Judgement in favour of Ida's claims was given in Bishop Kellaw's secular court on 2 January 1314. Richard's immediate reaction was to allege error in the plea and record. When the Durham court refused to budge, he took the matter to the king's court, though without effect. Meanwhile he frustrated, presumably by force, an attempt on 23 February to give Ida livery of seisin of her third of Horden. Only after Ida's complaint on 11 April to the bishop presiding over his own court (*seant en baunke*) was she assigned and given livery through her attorney John Menville of her widow's rights in Silkesworth, Horden, Ravenshelme, Lamesley and Eighton by the sheriff of Durham: DC Mun. Misc. Ch. 6262. For Richard's attempts to get the king's court to intervene, see *RPD* ii, 998, 1008–9. Richard's harassment of Ida, perhaps not without suspicion of covert complicity on the part of Bishop Kellaw, continued after April 1314; she was still making representations to the king in 1315: *RPD* ii, 1086; iv, 526–7.

<sup>61</sup> *DS* no. 1728, from the year 1332. Of the four shields on the seal three, Fitzmarmaduke, Umfraville and Maudit, refer to Eleanor's successive husbands. The fourth, three chevrons and a label of three points, may suggest Clare; cf. W. P. Hedley, *Northumberland Families* i, Newcastle upon Tyne, 1968, p. 212.

<sup>62</sup> See appendix. This records a final concord in an action of covenant between Richard Marmaduke and his wife, plaintiffs, and William of Silkesworth, defendant, concerning the manors of Lamesley and Ravenshelme. Made with the bishop's concurrence, this transaction by way of feoffment and refoffment in effect allowed Richard to exchange his estate in fee simple in the two manors for a life estate for himself and his wife with remainder to a designated third party. The defendant in this collusive action, William of Silkesworth, witnesses as steward in the hall of Ravenshelme: Ravensworth Deed no. 33, *Cal.* p. 54; his seal is described *DS* no. 2249a. William was a man of some standing, named with his brother Robert immediately after Richard Marmaduke on the list of those pardoned by Edward II on 18 October 1313 for complicity in the death of Gaveston: *Parl. Writs* ii.ii. (1830), app. p. 66. He may be the Willelmus de Silkesworthe recorded as doing fealty to

Edward I in Scotland on 10 July 1296: *Instrumenta Publica*, pp. 89–90. Surtees' suggestion that William was perhaps a Lumley cadet will hardly do: *HD* ii.211; cf. *Notes & Queries* clxxvi (1939), 88–9. As appears from documents referred to at *HD* i.ii.306 William's father was named Philip and his mother Agnes. William's daughter and heir Agnes married John Menville of Whittonstall, and their son Sir William married Isabella daughter of Sir Marmaduke Lumley of the senior line: see J. C. Hodgson in *NCH* vi, 1902, p. 192. William must have died long before the Inq.p.m. recorded 23 Hatfield, which shows him dying seised of the manors of Lamesley and Ravensworth held from the bishop: transcript in *PRO* Durham 3/2, f. 79d, calendared in app. i to *45th Report of the Deputy Keeper of the Public Records*, 1885, p. 260. He was still living in 1325: DC Mun. Misc. Ch. 6597.

<sup>63</sup> The senior Lumley line from Robert I is best traced by *GEC* VIII (1932), 267–9, despite the objections by L. G. H. Horton-Smith, *The ancient northern family of Lumley and its Northamptonshire branch*, St Albans, 1948, pp. 2–6; cf. *Notes & Queries* cxcii (1947), 340–1. But *GEC* does not concern itself with the younger branch from Robert. This paper assumes that John Fitzmarmaduke did indeed have a daughter named Mary, who predeceased him, and that she, as the Lumleys later claimed, became the wife of Robert I of Lumley. To him she bore at least two male children: the heir Robert II, who succeeded his father c. 1308, and John, the remainderman of the 1314 transaction. On the other hand, the claim raised by the senior Lumley line that Mary outlived both John Fitzmarmaduke and her brother Richard, inherited from the latter, and thus established a right to the Fitzmarmaduke lands in her elder son Robert II Lumley, is unacceptable; see note 23 above. John Lumley is found witnessing in 1315: Ravensworth Deeds nos. 28, 29; *Cal.* p. 52. It is the seal of this John Lumley of the younger line which shows a fess between three popinjays in 1353, a dozen years before the earliest known instance of this device being used by a member of the senior line. John's seal, *DS* no. 1657, probably looks back through Mary Lumley to John Fitzmarmaduke; his nephew Marmaduke's *DS* no. 1662, possibly to the marriage of Marmaduke's father, Robert II of the senior line, with Lucia daughter and eventually co-heir of Marmaduke III Thweng.

<sup>64</sup> Bishop Kellaw's licence to Richard dated 13 January 1314 mentions only Horden and Carl-

bury: *RPD* ii.1246–7; DC. Mun. Misc. Ch. 6261 (badly worn and in part illegible) appears solely concerned with Horden. But that Silkesworth and Ulnaby were also involved can be inferred from Thomas of Lancaster's later grant of them together with Horden and Carlbury to Robert Holland: DC Mun. Misc. Ch. 6379; see note 73 below. Richard Marmaduke enfeoffed Kinnersley by charter with Horden (and presumably the other three manors) on 21 January: cf. DC Mun. Misc. Ch. 6262. For Kinnersley's activities as a member of Lancaster's council and executor, and his relations as canon of Lichfield with the Coterel gang, see J. G. Bellamy, "The Coterel Gang", *EHR* lxxix (1964), 703; for his candidature at Durham, *ST*, p. 98.

<sup>65</sup> DC Mun. Misc. Ch. 6262: Le jeody en le sismaigne de Pask' le xiii iour daurill' prochein suyant le dit sire Johan de Kynnardesley rendist le dite maner entier par fyne a Richard fitz Marmaduk' pur terme de sa vie le remayandre a Thomas count de Langcastre et as ses heires. Though only Horden is mentioned in this document, there can be little doubt that the other three manors were also involved in this transaction; see note 64 above. If the day of the week is given correctly, the date is 11 rather than 13 April 1314.

<sup>66</sup> At Raunds and Higham Ferrers: A monsieur Richard Marmaduke pur son seruice . . . et pur la reuersion daucunes terres queles il granta al dit Conte en leuesche de Duresme; printed by G. A. Holmes, *The Estates of the Higher Nobility in fourteenth-century England*, Cambridge, 1957, p. 137.

<sup>67</sup> At one time or another Richard also held from Lancaster for service in peace and war rents from the Lancastrian manors of Easingwold (Yorks.), Hoby (Leics.), and Rushden (Northants.). For these and his troop see Holmes, *Estates*, pp. 136, 141, 142; J. R. Maddicott, *Thomas of Lancaster, 1307–1322*, Oxford, 1970, pp. 42, 54–5, 61, 65. For his pardon in 1313, see note 62 above. He had not figured on the roll of the Dunstable tournament of 1309, which throws light on Lancaster's retinue at that date; see the edition of the roll by C. E. Long in *Collectanea Topographica et Genealogica* iv (1839), 63–72, esp. pp. 67–8; A. Tomkinson, "Retinues at the Tournament of Dunstable, 1309", *EHR* lxxiv (1959), 79.

<sup>68</sup> The Durham chronicler hints that, at least until Bannockburn, Kellaw inclined more to the magnate opposition than to Edward II: *ST*, pp. 94–5.

<sup>69</sup> The date given by Bridlington is acceptable, and is confirmed as to the year by Harley ms. 1808 and "Original pedigree", p. 108; see note 2 above. The rout is put too early by Lord Hailes, *Annals of Scotland* ii, 73, Barrow, *Robert Bruce*, p. 340 and R. Nicholson, *Scotland in the later middle ages*, Edinburgh, 1974, p. 96. There is some uncertainty about the place. Bridlington says Berwick, as does Barbour, *The Bruce* xv, 402, 435, ed. W. W. Skeat, Scottish Text Society, 1st series, xxxii (1894), 41–6. But Harley 1808 f. 23v gives *ad parcum de Bewyk* and this placename is corroborated by "Original pedigree" and seems also to have been the original reading of the sole surviving manuscript of *Scalacronica* (perhaps mistakenly altered by the editor on p. 143 to Be[re]wyk). Bewick in Northumberland (par. Eglington) was on the northward route from Alnwick towards Wooler and Roxburgh. It cannot be ascertained whether the extensive forest rights enjoyed at Bewick by Tynemouth Priory were called a park at this time; parks there certainly were at Chatton and Chillingham close by: *NCH* xiv (1935), pp. 205–6, 424–32. The chronicle fragment in Harley 1808, f. 23v has reasonably good authority. It seems likely that it came from Kirkham Priory in Yorkshire, for it gives accurately the date of Edward II's stay there at Easter 1319: cf. *CPR 1317–21*, p. 326; *CCR 1318–23*, p. 133. Kirkham had been endowed at Titlington in Eglington parish by Walter Espec and may have received news of the skirmish from its connexions there. Though the fragment survives only in a copy made at least a century after 1319, its testimony is not to be disregarded. It cost Ralph Neville 2000 marks to gain his freedom (from Patrick of Dunbar, according to Harley 1808 and "Original pedigree", p. 107), and well into 1320 his brothers John and Alexander were still prisoners of the Scots; see Ralph's petition to Edward II for licence for his father to enfeoff him with the manor of Houghton in Norfolk (which had belonged to Ralph's grandmother, Mary of Middleham): printed by C. M. Fraser, *Northern Petitions*, no. 132, p. 179; calendared (with a false date) by J. Bain, *Calendar of Documents relating to Scotland* iii, no. 527. The date of the petition must lie between Mary's death in April 1320 and the grant of the royal licence on 28 October 1320: *Calendar of Inquisitions* vi, no. 232; *CPR 1317–21*, p. 514.

<sup>70</sup> The arrangement Ida reached on 2 November 1320 with Richard Marmaduke's widow and her new husband did not include Horden among

the properties where Ida was to enjoy her widow's portion: Ravensworth Deed no. 35, *Cal.* p. 55. But *CCR 1318-23*, p. 600 makes clear that she also held her thirds at Horden and Silkesworth. On 31 May 1340 Thomas Holland could order livery of seisin to Ralph Neville of only two-thirds of Horden, which suggests that Ida was still alive: DC Mun. Misc. Ch. 6263. On 13 December 1340, however, Ralph Neville granted the whole of Horden to John and Agnes Menville: DC Mun. Misc. Ch. 6264. The inference is that Ida died between these two dates. She had brought her writ of dower after the death of her first husband as long ago as Trinity Term 1272: W. P. Hedley, *Northumberland Families*, i, 27.

<sup>71</sup> Ravensworth Deeds nos. 36, 38, 39; *Cal.* pp. 55-6. *GEC I* (1910), 150.

<sup>72</sup> See notes 23 and 63 above. Sir John Lumley's son and heir Robert witnesses in 1356, when John was still alive: Ravensworth Deed no. 38; *Cal.* p. 56. Robert's son and heir Sir Marmaduke Lumley was called lord of Ravenshelme on 17 April 1388: Ravensworth Deed no. 42; *Cal.* p. 57. To him Sir John Lumley of the senior line quitclaimed on 20 February 1406 that line's dubious pretensions to the castle of Ravenshelme, Lamesley and Eighton, formerly belonging to Richard Fitzmarmaduke: Ravensworth Deed no. 46; *Cal.* p. 58.

<sup>73</sup> DC Mun. Misc. Ch. 6379 (this document is badly damaged, the month of the date and the names of some of the witnesses being lost); cf. Surtees, *HD* i.ii.26. Holland's grant to Lancaster is calendared by A. M. Oliver, *Northumberland and Durham Deeds*, Newcastle upon Tyne Records Committee Publications vii (1929), no. 8, p. 287.

<sup>74</sup> J. R. Maddicott, "Thomas of Lancaster and Sir Robert Holland: a study in noble patronage", *EHR* lxxxvi (1971), 453-5. Dr. Maddicott, p. 462, reminds us that Holland "as companion

and friend, estate steward, political agent and general factotum . . . had no rival in Lancaster's entourage."

<sup>75</sup> *CPR 1321-4*, p. 398; see also C. M. Fraser, *Northern Petitions*, nos. 135, 191, 192, pp. 182, 256-9. For Emeldon's almost continuous service as chief bailiff or mayor of Newcastle from 1306 to 1332, see A. M. Oliver, *Early Deeds relating to Newcastle upon Tyne*, SS cxxxvii (1924), pp. 209-12.

<sup>76</sup> Robert Holland had been restored to his lands by December 1327: *CCR 1327-30*, pp. 192, 286-7; *Rot. Parl.* ii.18, 29. He succeeded in founding the fortunes of a notable dynasty, his grandson being the half-brother of King Richard II. His second son, Thomas, granted Horden to Ralph Neville who passed it on in 1340 to John Menville, husband of Agnes, daughter of William of Silkesworth; it remained with the Menvilles after it had been confirmed by Thomas Holland in 1343: DC Mun. Misc. Chs. 6263-8; cf. note 70 above. A memorandum dated 28 April 1365 shows William Menville giving two parts of the manor of Horden to Sir Marmaduke Lumley of the senior line, son and heir of Robert II by Lucia Thweng: DC Mun. Misc. Ch. 6980. But there seems no evidence that this grant took effect.

<sup>77</sup> According to the Inq.p.m. taken 30 March 1380 on Ralph Neville, fourth son of the great Ralph, he died seised of the manors of Ulnaby and Carlbury held of the bishop of Durham: transcript in PRO Durham 3/2, f. 102, calendared in app. i to *45th Report of the Deputy Keeper of the Public Records*, 1885, p. 243.

<sup>78</sup> See Surtees, *HD* iii. 121; C. M. Fraser, *Northern Petitions*, no. 182, pp. 246-7; *CCR 1389-92*, p. 428. For the abandonment by Robert II of Lumley of John Fitzmarmaduke's acquisition of Wheatley Hill, see note 31 above.

<sup>79</sup> "Original pedigree", p. 108.

