

THE FORMATION OF THE MIDLAND HONOURS OF TUTBURY AND
LEICESTER WITHIN THE EARLDOM, LATER DUCHY, OF LANCASTER,
1265-1330

Thesis submitted for the degree of
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by

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To

Rita Dobrowolski and Jon Dobrowolski

my mother and brother

for their everlasting moral support

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Paula Bernadette Dobrowolski MA York

This thesis studies the formation of the earldom of Lancaster from disparate elements of confiscated honours, in particular the earldom of Leicester, seized by the Crown in 1265, and the earldom of Derby which passed to the Crown through the disinheritance of Robert de Ferrers in 1266.

There are three main sections. A study of both earls, their history and the methods by which the Crown took their earldoms in order to re-grant them, in the form of an appanage, to Edmund of Lancaster (1267-96), Henry III's second son. It also analyses the attempts of their families to regain their patrimony. The honours of Tutbury and Leicester were extensive, thus the thesis concentrates on the lands of these honours which fall within the midland counties. The effects of the civil war upon the tenantry, and the holdings of both honours are studied to ascertain whether change or continuity is the overriding factor. The bond between lord and tenant is also examined.

The second section deals with the last days of Thomas of Lancaster (1296-1322) and the Crown's confiscation of his lands; the earldom was faced with total abeyance.

The third section studies the revival in the fortunes of the earldom under the management of Henry of Lancaster (1326-45). Through astute political manoeuvre and a defiant use of the power afforded him by his retinue, he regained the great majority of the lands over which Edmund of Lancaster had held sway.

A further central theme examines the position of the widows involved in the confiscations: Eleanor de Ferrers, Eleanor de Montfort and Alice of Lancaster. Their difficulty in obtaining seizin of their dowers led to a corresponding lack of personal and financial security.

ACKNOWLEDGEMENTS

I would like to express my thanks to Dr Danny Williams who began as my adviser and has become a personal friend. He has been a constant inspiration throughout the years I have worked on the earldom of Lancaster, and has always believed in the importance of the thesis and in my ability to bring it to a successful conclusion. I would also like to thank my examiners, Professor Michael Prestwich and Professor Norman Housley, who by their kindness made my viva a positive rather than a terrifying experience. The numerous staff in the various libraries and record offices that I have used during my research must also be thanked for their help with my enquiries, particularly those of the University Library at Leicester, the Public Record Office, Chancery Lane, Leicestershire County Record Office, and the Derbyshire Record Office. My family and friends have been a constant source of support; particularly my mother and brother, but my aunts, uncles and cousins have all taken a keen interest in my progress. Among my friends Ingrid Collins deserves a special mention since she was always ready to accommodate me on my trips to London at short notice; the members of the Senior Common Room in Stamford Hall should also be congratulated for their patience in listening to my babblings in my many hours of need! It only remains for me to say that any errors are mine alone.

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ABBREVIATIONS

The following abbreviations are used in the footnotes. All other works are given the full title for the first reference and short titles are used thereafter. The place of publication is London unless otherwise stated. Full details of all works are given in the bibliography.

<u>AASRP</u>	<u>Associated Architectural Societies' Reports and Papers</u>
<u>Abbrev. Plac</u>	<u>Placitorum in Domo Capitulari Westmonasteriensi Asservatorum Abbreviatio</u> , ed W. Illingworth (1811)
<u>Ann. Burton</u>	'Annales Monasterii de Burton, 1004-1263', <u>Annales Monastici</u> , i, ed H.R. Luard, RS xxxvi (1864)
<u>Ann. Dunstable</u>	'Annales Prioratus de Dunstaplia, A.D. 1-1297', <u>Annales Monastici</u> , iii, ed H.R. Luard, RS xxxvi (1866)
<u>Ann. Paulini</u>	'Annales Paulini', <u>Chronicles of the Reigns of Edward I and Edward II</u> , i, ed W. Stubbs, RS lxxvi, (1882)
<u>Bateson</u>	<u>Records of the Borough of Leicester Being a Series of Extracts from the Archives of the Corporation of Leicester, 1103-1327</u> , i, ii, ed M. Bateson, revised W.H. Stevenson, J.E. Stocks (1899)
<u>BIHR</u>	<u>Bulletin of the Institute of Historical Research</u>
<u>Bracton</u>	<u>Bracton De Legibus Et Consuetudinibus Angliae</u> , ed G.E. Woodbine, transl S.E. Thorne, 4 vols (1968-77)
<u>Bridlington</u>	'Gesta Edwardi de Carnarvan Auctore Canonico Bridlingtoniensi', <u>Chronicles of the Reigns of Edward I and Edward II</u> , ed W. Stubbs, RS lxxvi, ii (1883)
<u>Burke's Gentry</u>	<u>Burke's Genealogical and Heraldic History of Landed Gentry</u> ed P. Townsend, i, eighteenth edn (1965)
<u>Burke's Peerage</u>	<u>Burke's Peerage and Baronetage</u> , 105th edn, fourth impression (1980)
<u>CAD</u>	<u>Catalogue of Ancient Deeds</u>
<u>c.</u>	<u>circa</u>
<u>CChR</u>	<u>Calendar of Charter Rolls</u>

<u>CCR</u>	<u>Calendar of Close Rolls</u>
<u>CCR-Supp-1244-66</u>	<u>Calendar of Close Rolls Supplementary 1244-66</u>
<u>CFR</u>	<u>Calendar of Fine Rolls</u>
<u>CIM</u>	<u>Calendar of Inquisitions Miscellaneous</u>
<u>CIPM</u>	<u>Calendar of Inquisitions Post Mortem</u>
<u>CLR</u>	<u>Calendar of the Liberate Rolls</u>
<u>CP</u>	<u>The Complete Peerage</u>
<u>CPMR</u>	<u>Calendar of Plea and Memoranda Rolls of the City of London</u>
<u>CPR</u>	<u>Calendar of Patent Rolls</u>
<u>CRR</u>	<u>Curia Regis Rolls</u>
<u>Darley Cartulary</u>	<u>The Cartulary of Darley Abbey, 2 vols, ed R. Darlington, (Kendal, 1945)</u>
<u>DBM</u>	<u>Documents of the Baronial Movement of Reform and Rebellion, 1258-67, selected R.F. Treharne, ed I.J. Sanders (Oxford, 1973)</u>
<u>DMV</u>	<u>Deserted Medieval Village</u>
<u>Dugdale, Monast-Ang</u>	<u>William Dugdale, Monasticon Anglicanum (1811)</u>
<u>Dugdale, Works</u>	<u>William Dugdale, Antiquities of Warwickshire (1656)</u>
<u>ed</u>	<u>edited by</u>
<u>edn</u>	<u>edition</u>
<u>EHR</u>	<u>English Historical Review</u>
<u>Extinct Peerage</u>	<u>B. Burke, A Genealogical History of the Dormant, Abeyant, Forfeited and Extinct Peerages of the British Empire (1883), facsimile edn (1962)</u>
<u>Farnham</u>	<u>Leicestershire Medieval Village Notes, collected by G.F. Farnham, introduction by A. Hamilton Thompson, 6 vols (Leicester, 1929-33)</u>
<u>Farrer</u>	<u>W. Farrer, Honors and Knights' Fees, 3 vols (1923, 1924, Manchester, 1925)</u>
<u>FA</u>	<u>Feudal Aids</u>

<u>Foedera</u>	<u>Foedera, Conventiones, Litterae et Acta Publica 1101-1654</u> , new edn, ed A. Clarke et alia, 4 vols in 7 parts (1816-69) ed Thomas Rymer, 3rd edn (1821)
<u>HBC</u>	<u>Handbook of British Chronology</u> , third edn, ed E.B. Fryde et alia (1986)
<u>Jeayes</u>	<u>Descriptive Catalogue of Derbyshire Charters in Public and Private Libraries and Muniment Rooms</u> , ed I.H. Jeayes (1906)
<u>Kerr</u>	<u>W.J.B. Kerr, Higham Ferrers and its Ducal Royal Castle and Park</u> (Northampton, 1925)
<u>kt</u>	knight
<u>LAAP</u>	<u>Leicestershire Architectural and Archaeological Papers</u>
<u>LAHST</u>	<u>The Leicestershire Archaeological and Historical Society Transactions</u>
<u>LF</u>	<u>Book of Fees: Liber Feodorum</u>
<u>LRO</u>	Leicestershire Record Office
<u>LRS</u>	Lincoln Record Society
<u>LS</u>	<u>List of Sheriffs for England and Wales from the earliest times to 1831</u> , PRO Lists and Indexes ix (Kraus repr, 1963)
<u>Malmesbury</u>	<u>'Monachi Cujusdam Malmesberiensis Vita Edwardi II', Chronicles of the Reigns of Edward I and Edward II</u> , ed W. Stubbs, RS lxxvi, ii (1883)
<u>Melsa</u>	<u>Chronica Monasterii Melsa Auctore Thoma Burton, Abbate</u> , ii, ed E.A. Bond, RS xliiii, (1867), (repr 1964)
<u>NS</u>	New Series
<u>NPP</u>	<u>Northamptonshire Past and Present</u>
<u>Nichols</u>	<u>The History and Antiquities of the County of Leicester</u> , ed J. Nichols, 4 vols in 8 (1795-1815) (all vols repub 1971)
<u>P&P</u>	<u>Past and Present</u>

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Powicke	<u>F.M. Powicke, King Henry III and the Lord Edward: the Community of the Realm in the Thirteenth Century, 2 vols (Oxford, 1947)</u>
<u>PR</u>	<u>Pipe Rolls</u>
PRS	Pipe Roll Society
PRO	Public Record Office
<u>Red Book of the Exchequer</u>	<u>The Red Book of the Exchequer, ii, ed H. Hill, RS xcix (1896)</u>
repr	reprinted
repub	republished
<u>RH</u>	<u>Rotuli Hundredorum</u>
RS	Rolls Series
Seldon Soc	Seldon Society
<u>SHC</u>	<u>Collections for a History of Staffordshire (also called Staffordshire Historical Collections)</u>
ser	series
Somerville	<u>R. Somerville, History of the Duchy of Lancaster, i, 1265-1603 (1953)</u>
SRO	Staffordshire County Record Office
<u>Terrae Rebellium</u>	<u>Rotuli Selecti Ad Res Anglicas Et Hibernicas, ed J. Hunter (1834), Terrae Rebellium Datae Fidelibus In Diversis Comitatibus Angliae, pp. 245-58.</u>
<u>THSLC</u>	<u>Transactions of the Historic Society of Lancashire and Cheshire</u>
<u>TLAAS</u>	<u>Transactions of the Leicestershire Architectural and Archaeological Society</u>
<u>TLAS</u>	<u>Transactions of the Leicestershire Archaeological Society</u>
<u>TRHS</u>	<u>Transactions of the Royal Historical Society</u>
Tilley	<u>J. Tilley, The Old Halls, Manors and Families of Derbyshire, 4 vols (1892-1902)</u>
transl	translated by

- Treharne R.F. Treharne, The Baronial Plan of Reform 1258-63 (Manchester, 1971)
- VCH Hunts A Victoria History of Counties of England: A History of Huntingdonshire
- VCH Leics A Victoria History of Counties of England: A History of Leicestershire
- VCH Rutland A Victoria History of Counties of England: A History of Rutland
- VCH Shrops A Victoria History of Counties of England: A History of Shropshire
- VCH Staffs A Victoria History of Counties of England: A History of Staffordshire
- VCH Warks A Victoria History of Counties of England: A History of Warwickshire
- Wykes 'Chronicon Vulgo Dictum Chronicon Thomae Wykes (1066-1289)', Annales Monastici, iv, ed H.R. Luard, RS xxxvi (c. 1857), (repr 1965)
- Pym Yeatman J. Pym Yeatman et alia, The Feudal History of the County of Derby chiefly during the eleventh, twelfth and thirteenth centuries

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INTRODUCTION

The main objective of this thesis is to investigate the way in which Robert de Ferrers' earldom of Derby and Simon de Montfort's earldom of Leicester were put together to form part of the patrimony of Edmund, Earl of Lancaster in the thirteenth century. It is important to start with the former holders of the honours of Tutbury and Leicester because their loss was the foundation upon which the house of Lancaster was built; it was the beginning of the road which would lead from earl in 1267 to duke in 1351 and finally to king in 1399. This study makes a contribution to the corpus of work which is continuously expanding on the house of Lancaster. Edmund, first Earl of Lancaster, was a subject of some interest as early as 1895, W.E. Rhodes states in his article that Edmund was possessed of a mighty patrimony with his lands extending into twenty-five of the thirty-nine counties then in existence. Edmund is briefly discussed by R. Somerville in his study of the Duchy of Lancaster, but significantly, is omitted from J.H. Ramsay's study of the genesis of the dynasty.¹ This corpus of material, however, lacks a detailed investigation of the formation and consolidation of the earldom of Lancaster under Edmund. The earldoms of Leicester and Derby came into the king's hand for him to bestow on his second son because of the role Ferrers and de Montfort played in the Baron's War (1264-66); de Montfort's earldom was

1 W.E. Rhodes, 'Edmund, Earl of Lancaster', EHR, x (1895), pp. 30, 38-40; J.H. Ramsay, Genesis of Lancaster 1307-99, 2 vols (Oxford, 1913); R. Somerville, History of the Duchy of Lancaster, i, 1265-1603 (London, 1953).

confiscated after he died on the battlefield at Evesham on 4 August 1265 technically in open rebellion against the Crown. Ferrers' case was rather different, and the dubious methods which the Crown employed to facilitate the grants to Edmund are investigated. Neither Ferrers nor his descendants were able to accept the loss of the earldom of Derby with equanimity and their attempts to regain their patrimony are considered. The lack of success with which these attempts met illustrates the attitude of the king at this time; the suggestion put forward by K.B. McFarlane that the Crown was actively pursuing a policy of familial appointments over key areas of the country, and enriching them at no cost to the Crown is fully discussed.² Whilst de Montfort's family toyed with the idea of re-instatement, their ultimate revenge for de Montfort's death was payment in kind, the murder of Henry of Almain, son of Richard of Cornwall. This gives rise to the theme of personal relationships; they are often difficult to discern but they had a bearing on the way things fell out and allowance should be made for personal antagonism or co-operation.

Having established the means by which Edmund gained seizin of the earldoms, the discussion moves on to study the lands of the earldom of Lancaster which lay in the midland shires of the honours of Tutbury and Leicester. Like S.K. Walker in his study of the affinity of John of Gaunt it is necessary to look at the men who held land in the shires to try and build a picture of the lands which

² K.B. McFarlane, 'Had Edward I A Policy Towards The Earls?', History, 1 (1965), pp. 145-59.

Edmund 'inherited' from Ferrers and de Montfort.³ The original plan was to investigate each honour county by county, but the result of this was a thesis which was nearly twice as long as it ought to be. The counties of Leicester, Northampton and Warwick in the honour of Tutbury, and Northampton, Nottingham and Warwick in the honour of Leicester have been researched but the counties where there were the largest number of holdings have been presented here. Rutland is the exception to this because of the nature of Edmund's tenants there. All of the counties produced a similar picture, but where there are differences, examples have been included from those counties which have been omitted from the thesis. The political activity of the retinue of Edmund of Lancaster is not under discussion, though inevitably the men who held land from him formed part of the pool from which he would draw men to serve him both in a military, personal and administrative capacity. A study of the land which they held yields details of their lives and fortunes as tenants of Edmund. The central theme, however, is to establish whether the tenantry, who were incumbent under Ferrers and de Montfort, remained with the land and went on to hold from Edmund, or whether there was a significant amount of upheaval and a general displacement of tenants as might be expected after a civil war.

The second section of the thesis examines the last days of Thomas of Lancaster, son and heir of Edmund, who

3 S.K. Walker, The Lancastrian Affinity, 1361-99 (Oxford, 1990), p. 2.

was executed after his rebellion in 1322. The earldom of Lancaster seemed doomed to an ignominious end. The excellent work of J.R. Maddicott has opened the field in the study of Thomas, his retinue, and his political role in the reign of Edward II and there is no need to replicate that here. Maddicott, however, goes no further than 1322. N. Fryde has also contributed to the study of the rebellion of Thomas of Lancaster, but neither party had the opportunity to concentrate on a detailed analysis of Thomas' confiscation and the impact it had upon his tenants in the midland shires.⁴

The third and final section considers the recovery of the earldom of Lancaster which was achieved by Henry, brother of Thomas and second son of Edmund of Lancaster. Henry, like his father, has received relatively little attention from historians; though the work of Fryde on Henry of Lancaster is important, she has no space to consider his position when the Lancastrian patrimony was lost. He had a difficult task in his bid to establish himself as his brother's heir. By the astute manoeuvring of his retinue and an accurate reading of the politics of the day, Henry managed to regain the vast majority of the lands over which Edmund had held sway, and averted the loss of the Lancastrian patrimony. Not only was he completely re-instated to his position within society, his stance against the regime of Isabella and Mortimer did him no harm

⁴ J.R. Maddicott, Thomas of Lancaster 1307-22: A Study In The Reign of Edward II (Oxford, 1970); N. Fryde, The Tyranny and Fall of Edward II 1321-26 (Cambridge, 1979), pp. 58-86.

at all with Edward III and he went on to become a valued member of the close circle which surrounded the king.

Inevitably, in a study of this kind a number of other themes have come to the fore which have a bearing on the main matter under discussion. One of the most important is the position of widows in this period and the trials they faced in trying to provide for their children and gain seizin of their dower lands. The experiences of the widows of de Montfort, Ferrers and Thomas of Lancaster throw light on an area in which relatively little work has been done for the period 1265 to 1330.⁵ Eleanor de Montfort, like the widows of all of those killed in the battle of Evesham, had to cope with the consequences of personal and financial loss in 1265. The Crown's treatment of Eleanor and the allowance made for the rebels' widows is carefully considered. Eleanor de Ferrers was not widowed until 1279, but her attempt to claim dower from Edmund of Lancaster illustrates the vice-like grip Edmund had on the Ferrers estate and the collusion of the Crown which supported him in his stance against her. Alice, Countess of Lancaster, widow of Thomas of Lancaster, endured terrifying experiences at the hands of Hugh Despenser, Earl of Winchester, and his son, Hugh Despenser the younger with

5 For example: E. Mason, 'The Resources of the Earldom of Warwick in the Thirteenth Century', Midland History, iii (1975), pp. 67-76; J.B. Smith, 'Dower in the Thirteenth Century Wales: a Grant of the Commote of Anghniog, 1273', Bulletin of the Board of Celtic Studies, xxx (1983), pp. 311-417, though Welsh law in these matters was different to the law pertaining in England; J.S. Loengard 'Of the Gift of Her Husband: English Dower and its Consequences in 1200', in Women of the Medieval World, ed. J. Kirshner and S.F. Wemple (Oxford, 1985), pp. 215-55.

the support of Edward II. Her position after Thomas' execution highlights the Despensers' anarchic methods and obsessive pursuit of land acquisition, regardless of the fact that much of the land in question was part of Alice's dower. Her personal adventures also illustrate the lawless nature of the society over which Edward II reigned, and the ease with which those favoured by the king could pursue their ambitions without let or hindrance. The difference in the attitude of the Crown in the thirteenth century compared with the stance of Edward II in the fourteenth is graphically highlighted.

Dealing with the tenure of land has thrown light on the nature of the relationship between lord and tenant and has provided proof for some of the points raised in the recent debate on bastard feudalism.⁶ The thesis concentrates on periods which saw crisis loom large for the lord, members of his retinue and household, and his tenants; groups which overlapped but were not necessarily the same. Dogmatic evidence to explain why the link between lord and retainer held for some lords but broke for others at these periods of acute pressure is difficult to find. In the atmosphere of rebellion there is an intrinsic breakdown in oaths of fealty between the king and his nobles; and a further decision for retainers to abide with their rebellious lord or make their own way into the

6 P.R. Coss, 'Bastard Feudalism Revised', P&P, cxxi-cxxv (1989), pp. 27-64, 'Debate Bastard Feudalism Revised: Reply', P&P, cxxi (1991), pp. 190-203; D. Crouch, 'Debate Bastard Feudalism Revised', P&P, cxxi (1991), pp. 165-177; D.A. Carpenter, 'Debate Bastard Feudalism Revised', P&P, cxxi (1991), pp. 177-189.

king's peace. These decisions had to be faced by Simon de Montfort, Robert de Ferrers, Thomas of Lancaster and Henry of Lancaster and their retainers with varying degrees of success for all concerned. The question of tenure and status has also been addressed. It is obvious that men attached themselves to wealthy lords for the mutual benefit of both parties. The evidence from the honours of Tutbury and Leicester indicates that there were chains of tenure which connected several men in the tenure of one piece of land, but none of these men is well-known in the arena of national politics. What was true for the nobility and their knights may well have been true for the middling and lower echelons of society who held land from those same knights; there is evidence of 'lordship squared'.⁷

The primary sources used for the study are varied. The honours' sections utilise records which detail the landholder and the location of his holding, thus administrative records like the Feudal Aid and the Book of Fees have been invaluable. The documents which resulted from enquiries launched by the Crown during the period, like the Hundred Rolls are an obvious source of this and other kinds of information. Inquisitions post mortem have been consulted when possible; and comparisons of the chronicles of the period have been made. The work of the numerous antiquarians who have worked on each of the counties have been consulted, although their work has to be carefully checked it is, nonetheless, a useful source; likewise the immense corpus of G.F. Farnham's work on

⁷ Coss, P&P, cxxi-cxxv (1989), p. 50.

Leicestershire's records is invaluable.⁸ Inevitably, some records, particularly those stemming from government administration, are put to uses for which they were not primarily designed. One source often supports another, but on occasion they contradict each other and the question of their reliability is brought to the fore. As R.F. Hunnisett states, official records are a potential mixture of 'fact, fiction and error' from which 'the complete truth can rarely be distilled'.⁹ Nonetheless, the thesis strives to present the most accurate picture possible and to this end the documents have been consulted in manuscript.

⁸ See the Bibliography.

⁹ R.F. Hunnisett, 'The Reliability of Inquisitions as Historical Evidence' in The Study of Medieval Records, ed D.A. Bullough and R.L. Storey (Oxford, 1971), p. 227.

SECTION I: THE FORMATION OF THE LANCASTRIAN HONOURS OF
TUTBURY AND LEICESTER

1: THE CAREER AND DISINHERITANCE OF ROBERT DE FERRERS,
SIXTH EARL OF DERBY, 1254-66

The thesis is concerned with the formation of the earldom of Lancaster and one of its major components was the Ferrers' earldom of Derby. This chapter will look briefly at the career of the volatile Robert de Ferrers, but will concentrate upon the way in which he was disinherited by the manoeuvring of the two royal brothers, Edward and Edmund; they could not fail in their purpose when they had the Crown to support them and Ferrers could not win. Although the acts which led to Ferrers' disinheritance were illegal, there is much to be said for the wisdom of the move. Simon de Montfort, Earl of Leicester (1239-65) had established a powerful base in the midland counties and that the Crown should wish to control it after his demise was not just, but it had about it an air of inevitability.¹

Robert de Ferrers became Earl of Derby at the age of fifteen in 1254. His father died unexpectedly; he was sorely afflicted with gout and had to travel everywhere by chariot, going over a bridge at St Neot's in Huntingdonshire he was flung out and died a few days later.² The new Earl of Derby was a minor in ward to the king; his wardship, worth 2,000 marks per year, was granted first to the Lord Edward in 1254 and then sold to Queen Eleanor and Peter de Savoy in 1257.³ This seems to be the first

1 HBC, p. 469.

2 CP, iv, p. 197.

3 Ibid., p. 198.

recorded contact of Edward and Derby; wardships were often sold, so the transfer in 1257 was not an unusual financial arrangement.⁴

Though an earl at fifteen, Derby had become a husband, in name at least, at the age of ten. His 'wife' was Mary, daughter of Hughes XI, Count of La Marche and Angoulême, and Sire of Lusignan in Poitou; she was seven at the time of their wedding at Westminster in 1249. More importantly, she was Henry III's niece, making the young Earl of Derby part of the royal family.⁵ It must have been this family connection which earned him a second chance in 1265. The marriage brought him a more immediate advantage in the years of his minority; he was allowed a hundred pounds yearly in the name of his marriage. The first time this entry occurs in the Liberate Roll the payment was held in suspense until it was discussed whether he should receive it on that account or as wages, but he went on to receive it because of his marriage in regular fifty pound installments from May 1255 until October 1260.⁶

In 1260, at twenty-one, Derby was finally deemed of age, he did homage and had livery of his lands. One of his first acts, according to the Annales de Burton, was the destruction of Tutbury Priory.⁷ This is a misleading statement, Derby did not raze the whole priory, the exact

4 S.S. Walker, 'The Feudal Family and the Common Lawcourts: the Pleas Protecting Rights of Wardship and Marriage, c. 1225-1375', Journal of Medieval History, xiv (1988), p. 13; HBC, pp. 38, 458, Edward and Derby were both born in 1239.

5 CP, iv, p. 201.

6 CLR 1251-60, pp. 217, 255, 284, 326, 365, 397, 460, 480, 505, 534.

7 CP, iv, p. 198; Ann. Burton, p. 491.

extent of the damage was not recorded. From the evidence of re-building it seems likely that Ferrers did cause the destruction of part of the south aisle of the priory church. The windows in this area have pointed arches of c. 1307 rather than the rounded Norman arches found in the rest of the church.⁸ The action was certainly heavy handed, Tutbury Castle was the caput of his honour, the priory lay almost at the foot of the castle grounds. He may have been at pains to emphasize that he was temporal lord of the area by wreaking such physical destruction, but offending his neighbours was unwise and attacking the church foolish, particularly in such an overt manner. If he was trying to encourage the priors to move well away from his domain, he was unsuccessful. The exact reason for this behaviour has not been recorded; one authority suggests that it 'was probably a dispute over the rights of the patron'.⁹ Whatever the initial reason for the attack, the priory gained more than Derby did. In 1261 he granted various lands, rents and services of his men to the priory.¹⁰ In 1262 he relinquished the right of exacting a compotus and recognised the monks had the right to alienate their property without interference from him or his heirs. He also confirmed the status of the priory as it was when

8 N. Edwards, Medieval Tutbury (Lichfield, 1949), pp. 33, 94.

9 VCH Staffs, iii, p. 333; Monast. Ang., iii, pp. 388-400; Edwards, pp. 33-4; C.E. Hayward Underhill, History of Tutbury and Rolleston (Burton-upon-Trent, undated), pp. 39-40.

10 VCH Staffs, iii, p. 333, the priory received the rents and services of men in Coston; a virgate, a villein, and the advowson of Rolleston church; fines from the priory tenants in Appletree Hundred court, and its customary rights in Needwood forest.

he obtained seizin of his estates, however, in 1263 the priory was pursuing legal proceedings against Derby. On condition that these were dropped, he agreed that neither he nor his heirs would interfere with their property during a vacancy.¹¹ Whatever drove Derby to attack the priory with sufficient ferocity to destroy part of the church, it did not improve the rights of the patron.

In 1263 Derby was busy taking his mother to court to complain that she had been awarded too much dower, he also sued her for waste and destruction in some of the lands she held. Derby was in the right; the final concord agreed that Margaret, Countess of Ferrers had a right to her dower, together with two parts of the manor of Chartley, and she remitted twenty librates of land to him. It was not unusual for members of the family to take each other to court, particularly over dower, widows seemed to have quite a difficult time securing their dower from their husband's successors on occasion.¹² By 1263 the country was on the verge of civil war. Derby's most celebrated action in this year was his seizure of three of the Lord Edward's castles, but the Dunstable Annalist does not state which three Derby attacked.¹³ Edward was a staunch supporter of his father and this was probably sufficient to justify Derby's attacks and earn Edward's resentment. An entry on the Patent Roll states that a Robert de Ferrers was given simple protection for going beyond seas on 13 February 1263.¹⁴ It was

¹¹ Ibid.

¹² SHC, iv, pp. 152, 153; see Section I: 2, pp. 37-42, II: 5, pp. 127, 131-3, II: 8, pp. 267-84.

¹³ Ann Dunstable, p. 224.

¹⁴ CPR 1258-66, p. 244, he was styled Robert de Ferrers, before and after he lost his title, ibid., p. 343.

probably the earl, but the reason for his journey is not recorded. It may have been connected with a trip that his wife had taken abroad on 24 August; the countess and her ladies were granted a safe conduct until 8 September 1264 'in coming to England and staying there'.¹⁵

On 29 February 1264 Derby attacked Worcester where he destroyed both the town and Jewry.¹⁶ At about the same time the young de Montforts were capturing the town of Gloucester, but on 5 March the Lord Edward reached the castle first and took it. Through convincing negotiations, Edward talked Henry de Montfort into withdrawing from the town as a move towards a final peace. This was a considerable loss to Simon de Montfort, it eventually cost him the support of the west of England. It also incensed the Earl of Derby who had arrived after his exploits in Worcester ready to reinforce the de Montforts in Gloucester. Powicke sees this event as the beginning of Derby's antipathy towards the Earl of Leicester and the reason for his 'later intransigence'.¹⁷ There is much to be said for this interpretation of events, Derby seems to have co-operated less readily with the Montfortian group after this date, though he remained in opposition to the Crown. His lands in Staffordshire and Derbyshire were attacked, and Tutbury Castle demolished by the Lord Edward around Easter 1264. Edward's actions alone would have

15 CPR-1258-66, p. 343 on the same day letters of credence were issued to Derby.

16 CP, iv, p. 198; Powicke, ii, p. 457; The Chronicle of William Rishanger of the Barons' Wars, Camden Society (1840), first ser, xv, p. 20.

17 Powicke, ii, pp. 457-8.

given him ample reason to remain anti-royalist, though most authorities see them as a retaliation for Derby's attacks on his castles in 1263.¹⁸

The most impressive evidence for Derby's waning sympathy with Simon de Montfort, however, is his non-appearance at the battle of Lewes on 14 May 1264.¹⁹ Surely, Derby realised the importance of his summons to Lewes and that it could be a turning point in the struggle between the barons and the king; for him to be expected and fail to arrive should excite more curiosity than it does. It is true that Lewes was distant from Derby's preferred and natural arena of operations, but at such a crisis this should not have been an obstacle. It would be interesting to know what he was doing instead; the Earl of Leicester clearly had misgivings about the attitude of Derby and his tenants. On 24 August 1264 letters of credence were sent to both parties saying that the king had 'certain arduous business touching him and the realm' which the Earl of Leicester would communicate to Derby, and exhorted him 'by his homage' to listen to what Leicester had to say.²⁰ It is a strongly worded document, but bland in the sense that it could mean anything although Powicke certainly connects it with Derby's absence from Lewes.²¹

The letters of credence may have had the required

¹⁸ Powicke, ii, p. 462; CP, iv, p. 198; Edwards, pp. 33-4.

¹⁹ Powicke, ii, p. 480; CP, iv, p. 198 states that Derby 'absented himself' from the battle of Lewes; he does not appear to have been at the battle of Northampton, though a William de Ferrers was captured and given to Roger Leyburne to hold prisoner, R. F. Treharne, 'The Battle of Northampton, 5 April 1264', NPP (1955), ii, p. 27.

²⁰ CPR 1258-66, p. 343.

²¹ Powicke, ii, p. 480, n. 3.

effect; in November 1264 Derby was actively in the field. The Dunstable Annalist states that he was accompanied by 'many horsemen and as many as twenty thousand foot-soldiers'. This is very large for a medieval force, but the editor of the Dunstable Annalist states that 'carefulness and accuracy' are characteristic of the annals. Ferrers used the force to defeat a royal army near Chester; Powicke omits the incident altogether.²² Derby's active participation in the Baron's War, however, was approaching its end. On 18 November the first of two entries appears on the Patent Roll concerning Andrew Luterel and the Earls of Derby and Leicester; Walter de Colevill was appointed

to enquire by jurors of the counties of Nottingham and Derby of the truth of certain articles

affecting the three men.²³ By 24 December Derby was required to hand over the castle of the Peak, and his tenants were ordered to be intendant to the Earl of Leicester in everything pertaining to it.²⁴ On the same day, according to the Complete Peerage, he had been summoned to parliament, and

when lately accused of divers trespasses in the king's court, dared not await judgement thereon, whereby he submitted himself wholly... to the king's grace,²⁵

and was sent to the Tower; the entry does not find its way

22 CP, iv, p. 198; Ann. Dunstable, pp. xxx, 235.

23 CPR. 1258-66, p. 474.

24 Ibid., p. 397, the Earl of Leicester received the castle and honour of Chester from the Lord Edward in exchange for lands of the same value.

25 Ibid., p. 409.

on to the Patent Roll until 23 February 1265.²⁶ On 20 January two more men were appointed to act with Colevill in the enquiry concerning Luterel and the two earls, and the sheriffs of Nottingham, Derby and Lincolnshire were ordered to send jurors before them.²⁷ Authorities do not mention the Luterel case in connection with Derby, but it may be one of the reasons for Derby's arrest in January/February 1265. Luterel could have been a victim of Derby's in this later period of the war when he seems to have acted independently of both the king and the Earl of Leicester, and there is a possibility that Derby was involved in Luterel's death. The writ for the inquisition post mortem of an Andrew Luterel is dated 7 March 1265 with a second part dated the Wednesday after the close of Easter in the same year. He held land in the counties of Lincoln and Nottingham and served as sheriff of Lincoln in 1251.²⁸ He probably died at the beginning of the year around the time that Derby was arrested and the jurors were appointed in the regions where Derby and Luterel held lands. Neither source mentions that he was done to death by Derby, nor is there any connection with him in an overt sense, but it is

26 The footnote in CP, iv, p. 200 must refer to CPR.1258-66, p. 409, extra details of 24 December and Derby being sent to the Tower are found in the CP; Wykes, iv, p. 160 states Ferrers was imprisoned but not where.

27 CPR.1258-66, p. 476.

28 CIPM, i, pp. 192, 195 the two parts form one inquisition; Luterel's heir, Geoffrey, was insane from 1259 (CPR.1258-66, p. 58), and his goods and family were under the guardianship of others (ibid., p. 564); LS, ix, p. 78 he was appointed 16 May 1251; Extinct Peerage, p. 339 states 1264, presumably meaning the last months of the year; Burke's Gentry, p. 472 states 1265, the descendants of Alexander Luterel, Andrew's younger son, dwell in Somerset today.

a possibility. A further example of Derby's actions is brought to light by an enquiry launched on 28 May 1265 it states that he seized the lands and tenements of Sewali Tuschet in Mackworth, Derbyshire and installed Thomas de Wauz to the detriment of Tuschet, doubtless this kind of seizure was rife, but Derby had gone too far. As Leicester had him arrested he must have been endangering the cause for which the barons were fighting. These were lawless times, and small acts of brigandage must have been overlooked, but if these acts got out of hand and went as far as murder, or the unbridled seizure of land, then action was needed. Derby may have been arrested for something more serious, but if he acted more independently after the loss of Gloucester, and his independence was exhibited in anarchic behaviour which reflected badly on the Earl of Leicester, it was enough to endanger everything, and sufficient cause to remove him. In the light of the references to Derby's throwing down of the king's castles in his pardon of 1265 and the veiled references to 'other trespasses' done against the king and the Lord Edward, extreme aggression, attacks on, and the unlawful possession of the property of others were taken seriously; it is likely that Derby's behaviour got out of hand.²⁹ If Derby's arrest was designed to appease the nobility, it backfired and caused alarm. Most of the barons were probably involved in such activities to some extent, and they may well have feared that Derby's arrest

29 CPR.1258-66, pp. 517-18; CCR.1264-8, p. 123.

would be the first of many.³⁰

Whatever the reason for Derby's arrest it had serious consequences for the Earl of Leicester; it shook the confidence of other nobles, and both Earl Gilbert of Gloucester and John Giffard of Brimpsfield left court. The latter had cause to fear the fate of the Earl of Derby due to his lawless acts in seizing the lands of prisoners of war, even the lands of prisoners held by other men. As Williams states the constitutional issues had been swamped by personal feuds, revenge, regional pillage, endemic violence and brigandage.³¹

It is little wonder that the illegal acquisition of land was rife and it adds credence to the idea that Derby had been involved in similar activities. The question of prisoners of war was another grievance for which Giffard and others held the Earl of Leicester responsible and which could have concerned the Earl of Derby.³²

As a result of Derby's incarceration, his lands were taken into the king's hand. On 23 February 1265 they were committed to Nicholas de Hastings, the king's clerk, who had to answer for them at the exchequer.³³ By 24 April, however, the lands had been committed to Thomas le Blund since poor Hastings had been captured by 'certain evildoers'.³⁴ It is possible that the 'evildoers' were

30 Powicke, ii, p. 494, William le Zuche was imprisoned at this time, probably because he was a royalist.

31 D.T. Williams, 'Simon de Montfort and his Adherents' in England in the Thirteenth Century, Proceedings of the 1984 Harlaxton Symposium, ed W.M. Ormrod (1985), p. 168; Powicke, ii, p. 495.

32 Powicke, ii, p. 495.

33 CPR 1258-66, p. 409.

34 Ibid., p. 419.

known to Derby, who would doubtless have been keen to make things as difficult as possible for the administration. Arrangements were changed slightly, on 6 May Blund was allowed to take his expenses 'of which he will have to make many in these days' from the issues of the Ferrers' lands he held, apart from those between the Mersey and the Ribble which had not been entrusted to him.³⁵ The Lord Edward was granted the town of Stamford on 15 May.³⁶ Similarly, the castle of Liverpool was committed to Robert de Lathun, sheriff of Lancaster; the mandate to William de Braydeshale to deliver it to him indicates that he must have been keeper of Derby's lands between the Mersey and the Ribble.³⁷ On 8 August Derby's manor of Wirksworth was committed to John de Grey, at the same time Grey was given the care of the counties of Nottingham and Derby, and the castle of Nottingham in the few days before the battle of Evesham. The king also made use of Derby's lands, on 23 March the Liberate Roll shows that Hastings, the keeper at the time, delivered lead for use at the king's works at Westminster.³⁸ Although Derby was only in prison, some of his manors were granted to men other than the keeper appointed for their general care, and the king was using their resources for his own needs. Whilst it was necessary to remove castles from Derby's hands, it seems odd to break up the earl's other holdings even to this small extent. When Derby's lands were finally confiscated in 1266 there was already a precedent to follow.

35 CPR-1258-66, p. 423.

36 Ibid., p. 424.

37 Ibid., p. 425.

38 Ibid., p. 435; CLR-1260-7, p. 168.

As a result of his imprisonment Derby was absent from the battle of Evesham on 4 August 1265. Parliament sat at Winchester from 14 to 22 September in the aftermath of the royalist victory, and the king declared that all lands held by rebels were to be confiscated.³⁹ The confusion over land tenure was such that on 21 September a commission was issued empowering certain appointees to go into each county to ascertain how far holdings had changed hands.⁴⁰ The result of this commission is known as the Winchester Inquisition, and it shows that Derby and his agents were actively seizing lands.⁴¹ He must have enjoyed some sort of liberty by 12 November since he was issued with a safe conduct on that date allowing him to go to the king from then until 6 December.⁴² The safe conduct indicates that negotiations for Derby's pardon were going forward and on 5 December he was forgiven for,

all other trespasses committed against the king as well of castles of the king thrown down by him or any other trespass committed by him against the king and Edward his son.⁴³

He was also protected against 'disherison' provided that he handed over a golden drinking cup and 1500 marks. The safe conduct for Derby and his household was extended until

39 HBC p. 543.

40 CIM, i, pp. 186-288

41 Ibid., p. 195, Derby's bailiffs seized the lands of Sir Robert, son of Nicholas in Spondon and Chaddesden; ibid., p. 195-6, and Jordan de Derleye, a yeoman of the Earl of Derby seized the land of Hugh de Staneford in Chaddesden; ibid., p. 196 states Derby himself seized half the towns of Haddon and Baslow from Richard de Vernon so he must have been at liberty himself. In due course Edmund held land in all these places.

42 CPR 1258-66, p. 503; Powicke, ii, p. 523 suggests he was not released until December.

43 Ibid., pp. 517-18 Derby obtained the cup from Michael de Tony for the pledging of his manor of Potterspury in Northamptonshire.

Christmas which indicates that he was not completely vindicated.⁴⁴ Perhaps the cup set with stones, pearls and emeralds, which was delivered to the wardrobe on 19 December, set the seal on his freedom.⁴⁵ From an entry on the Liberate-Roll of 1 June 1268 other Ferrers' jewels and gold found their way into the hands of royal officials. These jewels had also been pledged by Ferrers as payments for debt to other knights and were being broken up and melted down. For example,

a joust (justam) of gold worked with enamel, pearls and [illegible] of the gift of the Earl of Ferrers...a garland (gerlandam) with emeralds (prasinis), rubies sapphires, pearls and flowers of the old treasure (de veteri thesauro)...[as appears] in divers rolls of jewels of his time.⁴⁶

The lavish nature of these jewels illustrates the enormous wealth an earl spent on his portable goods, and as such they were used in the same way as coin to discharge debts or curry favour with the king. Having made his payment, and despite his association with Simon de Montfort, Derby had the opportunity to walk away from the Baron's War and begin anew. As Powicke suggests, it must have been the family connection forged through his wife that led Henry III to be so lenient with him.⁴⁷ Apart from the pardon of 5 December there is no mandate returning Derby's lands to him, but he was fully restored. On 18 January 1266, he granted the manor and the advowson of the church of Bingham to Ralph, son of Ralph Bugge, and it was confirmed by the

44 CPR 1258-66, p. 518.

45 CPR 1258-66, p. 522.

46 CLR 1267-72, p. 36.

47 Powicke, ii, p. 523.

Lord Edward which is surprising, considering the antipathy between the two men.⁴⁸ Derby had regained his lands and his social position, the puzzle is why he endangered it all again within five months.

The facts of Derby's return to rebellion are straightforward. He joined forces with Baldwin Wake, John d'Eywill, and others and proceeded to devastate the midlands. On 15 May 1266, they were caught by surprise at Wake's manor of Chesterfield and had to fight their way past Henry of Almain and his forces. Although Wake and d'Eywill escaped, Derby was captured and was imprisoned once again.⁴⁹

All the leaders had previously submitted to Henry III, and what they hoped to gain by continuing in armed opposition to the Crown is not clear. For some it may have been grievance rather than gain which spurred them on to continued resistance. Until the Dictum of Kenilworth which was issued after much negotiation on 31 October 1266, those who had been involved with de Montfort were completely disinherited, and their lands were granted to others or taken into the king's hand. They had already lost everything and could lose no more by remaining in opposition, and there was even the chance that reinforcements might arrive from the continent to transform

⁴⁸ CPR-1258-66, p. 536.

⁴⁹ CP, iv, p. 200; The Metrical Chronicle of Robert of Gloucester, ed W.A. Wright (London, 1887), ii, p. 770-1; Powicke, ii, p. 523, though only twenty-six he was afflicted with the family curse of gout; one tale states he was captured in bed, another that he was hiding in a church under a wool sack and was betrayed by a woman.

the political situation in their favour.⁵⁰ Certainly, Derby was not the man to take up de Montfort's mantle. Perhaps Derby did not fear disinheritance because he expected forgiveness, mistakenly believing that his family connections would always provide him with immunity, no matter what he did. Although Powicke suggests that his second rebellion illustrated his 'lack of common sense', it is more likely to have been greediness and/or gross stupidity.⁵¹

Nonetheless, Robert de Ferrers, styled by name or as a former Earl of Derby, returned to prison, at either Windsor or the Tower.⁵² Initially, the precedent set in 1265 was followed. By 22 May 1266 the honour of Derby, and the castles and lands of the earl had been taken into the king's hand and assigned to a keeper, Adam de Gesemuth.⁵³ On the same day the following message to the tenants of the honour of Derby was enrolled.

The king thanks them for having left the ways of levity of ...Robert [de Ferrers] and given their adherence to himself and his first born son, commanding them to be intendant to Adam de Gesemuth.⁵⁴

50 CIM i, p. 186 writ for the Winchester Inquisition; 'Terrae Rebellionum Datae Fidelibus Tempore Regis Henrici III in Diversis Comitatus Anglia' in Rotuli Selecti Ad Res Anglicas et Hibernicas Spectantes, et Archives in Domo Capitulari West-Monasteriens, Deprompti, ed J. Hunter (1834), pp. 245-58; DBM, pp. 317-37.

51 Powicke, ii, p. 524.

52 Ibid., p. 523; CP, iv, p. 200, Wykes, iv, p. 189 and Ann Dunstable, iii, p. 241 state he was imprisoned at Windsor, the CP for three years; Robert of Gloucester, ii, p. 770 states he was placed in the Tower of London after Chesterfield; for his style see any of the references concerning him below.

53 CPR 1258-66, p. 597.

54 Ibid., p. 665.

Of all the words to describe Derby's activities in the Barons' War, 'levity' seems a peculiar choice. The message seems to acknowledge that no blame was attached to the tenants of the Earl, although they had followed Derby into questionable activities.

Having taken control of the earl's lands, the king was also responsible for outstanding payments left behind by Derby; he owed Stephen de Eddewurth fifty pounds, for example, and this was paid from the issues of his lands by order of the king.⁵⁵ Some of the earl's holdings still had to be gathered into the king's hand, on 14 June James de Audley was commanded to deliver the castle of Liverpool to Gesemuth. It remained in the hands of Mary de Ferrers, Countess of Derby, until 11 July, when a mandate was sent to her ordering the castle's delivery to Gesemuth so that he might keep it with the rest of the earl's lands.⁵⁶

On 28 June new grants from Derby's patrimony began; on that day Edmund was granted all Ferrers' goods.⁵⁷ Somerville states that his lands were also granted to Edmund on 28 June in fee, and that a second charter of 12 July gave Edmund the honour of Derby and all the castles and lands of Ferrers, as well as those of de Montfort in tail. Due to the fragmentary nature of the Charter Roll,

⁵⁵ CPR-1258-66, p. 597.

⁵⁶ Ibid., p. 615, CP, iv, pp. 201, 202, this seems to be the last time anything is heard of Mary de Ferrers. She was dead by 26 June 1269 when Ferrers married his second wife, Eleanor de Bohun.

⁵⁷ CPR-1258-66, p. 612, Edmund had to answer for the goods at the king's mandate and Gesemuth was told to deliver them to him, he was styled 'the king's son' although he had all of de Montfort's lands by then, ibid., p. 470.

however, there is no chancery enrolment of the grant extant.⁵⁸ Another grant to Edmund, during pleasure, followed on 5 August; by this Edmund obtained all Ferrers' lands and castles, with a mandate to Gesemuth to deliver them to William Bagot so that he answer for the issues at the exchequer.⁵⁹ Somerville states that each of these grants saw a diminution of Edmund's estate in these lands, from holding in fee, to holding in tail, and finally to holding 'during pleasure', nonetheless, the lands remained with him until the day he died; in practical terms it made no difference.⁶⁰ On the 15 August Edmund was granted all the lands of the king's enemies and felons which are of the fees late of Robert de Ferrers.⁶¹

Somerville does not mention this grant; the wording suggests that the allegiance of these men was transferred wholesale to Edmund without their wishes being taken into consideration. As the grant pre-dates the Dictum of Kenilworth (31 October 1266), it was probably rendered null and void by later political developments.

Although the lands were granted to him, Edmund retained the services of keepers. Gesemuth was notified a second time on 17 August that he should surrender all Ferrers' lands within two days when they would be committed to William Bagot to keep during pleasure. Bagot was instructed on 14 October to deliver all Ferrers' lands in West Derbyshire to Thomas de Orreby to keep on the same

58 Somerville, p. 4, n. 1.

59 CPR.1258-66, p. 622.

60 Somerville, p. 4.

61 CPR.1258-66, p. 672; *ibid.* on the same day Edmund was granted all the lands he could conquer from the Welsh.

terms.⁶² Given the vast extent of the lands so suddenly acquired by Edmund this use of keepers was a necessary measure.

By the time Ferrers had been imprisoned for just three months Edmund had obtained most of his lands by charter from the king.⁶³ In the nation as a whole it was clear to many that Henry's policy of total disinheritance, declared after the parliament in Winchester on 17 September 1265, was not the best way forward. Reconciliation rather than confiscation had a greater chance of dispelling resentment and feelings of ill-usage among those who had fought against the king. The formula for the means of reconciliation was embodied in the so called Dictum or Award of Kenilworth, issued after much hard work on 31 October 1266.⁶⁴ The Dictum had a direct bearing on Ferrers' position; the way in which he was deprived of his inheritance in spite of it is the worst part of the whole of the Ferrers' affair.

Although Ferrers was doubly guilty of rebellion the Dictum makes provision for the redemption of his lands. In Clause Fourteen it states that

earl Ferrers shall be punished by a ransom of seven times the annual value of his lands.⁶⁵

The usual price for redemption of lands was five times the annual value, Ferrers was being punished to a greater extent than anyone else because he had broken his promises

62 Ibid., p. 628, 17 August 1266; p. 646 14 October 1266.

63 CChR, ii, p. 321, 17 August 1285, inspeximus confirming Henry III's grant to Edmund of Ferrers' lands.

64 DBM, pp. 55-6, 59.

65 Ibid., p. 327; ibid., n. 24 mentions eight or seven times the annual value.

in 1266.⁶⁶ The fine could be paid in three ways, by installments over a fixed period; by the rebels' lands being allotted to the grantee on a long lease, instead of paying a fine; or by the grantee holding all the lands until their accrued revenue equalled the fine.⁶⁷ From the provision made in the Dictum it was impossible for Ferrers to be disinherited.

The strategies employed by Edmund and Henry III, who maintained his son against Ferrers, set the Dictum at naught. The methods adopted by father and son have been described in a number of ways, none of them complimentary. Kerr states that it was a 'nefarious piece of royal trickery' and others agree.⁶⁸ Ferrers remained in prison until at least 1 May 1269; when he was released and granted full seizin of his lands he had found pledges with which to satisfy the king.⁶⁹ It was in the nature of these pledges that the problem lay. Before his release Ferrers was taken before the king's council and there he agreed to four documents which tied him to an agreement which he could not possibly fulfil. Moreover, the true pattern of events and the motives of those involved remained obscure until Ferrers went to the courts in 1274 when his allegations against Edmund were finally revealed.⁷⁰ What follows

⁶⁶ DBM, p. 325, clause 12.

⁶⁷ Ibid., p. 326, n. 20.

⁶⁸ Ibid., p. 327, n. 23; W.J.B. Kerr, Higham Ferrers and its Ducal Royal Castle and Park (Northampton, 1925), p. 23; Powicke, II, p. 523.

⁶⁹ CPR 1266-72, p. 336.

⁷⁰ DL 42/11/ f 53v is the beginning of an account of the Ferrers case within the duchy's own records; E.F. Jacob, Studies in the Period of Baronial Reform, 1258-67 (Oxford, 1925), pp. 217-19, Coram Rege Roll, II, m 6, Michaelmas 1274, ibid., pp. 388-94.

reconstructs the chronology of events as closely as possible.

When Ferrers was 'released' on 1 May 1269 he was not free. He was taken to Cippenham by Edmund and there he was forced to agree to series of deeds which were to end in his disinheritance, but which he acknowledged because he feared for his safety.⁷¹ He was not the only man to undergo this kind of treatment in order to gain a positive response to a charter which would be to his disadvantage. Thomas de Mere of Cresswell in Staffordshire claimed in a case on the Coram-Rege-Roll of April 1260 that certain servants of Philip Lovel,

had taken and beaten and maltreated him and forced him to return to the said Priory [of St Thomas, Stafford] and had there detained him a prisoner, until, under constraint, and against his will, he had executed the said charter and appended his seal.⁷²

Lesser men were emulating the strategies of their betters, the case indicates that Ferrers was not the only man to suffer this kind of treatment. The dates of the Ferrers deeds are difficult to ascertain. They are not dated individually, but were enrolled on the Close-Roll between 18 May and 10 June 1269 when the fourth deed was handed in to the king's wardrobe; Ferrers stated in the court case in 1274 that he sealed a charter on 1 May, the same day on which he left the king's prison.⁷³

71 Somerville, p. 4; SHC, VI, i, pp. 63-4 gives the place-name as 'Cyppeham'; Kerr, p. 25 and O. Moseley, History of the Castle, Priory, and Town of Tutbury in the county of Stafford (London, 1882), p. 26 states that Ferrers was taken to Chippenham rather than Cippenham.

72 SHC, iv, p. 142.

73 CP, iv, p. 200; SHC, VI, i, pp. 63-4; Somerville, p. 6; CCR-1268-72, pp. 122, 126.

In the first of these deeds he committed his lands to eleven manucaptors, namely Henry, son of the King of the Romans; William de Valence, Earl of Pembroke; John de Warenne, Earl of Surrey; William de Beauchamp, Earl of Warwick; seven named knights and others. The document also states that the king had it enrolled on the rolls of chancery, indeed, John de Chishull, the chancellor, twelve named men, and others witnessed the document, though the chancellor did not witness any of the three remaining documents. This was also the deed which the chancellor had shown to Ferrers whilst he was imprisoned at Cippenham and asked him whether he wanted it enrolled, one point around which the 1274 case revolved.⁷⁴ The second, following the same format, acknowledged that on the occasion of Ferrers' second act of rebellion the redemption of his lands would be £50 000 and that it should be paid by 9 July 1269; if Ferrers failed in this the manucaptors were empowered to hand his lands back to Edmund.⁷⁵ The third deed re-stated the contents of the second and also made provision for entry on to the dower lands held by Ferrers' mother, Margaret, Countess of Derby.⁷⁶ The fourth document was the carta-obligatoria, in it Ferrers acknowledged that he had been admitted to the king's peace and if he broke it again he and his heirs would be disinherited in perpetuity.⁷⁷

74 CCR-1268-72, pp. 122-3, for a list of the seven other knights and the witnesses see Appendix Three.

75 CCR-1268-72, pp. 123-4, the manucaptors remain the same, for the different witnesses to this document see Appendix Three.

76 CCR-1268-72, pp. 124-5 the witnesses are the same as those on the second deed, see Appendix Three.

77 CCR-1268-72, p. 125 the witnesses differ slightly, see Appendix Three.

Somerville states that the Lord Edward was also present at Cippenham and that the day after Ferrers sealed these deeds Edward executed one indemnifying the manucaptors and they had seizin of Ferrers' lands by their attorney.⁷⁸

Two entries at the end of these deeds in the Close Rolls are also of interest; the first states that the revenue which Edmund collected whilst Ferrers' lands were in his custody would not count towards their redemption.⁷⁹ The second states that the carta obligatoria was given to John Kirkby by Robert Walerand at Wallingford to deliver to Windsor; however, he gave it into the hands of the keepers of the king's wardrobe in the presence of the chancellor and the steward of the king's household and others at Winchester on 10 June 1269, because the king's court was located there rather than Windsor.⁸⁰ These entries are of interest because the first clearly contradicts the Dictum where numerous arrangements were possible in order to pay redemption fines; the grantee holding the lands until the revenues received were equivalent to the fine was one of those noted by the commentators on the Dictum.⁸¹ The second entry throws some light on the locality where these dealings took place. Somerville states that Ferrers agreed

⁷⁸ Somerville, p. 5.

⁷⁹ CCR 1268-72, p. 126.

⁸⁰ Ibid.; HBC, p. 85, see Appendix Three; HBC p. 79, Egidio de Audenard is not mentioned, but is custos of the king's wardrobe on the Close Roll (PRO C 54/56 m 7d); the deeds are undated but were enrolled between 18 May and 10 June (CCR 1268-72, p. 122); Somerville, p. 6, states they were sealed on 1 May 1269 the day of Ferrers' release and restoration; CCR 1268-72, p. 127, a grant to the Master of the Knights Templar shows the king was still at Winchester on 27 June.

⁸¹ DBM, p. 326, Edmund had already enjoyed almost three years revenue by 1269 and in 1274, when the case went to court, he had collected eight years.

to the carta obligatoria before the king's council at Windsor.⁸² From the second entry, however, the document was clearly at Wallingford, which suggests that Ferrers sealed it there. Wallingford is significant because Ferrers was taken there from Cippenham and remained in captivity for another three weeks until the Lord Edward secured his release.⁸³ It is unlikely that a deed sealed at Cippenham would be taken to Wallingford and then delivered to the chancellor; it makes better sense if it had been executed at Wallingford in the first place, even if the other three deeds had been drawn up at Cippenham.

Another collection of documents relevant to Ferrers' actions in 1269 is preserved in the Duchy of Lancaster archive. There are eight documents and four appear to replicate the four to be found on the Close Roll.⁸⁴ The document which appears second on the Close Roll is not rendered exactly the same in Moseley, the date by which Ferrers was to pay over the £50 000 is omitted for example, but it otherwise appears very close. In it Ferrers promises

that we, in our proper person, will in nowise enter upon the said lands,... nor will send any others to the said lands,...nor will require, nor receive, any of the outgoings of the same, nor will permit any to be required, or received, in our name...[nor] hinder the seizin of the said lands, nor permit them to be hindered, by our people.⁸⁵

Since Ferrers had to promise not to allow his men to

82 Somerville, p. 4.

83 Ibid., p. 5, Ferrers must have been totally free by the time of his second marriage on 26 June 1269.

84 Moseley, pp. 20-5 gives no further reference to the Duchy Archive, though n. 57 is cited, nothing is printed on the page.

85 Moseley, pp. 24-5.

interfere in the proceedings, it seems likely that they may have done so without this prohibition. Similarly, all financial gain from his lands is completely removed. The list of witnesses given in Moseley is not exactly the same as those to be found on the Close Roll. The number of witnesses differs on two documents, in each case the Close Roll gives a fuller list. It may be an error in translation by Moseley; if it is not, it suggests that there were two copies of the documents, each witnessed by different people. Arguably, these two documents were the most important of the set, the carta-obligatoria and the one said to have been agreed in the presence of the chancellor. Although the letters patent issued by Ferrers do not find their way on to the Patent Roll, it is interesting that a number of the men who are either witnesses or manucaptors are to be found in receipt of grants. Men like John de Chishull, as chancellor, are bound to be in evidence, but others receive grants in May-July 1269. Robert Walerand, Stephen de Eddeworth, William de St Ermina, John de la Linde, Robert Aguillon, and John de Warenne, Earl of Surrey were all in receipt of grants of land and other things. Other members of the same group had men pardoned at their instance. It is possible that these grants and favours represent a form of payment for their assistance in the Ferrers' affair.⁸⁶

The other four documents are additional to those on the Close Roll. They all date from 1269, two originate from the manucaptors and two from Ferrers himself. One of

⁸⁶ CPR-1266-72, pp. 344, 359, 336, 348, 350, 356, 343, 338, 342, 349; see Appendix Three footnotes.

2 May 'given at Windsor' is a declaration of the manucaptors agreeing to stand surety for the £50 000 owing to Edmund. The other of 4 May embodies the promise of the manucaptors to be answerable to Edmund for the issues and any other income from the lands whilst they held them.⁸⁷ The two dated Ferrers documents are both letters patent. That of 2 May is addressed to his 'faithful Peter Ristor' to allow Hamo le Strange, the representative of the manucaptors, to have seizin of his lands. The other of 3 May orders all 'Abbots, Priors, Barons, Knights, and Freemen' to 'be attending upon, and answering to' Hamo le Strange as the rightfully appointed guardian of his lands under the manucaptors. The inclusion of all freemen is interesting, every man holding of Ferrers was affected by such momentous change though the lower ranks are not always specifically mentioned. Both these letters were written at Cippenham, Ferrers could hardly be elsewhere.⁸⁸ The manucaptors, from their undertaking of 2 May, were obviously in Windsor at this time, it is odd that their personal presence in Cippenham was felt to be unnecessary. These additional documents illustrate even more clearly than those on the Close Roll just how firmly Ferrers was bound by the Crown and Edmund. Even after three years imprisonment, Ferrers must have had some supporters in his lands who would have been ready to forcibly resist, or at least make things difficult for the manucaptors' representative. That Hamo Lestrangle should be the man

⁸⁷ Moseley, pp. 21, 26-7.

⁸⁸ Ibid., pp. 25, 26.

acting for the manucaptors is interesting in view of the legal battle Ferrers had with him over Chartley in 1275.⁸⁹ Lestrangle must have obtained personal seizin of Chartley at this date. The dated documents illustrate that all of this business did not take place on 1 May as is suggested by the case on the Coram Rege Roll.

Not surprisingly, Ferrers was unable to raise the £50 000 in the ten weeks given to him, had he kept his side of the bargain, the manucaptors would have been obliged to hand his lands back to him. As it was 9 July came and went and the manucaptors handed Ferrers' lands back to Edmund to hold until Ferrers was able to produce the requisite lump sum; they had acted in complete accordance with Ferrers' deed and just as he had authorised.⁹⁰ Thus Ferrers emerged from his involvement in the Baron's War without his patrimony. Edmund's reluctance to part with lands he had held with virtually no restraint since 1266 can be understood. Financially, he must have faced the prospect of losing a goodly portion of his revenue if Ferrers was restored; the prestige that the acquisition of land carried with it would also be lost. Personal animosities must also have played their part. Of Edmund and Edward the former was said to have taken Ferrers off to renewed captivity on 1 May 1269 and although Edward connived at Edmund's dealings with Ferrers, it was he who saw to Ferrers' final release from Wallingford. Yet from the evidence of their

⁸⁹ Select Cases in the Court of King's Bench under Edward I, ed G.O. Sayles, Seldon Soc, lv (1936), pp. 20-1

⁹⁰ There does not seem to be an entry on the Close Roll recording the return of the lands to Edmund; Somerville, p. 5; Jacob, pp. 217-19; Kerr, p. 24.

earlier careers, Edward had had his property attacked and had retaliated in kind. Ferrers' wife, Mary, the king's niece, must have died whilst he was in prison, the link with the royal family that probably saved him from greater disgrace in 1265 had gone, though it is doubtful whether such a connection would have served a second time.⁹¹

Although Ferrers did not take the case of his lost patrimony to court until the Michaelmas term of 1274 it must be discussed here. Reference has been made to much of the information which the court case revealed.

Nonetheless, there were several points at issue in 1274. Ferrers appealed to the Dictum of Kenilworth for the redemption of his lands, doubtless pointing out that by 1274 Edmund had enjoyed the revenues of Ferrers lands for nearly eight years, more than the required redemption. Edmund, however, took his stand on the fact that Ferrers had enrolled a deed in chancery in which he undertook to pay £50 000 in a lump sum, that he had conveyed his lands to manucaptors who were to return them to Edmund if the money was not paid by 9 July 1269; without the requisite payment Edmund remained the legal custodian of Ferrers' lands. The deed of 1269, Edmund maintained, was a private agreement which Ferrers had undertaken in full knowledge of the terms of the Dictum, and the terms of the deed took precedence over any other means of redemption. Ferrers lost the argument. Another point which he brought forth concerning the same deed was that he had agreed to its enrolment because he feared for his safety if he refused,

⁹¹ CP, iv, pp. 201, 202 Ferrers married for the second time on 26 June 1269.

thus the deed had been obtained under duress and as a result should be deemed invalid. Further, the chancellor had personally visited him on the same day the deed had been sealed during his confinement at Cippenham; but when he had asked him if he wanted the document enrolled it was as a private person, not in open court, and not as a minister of the king, another reason why it should not be binding. Inevitably, the judgement went to Edmund; the judge, Ralph de Hengham, decided that the court could not change the chancellor's rolls, nor alter what they said, particularly as the chancellor was no longer in office.⁹² The ruling was even used as a precedent.⁹³ The irony in such a decision, given the dreadful dissembling perpetrated by Henry III when it suited him, barely needs to be pointed out. Henry III received absolution from Popes Alexander IV (1254-61) and Urban IV (1261-4) in order to set aside his sworn oath to uphold the Provisions of Oxford.⁹⁴ No matter how logically or justly Ferrers argued there was no way that he was going to be allowed to win. By 1274 it was not only a case of Edmund losing lands and their revenues, but politically it would have been unwise to disturb midland counties which had had a period of stability under an earl whose loyalty to the king remained unquestioned.

As Ferrers realised that his patrimony had escaped him in 1269 he took measures to try and alter this state of affairs. Not unnaturally, his first recourse was to try

92 Placitorum in Domo Capitulari Westmonasteriensi Asservatorum Abbreviatio, ed W. Illingworth (1811), p. 187; Jacob, pp. 388-94, Coram Rege Roll, 2-3 Edw.I, 11, m.6.

93 Sayles, Seldon Soc, lv (1936), p. 89.

94 Powicke, ii, p. 427.

force. On 17 November 1270 an entry on the Patent Roll records that whilst Roger de Leyburn was in the Holy Land with the Lord Edward, Ferrers intruded on the manor of Stamford. Whilst the king took the manor into his protection, Edmund was ordered to go to the manor and take anyone trying to resist him or prevent the seizin of Leyburn, and bring that person before him. The final sentence of the entry is significant, Edmund is

to warn those who claim any right in the said manor to be ...before the king to show it.⁹⁵

Although the manor belonged to Ferrers before May 1266, he could not dispute the king's grant to Leyburne on 26 December 1266.⁹⁶

No source records Ferrers' activities before his attack on Chartley castle, Staffordshire in 1273. The date upon which the attack took place is also unrecorded, but it was some time after 6 May 1273 since on that day Roger Lestrangle was ordered to deliver the custody of the castle to Master Roger de Clifford, the king's clerk and escheator, 'so that no contention may arise among the magnates', there was a possibility that it would cause some disturbance.⁹⁷ An order was despatched to Edmund to see that the castle of Chartley was delivered to the sheriff of Salop and Stafford on 27 June since 'certain persons', probably Ferrers and his men, detained the castle and were also felling, selling and wasting the wood of the castle

⁹⁵ CPR-1266-72, p. 127.

⁹⁶ CPR-1266-72, pp. 262, 697 Roger Leyburne also had trouble getting the Bishop of Salisbury to admit his patronage of the advowson of the church there; CPR-1258-66, p. 424, the town of Stamford was granted to the Lord Edward on 15 May 1264.

⁹⁷ CPR-1272-81, p. 9; Somerville, p. 5.

and manor 'at which the king is much astonished and moved'. The sheriff was urged to take the posse-comitatus with him, and provision was made for Roger Mortimer to accompany him if necessary.⁹⁸ Much later, on 20 December 1282, the Patent-Roll states that Edmund, Henry de Lacy, Earl of Lincoln and Reginald de Grey with others were present at the recapture of Chartley and they were pardoned for any deaths caused in the siege; the eviction must have taken some time.⁹⁹

With his expulsion from Chartley, Ferrers took the matter to the court of King's Bench in the Michaelmas Term of 1275.¹⁰⁰ The whole history of his dispute over the manor of Chartley is laid down. He argued that far from entering Chartley by force and with homicide, thereby breaking the Dictum of Kenilworth as alleged, he was entering the manor as his escheat. Thomas de Ferrers, who had been enfeoffed with the manor by his ancestor, had died during his period of imprisonment (1266-9).¹⁰¹ As Thomas left no heir the manor fell to Ferrers; for obvious reasons he had been unable to take immediate action to secure it. Having been possessed of his rights once more, however, he had taken the appropriate action; he appealed to the Dictum though felt it was unnecessary as Roger had already taken more than was due from it for its redemption. He hoped the king would give him the manor of Chartley as his right. The other claimant in the case was Roger Lestrangle whose brother, Hamo, had been given the manor since Thomas de

⁹⁸ CCR-1272-9, pp. 17-18.

⁹⁹ CPR-1281-92, p. 53.

¹⁰⁰ Sayles, Seldon Soc, lv (1936), pp. 20-21.

¹⁰¹ No inquisition-post-mortem is extant.

Ferrers had opposed the king during the war; Hamo had enfeoffed Roger with the manor, and the latter alleged that Ferrers had made a forcible entry on his property by night, caused a death, and illegally maintained himself in the manor until he was physically dislodged by the king's men. Moreover, Ferrers had nullified his recourse to the Dictum of Kenilworth by such actions, and in any case his appeal to it was not made by the specified date.¹⁰²

The judgement totally exonerated Ferrers in his actions. The king and his council agreed that Ferrers had entered the manor in terms of disseizin rather than trespass; as he had been in prison when the Dictum's period of appeal had expired they decided that should not prejudice his case. Furthermore, the undoubted right he had in the manor, of which he had been deprived for such a long time, meant that he recovered the manor without redemption. The only thing the king reserved to himself was the castle and the stock within it, otherwise Ferrers was awarded the seizin of the manor. Here was some success at last and within the terms of the Dictum of Kenilworth. It seems, however, that Ferrers was not to remain without a watchdog in the area, Edmund was granted the castle of Chartley in tail general on 26 July 1276.¹⁰³ It is tempting to interpret this action as a move to maintain a loyal garrison in Ferrers' vicinity to remind him of the authority of both Edmund and the king, a strategy Edward was to employ in the building of his castles amongst the

¹⁰² DBM, p. 325, n. 16, the Dictum had to be accepted by 10 December; this was later extended to 1 August 1267.

¹⁰³ CPR-1272-81, p. 156, Bogo de Knovill was mandated to deliver it to Edmund.

Welsh with such success.

Chartley was not the only manor Ferrers managed to recover. He also regained the manor of Holbrook in Derbyshire by a court case brought in the Hilary term of 1275.¹⁰⁴ Though the incidents attending its recovery do not appear to be as dramatic as those which occurred during the regaining of the Staffordshire manor.

No further success was achieved by Ferrers in the redemption of his patrimony; he died in 1279.¹⁰⁵ It was left to his wife and his son to pursue serious claims to the lands which Ferrers had lost.

In a public career of nineteen years and a lifetime of forty, Robert de Ferrers, sixth Earl of Derby, lost rather than achieved great things.¹⁰⁶ His actions from 1260-66 indicate a rather hot tempered individual who acted in accord with, or independently of, Simon de Montfort only when it suited him. His wrath at being foiled by Edward at Gloucester in 1264 came more from the weakness of his allies than anything else, it shows that his position within the rebel army was not such that the young de Montforts would listen to him rather than follow their own mistaken course. That he was prepared to undertake violent action to try and attain his ends is shown by his attack on Tutbury Priory in 1260, but it cannot be seen as one of his

¹⁰⁴ CP, iv, p. 201; Somerville, p. 5, n. 2; Kerr, p. 24.

¹⁰⁵ CP, iv, p. 202 Ferrers was probably buried at the Priory of St Thomas, Stafford.

¹⁰⁶ CP, iv, p. 198 and HBC, p. 458 state Ferrers was the sixth Earl of Derby; Kerr, p. 21 states he was the seventh; Extinct Peerage, p. 197 states he was the eighth, though this is of a piece with the rest of the entry where it is wrong in other important details.

triumphs, he lost more than he gained. His move against Worcester in 1264 occurred during a time of war, nonetheless, one must wonder whether such destruction stemmed from personal propensity or political necessity. Indeed, he lacked wisdom and appears greedy if the reason for his arrest by Leicester was the rapacity of his conduct, particularly in the way he gathered the lands of other people for himself by forcible and illegal entry. Despite his fairly light escape from the result of his actions against the royalists in the Baron's War, his return to rebellion in 1266 is hard to explain, dissatisfaction with his lot is the most obvious reason. It was also a mixture of personal animosity, a need to jockey for a better political position, a greed to obtain more lands whilst the usual apparatus of law and order had broken down, and the king's political future looking bleak. Whatever his reasons, his judgement led him astray, his rebellious stance at Chesterfield led to greater loss for him than anything else he ever did.

The purposeful disinheritance of Ferrers was carried out with admirable skill. Every legal loophole was carefully blocked. His greatest hope for redeeming his patrimony lay in the Dictum of Kenilworth. Once that had been denied him by the claim that the deeds he had acknowledged in prison superseded the Dictum his cause was lost. The anomaly in all this is that he was allowed to appeal to it to regain Chartley. Despite the fact that Thomas de Ferrers had been a rebel, and the manor was in the hands of Roger Lestrangle, Ferrers was allowed to claim

the manor as his escheat. There was little to separate Roger's position with regard to Chartley and Edmund's position with regard to Ferrers' inheritance, only size, and therein lay the crux of the matter. It was the intrinsic power that the extent of Ferrers' patrimony carried with it that would ensure Roger's failure and Edmund's success. Even the matter of the fine of redemption was the same. Roger had enjoyed the manor for so long that the need for redemption had been obliterated. Little wonder that Roger approached the court of King's Bench in 1275 with every hope of victory. The Chartley case illustrates the way that the case of Ferrers' patrimony would have gone if his appeal to the Dictum had been allowed. Edmund, however, had secured deeds from Ferrers containing undertakings for redemption, impossible though they were; that the deeds were acquired under duress cannot be disputed. It was recognised that any agreement extracted under such circumstances was invalid; Ferrers would never have agreed to it if he had not believed he could over turn it once he had truly regained his liberty. Had Henry III or the Lord Edward been in Ferrers' position such an outcome would have been immediate. Indeed, Henry swore publicly to uphold the Provisions but it did not stop him going back on his sworn oath and getting not one, but two popes to absolve him from having to abide by an undertaking which he found distasteful. How much more was Ferrers entitled to put aside documents to which his agreement had been obtained by physical menaces. The only reason that Ferrers was disinherited was because those in

power wanted it so. Edmund, Edward and Henry III, all three were actively involved in the process.

It was not just a matter of personal greed, though Edmund was not reluctant to be such a large and wealthy landowner. It made political sense to remove the rather volatile Ferrers and replace him with a more dependable earl. It was the very scale of the holdings that made a difference in Ferrers' case. The majority of the midland landowners had been staunch supporters of de Montfort; de Montfort himself had held considerable estates in the midlands. The loss of this central section of the country had made it all the more difficult for Henry to gather his forces and maintain communications during the Baron's War. Edmund obtained de Montfort's lands in 1265, and it made sense to consolidate such holdings with those of Ferrers. The need to rebuild the area in a political sense was obvious, and what better way than to entrust this task to a royal prince, and for this reason, perhaps more than any other, Robert de Ferrers lost his inheritance.

2: THE ATTEMPTS OF THE FERRERS FAMILY TO REGAIN

THE EARLDOM OF DERBY

Three members of the Ferrers family attempted to regain the patrimony of Robert de Ferrers, sixth Earl of Derby from Edmund of Lancaster. Eleanor was Robert de Ferrers' second wife, and she tried to prove that her dower should be a third of the earldom which, she argued, Ferrers held on the day they married. John de Ferrers was the son and heir of Robert and Eleanor and he tried to regain the whole of his father's patrimony, as did Robert de Ferrers' great-grandson, another John de Ferrers. This chapter charts the nature of their attempts and their lack of success. It illustrates the vice like grip which Edmund had on Ferrers' lands and the way in which the Crown supported his tenure.

Eleanor de Ferrers was the daughter of Sir Humphrey de Bohun, the son and heir of Humphrey, sixth Earl of Hereford and Essex. Her father never became earl due to him predeceasing his father in 1265 when he died of wounds received fighting on the baronial side at Evesham. It was left to her brother, Humphrey de Bohun, to inherit the title from his grandfather in 1275. Her brother was the Earl of Hereford who defied Edward I in 1297 as Constable of England over the issue of service in Gascony. Her mother, Humphrey de Bohun's first wife, was Eleanor de Briouze, the daughter and co-heiress of William, Lord of Totnes, Brecon and Radnor.¹ Her relatives were amongst the leading nobles in the land, particularly her brother,

1 CP, iv, p. 202.

though this did not alter Edmund of Lancaster's attitude towards her perhaps because of her father's stance in the Barons' War.

Eleanor first came into prominence after the death of Robert de Ferrers in 1279.² She made extensive claims for dower against at least sixty-three people. The most interesting was the one she made against Edmund of Lancaster during Michaelmas Term 1279. She sued him for a third of Tutbury, Scropton, Rolleston, Marchington, Callington, Uttoxeter, Agardsley, and Newborough in county Stafford; Duffield, Spondon, Chaddesden, and nine other villis in county Derby; as well as a third of Liverpool, and seven other villis in county Lancaster as her dower.³ The premise upon which she based her claim does her much credit, and was supported in law. Although Robert de Ferrers was 'released' on 1 May 1269, he went straight into the captivity inflicted on him by Edmund of Lancaster at Crippenham. After sealing deeds there on the same day, he was taken to Wallingford Castle in a cart and kept there for three weeks until he was released by the Lord Edward.⁴ It must have been 22 May before Ferrers was truly at liberty to find the £50 000 needed to redeem his lands. He and Eleanor married on 26 June 1269, but he failed to secure the money before time ran out for him on 9 July.⁵ After his death Eleanor argued in her claim against Edmund

2 CP, iv, p. 202; CCR 1272-9, p. 527 is the order for assignment of dower dated 27 April 1279 suggesting Ferrers died early in the year.

3 SHC, VI, i, p. 98; CP, iv, p. 202.

4 SHC, VI, i, p. 63.

5 CP, iv, p. 202.

that she was married to Ferrers before he was finally disinherited, therefore, she was entitled to claim dower in her husband's former extensive estate. Bracton makes it clear that a bride whose dower was assigned at the church door was in a very strong position when it came to establishing her right to it on her husband's death. The lands so assigned, however, had to be those held by the husband in demesne or in fee and Edmund found his exception to Eleanor's claim with this argument. He acknowledged that the marriage was before the date on which Ferrers was effectively disinherited, but pointed out that Ferrers' patrimony was in the hands of the manucaptors appointed for that purpose until he paid over the £50 000. He was claiming that Ferrers did not hold the land in fee or in demesne. He could as easily have claimed that Ferrers had committed a felony, since this would have rendered Eleanor ineligible for dower. Edmund referred the court to the recognizance that Ferrers had made before the chancellor in 1269, the document from which all his troubles stemmed. Despite Eleanor's plea that Edmund held the lands in pledge only and that she was entitled to dower because by the same token the manucaptors also held the lands on behalf of Ferrers, it got her nowhere and she had to withdraw her suit.⁶ Technically and legally, Edmund was in the right, although morally Eleanor had rights that were denied her. As she was denied dower because her husband was no longer an earl when she married him, it is unusual to find her

⁶ Bracton, ii, p. 265; ibid., iii, pp. 360-1, 390; SHC, VI, i, p. 98.

styled countess which she is in a Quo Warranto enquiry on the Assize Roll of 1292-3.⁷ Normally, she is styled 'the widow of Robert de Ferrers', but for some at least she was a countess whether the law and Edmund allowed it or not.⁸

Edmund's grant to her of the fee-farm rent of Godmanchester in Toseland hundred, county Huntingdon, on 24 May 1281, two years after her claim for dower, perhaps indicates some feeling of moral obligation. The annual farm was the substantial sum of £120 a year which Eleanor received for thirty years, though she paid out only a penny rent at Easter.⁹ It was unusual for a magnate of Edmund's standing to part with anything unless there was a good reason for doing so, and it is no coincidence that he should grant Godmanchester to Eleanor just as Margaret de Ferrers, Countess of Derby died and her dower fell in. Margaret had held the manor not by virtue of the dower she held from her husband.¹⁰ Nor through the lands of which she had livery in 1274 which Eleanor de Vaux, late Countess of Winchester, had held in dower of the inheritance of Roger de Quincy, Earl of Winchester.¹¹ Margaret's tenure of Godmanchester was more convoluted. The town and the rent of Huntingdon in Huntingdonshire, and the manor of Down Ampney, Gloucestershire, with their appurtenances had been granted to Edmund in 1267 to hold by the service of a quarter of a knights' fee.¹² In 1278 his mother, Eleanor

7 SHC, VI, i, p. 241.

8 Ibid., pp. 98, 111 for example.

9 CPR 1272-81, p. 440; CP, iv, p. 202; Kerr, p. 26, n. 30.

10 CIPM, i, pp. 88-9.

11 CP, iv, pp. 197-8.

12 CPR 1281-92, p. 477, 6 February 1292 is a confirmation of the 1267 grant; VCH Hunts, ii, p. 287.

of Provence, sued him in court for Godmanchester as part of the dower she was allotted in 1236, but Edmund held on to it.¹³ The Victoria County History states that Margaret de Ferrers was granted Godmanchester by Edward I as 'one of the eventual heiresses of Earl David of Huntingdon'. It refers to the inspeximus of 28 May, which is Edmund's grant to Eleanor of the town of Godmanchester on 24 May 1281.¹⁴ This evidence does not prove whether Margaret de Ferrers held Godmanchester or not, although the coincidence of Eleanor receiving the town in 1281, the year of Margaret's death, makes it likely that Edmund transferred it from one Ferrers widow to another.

Two further points are of interest in this case. Firstly, Edmund denied having any holding at all in Chaddesden and Scropton, but both places owed him knight service according to his inquisition post mortem of 1296-8. They cannot have been in his hand in 1279 but had returned by the time he died; nor did they form part of the dower of Margaret de Ferrers.¹⁵

Secondly, it is odd that Eleanor did not sue for a third of all of Ferrers' former holdings. The places she claimed are a tiny proportion of those on the inquisition post mortem of 1296-8 as belonging to the earldom of Ferrers. She may have tried for a portion of those places which were most valuable or where Ferrers' holding had been substantial, it is difficult to tell.

She did not have much greater success against the

¹³ VCH Hunts, ii, p. 287; CChR.1226-57, p. 218.

¹⁴ VCH Hunts, ii, pp. 287-8; CPR.1272-81, p. 440.

¹⁵ CIPM, i, pp. 88-9.

others that she sued for dower. She made claims against sixty-one tenants for a third of their holdings in Chartley and its members, Weston, Stow, Haywood, and Amerton, as well as Hixon, Meerbrook, Little Haywood, and Grenley. She also had to lay a claim against her son, Thomas, for a third of three bovates of land in Amerton. The Prior of St Thomas near Stafford was sued for a third of the advowson of the church of Stow. He denied that Eleanor had any right to dower in the advowson, because Robert de Ferrers was never seized of it in such a way that he could endow her out of it.¹⁶ Ferrers had remised the same to the priory on 1 July 1277.¹⁷

In the end, however, the tenants did not have to provide her with dower. The suit was dismissed by the king's command and the value of the dower claimed was taken out of the land of the heir, John de Ferrers, a minor and in ward to the king.¹⁸

A claim for dower against Robert de Bures for land and rent in Chartley met with more success. He appealed to the heir and produced a deed by which Robert de Ferrers gave the tenements to him with a clause of warranty, which had worked for the sixty one tenants involved in the claim discussed above, but Bures eventually conceded Eleanor's right.¹⁹ A writ of 20 January 1280 states that he had lost a hundred shillings rent when Chartley was confiscated by the king's steward on Ferrer's death; the inquisition shows

16 SHC, VI, i, pp. 96-7.

17 Ibid., (1911), pp. 30-1, Pedes-Finium, 1 July 1277.

18 Ibid., VI, i, pp. 96-7.

19 Ibid., VI, i, p. 111.

the sum had been withheld by Ferrers for over a year before he died. Bures did homage to Ferrers for the rent on 10 June 1276 which supplements the evidence on the Banco Roll referred to above.²⁰

Despite a valiant attempt, Eleanor de Ferrers was no more successful in establishing a claim to part of her husband's patrimony than he had been. On 27 April 1279 the order for the assignment of her dower was issued but it does not detail the lands she obtained. Eleanor made use of the only claim she could, that she and her husband had been married before his final disinheritance, but having supported Edmund thus far the Crown was unlikely to permit her to prevail. Although most widows of the Barons' War were fairly treated, Eleanor's situation must have been aggravated by the circumstances which had surrounded Robert de Ferrers' rebellion, his disinheritance and the part Edward I and Edmund had played in it. The fact that she had to fight to secure her dower, however, was not unusual. Many widows had this experience, as shall be shown, and it was even more difficult to establish the right to dower if the husband in question had been disloyal to the Crown or died in rebellion against it. Undaunted by his mother's experience, the son and heir of Robert and Eleanor, John de Ferrers, tried his hand at achieving the impossible.

John de Ferrers was born at Cardiff on 20 June 1271.²¹ Only eight on his father's death in 1279, the lands of the rebel earl's son passed into the wardship of none other

²⁰ CIPM, ii, p. 210.

²¹ CP, iv, p. 202; *ibid.*, v, pp. 305, 320-1, *ibid.*, vi, p. 462; Somerville, p. 7, n. 1; Burke's Peerage, p. 199.

than Edmund of Lancaster; the person of the heir was in the ward of the king though it is difficult to know exactly where he lived.²² If John de Ferrers was ever attached to Edmund's household it would have been a cruel fate indeed.²³ Edmund had already made sure that any possibility of redemption by members of the Ferrers family was blocked. In a grant of 7 June 1275 it was reiterated that Edmund held Robert de Ferrers' lands until he should be paid £50 000 to redeem them. He also secured the lands which Margaret de Ferrers, Robert's mother, held in dower and it was ordered that these would revert to Edmund on her death. If the usual practice had been allowed to run its course they would have passed to Robert or his heir. Finally, the grant laid down that if Robert should die and leave a minor heir then the custody of the heir would remain with the king, the lands, however, would be held by Edmund, or his assigns, during and after the minority until Edmund received satisfaction of £50 000. Those lands and tenements of which Robert was seized on the day he died were to fall to the custody of the king.²⁴ This is an astonishing document and certainly spelt the death knell of any way back to a secure, landed position for any heir of Robert. It was not surprising that Edmund treated Robert de Ferrers' lands as his own; but he held John de Ferrers' lands in wardship, as a trustee, yet he still acted as though he had undisputed tenure. He alienated some of the

22 SHC, VI, i, pp. 97, 111, 159.

23 S.S. Walker, 'The Feudal Family and the Common Law Courts: the Pleas Protecting Rights of Wardship and Marriage, c. 1225-1375', Journal of Medieval History, liv (1988), p. 25.

24 CPR 1272-81, p. 93; Somerville, p. 7.

lands in fee and also presented to benefices.²⁵ Such behaviour towards the lands of minors was not new, but it illustrates once again Edmund's proprietorial attitude, and perhaps the contempt with which the entire Ferrers family was regarded. As far as Edmund was concerned he was exercising the right of recovery granted to him on 5 May 1277.²⁶ Against such a formidable array of rights, supported by royal authority, it is little wonder that the Ferrers family did not regain their inheritance.

John de Ferrers came of age in 1293, the proof was taken on 8 July when it was attested that he was twenty-two; although his grandmother had died in 1281 her lands were not restored to him.²⁷ Undaunted, Ferrers sued for the church's help to re-establish his right to his father's patrimony. He sent a petition to the pope asking if he might borrow the required £50 000 from prelates and other churchmen.²⁸ Thus equipped he would at last be able to present Edmund with his lump sum. Though the petition is undated the king was forbidding him to proceed with this scheme by 10 August 1301. Ferrers was threatened with 'forfeiture of all that he can forfeit', not for trying to redeem his father's lands, but for having the temerity to prosecute a case concerning a lay fee in a court Christian. Edward I ordered that he revoke his plea to the pope and be before him to receive what was just in the matter. He was reminded that the cognizance of such a plea pertained to

25 Somerville, p. 7; Rotuli Ricardi Gravesend: Diocensis Lincolnensis, ed F.N. Davis et al, Canterbury and York Soc, xxxi (Oxford, 1925), p. 154.

27 CIPM, iii, p. 96; Somerville, p. 7.

26 CPR 1272-81, p. 203.

28 CP, v, p. 307.

the king's court alone.²⁹ Ferrers knew only too well the sort of redress he might expect in an English court, none at all; despite this stern mandate, he continued. On 2 December 1301 the king again commanded him to explain why he had called on Thomas, second Earl of Lancaster, to answer in a court Christian regarding his lay fiefs.³⁰ The matter must have ended there. The Crown had always been adamant that temporal matters were dealt with in the royal courts and Ferrers' case proved no exception. His attempt failed because the king and his family did not want the restoration of the Ferrers family to their original extensive patrimony. Even if restoration had been smiled upon, the Crown could not have allowed the church to make such an award, the precedent it would have set could have unleashed an unwelcome tide of royal decisions being overturned.

Nonetheless, the quest to regain the patrimony did not end, it lay dormant for a generation. Then Robert de Ferrers' great-grandson, another John de Ferrers also made an attempt. In a document from the mid-fourteenth century, Sir John de Ferrers, fourth lord of Chartley (1353-67), returned to the more direct approach. He petitioned Henry of Grosmont, Duke of Lancaster, for the return of the lands forfeited by Robert, Earl of Derby, and those held in dower by Margaret, Countess of Derby in the honour of Tutbury, the earldom of Derby, those she had held in jointure, and the Dorset manor of Kingston Lacy which she had inherited

²⁹ CCR.1296-1302, p. 497.

³⁰ Ibid., p. 571.

from her father, Roger de Quincy, Earl of Winchester.³¹
The petition did not prosper and not surprisingly nothing more is heard of it. Sir John died fighting at the battle of Najera on 3 April 1367.³²

Thus after the attempts of three generations the loss of the vast lands held by Robert, the last Ferrers Earl of Derby was accepted. Every avenue had been tried. The English courts had refused the pleas of both Robert and his wife. Their son had been denied the opportunity of attempting to raise the requisite sum with the help of the church and a final appeal by a great-grandson fared no better, though it indicates that the family loss was not forgotten. By the time the great-grandson died at Najera it was just over a hundred years since the original disinheritance had occurred. Robert de Ferrers' experience exercised a powerful influence on the minds of his descendants, the hope of regaining the vast Ferrers' patrimony had remained a bright dream down the generations, but it was never to be anything more substantial than that.

31 CP, v, pp. 313-14, quoting a transcript of Lansdowne MSS no. 229, f. 21, undated.

32 CP, v, p. 314.

3: EDMUND OF LANCASTER'S HOLDINGS IN THE MIDLAND COUNTIES

OF THE HONOUR OF TUTBURY: (a) DERBY UP TO 1298

It is time to turn to the formation of the earldom of Lancaster, and this section will concentrate on the lands which lay in two of the midland counties of the honour of Tutbury, if necessary examples from the other counties will be included. The analysis uses the evidence provided by a number of documents in which both the land and the men who held it were recorded. The starting point is the inquisition post-mortem of Edmund of Lancaster (1267-96).¹ This gives the known quantity, evidence of the men who held land from him and where they held it. The study moves backwards in time from 1298, the date of the latest inquisition, looking at each record until at least 1242 and sometimes earlier. Each piece of evidence is a link in the chain which will connect Edmund's tenants in the late thirteenth century with Ferrers' tenants in the early part of the century. This will indicate whether there is continuity or change in the tenantry and lands which went from Ferrers to Edmund in 1266. Other themes of interest, such as the effect of the Baron's War (1264-66) on land values and its tenants; whether Edmund sold off or exchanged land to establish a compact powerbase, and any rivalry which Edmund experienced in exercising his lordship will also be discussed.

The holdings are referred to in a number of ways, the lands of the honour of Tutbury, the earldom of Ferrers, and

¹ CIPM, iii, pp. 288-321, see Appendix One for lists of Edmund's lands in the counties studied in the honour of Tutbury 1296-8; HBC, p. 468.

the earldom of Derby; that these titles refer to the same area is confirmed when the lists are cross-checked.² The lands belonging to the former earldom of Ferrers were probably listed separately because they were assigned as dower to Edmund's widow, Blanche of Navarre. They were married in 1276 and the initial writ for the inquisition of 3 July 1297 confirms her dower.

Edmund on the contract of marriage between him and Lady Blanche, queen of Navarre, Campania [Champagne], and Brie, countess Palatine, granted to her by letters patent, confirmed by the king, a third part of of all his lands etc., and his whole right in the earldom of Ferrers, to hold in dower for her life; the escheator is commanded forthwith to deliver to the said³ queen what the said Edmund had in the said earldom.

This writ implies that Blanche had prompt seizin of the earldom of Ferrers, but on 18 April 1298 the escheator was ordered to take the earldom back into the king's hand as Blanche had 'rendered' it to him. This return was probably a preliminary to the king re-granting it to her.⁴

There are two extents for the county of Derby on Edmund's inquisition, one dated 6 December 1297 and the other dated 12 May 1298.⁵ Despite the short period between the extents there are a number of changes amongst the men holding the knights' fees. A twentieth of a knights' fee in the assarts of Duffield, for example, held by the heirs of William de Breydeshale in the extent of December 1297,

² CIPM, pp. 301, 299; earldom of Ferrers, pp. 305-6, 297; earldom of Derby, p. 296.

³ CP, iii, p. 386; CFR-1272-81, p. 165; CIPM, iii, p. 288; PRO C 133/81 m 1 the manuscript is in bad condition, the calendar omits that the writ was given at Westminster.

⁴ CFR-1272-1307, p. 399.

⁵ CIPM, iii, pp. 311-13; pp. 302-4; PRO C 133/81 m 17, 36.

was handed over by May 1298 when the same was held by John de Loak and the extent records the name of the former holder to underline the point; Loak was probably the heir.⁶ Chaddesden and Windley in 1297 were held for one twelfth of a knight's fee by the heirs of Henry Cardoil. In 1298 Chaddesden 'and elsewhere' were held for the same by Cardoil; the latter also appeared as a witness on several charters in connection with grants in the manor of Spondon around 1296 which suggests he was a responsible and active man in the county.⁷ These changes suggest that the later extent recorded new heirs taking possession of their inheritance.

There are other alterations which probably owe more to the inaccuracy of those making the extent. In 1297 John de Basinges held a quarter of a knights' fee in the manor of Boylestone with 'the advowson of a moiety of the church [sic]'; in 1298 the advowson goes unmentioned, but otherwise he held the same.⁸ A lease of 25 March 1294 between Roger de Ridware, Lord of Boylestone, and John de Basinges, citizen of London, proves that the latter held Boylestone manor, the advowson of the church and the new manor lately built in Boylestone wood for ten and a half years. Thus he held the advowson of the church a year before Edmund's death and as the lease was converted to a sale in 1295, it

⁶ CIPM, iii, pp. 313, 304.

⁷ *Ibid.*, pp. 312, 304; Jeayes, p. 275, nos. 2173, 2174; *ibid.*, p. 276, nos. 2176, 1296; *ibid.*, pp. 312, 307.

⁸ CIPM, iii, p. 311; *ibid.*, p. 303, a moiety of the manor of Boylestone was held for a quarter of a knights' fee, the other moiety was held by John Schench but he does not appear on the 1297 extent.

should figure on the extent of 1298.⁹ In 1313 Joan de Waldeshef, daughter and heir of John de Basinges, still held the moiety of the advowson.¹⁰ Though the accuracy of the second extent may be called into question the evidence for continuity amongst the tenantry holds firm.

There is no obvious explanation for another puzzling aspect of the extents. There are seven people and places on the 1297 extent which do not appear on that of 1298. Whilst changes in personnel have been noted above, it seems strange that places held for knights' fees should disappear only months after Edmund's death when the movement of land is unexpected. It may be that the first extent was incorrect, although apparently more detailed, and that this necessitated the whole operation being repeated, but it is difficult to be definite about this.¹¹

Holdings also appear to have been exchanged. In 1297 Giles de Meignil held the manor of Dalbury in demesne with the advowson of the church, and the manor of Breadsall in service, for two knights' fees. By 1298 Breadsall was held by John de Ferrers and Richard de Curzon for one knights' fee. De Meignil was left with Dalbury (the means of tenure and advowson were not recorded) and part of Osmaston for one knights' fee. The name of Meignill occurred again in 1297 in connection with a holding in Yeaveley and Holinton; William de Meignill held both for half a knights' fee. By

9 Jeayes, p. 43, nos. 335, 336; *ibid.*, no. 332, dated 1254 proves Boylestone was held from the fifth Ferrers, Earl of Derby (1248-54), *HBC*, p. 458.

10 Jeayes, p. 44, no. 338; Tilley, *ii*, pp. 9-10, 293.

11 *CIPM*, *iii*, pp. 311-13, names on the 1297 extent only: John de Chaundos, Richard de Vernon, Ralph Pipard, heir of Philip Mark, and Henry de Knyveton.

1298, however, he held Yeaveley manor only for half a knights' fee. As the proportion of the knights' fee is unchanged, the alteration in the places held suggests either another type of scribal error or an exchange.¹² Thus the inquisition post-mortem provides a basis of continuity and a group of tenants' names to seek in the next source, the Feudal Aid.¹³

The Aid is dated 1284-6 and covers two and a half wapentakes and one hundred in Derbyshire.¹⁴ The Aid provides further evidence to support the continuity already found on the inquisition post-mortem. Alfred de Soleny held Newton Soleny for one knights' fee in 1297-8 and the same is true in 1284-6.¹⁵ There is an unmistakeable degree of continuity here which is enhanced further by charters which link the Soleny family with Newton Soleny from as early as 1204-5 to 1368.¹⁶ The Solenys had ridden out more telling storms on their manor than the Barons' War and its consequential change of overlord.

The second example shows a similar consistency and also something of the network of land holding. In 1298 and

12 Ibid., pp. 312, 303, 313; Edmund held the Osmaston in Repton and Gresley, acquiring it in 1266, its lordship passed with Melbourne (Tilley, ii, pp. 56, 168).

13 FA, i, (London, 1899).

14 FA, i, pp. 248-9 some places do not appear on the Aid but are said to be held from Edmund, they may be members of manors noted in 1296-8 or have been lost by 1298, they are: Drakelow, Ingleby, Newhall, Chilcote, Stretton, and half of Stony Stanton, the latter and Staunton both appear in Derbyshire.

15 CIPM, iii, pp. 303, 313; FA, i, p. 248.

16 Jeayes, p. 220, nos. 1753-60, in 1204-5 one brother, Alured de Soleny, settled in England whilst the other remained in France, though Tilley, iv, p. 171 does not connect the Solenys with Newton Soleny until 1232; Farrer, ii, pp. 41-3.

1297 Theobald de Verdon held Hartshorne and Foremark, and elsewhere, for four knights' fees. In 1284-6 in Foremark Nicholas de Verdon held of Theobald for one knights' fee.¹⁷ illustrating that a family interest was maintained.

Similarly, Hartshorne in 1284-6 was held by William and Roger de Hartshorne for one knights' fee of Theobald de Verdon. Once again continuity is apparent. The Verdons had first obtained an interest in Foremark in the twelfth century as the result of a marriage between Bertram de Verdon and Maud de Ferrers, daughter of William, third Earl of Derby (d. 1190). The family remained in Foremark until 1346, taking the changes of 1266 in their stride.¹⁸

Continuity of tenure is well-established between Edmund's tenants on the inquisition post mortem and the Feudal Aid. The Hundred Rolls take the discussion back another decade.

The Hundred Rolls were produced as a result of an enquiry launched by Edward I to ensure that royal rights were being observed, to bring encroachments on royal authority to an end, and to look into a whole host of other pertinent matters, like the excesses of royal and private officials. The Rolls were compiled between November 1274 and March 1275 and provide a wealth of evidence which would

¹⁷ CIPM, iii, pp. 300, 314; FA, i, pp. 249.

¹⁸ Tilley, iv, pp. 63, 169; other families illustrate the same level of continuity: the Segraves in Brettby, see: CIPM, iii, pp. 303, 313. FA, i, p. 249. CIPM, iii, pp. 191, 192; Farrer, ii, p. 44; Jeayes, p. 61, no. 487, CChR, i, p. 85; Tilley, iv, p. 76. The Gresleys in Lullington, see CIPM, iii, pp. 303, 313, FA, i, p. 248, the tenure of the manor was closely linked with that of Drakelow (which Edmund did not hold at his death), Tilley, iv, pp. 25, 166. The Sancto Amandos in Catton with Allestree and Twycross CIPM, iii, p. 303, Tilley, iv, pp. 13, 165; Jeayes, p. 74, no. 571, FA, i, p. 248. The Curzons in Croxall CIPM, iii, pp. 303, 313, Tilley, iv, p. 165, FA, i, p. 248.

not be available from other sources.¹⁹

The disposition of the hundreds and wapentakes within the county of Derby, for example, is stated clearly. Edmund held the Wap of Wirksworth, the hundreds of Appletree, Gresley, and half the Wap of Repton and the fourth part of 'another' half, that is to say five portions of eight. In the same section it explains that nearly half the wap of Litchurch and the other half of the Wap of Repton were in the hands of the Earl of Chester, that is Edward I. In the summary a little further on it adds that the Lord Edmund held one and a half of the seven hundreds in the county, Appletree and the half of the Wap of Repton called the Hundred of Gresley. The first part of the document which has been referred to above, however, stated that Edmund held half the Wap of Repton and the hundred of Gresley. There is some confusion here which increases under the inquisition of the Wapentake of Morleston. Describing the disposition of the hundreds it states that Appletree and Repton were in the hands of Edmund, and the Wap of Gresley was in the hands of the Earl of Chester which underlines the contradiction already noted.²⁰ It is difficult to explain such confusion; the answer may lie in the conflicting claims of the two nobles. Edward I was created Earl of Chester in 1254 when he was granted an interest in the earldom of Chester and the honour of the Peak in Derbyshire. As heir to the throne he needed to practice the administration of a large appanage and, until

¹⁹ M. Prestwich, Edward I (London, 1988), pp. 93-5.

²⁰ RH, i, p. 58; Pym Yeatman, II, iii, pp. 49, 51.

he became king, was always styled 'Lord'. Such confusion on the Hundred Rolls may reflect the underlying concerns of the two brothers in Derbyshire. On 16 November 1276 a commission was issued to investigate allegations of 'homicides, depredations and other offences' committed 'between' Edward I's men of the honour of Abergavenny and Edmund's of the honour of the Three Castles in Wales; it is debatable whether the commission is alleging that these men acted in concert, or fought against each other.²¹ If the latter is the case perhaps there was ill-feeling between the brothers at this period. If so it was not of long duration since Edmund was to represent his brother frequently as the reign progressed. Disturbances in Wales between the two brothers do not prove that the same was happening in Derbyshire, but the Crown certainly had an interest in maintaining tight control over part of the country that less than ten years before had been rebelliously led by the volatile Earl of Derby. In creating Edmund Earl of Lancaster and making the Ferrers' earldom part of his patrimony, the 'policy' of Edward towards the earls which McFarlane discussed becomes apparent. Edward's removal of unsuitable or weak members of the nobility, often by rather dubious means, led to a binding together of their vast and strategically important territories under a trusted noble, or even better, a member of the family. McFarlane argues that although Edward's consistent enrichment of his family, conveniently at no

21 HBC, p. 455; J.R. Studd, 'The Lord Edward's Lordship of Chester 1254-72', THSLC (1979), cxxviii, p. 14; CPR 1272-81, p. 182.

cost to himself, might be called a 'policy' he doubts that this was actually the case. One can just as easily argue the opposite from the same evidence; it was vital to employ a policy which ensured a group of established and orthodox earls, particularly in the midlands, to give clear leadership in the right direction.²² The consequences of not having such a 'policy' had already been experienced in the Barons' War. As Williams argues, it was due to the weakness of the leadership of the midland earldoms that de Montfort was such an attractive prospect to the vassals of these earldoms.²³ As he points out the last Ferrers earl came into his patrimony only in 1260, by 1264 he had quarrelled with both Edward and de Montfort and been placed in the Tower by the latter. He missed the battle of Evesham and was back in prison by 1266, and left his vassals virtually leaderless for the most vital period of the conflict.²⁴ Similarly, the earldom of Chester had not been under stable leadership since the death of John le Scot, Earl of Huntingdon in 1237; despite the claims of numerous heirs, the fifteen year old Edward was established in the area in 1254. Its vassals had been without the personal leadership of an earl for seventeen years, and by the time the baronial unrest began Edward had hardly had time to establish loyalty to himself amongst the honour's vassals. After the battle of Lewes on 14 May 1264 Edward lost control of the area altogether when de Montfort forced

22 K.B. McFarlane, 'Had Edward I a 'Policy' Towards the Earls?', *History*, 1 (1965), pp. 156-7.

23 D.T. Williams, 'Simon de Montfort and his Adherents', *England in the Thirteenth Century*, Proceedings of the 1984 Harlaxton Symposium, ed W.M. Ormrod (1984), p. 174.

24 Ibid., p. 175.

Henry III to hand it over to him.²⁵ This technicality did not prevent the men of Chester supporting Edward in his time of need when he sought to escape from his captivity in May of the same year, but it had left them without direct leadership during the emergency of 1265.²⁶ The statements on the Hundred Rolls regarding the Wap or Hundred of Gresley reflect the confusion of the inhabitants of these areas as to whose lordship they were under; it also suggests that there may have been claim and counter claim between the two brothers, possibly hanging over from the Barons' War. The positive element in such confusion is that the purpose for which the Hundred Rolls enquiry was launched was proving its worth; it was just such areas of dispute that needed to be located and settled.

Another purpose of the Hundred Rolls was to discover by what warrant people held land. More light is thrown upon the unorthodox nature of Edmund's tenure of Ferrers' lands. The Rolls state that the Hundreds of Appletree and Gresley, and three and a half knights' fees in the Wapentake of Wirksworth had been in the hands of Edmund since the battle of Chesterfield (15 May 1266) though by whose grant and by what warrant was unknown. In fact Edmund was granted the manor and wapentake of Wirksworth and the manor of Ashbourne by the king in exchange for the counties of Carmarthen and Cardigan.²⁷ Similarly, the hundred of Appletree was formerly in the hands of King

²⁵ Ibid.

²⁶ Studd, THSLC, (1979), cxxviii, pp. 15, 19.

²⁷ RH, i, p. 58; Pym Yeatman, II, iii, p. 53, CChR, ii, p.

John; he exchanged it with William de Ferrers, fourth Earl of Derby (1194-1247), for the third penny of the town of Derby which amounted to a hundred shillings; the value of the hundred in 1274-5 remained the same.²⁸ The Hundred Rolls confirm that Edmund was acting as lord and holder of the former Ferrers' hundreds immediately after Ferrers' defeat. Edmund did not wait until they were formally granted to him, in an atmosphere of war land grants caught up with events. A further example of seizure first and the establishment of legal right later comes from Leicestershire, in 1251-2 Stapleford was of the land of the Normans, referring to King John's loss of Normandy in 1204, at which time the Earl of Ferrers went and seized Stapleford, and acquired a manor worth twenty pounds.²⁹ The manor went to Edmund via the transfer of the Earl of Derby's estates. Similarly, in 1322 the two Despensers seized land after the rebellion of Thomas of Lancaster and established a legal right to it afterwards.

Returning to Derbyshire, the manor of Spondon receives some attention in the Hundred Rolls. In 1297 and 1298 the heir of Ralph de Stretton held an assart in the manor of Spondon for a fortieth of a knights' fee, and Henry de Grey held a third of a knights' fee. In 1297 the lands late of

28 HBC p. 458; CP, iv, pp. 194-6; RH, ii, p. 291; Pym Yeatman, II, iii, p. 45.

29 Somerville, p. 7 contests that Edmund was never granted the Ferrers lands after the acts at Cippenham; CP, p. 200, states Ferrers' lands and castles were granted to Edmund on 28 June and the honour of Derby on 12 July 1266; CChR, ii, p. 321, records an inspeximus and confirmation of a such a charter of Henry III by Edward I (17 August 1285) which seems to indicate that Somerville may be wrong; LF, ii, pp. 1281-2; VCH Leics, i, p. 319, Farnham, v, p. 359; see Section II: 8 pp. 267-284.

Richard de Grey went to the Brethren of St Lazarus for two parts of a knights' fee and they held them for the same amount in 1298. The differences in tenure between the two extents lie with Thomas Poer who held a sixth of a knights' fee in 1298, and Ralph Pipard who in 1297 held land in Spondon and the manor of Thurvaston for a half and a tenth of a knights' fee. These examples show how fragmented the tenure of knights' fees was becoming, and apart from Poer and Pipard a degree of continuity. The Hundred Rolls record that the brothers held land in, and the church of, Spondon as well as other holdings.³⁰ According to the Rolls Spondon was a manor of ancient demesne and was granted by Henry III to Edmund, but had once belonged to the Ferrers' patrimony.³¹ Robert de Valletorta, formerly the seneschal of the queen, mother of Edward I, whilst he had custody of Ferrers' lands, held a court in Spondon twice a year for fair pleading which was not done before that time; Edmund maintained the practise.³² There was obviously a need to introduce such a court either for the good of the inhabitants who felt that they had no other adequate form of redress against their lord or, more likely, because Ferrers had allowed his rights to lapse against the encroaching habits of the populace.

There are other snippets of information on specific

30 CIPM, iii, pp. 306, 302-4, 311-13; Jeayes, p. 275, nos. 2171-2, 2176-7 for charters linking Thomas Poer and Spondon; RH, i, p. 58; Pym Yeatman, II, iii, p. 52, the brothers held land worth £10 in Spondon and elsewhere, confirmed by the bishop's licence on 22 January 1286, Jeayes, p. 275, no. 2175.

31 RH, i, p. 58; Pym Yeatman, II, iii, pp. 51, 52; Tilley, ii, p. 299.

32 RH, i, p. 58; Pym Yeatman, II, iii, p. 52.

places on the Hundred Rolls, for example, mention is made of a mill at Kirk Ireton and land at Underwood which were of the king's demesne, but had been withdrawn from the king's service by Nicholas Segrave to whom William, Earl of Ferrers (presumably the fourth earl again), released that service. Underwood and Kirk Ireton appear on the list of lands in Derby which were not part of the earldom; Kirk Ireton, however, is also included in the honour lands, so there is either a small discrepancy or there were two places of a similar name.³³ Segrave does not seem to be linked with Ireton on the inquisition post mortem, so that there is a link with Ferrers but it is rather slight and the details continue in this way.³⁴ Nonetheless, the Hundred Rolls have added a few more links in the chain and given hints about the nature of Edmund's entry into Ferrers' lands which must have resembled more of a seizure than a formal legal entry. Further continuity must be sought in the decade of the Barons' War.

The Winchester Inquisition was set in motion by a commission of 21 September 1265 in order to clarify the situation after the battle of Evesham when so many lands had been seized: it deals with all the midland counties except Stafford.³⁵ At this date Robert de Ferrers was still earl, so the Inquisition illustrates his activities and provides evidence of the rebel element amongst Edmund's later tenants. Haddon and Baslow, for example, appear on

33 RH, i, p. 58; Pym Yeatman, II, iii, pp. 53-4; CIPM, iii, pp. 306, 290.

34 RH, ii, p. 294; ibid., i, p. 58; Pym Yeatman, II, iii, pp. 47, 51, similarly in the case of Eyton.

35 CIM, i, pp. 195-8, nos. 643-6 for Derbyshire.

the Inquisition, valued at thirty pounds a year and held by Richard de Vernon. They were seized because he had retained the castle of the Peak against the Lord Edward. Ferrers, Earl of Derby, seized half the towns and received the Michaelmas rent: six pounds from Baslow and fifteen shillings from the mill in Haddon. Robert Baud also held half the town of Baslow, valued at ten pounds; though the jury believed he was in London. Robert de Derley, the bailiff of the consort of the Lord Edward, seized this half of the town and took the Michaelmas rent of five marks.³⁶ The town of Baslow does not seem to have been split into very even halves! The important point, however, is that Richard de Vernon held part of Haddon and Baslow in the inquisition of 1297; here is one example to prove that a known rebel family managed to hold on to their lands under Edmund the new earl.³⁷ Baud does not appear in later years, and it is unfortunate that there is no entry for the Wapentake of the High Peak in the Feudal Aid of 1284-6.

Lands in Spondon appear on the Winchester Inquisition in the hands of Robert, son of Nicholas, who had been at Kenilworth but escaped. They were valued at £15 17s. 9d. per year, and were seized by the bailiffs of the Earl of Derby.³⁸ Whilst this does not provide a direct link with Edmund in 1265, and there are other lands on the Winchester Inquisition which fall into the same category, it does illustrate the activities of Ferrers and the manor's

³⁶ Ibid., pp. 196-7.

³⁷ CIPM, iii, p. 312, he does not appear on the 1298 inquisition, though men of the same surname are on the Staffordshire extents.

³⁸ CIM, i, p. 195.

connection with him.³⁹

The search for continuity can be pushed back to 1242-3 by making use of the Book of Fees. When this source is compared with the results of the investigation so far there is a considerable level of agreement. In 1242-3 Hartshorne was held by Richard and Henry de Hartshorne for half a fee of the Earl of Derby. In 1284-6 it was held by William and Roger de Hartshorne of Theobald de Verdon and the latter appeared on Edmund's inquisition post mortem 1297-8. The Hartshornes must have been tenants of Verdon and probably held of him in 1297-8 although the inquisition post mortem only records Verdon's name.⁴⁰ Similarly, in 1242-3 in Haddon and Baslow, Richard de Vernon held one fee of the Earl of Derby, and a man of the same name appeared on the 1297 extent holding one knights' fee in the same place.⁴¹ The examples for the long term connection of the same family with the same place continue. The Solenys' links with the manor of Newton Soleny are discussed above; their representative in 1242-3 was Norman de Soleny holding one knights' fee there. Foremark was held by the Vernons, the heirs of Bertram de Vernon held land there for half a fee and twenty shillings. Similarly, the family of Sancto Amando held three carucates of land in Catton for half a fee of the Earl of Ferrers.⁴²

Most of the tenants discussed in this section prove the same point, a connection between the same family and the same land between 1242 (and sometimes earlier) and 1298 in

⁴⁰ LF, ii, p. 995; Pym Yeatman, I, ii, p. 445.

⁴¹ LF, ii, p. 993; Pym Yeatman, I, ii, p. 444.

⁴² Pym Yeatman, I, ii, pp. 443, 445: LF, ii, pp. 985, 995.

the county of Derby. From the basis provided by Edmund of Lancaster's inquisition post mortem it is clear that a considerable portion of the tenants who held from him on his death had originally been tenants of Robert de Ferrers, Earl of Derby and earlier Ferrers earls. The Vernon family is one example of those tenants who held from the fourth earl of Derby in 1242-3, and whose exponent in 1265, Richard de Vernon, was condemned as a rebel. Yet in 1297 a Richard de Vernon still held Haddon and Baslow from Edmund. These are indisputable links in the chain which connect some of the families holding from Edmund with land that had been in their family's tenure for generations. The fragmentary nature of some of the knights' fees has also been illustrated. There is some evidence for a clash of interests between the royal brothers over territory, and some which illustrates the disinheritance of Ferrers in 1269 was putting the final seal on a situation that had existed in practical terms since 1266. It is now a question of proving whether the findings in Derby are supported by the evidence for the other midland county discussed here in the honour of Tutbury.

3: EDMUND OF LANCASTER'S HOLDINGS IN THE MIDLAND COUNTIES
OF THE HONOUR OF TUTBURY: (b) STAFFORD UP TO 1298

Edmund's holdings in Staffordshire were not as extensive as those in Derbyshire. There are three extents which list knights' fees on his inquisition post mortem. The first was taken on 2 December 1297; of the other two taken on 12 May 1298, one is mainly an account of acreage and rents, and the other lists knights' fees; both contain details about Derbyshire as well. There is no obvious reason why surveys were taken six months apart. It could be that changes had taken place which made the first extent inaccurate, or that its detail was insufficient. A separate inquisition, dated 21 July 1297, deals with the lands and tenements in the 'foreign' of Newcastle under Lyme. The advowsons of churches and chapels which Edmund held in Staffordshire are included on all three documents, and listed on a separate schedule at the end of his inquisition post mortem.¹ The lands of the earldom of Ferrers will be studied first, followed by a consideration of those in the 'foreign' of Newcastle under Lyme, and the advowsons which Edmund held in the county before going on to earlier records. The theme of continuity is uppermost in the investigation, though other themes will be discussed as they arise; there is a need to discover if the trends prevalent in Derbyshire are to be found in Staffordshire or other counties.

¹ CIPM, iii, pp. 300-302, 313-15, 289-90, 321; the calendar does not state whether the inquisition of Newcastle under Lyme is dated after the feast of St Margaret the Queen (8 July) or St Margaret, Virgin and Martyr (20 July), the manuscript (PRO C 133/81 m 6), though creased and dark, states it was after the latter feast; 'foreign' suggests those villages in the environs of Newcastle under Lyme, though Stafford is an exception to this, see Appendix One.

Edmund of Lancaster's inquisition post mortem is the starting point and provides a good deal of evidence. In 1298, for instance, Geoffrey de Campville (modernised from 'Canvill') held three manors for three knights' fees: Sheepy Magna, Grendon and Clifton Campville in the counties of Leicester, Warwick, and Stafford respectively. In 1297 the same man is noted as having one fee in demesne and two fees in service in Clifton Campville 'and elsewhere', a veiled reference to the other manors.² This is a clear example of continuity. Similarly, in 1298 Theobald de Verdon held four knights' fees in Worthington, Leicestershire; Hartshorne and Foremark in Derbyshire; and Crakemarsh and Combridge in Staffordshire. In 1297 the same man is credited with holding Crakemarsh and Combridge 'and elsewhere in divers counties' for four knights fees; the tenant of these holdings remains unchanged.³ These two examples underline the point that the 1297 extent may have been insufficiently accurate, since the 1298 version expands far more often on the general phrase 'and elsewhere' which is found in the earlier extent.

A case of an heir taking over the same holding is found in 1298 when Edmund de Somerville held the manors of Tunstall and Newbold for a quarter of a knights' fee, and the manor of Whichnor with Syerscote for two knights' fees

² CIPM, pp. 301, 314; Farrer, ii, p. 275 states that Clifton was one fee held in demesne, he incorrectly dates both extents of county Stafford to 1297 and makes the same error *ibid.*, pp. 260, 278, 263, 300.

³ Similarly, Despenser in Alstonfield CIPM, iii, p. 314, 300; SHC, VI, i, p. 245; Barton in Yoxall, Burgo in Rudlow, Henry the cook in Mercington, Curzon in Fauld and Melbourne ('Meleborne' in the calendar) in Hoar Cross CIPM, iii, pp. 301, 314; Hastings ('Hastang' in the calendar) in Chebsey, pp. 300, 314.

of the little fee of Mortain. In 1297 Robert de Somerville held the same as Edmund in 1298.⁴ That Robert died between the taking of the extents, leaving Edmund de Somerville to inherit is confirmed by other evidence. Robert's death occurred sometime before 19 October 1297; his inquisition post-mortem states that he held the manor of Whichnor, with its members, of the honour of Tutbury for one and a half knights' fees of the little fee of Mortain. Edmund is named as his heir, having reached the age of twenty-one on 5 October 1297. Edmund was a cleric, however, and in 1301 enfeoffed his brother, Philip, in these manors.⁵ The puzzling question is the size of the knights' fees on the extents, if Tunstall, Newbold and Syerscote were members of Whichnor, which one would expect as they are not listed separately, then the total knights' fees should have been two and a quarter, not one and a half. It is also apparent that by the time the extent was taken for Edmund of Lancaster's inquisition on 2 December 1297, Robert de Somerville had been dead six weeks, he should not have appeared on it at all. Other differing details on the 1297 extent include the naming of Syerscote as a manor in its own right rather than being 'with' Whichnor, and the fact that Robert held Tunstall and Newbold in exchange for the manor of Barton. There is no mention of this on any of the

4 CIPM, iii, p. 301 though the calendar states 'fees', it is usually little fee of Mortain, p. 314.

5 Ibid., p. 261; R. Hardy, A History of the Parish of Tatenhill in the county of Stafford (London, 1907), p. 67, S. Shaw The History and Antiquities of Staffordshire, i (London, 1798 repub 1976), p. 126 for pedigrees of the Somervilles; SHC, vii. pp. 54, 48.

other entries referring to Barton.⁶ Despite these minor differences, the fact remains that the same family continued its tenancy of the same holdings.

An heir taking over must be the explanation for what is recorded about Uttoxeter. In 1298 Henry Oweyn held tenements late of William de Parles in the said manor for a fortieth of a knights' fee. In 1297 the location and the nature of Richard Oweyn's holding was unspecified, the link with Henry, apart from the family name, is that the tenements were once held by William de Parles.⁷ Here it is not a holding passing from father to son; a case concerning a mill given to Henry Oweyn by Robert de Ferrers on the Assize Roll of 7 January 1293 states that Richard and Henry were brothers; although the roll does not specify the generation of the Henry to whom Ferrers gave the mill, it must have been the father of the brothers, presumably a man who had been dead four years would not have appeared on Edmund's inquisition. If the order in which they are named on the roll is indicative of Richard being the eldest then this would follow the order in which they appear on Edmund's inquisition, so that it must have been Richard who died in 1297 leaving Henry to take over in 1298.⁸ There are three further points to be made here. Firstly, the lack of detail on the 1297 extent is obvious once more. Secondly, a William de Parles held the hundred of Offlow in Staffordshire c. 1272 which underlines his connection with the county. Although one authority states that he was a

6 CIPM, iii, pp. 314, 306, 302.

7 Ibid., pp. 301, 314.

8 SHC, VI, i, p. 223.

knight of Simon de Montfort, Earl of Leicester, this is an incorrect reading of the document; not only does Parles fail to appear on the Patent Roll as de Montfort's man, the other men mentioned as members of the same following were attached to the Earl of Gloucester. Nonetheless, a man of the same name was hanged for felony in 1277-8, and in 1283 a long case in the court of King's Bench eventually decided that his manor of Handsworth belonged to Roger de Somery and not the Prior of St John of Jerusalem; it was probably the man whose tenements the Oweyns were holding under Edmund.⁹ This suggests that if the Oweyns were holding from Edmund then William de Parles probably had. Thirdly, a Henry Oweyn is closely connected with Edmund; he appears as his bailiff in Derbyshire from c. 1270 and held the same office in Uttoxeter in 1275.¹⁰ This evidence shows that the men who worked for Edmund in an administrative capacity also held land from him.

There are also inconsistencies on the inquisition post mortem that are difficult to explain. So far there has been a lack of detail on those extents taken in 1297, with the case of Callingwood the opposite is true. In 1297 Robert de Knyttel held one twelfth of a knights' fee in Callingwood, late the land of Robert de Derby, as well as a twentieth of a knights' fee in Rudlow. In 1298 Callingwood is omitted, though it must have been held by someone, and

9 Ibid., viii, p. 6; CPR 1266-72, p. 146; SHC, iv, pp. 214, 191; Select Cases in the Court of King's Bench, ed G.O. Sayles, i, Seldon Society, iv (1936), pp. 103-11; CPR 1272-81, p. 406; CPR 1281-92, pp. 104-5.

10 Darley Cartulary, ii, p. 436, n. 1; SHC, V, i, p. 119 on the return of the Hundred Rolls for Totmanslow Hundred, unpublished by the Record Commission; see Appendix Two.

Knyttel's holding in Rudlow had fallen to a twenty-fifth of a knights' fee.¹¹ Knyttel may have exchanged his holding in Callingwood, or, more likely, it was assigned as dower to Derby's widow which would explain the smaller holding in Rudlow. The chance that the Robert of Derby referred to is Robert de Ferrers is possible but remote. The kind of detail which would be expected on the 1298 inquisition, therefore, appears on the earlier one.¹²

There are also places mentioned on the 1298 extent which were omitted in 1297. In 1298 William de Stafford, William le Butler and Richard Draycott held the manor of Sandon, with Draycott, Cresswell, and Leigh for one knights' fee. In 1297 Nicholas le Butler alone held the manor of Sandon only for the same service.¹³ In this example it is likely that the holder of 1297 died leaving his manor to three heirs instead of one. If Cresswell and Leigh were regarded as minor members of the main manor they may not have been deemed of sufficient importance to be mentioned in 1297, perhaps another instance of the earlier extent's lack of detail. A case on the Banco Roll for Hilary Term 1297 illustrates that Leigh was a manor in its own right which had been in the Leigh family since early in the reign of Henry III, and part of it had been enfeoffed

11 CIPM, iii, pp. 314, 301; *ibid.*, Adam the hunter's holdings in Madeley Heath increased from a fortieth to a twentieth of a knights' fee between 1297 and 1298, but his holding in Consall remained constant; Henry the cook had a tenth and a fortieth in 1297, but a twentieth and a tenth in 1298; Henry the cook the younger had a fortieth in 1297 and was omitted in 1298.

12 *Ibid.*, p. 314, similarly in Yoxall, the heirs of John the baker and Robert Selveyn were omitted in 1298, *ibid.*

13 *Ibid.*, pp. 301, 314, more than one heir took over in Rolleston, *ibid.*

to the Draycott family sometime after 1271.¹⁴ The omission from the extent remains puzzling; other tenants in Draycott are noted and the fine details of their holdings were also slightly different between 1297 and 1298.¹⁵ It is difficult to assess these changes from one extent to another, neither is consistently more accurate or more detailed. It seems the 1297 Stafford official did not include what he regarded as irrelevant additions; as changes occur on both documents, however, even this explanation is not completely satisfactory. As is often the case with evidence from Edmund's inquisition it is easy to see the differences, but not to explain them.

The final example from the inquisition post mortem concerns Alstonfield. In 1297 four men had holdings in the manor, Ralph de Vernon and Hugh Despenser held one knights' fee, Nicholas de Audley held a third of the manor and William de Stafford held a third of a knights' fee.¹⁶ By 1298 only Hugh Despenser and Ralph de Vernon appear on the extent doing the same service. There is no mention of the other two in connection with Alstonfield or elsewhere in the county.¹⁷ Other records prove that Audley had a well established association with Alstonfield. A Quo Warranto proceeding on the Coram Rege Roll of Trinity term 1294

14 SHC, vii, p. 39; ibid., iv, p. 187 (1272).

15 CIPM, iii, pp. 301, 314, in 1297 land in Draycott was held by the heir of Andrew de Jarpenville, in 1298 the tenant was Thomas de Pipe in right of his wife who must have been Jarpenville's daughter or sister; ibid., p. 301, the heirs of Robert de Sidenham who held in Draycott and Tattenhill in 1298 are omitted in 1297.

16 'Despensarius' and 'Audedele' are modernised to Despenser and Audley; see Appendix Two.

17 CIPM, iii, pp. 314, 300-1.

states that Nicholas de Audley would be allowed free warren in Alstonfield, Tunstall and other manors owing to a charter of King Henry III which had granted this right to his ancestor, James.¹⁸ This case links the Audleys with Tunstall in 1294, but as they are not connected with it in 1297-8 it suggests they held the land there from another lord. The case does, however, link the person of Audley with Edmund; later in the year the right of 'wayf' in the same manors was regranted to Audley by the king.¹⁹ He had been unable to attend the earlier hearings on the matter due to his absence in Gascony in the service of Edmund, the king's brother.²⁰ Such firm connections as a retainer of Edmund make his disappearance from the extent of 1298 difficult to explain. Other evidence illuminates the situation further. Audley died in 1299; his inquisition post mortem states that he held two parts of three parts of the township of Alstonfield of Ralph de Verdon for the service of two pence yearly.²¹ The snag is the surname, Verdon and not Vernon, usually the two names remain distinct. If the Vernon on Edmund's inquisition of 1298 is the same man as the Verdon on Audley's inquisition of 1299, it would suggest that Audley was omitted in 1298 because he held indirectly from Edmund via Vernon. Earlier records which are discussed below indicate that there were two different families named Verdon and Vernon so that this explanation, though convenient, is not plausible. Further,

18 SHC, vii, p. 17.

19 Ibid.

20 Ibid.

21 CIPM, iii, p. 409; SHC, xi, NS (1908), p. 254 the Alstonfield entry is said to be illegible.

the inquisition post mortem of William de Audley, the elder brother, who died in 1282-3 leaving Nicholas to inherit, states that William held one third of the manor (not township) of Alstonfield from the king of the honour of Chester.²² Though Nicholas de Audley held a third of the manor in 1297, he held it from the honour of Tutbury, not Chester, moreover, it is not the same holding that he held on his death and it is not the tenure he inherited from his brother. Trying to explain this is the crux of the matter. If this description of holdings in the manor and township mean that the Audleys held both, then between 1282-3 and 1299 the family gained another third in Alstonfield and changed tenure from the honour of Chester and the king, to the honour of Tutbury and Edmund. Perhaps it is even a sign of the rationalisation of lands between the two royal brothers. If, on the other hand, the holdings are distinct from one another, Nicholas acquired his interest in the township at the expense of his holding in the manor; these differences are hard to reconcile. There was a Robert de Stafford holding moieties of Radbourne and Muggington, and parts of Egginton and Atlow in Derbyshire in 1298 (this was a change from 1297 when he held the whole of the manors of Radbourne and Muggington, though there was some official confusion at the time).²³ There was also a James de Audley holding half a knights' fee in Raunds in Northamptonshire in 1298, but there is no definite connection between these

²² SHC, xi, NS (1908), p. 257.

²³ CIPM, iii, pp. 302, 312 John de Chaundos held the same manors in 1297, crosses in the margin indicate that officials at the time had noticed this. Stafford must have had parts of Egginton and Atlow in compensation, or he had held them all the time and they had been missed.

men and the Audley in Alstonfield and the Stafford holding in Sandon and Alstonfield.²⁴ Once again the differences in holdings and tenure are easy to identify, but the reasons behind these changes are difficult to determine.

The nature of the evidence gained from the inquisition post-mortem shows that it is fallible like any other source. It is not the definitive statement of how things stood on Edmund of Lancaster's death but it is as close as can be expected. The over-riding factor is that many of the same families held lands from the day of Edmund's death in 1296, to the date of the final extents in 1298. There were different types of inheritance going forward, from father to son, from elder to younger brother, a man inheriting by right of his wife, an inheritance being split between several heirs, but always the expected heir was taking over his or her inheritance without let or hindrance. In terms of tenantry then, the situation that Thomas of Lancaster inherited was a stable one. The picture of the holdings, the actual manors and lands, is not so sharply drawn. Holdings increased in size between 1297 and 1298 for which there is no obvious reason, although those holdings that decreased in size could well have diminished because there were assigned as dower. There is also the puzzling aspect of lands being mentioned on one extent and omitted on the other, and this is true in 1297 and 1298. In general, that of 1297 seems less detailed than that of 1298, but there are occasions when the opposite is true. No tenant appears in Staffordshire

²⁴ CIPM, iii, pp. 302, 312, 296 there is no 1297 inquisition for Northamptonshire.

in 1298 whose presence cannot be explained by what went before in 1297, although there are people who appear on one inquisition and fail to appear on the other.

The discussion will now turn to the inquisition of lands of the 'foreign' of Newcastle under Lyme. The early grants of Ferrers' lands had been made to Edmund by 5 August 1266, but he acquired Newcastle under Lyme by a grant of 1267 which gave him the honour of Lancaster and various other holdings. The grant does not add more than this, nor does it specifically include the grant of the 'foreign' of Newcastle. A grant of the 1290s proves that Newcastle was not part of the earldom of Derby; in a Quo Warranto inquiry of 1293 Edmund's own attorney stated that Newcastle had not been held by Robert de Ferrers.²⁵

Two documents mention Newcastle under Lyme: the inquisition of the 'foreign' of the town of 21 July 1297, and a list of places said to be knights' fees belonging to the manor on the main extent for Staffordshire dated 2 May 1297.²⁶ Almost all of the places on the inquisition of the 'foreign' of Newcastle under Lyme are different to those on the main 1297 extent. The exceptions are Knutton, Wolstanton with its advowson and the advowson of Stoke, the former is defined as a manor on the 'foreign' inquisition, but on the main extent there is a reference to the town of Knutton. Thus there may be a distinction between the manor, which was a member of the 'foreign' of Newcastle, and the town which was a member of the manor of Newcastle. Apart

²⁵ CChR, ii, p. 78; CIPM, iii, pp. 289-90; SHC, VI, i, p. 250.

²⁶ CIPM, iii, pp. 289, 315; PRO C 133/81 m 6, 37.

from Knutton and Wolstanton and the advowsons, the places connected with the 'foreign' of Newcastle are quite different.²⁷

Only one inquisition was taken of the 'foreign' of Newcastle and so no immediate comparison of the situation in the 1290s can be made. Hanley was held in fee by Robert, Lord of Hanley for six shillings yearly and a half a mark for a licence to enclose thirty-one acres of waste. He owed homage, wardship, marriage, relief, and suit every three weeks. He had to find a man on foot in the castle for forty days at his own charge in time of war, but in time of peace he did not have to contribute anything towards its guard.²⁸ The castle to which reference is made may be the one at Tutbury as the document states that though Newcastle was a capital messuage, it was 'the site of a castle not built' or it could be that he would have to provide this service once the castle was finished.²⁹ Edmund held a court in Newcastle every three weeks, and matters were referred to it as recorded on the Banco Roll of Michaelmas Term 1286.³⁰ In 1251 Henry III granted the burgesses of the town the privilege of collecting their fee farm rent. This meant that they would be free from the interference of the sheriff or the king's bailiff as long as the rent was paid on time. In 1293, however, Edmund insisted that they renounce this right and his bailiff would collect the rent.³¹ From the burgesses' point of

27 CIPM, iii, pp. 290, 315, 321, for the advowson.

28 CIPM, iii, p. 290.

29 Ibid., p. 289.

30 SHC, VI, i, p. 166.

31 CCHR, i, p. 367; T. Pape, Medieval Newcastle under Lyme (Manchester, 1928), pp. 56-8, 142.

view a 'foreign' bailiff once again had the right to interfere in their financial affairs. Clearly, Edmund insisted on this matter to give him a tighter control over the town's revenue, and a tradition which had been established for forty-two years was annulled because the lord wanted it changed and had the king's support. Edmund's lands in the 'foreign' of Newcastle under Lyme are not an isolated example. Roger de Bogenholt rendered fifty-five shillings a year for Longton which he held in fee, and eleven shillings and six pence for his 'foreign' lands.³² Newcastle under Lyme and its associated holdings then, is an example of lands in Staffordshire which were not part of the original Ferrers grant, but were granted to Edmund to supplement the lands he had already acquired in the area.

Finally, a note about the advowsons Edmund held in the county. The main 1297 and 1298 extents both agree that the advowsons of Hanbury, Uttoxeter, Tatenhill, Yoxall and Rolleston were held by Edmund of the honour of Tutbury.³³ The advowsons of Wolstanton and Tatenhill were further assigned to Blanche of Navarre, Edmund's widow, as part of her dower as stated in the original writ of Edmund's inquisition post mortem.³⁴ The advowsons of the churches of Stoke and Wolstanton and their chapels are noted as members of both the 'foreign' of Newcastle, and the manor of Newcastle, but a Quo.Warranto inquiry should have ended this confusion. Edward I tried to sue Edmund for these

³² CIPM, iii, p. 290.

³³ Ibid., pp. 315, 302.

³⁴ Ibid., pp. 288, 321; SHC, vii, p. 48 Blanche sued for a third of half of the manor of Yoxall as dower.

advowsons in 1293 and argued that as Henry III had been seized of them they were the Crown's. Edmund admitted this but pointed out that Henry III had granted him the advowsons with the manor of Newcastle under Lyme and he appealed to the chancellor's roll of 56 Henry III (1271-2). The case went to the King's Bench, and as Edmund held them on his death he must have won.³⁵ Obviously, they were members of the manor of Newcastle rather than the 'foreign' of the town, thus Tatenhill may have been the only advowson that had formerly been attached to Ferrers' patrimony. Although advowsons were a small part of Edmund's patrimony, their monetary value indicates at least one reason for making them the object of litigation. The manuscript of the schedule of advowsons on Edmund's inquisition post mortem states their individual values. Those in Staffordshire produced a total of £386 13s 4d.³⁶ Edmund was not only protecting his privilege to present to churches when he defended his position in court, but the source of a considerable income as well which could be used to pay a member of his own clerical staff.

The discussion now moves on from Edmund's inquisition to the Feudal Aid of 1284-5; it has an odd entry concerning the honour of Ferrers, it states

Edmund de Mortuo Mari [Mortimer] held of the gift of king Henry father of king Edward and by the confirmation of king Edward the whole of honour of Ferr[ers] of the king in chief though by what service was unknown.³⁷

This must be an error for Edmund of Lancaster, it cannot be anything else. It is an indication, moreover, of the

35 SHC, VI, i, pp. 245, 267; *ibid.*, vii, p. 5.

36 PRO C 133/81 m 49, see Appendix Five.

37 FA, v, p. 8.

errors that permeate these records. If officials were so easily confused as to the tenure of one of the highest earls in the land, inevitably, they will be wrong about less famous individuals and this should be remembered accordingly.

The majority of the lands mentioned on the 1297 and 1298 extents of Staffordshire do not appear on 1284-5 Aid, perhaps because they did not have to pay it. Seven places on the 1297-8 extents are noted, however, and have more or less the same tenants on the 1284-5 Feudal Aid, though the details are not always precisely the same.³⁸

In 1284-5 Robert de Somerville remained linked with Whichnor, Syrescote, and Newbold which he held for two and a half knights' fees of the honour of Tutbury. The knights' fees Somerville held in 1297-8 amounted to two and a quarter which included Tunstall.³⁹ There is no reference to Tunstall in 1284-5. On the face of it, therefore, he owed more service in the earlier period for a smaller holding. The reason there is no reference to Tunstall under Somerville in 1284-5 is that the inquisition post mortem of William de Audley for 1282-3 shows that he died seized of the manor and held it from Edmund. His heir is named as his brother, Nicholas, aged twenty-four and more. When Nicholas died in 1299 his inquisition states that he held only two thirds of the manor and those were held of the heirs of Eugenolf de Gresley.⁴⁰ Eugenolf de Gresley's

38 The places are: Whichnor, Syrescote, Newbold, Clifton Campville, Harlaston, Sandon, and Chebsey references will be given as they are discussed.

39 FA, v, p. 7; CIPM, iii, pp. 301, 314.

40 SHC, xi, NS (1908), pp. 246-7, other holdings from Edmund, *ibid.*, pp. 252-3; CIPM, iii, p. 408.

part in all this may be explained by recourse to an investigation made during the course of the Quo Warranto enquiries in 1294. Whilst trying to establish his right to view of frankpledge, assize of bread and beer, and wayf Nicholas stated that he claimed these rights in the manor of Tunstall because,

Engenulf de Grasele [Gresley] and Elena his wife, whose right the manor was formerly, gave it to one Adam de Aldithele [Audley] his ancestor, and Engenulph and Elena from time out of memory had held those liberties in that manor, and he appealed to a jury which found in his favour⁴¹

This suggests that the Audleys were the heirs of the Gresleys, because they surrendered their right to Tunstall when they gave it to Adam de Audley. The Somervilles could not be the Gresley heirs, so it may be that a minor branch of the Audley family held from a major one. Though the Somervilles held the whole manor in 1298, they had retained only a third of it by the following year because in 1299 Nicholas de Audley died holding two thirds of it.

Similarly, Geoffrey de Campville remains linked with Clifton Campville on the Feudal Aid which he held for one fee in 1284-5. Sheepy Magna in Leicestershire and Grendon in Warwickshire formed the rest of the holding recorded in 1298 and will be dealt with here. There is no surviving return for the county of Warwick in 1284-5; Sheepy Magna does appear on the Leicestershire return with interesting results. It states that Sheepy Magna, with the advowson of the church, was held by Richard de Harcourt for a third of a knights' fee; he held of Geoffrey de Campville, who held of Edmund, who held of the king. Thus it gives an

⁴¹ SHC, vii, p. 17; ibid., VI, i, p. 243.

additional 'layer' of tenancy than that recorded on the inquisition. Richard de Harcourt died before 1 March 1293 so it is possible that the holding had reverted to Campville by 1296.⁴² Still, the holding remained with his family and possibly the same man. The Campvilles had a number of legal dealings with the Vernons who held Harlaston and continued to do so in 1284-5.⁴³ As the only holding mentioned is Harlaston, which Richard de Vernon and Sir Gilbert le Franceis held for a third of a knights' fee, it is difficult to see whether the amount of service changed or not, since other holdings were included for the service noted in 1297-8. Certainly, Vernon held alone in 1297-8. The Feudal Aid states that Vernon was Sir Gilbert le Franceis' son; this is confirmed by a case on the Banco Roll of 1288 dealing with a disagreement over land in Harlaston. The different surname was due to Richard de Vernon adopting his mother's maiden name. Owing to the banishment of her cousins, both of whom would have inherited in the normal course of events before she did, Avice de Vernon became the heiress of Haddon in Derbyshire; though she married Gilbert le Franceis, her son wanted to continue with the name which had been associated with the manor for at least three generations.⁴⁴ Vernon also sued

42 FA, v, p. 8; CIPM, iii, p. 301, FA, iii, p. 102
'Harecurt' is modernised to Harcourt; CIPM, iii, pp. 75-6; Farrer, ii, p. 275.

43 SHC, VI, i, pp. 190, 210, 240, 245; ibid., vii, p. 22, suit over land delayed due to Vernon's imprisonment; ibid., VI, i, pp. 132-3 for further litigation.

44 G. Le Blanc Smith, Haddon, the Manor, the Hall, its Lords and Traditions (London, 1906), pp. 14-5, 166; CIPM, ii, p. 272, Franceis holding Nether Haddon, Derbyshire of Edmund; CPR 1272-81, pp. 415, 26, 303, 333, 360, 395 for references to Franceis' lands.

another Campville, Gerard, in the courts. Vernon had his facts wrong, however, the sheriff of Staffordshire returned that Campville held no lands in his bailiwick.⁴⁵

In Sandon the details are slightly different. The manor of Sandon, with Draycott, Cresswell and Leigh, had gone from Nicholas le Butler in 1297 to William le Butler, William de Stafford and Richard Draycott in 1298. In 1284-5 the manor with its appurtenances were held by William de Stafford, Richard le Butler, and William Tromwyn though the service they rendered is not noted. There are obvious links between Stafford and Butler; Farrer describes the three men as the heirs general of Warin de Vernon. This is interesting because it charts the descent of the manor.⁴⁶ The disappearance of Tromwyn by 1298 can perhaps be explained by identifying him with the William 'Trumwyne alias Trwmwine the elder' who died before before 22 April 1296. His inquisition post mortem states that he held two parts of two parts of a mill in Sandon which he held of William Stafford, and five royal acres in the same place of Richard le Butler, rendering sixpence a year.⁴⁷ He had an heir named William of full age, but clearly he did not continue to hold the same tenements as his father. Here there may be an example of a well-established tenant disappearing from lands held by Edmund. A very complex legal case of 1279, however, suggests that this should never have been possible. William de Stafford, James his

⁴⁵ FA, v, p. 8; CIPM, iii, pp. 300, 314; Farrer, ii, p. 278; SHC, vi, i, pp. 183, 198.

⁴⁶ CIPM, iii, pp. 314, 301; 'Botiler' and 'Draicote' are modernised to Butler and Draycott; FA, v, p. 6; Farrer, ii, p. 264.

⁴⁷ CIPM, iii, p. 203; SHC, vii, p. 35.

son, Thomas Ferrers and thirty-eight others were cited as having unjustly disseized William Tromwyn of his free tenement in Great and Little Sandon, two parts of a mill and other lands. Although William withdrew his suit, an agreement was drawn up which ensured that he obtained the parts of the manor that he claimed. He and his heirs got one part to hold in fee 'forever', a second part for his lifetime, and a third part went to William de Stafford and his heirs forever, and the same sort of partition was agreed for the mill, all the other lands in question were also conceded by Stafford to Tromwyn and his heirs forever.⁴⁸ It is strange, therefore, that Stafford should appear in 1298 and Tromwyn should not.

A large number of places on the main 1297-8 extents, however, do not appear on the Feudal Aid of 1284-5. It is possible to link these places with the men who were holding from Edmund when he died, and it is the litigation in which the population indulged which is useful for this purpose as the following two examples illustrate.

In 1289 Henry Oweyn appears in an assize accused with twenty-four others of unjustly disseizing Thomas de Ferrers of Loxley of twenty acres of wood in Loxley. The defendants took exception to the writ because the wood was located in Uttoxeter; and Ferrers had to withdraw it.⁴⁹ It is difficult to say whether Ferrers was the injured party or just trying to be a nuisance, nonetheless, it connects

⁴⁸ SHC, VI, i, p. 142; other cases concerning the Tromwyns, *ibid.*, pp. 93, 95, 96, 133-4, 146, 185, 196; Hastings in Chebsey held one fee in 1297-8 and two 1284-5, CIPM, iii, pp. 300, 314; FA, v, p. 4,
⁴⁹ SHC, VI, i, p. 186.

him with Loxley.⁵⁰

The same Henry Oweyn can be linked with Uttoxeter. In 1282 he was called to warranty in a case concerning land there; he argued that Queen Eleanor, wife of Henry III, had demised the tenement to him whilst the lands were in her charge during the minority of Robert de Ferrers, Earl of Derby. When the latter came of age he enfeoffed Oweyn in the tenement himself. Oweyn called John de Ferrers to warranty who produced his father's grant to Oweyn who won his case.⁵¹ This evidence not only confirms that Oweyn held land in Uttoxeter in 1282, it pushes his tenure back to the time of Robert de Ferrers between 1260-66. Furthermore, this is vital confirmation of a man holding directly from Ferrers going on to hold in the same way from Edmund, or at least the same family was doing so.

The evidence for the manor and 'foreign' of Newcastle under Lyme in the 1280s is not great and they are omitted from the Feudal Aid of 1284-5. Edward I granted a yearly fair 'on the vigil, feast and morrow of Holy Trinity' to the burgesses in Newcastle on 27 May 1281 at Edmund's request.⁵² On 27 June 1282 a mandate to the bailiffs ordered them to prevent anyone

interfering with the burgesses, good men, bakers, brewers, butchers, fishers, carriers, millers or other artificers of Newcastle... while they are doing their offices for Edmund the king's brother in accordance with a recent writ of aid.⁵³

50 SHC, V, i, p. 117.

51 SHC, VI, i, p. 152; *ibid.*, p. 104, the Rolleston family are connected with Edmund in Rolleston via a court case.

52 CChR, ii, p. 252.

53 CPR 1281-92, p. 29; for cases in the town in 1280 and 1286 concerning the protection of merchants' rights according to royal charters see CChR, i, pp. 71-2, 213, Pape, p. 42; SHC, VI, i, pp. 111-12, 166.

The offices are not specified, but they may have been in connection with the aid, and the mandate implies that people may have been trying to prevent the artificers of Newcastle from going about their lord's business. The manor of Knutton, though it does not feature on the Feudal Aid of 1284-5, can still be linked to one of the men holding of Edmund in 1297. Robert de Knotton, Ranulph de Bromley and Peter de Arderne held the manor for one knights' fee in 1297. The latter was sued for dower by Matilda, the widow of William de Arderne, in 1285 and 1286.⁵⁴ Thus Peter de Arderne was concerned with the same place in the 1280s as he was in the 1290s.

Manors belonging to the manor of Newcastle can be connected with the Audley family at this period. Lucy, the widow of Henry de Audley who died in 1275-6, married again and by 1281 she and her new husband, William de Ryther, were suing the next holder, William de Audley, for the dower owed to her by Henry. She claimed a third of the manor of Dimsdale and the vill of Knutton, and a pound of cummin from Newcastle, as well as interests in other holdings. She also claimed a third of the manor of 'Dunestall'. One authority identifies all references in medieval documents to 'Tunstall' as references to 'Dunestall', though it seems a doubtful identification. The Audleys were closely connected with Tunstall as has already been pointed out. Audley's reply to Matilda's suit was that on 2 November 1280 when she took out her writ he held only a bovaté of land in Knutton and a virgate of land in

⁵⁴ SHC, VI, i, pp. 137-8, 161; CIPM, iii, p. 290.

Dimsdale. Moreover Ela, the widow of James de Audley who died in 1272, still held a mark of rent in Newcastle under Lyme and a third of six other tenements. The inquisition post-mortem of Henry de Audley does not mention Knutton, Dimsdale or Newcastle under Lyme. It does refer to Cold Norton which could be identified with Knutton, but it is unlikely as he held these lands of Robert de Hastings, not Edmund.⁵⁵ The outcome of the case is unknown. It is strange to think that Lucy could have been so mistaken as to what her husband held, but the inquisition supports William de Audley in his attempt to refute her suit.

The attempt to take the holders of 1297-8 back to the 1280s seems to go no further. A look at the lists culled from Edmund's inquisition in Appendix One indicates how many places are without a link at this date. Evidence does exist, however, for 1274-5, mainly due to the Hundred Rolls and it is to this period that the discussion must turn.

The Hundred Rolls for Staffordshire provide some useful information;⁵⁶ they illustrate that the Audley connection with Alstonfield goes back to 1274 when the barons of the same, Henry de Audley and his co-parceners, Hugh le Despenser and Warin de Verdun, gave a mark annually to the sheriff for a view of frankpledge. The same men also claimed the right of gallows in the manor, though by unknown warrant. The barons of Alstonfield took advantage

55 SHC, VI, i, p. 113; ibid., 76, iv, p. 169 for court cases concerning the Wythers; Hardy, p. 131 for Tunstall/Dunstall debate.

56 The return for Totmanslow Hundred has been discovered since 1818, see H. Cam, The Hundred and the Hundred Rolls (London, 1963), pp. 49, 259, published in SHC, V, i, pp. 117-21.

of the opportunity to extend their rights. The sheriff held a court there annually, or received a fine, and this was first withheld in the time of Hugh le Despenser. Henry de Audley and two others (possibly his fellow barons though the record is not precise) had sergeancies and they forcibly and unjustly took a toll through their demesne lands and elsewhere.⁵⁷ The inquisition post mortem of Henry de Audley has already been discussed. Once again a Verdon is associated with both the Audleys and Alstonfield as in Edmund's inquisition of 1297-8. In the 1270s too there are inquisitions post mortem of the Audley family which confirm that they held two thirds of the manor of Alstonfield from the honour of Chester and not from the honour of Tutbury at this period.⁵⁸ This earlier evidence reaffirms that an exchange of some kind must have occurred with regard to the lordship of Alstonfield.

Although there is no mention of Tunstall on the Hundred Rolls, the inquisition of Henry de Audley of 1275-6 testifies that he died holding this vill. He was also involved in a dispute with Edmund at the time of his death for failing to do service at Edmund's court at Newcastle under Lyme. In 1272-3 the holding of James de Audley seemed rather smaller and was worth a little less.⁵⁹ The point is that it was the Audley family in control and there is no sign of the Somervilles who were prominent in 1297-8. The Somervilles can be shown to have a link with Syerscote in 1272, a Pedes Finium shows that John de Somerville was

57 SHC, V, i, pp. 118-19 from Totmanslow Hundred.

58 Ibid., xi, NS (1908), pp. 243-4.

59 Ibid., Henry held Tunstall and a carucate of land worth £14 6s 8d; James held lands and a quarry there worth £13 13s 3d.

establishing his right to tenements there against possible relatives, James de Somerville and his wife, Isabella. John must have been the grandfather of Edmund de Somerville who held of the honour of Tutbury in 1298, so their tenure in Syerscote was of longer duration than in Tunstall.⁶⁰

The Hundred Rolls confirm the connection of Thomas de Ferrers and Loxley stating that he held a quarter of a knights' fee in Loxley of the manor of Uttoxeter from Edmund, exactly the same service that he rendered for the manor in 1298. Edmund's constable of Tutbury, Robert de Waldechef, distrained Ferrers for two marks to try and make him take up knighthood, a profitable pastime for the lord of the manor. Two entries on the Pedes.Finium also link Thomas de Ferrers with Loxley in July 1272.⁶¹ Not only the same family, but probably the same man and certainly the same service is evident here.

The Hundred Rolls reveal that Edmund held the manor of Uttoxeter by reason of the honour of Tutbury for one knights' fee of the king. This service was not specified on Edmund's inquisition post mortem, although the monetary value of the manor is stated (£71 5s 5d). The jurors of the inquiry were not so certain about his claim to the right of gallows, and assize of bread and ale which he held by unknown warrant.⁶² Henry Oweyn, who has been discussed

60 SHC, iv, pp. 252-3, no. 182; Hardy, p. 67, the genealogy shows John had a son, Robert, and a wife, Isabella, but no James.

61 SHC, V, i, pp. 171, 121; RH, i, p. 59, ibid. ii, p. 293; Pym Yeatman, II, iii, pp. 57, 46 Derbyshire men were similarly distrained; Farrer, ii, p. 263; CIPM, iii, p. 301, SHC, iv, pp. 256-7, nos 219, 225; see Appendix Two.

62 SHC, V, i, p. 117; ibid., (1911) p. 250; ibid., V, i, p. 118; Farrer, ii, p. 261; CIPM, iii, p. 302.

above, is shown to be one of those less than honest officials that the inquiry sought to expose. As Edmund's bailiff in Uttoxeter, he took William the Gardiner and William de Deulacres under an indictment of Magna Curia of the court in Uttoxeter and sent them to the prison of 'Bruge' probably to be identified with Bridgnorth castle gaol in Shropshire; it had a county gaol by 1203, although it had probably been abandoned as such by the mid-1280s. The prison refused to receive them and sent them back to the town, where Henry Oweyn charged them twenty shillings to admit them to bail. Nonetheless, an Oweyn was holding tenements in Uttoxeter in 1298. A plea from 1293 states that a man suspected of committing a murder in the borough of Tutbury was imprisoned there until his trial. If it was a county gaol in the custody of the sheriff then presumably prisoners would be sent to Bridgnorth from both Tutbury and Uttoxeter. The crossing of the county boundary can be explained by the fact that Shropshire and Staffordshire formed one administrative unit.⁶³

The information from the Hundred Rolls goes no further for Uttoxeter, but a case on the Banco Roll of 1273 indicates that Edmund obtained the advowson of the church there by lodging a claim against Robert de Ferrers for it. The jury declared that Edmund had last presented Theobald de Verdun, his clerk, who had been admitted and instituted. This suggests that Ferrers may have been trying to get the advowson back again, but as usual he failed.⁶⁴ The same

⁶³ SHC, V, i, p. 119; CIPM, iii, p. 301; VCH Shrops, iii, p. 32; SHC, VI, i, p. 258.

⁶⁴ SHC, VI, i, p. 60.

verdict was returned over presentation to the church of Hanbury in 1276. Although Hanbury belonged to the manor of Tutbury the point can be made here. Edmund was asked to explain why he had impeded Ferrers' presentation to the church when Edmund had restored Ferrers to the manor of Tutbury and the church of Hanbury which was appurtenant to it. Edmund stated that he had formerly had seizin of Tutbury and had presented the last clerk, and Ferrers could not deny this.⁶⁵ The intriguing question is why Ferrers should think that Edmund had restored the manor of Tutbury to him. Whatever he argued, however, it did not get him anywhere. Edmund also appeared in a case on the Plea Roll of 1272 against Ferrers claiming that he should present a parson to the church of Rolleston which was vacant; Edmund claimed that the donation of the church belonged to him. The outcome of this case is unknown, but since Edmund was still in possession of this advowson in 1297-8 Ferrers can have had little success in this case either. These cases illustrate once again that rights to the advowsons of churches were defended as fiercely as any other tenure, and their financial value made it a worthwhile defence; the combined value of Uttoxeter, Rolleston and Hanbury was a £173 6s. 8d.⁶⁶ Ferrers, it appears, pursued many claims in the courts, whether he thought he had a chance of winning or not. In some instances, such as the Hanbury case, it is evident that he did not have much chance of success, but he still brought the case. He was obviously trying to make a

⁶⁵ SHC, VI, i, p. 76.

⁶⁶ Ibid., iv, p. 187; *ibid.*, VI, i, p. 104 another case concerning Rolleston; PRO C 133/81 m 49, see Appendix Five.

point, either taking a stand against Edmund on principle or to cause him as much inconvenience as possible.

Whilst the evidence on the Hundred Rolls comes to a halt for Staffordshire, the legal records that have proved so valuable come once more into prominence. The manor of Crakemarsh can be linked with the Verdun family in 1274-5 by virtue of a case on the Banco Roll in which Eleanor de Verdun, widow of John, was suing their son, Theobald, for her dower. In 1298 it was probably this same Theobald who held four knights' fees in Crakemarsh and other places of the honour of Tutbury.⁶⁷ John de Verdon, Theobald's father, died in 1274; his inquisition post mortem states that he had held not only Crakemarsh from the Earl of Ferrers by doing suit of court at the honour of Tutbury, but Stramshall of the lord of Tutbury in chief. It is noteworthy that a distinction was made in the style of the lord of these places when it was the same man, Edmund. Stramshall does not appear on Edmund's inquisition post mortem, a holding he could have lost by 1296.⁶⁸ Similarly, with Creighton in 1275 which the same man was said to hold of the manor of Uttoxeter from Edmund, 'the king's brother'.⁶⁹ The Verduns obviously had a well established tenure of Crakemarsh, even if they had exchanged some of these holdings for others by 1298. This earlier evidence suggests that the names Verdon and Vernon were distinct from one another. There is no John and Eleanor who had a son called Theobald amongst the genealogy of the Vernons of

67 SHC, VI, i, pp. 71, 81; CIPM, iii, pp. 300, 314.

68 CIPM, ii, p. 59; Farrer, ii, p. 260, gives 1276 as the date of John de Verdon's inquisition.

69 SHC, V, i, p. 117.

Haddon.⁷⁰

Another example of continuity can be found in the manor of Leigh which with Sandon, Draycott and Cresswell were held by Richard de Draycott, William le Butler and William de Stafford in 1298. As mentioned above a case on the Banco Roll of 1297 illustrates that Philip de Leigh enfeoffed Philip de Draycott in the manor. A case on the Plea Roll of 1272 has Matilda, widow of Robert de Leigh, suing for her dower and Philip de Draycott being called to warranty by one of the parties being sued, which means that his connection with Leigh goes back to at least 1272. It is the same with Richard le Butler and Andrew de Jarpenville; the former sued Philip de Draycott over matters in Draycott in 1276. Andrew de Jarpenville, on the other hand, whose service was taken over by Thomas de Pipe in right of his wife in 1298, had an assize of novel disseizin against him withdrawn in 1276. These cases are sufficient to prove that the families of the men named on Edmund's inquisition post-mortem were associated with Draycott twenty years before he died.⁷¹

The final example comes from Sandon where William Tromwyn was as actively engaged in the manor's affairs in the 1270s as he was in the 1280s. A case on the Assize Roll from 1272 clarifies the tenure of Sandon as it stood at the time and adds more to the discussion of the manor begun above; it states that Tromwyn, Richard le Butler and John de Litlebiri held the vill of Sandon 'as a single

⁷⁰ Le Blanc Smith, p. 166 (foldout).

⁷¹ CIPM, iii, p. 301; SHC, vii, p. 39; *ibid.*, iv, pp. 187, 183, a case possibly about Leigh; *ibid.*, V, i, pp. 140, 146, a case involving Hastings at Chebsey; *ibid.*, iv, pp. 258-9, no. 243, Burgo at Rudlow.

heir' of William Maubank; of these three, only the Butler family was present in 1297 and 1298. Littlebiri was the 'liegeman' and tenant of Tromwyn who was also his co-parcener. If Tromwyn had his own liegemen he must have been a man of consequence in Sandon, an example of that 'lordship squared' to which Coss refers, a great feudatory, like Edmund of Lancaster, who dominated lesser seigneurs, like Tromwyn, who in turn had liegemen of their own.⁷² The 1272 case was a plea of John de Smalris, also a liegeman of Tromwyn, who accused four men, one of whom was Littlebiri, of depriving him of sufficient pasture for his tenement. The verdict was that though Smalris had enough pasture, the accused prevented him from reaching it, hardly the act of a good lord.⁷³ Another case from 1276, however, has the three lords, plus Smalris and ten others, accused of the same act; the conclusion of the case is unrecorded. Smalris was not always the victim and this kind of act was common.⁷⁴ Tromwyn too was on the receiving end of unlawful acts, in 1273 he and others accused forty-four men of attacking his crops and cattle in Sandon with bows and arrows. Tromwyn alone accused eighteen men of breaking into his house and taking twenty pounds worth of goods in 1279, and Tromwyn's son, William, appeared in the same year complaining of attack by seven men taking goods and chattels worth ten pounds in the same violent manner.⁷⁵ All of these cases lend weight to the belief that Tromwyn

72 P.R. Coss, 'Bastard Feudalism Revised', *P&P* (1989), p 50

73 Ibid., VI, i, p. 196, Tromwyns, Stafford, a Butler and others were accused of stealing Smalris' sheep in 1290.

74 SHC, iv, p. 199; *ibid.*, pp. 18, 250-1, Tromwyn cases.

75 Ibid., VI, i, pp. 58, 93, 95, 96.

was a man of considerable weight in Sandon; he was a man who, with others of the same status, may have been trying to use his position to extend his lands. By the same token, he was a target for others of an unscrupulous nature. If he and his son had not been major figures, there would have been little point in launching attacks upon them. They may not have been well liked either, the attacks were separated by six years, but they all occurred in the 1270s and in 1279 it is clear that both father and son suffered harrassment at the very least. So far this concentrated armed violence has not been found in any other county, particularly in the 1270s. If it had been a decade earlier it would not be as surprising. As the verdicts in these cases do not seem to be recorded such evidence of unlawful acts should not be built upon too far, though it seems likely that violence was more of a norm than an exception. Similarly, perversion of the courts and legal process for unworthy ends was not unknown, and its occurrence should be duly noted.⁷⁶ The complex legal case of 1279 discussed above proves that Tromwyn believed he was leaving his heir, William, with a permanent holding in Sandon, and the evidence of the 1270s supports the view that this should have been so.

Thus the evidence to prove the connection between those families represented on Edmund's inquisition post

76 R.W. Kaeuper, 'Law and Order in Fourteenth Century England: the Evidence of Special Commissions of Oyer and Terminer', Speculum (1979), p. 760, writes about special commissions of oyer and terminer, but makes the general point that for all of Edward's reputation, legal process was not above reproach, it was another means of besting enemies, a tool to be used for personal advantage.

mortem and the Hundred Rolls is substantial. When that information runs out, however, the vast source formed by legal records can be of immense assistance.

The same is true for the manor of Newcastle, and two examples are particularly important. In Hanchurch, a member of the manor of Newcastle, Edmund and nine others were accused of unjustly disseizing a man of lands.⁷⁷ The record goes no further, but it illustrates that the attempt to appropriate others' lands was made by the highest in the land as well as the more lowly. The evidence does not state that Edmund held land in Hanchurch but it does link his name with the area in 1271.

The second example brings the Audley family to the fore once again. James de Audley (c.1220-72) farmed the castle and manor of Newcastle under Lyme before the Barons' War and in 1279 debts were still outstanding which his son, William, was excused. Though some of these debts were due to flood damage rendering the mill inactive, others were due to the war and will be discussed below.⁷⁸ Legal records also link Audley with Newcastle under Lyme in the 1270s.⁷⁹ Edmund's inquisition post mortem, however, does not name a particular tenant for the town though Edmund died seized of it. The farmer must have been Edmund's man, but the record does not state this. Also if Audley held the town before the Baron's War, Simon de Montfort was its lord, and Audley must have been one of his men. The date of Audley's appointment is needed and what happened to him

⁷⁷ SHC, VI, i, p. 51.

⁷⁸ CCR-1272-9, p. 544; Pape, pp. 30-1.

⁷⁹ SHC, iv, pp. 196, 213.

and his office after 1265. By 1270 the lease of the manor of Newcastle under Lyme was confirmed to Roger Longespee, Bishop of Coventry and Lichfield (1257-95) for three years from the 18 May, this probably formed part of Edmund's preparations for his departure on crusade in February 1271, though Newcastle under Lyme was regularly let out to farm or leased, so that the lease to the bishop was not solely due to the crusade. Edmund left his mother, Queen Eleanor, sweeping powers so that she could manage his lands and officers whilst he was absent. The Bishop of Coventry and Lichfield was one of those acting with her on Edmund's behalf by August, 1271 which supports the connection with Edmund's crusading arrangements.⁸⁰

It is time to turn to the 1260s the decade when the upheaval of the Barons' War brought about the events which led to the formation of the earldom of Lancaster. For most counties an important document used to determine the state of lands after the battle of Evesham in 1265 is the so-called Winchester Inquisition.⁸¹ The knights, Philip le Bret and Odo de Hodenet, were appointed to make inquiries in Staffordshire and Shropshire, but there is no trace of either county amongst the surviving returns. Indeed, a further six counties had knights appointed to look into the territorial situation and their returns are also missing.⁸¹ Perhaps the knights experienced difficulty in Staffordshire because of the statement made in 1272 that 'the whole of

⁸⁰ CPR 1266-72, p. 428; HBC, p. 253; S. Lloyd, English Society and the Crusade 1216-1307, (Oxford, 1988), pp. 169, 121, 122.

⁸¹ CIM, i, pp. 186-288.

⁸² Missing counties: Cornwall, Cumberland, Hereford, Lancaster, Somerset and Westmoreland.

the county of Stafford was against the king'; although this might explain the disappearance of the returns for Staffordshire, it sheds no light on those missing for the other counties.⁸³ Despite the lack of a return for Staffordshire, it is the legal records of the 1260s and the early 1270s which throw light upon the situation in Staffordshire during this period when lands were changing hands rapidly with little regard for the usual procedures. One of the main objectives is to establish a connection between Robert de Ferrers, Earl of Derby, and the tenants of the county. If those same tenants (or their families) went on to hold from Edmund in 1297-8, thus retaining their interest after the upheaval of the Barons' War, it illustrates an important degree of continuity.

The Vernon connection with Harlaston is one which makes this leap. Richard de Vernon was appointed as one of the Monfortian Keepers of the Peace in the counties of Nottingham and Derby on 27 June 1264. The return for Derby on the Winchester Inquisition states that in 1265 he held half the towns of Haddon and Baslow which Robert de Ferrers, Earl of Derby seized because he had held the castle of the Peak against the Lord Edward on behalf of Henry de Montfort; Haddon was granted to Eleanor, wife of Edward I on 17 October 1265. Richard de Vernon was finally admitted to the king's peace in 1268 on the mainprize of Gilbert le Franceis of the county of Buckingham, Simon de Cotes of the county of Northampton and William de

⁸³ SHC, iv, p. 185

Montgomery of the county of Derby.⁸⁴ Two of these men are linked with Edmund. Franceis held a third of the manor of Harlaston in 1284-5 with his son, another Richard de Vernon who was born in 1261. A William de Montgomery was also holding extensive lands from Edmund in the county of Derby in 1297-8.⁸⁵ Men who could be trusted and who may even have been known to Edmund, if not the king, were chosen to vouch for Vernon. This is not unexpected but cannot often be proved. Richard is a very common name amongst the Vernon family, it is likely that this Richard is the man said to have been banished from the realm, though not for his activities during the rebellion for which he was pardoned as already noted. His brother, Robert is also said to have been banished from the realm, but he too was pardoned for misdemeanours during the Barons' War. Robert was said to have been of the household and fellowship of John Giffard during the time of the disturbance of the realm, and ironically, was pardoned for non-observance of the Provisions of Oxford, it must have been hard to be punished for something the king had done repeatedly. The king promised that in so far as he could, he would 'save him harmless towards those who complained against him' with regard to the trespasses he had committed up to the 10 March 1268.⁸⁶ Both Richard and Robert had a cousin, Avice, who was married to Gilbert le Franceis, because of the alleged banishment of Richard and Robert, she became the heiress as discussed above. The banishment of the Vernon

84 CPR-1258-66, p. 327, 466; CIM, i, pp. 196; SHC, viii, pp. 5-6; CPR-1266-72, p. 375; Farrer, ii, p. 277.

85 FA, v, p. 8; CIPM, iii, pp. 302, 311.

86 CPR-1266-72, p. 429; Le Blanc Smith, pp. 14, 166.

brothers is rather suspect. Although it is not possible to prove it conclusively there may have been a move to purposely disinherit the brothers in their cousin Avice's favour. 'The Lost History of Peak Forest', rescued from oblivion in the Public Record Office by Pym Yeatman, claims that the brothers were banished for poaching deer. The record of pleas concerning the forest states that Richard de Vernon and two others were caught taking the king's deer on 14 September 1254. One of the men was pardoned because he was poor, the other was fined twenty shillings and it is suggested that Vernon was outlawed and banished for his part in the incident.⁸⁷ This hypothesis is ridiculous. Anyone who received such a punishment in 1254 should not have been in the country to take part in the Barons' Wars, let alone be pardoned for his activities during the period. Furthermore, Robert de Vernon is unmentioned. Pym Yeatman and others point out that by 1254 the poaching of deer was not punished by harsh penalties, men poached deer and were fined repeatedly for this activity.⁸⁸ In addition Richard de Vernon was bailiff in Peak forest in 1254-5, hardly an office he could take up if he had been outlawed; his heir Richard held the same office 1289-90.⁸⁹ If the Vernon brothers were banished it was not for poaching or involvement in the Barons' War. A family feud of some kind is a more likely explanation, it is certain that the heir of the brothers was Richard de Vernon, son of Gilbert le Franceis and their cousin Avice, and not one of their own

87 Pym Yeatman, III, v, p. 201, *ibid.*, III, vi, p. 281.

88 *Ibid.*, III, v, pp. 196-7.

89 Pym Yeatman, III, vi, p. 266, 279, 277.

offspring. If family politics were behind the brothers' disinheritance, either Avise or her husband must have been involved, perhaps Franceis' acting for Richard when he was pardoned for misdemeanours in the Barons' War was part of the bargain. The exact truth of the matter remains unknown. On 16 January 1266

protection [was granted] until Purification [2 February] for Richard de Vernon going with Simon de Montfort the younger beyond seas, while staying in the realm [sic]⁹⁰

The grant implies that he had protection within the realm for the period, rather than protection for the time he was outside the country which was usually the case. Clearly, he spent some time abroad and had connections with the de Montforts, but there is no suggestion of banishment, and he was pardoned after this date. Although the Vernon involved in the wars of the 1260s was not the same man who held in 1297-8, it is clear that a family interest was maintained in Harlaston. Thus a man whose family held from Ferrers, fought against the king in the Barons War, surfaced from it, and still left the family interest in Harlaston intact.

More positive evidence of opposition comes from Robert de Melbourne holding in Hoar Cross. In 1268 he was accused of taking away Walter de Burges' goods from the manor of Hoar Cross, the opposite of what one would expect as he held it. Melbourne did not appear and the sheriff was ordered to distrain his lands for the value of what he had taken. The sheriff, however, could not get hold of Melbourne because he was staying in Leicestershire, and stated that his lands were out of cultivation, implying

⁹⁰ CPR.1258-66, p. 538.

that there was nothing to be gained by distraint. In 1269 a ratification on the Patent Roll confirmed the restitution of ten pounds' worth of Melbourne's lands in Hoar Cross. It had been given to Burges 'by occasion of trespasses' committed by Melbourne 'in the time of the late disturbance'.⁹¹ Thus a man involved in the wars regained his lands and his family went on to hold from Edmund. The evidence also proves that the value of land was affected, and the normal procedures of cultivation upset during the period of the Barons' War. Such was the disruption that no money could be raised from land that in the ordinary run of things was worth at least ten pounds. Two cases of 1262 and 1263 link Robert de Ferrers with Hoar Cross when he was suing his mother over her dower and the waste which took place on some of the lands she had had in her care during his minority.⁹² It connects the Ferrers to Hoar Cross and it is likely that Melbourne was his tenant there.

A final example links Robert de Hastings to Chebsey. In 1271 he was called to account for the taking of five stags and three hinds from Kinver forest without warrant in 46 Henry III (1261-2). He and his associates were accused of taking the animals to Hastings' house at Chebsey; Hastings and his servant were imprisoned, another was imprisoned but released on payment of twenty shillings, and the arrest of the others was ordered. The illegal hunting of deer was a common crime, and was regarded as a serious matter; it was no longer a cause for the removal of limbs,

⁹¹ SHC, iv, p. 169; CPR 1266-72, p. 328.

⁹² SHC, iv, pp. 152, 153-4, see Section I: 1, p. 4.

but fines and imprisonment were imposed. That someone should be punished ten years after the act had been committed is sufficient testimony to the attitude which was taken towards it. The case supports the view that though this sort of crime may have been committed at a time when normal procedures were disrupted, illegal acts would eventually earn their reward, even if the law took time to catch up with such malefactors. This case also illustrates the ludicrous nature of the assertion that the Vernon brothers were banished from the realm for such an act.⁹³

Thus despite the Winchester Inquisition's missing return for Staffordshire, the connection of men holding from Ferrers, rebelling with him, losing their lands, regaining them, and then going on to hold from Edmund can all be proved. Other families can also be linked with the places they held from Edmund although their example adds little to what has been illustrated above.⁹⁴ For the remaining places that cannot be linked in this way in the 1260s see the lists in Appendix One.

There are a number of places in the manor and 'foreign' of Newcastle that have information from the 1260s; details from two locations add interest to the picture which is emerging. On 20 March 1265 Newcastle under Lyme was granted to Simon de Montfort by Henry III along with other lands. There are two records of the grant, although the Charter Roll

93 SHC, V, i, p. 140; *ibid.*, pp. 146, 133, 1264-5 another case involving Hastings and others.

94 *Ibid.*, iv, p. 144, 1260 Curzons linked with Fauld; *ibid.*, pp. 144, 145-6, 1260 Campvilles linked with Clifton Campville via pleas for dower; *ibid.*, p. 149, a 1261 case clarifying Clifton family relationships; *ibid.*, pp. 250-1, 1267 Tromwyn linked with Sandon.

specifies the inclusion of the appurtenances, as well as the castle and the town, tenure of the manor is only implied. The 'foreign' is not mentioned as would be expected, this was clearly a later grant which sought to enlarge Edmund's original holding in and around the manor. De Montfort was to hold all in Newcastle under Lyme as the king had held it; in origin the town had been part of the royal demesne. This grant proves that it came to Edmund as a result of the confiscations visited upon the rebellious Earl of Leicester and had nothing to do with Ferrers' disinheritance. In 1268 the town was granted to Edmund 'with the honour, advowson of churches and all other appurtenances'; the reference to the 'honour' seems a new departure. There is also a note to the Prior of Trentham to be intendant to Edmund if the advowson of the priory should fall within the grant.⁹⁵

Although there is no evidence for the intervening period, a court case of 1266 connects the holder of 1297 with Knutton. In 1297 three men held the manor, one of them was Peter de Arderne.⁹⁶ On 7 January 1266, Adam de Arderne, whilst 'in prison for the king and Edward his son' had goods and chattels taken away from his house at Knutton by the cellarer of 'Stanes' and others, who kept them.⁹⁷ 'Stanes' is to be identified with the Priory of Stone, an establishment of Augustinian Canons of a rather military aspect; this was not the only criminal act in which the house

⁹⁵ CChR, ii, p. 54; CPR-1258-66, pp. 416, 186; Pape, p. 30
incorrectly refers to a charter of 1267.

⁹⁶ CIPM, iii, p. 290.

⁹⁷ SHC, iv, p. 160.

was involved.⁹⁸ As the case went to court in early 1266 Arderne was not involved with the fighting against Ferrers at Chesterfield which occurred on 15 May 1266. Depending on how long cases took to come to court, Arderne could have been imprisoned after the battle of Lewes on 14 May 1264 or even that of Northampton on 5 April 1264, and only released to return home and press his charges against the cellarer and his company after the battle of Evesham on 4 August 1265. This case links the same family in the same area between 1266 and 1297, and proves that there was at least one man fighting for the king who hailed from Staffordshire, a county which was said to be totally against the king in later years.⁹⁹ Other cases show that another member of the same family had also followed the king. In September 1265, Thomas de Arderne charged William de Hondesacre with carrying away his goods and chattels from Charlton during the Barons' War when he Thomas had 'faithfully and constantly adhered to the Lord King and Edward his son'. He seems to have escaped imprisonment, though not the spoilation of his land. By the following January it was found that the distraint placed on Hondesacre could not be carried out because his lands had been given to James de Audley, leaving the sheriff unable to get anything out of Hondesacre for Arderne's benefit. The sheriff was ordered to arrest Hondesacre 'if he can be

98 Ibid., pp. 113, n. 1, 158, 159, 160, 161; D. Knowles, Medieval and Religious Houses in England and Wales (London, 1971), pp. 114, 175; VCH Staffs, iii, p. 242, the Prior was accused of impounding three hundred sheep and beating the shepherd of the Abbot of Hulton, and later ruining his corn; the priory was plundered in 1263 by royalist forces and may have been driven to crime for survival, but looting religious are an unusual prospect whatever the circumstances.

99 SHC, iv, p. 185.

found'.¹⁰⁰ Going on to hold from Edmund of Lancaster must have been a fitting end to the family's efforts. It seems that the Arderne family as a whole remained loyal to the king along with at least seven others, though the latter group would not necessarily have held from Edmund.¹⁰¹ Thus the evidence for the 1260s provides clear links between the families who held from Edmund in 1297-8 and those who held from Robert de Ferrers in the 1260s. There are families with rebel members who maintained their interest in the same estates and others who remained loyal to the king throughout the Barons' War who held from Edmund later in the century.

It is time to move on to the earlier period of the 1240s and 1250s which will be considered together. These early decades place the lands which appear on Edmund's inquisition post mortem in the hands of even earlier Ferrers Earls of Derby. The record consulted for the 1240s is the Liber Feodorum or Book of Fees and legal records prove useful for the 1250s. Only Chebsey has evidence solely from the Book of Fees which in 1242-3 was associated with a Robert Hastings who held one fee of the 'Baronia' or barony of the Earl of Derby and another from the barony of the Earl of Ferrers, titles which must refer to the same man. In 1285 a man of the same name held two fees in Chebsey of Edmund of the honour of Tutbury, but in 1297-8 he held only one fee there.¹⁰² It is possible that the two fees mentioned in 1242-3 and 1285 were different to that which Hastings held in

¹⁰⁰ Ibid., pp. 159, 160.

¹⁰¹ SHC, viii, pp. 4-6, James de Audley, Roger de Somery, Philip Marmion, William Bagot of the Hyde, Adam de Brimpton, William de Wyther, and Hugh de Okeover.

¹⁰² LF, ii, pp. 969, 975; FA, v, p. 4; CIPM, iii, pp. 300, 314.

1297-8, but it is more likely that they had lost one by the time Edmund died. It is clear that the Hastings were tenants of the Earls of Derby and went on to become tenants of Edmund, moreover, they were linked with Chebsey for over fifty-six years. Similarly, in 1242-3 Rosa de Verdon held one fee in Crakemarsh and Creighton and eight bovates of land in Stramshall of the barony of the Earl of Derby. It is one of the few instances when the tenant is an ordinary woman and not the widow or wife of an earl. Crakemarsh had been part of the lands of the Vetus Eschaeta Coronae which were annexed to the honour of Tutbury and, therefore, alienated from the Crown between 1086 and 1154.¹⁰³ In 1297-8 Theobald de Verdon held of Edmund in Crakemarsh and Combridge, as well as other lands in other counties. The other holdings of Creighton and Stramshall stayed with the Verdons until 1276 though they are not mentioned after that date in connection with the honour of Tutbury. As in Chebsey, therefore, the Verdons are to be associated with the same holding between 1242-3 and 1298.¹⁰⁴

The early records illustrate that the Ferrers had places in Staffordshire transferred to them after the death of Ranulph de Blundeville, Earl of Chester (d. 1232) because William de Ferrers, fourth Earl of Derby (1194-1247), married Agnes, sister of Ranulph and co-heiress (with her three sisters) of the earldom of Chester after Blundeville died

103 SHC, ii, p. 176, other lands which went to the honour of Tutbury were Uttoxeter, Barton, Clifton Campville, Harlaston, Sandon and Chartley.

104 LF, ii, p. 969; CIPM, iii, pp. 300, 314; *ibid.*, ii, 59; Farrer, ii, p. 260, SHC, VI, i, p. 32, for Milo de Verdun in connection with Creighton; LF, ii, p. 969; CIPM, iii, pp. 301, 314, Tunstall and Newbold held by Somervilles; Hardy, pp. 45, 67, LF, ii, p. 969, CIPM, p. 314, CChR, i, p. 409, Farrer, ii, p. 262, Audleys and Alstonfield.

without direct issue.¹⁰⁵ Thus in the assignment of knights' fees made to Agnes as the heir of her brother, the Ferrers obtained Clifton Campville, Sandon, Tutbury, and Uttoxeter.

In 1242-3 the Campvilles were associated with Clifton Campville and in 1255 Richard de Campville held one fee there of the Earl of Derby. Legal records reveal cases which confirm this link. In 1247 the same Campville was sued by the Abbot of Merevale for diverting a water course to the detriment of one of his holdings. The abbot was mistaken in maintaining that this occurred in Leicestershire when Clifton Campville was in Staffordshire, and the verdict supported Richard. In 1233 the transfer from the Earl of Chester to the Earl of Ferrers took place and in 1230-1 the same family was also present when a Leuca de Campville was suing Richard de Campville for a third of the manor of Clifton Campville and its member as her dower.¹⁰⁶ The connection of the Campville family with Clifton, therefore, can be traced back over a period of sixty-eight years, and probably earlier if the search continued. Moreover, the Campville family changed their allegiance as the land changed hands, from the Earl of Chester, to the Earl of Ferrers and then to Edmund; the Campvilles followed the land as it moved from earl to earl.

In Harlaston in 1258 a legal case proves a Vernon connection with the place. Walter de Pulton recovered lands in Staffordshire against Thomas de Hampstede and he was to

105 HBC, pp. 454, 458; CP, iv, p. 196; Farrer, ii, pp. 274, 259, CCR 1231-34, p. 264, indicates these fees were part of Agnes' dower.

106 LF, ii, pp. 969, 975; Farrer, ii, p. 274, SHC, iv, p. 99, two Campvilles suing each other for the manor of Campville, suggesting two manors were amalgamated to form the modern Clifton Campville.

receive compensation from the lands of Richard de Vernon in Harlaston by reason of Vernon's default of warranty. In 1255 Richard de Vernon held Harlaston from the Earl of Derby; in 1242-3 he held one knights' fee there from his 'Baronia', and four from that of the Earl of Ferrers. This entry, like the example above, suggests that the two 'Baronia' were distinct from one another at this early date though they were probably part of the patrimony of the same earl. Richard de Vernon was active in Derbyshire in the 1250s as well. By the time of the transfer of 1233 it was a William de Vernon who had to render service henceforth to the Earl of Ferrers instead of the Earl of Chester, but this was for lands he held in Leicestershire, not Staffordshire; nonetheless, it indicates that the Vernons were connected with the Earl of Chester and then the Ferrers from the early twelfth century, and that it was by this route that they later came to be associated with Edmund.¹⁰⁷ This pattern of a connection with Chester which went on to become one with the Ferrers, and then Edmund after 1266 is repeated with a number of other places.

Another transfer of allegiance was rather extraordinary when compared with that discussed above; it occurred in Whichnor at the express wish of the tenant. In 1195 the male line died out in the barony of Stafford with the death of Robert de Stafford. The barony went to Robert's sister and heiress, Milicent, wife of Hervey Bagot who had to pay a

¹⁰⁷ SHC, iv, p. 136, *ibid.*, V, i, p. 108, Farrer, ii, p. 277, LF, ii, pp. 969, 975; SHC, iv, pp. 244-5, no. 42, LF, ii, pp. 969, 975, Farrer, ii, p. 264, for Sandon and the Vernons; Farrer, pp. 259, 260, CChR, i, pp. 373-4, LF, ii, p. 969, Ferrers and Uttoxeter; SHC, iv, pp. 234-5, Farrer, ii, pp. 259, 274, CCR 1231-4, p. 264, Tutbury and Chester; CChR, i, pp. 373-4, grant of free warren to Ferrers in lands in the counties of Stafford and Derby.

large fine. As Richard I was imprisoned in Germany and the times were 'troubulous' the money was doubtless needed to ransom the languishing king. Though Bagot's descendants were to style themselves 'de Stafford', as far as the Roger de Somerville of the twelfth century was concerned they were of inferior stock and it was beneath his dignity to serve them. Indeed, he refused to serve them, nor would he pay them homage or scutage; he managed to get the service he owed for the Whichnor fee, originally part of the barony of Stafford, transferred bodily to the Earl of Ferrers.¹⁰⁸ So runs the account of Hardy, but his reference to the Pipe Roll of 8 Richard I says nothing of a direct grant from the barony of Stafford to the Earl of Derby; it states that there was a query by Stephen de Beauchamp over who was the rightful seigneur over Robert de Somerville and his two knights' fees in Whichnor and Syerscote, and this provides a link between the Somervilles and these places in the twelfth century. The entries concerning Somerville continue and it was not until the second year of John's reign (1200-1) that Roger de Somerville undertook to pay twenty marks, presumably to effect the change of tenures. This fine was not paid off until 1207-8, moreover, the Earl of Ferrers and Hervey Bagot are unmentioned in these transactions. Beauchamp had a connection with the Ferrers because he was married to Ysolda, the earl's sister.¹⁰⁹ Hardy also refers to two deeds which record the transfer, but he gives no reference to these. The

108 Hardy, pp. 43-4, the PR 8 Richard I is now lost, see Chancellor's Roll 8 Richard I, PRS, NS vii (1930), pp. xv, 80; SHC, ii, pp. 58.

109 SHC, ii, pp. 62, 67, 73, 96, 100, 105, 110, 115, 135, 141, PR 2 John, PRS, NS xii (1934), p. 48, PR 9 John, PRS, NS xxii (1946), p. 8.

evidence of the Pipe Roll suggests that the seignury over Somerville was called into question, but does not take things much further than this. If a transfer did take place it may have been easier to arrange in an age when links between the lord and his tenants were on a more personal footing, but the same could be said of the later thirteenth century.

Animosity against one's lord was something to be avoided and a sense of disparagement in service was possibly as unwelcome as it was in marriage. The Somervilles certainly went on to hold of the Earl of Ferrers, in 1240 Roger held four parts of one knights' fee in Whichnor, although it was still claimed by the Baron of Stafford; in 1242-3 the entry in the Book of Fees is exactly the same. In 1255 he held the tenure of Whichnor and Syerscote of the honour of Chartley, of the Earl of Derby.¹¹⁰ As always the Earl could be referred to by either title, Ferrers and Derby are synonymous. The reference to the honour of Chartley is also interesting and has not occurred before.

Another group of manors are connected with the Ferrers in 1255 by virtue of their appearance on the claim for dower lodged by Margaret de Ferrers, widow of William, fifth Earl of Derby (1248-54). In the county of Stafford she claimed rent in Hoar Cross paid by Nicholas de Walsesh to Robert de Melbourne, and land in Rolleston held by William de Rolleston both by gift of the late earl, and a mill held by Robert Owen of the late earl in Marchington.¹¹¹ The interest of this evidence becomes apparent when these names are compared with

¹¹⁰ Hardy, pp. 45, 47, 67, there were three Roger de Somervilles 1176-1245, grandfather, father and son; LF, ii, p. 975.

¹¹¹ CIPM, i, pp. 88-9; HBC, p. 458.

those on Edmund's inquisition post mortem; a Robert de Melbourne, who held a thirtieth of a knights' fee in 1242-3 in Hoar Cross of the Earl of Derby, held tenements there for an eighth of a knights' fee from Edmund in both 1297 and 1298.¹¹² Although the Owen family were not holding in Marchington in 1297-8 there is a possibility that they remained connected with the county and Edmund's household in the person of Henry Oweyn, as has been argued above. Despite the spelling this must be the same family name though it was probably a common one. Of the three holders in Marchington in 1242-3, Adam 'Kokus' and William de 'Candos' must have had descendants in Henry the Cook and William de Chaundos of 1297-8. The third holder of 1242-3, Walter Camerarius, the Latinized version of Chamberlain, nothing appears in 1297-8; though a William le 'Chaumberleyn' was involved in a case on the Assize Roll with others of that name in 1293 over land and rent in Marchington. The family retained an interest in the same location although they do not appear to have held of Edmund.¹¹³ Although there is no entry in the Book of Fees concerning Rolleston, the name of William de Rolleston appears in 1297-8.¹¹⁴ Thus these three manors are linked with the Ferrers via Margaret de Ferrers' dowry and, therefore, with Edmund.

They are not the only manors which can be traced back to the Ferrers family. In 1130 it seems that the estate of Callingwood was granted at the wish of Robert de Ferrers, created first Earl of Derby in 1138. He promised an estate

¹¹² LE, ii, p. 969; CIPM, iii, pp. 301, 314.

¹¹³ LE, ii, p. 969; CIPM, iii, pp. 301, 314; SHC, VI, i, p. 216.

¹¹⁴ CIPM, iii, pp. 301, 314.

to the bravest of his soldiers fighting at the battle of Northallerton. Another authority, however, claims that the estate was granted after the battle of the Standard in 1138, (the battle at which Ferrers earned his earldom); perhaps he rewarded his own faithful retainer, 'Radulphus de Bosco Calumpniato' or Ralph of Callingwood, in the same way that the king had rewarded him. In 1248 William de Ferrers, the fifth Earl of Derby (1248-54), granted out twenty acres of assarts in Callingwood, and in 1251-2 he was said to be lord of eighty-one townships including Callingwood. Although this grant links Callingwood with the Ferrers, it is hard to trace back any connection to the Robert de Knyttel who held of Edmund in 1297.¹¹⁵ Various other manors can be linked with the Ferrers and their tenants who then went on to hold from Edmund in 1297-8.¹¹⁶

With Anslow earlier evidence survives but finds no echo in Edmund's inquisition post mortem; in 1297-8 the holder was Richard de Vernon.¹¹⁷ The name in earlier records, however, is Peter de Tok. In 1255-6 he was chief lord of Anslow, and around the same date entries in the Burton Chartulary imply that Sir Robert de Tok was condoning acts of violence against

115 W. Beresford, 'Staffordshire Forests' in Memorials of Old Staffordshire (London, 1909), p. 49; Hardy, pp. 94, 109; CIPM, iii, pp. 314.

116 SHC, iv, p. 242-3, no. 157; Hardy, p. 94, CIPM, iii, pp. 314, Barton and Somervilles; SHC, iv, pp. 222-3, no. 15, LF, ii, p. 969, CIPM, iii, pp. 314, Yoxall and Silvein; SHC, iv, pp. 110, 113-14, CIPM, iii, p. 301, the Sidenham family in Draycott were established there since the Conquest; Farrer, ii, p. 263, LF, i, p. 542, CIPM, iii, p. 301, Ferrers in Loxley; LF, ii, p. 969, CIPM, iii, pp. 302, 311, 314, 301, Fauld is linked with Montgomery in 1242-3 who held of Edmund in Derbyshire, the Curzons were holding Fauld 1297-8.

117 CIPM, iii, pp. 300, 314.

the monks, this may have been a clash between lay and ecclesiastical authorities. In 1252 Peter de Tok, Eustachia, his wife, and Baldwin de Paunton were involved in an exchange of lands with Henry de Tok, the former being the heirs of the latter. Peter gave Henry ten bovates of land in Hilton, Derbyshire, and sixty-six acres of land in Anslow in return for Henry quitclaiming a mill and land in Leek to him. Peter also conceded to Henry the service of Simon de Tok in Bradbourne, Derbyshire.¹¹⁸ Clearly, the family held interests in two counties. Despite their absence from Staffordshire, however, a Robert de 'Tonk' is mentioned as Edmund's tenant in Derbyshire where he held part of Hilton and Leake in Nottinghamshire in both 1297 and 1298; he also had an interest in Hilton in 1242-3.¹¹⁹ There is little doubt that this is the same name, and the 1252 Pedes-Finium entry proves it is the same family, but that the Leek referred to there is East or Great Leake in Nottinghamshire, not Leek in Staffordshire.¹²⁰ It is interesting that the Toks should remain connected with Edmund in Derbyshire and not in Staffordshire. They were still in the area in 1297 since a case on the Coram Rege Roll records the complaint of Robert de 'Touk' that a group of thirty-one men rode down his corn with their cattle in 25 Edward I (1296-7) and committed damage to the value of a hundred shillings. The case becomes more intriguing because all but one of these men were Edmund's villeins.

118 SHC, V, i, pp. 108, 71-3; ibid., Toks and the monks, 1275-7; ibid., iv, pp. 244-5.

119 CIPM, iii, pp. 303, 312; LF, ii, p. 994; Pym Yeatman, I, ii, p. 444.

120 Darley Cartulary., i, pp. 282-3, n.1; ibid. pp. 282-3, F95, 96.

They all claimed that the land was common of pasture appurtenant to Edmund's holding in Rolleston to which they still had rights since they held in villeinage from Thomas of Lancaster, Edmund's heir; Robert stated that he held the land in severalty and appealed to a jury.¹²¹ The outcome of the case is unrecorded. It is possible that hostility towards the Toks was being shown by the villeins, perhaps on Edmund's behalf, or their cattle could have strayed in error, it is difficult to be certain. As far as the tenancy of the Toks is concerned, though they held of Edmund in Derbyshire they did not do so in Staffordshire; they must have held their lands in the latter county from another lord so that their tenancies were quite distinct from one another.

The main aim in looking at these earlier documents has been to trace their origins back to a Ferrers earl and in the main this has been successful. Many of these holdings were in the hands of families who had held from the Ferrers for many years and transferred smoothly to Edmund in 1266.

Finally, a brief look at the earlier records for the manor and 'foreign' of Newcastle under Lyme. The regular farming out of the town is also apparent in 1250 when Henry III farmed it to James, son of Henry de Audley. James had to pay £80 per year at the exchequer and the king reserved the profits arising from wards, reliefs, escheats of felony and advowsons of churches.¹²² Henry de Audley had taken charge of the manor in 1238 from Simon de Norwich who had been ordered to deliver it up to Audley only eleven days

121 SHC, vii, pp. 45-6.

122 CPR-1247-58, p. 79; Pape, p. 29.

after he had taken charge of it. In 1243 it was assigned as part of the dower of Eleanor, consort of Henry III, though this made no difference to the arrangements concerning its running in the meantime. Henry de Audley died in 1246, and Hugh de Frodsham was appointed constable of the castle.¹²³ An enquiry into the value of the manor was held in 1249 and revealed that Henry de Audley had effectually severed Tunstall, Thursfield, Bradwell, Chatterley, and Normacot from the main body of the manor. He had established a separate court for them at Tunstall; the profits of this three weekly court held at the castle were estimated at six pounds, and the two views of frankpledge added just over twenty-five shillings.¹²⁴ Although this evidence indicates when the Audley connection with Newcastle began it seems to have ended with James de Audley who lost the farm either in 1265 when the manor went to Simon de Montfort, or in 1267 when it was granted to Edmund, he certainly did not hold it on his death in 1272-3.¹²⁵ The manor of Newcastle is one of the few holdings for which Edmund received an entirely separate grant and which was granted out to farm in the same way so that its lords and holders are easier to trace than with some of the other holdings.

The way in which the Arderne family became involved with Knutton in the manor of Newcastle under Lyme is very straight-forward. Wakelin de Arderne bought 'a messuage and the land of Knutton' from the previous holders, Alice

123 CPR 1232-47, pp. 233, 394, 493.

124 SHC, (1911), p. 145; Pape, pp. 27-8, 140.

125 CChr, ii, p. 54; CPR 1266-72, p. 186; SHC, NS xi (1908), pp. 241-3; Pape, pp. 1-26 for earlier history.

and John de Legh who had held it from the king in chief. An inquiry was ordered on 20 March 1255 to see if it would be to the king's detriment to confirm the sale between the two parties. The inquisition decided the king's interests would not be harmed as long as Arderne performed the same service as the Leghs.¹²⁶ The situation had altered by 1297 when Peter de Arderne was one of three holders; once again a link is established between the tenants of earlier and later years, though direct sale is a rarely recorded method of gaining an initial interest. An entry on the Pedes Finium for 1268 shows that the Leghs did not sell all of their interest in Knutton, another couple held a messuage and one and a half carucates of land there for a clove gillie flower yearly and the payment of ten marks.¹²⁷ Where evidence is available then, the pattern in the main county of Stafford is emulated in the manor of Newcastle under Lyme, the link between the Ferrers and Edmund is present.

It is time to assess what the study of the county of has revealed. The nature of the evidence, particularly Edmund's inquisition post mortem, can be confusing. The two inquisitions for Staffordshire are not identical, nor is one consistently better than the other. Nonetheless, the evidence from Edmund's inquisition does show a great deal of continuity: the same man, and the same family holding 1296-8, and heirs taking over without incident. This pattern of continuity is repeated in the majority of cases throughout the period and echoed in all the sources which have been studied. Holdings change size and change

¹²⁶ SHC, (1911), pp. 124-5.

¹²⁷ SHC, iv, pp. 250-1; CIPM, iii, p. 290.

hands, though the reasons for these changes are not always easy to perceive. There is evidence to show that in Uttoxeter Henry Oweyn, Edmund's bailiff, a man who worked as an administrator, also held land from him. The Hundred Rolls enquiry caught Oweyn out in dishonest acts, but his dishonesty did not dislodge him from his place in Edmund's administration which has implications for the character of Edmund's officers. The Hundred Rolls also reveal that Edmund distrained men for knighthood, which was a lucrative means of raising money. Obviously, men in Edmund's retinue, such as Nicholas de Audley, held land from him, though Audley seems to have had an interest in 1297 in Alstonfield and lost it in 1298. It is clear that longstanding royal grants could be overturned if a new lord desired it and had the king's ear. The burgesses of Newcastle under Lyme lost the right to collect their own fee farm whilst Edmund's officers took it into their hands. It is also clear that advowsons were important enough to pursue in the courts and secure; a factor which may not have been apparent before. There is evidence of armed violence in the 1260s and 1270s which would be expected in the former decade, but not necessarily in the latter. In the 1260s evidence has revealed that there were some men maintaining an allegiance to the king in Staffordshire despite the statement that the whole county was against him. Indeed, the Ardernes were even imprisoned for the king and while they were away opportunist Augustinian Canons were there to relieve them of their goods and chattels. This case, and another which declared that land

was out of cultivation because of the Barons' War, indicate the dislocation that took place during the decade of the conflict. Not only were men away from home and imprisoned, but the lax atmosphere led to criminal acts in which even the clergy participated; and economically, land must have yielded less because it had not been tilled. Men of the county, the Vernon brothers for example, took an active part as rebels, were pardoned, and their families still managed to maintain an interest in ancestral lands. The evidence illustrates that when lands changed hands tenants went with it to the new lord, as with the Cliftons in Clifton Campville and many others. It is much easier to trace a continuous line than it is to recognise a change in tenant, nonetheless, a change of lord did not mean a wholesale change of tenantry. As well as the transfer of land, whether due to inheritance or confiscation, there is evidence that land was bought, as in the case of Knutton; created by grants of previously uncultivated land to a follower, as in the case of the Earl of Ferrers with Callingwood. The study of Staffordshire has built upon the foundations laid by the study of Derbyshire and contributed to the picture of Edmund's lands and his tenants. Legal records have proved a valuable source and have been more important for the study of Staffordshire than any other county. Moreover, the discussion has traced the route which some lands took into the hands of the Ferrers. All of this has made important strides in establishing the origin of Edmund's patrimony.

This study of the honour of Tutbury has provided the answer to many of the questions posed at the opening of this section. The most obvious conclusion is that there was a great deal of continuity between the early years of the century and 1298. Most families continued to serve whichever lord held their manors; this is true in spite of the effects of sale, exchange, and the Barons' War. Even those who had joined the rebellion and actively fought against Edmund and the rest of the royal family were reinstated via the Dictum of Kenilworth, and went on in the same lands with Edmund as the new lord. There are examples of permanent disinheritance, Robert de Ferrers, Earl of Derby is the obvious one, but his career was extraordinary. Such was the royal will to part him and his patrimony that had sufficient reason not presented itself the Crown would probably have invented it. The other marked change in the descent of ancestral lands is that of the Vernon brothers of Staffordshire and Derbyshire. There is no adequate explanation for their effective disinheritance, their role in the Barons' War was not the reason as they were both pardoned for the part they played.

There is clear evidence for a fall in the economic value of land due to the Barons' War, and this disruption also effected the early part of the reign of Edward I. This is not to say that the land was ravaged never to be viable again; the land was not cultivated, and thus suffered a temporary fall in its value.

Violence was a fact of life during the 1260s and 1270s which is not a new discovery, but new in as much as it

points to either a state of continued disruption because of the breakdown in law and order caused by the Barons' War; or the fact that the whole fabric of life in the second half of the thirteenth century was far more violent than has been suggested. That is to say the frequently noted violent society of the fifteenth century, was already in full swing in the thirteenth century. There were raids, the taking of corn, cattle and sheep, trampling of crops and so on, bands, of considerable numbers in some instances, riding around armed and terrifying local inhabitants; this is the picture that emerges from the abundant legal records in Staffordshire. The whole county was litigation mad, another factor redolent of fifteenth century England. People frequently sued members of their immediate family, as well as neighbours who were trespassing, for reasons mostly connected with land, and dower in the case of the women. It is true that suits were levelled against others in order to win a case, so that circumstances might be the more vibrantly painted in order to assure success, but despite the possibility of exaggeration the evidence cannot be dismissed, there was a real climate of violence at this period.

Nonetheless, Edmund's position was a secure one, there was no one to challenge him, and even when Robert de Ferrers tried to regain things, like advowsons, Edmund defeated him. Something of the nature of Edmund's dealings within his lands becomes clear. He tried to add to his holdings when the opportunity arose by exchange or purchase, and as he bought land he may well have sold it

too, though this is less certain. Throughout these transactions the tenants remained constant, changing with the land to the new lord and even being rewarded for doing so. It is almost impossible to tell when a new tenant was installed, a change of surname is not a guarantee of a different family, and though evidence like inquisitions post-mortem do give incidental information, changes are carefully noted but rarely explained. The formation of the honour of Tutbury has been as clearly drawn as the evidence allows, attention must now turn to the honour of Leicester and to its earl in 1265, Simon de Montfort.

4: THE CONFISCATION OF THE EARLDOM OF SIMON DE MONTFORT,
EARL OF LEICESTER 1239-65¹

In a legal sense the confiscation of Simon de Montfort's earldom in 1265 is straightforward when compared with the disinheritance of Robert de Ferrers, Earl of Derby. De Montfort was a rebellious subject in revolt against his liege lord. Whether his stand was justified or not, he lost his life and lands when he died at Evesham. This is not the place, however, for a rehearsal of de Montfort's long and varied career. The objective here is to look at the way his lands were granted to Edmund, and for this purpose the study will begin on the 5 August 1265, the day after the battle of Evesham.

Simon de Montfort's lands were seized by the Crown in September 1265 and grants to Edmund began in October, though the various authorities on the subject question their validity. Somerville states that there were four early grants of land to Edmund, but no originals are extant. These are, firstly, the grant of the county and honour of Leicester, the stewardship of England and the lands of Simon de Montfort, dated 25 October 1265; secondly, the grant of Nicholas de Segrave's lands of the same date, both of which are referred to on the Supplementary Close Roll. The third is a charter granting all of the above dated 26 October 1265 and found in the Liber Munimentorum A, and the fourth is also a charter granting Edmund the honour of Leicester and the lands of

¹ HBC, p. 469 notes that there is some doubt about the precise date on which de Montfort became earl.

Simon de Montfort found on the Charter-Roll.² There are two further grants dated 25 October 1265 on the Patent Roll, but Somerville denies that they are grants. They are written as grants and echo those on the Supplementary-Close Roll, though they except the royal demesnes which had been in de Montfort's hands. Somerville states that these Patent-Roll entries were only writs of intendance to the tenants of the honour; they were connected with the two grants of 25 October 1265, but they were not grants themselves. Somerville does not state how he knows that the entries on the Patent-Roll are not grants; the calendar states that the grant of de Montfort's lands and so on was issued with letters of intendance, it does not frame the grant as a letter of intendance. Moreover, both grants on the Supplementary-Close-Roll are followed by a command to send mandates addressed to the sheriffs of the various counties to facilitate the transfer of the lands to Edmund's officers. Somerville notes that a mandate of intendance to Segrave and de Montfort's former tenants was issued on 26 December 1265, and another went to de Montfort's tenants only on the 6 January 1266. This flood of mandates was issued to de Montfort's tenants in the space of four months, either later mandates were overriding earlier ones or Edmund's officers were constantly in need of the reinforcement of royal authority which a mandate of

2 Somerville, pp. 1-2, 337, L.W. Vernon Harcourt, His Grace the Steward and the Trial of Peers (London, 1907), p. 162 for Liber Munimentorum A (PRO C 55/3 f 90), CCR Supp 1244-66, pp. 44-5, nos 433, 434, CChr, ii, p. 58 (also Vernon Harcourt p. 156); CPR 1266-72, p. 73, Segrave redeemed his lands on 1 July 1267 according to the Dictum of Kenilworth.

intendence embodied.³ Somerville notes that the enrolment on the Charter Roll, and possibly the charter too, had a number of erasures to allow for alterations, one of which was to exclude the county of Leicester from the grant, but he casts doubt on the significance of this because they were interlined and not grammatically correct or consistent. He believes that the charter was based on the version in the Liber Munimentorum A. Vernon Harcourt is supported by Denholm Young in his belief that the charter was an escrow, it was prepared and attested, but never delivered. Somerville disagrees and states that nothing on the roll suggests this, therefore, it can be argued with equal force that the charter was delivered.⁴ One of the reasons behind all these multifarious grants and the various changes they contain was the stewardship of England which Simon de Montfort had held since 1238-9.⁵ The earliest grants indicate that Henry III was going to allow the stewardship to be granted with the earldom of Leicester which would have led to the office becoming inextricably linked with the earldom. The king changed his mind, Vernon Harcourt suggests that it may have been the Lord Edward who objected to the connection. Denholm Young goes a stage further and states that the Lord Edward was granted the stewardship in 1268, possibly to break the continued association with the earldom of Leicester, a fact which Vernon Harcourt omits. Eventually, Edmund was granted the

3 Somerville, p. 337; CPR-1258-66, p. 470; CCR-Supp-1244-66, pp. 44-5, nos 433, 434.

4 Somerville, p. 337; Vernon Harcourt, p. 138; N. Denholm-Young, Richard of Cornwall (Oxford, 1947), pp. 144-5.

5 Vernon Harcourt, p. 86.

stewardship in 1269, though it was for his lifetime only.⁶

Whether one agrees with the interpretation that Somerville puts upon the early grants of de Montfort's lands or not, there can be no doubt that in reality Edmund took over where Simon de Montfort left off, and that he did so with little interruption. This is confirmed to some degree by a grant to Edmund of 12 January 1266 which makes reference to an earlier grant 'lately' made of 'all the lands' of both Segrave and de Montfort; it does not clarify exactly which lands Edmund had, nor the service by which he held them, but it is internal evidence that de Montfort's lands were transferred to him. The grant goes on to state that Edmund might have

as a further grace, all the lands of the king's enemies of the fee of the said Earl [of Leicester] and Nicholas [de Segrave] of which he has not yet made collations to others.

This is presumably the means by which the tenants who held from de Montfort were transferred to Edmund. A few days earlier, on the 6 January, he had been granted 'during pleasure' or until lands of an equivalent value were found, all the king's demesnes which both de Montfort and Segrave had previously held. These had been exempted from earlier grants, but it is interesting that they were granted in due course like the stewardship.⁸ On 12 July 1266 Edmund received a grant in tail of the honour of Leicester and all de Montfort's lands; Somerville suggests that all earlier grants were surrendered though there is obviously some

6 Vernon Harcourt, p. 138; Denholm-Young, p. 145; CPR 1266-72, p. 339.

7 CPR 1258-66, p. 529; Somerville p. 2.

8 CPR 1258-66, p. 527.

doubt about this. A grant in tail of 22 April 1269 was the definitive grant to Edmund of de Montfort's lands; it confirmed his tenancy of the honour, town and castle of Leicester, all lands which de Montfort had held and which he had forfeited to the king, plus lands which de Montfort had held of other chief lords. This grant was regarded as 'evidence of title' in later years and was entered into the Great Cowchers in the fifteenth century.⁹ There are two further grants concerning Kenilworth; firstly, on 6 December 1266 Edmund was granted free warren and chace in the demesne lands and woods of Kenilworth castle; secondly, on 16 December, Edmund was granted the castle itself and its appurtenances, saving the advowsons of both the priory of Kenilworth and the abbey of Stoneleigh to the king. The Montfortian defenders of Kenilworth castle doggedly held out against the Crown; Edmund had participated in the military operation to reduce it, but every ploy failed. The rebels were forced to leave the castle in mid-December 1266 by cold and hunger, so that Edmund was granted the castle almost as soon as it was emptied of the besieged.¹⁰

Thus was the transfer of the earldom of Leicester to Edmund accomplished. Things became a little convoluted due to the reluctance to make the stewardship of England hereditary, but even that eventually came Edmund's way for his lifetime. Despite the attempts at a settlement for the younger Simon de Montfort, Edmund was never in any danger at being parted from the earldom.

⁹ Somerville, p. 2; CChR, ii, pp. 118-19, 122; LRO BR I/2/15; Bateson, i, pp. 55-6.

¹⁰ Somerville, p. 8; Prestwich, pp. 56-7; Wykes, pp. 195-6.

5: THE POSITION OF ELEANOR, COUNTESS OF LEICESTER, AND HER
CHILDREN AFTER THE DEATH OF SIMON DE MONTFORT 1215-75

Eleanor, Countess of Leicester, was in a very difficult position when her husband died at the battle of Evesham on 4 August 1265. She was not only the widow of a man regarded by the Crown as a notorious rebel, she was the king's sister, and aunt to the princes who were to be important figures in the next reign. These family connections must not be forgotten in the face of the political upheavals of the Barons' War, as in every civil conflict families were divided, and the royal family was no exception. Apart from family tensions, Eleanor's financial position was always contentious; in 1231 after the death of her first husband, William Marshall, Earl of Pembroke (1219-31), the struggle to establish her rights and an income from her dower had been a constant source of irritation between de Montfort and Henry III, and lasted for most of her life.¹ This struggle says much about the attitudes of Henry III and his successors, but it is not a primary concern here. Instead, the Countess' marriage with de Montfort will be briefly discussed, and her role during the Baron's War bears some investigation, but it is her position after de Montfort's death and the fate of their surviving children which form the main subject under discussion.

The Princess Eleanor's life with de Montfort can

1 M. Wade Labarge, Simon de Montfort (London, 1962), pp. 41-2; CPR-1258-66, pp. 388, 418, examples of Eleanor's struggle with her first dower; D.A. Carpenter, 'Simon de Montfort: The First Leader of a Political Movement in English History', History, lxxvi (1991), pp. 17-18; HBC, p. 477.

rarely have been a quiet one. It began with a secret marriage in the king's private oratory on the 7 January 1238; Henry personally placed his sister's hand in that of de Montfort.² This was a sharp contrast to the years of negotiation Pembroke experienced before his marriage to Eleanor in 1224.³ The secret marriage angered the nobility, particularly Richard of Cornwall, because it had gone forward without recourse to the counsel and advice of the magnates. The church was also displeased because Eleanor had taken a vow of celibacy before Edmund Rich, Archbishop of Canterbury (1233-40) in the years after Pembroke's death.⁴ Though she only accepted the ring as a token of her vow and not the final veil, her second marriage was in danger of being invalidated by her oath. De Montfort eased these difficulties by making his peace with Richard of Cornwall, whose acceptance of the situation led the other barons to do the same.⁵ The vow of celibacy was remitted by the Pope, Gregory IX (1227-41), after de Montfort went to Rome with messages and letters from Henry III and others. After a problematic start, all seemed well, Henry stood as godfather to the de Montfort's first child who was presumably named after the king.⁶ It is an understatement to say there were difficulties, but Eleanor supported her husband throughout his career, and produced seven children. Eleanor withdrew to a convent after his

² Labarge, p. 47.

³ Ibid., p. 40.

⁴ HBC, p. 233.

⁵ Labarge, p. 49.

⁶ C. Bémont, Simon de Montfort, Earl of Leicester 1208-65 (Oxford, 1930), transl E.F. Jacob, p. 37.

death which suggests deep mourning, though it was not unknown for widows to end their days in this way.⁷

The assistance Eleanor rendered her brother, Richard of Cornwall, during the Barons' War secured his help for her after the conflict. He was captured after the battle of Lewes and remained in captivity from 14 May 1264 to 6 September 1265, and was assigned to her care. He was moved from the Tower to his own castle of Wallingford (with the Lord Edward and Henry of Almain), and after a rescue attempt in 1264 he was moved again to Kenilworth castle where he remained for the duration. His captivity was rendered more comfortable by the gifts he received from his sister, and his life was almost certainly saved by the intervention of Simon de Montfort the younger when the rest of the garrison were for killing him in retaliation for the death of the elder de Montfort at Evesham. After the battle, Eleanor secured his release from Kenilworth and Richard of Cornwall issued letters patent in her favour, promising to be 'ever true to her and hers'; it seems that the letters may have been a condition of his release, but he kept his word and worked for her and her family throughout the remainder of 1265.⁸

It was after her husband's death that Eleanor's fight for her second dower and the inheritance of her sons began. She was in Dover when the news from Evesham reached her, ready to bar the entry to England against foreign invaders.

⁷ Bémont, pp. 37, 258-9.

⁸ N. Denholm-Young, Richard of Cornwall (Oxford, 1947), pp. 129-31, 133; T.W.E. Roche, The King of Almayne (London, 1966), pp. 185-7, 193; Wade Labarge, p. 261; Bémont, p. 252.

Doubtless knowing the attitude that Henry III would adopt towards her family, Eleanor immediately sent a message to him reminding him of family ties. Henry, however, would have nothing to do with her, and two authorities claim she was rarely addressed as 'sister of the king' after 1265.⁹ She sent messages to Richard of Cornwall, and her son, Simon, as well as parliament, sitting at Winchester on 8 September 1265. One response from Henry III was a letter to the barons of Dover asking them to ensure that no-one escaped across the Channel, particularly any member of de Montfort's family. The reason behind this order was Eleanor's continued hold on monies collected for the baronial cause, about eleven thousand marks. Despite Henry's strictures, the money and Eleanor's younger sons, Amaury and Richard, escaped to France. Guy, who had been imprisoned at Windsor, was transferred to Dover, and followed them. Henry was determined to prevent the de Montfort's benefiting from this money and suggested that King Louis IX of France put it towards the damages sustained by French merchants during the Barons' War.¹⁰

Eleanor realised that her position at Dover was untenable and negotiated the best terms she could with the Lord Edward and by 28 October 1268 he had taken the castle. He agreed to accept into his grace and favour those members of her household who wished to remain in England, and promised to restore their lands; from his reference to

⁹ Labarge, p. 260, states Eleanor was called sister once after 1265 without a reference; G.W. Prothero, The Life of Simon de Montfort, Earl of Leicester with special reference to the Parliamentary History of his time (London, 1877), p. 364.

¹⁰ Labarge, p. 262; Denholm-Young, p. 133.

Eleanor as his 'dear aunt' it seems he was not as unforgiving as his father. At the end of the month, Eleanor with her daughter, also Eleanor, followed the rest of the family across the Channel to France. Once there, however, she continued to work for her rights.¹¹

Pope Clement IV wrote to Louis of France telling him not to assist Eleanor because de Montfort had justly lost his lands in England. Henry III, however, agreed to place all his quarrels with the de Montfort family before the French king, and equally any offence committed against them by the king, though Henry denied there were any. Moreover the king promised,

that whatever the king of France shall ordain upon these things, high or low...he and his heirs will observe, and is willing that the said king may compel him... by the lands which he holds of the king of France to such observance. The king also submits himself...to the jurisdiction of the pope that he may be able to coerce them by ecclesiastical censure to observe the said award.¹²

Henry gave Louis the opportunity to distrain him via his lands, and the pope was also enjoined to use religious sanctions if Henry did not comply with Louis' decisions. Louis' envoys in the business were John de Acre, butler of France, Ingram de Fenles and the Prior of Val Verde de Vega (de Valle Viridi) and the agreement which they put before Henry III would seem to be the entry on the Patent Roll dated 24 May 1267. In it the king agreed to restore Simon the younger to his father's lands, though he had to obtain possession of them by his proctor. The true value of the

¹¹ Labarge, pp. 262-4; Denholm Young, p. 133.

¹² CPR 1258-66, pp. 641, 678, 25 September 1266; CPR 1266-72, pp. 130, 21 February 1267, 140, 2 June 1267 re-iterate the undertaking; Labarge, pp. 264-5.

lands were to be ascertained by one person extending the lands on the Crown's behalf, and another doing the same on Simon's behalf; if they could not agree they would have to accept the award of Richard of Cornwall or his deputy. The proviso to this restoration was that Simon would have to sell his lands to the king or one of his children if he were required to do so. Henry agreed to leave the necessary valuation of the lands to Louis, but declared that it should be less than normal because of the

disturbances and innumerable damages suffered by him heretofore and now by reason of the sedition of the father of the said S. wherein the said S. followed in the footsteps of his father with all his might, for which he will have deserved disherison.¹³

In Henry's opinion the younger Simon did not deserve full restitution; he had wilfully followed his father and shared his guilt. Once the sale of de Montfort's lands was made, Henry gave himself three years to make full payment, but only as long as Simon and his brothers agreed not to enter England or his other lands without a special mandate and licence. There was little hope of a return to public life for any de Montfort; they were warned against harming any of the royal family or the king's 'faithful ones', nor should they enter into 'leagues with the king's enemies', plus they had to provide full security on these matters. An attack on the royal family had obviously been anticipated, and though these hints must not be over emphasized, perhaps the young de Montforts were known for their violent nature. The action against Henry of Almain in 1271, discussed below, justified the king's fears of

¹³ CPR-1266-72, p. 141 note the curious tense used here.

reprisal. In the agreement attention turned to Eleanor's dower; via her proctors she was to receive five hundred pounds yearly for her dower in England, but personal visits to England by Eleanor were also unwelcome. If Eleanor did not agree with this assessment she was left with recourse to the king's justice, again via proctors,

which justice the king will cause to be done to her according to the law and custom of his land and without any difficulty whatever.¹⁴

The monies due to her from the dower lands of her first marriage were not included in this document. The end of the agreement dealt with French merchants.

From this document a fairly generous settlement emerges for Simon the younger, and as Denholm Young states, they were much better terms than Robert de Ferrers was offered. He also points to the role which Richard of Cornwall was to play in the agreement, witness to his promise to Eleanor that he would try and help her and her family where he could. Denholm Young maintains, however, that this agreement was dropped in favour of a decision that Louis IX of France was to deal with all outstanding matters between Henry and the de Monforts.¹⁵ There are four undertakings on the Patent Roll which make it clear that Henry was willing to accept the king of France's judgement in the matter of the disputes still outstanding between himself and the de Monfort family. The first is of 25 September 1266, which has been quoted above; Henry agreed to observe Louis' decision by Easter 1267. The second is dated 21 February 1267, the only difference is

¹⁴ CPR 1266-72, p. 141.

¹⁵ Denholm Young, p. 133.

that the king of France was instructed not to intermeddle in lands held by Henry within his power or without, though later on in the same document the French king was given permission to distrain Henry's lands if he did not carry out all that was ordained. The third, though it is enrolled on the Patent Roll before the agreement of 24 May 1267 discussed above, is dated after it, on 2 June 1267 in which Henry agreed to act on Louis' decisions before the feast of the Assumption. Henry's final re-iteration to abide by Louis' decisions is dated 6 April 1268. The date for action is moved to Michaelmas 1268, and the clause allowing the king of France to distrain his lands has gone, though the threat of ecclesiastical censure is still present, but there is very little difference in the undertakings of these documents. The outstanding matters which Louis still had to decide, (the value to be placed on the de Montfort lands in England and the decision on the security that they had to provide as proof of their future good behaviour) were the matters for which Louis had to provide answers, and to which Henry was still promising to agree. The agreement mooted on 24 May 1267, however, was never implemented; once in the hand of the Lord Edmund, Simon de Montfort's earldom of Leicester never left it.

The Countess took her case to the papal court, a brave move given the sentiments Clement IV had expressed on the matter. Louis interceded for her with the pope and the pope promised to deal justly with her and her sons. Henry III was displeased with the pope's interference, but the pope seemed determined to know the cause, if there was one,

for Henry's lack of attention to the Countess' petition.¹⁶

Though having little liking for her children, it seems Edward I was generous to his aunt. Although the request that Eleanor was admitted to the king's grace came first from the king of France, Edward complied with it in 1273.¹⁷ He also helped her financially on the same occasion, loaning her £200 which Eleanor repaid fairly rapidly, although her financial affairs remained difficult.¹⁸ Edward finally got Eleanor's dower sorted out, including the dower owed to her from her first marriage. The Dunstable Annalist maintains that Edward returned all the countess' dower lands, but she only enjoyed them for about twelve months; she died in May 1275, aged about sixty-three, at the convent of Augustinian nuns of St Dominic at Montargis in France, a house that had been founded by de Montfort's sister and the burial place of her mother, Alice de Montmorency, and other ladies with de Montfort connections.¹⁹ Her debts remained, however, and were not finally paid off until 1286; it was only then that 'the countess' great law case' came to an end, fifty five years after it had begun.²⁰

Amaury was Eleanor's heir at her death, but this had not been the case immediately after the battle of Evesham. The eldest son, Henry, died with his father in 1265 leaving the younger Simon as heir. As discussed above, the agreement to facilitate his inheritance and restitution was

16 Lebarge, p. 267.

17 Ibid., p. 270.

18 CPR 1272-81, p. 159.

19 Lebarge, pp. 270-1; Bemont, pp. 258-9.

20 Lebarge, p. 271.

never ratified. He went abroad in January 1266, may have returned briefly, but finally left England for France by February 1266.²¹ Simon, like his brother Guy, allied himself with the king of Naples. He fought with Guy at the battle of Tagliacozzo on 23 August 1268, and they both went on to fight in Sicily.²² He pursued a career in Europe, but had he nourished hopes of an eventual return to England these were forever extinguished by his involvement in the murder of Henry of Almain, the eldest son and heir of Richard of Cornwall, brother of Henry III.

Henry of Almain was returning from crusade under the protection of Charles of Anjou, and reached Viterbo on 9 March 1271.²³ Simon and Guy were waiting for him. Guy was Deputy-Vicar of Tuscany for Charles of Anjou and Count Aldebrandini dell'Anguillara at this date. The latter was also his father-in-law, he married the Count's daughter, Margaret, on 10 August 1270.²⁴ Amaury may also have been involved in the decision to attack Henry, but he proved that he had been seriously ill in Padua on the day of the assassination. On Friday 13 March 1271 Guy, Simon and Count dell'Anguillara sought out Henry of Almain as he was praying in church after mass. As they approached him, accusing him of being a traitor, he jumped up and ran to the altar where they stabbed him in cold blood, and also killed an attendant priest. There is some dispute as to

21 Denholm Young, p. 133; Bémont, p. 265 states he was 'safe in France' by March 1268.

22 Bémont, pp. 264-5.

23 S. Lloyd, English Society and the Crusade 1216-1307 (Oxford, 1988), p. 264, he features on the list of crusaders sailing with Edward in 1270-2

24 Bémont, p. 265.

the precise whereabouts of the slaying, though Powicke states that it occurred in the church of San Silvestro. Henry was buried at Hailes in England on 21 May 1271.²⁵ Edward I's enmity towards the de Montforts was given an extra charge by the murder, and such was the feeling of outrage it was reported in English, French and Italian chronicles. The assassin even figured in Dante's vision of Hell, amongst the 'souls of tyrants, who were given to blood and rapine' sat Guy on his own, up to his neck in a river of blood because, as the spirit said,

"He in God's bosom smote the heart,
Which yet is honoured on the bank of the Thames "²⁶

The reference to the bank of the Thames refers to a statue of the murdered Henry, however, there does not seem to have been one, although Henry's heart was buried separately in a gold container in Westminster Abbey. Clearly, Guy was seen as a sinner of the worst kind by striking down a man at his prayers in the house of God. Of all the people upon whom such a revenge attack might fall, Henry of Almain was an odd choice, though Powicke sees it as the de Montforts wreaking revenge on Henry for leaving the baronial party and causing its break up.²⁷ He had shared Edward's fate as a hostage in order to guarantee the Mise of Lewes in 1264, captured Robert de Ferrers, Earl of Derby at the battle of

25 Denholm Young, pp. 150-1; Roche, pp. 213-5; Wykes, p. 241, Bémont, p. 260; F.M. Powicke, 'Guy de Montfort (1265-71)', TRHS, fourth ser, xviii, pp. 15-16.

26 Dante Alighieri, The Vision; or Hell, Purgatory and Paradise, transl by H.F. Cary (London, 1888), Canto xii, lines 104-5, 118-20, pp. 62, 63.

27 P.H. Brieger, 'A Statue of Henry of Almain', in Essays in Medieval History Presented to Bertie Wilkinson, eds T.A. Sandquist and M.R. Powicke (Toronto, 1969), pp. 135-8; Powicke, TRHS, fourth ser, xviii, p. 7.

Chesterfield in 1266 and took part in 'the unscrupulous transaction' that led to Ferrers' disinheritance.²⁸

Denholm Young states that he probably took no part in the battle of Evesham and so had no personal responsibility for the death of Simon the elder; Prestwich argues, however, that this was exactly why he was the victim of the de Montfort's attack, whilst Bémont goes further and states that they held him responsible for the mutilation de Montfort's body received on the battlefield.²⁹ His father, Richard of Cornwall, had played a positive role in the de Montfort's affairs after Evesham and done his best for his sister and her children, so it was unlikely to be a means of moving against him, but he was known to be on very good terms with both Edmund and Edward. The motive, therefore, may have been personal culpability, but it was also a strike at a member of the royal family; Henry of Almain was probably the first accessible member of the family who came within their reach. Simon died shortly after Henry's murder and thus escaped punishment. Both Guy and his father-in-law, however, were brought to trial. The latter cleared himself, but Guy was outlawed and imprisoned for ten years after which time he submitted himself to the Pope. Martin IV (1281-5) released him because he needed his military skills, and he was free for a further five years before he being captured by the Sicilians and dying in prison about 1292. He left two daughters, Thomassia and

28 Denholm Young, pp. 142-3; M. Prestwich, Edward I (London, 1988), pp. 46, 56.

29 Denholm Young, pp. 142-3; Bémont, pp. 265-6; Prestwich, p. 74.

Anastasia, who were married off to wealthy Italians.³⁰

Richard de Montfort appears in a charter with his brother Amaury, but little is known about him; he seems to have died after 1266.³¹

De Montfort's only daughter, Eleanor, was promised in marriage to Llewelyn of Wales during her father's lifetime. Trying to accomplish this, Eleanor with Amaury as an escort, were captured at sea in 1275 crossing from France to Wales. They were both imprisoned; Eleanor was kept in honorable confinement for two years before she was released and married Llewelyn in October 1278. She died in childbirth on 21 June 1282 leaving a daughter, Gwendolen, who died a nun at the convent of Sempringham in 1337.³²

Amaury was the last male heir of the de Montforts. His father obtained a stall in York Cathedral for him, with the title of Canon and Treasurer of the Chapter, but he lost the prebend three days after the battle of Evesham. He took orders and became papal chaplain, an honorary title probably acquired with Guy's help. He seems to have studied medicine at Padua for the next four years; he was certainly there in 1271. He may have visited England at the beginning of Edward I's reign. After his capture with Eleanor he remained in captivity for seven years, because Edward suspected him of being involved in Henry of Almain's

30 Prothero, p. 367; Bémont, p. 273, Thomassia's husband is called Pierre dei Prefetti on the genealogical table p. 283, he has a detailed account of the career of Guy de Montfort, pp. 264-73.

31 Bémont, pp. 259-60, 283.

32 Prothero, p. 368 states 1276; Bémont, pp. 261-2, 283, he incorrectly states Llywelyn died in 1276, see HBC, p. 51; M. Powicke, The Thirteenth Century (Oxford, 1953) p. 408.

murder.³³ He was released in 1282, but was never reconciled with Edward. Indeed, he had barely recovered from his imprisonment before he infuriated Edward anew. He asked the pope for his assistance on the question of the hereditary succession to the patrimony which his father had lost, and Edmund, as Earl of Leicester and Lancaster, was cited before the papal court on the matter. Edward I was livid and ordered Amaury to discontinue the proceedings in a rather brusque letter of 28 December 1284. Amaury agreed to do this in a letter of 1 March 1285, commenting on the impolite tone of Edward's communication; he emphasised that he dropped the case, not because he had been told to do so, but because he did not wish to anger his good cousin the king of England.³⁴ Since he must have realised the utter futility of the whole action, he can have had nothing but the irritation of his good cousin in mind. It was a known avenue of appeal, John de Ferrers, heir of Robert, Earl of Derby tried it in 1301 with a similar lack of success.³⁵ It is interesting that both families should try to use the papal court when their ultimate secular means of redress, the king's court, had effectively refused to listen to their case. With this last attempt at resistance, the challenge to Edmund's hold on the earldom of Leicester disappeared. As for Amaury, he returned to Europe and became a soldier, perhaps fighting with Guy; he was tutor to Guy's daughters and died in Italy in 1292.³⁶

33 Prothero, p. 367; Bémont, pp. 260-262; Powicke, The Thirteenth Century, pp. 330-1 calls him 'a litigious man with a vitriolic tongue'.

34 Bémont, p. 262; Foedera, I, ii, p. 651.

35 See Section I: 2, pp. 44-5.

36 Bémont, p. 263, 283, states he died in 1295.

Thus the de Montforts' failed to recover from the disaster that befell them at Evesham. Eleanor, Countess of Leicester, was the most successful in that she finally got her dower sorted out from both marriages, though she did not live long enough to enjoy the fruits of her labours. Under any circumstances, it was going to be difficult for Simon de Montfort's sons to be re-integrated into society, reclaim their father's patrimony or be reconciled with Edward I, but their murder of Henry of Almain put it totally beyond the bounds of possibility, whilst their continued association with the Welsh rubbed salt in the wound. It can be argued with some force that they deserved their disinheritance far more than Robert de Ferrers, Earl of Derby who, whatever his faults, had not murdered members of the royal family though he probably felt like it. Amaury de Montfort tried the papal court as a means of redress and as a clergyman he may have hoped for God to be on his side. He must have been aware of the futility of the venture since giving up to avoid angering his cousin, sounds rather a weak reason for withdrawing his suit if it had had any chance of success. As prime movers in the Barons' War it is not surprising that the de Montfort's were disinherited. They must have known when the day of battle dawned that they had to win or lose everything. Robert de Ferrers, however, had rebelled on a similar level to many others; they were readmitted to their lands, but the recovery of his earldom was constantly blocked because the king and his family had no intention of allowing him to succeed.

6.: EDMUND OF LANCASTER'S HOLDINGS IN THE MIDLAND COUNTIES
OF THE HONOUR OF LEICESTER: (a) LEICESTER UP TO 1298

The limits of the honour of Leicester within the midland shires of Leicester, Rutland, Northampton, Nottingham and Warwick were established by Levi Fox in 1939, and his two lists of the component parts of the honour have been useful in identifying the honour's lands on Edmund's inquisition post-mortem. Fox's lists are not identical; they describe the honour in the fourteenth century, and so the discrepancies between Fox's lists and Edmund's inquisition, may indicate that there were later acquisitions.¹ A list of the lands which Edmund held at his death in Rutland and Leicestershire may be found in Appendix One; the task is to link these lands with the de Montfort Earls of Leicester in the early years of the thirteenth century. Similar themes to those considered for the honour of Tutbury will be discussed with regard to the honour of Leicester: the nature of the lands and tenants of the honour under Edmund moving backwards in time from 1296, the effect of de Montfort's sudden demise on the area and its men, the character of the lands, and whether their value was affected by the Barons' War; the extent of continuity throughout the thirteenth century in terms of families

1 L. Fox, The Honour and Earldom of Leicester: Origin and Descent 1066-1399, EHR, liv (1939), pp. 400-402: TLAS, xix (1936-7), 'Ministers' Accounts of the Honour of Leicester, 1322-4, pt. i, pp. 199-273, map p. 274: ibid., xx (1938-9), pt. ii, pp. 77-158: 'The Administration of the Honour of Leicester in the Fourteenth Century', ibid., pp. 289-374, list of the honour's holdings pp. 362-4, map facing p. 362; for a table illustrating the differences between Fox's lists, and a list of the places which Fox's mentions but do not appear on Edmund's inquisition post-mortem see Appendix One.

holding the land and the land itself, and whether it remained within the honour; finally, any family links between both honours will be noted.

The starting point for the investigation is Edmund's inquisition post mortem. Most of the holdings in the county are on one extent; there is a separate extent on which the manor of Leicester appears in conjunction with Hinckley, Desford and Earl Shilton.² Lands of the manor of Leicester in Northamptonshire (Dodford, Ashby St Leger, and Lilbourne) are on a separate extent.³ The Leicester advowsons appear on the schedule at the end of Edmund's inquisition.⁴ All of the Leicestershire extents are undated and were taken once, thus there is no means of comparison for the late thirteenth century. The manuscript has been checked and is undated; one copy of the extents suggests that they were accurate enough to dispense with repetition, therefore, they probably date from 1297 like the first extents for the honour of Tutbury. Farrer agrees but Farnham dates Edmund's inquisition to 1299.⁵

As there is no means of comparison within the inquisition, the discussion will begin with the evidence for c. 1297, compared with an inquisition of 1279, and the Feudal Aids of c. 1280 and 1284-5. The inquisition of 1279 has to be the result of a second government enquiry in 1279 which produced returns which are similar, but even more

2 CIPM, iii, pp. 318, 289; PRO C 133/81, m 46, 5.

3 CIPM, iii, p. 295, PRO C 133/81 m 12.

4 CIPM, iii, p. 321, PRO C 133/81 m 49.

5 Farnham, II, ii, p. 312, he does this throughout the six volumes; *ibid.*, i, p. 221, incorrectly states Edmund died in 1297 (it was 1296, HBC, p. 468); Farrer, ii, p. 78.

detailed, than the returns from which the Hundred Rolls were produced in 1274-5. Only the returns for five counties survived to be published in the Record Commission's edition of the Hundred Rolls, but the county of Leicester is not among them, had they all survived there would have been a second, more detailed Domesday Book. They were perused by the antiquarians of the midland counties: Nichols frequently uses an inquisition which he copied from William Burton's collection of manuscripts on Leicestershire. He dates it to c. 1279 and refers it to as 'Inq. 7 Edw. I', and Dugdale uses a document of the same date in his Warwickshire; this 1279 inquisition must have been produced in answer to the same enquiry. The Aid from c. 1280 is printed in the additions to the Feudal Aid under 1330 and is taken from lists in a fourteenth century hand which were compiled from unknown sources. Although most of the lists are pertinent to the 1330s, it seems an older list was used as a starting point for the 1330 list and was not always corrected accurately. It is probable that Fox obtained the bailiwick divisions for his lists from this c. 1280 Aid.⁶ Of the fifty-nine places in the county of Leicester mentioned on Edmund's inquisition post mortem, thirty-two appear on the inquisition and the c. 1280

⁶ FA, vi, pp. xi-xii, 557-59; Nichols, I, i, pp. cx-cxxi, RH, ii, pp. 321-688, the five counties are those of Bedford, Buckingham, Cambridge, Huntingdon (1280-81), and Oxford; H. Cam, The Hundred and The Hundred Rolls (London, 1930), p. 28; D.W. Sutherland, Quo Warranto Proceedings in the Reign of Edward I. 1278-1294 (Oxford, 1963), pp. 167, 186; Dugdale, Warks, pp. 182, 390, 406, 421, 430, 460, 480, 482, 483; Fox, EHR, liv (1939), pp. 400-402, TLAS, xx (1938-9), pp. 362-4.

Aid.⁷ Twenty-six are on all three (the inquisition, and both Aids), some of the evidence agrees with the inquisition and some is contrary to it.⁸ Another six places are on the 1280 Aid but are omitted from the inquisition.⁹ This leaves one knights' fee in Gunthorpe; it was held by Peter de Montfort within the bailiwick of Sileby according to the c. 1280 Aid. Although he does not appear on any part of Edmund's Leicester inquisitions post mortem, a memorandum to the effect that forty marks were rendered yearly from the manor of Gunthorpe to the castle at Leicester is entered on the dorse of an undated Leicester extent. Another extent of 12 May 1298 states that Gunthorpe was in Nottinghamshire and that Peter de Monfort held the manor there and rendered forty marks yearly, though the manor was in the hands of Edmund's executors due to the minority of de Montfort's heir. According to county boundaries, Gunthorpe appears erroneously under Leicester on the c. 1280 Aid because the forty marks were handed in and accounted for at Leicester Castle. Geographically, it was in another county and dealt

7 Cranoe, Glooston, Langton, Mowsley, Shangton and Hardwick, Smeeton Westerby, Stockerston, Stonton Wyville, Theddingworth, Walton, Wigston, Ravenstone, Stapleton, Atterton and Witherley, Stoke Golding, Upton, Belgrave, Burton on the Wold, Evington, Hathern, Humberstone, Lockington, Prestwold, Saxelby, Shoby, Sileby, Thirnbby, Wanlip, Long Whatton, Wymeswold.

8 Bitteswell, Bruntingthorpe, Enderby, Knaptoft, South Kilworth, Thorpe (one of the three Thorpes is mentioned), Willoughby Waterless, Cadeby, Kirkby Mallory, Peckleton, Blaby and Countesthorpe, Broughton Astley, Croft, Earl Shilton, Frowlesworth, Normanton Turville, Sapcote, Thurlaston, Whetstone, Glenfield, Hinckley, Wellesborough, Higham on the Hill, Sutton in the Elms, Walton on the Wolds.

9 FA, vi, pp. 557-9, Ashby Magna, Westerby, Bagworth, Thornton, Birstall, and Cotes.

with under Nottinghamshire on Edmund's inquisition, but it was also part of the honour so that in c. 1280 it was not geographical but honorial boundaries which formed the dividing line for bailiffs collecting monies, and this duality was also noted on the inquisition. Noseley appears on Edmund's inquisition only, and Desford is on the latter and the 1284-5 Feudal-Aid only.¹⁰ Initially, places on all three sources will be investigated.

Higham on the Hill is one of those places which is on both Edmund's inquisition and the Feudal-Aids. In c. 1297, Andrew de 'Eleye' held three and a quarter fees in Higham on the Hill, Broughton Astley and the two Langtons doing scutage and suit of court. In 1284-5 he held one fee in Broughton Astley, Sutton, and Primethorpe, but not Higham on the Hill. A quarter of a fee in Higham on the Hill did remain with the family, but it was Editha de Astley who held it as her dower from the fee of Winchester. The quarter of a fee held by Thomas de Astley of the Earl of Leicester in c. 1280, must be the one which disappeared from his hands in 1284-5 because Editha held it as her dower. It is unusual for the chief lord to lose control of the land because it formed part of a dower; normally, the widow held it from the same lord as her relative. Even if the tenant lost the use of the land for the duration of the widow's life, the chief lord continued to receive services or other dues from it. It is unlikely that a permanent transfer took place in the years between the Aids; by c. 1297 the Astleys had an odd quarter of a fee back in their

¹⁰ FA, vi, p. 558; CIPM, iii, pp. 289, 299.

hands and again held land in Higham on the Hill which must indicate the return of Editha's dower to Andrew de Astley.¹¹ He also held land in slightly different places; Sutton and Primethorpe, mentioned in 1284-5, do not reappear at any other date. Possibly, they were part and parcel of the fee he held in Broughton Astley and were not always itemised. In c. 1280 Astley held one fee in Broughton Astley, Sutton, and Primethorpe, two in Langton and its members, and a quarter in Higham on the Hill which add up to the three and a quarter fees that he held of Edmund in c. 1297. Andrew de Astley died in 1300, his holding in the manor of Broughton Astley and Higham on the Hill (which is described as a member of the same) had fallen to one and a quarter fees, including the advowson of Broughton Astley church.¹² In the three years between Edmund's inquisition and his death he had lost control of two fees, though it is not possible to say why. The evidence illustrates the continuity of the Astley family in the area and between Edmund's inquisition and the Aids.

Normanton Turville, Thurlaston and Croft were all connected with two families and further illustrate the continuity to be found in the county. In c. 1297 Robert de Campania held two fees in Normanton Turville, Wigston, Thurlaston, Croft, Sutton in the Elms, Stoke Golding and Upton doing suit of court and scutage. At the same date Ralph de Turville held four and half fees in Normanton

¹¹ CIPM, iii, p. 319; FA, iii, p. 99; ibid., vi, pp. 557, 558, 559; 'Estley' and 'Astelegh' have been modernised to Astley, 'Thorp' to Primethorpe.
¹² FA, iii, p. 98; ibid., vi, pp. 557, 558, 559; CIPM, iii, pp. 319, 507.

Turville, Thurlaston, Croft, Walton on the Wolds, Wanlip, Shoby, Smeeton Westerby, and Saxelby doing the same service.¹³ Although details vary with the other places held by these two families, their connection with Thurlaston, Normanton Turville and Croft remained constant. In 1284-5 Robert de Campania and Nicholas de Turville both held two parts of one fee in these three places. In c. 1280 Hugh de Turville and Robert de Campania held one fee each in Thurlaston, Normanton Turville, and Croft.¹⁴ The 1279 inquisition confirms that both Ralph Turville and Robert de Campania were holding in Normanton Turville at this date, for example,

Johannes de Ses holds in the same [Normanton Turville] four virgates of land in freehold, which three free tenants hold.¹⁵

Ses, who held land in Donington le Heath of the fee of Chester and built the manor house which still stands there, held from William Waleys, who held from Ralph Turville, who held of the Earl; this must have been included in the total of Turville's holdings on the other Aids and Edmund's inquisition. Turville, Campania and Ses were said to hold these lands by two parts of one knights' fee of the earl. In 1279 both Ralph de Turville and Robert de Campania were Edmund's tenants in Thurlaston.¹⁶ Thus continuity of tenure is clear for the two men between 1279 and c. 1297.¹⁷

13 CIPM, iii, p. 319, Turvilles also held in the counties of Northampton and Warwick, ibid., pp. 309, 310, 320.

14 EA, iii, pp. 97, 99; ibid., vi, pp. 557, 558, 559.

15 Nichols, IV, ii, p. 1001; ibid., I, i, p. cxii.

16 Nichols, IV, ii, pp. 756, 995; ibid., I, i, pp. cxi, cxii; The Manor House, Donington le Heath, near Coalville, Leicestershire, Official Guide (Derby, 1974), p. 1.

17 G. Farnham, Leicestershire Medieval Pedigrees (London, 1925), pp. 6, 126-8; Farrer, ii, p. 78.

The way small holdings slip in and out of the records is difficult to explain. Sutton, for example, was included in the holdings of Campania in c. 1280, omitted in 1284-5, but recurred in c. 1297.¹⁸ Indeed, the 1284-5 Aid is generally less detailed about the places which the Earl of Leicester held, whilst that of c. 1280 adds evidence for a further thirty-three places in which the earl had tenants.¹⁹ There is no entry in 1284-5 to suggest that the Campania and Turville families had any connection with the other places they held in c. 1297, but they are all mentioned on the Aid of c. 1280. According to this earlier Aid Robert de Campania held half a fee in Wigston, one fee in Stoke Golding and twelve virgates of land in Upton, while Hugh de Turville held a third of a fee in Walton on the Wolds, half a fee in Smeeton and Westerby (they amalgamated to become Smeeton Westerby in later years), one fee in Wanlip, and another fee in Shoby and Saxelby. Even though these places are mentioned in c. 1280 the size of the holding is different in c. 1297. For Campania the holding in c. 1297 was two fees, in c. 1280 it was two and a half fees and twelve virgates of land, which means that his holding was smaller towards the end of the century. The Turville family, on the other hand, had only three and five sixths of a fee in c. 1280 and four and a half fees in c. 1297.²⁰ The reason for this alteration in the size of holdings is not explained in the records, but it could be dowers being taken out of the hands of the tenants as it was in the case

18 FA, vi, p. 557.

19 FA, vi, pp. 557-9.

20 FA, vi, pp. 558, 559; CIPM, iii, p. 319.

of Higham on the Hill, or similar small re-organisations.

The evidence provided by legal records does not wholly support that provided by the Aids; Nicholas de Turville must have died c. 1274 for by 1275 his son and heir, Ralph, was a minor and in the hands of a guardian. A case concerning a plea for the dower of Isabel, wife of Nicholas de Turville, and mother of Ralph, stated that the guardian of Ralph's person and lands was Edmund, the king's brother, but the custodian of the body and lands of the heir was Robert de Farnham.²¹ The same records illustrate that Ralph de Turville's custodian changed before 1279 for at this date he was in the custody of Roger le Bigod, Earl of Norfolk.²² He remained a minor until at least 1280, this seems to be the last case in which he is referred to as such and further evidence from the 1282 inquisition post mortem of John le Latimer supports this view; it states that he held six and three quarter virgates of land from Ralph de Turville of Normanton without any qualification of his status.²³ He must have been of age in 1297 given his unqualified appearance on Edmund's inquisition post mortem; similarly, in 1299 he was summoned to answer for impounding another man's cattle and must have reached his majority.²⁴ It is clear, therefore, that Ralph ought to appear on all records after 1273. The 1279 inquisition states that

Normanton Turville is in the fee of Leicester; and Ralph Turville, who is in the custody of the said earl, holds in the same fifteen virgates of land in demesne and two

²¹ Farnham, v, pp. 286, 287.

²² Farnham, 'Prestwold and its Hamlets in Medieval Times', TLAS, xvii (1932-33), p. 18.

²³ Farnham, v, p. 288; CIPM, ii, p. 284.

²⁴ CIPM, iii, p. 319.

mills, one wind and one water.²⁵

This confirms that Ralph was still a minor and in Edmund's custody. On the c. 1280 Aid, however, the name Hugh de Turville appears; there is evidence for the existence of two men of this name.²⁶ The first was active in the first half of the thirteenth century and was Ralph's great-grandfather; the second was Ralph's son and does not appear in the records until the early years of the fourteenth century.²⁷ This suggests that the so-called c. 1280 Aid is perhaps inaccurate and of a later date than has been suggested, it would fit in far better with what is known of the dynamics of the Turville family if it had been taken after 1282 at the earliest. The 1284-5 Aid records the name of his father, Nicholas, which should not be the case if Ralph came of age by 1282.²⁸ An analysis of the c. 1280 Aid shows the danger of depending on first names: of fifty-six entries, only ten have names which are different by 1330.²⁹ This raises questions about the reliability of these records as a whole. This area may have adhered to the same first names for their heirs which is illustrated by the men of the Campania family. On the face of it all the records agree; Robert de Campania appears on Edmund's

25 Nichols, IV, ii, p. 1001, *ibid.*, I, i, p. cxii, my translation.

26 FA, vi, pp. 557, 558.

27 Farnham, v, pp. 284, 291; Farnham, Pedigrees, p. 6 omits the tenant of Edmund, Ralph's brother, John; and the early fourteenth century Hugh's brother, William, from this pedigree; Nichols, IV, ii, pp. 995, 1001 states that in 1296 Nicholas de Turville held in Thurlaston, Normanton Turville and Croft of the Earl for two parts of a fee, which flies in the face of the CIPM, iii, p. 319 which states it was Ralph who so held.

28 FA, iii, p. 97.

29 FA, vi, pp. 557-9.

inquisition, and the Feudal Aids of 1284-5 and c. 1280, but their genealogical table shows that Robert's father died between 1272 and 1274, so Robert held until 1315. He was succeeded by his son, another Robert, who lived until 1343. Any error in the dating of the c. 1280 Aid, therefore, would not be apparent because the same name would appear on the record whether it was dated to 1282 or 1330. It happens that the Turville men were not called by the same name so that Hugh appears earlier than he should.³⁰

The overwhelming trend then is for a large majority of the tenants who held from Edmund as Earl of Leicester to continue in their holdings between c. 1280 and c. 1297.³¹ Apart from continuity the evidence also illuminates the nature of the tenure prevalent in Edmund's lands, particularly the 1284-5 Aid. In Cadeby John de Segrave appears on Edmund's inquisition holding a sixth of a knights' fee doing suit of court and scutage. In 1284-5 the Aid states that Richard de Cadeby held a sixth of a

30 CIPM, iii, p. 319; FA, iii, p. 97; ibid., vi, p. 557; Farnham, Pedigrees, opp. p. 126; J. Ordish Hulme, The History of Thurlaston et al. (Leicester, 1904) pp. 23, 101 quotes an inquisition of 1270 but it is identical to that of 1279 and would seem to be erroneously dated.

31 Similar continuity is evident for the following tenants in the period between c. 1280 and c. 1297: CIPM, iii, p. 318; FA, iii, p. 97; ibid., vi, p. 559, for Gilbert de Boseville and Higham on the Hill: CIPM, iii, p. 319; FA, iii, p. 98; ibid., vi, p. 559, Farnham, 'The Manor of Peckleton: Documentary Extracts', TLAS, xvii (1932-33), p. 116 for Motons in Peckleton: CIPM, iii, p. 319; FA, iii, p. 97, ibid., vi, p. 557; Farnham, v, p. 346; CF, ii, pp. 6-7 for Bassets (father to son to grandson) in Sapcote, Upton and Stoke Golding: Farnham, 'Frowlesworth: the Descent of the Manor', TLAS, xii (1921-2), opposite pp. 192, 189; CIPM, iii, p. 318; FA, iii, p. 97; ibid., vi, p. 557; Nichols, IV, i, p. 181 for Danvers in Frowlesworth: CIPM, iii, p. 319; FA, iii, p. 98; ibid., vi, p. 558; Farnham, iii, p. 77 for Robert, son of Simon, and South Kilworth.

knights' fee of Nicholas de Segrave whereas in c. 1280 only the latter is named in connection with the fee. In 1279 the information of 1284-5 is reiterated with additional details of the amount of land held: five virgates in demesne and six in freehold farmed by five free tenants. Thus the chain from land to king is discernible. It began with the five free tenants who held of Cadeby the 'minor' tenant, he held of Segrave, the 'major' tenant, and the latter held of Edmund, the tenant in chief, who held of the king.³² All four men wield authority in greater or lesser degree and all were lords. This is just one example of the 'lordship squared' Coss has commented upon, Edmund was a 'great feudatory' and the smooth running of his patrimony depended on men of the calibre of Segrave, who wielded lordship in their own right.³³ The different levels of evidence within the records probably illustrate the varied reasons for which the records were compiled, but they all illustrate the continuity amongst Edmund's tenants.

The Ferrers family illustrate the hiatus that can occur in the evidence provided by the 1284-5 Aid; again this has more to do with the nature of the evidence than a sign of a break in tenancy. In c. 1297 William de Ferrers

32 CIPM, iii, p. 319; FA, iii, p. 97; *ibid.*, vi, p. 559; Nichols, IV, ii, p. 572. CIPM, iii, p. 319, FA, iii, p. 98, *ibid.*, vi, p. 557, Nichols, IV, ii, p. 571, Farnham, i, p. 221, *ibid.*, vi, p. 239, similarly, in c. 1280-c. 1297 the Danets held in Whetstone, in 1284-5 the free tenants of Whetstone held five virgates of land of Ralph; he is the only man between Edmund and the men who worked the land and was lord of these men. They also had an interest in 'Brentynghthorp', identified by Farnham as Bruntingthorpe and Bromkinsthorpe, using Edmund's inquisition to uphold both identifications but one must be incorrect.

33 P.R. Coss, 'Bastard Feudalism Revised', P&P (1989), p. 50.

held one fee in Glenfield and Belgrave by scutage only.³⁴ In c. 1280 Henry de Ferrers held half a fee in Glenfield and two fees in Belgrave thus the family had lost a fee in Belgrave and gained a half in Glenfield.³⁵ Belgrave does not appear on the 1284-5 Aid, but in Glenfield Peter, son of Roger, and his tenants held two virgates of land of Geoffrey de Grauntford, who held of the Earl of Leicester who held of the king. The 1279 inquisition also omits Belgrave and states almost the same as the Aid with regard to Glenfield, except that two free tenants held two virgates of the Earl of Leicester, and Peter, son of Roger, held one of the heirs of Geoffrey de Grauntford who held of the earl.³⁶ The absence of Belgrave from these records implies that the Ferrers' connection with it was broken in 1279 and 1284-5, but as their tenancy is recorded in c. 1280 this is not the case. Perhaps the Aid levied in 1284-5 and the inquisition of 1279 did not concern all the holdings of tenants, only those of a certain size or value. Further complication arises because Belgrave village was part of the honour of Tutbury. Margaret de Ferrers was heiress of the Earl of Winchester, and she inherited some manorial rights in Belgrave which she held of the latter earl's fee, but most of the rights remained with the Earls of Leicester.³⁷ The Ferrers, therefore, were tenants of both the honour of Leicester, and the fee of Winchester. Similarly, the Earl of Warwick held one fee in Blaby and

34 CIPM, iii, p. 319.

35 FA, vi, pp. 558, 559.

36 FA, iii, p. 97 Nichols, I, i, p. cxii, ibid. iv, p. 609.

37 Farnham, vi, p. 65; ibid., 'Belgrave: the Descent of the Manor', TLAS, xvi (1929-31), p. 50; ibid., Pedigrees, p. 12.

Countesthorpe which appears in the records of c. 1297 and c. 1280, but in 1284-5 Nicholas de Blaby held half a fee in Blaby of John de Lodbrok who held of Thomas Hardrin, who held of the Earl of Leicester, the Earl of Warwick's holdings from the Earl of Leicester are not noted in 1284-5 when it is obvious he was holding them before and after the Aid was taken.³⁸ These examples illustrate that though tenancies continued between 1279 and c. 1297, the 1284-5 Aid does not reflect them, probably because the holders fell outside the remit of the Aid. Secondly, Edmund's tenants also held from other lords, and his tenants could also be major magnates in their own right. These are examples of multiple lordship via tenure, as in the Ferrers' case because of the accidents of history, but it must have led to difficulties when services were called upon. As Waugh states, lords tried to discourage multiple lordship which was more of a possibility with written indentures, but because of the way in which inheritance fragmented land it was impossible for the greater magnates to avoid it amongst their landed tenants. Moreover, as Crouch states, holding land from more than lord was not a new thing, examples can be found in Domesday Book, but it added extra complexity to an already complicated system.³⁹

Inadequacies in Edmund's inquisition post mortem can

38 CIPM, iii, p. 319; FA, iii, p. 98; *ibid.*, vi, p. 557; Lodbrok is a modernisation of 'Lebrok' following Farnham, v, p. 35; the Lodbrok pedigree in Farnham Pedigrees, p. 15 has too many generations to fit the evidence put forward in Farnham, v, pp. 36-9 and should be followed with caution.

39 S.L. Waugh, 'Tenure to Contract', EHR, ci (1986), p. 828; D. Crouch, 'Debate: Bastard Feudalism Revised', P&P, cxxxi (1991), p. 170.

also be found. Laurence de Belgrave held a quarter of a knights' fee in Belgrave in c. 1280. Belgrave is linked with Birstall on the De Banco Roll of Michaelmas 1295 when Roger, the son of Laurence de Belgrave, demanded that Robert de Birstall

acquit him of the service which Edmund the king's brother exacts of him for the free tenement which he holds of him in Belgrave and Birstall, of which Robert is the intermediary and ought to acquit him.⁴⁰

Not only does this extend the influence of the Belgrave family into Birstall, it provides a connection between Edmund and Birstall, a place which does not appear on his inquisition, yet men held a free tenement of Edmund in both places in 1295. Possibly, Birstall was omitted from Edmund's inquisition because any who held Belgrave would obviously hold Birstall. In c. 1280 Thomas de Kygelegh held a third of a knights' fee there, so though the Belgrave family was established in Belgrave at this date, they were not fee-holders in Birstall.⁴¹ Later in the century another tenant is in evidence, an inquisition post mortem of 1298 states that Hawise de Greley held

Birstall: messuages, lands and rents of the earl of Leicester by homage and doing suit at the earl's court of Leicester every three weeks⁴²

Her son, Thomas, was her heir; Richard de Belgrave is listed amongst the tenants holding a messuage and virgate and he is probably a member of the Belgrave family under discussion.⁴³ Hawise may have held Birstall for reasons of dower, the Leicester inquisition of her husband, Robert

40 Farnham, i, p. 155.

41 FA, vi, p. 557.

42 CIPM, iii, p. 404; Farnham, i, pp. 155-56, the reference to Hawise's inquisition as 'CIPM, iv, p. 404' is wrong.

43 Farnham, i, p. 155; *ibid.*, vi, p. 70.

de Greley, took place on 20 August 1282 and states

Birstall: the service of free tenants rendering
...[manuscript defective]...21 virgates of land, pleas
and perquisites etc. Sum £15 12s. 1d. held by the
enfeoffment of the ancestors of Gerard de Furnival in
fee...(without ?) any service.⁴⁴

It is unlikely that Greley held land without owing service to someone, though it is unclear who Furnival's ancestors were. By the time his wife, Hawise, died in 1298 she was holding Birstall of the Earl of Leicester. Greley, however, held land of Edmund in Lancashire. Similarly, a memorandum on Hawise's dower states that she was given advowsons and knights' fees in five counties but not in the expected Leicestershire.⁴⁵ Hawise must have died seized of Birstall because she held it as dower, but her husband's inquisition does not confirm it. Although the descent of Birstall is not as straightforward as that of other places, there are links to be found with the Belgrave family.

A similar point can be made with Enderby and Willoughby Waterless. In c. 1297 Martin de Ryper held a tenth of a fee in Willoughby Waterless, and a watermill at Enderby, doing scutage and suit of court. No other tenant is mentioned on Edmund's inquisition in connection with these places. In c. 1280 Thomas de Ryper held exactly the same as his relation of c. 1297. Another tenant is noted in c. 1280: Philip de Neville held a quarter of a fee in Enderby and in 1284-5 Robert de Neville held exactly the same, but the Neville family do not appear in c. 1297; they have to be concerned with a different holding to the

⁴⁴ CIPM, ii, p. 239.

⁴⁵ CIPM, ii, p. 241, the five counties were those of Lincoln, Lancaster, Rutland, Norfolk, and Oxford.

Rypers, and as they do not figure on Edmund's inquisition post-mortem it is likely that they belonged to the minor tenants that as a group did not appear on his inquisition. In Willoughby Waterless in 1284-5 another man appears, John de Anderville, but he held a tenth of a knights' fee like the Rypers did in c. 1280 and c. 1297. Anderville is concerned with the same sized fee but he is not associated with the watermill like the Rypers, so it may be that there were two holdings in both Enderby and Willoughby Waterless and different names appeared depending on the remit of the Aid, or it could be that the Rypers lost control of the fee in 1284-5 though this seems unlikely.⁴⁶

Edmund held some manors in demesne: in Hinckley in c. 1297 Geoffrey de Charneles held half a knights' fee doing scutage only, and free tenants there held a fifth of a fee doing the same. The 1284-5 Aid adds that the Earl of Leicester held the suburbs of Hinckley and its members in demesne plus sixteen virgates of land from the king in chief for unknown service. In c. 1280 the information from c. 1297 is repeated, though the tenants' fifth of a fee is expressed as two tenths, and Nicholas de Charneles held instead of Geoffrey which indicates that the Charneles family were established in Hinckley between c. 1280 and c. 1297.⁴⁷ The manor of Earl Shilton was extended in c. 1297, but no tenants are mentioned, the 1284-5 Aid specifies that Edmund held a fee there as Earl of Leicester together with Desford and 'Turkeby', and that he held a second fee in

⁴⁶ CIPM, iii, p. 319; FA, iii, p. 97; *ibid.*, vi, pp. 557, 558.

⁴⁷ CIPM, iii, pp. 319, 289; FA, iii, p. 98; *ibid.*, vi, p. 559.

Desford and its members of the king in chief. Neither of the fees associated with Desford are mentioned on the c. 1280 Aid, but it does record that John de Barwelle held 'six tenths of one fee in one virgate of land' in Earl Shilton, though there was no record of him as a tenant in later evidence. Edmund's son, Thomas, second Earl of Lancaster (1296-1322), held the four manors of Hinckley, Leicester, Earl Shilton and Desford in demesne.⁴⁸ Four manors among so many in Leicestershire is not a large number. The trend noted by both Coss and Waugh towards greater demesne cultivation by lords is not supported by evidence from Leicestershire or any of the other counties in the honours under discussion.⁴⁹

The only place which features on Edmund's inquisition and the two Aids and among whose tenants there is no continuity is Knaptoft; at least that is how it appears. In c. 1297 the heirs of Roger de Merley held one fee in Knaptoft and Mowsley, and the heirs of Walter de Belgrave held a quarter of a fee in the same places and did scutage and suit of court. By 1284-5 Richard Gobion held a half and an eighth of a fee in Knaptoft; and in c. 1280 Roger de Somerville held one fee there. There is little continuity here, but the evidence of Hugh Gobion's inquisition post mortem provides a link. He died in 1275 and it states:

Knaptoft. The manor, held of Robert de Somirville, who married one of the heirs of Roger de Merreleye, who

48 CIPM, iii, p. 289; Farnham, v, pp. 165-6; FA, iii, p. 98, 'Turkeby' cannot be positively identified, it may be Kirkby Mallory; *ibid.*, vi, p. 557; R. Hilton, The Economic Development of some Leicestershire Estates in the Fourteenth and Fifteenth Centuries (Oxford, 1947), p. 3.

49 Waugh, EHR, ci (1986), p. 814; Coss, P&P (1989), p. 50.

held the manor of the fee of the earl of Leicester by service of 1 knights' fee.⁵⁰ Richard Gobion his son, aged 30, is his next heir.

Thus Somerville was an heir by marriage of Merley and the Gobions were his tenants. The grandfather of the Richard de Gobion, holding from Edmund in 1284-5, was another Richard living in 1201. He married Agnes, Merley's sister, early in the reign of Henry III, and Merley gave Gobion the manor of Knaptoft in free marriage when he took Agnes to wife. The evidence for this comes from a 1302 court case over the right to presentation to the church of Knaptoft. Thus both the wife of Robert de Somerville and Richard Gobion were Merley's heirs in c. 1297. Once again it is the 'major' tenant of the Somerville family who was mentioned in c. 1280, but the 'minor' tenants, the Gobions, who appeared in 1284-5, and this seems the most likely explanation for all of the differences in the tenants named, that a different 'layer' was recorded in 1284-5. The holdings between c. 1280 and c. 1297 do not fluctuate in size, but include Mowsley as well as Knaptoft in c. 1297. An extent of 1268 gives a valuation of the lands that Hugh Gobion held in Knaptoft; the writ stated that the king was giving them to Hugh de Turberville on account of Hugh Gobion's 'trespasses in the late disturbances' against the king in 1265. After the valuation of Knaptoft, a parcel and a carucate of land in Mowsley are listed, but they were clearly part of the lands which the writ referred to as the 'lands of Hugh Gobion in Knaptoft'. It is

⁵⁰ CIPM, iii, p. 319, Merleye has been modernised to Merley and Gubyun to Gobion; FA, iii, p. 97; *ibid.*, vi, p. 558; CIPM, ii, p. 78.

probable that the inquisition of c. 1297 was more accurate than previous records when it noted that Merley's heirs held in both Knaptoft and Mowsley. This evidence shows that there was a connection between the heirs of Roger de Merley in c. 1297 and Roger de Somerville holding in c. 1280; moreover, Hugh Gobion (d. 1275) lost his lands in 1268, but two entries of 25 September 1269 and 2 July 1270 on the Close-Rolls record their recovery from Turberville according to the Dictum of Kenilworth, another example of a rebel who was restored to lands which had been forfeited.⁵¹ Although there is no clue as to who Walter de Belgrave's heirs were, far from being an exception, Knaptoft follows the general rule of continuity among its tenants.

Of the places which appear on Edmund's inquisition post-mortem and the c. 1280 Aid only, the vast majority of holdings display complete continuity.⁵² In Atterton and

51 Farnham, Pedigrees, p. 44; Farnham, v, p. 387, Banco Roll, 1302; CIM, i, p. 122, suggests the writ had been sent out before; it states that the extent was taken on the Thursday before Easter [21 March 1269], rather than the Tuesday before Easter [19 March 1269] as stated in Farnham, v, p. 386; CCR-1268-72, pp. 139, 277-78

52 Places with tenant continuity: CIPM, iii, p. 320, ibid., i, p. 276, FA, vi, p. 558; Nichols, I, i, pp. cxx-cxxi, Farnham, ii, p. 223, Grey in Evington and Humberstone; CIPM, iii, p. 319, FA, vi, pp. 557, 558, Basset in Cranoe, Glooston, Stockerston, Stoke Golding, Sapcote and Upton, Segrave in Sileby, Thurnby and Long Whatton; CIPM, iii, p. 318, FA, vi, p. 558, Wyville in Stonton Wyville, Shangton and Hardwick; CIPM, iii, p. 319, FA, vi, p. 558, Turville in Smeeton Westerby, Saxelby, Shoby, and Wanlip, Chaworth in Burton on the Wolds, Prestwold, and Wymeswold, Butler in Wymeswold; CIPM, iii, p. 319, FA, vi, p. 558, Eure in Walton; CIPM, iii, p. 319, FA, vi, pp. 558, 559, Campania in Wigston, Stoke Golding and Upton; CIPM, iii, p. 319, FA, vi, p. 559, Botiler in Ravenstone, Moton in Stapleton and Peckleton, Danet in Bruntingthorp and Whetstone; CIPM, iii, pp. 319, 554; FA, iii, pp. 97, 98; ibid., vi, pp. 557, 558; Farnham, vi, p. 208; Nichols, I, i, pp. cxvi-cxvii, ibid., IV, i, p. 73, Saier de Thorp in Primethorpe and Mallorpy in Catthorpe.

Witherley in c. 1297 John Wake held one fee doing scutage only and c. 1280 Baldwin Wake held the same size fee but the service is unmentioned. Baldwin died in 1282, his inquisition confirms his holding in Atterton and Witherley but does not mention his heir. In 1282 the Fine Roll reveals that John was a minor because a Wake manor in Northamptonshire was committed to Philip de Burnel for this reason. He reached his majority in 1290 when he obtained seisin of his father's lands, proving their family relationship. John died sometime before 10 April 1300 when the escheator was commanded to take his lands into the king's hand. The nature of the Wake tenancy is also revealed by Baldwin's 1282 inquisition, it states that he died holding a knights' fee in Atterton and Witherley which Nicholas Segrave held of him.⁵³ This chain is taken a step further back by the 1279 inquisition which confirms that Segrave held of Wake, and states that John Somerville held of Segrave, and nineteen villeins held a virgate each of Somerville.⁵⁴ The line of tenants going unbroken from the king to the common man is illustrated here once again.

Noseley is an interesting example of continuity. It only occurs on Edmund's inquisition, with Roger de Martival as tenant; he was a cleric and the evidence for his career and activities is considerable. He witnessed letters patent and oath takings, and presented men to benefices.⁵⁵

53 CIPM, iii, p. 319; FA, vi, p. 559; CCR 1288-96, p. 63; CFR, i, pp. 166, 427.

54 Nichols, I, i, p. cxiii, ibid., IV, ii, p. 1007.

55 CIPM, iii, p. 319; The Rolls and Register of Bishop Oliver Sutton 1280-99, ed R.M.T. Hill, LRS, xliii (1950), pt. ii, p. 91; ibid., lii (1958), pt. iv, p. 121; ibid., lxxvi (1986), pt. viii, pp. 46, 55, 58.

In 1293 he was appointed as Chancellor of Oxford University and in 1294 he was called upon to settle disputes there, he had resigned from this post by 1295.⁵⁶ He held a number of posts in the church during this period. He was appointed as prebend of Lafford c. 1288 and resigned when he was appointed to the prebendary of Caistor in 1293; he was also archdeacon of Huntingdon from 1288 until 28 January 1294. On 16 January 1295 he was appointed to both the archdeaconry of Leicester and the prebendary of St Margaret's, Leicester; he resigned as prebend on 28 January 1295, but retained the prebendary of Caistor. On 6 February 1297-8 he was appointed to the prebendary of Netheravon in Salisbury.⁵⁷ Roger also went abroad on three occasions, according to the grants of protection and the letters of attorney he received, the journeys must have been completed in 1281, 1283 and 1292. These continental travels may have been connected with the church, or as Farnham suggests, they may have been diplomatic missions undertaken on the king's behalf.⁵⁸ A grant of 17 June 1292 confirms his connection with Noseley.

twenty days' indulgence [was granted] to all who should come for the purpose of devotion on the second Sunday after Easter or during the following octave to the chapel dedicated by the bishop in the manor of Master Roger de Martival at Noseley.⁵⁹

56 Bishop-Sutton-Rolls, lii (1958), pt. iv, pp. 140-3; ibid., lx (1965), pt. v, pp. 29, 55.

57 G.F. Farnham and A. Hamilton Thompson 'The Manor of Noseley With Some Account of the Free Chapel of St Mary', TLAS, xii, 1922, pp. 221-22; ibid., 'Martyvaus' is modernised to Martival; Bishop-Sutton-Rolls, lxxvi (1986), pt. viii, pp. 209, 216, 211; ibid., lx (1965), pt. v, p. 55.

58 CPR.1272-81, p. 458; ibid., 1281-92, pp. 54, 78, 79, 473, 475; Farnham, TLAS, xii, 1922, p. 222.

59 Bishop-Sutton-Rolls, lii (1958), pt. iv, p. 7.

A presentation to a benefice was not only a matter of the seignurial lord's right and his financial gain, but one of religious importance and an opportunity the parishioners of the locality could use to enrich their spiritual life.

There are eighteen documents extant which illustrate the way in which Roger consolidated the arrangements for the chapel in Noseley. The earliest document from the fourteenth century is a charter of Thomas of Lancaster, dated 26 December 1302, which grants Roger licence to give the chapel two tofts and a virgate of land in Noseley in perpetual alms. The documents illustrate that a number of authorities had to be approached to obtain permission for the chapel to exist and to provide it with income to support the ministers and clerks that were to serve it.

Martival's association with the chapel does not end in the documents until 22 February 1329 when he granted the advowson to his nephew, Anketin de Martival. Roger was elevated to the bishopric of Salisbury in 1315 and it has been suggested that this was the result of his tenancy under Thomas of Lancaster, Edmund's son and heir, but this is difficult to verify. Edwards' work on the registers from Roger's years as a bishop, suggests that his appointment was due less to Lancastrian influence, and more to his proven ability as an administrator. He had wide ecclesiastical experience, and had been involved and interested in Salisbury's affairs for some years by 1315. Thomas of Lancaster was enjoying a period of influence at court when his appointment was made and Edwards suggests there was probably less opposition to it, when his overlord

sat at the centre of affairs.⁶⁰ For Noseley ecclesiastical records have been of inestimable value in tracing the tenancy of the manor, despite the dearth of other evidence.

There are four places in which the tenants named in c. 1297 do not agree with those of c. 1280 and one tenant who appears on Edmund's inquisition and nowhere else.⁶¹ The Abbot of Garendon is the tenant in question, he held an eighth of a fee in Wymeswold by scutage only. The holding was probably Edmund's gift to the church made after the Aids were taken.⁶² Theddingworth is one of the places where tenants differ, it had two tenants holding from

59 Bishop Sutton Rolls, lii (1958), pt. iv, p. 7.

60 LRO, DG 21/11, DG 21/35/d, h, c, e, f, g, j, i, (this is a copy of fourteen documents relating to Noseley made in 1579; it preserves twelve documents which would otherwise be lost), DG 21/13, DG 21/12, DG 21/14, DG 21/15, DG 21/16, DG 21/17, DG 21/18; 'Some Unpublished Documents relating to Noseley, co. Leicester', ed H. Hartopp, AASRP, xxv (1899-1900), pp. 451-8; AASRP, xxvi (1901-1902), pp. 276-304; HBC, p. 270; Farnham, TLAS, xii, 1922, p. 222; CPR 1301-1307, p. 444; The Registers of Roger Martival, Bishop of Salisbury 1315-30, iv, Canterbury and York Society, lxxviii (1975), ed D.M. Owen, General Introduction, K. Edwards, p. ix.

61 Due to the need for brevity the four cases cannot be discussed in detail, the other three are: CIPM, iii, p. 319, FA, vi, p. 558, Lockington: in c. 1297 Simon de Senevill held half a fee, but in c. 1280 the Abbot of Leicester held the manor; RH, i, p. 238, CIPM, i, p. 257, Farnham, 'Extracts from the Curia Regis Rolls', AASRP (1919-20), xxxv, p. 151, CP, iv, p. 198, CPR 1313-17, p. 212, A. Hamilton Thompson, The Abbey of St. Mary of the Meadows Leicester (Leicestershire Archaeological Society, 1949), pp. 22, 53, HBC, p. 468, Farnham, iii, pp. 183-6, for Senevill's early establishment in Lockington and his alienation in mortmain of the manor in 1315. CIPM, iii, p. 319, FA, vi, p. 558, Farrer, ii, p. 69, HBC, p. 487, Hathern: in c. 1297 Hugh le Despenser held a twentieth of a fee and Walter Hylling held a quarter of a fee; in c. 1280 Thomas de Thorp held a twentieth of a fee; the lands came into the Ferrers' hands and thus into those of Edmund via Margaret, second wife of William de Ferrers, fifth Earl of Derby. CIPM, iii, p. 319, Mowsley: in c. 1297 Roger de Martival held a fee in Humberstone and Mowsley; in c. 1280 Anketinus Hubaud held the same fee.

62 CIPM, iii, p. 319.

Edmund: the Abbot of Leicester held an eighth of a fee doing scutage only, and Isabel de Turs held the same fee, doing scutage and suit of court. There are two points here; firstly, it is only the second female tenant that has been noted in the county, the first being Alicia de Woure in Walton; there are another four in Northamptonshire, two in each honour, but evidence for women's tenure is scanty. These women stood in a position similar to that of men; they were not noble ladies, nor were they townswomen who worked at and continued their husband's trade. Such women were usually widows, perhaps of knights or lesser gentry, it is unlikely that they would be holding land by service in their own name if they were not. They may have been heiresses, but would be married off and thus disappear from the records. Secondly, it is odd that the Abbot of Leicester does not reappear as a tenant in c. 1280 since the church usually retained land.⁶³ Robert de Wyville, holding a fee in Stonton Wyville and Theddingworth, is the only tenant recorded in c. 1280. Although the Wyville family did not maintain links with Theddingworth, the opposite is true of their other holdings in the county. Between c. 1297 and c. 1280 Robert de Wyville held in Shangton, Hardwick, and Stonton Wyville without interruption. Sir Robert de Wyville was a witness to two documents in the Leicestershire Record Office. The first, dated 6 October 1274, is a quitclaim by Sir William le Strange to Sir John de Wyleby and Joan, his wife, of his

63 CIPM, iii, pp. 319, 320, 309, 296; FA, vi, p. 558; M. Wade Labarge, Women in Medieval Life (London, 1986), pp. 82-4, 148.

capital messuage in Shangton, and his manorial court and rights in Shangton and Hardwick which he granted to them and received back for the term of his life. The second must relate to this agreement; it is a confirmation and grant of Wyleby to Strange of his chief messuage in Shangton. These documents prove that Strange was a man of importance in Shangton and Hardwick, but it does not mean that he held the manor from Edmund, Wyville must also have been a responsible man in the area to be a witness. Note that Wyleby re-granted the chief messuage to Strange but kept the manorial court and other rights in his own hand. These documents show that Wyville and others held land in Shangton, but he seems to be the only one connected with Edmund. The discussion below illustrates that their tenancy was well established in Stonton Wyville.⁶⁴ It is difficult to say why these four places do not follow the trend of the majority within the county, whether they are mentioned on Edmund's inquisition and the two Aids, or whether they appear on the inquisition and the c. 1280 Aid, there is no obvious reason to explain the lack of continuity amongst their tenants. The low number of places illustrates that the tenantry remained stable and consistent as far back as c. 1280; the upheaval caused by the Barons' War (1264-66) was by then sixteen years distant and Edmund had been in control for all of that time. Most tenants associated with Edmund at his death are represented by the same families in c. 1280. It was obviously a period of stability and consolidation for the tenantry, the earl

⁶⁴ CIPM, iii, pp. 318, 319, 320; FA, vi, p. 558; Farnham, Pedigrees, pp. 106-110; LRO, 34 D56/14, 34 D56/50.

and the county.

The Hundred Rolls take the discussion back to 1274-5; and other sources will also be used for the 1270s. Fifteen places that appear on Edmund's inquisition post mortem figure on the Hundred Rolls, but they do not necessarily provide evidence of continuity among Edmund's tenants.⁶⁵ The people they name are different to those mentioned in any of the sources discussed so far, probably because they were tenants of other lords who held in these places.

The link between Noseley and the Martival family is underlined by the Hundred Rolls which state that Roger de Martival had right of warren by unknown warrant there in 1274-5. The extant, beautifully written charter of Henry III, dating from 1250-1 grants free warren to Anketin de Martival, but the commissioners of 1274-5 did not see this document; it proves beyond doubt that the Martivals held this liberty by royal grant. Roger's father, Anketin or Anketil de Martival died circa 1274-5, and Roger had prompt seizin of his father's lands to appear on the Hundred Rolls. Nonetheless, Anketin was active in 1274; with others, he was appointed to a commission on 28 January to enquire about discords in Oxford; and in June he granted land in Noseley, Slawston, Hallaton, and Houghton to the chapel of Blessed Mary which was situated within the manor of Noseley, this grant to the chapel may have been made in the knowledge that he was terminally ill as he died shortly

⁶⁵ The fifteen places are Mowsley, Stonton Wyville, Theddingworth, Willoughby Waterless, Cadeby, Normanton Turville, Belgrave, Burton on the Wolds, Hathern, Humberstone, Saxelby, Sutton in the Elms, Walton on the Wolds, Wymeswold, Thorpe.

afterwards.⁶⁶ His widow, Agnes, was involved in legal proceedings in Hilary Term 1274-5 concerning lands outside Edmund's patrimony. In 1276 Roger confirmed his father's gifts of 1274 to the manorial chapel.⁶⁷

The Hundred-Rolls prove the continuing interest of the Abbot of Leicester in Lockington; he held eighteen virgates of land of the gift of Reginald Basset. Though this echoes the c. 1280 Aid, when the abbot was said to hold the whole manor in socage, valued at thirty pounds a year, it bears no relation to the tenant of c. 1297, Simon de Senevill, who held half a knights' fee in Lockington by scutage and suit of court. It suggests that it was the final portion which brought the whole manor into the abbot's hands. Senevill may have held from the abbot who held from Edmund, but nowhere does it actually say so. Other scholars have noted that the Augustinian abbey of St Mary in the Meadows had the largest ecclesiastical estate in the county and that Lockington formed a part of this.⁶⁸ It is not surprising, therefore, that such a large landholder should appear among the tenants of Edmund of Lancaster.

The men mentioned in connection with Frowlesworth in 1274-5, are William de Houton, William Boveton and Elyas.⁶⁹ They bear no relation to the Danvers family who repeatedly

66 LRO DG 21/8, DG 21/35/a; Hartopp, AASRP, xxv (1899-1900), pp. 443-4, 448-9; Farnham, Pedigrees, p. 57; Farnham, TLAS, xii, 1922, pp. 220, 233-4; CPR 1272-81, p. 65.

67 LRO DG 21/35/b; Hartopp, AASRP, xxv (1899-1900), pp. 449-51; Farnham, TLAS, xii, 1922, pp. 220-1.

68 RH, i, p. 238; FA, vi, p. 558; CIPM, iii, p. 319; R. Hilton, The Economic Development of Some Leicestershire Estates in the Fourteenth and Fifteenth Centuries (Oxford, 1947), pp. 6, 48.

69 RH, i, p. 239.

appear between c. 1297 and c. 1280.⁷⁰ Although the Hundred Rolls can often be of assistance in proving a link between tenant and lord, this is not always the case.

Hinckley, which Edmund held in demesne, appears on the Hundred Rolls; the bailiff of the borough of Hinckley, William Pistor, captured two men and three women for the theft of goods worth a mark, but he allowed them to go free and unpunished.⁷¹ It is possible that Pistor was Edmund's bailiff, and his misdemeanour was just what the enquiry of 1274-5 was designed to unearth. Nichols states that the manor and park of Hinckley were assigned as dower to Blanche, Edmund's widow; and that the manor and park later formed part of the dowers of several queens of England.⁷²

Edmund did not hold hundreds in the honour of Leicester as he did in the honour of Tutbury, but the Hundred Rolls note Edmund's tenants outside the eastern gate of Leicester under the hundred of Gartree. They had withdrawn suit from the hundred for twenty-four years which meant that they had been in error since 1260, well before Edmund was earl, which illustrates the long standing nature of some of the abuses which were brought to light in 1274-5. In 1285 the Earl of Leicester had tenants outside the southern gate of Leicester though their holdings are unrecorded. There does not seem to have been precise knowledge of the standing of the earls' tenants in this region of the city; it is little wonder that those outside the eastern gate were able to go undetected for so many

⁷⁰ FA, iii, p. 97; *ibid.*, vi, p. 557; CIPM, iii, p. 318.

⁷¹ RH, i, p. 240.

⁷² Nichols, IV, ii, p. 670; J. Thompson, 'Ancient Hinckley', TLAAS, ii (1860-64), p. 318.

years. Under the same hundred it states that the Earl of Leicester had return of writs, gallows, assize of bread and ale and pleas for unlawful distress.⁷³

The Hundred Rolls mention Ashby Magna, but it does not occur on Edmund's inquisition post mortem, they state that the manor of Ashby Magna escheated to King Henry (III) having been forfeited by William de Ashby after the battle of Evesham. The king gave it to Edmund, but the Bishop of Coventry and Lichfield held it in 1274-5, and had view of frankpledge and assize of bread and ale there. An earlier charter states that Ashby Magna had been in the hands of at least two other men. The inspeximus and confirmation of a charter of 26 June 1270 states that Edmund

gave to his knight Sir William Bagot...all the manor of Ashby with the rent of Lilleburn which manor Edmund had formerly given to Sir Hugh de Pagenham, which he had of the king's gift to be held by the service due.⁷⁴

Thus the manor went from Sir William de Ashby to the king in 1265, and from him to Edmund. Edmund granted the manor first to Sir Hugh de Pagenham, and then in 1270 to William Bagot. In 1272 Ashby's wife, Matilda, sued Bagot for a third of the manor as her dower. Bagot called Edmund to warrant and despite Edmund's defence that she was not due any dower because her husband had committed a felony, she got it by default. Edmund was ordered to recompense Bagot with other lands to the same value as those he had lost to Matilda. By 1274-5, however, the manor was in the hands of Roger Longespee, Bishop of Coventry and Lichfield (1257-1295). The bishop was probably taking care of Ashby Magna in the same way that he had taken a three year lease of the

⁷³ RH, i, p. 237; FA, iii, p. 98.

⁷⁴ RH, i, p. 239; CChR, ii, p. 144.

manor of Newcastle under Lyme on 18 May 1270; both grants were probably connected to Edmund's imminent departure on crusade. Edmund did not lose his interest in Newcastle unde Lyme, it appeared on his inquisition, but Ashby Magna is absent from it. Fox includes it on his list of the honour; in c. 1280 one fee in Ashby Magna was held by James de Audley of Edmund which suggests that the manor, or some part of it remained in Edmund's hands. James de Audley also appears on the inquisition holding half a knights' fee in Raunds of the honour of Tutbury, but not elsewhere.⁷⁵ The c. 1280 extent cannot be validated by any of the extant inquisitions post-mortem of the Audley family, indeed, they show no holdings in Leicestershire.⁷⁶ Ashby Magna, therefore, has a connection with Edmund, but it disappears between c. 1280 and c. 1297, although a link between Ashby Magna and Edmund during these years cannot be proved, it is more than likely that one was maintained.

As with the honour of Tutbury, legal records are invaluable for tracing connections between Edmund and his lands. This is true of Birstall, a place that is not on his inquisition but with which he was certainly associated around the time of his death as has been proven above.⁷⁷ In 1276 a case arose over twenty acres of meadow there, the free tenement of Robert, son of Robert de Birstall, and whether Hugh, son of Robert de Birstall (presumably they

75 Farnham, i, p. 68; ibid., AASRP (1919-20), xxxv, p. 319; HBC, p. 253; FA, vi, p. 558; CPR 1266-72, p. 428; S. Lloyd, English Society and the Crusade 1216-1307, (Oxford, 1988), pp. 169, 121, 122; CIPM, iii, pp. 289-90; Fox, EHR (1939), liv, pp. 400-402.
76 CIPM, i, pp. 261, 302; ibid., ii, pp. 67-9, 121-2, 286-7; ibid., iii, pp. 408-9, 296.
77 See p. 154.

were brothers although it is not stated) had disseized Robert of the said tenement. The background to the case stated that Robert de Birstall the elder had

held the meadow aforesaid for a term of years and afterwards purchased it in fee, and they [the jury] say that before he bought it, for a term Hugh and all the others were wont to common in the said meadow in the open time, and Robert afterwards, while he was steward of the earl of Leicester in the time of peace, and by force in the time of war, held the said meadow enclosed and in severalty for the time when they had carried the hay until Michaelmas⁷⁸

The outcome of the case has less bearing than the evidence that the narrative of it provides; the interesting factor is that at some point Robert de Birstall the elder had been steward to the Earl of Leicester which provides a link between the land, the man and the earl. The reference to war could be the Barons' War and if so this case may be an example of a Montfortian tenant defending his twenty acres of meadow against all comers; it is more likely that the phrase means that he would have defended the meadow in time of war had it been necessary, because he was Edmund's steward in the area. In 1279 another case continues this link, Edmund was taken to court by Richard de Esseby who requested that he hand over the land, and the heir, of Robert de Birstall because Birstall had held his land of Esseby by knight service. The land under discussion may not have been in Birstall, the entry has been included by Farnham because of the similarity of the name, but it is likely given the 1276 case. It also suggests that the Birstall family may not have directly held land from Edmund though both the area and the family have been linked with

him. Here an ordinary landholder does not quail at the prospect of moving against the king's brother in court in pursuit of his rights.⁷⁹ The inquisition of Hawise de Greley (1298) which is discussed above with reference to Birstall, names a Robert de Birstall among her free tenants, so that the family were clearly established in the area, and linked with Birstall for nearly twenty years.⁸⁰

Legal documents are a rich source of evidence for the descent of Wigston and Thurlaston. In 1274 Ralph Basset of Sapcote was attached to answer Edmund, the king's brother, who claimed that he should have custody of Robert, son and heir of Nicholas de Campania, because Nicholas had held the manor of Wigston from him by knight service. Basset argued, however, that Nicholas had been enfeoffed of Thurlaston manor, which he had held of Basset by knight service, before he had been enfeoffed of Wigston, so that Basset should retain the custody of Robert. Originally, both manors were held by Robert de Croft who died leaving two daughters, Eynetia and Alice. Nicholas' mother was Alice de Croft, and she had enfeoffed Ralph Basset with the manor of Thurlaston, and he had re-enfeoffed Robert de Campania, Nicholas' father, with the manor. Thus via Basset, the tenancy of Thurlaston had moved from Nicholas' mother to his father to hold from Basset; presumably, so that Robert de Campania could hold the manor in his own right rather than by right of his wife. Edmund gave a masterly reply by turning to even earlier records.

The jury say that a certain Robert de Mulent, formerly earl of Leicester, enfeoffed a certain Hugh de

⁷⁹ Farnham, i, p. 154.

⁸⁰ Ibid., i, p. 156

Campania, the ancestor of the said Nicholas, in all the land which Nicholas held in Wykyngeston [Wigston], and Nicholas had in Wykyngeston what his ancestors were enfeoffed of before any other land. Therefore Edmund recovered his seizin of the body of the heir of Nicholas, and Ralph Basset is in mercy for a false claim.⁸¹

The case shows how vital records of manorial descent were, the jury had looked back at very early records. The earl referred to must be the first Earl of Leicester, Robert de Beaumont, Count of Meulan (1107-18).⁸² Edmund won the case because the ancestor of the earliest grantor took precedence. The heir, Robert de Campania, not only lost the case, but married without Edmund's knowledge. An inquisition as to the value of his estates was immediately ordered; in total they were worth £170 14s 0d. As a result of his transgression the heir incurred a fine of £341 8s 9d, nine pence over two years' income; the usual fine was two years' rental of the estate. The matter did not end there, by 1276 Edmund had secured neither payment of the fine nor the custody of the heir. The sheriff was ordered to take £341 8s 9d from the goods and chattels of Ralph Basset of Sapcote, if Robert de Campania was not going to pay up it seems his putative guardian was going to be forced to do so. In the case over the custody of the heir many of the details were those which had been heard two years before. There are additional facts: it is clear from

81 Farnham, i, pp. 285-86; a grant and confirmation sealed by Nicholas de Campania is preserved in the LRO (1D 53/1) dated 22 May 1269 (not 12 May as erroneously stated in Schedule 15, unpaginated) the grant is made to Ralph, son of Robert Godwine of Wigston for the homage and service of four and a half roods of land for which he paid one and a half pence; the document probably records a transaction between Campania and one of his minor tenants.

82 HBC, p. 468.

the 1276 case that when Alice de Croft enfeoffed Ralph Basset in Thurlaston, he 'was therein seized for a long time', the re-enfeoffment to Robert de Campania had not taken place immediately, and when it had taken place

he [Ralph Basset] says that the said Nicholas held the said manor of the said Ralph by the said feoffment as parcener of Ralph himself in the inheritance of Robert de Craft [Croft]⁸³

Nicholas de Campania had been enfeoffed as a parcener and this made a difference which was sufficient to try and alter the outcome of 1274. The result of this dispute is not recorded, but Robert de Campania was holding from Edmund in c. 1297. Ralph Basset of Sapcote, or his ancestor, fought against the king at Evesham, and though it cannot be proven, perhaps Edmund pursued the case so relentlessly because of this.

Legal records perform the same service for the Turvilles as they do for the Campania family. In 1275 Isabel, Nicholas de Turville's widow, claimed her dower in Thurlaston, Normanton Turville and Croft of Edmund, the king's brother, as the guardian of the land and heir of Nicholas de Turville; the actual custodian of the heir and his lands was Robert de Farnham who held the position by the express and charter of the father of the heir. Edmund does not seem to have had any objection to this arrangement as he had over the custodianship of the body and lands of the Campania heir. The two families were obviously connected; in the same year Isabel, widow of Nicholas de Turville, sued Joan, widow of Nicholas de Campania, for a

83 Farnham, i, pp. 287, 288.

third part of thirty-seven acres of land, sixteen of meadow, and twenty of wood in Normanton Turville and Thurlaston as her dower. In 1276 Joan de Campania, returned the compliment and claimed a third part of forty acres of meadow in Thurlaston and the same amount of wood in Normanton Turville from Robert de Farnham as 'guardian', of Ralph, heir of Nicholas de Turville, claiming that Isabel de Turville was after the same lands as part of her dower.⁸⁴ Although there is some discrepancy about the amount of land claimed in the two cases, it is clear that claim and counter claim over land in the same places was being fought out in the courts and that some kind of dispute was going on between the widows; the case confirms that both families were established in this area, and indeed, were fighting over it, and were still holding from Edmund when he died in 1296.⁸⁵

Inquisitions post-mortem of tenants are another source for the 1270s. Sileby, for example, is connected with the Segrave family between c. 1297 and 1280, but Roger de Somery's inquisition continues the family link. His second wife, Annabel, was Gilbert de Segrave's widow. On 28 August 1273 an extra extent found that Somery died holding lands he had obtained from both his wives; the lands of particular interest are those in Leicestershire which Annabel had gained from the inheritance of Segrave, namely 'Whestone, and a third of Syleby' which also figure on Edmund's inquisition. Sileby has already been linked with

⁸⁴ Farnham, v, pp. 286, 287.

⁸⁵ CIPM, iii, p. 319; Ordish Hulme, pp. 23, 101, 102; Nichols, I, i, p. cxii.

the Segrave family; 'Whestone' is identified by Farrer as Whiston in Staffordshire, but Whetstone in Leicestershire is a more probable identification, particularly as the inquisition lists 'Whestone' under the heading of Leicester. It has to be said that Whetstone has no apparent connection with the Segrave family, and was held by the Aneta family between c. 1297 and c. 1280.⁸⁶

Disputes over the right of presentation to a church are also useful for linking the major landholder with a minor one, just as in 1271 when Edmund claimed the advowson of Peckleton church against William, son and heir of Robert Moton, who fell at the battle of Evesham. Edmund presented because William was a minor, the latter agreed to this and Edmund gave him four marks. Earlier evidence proves that the Motons had presented clergy to Peckleton church throughout the thirteenth century. In 1250 the same Robert Moton presented Richard de Beltesford, and in 1225 a Robert Moton presented Robert de Wiltone, a sub-deacon, to the church. It is unlikely that Moton of 1225 was the man who died at Evesham, but he was a relative.⁸⁷ The presentation

⁸⁶ CIPM, ii, p. 15; CP, XII, i, p. 113, calls her 'Amabil'; Burke's, Gentry, iii, p. 817, Gilbert de Segrave was the father of Nicholas the elder (d. 1295) and the grandfather of John (d. 1325) both of whom held from Edmund (CIPM, iii, pp. 192, 319); Farrer, ii, p. 72; LE, iii, p. 98; ibid., vi, p. 557. CIPM, i, pp. 276-77, CIPM, v, p. 51, CCR 1272-79, p. 291, CPR 1272-78, pp. 123-24, similarly, inquisitiones post mortem and legal records maintain the Grey's links with Evington and Humberstone.

⁸⁷ Farnham, TLAS, xvii (1932-33) pp. 115, 116, suggests William came of age in 1273, his reference to 'LRS, ii, p. 439' on p. 114 is incorrect, see: volume xi; Rotuli Roberti Grosseteste, Episcopi Lincolniensis, AD MCCXXXV-MCCLIII necnon Rotulus Henrici de Lexington, Episcopi Lincolniensis, AD MCCLIV-MCCLVIII, LRS, xi (1914), p. 439; Rotuli Hugonis Welles, Episcopi Lincolniensis, AD MCCIX-MCCXXXV LRS, vi (1913), p. 299.

of the 1270s shows that a minor was not allowed this privilege. The case also provides a link between the Motons, Edmund and Peckleton in this decade which is not provided by other records. Thus as in the honour of Tutbury, the Hundred-Rolls provide some links but other records testify to the continuity of the tenants established around Edmund of Lancaster in the 1270s.

The Winchester-Inquisition records the names of those men who followed Simon de Montfort to the battle of Evesham, but despite their rebellion, many emerged from the Barons' War (1264-66) with their tenancy to the new Earl of Leicester intact. The copy of the Winchester-Inquisition in the Calendar-of-Inquisitions-Miscellaneous has considerable gaps, particularly for the hundred of Gartree. Fortunately, the antiquarian, William Burton, copied many documents and the Leicestershire returns of the Winchester Inquisition are some of the most valuable, for example he notes that the values given for the lands and manors were annual sums, a fact which the Calendar misses altogether. It is generally acknowledged that Nichols followed Burton although the two do not always agree as will be indicated. As always, other sources that give evidence relevant to the decade of the 1260s will be considered.

Of the places on Edmund's inquisition.post.mortem for Leicestershire only sixteen are mentioned on the Winchester Inquisition.⁸⁸ Seven show continuity with the families who

⁸⁸ SRO D 649/4/2; Nichols, I, i, App. pp. 35-6; CIM, i, pp. 234-6, the sixteen are: Stonton Wyville, Peckleton, Broughton Astley, Willoughby Waterless, Higham on the Hill, Evington, Humberstone, Sileby, Enderby, Long Whatton, Atterton and Witherley, Desford, Leicester, Hinckley, Earl Shilton.

held from Edmund in c. 1297, a high proportion for a period which is usually represented as one of disruption. These cases will be examined in some detail to see whether it was the rebels who continued to hold, or whether more trustworthy members of the family replaced them.⁸⁹ Three places show no continuity with the families who held in c. 1297, though there are reservations here which will be discussed below; four places were held in demesne by Simon de Montfort and Edmund held them in the same way.⁹⁰

There are numerous families which illustrate a continuity of tenancy between 1265 and c. 1297. Robert de Wyville, taken at the battle of Evesham, held the manor of Stonton Wyville worth twenty pounds a year; the Michaelmas rent was 37s 4d but the collector of it is unrecorded. A man of the same name held one and a half knights' fees in Stonton Wyville, and Shangton and Hardwick from Edmund in c. 1297; Farnham's genealogy maintains that this was the son of the Robert who fought at Evesham, though he provides no reference.⁹¹ Clearly, the rebels were considered as errant in their own right, but their families were not

⁸⁹ The seven are: Stonton Wyville, Peckleton, Broughton Astley, Higham on the Hill, Evington, Humberstone, and Sileby.

⁹⁰ The five are: Willoughby Waterless, Enderby, Long Whatton, Atterton and Witherley; de Montfort held Hinckley, Earl Shilton, Leicester and Desford.

⁹¹ SRO D 649/4/2, CIM, i, p. 235, Nichols, I, i, App. p. 35, CIPM, iii, p. 318, Farnham, Pedigrees, p. 110. See CIPM, iii, p. 320, SRO D 649/4/2, CIM, i, pp. 234, 235, Nichols, I, i, App. pp. 35, 36, CCR-Supp. 1244-66, p. 46, CPR-1258-66, p. 315, CIPM, i, p. 276, SRO D 649/4/2, CIM, i, pp. 234, 235, Nichols, I, i, Appendix, pp. 35, 36; Farnham, II, i, pp. 222, 223, for Richard de Grey, killed at the battle of Evesham, who was succeeded in Evington and Humberstone by his son, John; the latter died in his turn and left a minor, Henry. Farnham, 'Stoke Golding: Manorial History', TLAS, xiv (1925-6), pp. 208-209, for Campania family in Stoke Golding.

disinherited with them. Another case underlines this approach; Robert Moton was killed at Evesham, he held unspecified lands in Peckleton worth nine pounds a year; the Michaelmas rent of 23s 4d was collected by William Bagot. On 12 January 1266, however, a grant was made

by way of grace and humanity, to Juliana, late the wife of Robert Moton, the king's enemy...that out of the lands of the said Robert in Peckleton which the king lately gave to William Bagot and which have been extended at £11 18d per year, she shall have three and a half virgates of land of the demesne with appurtenances extended at thirty five shillings per year and three and a half virgates of land of villeinage extended at thirty shillings per year for the maintenance of herself and her children for her life.⁹²

There are several noteworthy points in this grant. Juliana did not take over her husband's lands at his death, her son was a minor in 1265, as Farnham's genealogy maintains.⁹³ The lands were granted to William Bagot, the man who took the Michaelmas rent. Juliana needed a more immediate means of sustenance for herself and her other children, thus the grant of 'grace and humanity'. The values given to the lands are of interest; according to the Winchester Inquisition (the commission for which was issued 21 September 1265) Moton's holdings in Peckleton were valued at nine pounds a year, yet by January 1266 this valuation had risen to £11 18d. The usual effect of the Barons' War was to cause a fall in land revenues yet here, after only four months, there is a considerable increase. The probable reason for these differing values is that the lands were undervalued in 1265, the grant to Juliana was

92 SRO D 649/4/2; CIM, i, p. 236; Nichols, I, i, App. p. 35; CPR-1258-66, p. 533; Farnham, Pedigrees, p. 61.

93 Farnham, Pedigrees, opp. p. 62.

made specifically from the Moton lands the king had granted to Bagot, so that the increase in value must pertain to Moton's original lands and cannot include the values of any other grants that may have been made to Bagot. Bagot could not have done a great deal to rectify cultivation in so short a time and so improve the revenue in this way, nor can he have had a permanent grant of the Moton interest in Peckleton; Moton's heir, William, was restored and holding from Edmund by c. 1297.⁹⁴ He had remained a minor for some years, which is underlined by a 1269 request for dower in Countesthorpe which Juliana made against John de Lodbrok. The case reveals that the lands of Robert Moton were partly in the custody of Juliana, and partly in that of Richard Bagot, presumably William Bagot's heir. The case comments upon William Moton's whereabouts. Juliana maintains that

she has not the custody of the heir because he is "vagabundus per patriam que voluit" and also she holds nothing in the name of the custody of the heir, but as dower of the king's assignment.⁹⁵

The nature of the king's grant to her in 1266 was confirmed in 1269; Juliana did not have the keeping of the heir, which was not unusual, but neither did the Bagots. The Latin phrase has not been translated because it is difficult to do so with accuracy, it implies that Moton's heir may have been 'living rough' in the county, an outlaw in other words, a lifestyle he maintained for four years, nonetheless, he was Edmund's tenant by 1297.

Further continuity is proven by the Astley family. According to the Winchester Inquisition Thomas de Astley

⁹⁴ CIM, i, pp. 186-7; CIPM, iii, p. 319.

⁹⁵ Farnham, ii, p. 143; ibid., AASRP (1919-20), xxxv, p. 196.

held three unspecified amounts of land one in Broughton Astley worth £13 16s, with the Michaelmas rent collected by William Bagot, a second in Higham on the Hill worth £5 11s, where Henry le Strange received the Michaelmas rent of 37s and a third in Willoughby Waterless worth £13 16s a year where the Michaelmas rent of three marks was also collected by Bagot. Astley is not named in Burton's copy of Guthlaxton hundred, although both the Calendar and Nichols do so; he was a member of the close circle that surrounded de Montfort until the end.⁹⁶ On 12 January 1266, however, the same day as Juliana de Moton's grant, Editha, wife of Thomas de Astley, had a similar grant of 'grace and humanity' from the king. Although her husband's lands had been granted to Warin de Bassingburn, she had the towns of Willoughby Waterless, Higham on the Hill and 'Wetinton' (possibly Wadington), worth £34 18s 1½d, granted to her for her lifetime in order to maintain herself and her children. She held them by the title of a free tenement and rendered a mark yearly at midsummer to Bassingburn.⁹⁷ The trend that can be deduced from the treatment of these families must not be over emphasised, but whether the rebel lived or died after Evesham, an effort was made to ensure that the wives and children were not left penniless, and it was their traditional holdings which were used to provide their income. In 1266 it would not have been obvious to the families concerned that they

⁹⁶ SRO D 649/4/2; CIM, i, p. 236; Nichols, I, i, App. p. 35; D.A. Carpenter, 'Simon de Montfort: the First Leader of a Political Movement in English History', History, lxxvi (1991), p. 12.

⁹⁷ CPR 1258-66, p. 533.

were being permanently re-established in their family lands, they were only granted for the lifetime of the widows. This was better than nothing of course, and later with the implementation of the Dictum of Kenilworth (31 October 1266) it is probable that some of these 'temporary' grants were rendered permanent via the payment of redemption fines. Certainly, Thomas de Astley's family was fortunate. On 10 July 1266, well before the Dictum was issued, his son, Andrew, was admitted into the king's peace and had four of his father's manors restored to him, namely Crick, Willoughby Waterless, Higham on the Hill and Lilburne, as well as the demesne under the wood between Wadington and Higham on the Hill; the advowsons of the manors, and land worth £20 per year were withheld.⁹⁸ The holding in Willoughby Waterless seems to have been lost to the family by c. 1297, despite the grants to Editha and Andrew in 1266. Even if this land was lost to them, however, they had gained an interest in East and West Langton by c. 1297 which they may have obtained in exchange for Willoughby Waterless.⁹⁹ The way in which the Astleys came to be tenants of Edmund in c. 1297 is clear. Other families had similar experiences, members of the Grey family took over immediately in 1265, yet Richard de Grey had been a close supporter of de Montfort. Another example is the Segraves at Sileby who were longstanding associates of de Montfort and fought with him at Evesham, yet still figured as tenants of Edmund in c. 1297. The sources for their holding in 1265 conflict somewhat; Burton's copy of

⁹⁸ CPR.1258-66, p. 615.

⁹⁹ CIPM, iii, p. 319.

the hundred of Goscote has a blank whereas Nichols states that Grey held two parts of Segrave, rather than Sileby as the Calendar states. Later evidence proves that the Segraves had a holding in Sileby, and earlier records show that it was held by them from at least 1247 so it seems that Nichols guessed incorrectly here.¹⁰⁰ These examples then, illustrate that continuity may be traced between father and son, as well as between the wider families amongst Edmund's Leicestershire tenants.

Sileby was not the only holding in which the Segraves were Edmund's tenants; they had interests in Long Whatton, Walton, Thurnby, and Cadeby. The name connected with Whatton on the Winchester Inquisition is Sir Ralph Basset of Drayton who held unspecified lands there worth £6 13s 4d per year, of which the Earl of Gloucester had seizin when the Inquisition was taken. Although Ralph Basset of Drayton was a staunch supporter of Simon de Montfort, and died with him at the battle of Evesham, his widow, Margaret, obtained a grant of a Staffordshire manor, lands in Rutland and all the lands late of Ralph in Long Whatton on 5 November 1265. This grant was made 'for the laudable service' of her father, Roger de Somery, who has been described as one of the 'staunchest supporters of Royal authority' at this time. This is another grant which shows the remarkable leniency and common sense of the Crown towards the rebels' widows in the aftermath of Evesham, and

¹⁰⁰ SRO D 649/4/2; CIM, i, p. 235; Nichols, I, i, App. p. 36; FA, vi. p. 558; CIPM, ii, p. 15; ibid., iii, pp. 192, 319; LF, ii, p. 1392; Carpenter, History, lxxvi (1991), p. 12, his reference to Grey as Lord of 'Avington' must be an error for Evington.

more particularly of the Lord Edward at whose instance this grant was made. It even illustrates something of the chivalric ideal which provided for the protection of the innocents of war, the widows and children of the fallen.¹⁰¹ There is no doubt that the grant relied a great deal on the unswerving loyalty which had been shown by Roger de Somery; it was a gesture to acknowledge his support which saved his daughter's fortunes. The rebels' widows did not necessarily require influential, loyal relatives in order to secure a grant for their maintenance. The evidence does not suggest that this was the reason for the grants made to Juliana Moton of Peckleton, wife of the rebellious Robert, or to Editha de Astley of Broughton Astley, wife of the equally rebellious Thomas, which have already been discussed. It is also the case that the fate of the loyalists' widows is less easy to discern since they must have applied for their dower lands, and secured them, without let or hindrance using the usual procedures.

To return to the Segraves, however, in Witherley Nicholas de Segrave held nineteen and a half virgates of land in 1265, and Sir Thomas de Cronesleye held seven virgates and a mill there; unlike Cronesleye, Segrave appears in the later records. Cronesleye was killed at Evesham and was in sympathy with de Montfort, but it is difficult to say if he was his tenant. It is not certain, therefore, that Cronesleye disappears from the records because he was replaced by someone more congenial to

¹⁰¹ CIPM, iii, p. 319; SRO D 649/4/2; CIM, i, p. 235; Nichols, I, i, App. p. 36; CPR.1258-66, p. 497; SHC, viii, p. 6.

Edmund. When later records are consulted, however, the temptation to accept this view of things becomes very strong indeed. Although Cronesleye does not reappear, his holding does; the 1279 inquisition states that

Simon, son of Ralph de Thorp, holds 7 virgates of land in the same [Witherley] and a watermill of Baldwin Wake.¹⁰²

This could be the same holding in which Cronesleye was a tenant in 1265; the tenants holding in 1279 were different to the family which had held in 1265, so perhaps this is a case of a rebel family being replaced by a more suitable one. Similarly, with Segrave's holding in Witherley, although the Segraves appear on Edmund's inquisition post mortem as his tenants, they are not connected with Witherley, until the inquisition of 1279 is perused. It states that Witherley was of the fee of Leicester and,

Baldwin Wake has in the same [Witherley] 10 virgates of land in villeinage which 10 villeins hold. John [de] Somervill[e] holds in the same 19 virgates of land in villeinage which 19 villeins hold of the said John, and John holds of Nicholas Segrave, and Nicholas of the same Baldwin, and Baldwin of the earl of Leicester, and the earl of the king.¹⁰³

The thing to note here is Segrave's position in the land holding chain; Segrave had a lesser tenant beneath him and Wake above him. In 1265 in the Winchester Inquisition, Segrave was said to hold nineteen and a half virgates of land in Witherley worth £7 12s this must be the same holding that occurs in 1279. The 1265 document, however,

101 CIPM, iii, p. 319; SRO D 649/4/2; CIM, i, p. 235; Nichols, I, i, App. p. 36; CPR 1258-66, p. 497; SHC, viii, p. 6.

102 SRO D 649/4/2; CIM, i, p. 235; Nichols, I, i, App. p. 35; *ibid.*, iv, p. 1007; ; CIPM, iii, p. 319; FA, vi, pp. 558, 559; for a discussion of the Wakes.

103 CIPM, iii, p. 319; Nichols, IV, ii, p. 1007.

makes no mention of any tenant other than Segrave. It is possible that Segrave was allowed to continue in his lands but only in a more complex chain of tenants, perhaps in an effort to exert some means of control over him. The problem with such a premise is that firstly, if this is a method of control, it has not been generally discerned although there is another example of the same thing from the county of Northampton in this honour discussed below; secondly, the chain of tenants may have been the same in 1265, but as Segrave was the one who rebelled, he is the one who was listed as landholder. Lacking evidence, it is difficult to say whether any method of control was being exercised, though it remains an interesting thought. Early records, discussed below, provide a link between the Wakes and Witherley since 1243, and the Bassets since 1204, but the Segraves do not appear. Initially, Segrave's lands were granted to Edmund after Evesham; looking at the company he kept, there may have been a particular reason for Edmund wanting to exert control over him in later years. Edmund was granted Segrave's lands at the same time as the honour of Leicester on 25 October 1265. This was repeated on 6 January 1266 with a writ of intendance to the tenants of the king's demesne which had been in the hands of both Segrave and de Montfort; six days later these grants were augmented further with a grant

of all lands of the king's enemies of the fee of the said earl [of Leicester] and Nicholas of which he has not yet made collations to others.¹⁰⁴

Clearly, Segrave was stripped of all of his lands as

¹⁰⁴ SRO D 649/4/2; CIM, i, p. 235; CPR 1258-66, p. 470, 527; CCR Supp. 1244-66, p. 45, no. 434.

cleanly as de Montfort; he was, however, more fortunate than de Montfort, regaining them without too much delay on 1 July 1267, and also securing his due from the aid which the prelates and clergy had provided to assist the rebels with the redemption of their lands.¹⁰⁵ It is difficult to say with certainty that Segrave would be singled out for different treatment when compared with others, but it is possible. The other holdings with which the Segraves are later connected: Walton on the Wolds, Thurnby and Cadeby do not appear on the Winchester Inquisition.¹⁰⁶ The Northamptonshire example of possible 'demotion' concerns the Trussels. The Winchester Inquisition states that the manor of Marston Trussel was held by Sir Richard Trussel who was killed at the battle of Evesham.¹⁰⁷ In 1284 William Trussel held the town of Marston Trussel of Andrea de Estley who held it of Robert de Wyville who held it of the earl. In 1298, however, Robert de Wyville held a knights' fee in Marston Trussel and Thorpe Lubbenham of Edmund for homage and scutage. It is possible that the Trussel family were tied up in a far more complex line of tenantry because of their stance in 1266. They remained a family of some standing, for example, in 1283 William Trussel combined a private chapel with a family chantry in a house at Marston Trussel and employed two chaplains.¹⁰⁸ This behaviour was only open to a man of means, so clearly he was not impoverished although his status in relation to

105 CPR 1258-66, p. 529.

106 CIPM, iii, p. 319.

107 CIM, i, p. 255.

108 FA, iv, p. 11; CIPM, iii, p. 309; The Rolls and Register of Bishop Oliver Sutton 1280-99, ed R.M.T. Hill, ii, LRS, lxxiii (1943), p. 33.

his lord may have been diminished. On a 1242-3 list of de Montfort's fee-holders another William Trussell held a fee in Marston Trussell of de Montfort.¹⁰⁹ Carpenter states that the family were in de Montfort's service before 1258 and that William Trussell became a justice of the bench and acted as his attorney. They held Billesley, of which William was lord, of the Earl of Warwick but were de Montfort's tenants in Northamptonshire.¹¹⁰ Given the latter connection it is not surprising that Richard Trussell, William's successor, died at Evesham. This is a family who might well have been 'demoted' from being the earl's 'major' tenant to a tenant three times removed. There is no proof for 'demotion', nor is there any evidence to show that one was regarded as a tenant of lesser status if one held at the end of a line of others instead of holding more directly from the earl. If the call for service came it would have to be rendered, and it is unknown whether there was a loss of *cudos* at being farther removed from the earl than others, but there might have been. That the Trussells also held from the Earl of Warwick in 1265 is of interest; when the call for service arrived, to which earl was service to be rendered? The earldom of Warwick was not in strong hands at the time of the Barons' War (1264-66), de Montfort captured William Maudit, Earl of Warwick (1263-68), when he took Warwick Castle in 1264. It is argued that it was this weakness of the midland earldoms at this period which left the way open for de Montfort to

¹⁰⁹ *LF*, ii, p. 939.

¹¹⁰ Carpenter, *History*, lxxvi (1991), p. 13, he does not note that Trussell held Marston Trussell in 1265, *CIM*, i, p. 255.

draw his own and the tenants of others to his side; it is a theme identified by Williams and endorsed by Carpenter.¹¹¹ Trussell was also de Montfort's tenant, and the Earl of Warwick did not attract anyone; he took no further part in the wars after his capture, but had the earldom of Warwick been endowed with as charismatic an earl as de Montfort who had supported the king, what would have been the outcome then? In theory it should have been an impossible choice if oaths of fealty were to mean anything. It was a moral dilemma which men had to face and with which they had come to terms. Everyone who followed de Montfort to Evesham was breaking their basic oath of loyalty to the king; whether one followed one's lord or not was probably a lesser consideration. Evidence is unavailable in these areas, but it was only at these times of stress that such undertakings were put to the test, and therefore, it is only at such times that the strength of the feudal bond can be assessed. The Trussells were not the only family to be this position. Carpenter identifies other tenants of the Earl of Warwick like Saer de Harcourt and Peter de Montfort, and families who had been of the affinity of the Earls of Chester and Winchester who followed de Montfort. This theme has consequences for the nature of feudalism at this date. Some argue that it had reached the end of its second stage by 1267 to gradually decline until military tenures were converted into common socage in 1660. The precise nature of feudalism and the way in which bastard feudalism grew

¹¹¹ Carpenter, p. 11; D.T. Williams, 'Simon de Montfort and his Adherents', England in the Thirteenth Century, ed. W.M. Ormrod, (Harlaxton, 1985), pp. 174-6.

from it has recently given rise to great debate; it is a subject upon which there are as many views as there are historians. Within the honour of Leicester, however, there is evidence that tenants held land from more than one lord in the mid-thirteenth century. The practice which was seen as the bane of fifteenth century society was less of an innovation and more the natural progression of a system that had been adapting for some centuries, indeed, as Crouch points out multiple lordship was not new, there are examples of it in Domesday Book.¹¹² The more intriguing question of allegiance and the reasons for a tenant's adherence to one lord rather than another in times of stress, however, cannot be answered by further definitions of feudalism, it is an area where the available evidence has to be pieced together and the motives and pressures under which the individual operated have to be considered as will be seen when the discussion turns to Thomas and Henry of Lancaster.

To return to the discussion of Leicestershire, John Despenser held land in Enderby in 1265 valued at £7½, though the Calendar states that this value was altered from £4 10s, it is unrecorded on Burton's copy of the hundred of Guthlaxton; by c. 1280 it was Philip de Neville and Thomas de Ryper; in 1284-5 Robert de Neville appears and by c. 1297 only Martin de Ryper is in evidence, over this span both parties held the same holdings, a quarter of a

¹¹² Carpenter, p. 11; T.F.T. Plucknett, The Legislation of Edward I (Oxford, 1949), p. 23; P.R. Coss, 'Bastard Feudalism Revised', P&P (1989), pp. 27-64; P.R. Coss, D. Crouch, D.A. Carpenter, 'Debate: Bastard Feudalism Revised', P&P (1991), p. 170.

knights' fee for the Nevilles; and a tenth in Willoughby and a watermill in Enderby for the Rypers.¹¹³ It is true that there is a lack of continuity between 1265 and the later years, but if it cannot be proved that these men originally held from Simon de Montfort then it cannot be proved that Edmund had installed other men to replace them.

Obviously, in those places where Simon de Montfort held in demesne Edmund took over the same tenure. The Winchester Inquisition states that de Montfort held Desford valued at £19 10s, the borough of Leicester worth £154 4d, the township of Hinckley worth £29, and the manor of Earl Shilton valued at £20, all were yearly amounts and were taken into the custody of the Lord Edward via his bailiffs. Edmund's tenancy in these places has been described above. The inquisition taken at Edmund's death shows that Earl Shilton's value had risen from the £20 it was worth in 1265 to £25 3s 4d in c. 1297; though this total excluded a park because the bailiff was grazing his cattle on it when the extent was taken in c. 1297, a rise of just over £5 is not substantial for a period of thirty-two years.¹¹⁴

Some of de Montfort's lands had left Edmund's hands by the time of his death, though they were with him until at least c. 1280. In 1265 de Montfort held both Bagworth and Thornton which were valued at £20 8s 9d per year and once again Edward's bailiffs were there to collect the rent at Michaelmas. By c. 1280, however, Lady de Holand held half

113 SRO D 649/4/2; CIM, i, p. 236; Nichols, I, i, App. p. 35; FA, iii, p. 97; ibid., vi, pp. 557, 558; CIPM, iii, p. 319.

114 SRO D 649/4/2; CIM, i, p. 236; Nichols, I, i, App. p. 35; Farnham, v, pp. 165-6 CIPM, iii, p. 289.

a fee in Bagworth and the Earl of Warwick held the same in Thornton. It is difficult to say why these lands were no longer in evidence among Edmund's in c. 1297, they were certainly handed on as part of de Montfort's holdings.¹¹⁵

Some cases amongst the legal records of the 1260s link lands later to be held by Edmund to Simon de Montfort. A case on the Curia Regis Roll from 1261 has Petronilla, the widow of Ralph de Turville, suing de Montfort for

a third part of a knights' fee in Saxelby, Smeeton [Westerbyl], and Walton [on the Wolds], and 60 acres of wood in Normanton [Turville], and the advowson of the church of Walton [on the Wolds].¹¹⁶

She sued others, her son and his wife amongst them, for other parts of her dower in Walton on the Wolds and Croft; all of these lands were to be part of the four and a half fees held of Edmund by Ralph de Turville in c. 1297. This case shows that at sometime they were held by de Montfort, with Petronilla's husband, Ralph de Turville, as his tenant. Eight years later doubt about the right of presentation to the church at Walton on the Wolds was raised again. It was challenged by John Mallory in 1269, but Nicholas de Turville established his right to it.¹¹⁷

The Winchester Inquisition then renders valuable evidence for continuity among the rebels who followed Simon de Montfort against the king, and whose families were still tenants or connected with the same places thirty two years later. Most of the demesne holdings of de Montfort also became the demesne holdings of Edmund, and it is possible

115 FA, vi, p. 559; SRO D 649/4/2; CIM, i, p. 236; Nichols, I, i, App. p. 35.

116 Farnham, v, p. 285.

117 Farnham, v, p. 285; CIPM, iii, p. 319.

that the Inquisition provides examples of men whose connections with their land were completely broken. It is not the only source available for the 1260s, and it is to these alternatives that the discussion will now turn.

The establishment of the Martivals in Noseley has already been noted and evidence from the 1260s continues this connection. In this earlier decade Anketin de Martival, father of Roger the cleric, was in possession. He was appointed as a juror in 1269, along with others, to enquire into the damages caused by the men of Philip Basset and Roger de Clifford in Rutland.¹¹⁸ In 1266 and 1267 he was concerned in court cases involving land outside the honour of Leicester and this is all the more extraordinary because in the years leading up to, and presumably during, the Barons' War, he had been actively involved on de Montfort's behalf. In 1265 he and his wife had secured assistance for the protection of their Irish estates, the high esteem in which Martival was held is apparent;

To Richard de la Rokele, justiciary of Ireland. Whereas Anketin de Martivaus [sic] is constantly attendant on the king's affairs on which account the king has taken him and Agnes Bauzam his wife, his men, lands, rents and possessions, under his special protection, the king requests the justiciary to protect them and their possessions in Ireland as though they were the king's demesnes. And, because the king is informed that certain rents due to them for their lands there are in arrear for three years, he requests him to be of counsel¹¹⁹ and aid to their attorneys for the recovery of these.

The tone of this order suggests that the king valued Martival's services, however, as Henry III was virtually powerless during this period and de Montfort was running

118 CPR 1266-72, p. 382, dated 14 May.

119 CPR 1258-68, p. 478.

the government, Martival was probably busy on de Montfort's baronial business rather than Henry III's royalist affairs. Noseley is unmentioned on the Winchester Inquisition but a document from the Leicester Record Office collection does provide a link. It is a bond for the payment of forty marks, dated from internal evidence to 1264-5, between Robert and Ralph de Martival of Hallaton who are bound to pay forty marks to Sir Anketin de Martival for Sir John Engayne. The former were required to hand over installments of the money at Noseley to Martival, or his attorney, on certain dates in the year, and this places him securely at Noseley in 1264-5. Further proof that Martival inclined towards the barons is provided by the grant of a wardship and lands from the Lord Edward which Martival and his wife were commanded to render up to the mature heir in 1263. Indeed, he had been de Montfort's steward in 1261 and was summoned as such to answer for preventing a man and his wife taking over lands which they had legally recovered from de Montfort; Martival had summoned two Noseley men as his pledges in this case.¹²⁰ Despite all of this contact with de Montfort, nothing suggests that Martival had the least trouble with confiscation or redemption according to the Dictum of Kenilworth. Precise evidence to prove this astonishing state of affairs has not been found; the possible reasons for such a carefree position may have been that he was wealthy enough to pay off the necessary redemption costs promptly, and as he held lands in Ireland

120 LRO DG 21/10; Hartopp, AASRP, xxv (1899-1900), pp. 446-7; Farnham, TLAS, xii, 1922, pp. 219-220; ibid., AASRP, xxxv (1919-20) pp. 180-1, 182; CPR 1258-66, p. 478.

they could have provided the necessary funds, but he seems to have missed confiscation in the first place. The other option is that he was one of the baronial party who changed sides at just the right moment, though he must have been of their party until 3 February 1265 when the protection for their Irish property was ordered. It was rather late to opt out, six months before the battle of Evesham.

Evidence for Kirkby Mallory comes from the Rolls of Richard Gravesend and connects Edmund with the church there. In 1269 he presented Ingeramus instead of Simon de Aneto who with Peter de Aneto renounced their claims. It was a former de Montfort benefice and Somerville presumes that he made the presentation by right of the original grant of the honour of Leicester in 1265. This confirms that Edmund was exercising his lordship at a date when there does not appear to be other firmly dated evidence to link Edmund or the Mallorys with Kirkby Mallory.¹²¹

It remains to look briefly at the records of the twelfth century and earlier. For some families the Barons' War was one more event that their tenancy had survived. The earlier records show that the strands of continuity are far more numerous than those of change. Of the sixty-four places on Edmund's inquisition thirty-four have early origins of interest. This figure can be broken down into smaller units; at least twenty-five places appear in early records with the family in residence which would hold from Edmund; seven are connected with de Montfort (d. 1265) and

¹²¹ Rolls of Richard Gravesend 1258-79, Canterbury and York Society, xxxi, p. 149; Somerville, p. 2; Farnham, iii, pp. 151-2.

ten can be linked to the early earls and honour of Leicester. Some categories overlap and various sources are used to prove these claims.¹²² Some places are not on Edmund's inquisition though they are mentioned on Fox's lists as part of the honour of Leicester. They had links with either the honour, the early Earls of Leicester, or de Montfort in the years before 1265 and were part of the honour of Leicester under him but failed to pass into Edmund's hands, despite their appearance on Fox's lists.¹²³

The occupation, or association, of twenty-five families with lands and manors which they were later held from Edmund is indicative of the strength of the continuity amongst the landholders of the honour. From so many only a few can be discussed in detail, in Knaptoft, for example, an entry on the Fine Roll shows how Hugh Gobion came to hold the manor. In 1242 Gobion complained that Gilbert, son of Thomas, and Floria, his wife, had

made waste and destruction of three woods and gardens which they hold as dower of Floria in Knaptoft to the disinheritation of Hugh.¹²⁴

As a result of this destruction Gilbert and Floria undertook to grant to Gobion 'all the manor of Knaptoft' if he paid them a rent of £24 per year for Floria's lifetime.

122 See Appendix One; the 34 places are Belgrave* +, Bitteswell+, Blaby+, Countesthorpe+, Broughton Astley+, Cadeby, Catthorpe, Cranoe, Evington, Frowlesworth*, Glooston* +, Kirkby Mallory, Knaptoft, Lockington*, Noseley, Peckleton, Sapcote, Shoby+, Sileby*, Smeeton Westerby, Stonton Wyville, Thurlaston, Croft, Stoke Golding, Wigston, Wanlip, Normanton Turville, Thurnby, Long Whatton, Witherley* +, Atterton* +, Walton on the Wolds, Wymeswold and Glenfield* +; a * denotes the seven linked with de Montfort; a + denotes the ten linked with the early Earls or the honour of Leicester.

123 The eight are Birstall, Bushby, Bagworth and Thornton, Ingarsby, Keyham, Ashby Magna, Ilston on the Hill.

124 Farnham, v, p. 386.

Thus Gobion came by the manor of Knaptoft as a result of this bargain. An even earlier link comes from 1221 when Richard Gobion, Hugh's father, was required to accept a silver mark in return for his quitclaim of three acres of land and three of meadow in Knaptoft after a plea was entered by Nicholas and Alice Briton and others.¹²⁵

Although the Gobion family were parting with land in Knaptoft in this case, it seems likely that they regained more in 1242 than they lost in 1221. All of this evidence, however, must be placed alongside that cited from a case of 1302 which was discussed above, and stated that Richard de Gobion (alive in 1201) married Agnes, the sister of Roger de Merley, early in the reign of Henry III; Merley had given the manor of Knaptoft in free marriage to Richard Gobion when he took Agnes to wife.¹²⁶ There is no reason to doubt these facts, so that the manor of Knaptoft, having been gained as a marriage portion, went out of direct family control, perhaps as dower, but was regained in 1242. The Gobions were closely associated with the manor from the early years of Henry's reign, and it was out of their control only intermittently after 1242.

The case is similar with regard to Thurlaston, Croft, Stoke Golding, Wigston, Normanton Turville and Sutton; in 1202 Alice, mother of Robert de Campania, was quitclaimed four virgates and nine acres of land in Croft and three virgates in Thurlaston by Geoffrey Despenser; in return she gave him 6 marks. Geoffrey and his wife, Mabel, also held one virgate of land in Stoke Golding of Alice by the free

¹²⁵ Farnham, v, p. 385.

¹²⁶ See above pp. 157-9.

service of twelve pence a year and foreign service; Alice quitclaimed the rent of twelve pence in perpetuity to Geoffrey and Mabel and their heirs.¹²⁷ As well as connecting the family with Croft, Thurlaston and Stoke Golding, this case indicates that the family had sufficient interest in Croft and Thurlaston to want to build up their holdings there. Similarly, two early charters of c. 1200 associate the same family with Wigston. They concern the granting of certain virgates of land by Hugh de Campania to Ranulph, the clerk of Wigston, and Ranulph in his turn granting one of them to his son. Presumably, Ranulph was either in minor orders or providing for a son who may or may not have been born in wedlock.¹²⁸ As the family was granting out land, it must have been well established in the area. In Normanton Turville in 1216 the king granted Robert de Campania a third of a knights' fee, formerly held by Robert de Croft, during pleasure, and two virgates of land formerly held by William de Trumpington both of which belonged to Campania's fee.¹²⁹ These may have come his way temporarily due to the baronial problems King John was experiencing in 1216, but it does indicate that Normanton Turville formed part of Campania's fee during these early years of the thirteenth century. Gifts and presentations to churches also link the donors with manors which they held; in 1221 and 1223 Robert de Campania was presenting clerks to the church at Thurlaston. Similarly, at some time in the late twelfth century, Henry II (1154-89), Sir

127 Farnham, v, p. 282.

128 Ibid., p. 282.

129 Ibid., p. 283

Robert de Campania and Alice, wife of Hugh de Campania confirmed a grant of one carucate of land in Sutton to Leicester Abbey, a gift which had been made by Robert Croft and Amice de Sapcote.¹³⁰ The Campania family were tenants in Sutton and probably held other lands there at this date. These examples illustrate the same point: the Campania family were long established in almost all of the places they held from Edmund in c. 1297 (the only exception is Upton) here the overriding theme is one of continuity. The family had links with these places that were far too strong to be broken by the thirteenth century phase of baronial unrest.

The earliest reference to a family that was still in possession of lands in c. 1297 is that given by Ordish Hulme in his 'History of Thurlaston' where he states that

Thurstine Basset came to England with the Conqueror and another of the line, Ralph Basset, during the absence of Henry the First in Normandy, had sufficient authority to hold a council of the king's thanes or barons at Hundhoge (that is Huncote), "and caused execution to be done on many malefactors".¹³¹

There is no connection of these early Bassets with Sapcote but the family had been of some standing for over two centuries. Ralph Basset of Sapcote held a knights' fee in Sapcote, Stoke Golding and Upton from Edmund in c. 1297.¹³²

130 Rotuli Hugonis Welles, Episcopi Lincolniensis, AD MCCIX-MCCXXXV, ii, ed. W.P.W. Phillimore, LRS, vi (1913), pp. 280-1, 289; ibid., i, LRS, iii (1912), p. 244 (undated) states Robert de Campania was patron of the church of Thurlaston, Nichols, IV, i, p. 63. The grant of a licence to William de Martival to have a domestic chaplain in his homestead at Noseley links the family to Noseley in the early thirteenth century, LRO DG 21/1; Hartopp, AASRP, xxv (1899-1900), pp. 433-6.

131 Ordish Hulme, pp. 21-22.

132 CIPM, iii, p. 319.

There are seven places on Edmund's inquisition that can be linked with de Montfort (d. 1265). On 10 January 1232 the sheriff of Leicester was ordered to deliver seizin to him of all the lands that his father, Simon de Montfort, Earl of Leicester (1205/6-1218) had held in King John's reign, but that he should not disseize Margaret, Countess of Winchester, of land and ovens in Leicester, and the manors of Belgrave and Glenfield because,

after partition made of the honor of Leicester between Saer de Quincy, earl of Winchester, and the countess, his wife, and the said Simon in the time of king John, Saer and the countess recovered seizin before the justices assigned by precept of king John for making the partition of the will of the said earl Simon and at the instance of the said Saer and countess to right a wrong done in the said partition.¹³³

The king took de Monfort's homage on 13 August 1231 which would explain the reference to 'earl Simon'; the document shows that by 1232 he had begun taking seizin of his father's lands. He styled himself Earl of Leicester from October 1236, but his brother, Amaury, did not quitclaim his English lands to Simon until 11 April 1239 which shows how precipitate his actions were in 1232.¹³⁴ Clearly, Belgrave and Glenfield had been assigned to the Earl of Winchester and his wife as a result of the partition on the death of de Montfort the elder in 1207.¹³⁵ Winchester died in 1264; he held a number of manors which appeared later amongst the Earl of Leicester's holdings, including Belgrave and Glenfield.¹³⁶ It is easy to see that these two manors came to be part of the Ferrers' interest via

¹³³ CCR-1231-34, pp. 18-19; Farnham, vi, p. 66.

¹³⁴ HBC, p. 469.

¹³⁵ Ibid., p. 487.

¹³⁶ CIPM, i, p. 257.

Margaret, Countess of Ferrers, Robert de Ferrers' mother, and daughter and co-heiress of Roger de Quincy, Earl of Winchester, but this does not explain how they came to be held of the honour of Leicester. Farnham suggests split rights in Belgrave between the two honours but this cannot be explained from the early evidence, though the Ferrers held from Edmund in Belgrave and Glenfield.¹³⁷ In 1204-05 the Earl of Leicester [presumably Robert 'Fitz Pernel', Earl of Leicester (1191-1204)] owed thirty-six shillings for the farm of Belgrave; and even earlier in c. 1130 the Leicestershire Survey states that the Earl of Leicester [Robert, son and heir of Robert de Beaumont (1118-68)] held twelve carucates of land in 'Mardegrave', that is Belgrave. Belgrave had been part of the patrimony of the Earls of Leicester for generations; and despite the partitions of John's reign, an interest was maintained until c. 1297.¹³⁸

The way in which the Segraves came to be holding the town of Sileby is clear from an inspeximus and confirmation of charters of 22 March 1239.

Stephen de Segrave granted and quitclaimed to Simon de Montfort, earl of Leicester, and his heirs, all his right in the towns of Thornton and Bagworth...in consideration of this grant the said earl has given to the said Stephen and his heirs the town of Sileby with the advowson of the church there and all that he had in Thurnby of the land late of Richard son of Robert de Harcourt, to hold of the said earl, to hold by the service due from the said Richard.¹³⁹

De Montfort was adding to his patrimony here, and held both places on his death in 1265. They appear on the Winchester.

138 Farnham, vi, p. 65, dates the Survey between 1124-29; C.F. Slade, The Leicestershire Survey AD 1130, Occasional Papers of the Department of English Local History, vii (Leicester, 1956), p. 86; HBC, pp. 468-69.
139 CChR, i, p. 241.

Inquisition valued at £20 8s 9d per year, and the Lord Edward's bailiffs collected the Michaelmas rent.¹⁴⁰ Edmund held these towns as late as 1276 because a case on the Assize-Roll states that the assize

came to recognise whether Henry de Meynill, brother of James de Meynill, was seized in his demesne as of fee of the manors of Bagworth and Thornton on the day he died, which Edmund, the king's brother, holds.¹⁴¹

Though the record breaks off shortly after this, it proves they arrived in Edmund's hand with the honour of Leicester. They appear on the c. 1280 Aid with Lady Holand holding half a fee in Bagworth, and William Beauchamp, Earl of Warwick (1268-98) holding the same in Thornton of Edmund, thus maintaining his interest a few years more, but they are not on his inquisition. Fox also has them as part of the honour of Leicester on his lists which may point to an error on the inquisition, or that they were members of a larger manor which appeared on the inquisition.¹⁴² Bagworth and Thornton are two of eight places which have early links with the Earls of Leicester but which do not seem to have been held by Edmund in c. 1297.

In Lockington there are connections with both de Montfort and Edmund's eventual tenants. In Lockington in 1253 de Montfort appeared as the chief lord when John de Senevill had to answer an accusation of withdrawing himself from the the custody of John Maunsel. John's father,

140 CIPM, vii, p. 66; CIM, i, p. 236; Farnham, v, pp. 402-3, in 1313 Thomas of Lancaster claimed that they were given as a gift to his father, though this was denied; in 1349 Matilda, widow of Robert de Holland, died holding both manors of Henry de Grosmont, Earl of Lancaster, Edmund's grandson; CIPM, ix, p. 179.

141 Farnham, v, p. 401.

142 FA, vi, p. 559; HBC, p. 486; Fox, EHR, liv (1939), pp. 400-402; *ibid.*, TLAS, xx (1937-39), pp. 362-64.

William de Senevill, had sold his marriage to Maunsel in 1239 because he had been in debt to the Jews for a hundred marks. In 1247 John had married without Maunsel's permission and he claimed damages of £200. John was within his rights to refuse to marry the person his guardian put forward, but he was liable to financial penalties if he did so. If he married without his guardian's consent then he had to pay double the value of the marriage. Similarly, if a guardian failed to provide a suitable partner for his ward then he lost the right to the marriage. Maunsel broke two promises; he failed to pay off William de Senevill's debt to the Jews in return for John's marriage, and though he had promised to marry John to a kinswoman, he

was unwilling to marry John to his sister or to anyone of his near relations.¹⁴³

John may not have been a very personable man! De Montfort stepped in as chief lord of the fee and took John away from Maunsel as 'derelict' and married him off himself. This case shows the extremes to which indebttness could drive men, it was the norm to sell off wardships when the father was dead, but selling the marriage of the son and heir in order to clear a debt seems desperate. A case of 1243 links the Senevills with Lockington; Richard, son of Alan, was summoned to answer why he was not performing the 'right and accustomed service' for the free tenement that he held of Senevill there. The case throws light on the nature of service for tenure; Senevill claimed that Richard should do

¹⁴³ Farnham, iii, pp. 184-85; AASRP (1919-20), xxxv, pp. 150-51; S.S. Walker, 'The Feudal Family and the Common Lawcourts: the Pleas Protecting Rights of Wardship and Marriage, c. 1225-1375', Journal of Medieval History, xiv (1988), p. 21.

suit at his court of Lockington every three weeks for half a carucate of land, claiming that he was damaged forty shillings by Richard's failure to appear. Richard agreed

that he holds the said land of William de Senevill for 6s. yearly and by doing foreign service, and that he owes suit at the said William's court when anyone shall be impleaded by writ of right, or when a robber shall be there to be judged. He denies that he owes any other suit at the said court, and he puts himself on the grand assize, and he denies having to do suit at his court of Lockington every three weeks.¹⁴⁴

The conclusion of the case is unrecorded, but it shows the different occasions upon which varied combinations of men were required at the manor court and how important it was to minor tenants to be there only when absolutely necessary; clearly, they had to object when they felt the lord of the manor demanded more than his due. The earliest link with the Senevills and Lockington, however, comes in 1216 when the sheriff was ordered to deliver seisin to William de Senevill of all his lands there and in Hathern. He had been disseized because of his stand against the king in Donington Castle where he had been captured.¹⁴⁵ Despite standing against King John, Senevill managed to survive as a tenant in the area. The family did not hold land in Hathern from the honour of Leicester in c. 1297, but the holdings in Lockington descended from generation to generation going from William de Senevill, who was mentioned in 1216, to his son, William, referred to in 1226; from this William to his son, John, who had all the difficulties with his marriage, but was described as William's heir in 1253; down to Simon de Senevill who held

144 Farnham, iii, p. 184; AASRP (1919-20), xxxv, pp. 129, 126.

145 Farnham, iii, p. 184.

Lockington from Edmund in c. 1297, presumably John's brother. Simon was a minor in the guardianship of Thomas de Bray, and the heir of William de Senevill in 1284. He must have been of age by 1294 when he and others were summoned to court to defend themselves against an allegation of impounding ten of the abbot of Leicester's sheep.¹⁴⁶ Thus three generations of the Senevill family had been established in Lockington. They had been against the king in 1216 and perhaps this cured them of involvement against the Crown since there is no trace of them among the barons who supported de Montfort though he was their chief lord. They maintained their position in Lockington between 1216 and c. 1297 and during all of the political crises that occurred in between.¹⁴⁷

Other places can be associated with the honour of Leicester in the early years of the thirteenth century, but there is no continuation with the families who later held from Edmund. In Bitteswell, for example, an entry on the Pipe Roll for 1223-24 states

Henry de Pecco and his fellows render account of 68s. for their share of a sum of £213 7s. 11d. which the knights holding part of the honour of the earldom of Leicester owe in Bitteswell. Into the treasury one

146 Farnham, iii, p. 184, 185; AASRP (1919-20), xxxv, pp. 150-1.

147 Farnham, iii, p. 184, AASRP (1919-20), xxxv, pp. 139, CIPM, iii, p. 319, for similar early links between de Montfort and Glooston. Farnham, v, pp. 423, 424, LE, ii, p. 1393, Northamptonshire Families, ed O. Baron (London, 1906), p. 316, CIPM, iii, p. 319, The Great Roll of the Pipe for the Seventh Year of the the Reign of King John Michaelmas 1205 (Pipe Roll 51) ed S. Smith, Pipe Roll, NS xix, (London, 1941), p. 32; HBC, pp. 454, 469, 473, similarly, de Montfort is linked with Atterton in 1236, and the Wakes in Witherley, the latter is also linked with the honour of Leicester in 1225 and Ralph Basset held four parts of a knights' fee in Witherley and Atterton in 1204 from Robert Fitz Pernel, Earl of Leicester (1191-1204).

mark and they owe 54s. 8d.¹⁴⁸

A reference from the same Pipe Roll for Blaby proves much the same thing, that Blaby was part of the honour of Leicester, but there is no connection between the holder of 1223-24 and that of c. 1297.¹⁴⁹

Thomas de Astley can be connected with Simon de Montfort, Earl of Leicester (1205/6- 1218) as his bailiff before any evidence refers to him as a tenant. In 1203 an entry on the Curia Regis Roll states that he was summoned, but did not appear, to explain why he was exacting scutage from the earl's land in Thorpe and withholding cattle. In 1207/8 the Pipe Roll notes that he paid in sixty-five marks, leaving fifteen marks and a palfrey outstanding, as part of his payment to be quit of the exactions left over from his time as a bailiff of the earl. In 1249 Thomas de Astley went to Gascony with de Montfort and was granted protection for as long as he remained in his service; he eventually died at Evesham. The Astleys are not found as tenants of the Earl of Leicester until 1284-5, though they held of the Earl of Warwick in Astley in 1235-6 and 1242-3 and were early associates of the Earls of Leicester.¹⁵⁰

Another source for the early period is the Leicestershire Survey (c. 1125-30), when Robert de Beaumont was Earl of Leicester (1118-1168). He held places that were later held of Edmund: Sileby, Belgrave, Thorpe Langton, Shington, Stonton Wyville, Evington, and Smeeton

¹⁴⁸ Farnham, vi, p. 127.

¹⁴⁹ Ibid., v, p. 35; *ibid.*, II, ii, p. 319.

¹⁵⁰ HBC, p. 469; CRR 5-7 John, p. 45; CPR 1247-58, p. 43; CIM, i, p. 236; FA, iii, p. 98; LF, i, p. 508; *ibid.*, ii, p. 955.

Westerby. Moreover, Birstall, Thurcaston, Carlton Curlieu, Illston on the Hill and Keyham are mentioned on the Survey as his lands and are on Fox's lists, but they are not on Edmund's inquisition.¹⁵¹ The Book of Fees states that in 1251-2 Sileby and Birstall were of the lands of the Normans and given to de Montfort for £30.¹⁵² Sileby passed into Edmund's hands, but Birstall is unmentioned. De Montfort exchanged Sileby with the Segraves for their interests in Thornton and Bagworth in 1239, so that logically they should have appeared on Edmund's inquisition and Sileby been missing from it and yet the opposite is true.¹⁵³ Thus evidence suggests that certain lands were part of the honour of Leicester, but were lost or amalgamated with other manors by the time of Edmund's death, this is the most likely explanation for Birstall's non-appearance.

This early evidence provides proof of the origins of a number of lands and families that were to end with Edmund. They had survived for several generations, and lived through the political crises of the thirteenth century; when the Barons' War came it was just another period to be weathered. It cannot be said that these families enjoyed the same status throughout these years, that is another question; but they continued to be associated with the same areas which they occupied when Edmund of Lancaster died.

151 Farnham, i, p. 153; *ibid.*, vi, p. 65; *ibid.*, v, p. 233 mentions Keyham on the Survey, Slade does not, The Leicestershire Survey AD 1130, p. 86; HBC, p. 468; Fox, EHR, liv (1939), pp. 400-402, TLAS, xx (1937-39), pp. 362-64.

152 LF, ii, p. 1282; Farnham, iii, p. 19, Illston on the Hill is also linked with the honour of Leicester in 1223-4, but it does not appear on Edmund's inquisition.

153 CChR, i, p. 241.

Edmund's lands in the honour of Leicester have been carefully pieced together, and this analysis has shown that there was considerable continuity. The majority of the lands which de Montfort held in 1265 were in Edmund's hand on his death. Indeed, Edmund held lands which had been associated with the earliest Earls of Leicester at the beginning of the twelfth century. Some places, like Bagworth, Thornton, and Birstall should have gone to Edmund but did not appear on his inquisition post mortem, it is possible that they were included within larger manors and not recorded individually. Whatever the reason, some manors are omitted which should have been present. Similarly, Edmund's tenants belonged to families that for the most part had held from de Montfort, and some of them had even earlier associations as tenants of the earls and the honour of Leicester. Continuity of both lands and tenants is well established; the tenants were no more disadvantaged because they followed de Montfort than the tenants of the honour of Tutbury were for following Robert de Ferrers. The process of restitution was applied fairly to everyone apart from the Ferrers and the de Montforts. The study of the inquisitions post mortem and the Aids has brought the anomalies of their evidence to light, but these small differences do not mar the picture of continuity that has been created. They can be explained by the different remits which each set of officials were given, by inaccuracy and by small movements of land which would be caused by dower settlements and the like. They do not invalidate the central trend of continuity. Edmund's

tenants were also lords in their own right and he had other earls amongst his landed tenants, Coss' 'lordship squared' was a reality, but Edmund did not have large areas under demesne cultivation, not in Leicestershire at least. He held the four manors of Leicester, Hinckley, Earl Shilton, and Desford in demesne, but so had de Montfort, there was no wholesale change of procedure.¹⁵⁴ Something of the structure of the system of land tenure has been revealed, and the records illustrate its complex nature in England in the thirteenth century. A plethora of personal relationships had its affect on the land, for many families the land went from holder to heir without interruption, but there were problems when it came to assigning dower and dealing with the difficulties experienced by minors, cases which usually ended up in court. It is also true to say that there some lands which do not illustrate continuity amongst the tenants, but it is excessively difficult to prove that this small number were ousted from their lands so that Edmund could replace them with men who were more congenial to him. Even in places like Knaptoft where there seems to be no continuity, a study of the evidence reveals that the different names can be explained and shown to provide continuity after all. In Leicestershire then, as in the other counties covered, the overwhelming trend is one of continuity among lands and tenantry.

154 Coss, P&P (1989), p. 50.

6: EDMUND OF LANCASTER'S HOLDINGS IN THE MIDLAND COUNTIES
OF THE HONOUR OF LEICESTER: (b) RUTLAND UP TO 1298

The only manor Edmund held in Rutland was Teigh. Two extents were taken in 1298, one on 25 January and the other on 7 August; his tenants were the notorious Folville family.¹ The family is mainly associated with the Leicestershire manor of Ashby Folville which they held of the king in chief. The family were infamous in the fourteenth century and have been studied in some depth; but this account considers Teigh in the thirteenth century.²

Edmund's inquisition post-mortem states that on 25 January 1298 Ralph de Folville held three parts of a fee by homage and service of suit at the court of Leicester,³ and scutage, the said services being worth 4s yearly.

By the 7 August John de Folville held the same fee in Teigh. Edmund's inquisition is the only source to mention Ralph de Folville. Two genealogies show different family trees which is rather confusing, but neither names a Ralph de Folville as part of the family; they do show that John de Folville was the son of Eustace (d. 1293).⁴

Other sources confirm the link between the Folvilles, Teigh and Edmund. John de Folville's elder brother, William, died in 1282 leaving his daughter, Alice, as a

1 CIPM, iii, pp. 310, 321; PRO C 133/81 m 30, 48.

2 G.F. Farnham and A. Hamilton Thompson, 'The Manors of Allextun, Appleby and Ashby Folville', TLAS, xi (1919-20), p. 459; E.L.G. Stones, 'The Folvilles of Ashby Folville, Leicestershire and Their Associates in Crime', TRHS, fifth ser., vii, (1957), pp. 117-36; The Villages of Rutland, I, ii, [no page nos.] Rutland Local History Society, (Oakham, 1979).

3 CIPM, iii, pp. 310, 321; Farrer, ii, p. 321.

4 E.B. Redlich, The Parish History of Teigh (Shipston on Stour, 1926), pp. 19, 27.

minor and his heiress. The protection afforded the major landholder's right to advowsons during the period of a minority is illustrated by events in Teigh. When the parish rector, Master Thomas of Louth, died Alice was still a minor so her mother, Lady Joan de Folville, presented her candidate, Richard of Boudon, to the church of Teigh. Joan was unaware that due to the minority of her daughter, the right of presentation to the church reverted to Edmund as major land holder. He wished to present Henry of Roughton instead. An inquest into the matter was held by S, Archdeacon of Northampton, who ruled that Joan's action was erroneous. She revoked her presentation by her letters patent and Edmund's candidate was instituted on 25 August 1282 at Louth.⁵ The case shows the importance attached to the advowsons of churches and the strict implementation of the lord's rights, however temporary those rights might be. Alice died soon after this incident which led to the inheritance of her uncle, John de Folville, who was Edmund's tenant in c. 1297.

Teigh is not on the Feudal Aid for 1284-5; the Aid only provides evidence for the Folvilles in 1305 when John de Folville held three parts of one fee and paid thirty shillings. A case of 1284, however, states that John and his brothers, Geoffrey and Robert, had to answer a charge of assault at Teigh, which links the family with the manor, although it does no more than this.⁶ Similarly, Teigh is not on the extent of c. 1280; the entry for Rutland states

⁵ The Rolls and Register of Bishop Oliver Sutton 1280-99, ii, ed R.M.T. Hill, LRS (1950), xliii, p. 24; Redlich, p. 22, he incorrectly styles Edmund as Duke of Lancaster.

⁶ FA, iv, p. 204; Farnham, TLAS, xi (1919-20), p. 458.

that John de Folville held three parts of one fee in Teigh, but indicates that this information belongs to 1330.⁷ The tenant in c. 1280 must have been William de Folville; the case involving the presentation to Teigh church is dated 1282 which means he may still have been living in c. 1280.

Legal records maintain the Folville family connection with Teigh in the 1270s. An assize taken in 1276 had to settle a dispute between the heirs of Eustace de Folville and his holdings in Teigh.⁸ Eustace was murdered in his chamber at Ashby Folville at midnight on Saturday 24 November 1274. Although a commission of oyer and terminer was issued on 30 November, the murderers were not apprehended. At Easter 1276 Eustace's son, John, accused Juliana, his father's widow, of instigating the murder and named the man he suspected of carrying out the act of stabbing Eustace in the heart with an Irish knife. At Michaelmas John brought a suit against the alleged murderer, Ralph Caperon, and two other men, but no final result is recorded.⁹ The dispute over Eustace's land in Teigh was more straightforward. Eustace, son of Eustace de Folville, accused Edmund, the king's son, Alice, daughter of William de Folville, and two others of disseizing him of his rightful inheritance in Teigh. Alice had entered on the lands in Teigh because her father was already dead and she had the right to the free tenements as the next heir to which Edmund had agreed as chief lord, and Alice's guardian. Eustace claimed, however, that his father had

⁷ FA, vi, p. 567.

⁸ Farnham, TLAS, xi (1919-20), p. 457.

⁹ CPR 1272-81, p. 115; Farnham, TLAS, xi (1919-20), p. 456.

held the free tenements in Teigh in his demesne as of fee, and therefore, had entered upon them immediately after his father's death until he was unjustly disseized of them eight weeks later. The jury were not impressed by Eustace and found for Alice as the lawful daughter of the elder brother.¹⁰ There is some dispute amongst scholars about the number and names of the children of Eustace. Redlich states that Eustace's children numbered five: William who married Joan and had a daughter Alice, John, Richard, a clerk and rector of Teigh (1321-41), Margery who married Richard de Flyxthorpe, and Amicia. Farnham, however, states that he had six children: Geoffrey, Robert, William, Eustace, Margery who married Richard Folville and John. Redlich omits three sons, Geoffrey, Robert and Eustace whilst Farnham omits Richard and Amicia. Eustace appears on the legal record referred to above so that it is Redlich's error in omitting him. He must have been a brother of William because of the ruling in the case of the dispute over the free tenements in Teigh. Redlich has also confused Richard, rector of Teigh 1321-41, as a son of Eustace when he was really a son of John (d. 1310) this is confirmed by Stones who charts the later career of John's seven sons, including Richard. Here Farnham names only six sons for John (he omits the Thomas named by Stones) and Nichols publishes a genealogy of the Folville family which is more confused than Redlich and Farnham. There is room for more work on this family and their criminal involvement for generation after generation. Redlich was quite correct

10 Farnham, TLAS, xi (1919-20), p. 457.

in asserting that Eustace had two daughters; documentary evidence exists detailing Eustace's gifts to his daughter, Margery, on her marriage to Richard de Flyxthorpe, and Amicia is clearly described as his daughter and widow of Geoffrey de Melton, knight, in a grant she made to John, son of Hubert of Teigh of a dovecot, so that Farnham was wrong to omit her from his genealogy.¹¹

It is clear from the Winchester Inquisition that Eustace de Folville was an adherent of de Montfort. According to the Inquisition, his lands in Teigh were worth a hundred shillings and the Michaelmas rent was two shillings.¹² He seems to have been in the Isle of Axholm with Simon de Montfort the younger after Evesham, but by 1266 he had been 'mainperned' by the Lord Edward and had to explain his behaviour before the king. Like many others he was pardoned on 28 June 1267 after agreeing to abide by the Dictum of Kenilworth with Peter de Neville and John de Kirkeby of Leicester standing mainprise for him.¹³

Evidence from the 1250s confirms this adherence to the barons when Eustace was appointed as one of the knights of Leicestershire to enquire into 'trespasses and excesses' in the county following the issue of the Provisions of Oxford. Although this does not link him with Teigh it does show that he was an active member of county society.¹⁴

Evidence of the violent nature of the family that was

11 Farnham, TLAS, xi (1919-20), opp. p. 474; Redlich, pp. 6, 20, 27; Nichols, III, i, p. 23; Stones, TRHS, fifth ser vii, (1957), pp. 118, 120; LRO Gretton (Sherard) Mss, DG 40/286, DG 40/287, DG 40/288, DG 40/289.

12 CIM, i, p. 262.

13 CPR 1258-66, p. 538; CPR 1266-72, pp. 148-49.

14 CPR 1247-58, p. 645.

to blossom further in the fourteenth century can be found in this earlier period. In 1248 Eustace and seven others were involved in the death of William le Venur; their imprisonment in the king's prison at Warwick was ordered on 4 February.¹⁵ His father, William, was said to have presented to the church of Teigh around the same date, but does not appear any later in the records, so he may have died around this time. In 1239 he presented Thomas de Lud to Teigh church, whilst his son, John de Folville, who was also a clerk, undertook to pay Lud a hundred shillings a year. It seems likely that Lud was acting as John's representative and may have been in minor orders but unable to practise the cure of souls.¹⁶ It was probably Teigh for which William paid twenty shillings for three parts of one fee towards the Aid collected on the marriage of the king's sister, Isabel, to Frederick II, King of the Romans in 1235-6. Teigh is not mentioned but it is unlikely to be another Folvill holding of the honour of Leicester in Rutland.¹⁷ William sided with the barons against King John in 1216 and as a result suffered imprisonment and the confiscation of his lands which were granted to William de Cantilupe; the sheriff was ordered to give him seisin on 10 October 1216. His release from prison was ordered on 28 March 1217 on the payment of thirty marks; he was pardoned

¹⁵ CCR.1247-51, p. 28.

¹⁶ VCH Rutland, ii, p. 151, quoting Wright, History of Rutland, p. 123 is in error here, the entry on Bishop Grosseteste's Roll states that Thomas de Lud was presented to Teigh with the financial proviso described above paid by John de Folville; Rotuli Roberti Grosseteste, Episcopi Lincolniensis, ed F.N. Davis (London, 1913), Canterbury and York Society, x, p. 187.

¹⁷ LF, i, p. 506.

by Henry III as long as he proved a loyal subject in future and married the daughter of Eustace de Es. He became a active member of county society for he appeared on a number of commissions in Leicestershire and Rutland, as well as being appointed as a justice to assizes of novel disseizin in Leicestershire and Lincoln.¹⁸ It is probable that it is this William de Folville who held three quarters of a knights' fee in Rutland and another three quarters of a fee in Leicestershire of the honour of Leicester in 1212, although once again Teigh is not specifically mentioned. Two undated charters refer to a William de Folville obtaining land in Teigh and this is probably the same man again.¹⁹ The evidence linking the Folvilles with Teigh comes to an end at this date although their name is connected with Ashby Folville as early as 1163, so that the family had obviously been established for generations in the East Midlands.²⁰

The manor of Teigh in Rutland reveals many things in microcosm that are true of the honour of Leicester as a whole. Firstly, the family had been established in the East Midlands for many years, possibly for a century before Evesham took place. As a result of this long establishment it is inevitable that the family would become involved in the politics of the region and the nation. The rebellion of the barons that culminated in 1265 was not the first but the second such upheaval with which the family had been

18 Nichols, iii, p. 23; Farrer, ii, p. 320; CPR 1216-25, p. 49; Farnham, TLAS, xi (1919-20), p. 455.

19 VCH Rutland, ii, p. 151; Red Book of the Exchequer, pp. 535, 553.

20 Farrer, ii, p. 320.

involved and survived. This says something of the nature of royal policy towards erring subjects, the Crown could not banish or destroy all of their rebellious subjects, particularly not the lesser knights, without seriously destroying the very fabric of society and system of land tenure. Though leading nobles might feel the full weight of the wrath and indignation of the monarch they were the exception to the general rule of reconciliation. The latter policy was a more lucrative approach to a monarchy that was always in need of money, and must be seen as an aid to stability in the long term. Another point which emerges from this study of the careers of early members of the Folville family is the striking continuation of their involvement in crime. Stones has charted the nefarious careers of John de Folville's children between 1326 and 1347; he was Edmund's tenant and died in 1310, and it is clear that their ancestors had been almost as active on the wrong side of the law. The Folvilles were not only a family of criminals in the fourteenth century, but a veritable dynasty of shady characters for at least a century before that who had perpetrated murder and were murdered in their turn.²¹

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This study of the honour of Leicester has reaffirmed those factors which have already been noted with regard to the honour of Tutbury. There is evidence for the continuity of the tenantry from the beginning of the century to 1298. Those who had been involved in the Barons

21 Stones, TRHS, fifth ser, vii, (1957), pp. 117-36.

War (1264-66) were able to redeem their lands according to the Dictum of Kenilworth and continue in their holdings. Some names change but there is insufficient evidence to confirm that they were de Montfort's tenants or that they were replaced by men Edmund favoured. The size of holdings change, but there is no pattern to these changes, they do not all get smaller around a certain date or vice versa; the changes may indicate the effects of redemption fines on some families but no evidence states this directly. The rebels' widows and children were granted sufficient means to carry on; this maintenance was granted swiftly so that hardship seems to have been avoided as much as possible for those innocent of any overt action against the king. In general tenants who rebelled against Henry III had descendants who held from Edmund on his death in 1296. The obvious exception is the de Montfort family who never returned to England, despite the reassuring noises Henry made in the initial stages of trying to sort out a settlement with the younger Simon. Similarly, though he was eventually just to his aunt over her dowries, Edward I never forgave the family, and their attack on Henry of Almain only made a bad situation worse.

The nature of the tenancy of land is illustrated with almost every tenant in the honour. The extended chain of lord and tenants could be considerable as in 1282 in Atterton and Witherley in Leicestershire which stretched from the nineteen villeins on the land to Somerville from whom they held it; Somerville held from Segrave, who held from Wake; he held from Edmund who held of the king. It

shows how complex and intricate the feudal system had become; it was little wonder that the courts were so filled with cases which concerned the tenure of land.

The importance of advowsons has been illustrated. The schedule of Edmund's advowsons shows that they were of considerable financial value and rights to them were protected. Neither minors nor their parents had the right to present to them, it reverted to the chief lord until the minor reached their majority as in Teigh in 1282.

Similarly, legal cases were often forestalled because a key figure in the case was a minor and the whole matter had to wait until the minor had come of age as Nicholas de Turville discovered in 1276. Litigation was pursued with the same vigour in the honour of Leicester that has been noted elsewhere. Children were often taken to court by their parents, particularly mothers in pursuit of their dower. Tenants were not averse to citing their overlord in court, in pursuit of dower usually but for other matters as well such as demanding too much service. Ordinary men and women had the recourse to the courts that was enshrined in Edward's new legislation.

Edmund was immediately secure in the honour of Leicester which was not technically the case with the honour of Tutbury. Had there been true justice Ferrers would have retrieved his lands; there was never any hope of the de Montforts doing the same. Even if the settlement mooted in the late 1260s had worked out for the younger Simon, he would never have been welcome in person within England. Edmund was never under threat of losing the

earldom of Leicester, he might have had to part with some money towards a settlement for Simon, but in the event that did not happen either. The honour of Leicester passed from the hands of Simon the elder to Edmund of Lancaster with very little interruption or change. Thus when Thomas of Lancaster inherited his father's lands it was a stable and consolidated powerbase, yet he placed it in jeopardy when he rebelled against Edward II in 1322. It is to the last days of Thomas of Lancaster and the confiscation of his earldom that the thesis now turns.

SECTION II: THOMAS EARL OF LANCASTER 1296-1322

7: THE CONFISCATION OF THE EARLDOM OF THOMAS OF LANCASTER

As Edmund's eldest son Thomas of Lancaster inherited his father's lands in 1296; his career is too well documented to need repetition here; J.R. Maddicott has said almost all there is to say of his relations with Edward II, his rise to power, and the rebellion which ended his career.¹

'Almost all' because Maddicott's account ends with Thomas' execution. Even Somerville does not cover the confiscation of Thomas' lands in detail. Yet the final events in Thomas' life were extremely important when Henry of Lancaster came to argue that Thomas had been dealt with illegally. It was the dubious nature of Thomas' trial and execution which allowed Henry to lay claim to his brother's inheritance, thus it is with the final months of Thomas' life that the chapter will begin and the confiscation of his lands will be discussed in detail.

According to Somerville, the date when Thomas' fate was sealed was 12 March 1322, ten days before he was executed. Edward II reached Tutbury Castle on the 9 March to find the gates akimbo and Thomas and his allies gone. Wisely, Thomas' constable did not refuse the king entry and it was from Tutbury that he declared Thomas a rebel; the Earls of Kent and Surrey were given orders to set off after Thomas and arrest him.² Maddicott states that though Thomas did not feel sufficiently confident to throw himself on the mercy of the king, he did not feel personally

1 J.R. Maddicott, Thomas of Lancaster, (Oxford, 1970).

2 Somerville, p. 27; CCR-1318-23, p. 522; CPR-1321-24 p. 81

endangered because he was the king's cousin after all. Thomas did not see himself as a rebel; he only wished to be rid of, and had therefore taken up arms against, the Despencers not Edward. He did not wish to go further north than Pontefract in case the journey was misinterpreted. An ally persuaded him at swordpoint to fall in with the wishes of the majority and they headed off to Dunstanburgh. The result was as Thomas had foreseen; the move was regarded as a dash for Scotland to obtain succour from the king's enemies. Somerville, however, implies that it was Thomas' personal decision to go further North.³ Maddicott states that Thomas' re-opening of negotiations with the Scots, which probably began on 6 December 1321, put him in a position from which it was difficult to maintain that he was not acting against the king. Consorting with the Scots put the security of the kingdom at risk and ultimately the king as well and was treason; by such an action Lancaster lost the righteous initiative to which he had laid claim earlier on, an initiative that passed to Edward. The Scottish correspondence cannot have been found at Tutbury, as Fryde suggests, since this first collection of correspondence to which Maddicott refers was enrolled by 1 March 1322. Phillips suggests it may have been found at Kenilworth which surrendered to the king on 26 February, and this seems more likely.⁴ Hereford's body was said to

3 Maddicott, pp. 310-11; Somerville, p. 28; *The Brut*, i, ed F.W.D. Brie, Early English Text Society, 131 (1906), p. 217.

4 Maddicott, pp. 301-2; N. Fryde, *The Tyranny and Fall of Edward II 1321-26* (Cambridge, 1979), p. 60; J.R.S. Phillips, *Aymer de Valence, Earl of Pembroke, 1307-24: Baronial Politics in the Reign of Edward II* (Oxford, 1972), p. 223; *CCR 1318-23*, p. 525.

have had an incriminating indenture on it which laid out the plans for the participation of the Scottish Earls of Randolph and Moray and Robert the Bruce in raids on England, Wales and Ireland harming those that the earls wished to harm and leaving alone those the earls wished to save, but this was not in the hands of the king until the battle of Boroughbridge which took place on the 16 March.⁵ This evidence alone shows that the decision to move against Thomas was made much earlier than 12 March as Somerville suggests. Scottish correspondence was available at the beginning of the month, probably earlier, the indenture on Hereford's body merely confirmed what was already known.

A perusal of the Patent, Close and Fine Rolls, provides further evidence for Edward II making an early decision to deal harshly with Thomas of Lancaster. He and his allies were referred to as traitors on 11 March 1322 on the Close Roll; the Fine Roll to which Somerville refers is dated the 12 March but does not call Thomas a traitor.⁶ These administrative records illustrate that the king was taking action against Thomas as early as February. On 16 February Thomas' lands, goods and chattels in London and the suburbs, and the same in his wardrobe in the city were taken into the king's hands.⁷ Such a move must mean that he had already decided to take serious action against Thomas and was thinking of confiscation of Thomas' property at the very least; taking Thomas' wardrobe into his hand probably indicates he was after money. Edward was

⁵ Foedera, II, i, p. 479; Maddicott, pp. 302-3.

⁶ CCR 1318-23, p. 522; Fryde, p. 58; Somerville, p. 27.

⁷ CFR 1319-27, p. 98.

mustering men on a large scale and they all had to be paid; indeed, he had already defeated and imprisoned some of the Marcher lords with the capitulation of Gloucester on 6 February. By the second half of the month Thomas' Welsh lands were under attack. This is a further sign that Edward had decided to bring Thomas to heel by force, and was prepared to meet him with an army at his back ready for battle, even if it did not come to force of arms.⁸ On 3 March, for example, there was a call for forces to be levied to go against the rebels from the counties of Nottingham and the Peak in Derbyshire amongst others. On 5 March men were being specifically recruited against 'the Contrariants' from Leicestershire and from Lichfield in Staffordshire, whilst on the 14 March an order was sent to cancel the recruitment of twelve men at arms and a thousand foot from Northamptonshire since the rebels had fled, but the men were to hold themselves in readiness against a further call.⁹ All of these counties were areas in which the Earls of Lancaster had always had considerable holdings. Thomas was no exception, indeed, he had not only inherited Edmund's patrimony; by 1311 he had come into the earldoms of Lincoln and Salisbury in right of his wife, Alice Lacy, daughter of Henry, Earl of Lincoln.¹⁰ Thus the king was recruiting in counties where Thomas held considerable areas of land. Obviously, men were wise to obey the king's orders, no matter what their overlord might be doing; if he were involved in rebellion it would be well

⁸ Fryde, p. 55.

⁹ CPR-1321-24, p. 79; CCR-1318-23, p. 517.

¹⁰ See Section II: 8, pp. 255.

to remain loyal to the king.

The king's summonses, however, were not wholeheartedly obeyed; a commission of 14 March was appointed to investigate the non-appearance of men from the county of Stafford who had failed to attend the king against the rebels.¹¹ Perhaps Lancaster received more support in Staffordshire than he did elsewhere, particularly when it is taken in conjunction with the 1272 statement about the attitude in 1265 that 'the whole of the county of Stafford was against the king'.¹² The evidence is slender but it is possible that there was a loyalty to de Montfort in Staffordshire that Edmund had consolidated and from which Thomas benefited like the fifteenth century loyalty of the borderers to the Percies. Although much of Thomas' land lay in the midlands it did not stop the king from trying to recruit there, he may well have hoped to prevent Thomas raising troops by doing so first.

This point is well illustrated by the attitude that Leicester adopted to the king's and Thomas' demands for support. Leicester was the heart of Lancastrian holdings in the county and it would have surprised no-one had it supported Thomas to the hilt. It had gone to Edmund in the very first grants of 1265 after de Montfort's death. The mayor of Leicester's accounts reveal an intriguing situation; on the 13 January 1322 Sir William Trussel arrived in Leicester with a letter from the earl to the steward, Richard le Foun, asking for the 'more powerful men' of Leicester to meet him at Tutbury with their

¹¹ CFR 1319-27, p. 108.

¹² SHC, iv. p. 185.

expenses for two days. The men arrived at Tutbury to find Sir John de Mowbray and not the earl and so they returned to Leicester against the wishes of Sir William who went straight to the earl at Pontefract,

and told the lord Earl that the men of Leicester despised his commands and that they bore him no good will. And hereupon be [sic] brought a letter of the Lord Earl to the Mayor and community with threats, on Wednesday next before the feast of St Valentine [10 February] on which day the Mayor sent a present to him: in bread 7½d, in wine 1s 4d; and at the same time he brought a letter of the lord Earl's to say that all men were to be obedient to the said William and under his control; and then, in order to get his counsel and aid, he had from the community 13s 4d. [Another letter from the Earl called for] all the the powerful men of the town of Leicester to be chosen, together with others of the Liberty, to come to Pontefract against the Scotch.¹³

The mayor sent off Peter de Tengy with a letter to Pontefract, presumably to the earl, probably as aware as Thomas that he was looking for men to shore up his position against the king, going against the Scots was a complete untruth. At the same time the Mayor sent

John de Holland going towards the King to enquire news 1s 9d while the King was in the neighbourhood of Gloucester.¹⁴

The earl and king must have replied since there is another entry repeating payment for the two messengers going to Pontefract and Gloucester. On 20 February Sir William and the steward also wrote to the earl.¹⁵ On 21 February Sir William, the steward, Thomas the chamberlain and others of the earl's household were quenching their thirst at the tavern of William of Bushby. Yet on the same day the mayor was causing a bill to be written to the king, presumably at

13 LRO BR III/1/15; Bateson, i, pp. 328-9; Maddicott, p. 308.

14 LRO BR III/1/15; Bateson, i, pp. 329-30.

15 LRO BR III/1/15; Bateson, i, p. 330.

the tavern of William of Grantham since he received the sum of nine pence for expenses. The bill was sent off to the king at Weston under Edge in the hands of Ralph of Burton, a man called John Legeit went to the same place twice around the same time.¹⁶ It cannot have been a coincidence that at some point in the same week before Shrove Tuesday (16-23 February) Thomas le Rous, the sheriff of Warwickshire and Leicestershire (28 October 1321 to 27 October 1322), arrived in Leicester

with his commission to have all those persons between two limits of age, in aid of the lord King against the rebels, and his enemies, with their expenses for 15 days.¹⁷

In the event the sheriff 'let off the whole town for fifty men' and agreed to 'help and advise the community'. In return the community gave him two pounds and the under sheriff one pound, after they had already been given bread, wine and beer. At the same time another man, John of Saddington, was given half a mark 'for obtaining his help in dealing with the lord King'.¹⁸ It is clear that Leicester was being commanded to support both the earl and the king at the same time. On 25 February Sir William Trussel, who had either returned to Leicester or never left, and the steward asked the mayor and Walter of Bushby and others to 'have colloquy with them' at 'the Lodge', the mayor was told to send two gallons of wine there. It is difficult to see how Sir William can have been unaware that

16 LRO BR III/1/15; Bateson, i, p. 330.

17 LRO BR III/1/15; Bateson, i, p. 332; CCR 1318-23 p. 517, the sheriff was ordered to seek recruits in the liberty of the town of Leicester on 5 March 1322; LS, Lists and Indexes, ix, p. 145.

18 LRO BR III/1/15; Bateson, i. p. 332.

Thomas le Rous had been in Leicester a few days earlier recruiting for the king. Only two days after speaking to Sir William, from 27 February to 1 March the town was entertaining knights and squires from the king's household and from Sir Hugh le Despenser's who were 'coming and going in the town' and managed to consume four gallons and one quart whilst they were doing so!¹⁹ One group cannot have been ignorant of the others' presence in the town when they were almost passing each other as they went to and fro.

Meanwhile, the mayor was still searching for information, 'at the same time' 28 February-1 March, another letter was sent with Peter de Tengy to the earl at Pontefract, it took him nine days to make the return journey; John de Holland went to Weston under Edge and Coventry 'enquiring news for seven days'; whilst Pickard the cobbler was in Merevale 'finding out news'. Holland and Pickard had been following the royal court; Edward issued documents from Weston under Edge 21-24 February, he had summoned a general levy to Coventry for 28 February (which was later changed to 5 March) and was at Merevale Abbey by 3 March.²⁰ Around this time too, William of Kibworth, the sheriff's clerk and his fellows received six pence in expenses for their feast at Tutbury which suggests a visit to the earl, though if they went after the 9 March it may have been to assure the king of Leicester's loyalty to him.²¹ The mayor was still trying to mollify the earl

19 LRO BR III/1/15; Bateson, i, p. 331.

20 LRO BR III/1/15; Bateson, i, pp. 330-1; CCR 1318-23, p. 426; CPR 1321-4, pp. 70, 74, 76; Fryde, p. 55.

21 Somerville, p. 27; Maddicott, pp. 310-11; LRO BR III/1/15; Bateson, i, p. 331.

by letter, monitor events around the king as closely as possible, and fend off representatives from both. From the list of expenses for alcohol it must have been one occasion when inebriation had its merits; from the entry entitled 'Expenses for the fifty men' it seems that the recruits were also being gathered together at taverns as early as 27 February since

Robert the Porter, vintner, received for himself and his tavern, on the first Sunday in Lent [27 February] for 14 days £5 2s 8d because there were four horsemen. Walter the Tailor, vintner, received for himself and his tavern for the same time £4 15s 8d.²²

If a shilling bought two gallons of wine, the four horsemen catered for by Robert the Porter were obviously as thirsty as everybody else in Leicester in January 1322, though the sum he received would no doubt have included horse fodder and lodging expenses. As well as collecting men and dealing with Lancastrian and royal messengers, the town was busy enlisting people to side with it and speak for them if it should be necessary. The king's confessor was recruited by the Friars Preachers for two pounds; Geoffrey of Skeffington for 'getting his help with the lord King' concerning the fine for the town was given five pounds, and the town itself entered into a fine of two hundred pounds with the king. Plenty of insurance here, the mayor was a canny man, he did not begin to send the money until 20 March by which time the king was already triumphant.²³ There is little doubt that the fifty men which Leicester gathered went to the king. A May entry states

To two messengers on May 16, who carried a letter with

22 LRO BR III/1/15; Bateson, i, p. 332.

23 LRO BR III/1/15; Bateson, i, p. 333.

the Great Seal, to deliver a copy of the misdeeds and seductions of the lord Earl, 6d.²⁴

This is on a list referring to mostly royal messengers that had been sent to the town. They had brought a royal message under the Great Seal but the town sent back with them an account concerning Thomas' actions. It did not take the town long to see Thomas' actions as 'misdeeds' and his requests as 'seductions'.

Leicester's attitude to Thomas illustrates how devious people had to be and how important it was to them to come out on the winning side. The example of the treatment of rebels after 1265, though fifty-seven years distant, showed that Henry III and Edward I were monarchs who prized reconciliation rather than revenge in the majority of cases. It is possible that Leicester's prevarication as to whom it would support may have stemmed from the knowledge that Edward II was not going to be as pragmatic in his outlook as his father and grandfather had been. The immediate execution of the garrison of Leeds Castle in Kent when it fell on 31 October 1321 shocked and horrified Edward's opponents, and as Fryde states it marked a new departure for English kings and those of his subjects caught resisting him in arms.²⁵ The example of Leeds Castle showed what Edward was prepared to do to his opponents and it helps to explain the behaviour of the mayor and community of Leicester.

Another part of the explanation may have been a personal dislike of, and even a grudge against, Thomas

²⁴ LRO BR III/1/15; Bateson, i, p. 335.

²⁵ Fryde, p. 51.

perhaps as a result of the financial demands which he placed on the town. A telling inquisition of 11 June shows that Thomas was not a popular man in Leicester. A writ was issued on 18 May 1322 presumably in answer to a petition of the council, and as the dates are so close it may well have been issued as a result of the copy of the earl's 'misdeeds and seductions' referred to above. The inquisition carefully compares life under Edmund and its change for the worse under Thomas. It mentions the grievous charges levied upon the town's artisans by the farmers of the earl's demesne lands where previously there had been none or only toll. The fullers felt very harshly treated.

In the time of Edmund the fullers gave nothing to anybody; in the time of Thomas they were compelled to pay 40s a year in order that the farmers might not permit other fullers to come in the town, whereby none remains therein except one and he a poor man.²⁶

Almost all the fullers had been driven out of the town.

Being a member of the town guild was no protection.

In the time of Edmund...the men of the town of Leicester, who were in the town guild, gave nothing for the regrating or the sale of cloth or of other merchandise; but in the time of Thomas...they were compelled by distraints and extortions of the farmers to make great fines yearly.²⁷

Burgesses too were affected; their right to appear at the Portmanmoot, the borough court, was interfered with.

In the time of Edmund, if any burgess was impleaded in the court of the castle, the mayor and bailiffs used to challenge their court and freely have it at the Portemanmoot; in the time of Thomas they would not receive their challenges or grant a court, but compelled the burgesses to answer there by many and grievous distraints.²⁸

26 *CIM*, ii, p. 138.

27 *Ibid.*, p. 138.

28 *Ibid.*, p. 138-9; Bateson, i, p. xxiv.

Here Thomas, or his officers, were interfering with usual custom and paying the penalty, it was not only unpopular but felt to be an injustice. Similarly, the porters of the castle interfered when it came to making attachments, when in Edmund's lifetime they would not have done so without a bailiff. All this made life harder for the burgesses and Thomas was thorough, even down to the collection of dung from the streets the custom was changed.

In the time of Edmund the farmers...used to have the dung found in the four high streets and not elsewhere in the lanes; in the time of Thomas they forcibly took the dung in the lanes against the will of the burgesses.²⁹

The inquisition goes on and records complaints from butchers; sellers of oatmeal, salt, herrings, and fish; buyers of wool; regraters of cloth; brewers; weavers; persons paying toll; debtors; even poor women carrying dry branches on their heads and selling them from door to door were attached by the foresters of Frith. No detail went unnoticed by the farmers, and the artisans, burgesses and merchants were forced to produce more money than they ever had before. Such calls for redress do not seem to have been made on Edmund's death, which suggests that he maintained earlier customs, thus Thomas' detrimental innovations were all the more marked. It must be remembered, as Maddicott remarks, that the disgrace in which Thomas ended his career was an excellent opportunity to put forward grievances whether they were accurate or exaggerated, few people would step forward to defend him. Leicester's inhabitants may have suffered from particularly

²⁹ CIM, ii, p. 138.

greedy farmers, but it is likely that Thomas demanded such a high farm that extortionate demands were necessary in order to pay it. Besides, Thomas could easily have stepped in and put an end to such practices if he had been so minded. Like all medieval lords the need for money was pressing and this example from Leicester is one of many throughout the Thomas' estates. Maddicott calls him

a rapacious, grasping and cruel landlord, so powerful that he could ride roughshod over the rights of others and defy the law with impunity.³⁰

There was little to be gained by petitioning such a man with the grievances of women who sold wood from door to door. He had to produce an income over and above the one he inherited to maintain his retinue. Thomas paid fees to his men that were more generous than those of other lords, and his retinue was larger. His income of £11 000 outran that of the next richest of the earls, Gilbert de Clare, Earl of Gloucester whose income was just over £6 000 in 1314. No-one, apart from the king himself, could boast greater wealth than Thomas. The maintenance of his retinue was so important because of the chequered pattern of his political career, it had to reinforce his position if royal or other baronial support was lacking.³¹ Given their experience of Thomas' lordship, it is no surprise that the mayor and the community were loathe to support him if there was the least chance of his failing. They would not be sorry to lose his overlordship; however, had the information which the mayor gathered indicated that the earl would emerge triumphant in 1322, Leicester would have

³⁰ Maddicott, pp. 33, 34, 319.

³¹ Ibid., pp. 23, 66.

had little choice but to support him. If town life was miserable in normal times under Thomas, life after a failure to assist him would have been worse and more costly. Failure to support the king would have been an equally grave error, hence the search for accurate information all through the early months of 1322. Little wonder that the people of Leicester were not among the mourners at the news of Thomas' defeat.

This diversion from the chronicling of Thomas' last days illustrates that the king could hardly fail to obtain support. He expected it as king throughout the country, hence the recruitment drive in areas that were at the heart of Lancastrian holdings, Thomas' actions as a landlord may have driven his tenants to support the king as a means of protesting about his attitude towards them. His retinue was a different matter; it was made up of men who had undertaken to serve Thomas and, as noted above, he paid them more generous fees than other lords; but there were attempts to prise men away from him which were made before 12 March. On 26 February 1322, for example, Nicholas de Grey was empowered to receive into the king's will all Thomas' retainers who were at the siege of Tickhill, apart from Bartholomew Badlesmere.³² Tickhill, less than twenty-five miles away from Pontefract, was held by William de Aune who had been reporting to the king about Lancaster since at least September 1320; the siege was under way by 10 January and marked a serious change in Edward's attitude

³² Maddicott, pp. 293-5, 306-7, 309; CPR 1321-4, p. 76, Badlesmere was disliked by the king and Thomas, he held Leeds Castle in Kent and fought at Boroughbridge but he ended up being hung at Canterbury.

towards Thomas. Maddicott argues that this may have been the point at which Edward decided to crush Thomas and it seems a far more likely date for such a decision than 12 March put forward by Somerville. The siege achieved nothing and Thomas had to raise it in late February/early March in order to make what was ultimately an unsuccessful manoeuvre to prevent the king from crossing the Trent. Similarly, on 3 March, grace was promised to Thomas' adherents in Dorset and Somerset if they went straight to the king, though this excluded those involved fighting in the marches of Wales or the siege at Tickhill. The most damaging defection from Thomas' retinue was that of Robert de Holland who deserted around 2 March, according to Fryde; he was ordered to go to the king on 4 March. Holland was Thomas' key retainer, Fryde calls him 'the leader of his household retainers' but Maddicott states that Holland had been more than this to Thomas, a

companion and friend, estate steward, political agent, and general factotum;

whilst the Brut states,

that so miche the Erl louede him, that he might doo in the Erles court what him likede, bothe amanges hye & law...he truste more oppon him than oppon eny man alyue.³³

The Brut is partisan towards the earl, but the evidence supports this opinion. Holland was honoured above all others by Thomas in grants of land, though some of these may have been to suit Thomas' purposes as much as a reward for Holland, and in his marriage to Maude de la Zouche, a

33 CCR 1318-23 p. 525; Fryde, p. 56; J.R. Maddicott, 'Thomas of Lancaster and Sir Robert Holland: a Study in Noble Patronage', EHR, lxxxvi (1971), pp. 452-9, 461, 462, 467-8; Brut, i, p. 216.

considerable heiress; by 1321 he was among the richest barons of the land. One reason for his desertion of Thomas may have been the imprisonment of his daughter, she was arrested by the king, and was on her way to the Tower by 26 February. Holland was not the only loss, when he went so did some of the best Lancastrian soldiers, and many deserted the night before Boroughbridge. Fryde maintains that Edward could not have been defeated on this occasion because of the forces he had with him, but the psychological blow of losing Holland and those that deserted on the night before Thomas faced the royal army must have had a demoralising affect. Maddicott believes that contemporary chroniclers imply that Holland's desertion lost Thomas the campaign.³⁴ Prestwich, on the other hand, sees his desertion as an example of the 'bonds of lordship breaking down'.³⁵ This is a valid point, for although Holland may have had the safety of his daughter at the forefront of his mind, the other men who left with him did not have this consideration. They made a conscious decision to leave whilst they could and the fact that they deserted their lord when he was in the utmost need of their support obviously did not bother them. Reasons for their desertion are not hard to find. Self preservation in the face of a situation that was developing in Edward's favour, and being faced by a royal force that was numerically superior to Lancaster's must have played its part. The men who left Thomas must have considered what the future would

³⁴ Maddicott, p. 311; CPR 1321-4, p. 75; Fryde, pp. 20, 56, 74.

³⁵ Prestwich, Three Edwards, p. 109.

hold if they stood by him and lost; they would be rebels and Edward was not in a conciliatory mood. From what they might vaguely remember of the treatment meted out to the rebels of 1265 the best they could expect was a severe fine. They did not know that Edward would exact stiffer penalties than this, though they had the recent example of Leeds Castle to guide them; dying for a lost cause, losing lands and leaving wives and children alone had little appeal. It is at just such crises that oaths of allegiance and undertakings to serve should unite a group of men that would otherwise scatter. In 1265 de Montfort urged Ralph Basset to leave Evesham and save himself but he refused and remained, dying on the battlefield. The bonds of lordship held firm, but here there was a personal friendship which did not need bonds of lordship to strengthen it. Thomas cannot have inspired the personal devotion which made men follow the charismatic de Montfort to their deaths, and Holland's desertion underlines this. Thomas' generous fees to his retainers could not in the event ensure that his men remained faithful to the bond they had undertaken. Though his fees and his status made Thomas an outstanding prospect as a lord, his personality could not inspire blind devotion. Having said all this, Thomas did not face the royal force alone at Boroughbridge. The bond of lordship held good for some men, just as it failed for others.

As the climax of Boroughbridge approached, the orders continued to go out for the arrest of rebels and Contrariants and many of them were aimed at the midland counties. On 12 March, for example, Ralph Basset was

appointed to arrest all Contrariants in Warwickshire, Leicestershire, Nottinghamshire, Derbyshire, and Staffordshire, with Ralph de Grendon, Roger de Chandos, and Henry de Grey appointed for the foregoing counties as well as Hereford; John Olney was appointed on the same terms for Northamptonshire.³⁶ Thomas had some support in these areas if there was a need to send out such orders, and possibly there were four appointees in the first group of counties because his support there was greater. It is difficult to know whether the orders went out to the counties where known rebels lived or whether it was to alert sheriffs through whose territories they had travelled, whichever reason the king had in mind, the hunt for rebels and Contrariants was on, and well before the 16 March when the battle of Boroughbridge occurred. Once it was over more general orders for arrest were issued. On 21 March an order to the sheriff of York states Thomas and other rebels

have been captured and imprisoned so that their malice is no longer to be feared [the King orders the Sheriff to proclaim observance of the laws and keeping of the peace]...if any of the rebels or their adherents be found within his bailiwick, they shall be arrested and imprisoned without delay. As the King understands that many of the rebels have put on the habit of religion and divers other habits in order to leave the realm or to hide more securely within the realm, the sheriff is ordered to cause the ports of the sea and of fresh waters and other districts of his bailiwick to be guarded closely and diligently, so that no-one of whom he has not good knowledge may leave the realm in monastic (regulari) or other habit, and so that none may be able to hide within his bailiwick or pass through the same without being arrested or imprisoned.³⁷

The determination to catch the rebels was strong and at

³⁶ CPR 1321-24, pp. 79, 81.

³⁷ CCR 1318-23, pp. 534-5 on 22 March there was an order to keep watch on the Cinque Ports, *ibid.*, p. 535.

least one chronicle source agrees, the Vita Edwardi Secundi states that after the battle of Boroughbridge

Some left their horses and putting off their armour looked around for ancient worn out garments, and took to the road as beggars. But their caution was of no avail, for not a single well known man among them all escaped.³⁸

Presumably, this disguise may have worked for the less well-known and the fact that orders to the sheriffs warned them of men in disguise suggests that some tried it. Thomas had no escape, at his trial the truly desperate situation in which his actions had placed him became clear.

The indictment read at Thomas' trial provides the official account of the actions he had committed and for which he would be executed. It begins with the men who judged him. As well as the king there were seven earls: Edmund of Woodstock, Earl of Kent; John de Bretagne, Earl of Richmond; Aymer de Valence, Earl of Pembroke; John de Warenne, Earl of Surrey; Edmund Fitzalan, Earl of Arundel; David de Strathbogie, Earl of Athol and Robert de Umfraville, Earl of Angus.³⁹ The latter two had been Thomas' retainers but they, and Richmond, had supported the king. Surrey had not been on good terms with Thomas since 1317 when he had abducted Thomas' wife, although officially the breach had been healed. Arundel, another royal supporter, was father-in-law to the daughter of Hugh Despenser the younger, and Kent was the king's half-brother. Pembroke had his reasons for Thomas' demise; he

38 Vita Edwardi Secundi, transl N. Denholm Young (1957), p. 124, six leaves are missing here containing the end of the section on Thomas and information up to 1326.

39 Foedera, II, i, p. 478; HBC, pp. 467, 479, 477, 484, 449, 501, 499.

had been humiliated by Thomas over the Gaveston affair in 1312, had supported the king all through the campaign from Leeds Castle in 1321 until its end, and was probably involved in its planning. The Vita Edwardi states that he supported the king because Thomas 'had accused him of treachery'; he had even been granted Thomas' castles and the manors of Higham Ferrers and Thorp Waterville in Northamptonshire on 15 March, the day before Boroughbridge. The indictment does not mention Robert Mabelthorp, a royal justice, who must have been present as he sought a pardon on 8 March 1327 'for having given judgement on Thomas, Earl of Lancaster', and the Brut states that he did just that. Whilst the Eulogium Historiarum has only three men present, the elder Despenser, Robert Baldock, the king's secretary, and the Earl of Arundel.⁴⁰

The list of charges begins with Thomas' actions at Burton on Trent and Boroughbridge; Burton on Trent was burnt and the earl and his associates left the town to venture against the king which broke their 'homage, fealty and allegiance'; on his flight northwards various 'depredations and robberies' were committed and at Boroughbridge people were killed as Thomas and his allies stood against the king's forces. The sentence pronounced on Thomas was that he was to be drawn for the treason of being armed against and fighting his king, hung for the murders, depredations, fires and robberies that had been

⁴⁰ See Section II: 8, pp. 258-61; Fryde, pp. 52, 59-60; Maddicott, p. 312; Phillips, pp. 36-7, 226-7; CPR 1321-4, p. 87; Vita, p. 117; CPR 1327-30, p. 32; Brut, p. 222; Eulogium Historiarum, iii, ed F.S. Haydon, RS ix (1863), p. 196.

committed, and for fleeing, hung.⁴¹ The plundering of jewels and horses in 1312 (technically pardoned in 1313), coming armed to parliament when the king had told him not to do so, getting the king to pardon Thomas and his men, Thomas' sending knights to York to try and win it over to himself, and delaying the king and his army at Pontefract in 1317, come before Thomas' negotiations with the Scots. The latter charge is based purely upon the document said to have been found on Hereford's body after his death at Boroughbridge. None of the documents enrolled on 1 March 1322 are mentioned. Thomas' occupation of Gloucester and more deprivations at Bridgnorth, the siege of Tickhill, and the flight towards Scotland in 1322 come after the charge of having communication with Robert the Bruce and his earls. The clause that gives Thomas the 'gift' of beheading instead of all three penalties because of his 'excellent and noble kindred' is at the end of the sections on him. The Brut states that it was for the love of Queen Isabella as well as love of his lineage, that the king withdrew hanging, but that he was beheaded because he was 'tak fleyng, & as an outlaw'. The indictment ends with the judgement of six other rebels and is dated 2 May at York.⁴²

Of all these charges the most serious to modern eyes was Thomas' correspondence with Scotland, yet this was not first on the list. The actions of 1321-2 earned Thomas the death penalty because to contemporary eyes they were the

⁴¹ Foedera, II, i, p. 479.

⁴² Ibid., p. 479, other rebels were Warin de Insula, William Tuchet, Thomas Maudit, Henry de Bradbourne; William, son of William [Fitzwilliam], and William Cheyny, Bradbourne and Tuchet were Thomas' retainers; Brut, p. 222; Maddicott, pp. 311-12, 302-3, 306.

most telling and justified death. Keen points out that in treason trials under the law of arms, a transgressor was held to have committed treason if firstly, he had taken the field against the king in his kingdom with flags flying or 'vexillis explicatis' as the indictment states; this was a sign of open war which was internationally accepted as a declaration of intent. Secondly, he committed treason if he had been involved in a siege and actually fired upon a castle, this was a sign of open war when so involved, and Thomas had caused 'large stones' to be fired at Tickhill. Thirdly, if he had pillaged, burned and wasted land, taken prisoners and killed people, as was alleged against Thomas throughout the indictment, then he had committed treason. Taking spoil was legal in wars authorized by princes, but otherwise it was 'public robbery' and 'lèse majesté' because the commander was appropriating royal power. All this makes the charges against Thomas clearer and explains why he was awarded his execution so early in the indictment. The charges, however, conform to those of later treason trials which stem from the Statute of Treason of 1352. As with much medieval legislation, the procedure and its tenets were recognised and used long before they were enshrined in law. Similarly, these trials were heard in the Court of Chivalry which was not recognised officially until 1389-90, strictly speaking there was no such court in Edward II's reign.⁴³ In these very anomalies lay the salvation of the earldom of Lancaster. Henry of

⁴³ Foedera, II, i, pp. 478-9; M.H. Keen, 'Treason Trials Under the Law of Arms', TRHS, fifth ser, xii (1962), pp. 93-99.

Lancaster, Thomas' younger brother and successor, claimed that the trial was illegal because Thomas was not allowed to defend himself as laid down in Magna Carta, and as Fryde states Thomas was tried by the

summary process of martial law during which the defendant was never allowed to make a defence once his offence had been recognised by witnesses.⁴⁴

Thomas may have unfurled his banners against the king, but the king had not reciprocated, indeed, he had been dissuaded from doing so by the younger Despenser.⁴⁵ Failure to perform this act meant that he did not declare a state of war. Similarly, the law courts were sitting and this also indicated it was not a time of war, thus the trial was an illegal proceeding not because it was a perversion of common law or martial law, but because it could not be used unless it was a 'time of war'. The whole event was so shocking to contemporaries because it was the first time a peer of the realm had been tried and summarily executed for being involved in civil disturbances.⁴⁶ For further terrifying effect, Edward insisted that the executions took place within the Contrariants' area of influence. Thus Thomas was imprisoned at Pontefract, well known then and now as his favourite residence; he was tried on 20 March and executed there on 22 March.⁴⁷

The underlying reasons for Thomas' execution were personal more than anything else. On one hand, the

⁴⁴ Fryde, p. 59; Keen, pp. 87-8, 102.

⁴⁵ Bridlington, p. 75.

⁴⁶ Fryde, p. 59.

⁴⁷ Phillips, p. 224-5, states that Thomas was brought from York to Pontefract, tried and executed on 21 March; the indictment read at his trial states that it took place on 22 March, Foedera, II, i, p. 478.

Despensers were pressing for a swift trial and despatch, and on the other the king's personal animosity, which Thomas had earned as a result of his involvement with Gaveston's execution, had never disappeared.⁴⁸ From this point of view, Lancaster reaped what he sowed, for it was he and his fellow earls who in 1312 had introduced summary execution for peers of the realm; however newly created, Gaveston was Earl of Cornwall when he died. Though Thomas had been officially pardoned for this action, his participation had never been forgotten and as Maddicott states 'it made the Earl's death inevitable'.⁴⁹ There was no quiet retirement on a reduced income for Thomas of Lancaster as there had been for Robert de Ferrers. Both the latter and de Montfort were two of many nobles caught up in the civil disturbances which eventually led to civil war in 1264; Thomas' position in 1322 had a certain similarity with de Montfort's in 1265. They both had control of the earldom of Leicester, they both favoured a programme of reform which the monarch ultimately rejected, and they both ended up meeting royal forces in the field with disastrous personal results. Perhaps the order to give no quarter was issued at Evesham to prevent de Montfort's survival, but had he done so it is very difficult to imagine that Henry III would have engineered his execution; banishment certainly, but not execution. It would have been far easier to execute Ferrers for treason and obtain his earldom that way instead of resorting to the chicanery employed by Edward and Edmund and condoned by

⁴⁸ Brut, p. 223; Maddicott, p. 312; Fryde, p. 58.

⁴⁹ HBC, p. 456; Maddicott, p. 312.

Henry III. Ferrers' execution would have been no more just, but it would have saved the long-winded legal juggling which went on for many years, it did not happen because it was completely unthinkable.⁵⁰ The reign of Edward II saw a departure from the general clemency and reconciliation which had been present in the reigns of his father and grandfather. This change in attitude was reflected in the treatment meted out to other Contrarians, a great many of whom were also executed. More astonishing was the imprisonment of not only their wives, but their children and on occasion their mothers.⁵¹

Once Thomas was executed the confiscation of his lands and the appointment of keepers during pleasure continued. It continued, rather than began, because lands had been taken into the king's hand from at least 16 February 1322 when his holdings and wardrobe in London were seized, as mentioned above. This process went on throughout February and March with manors, castles and counties linked with Thomas being taken into the king's hand. Tutbury Castle, for example, was occupied by the king on the 9 March; Ralph Basset was appointed as king's steward of Tutbury, Donington and Melbourne Castles on 12 March and all the other castles and lands in the counties of Leicester, Derby and Stafford with William de Oterhampton as receiver of the issues of the same on 17 March, and provision for his wages made two days later. The appointment of other officers

⁵⁰ See Section I: 1, pp. 19-28.

⁵¹ Fryde, pp. 61-4; see Section II: 8, pp. 264-66; the Boroughbridge Roll names some of those present at the battle and records their fate, N. Denholm-Young, The Country Gentry in the Fourteenth Century (Oxford, 1969), pp. 76-80; CP, ii, pp. 597-602.

followed, William Gentilcors, king's yeoman, was appointed to the bailiwick of the forestership of the chaces and parks of Tutbury on 13 March.⁵² Most of this organisation went on before Boroughbridge on 16 March and was understandable with Tutbury in the king's hand. The order regarding Pontefract, however, is written in the future tense, so preparations were definitely being made in advance of the fact. On 11 March the Earls of Kent and Surrey were ordered to arrest Thomas and take the castle of Pontefract, but on the 13 March Simon de Driby was appointed during pleasure to keep Pontefract which 'ought to come to the king's hand by forfeiture' when the castle 'shall have been taken' by the two aforementioned earls who were to hand it over to Driby immediately.⁵³ Edward II definitely intended to confiscate Thomas' patrimony. Not only did the royal administration step in immediately a castle was taken, there was forward planning, and all of this six days before the battle and nine days before Thomas died. There are at least twenty-six such orders which concern lands, goods or castles which Thomas held or with which he was connected which were taken into the king's hand before his death. The royal administrative machine continued apace after his death. On July 4 1322 a keeper and a surveyor, Roger de Waltham and Walter de Waldeshef in Stafford, were appointed for a number of counties to

arrent all the manors and lands late of the king's enemies and rebels...and to demise the same at farm to certain men willing to receive the same from the king to hold from Michaelmas next for three years for a

52 CFR.1319-27, pp. 98, 106, 111; CFR.1321-4, pp. 82, 83; Fryde, p. 56.

53 CFR.1321-4, p. 81; CFR.1319-27, p. 105.

certain farm...to make the king's profit thereon.⁵⁴
This practice must have been as lucrative as keeping them under royally appointed officials and there were vast tracts of land to administer at this stage. On the same day William de Oterhampton was replaced by William Davy, king's clerk, as receiver of the issues of Tutbury, Donington and Melbourne castles and so on.⁵⁵ Auditors were appointed on 21 July 1322 to check the accounts of those appointed to Thomas' and other rebels' lands throughout the realm.⁵⁶ Thus the royal administration of Thomas' estates rolled onward in the king's hand from 1322 until they were regranted to Henry of Lancaster.⁵⁷

Speedy, indeed premature, as the king had been in taking Thomas' holdings into his hand, he was not quick enough to prevent the general pillaging of goods of all kinds from them. A commission of oyer and terminer was set up on 24 March 1322 to look into the taking of goods from Thomas' lands in the counties of York, Leicester, Stafford, Derby and Lincoln. Later inquests like that of 28 September 1323 heard that after Thomas had left Tutbury and before the king arrived, the chaplains and the 'King's Welsh' helped themselves to items from the castle, but they were very small things, old silk cushions, various service books and so on.⁵⁸ The valuables that Edward was really after were things like the 'jewels, goods and chattels'

54 CFR 1319-27, pp. 139-40.

55 Ibid., p. 140.

56 Ibid., pp. 147-9.

57 For the honour of Leicester in the king's hands, L. Fox, 'Ministers' Accounts of the Honour of Leicester', *TLAS*, xix (1936-7), pp 199-273, *ibid.*, xx (1937-9), pp 77-158.

58 *CIM*, ii, p. 186.

that the Prior of Tutbury seemed to have in his keeping and which the king ordered him to hand over to the sheriff of Derby on 13 March 1322, another seizure well before Thomas was dead. The Assize Roll has over a hundred cases involving the goods of Thomas and other rebels. Three barrels containing £1 500, for example, were removed from Tutbury castle after the fight at Burton-on-Trent. Though in the past Thomas had been on bad terms with the priory, Thomas' men had more faith in the prior's ability to keep things safe. They claimed they moved the money in order to prevent its theft by the general crowd who descended on Tutbury; the jury found that they told the truth, whether the money ever found its way to the king's coffers is another matter. From the number of the cases brought before the courts Edward was determined to get all that was owed to him.⁵⁹

As if pilferers were not enough, within six weeks Edward had to deal with reports that miracles were being performed, not only was this taking place at a plaque which featured Thomas in St Paul's in London, but also at his tomb, and place of execution, and at the very gibbets upon which the bodies of some rebels still hung near Bristol. This cult provides another parallel with de Montfort, although the miraculous powers of de Montfort's fellow rebels do not seem to have been recorded. Both he and Thomas were seen as the victims of unjust persecution as they tried to reform abuses, and as Maddicott points out,

⁵⁹ CPR 1321-4, p. 149; CFR 1319-27, p. 106; SHC, ix, (1888), pp. 95-100; *ibid.*, v, i, pp. 96-7; Maddicott, pp. 5, 33; CPR 1301-7, pp. 353, 354, 406.

the ignominious end of many of those involved in Thomas' downfall, must have provided justification for belief in his righteous stand and later miracles.⁶⁰

Finally, the grants made to others from Thomas' midland lands should be mentioned. The greatest number of grants were made from lands which Alice Lacy, Thomas' wife, should have enjoyed; the way in which she was forced to release them will be discussed in her chapter. Hugh Despenser the younger acquired many of the lands which should have been hers. Though on 24 March 1322 he obtained a manor in Berkshire which had formerly been held by Thomas but with which she was not connected.⁶¹

The king also bestowed parts of Thomas' patrimony on others. Pembroke's grant before Boroughbridge has already been mentioned; Higham Ferrers came back into Lancastrian hands, but Thorp Waterville did not. It was one of three manors in Northamptonshire which Pembroke had originally held; after using armed force and bribery in the courts Thomas eventually got his hands on them in 1316. They were granted to Robert Holland in 1320, to be surrendered by him in 1322 and returned to Pembroke.⁶² He also received 'for good service rendered and to be rendered' a grant of the New Temple in London which had formerly belonged to the Templars but was then acquired by Thomas.⁶³

60 Maddicott, pp. 329-30; CCR 1318-23, p. 723; CIM, ii, pp. 528-9; Brut, i, pp. 228-31; G. Sayles, 'The Formal Judgements on the Traitors of 1322', Speculum, xvi (1941), p. 62.

61 CChR, iii, p. 441; see Section II; 8, pp. 267-84.

62 CPR 1321-4, p. 87, 88; Somerville, p. 28, 338; Maddicott, pp. 154-7; Kerr, pp. 94-5; Maddicott, Holland, p. 453.

63 CChR, iii, p. 441.

The granting away of the honour of Tutbury must have seemed like the beginning of a partition of the Lancastrian patrimony to contemporaries. Edward II 'wishing to provide for...his younger son' granted the honour to John de Eltham on 9 July 1322. In December 1326, however, Henry of Lancaster had the keeping of the castle and honour of Tutbury bestowed on him. This was a result of his closer relations with Isabella and Mortimer; John de Eltham did not have Tutbury in his hands for long, he was created Earl of Cornwall in 1328, but he died without heirs in 1336.⁶⁴

Certain tenants were restored to the lands they had held from Thomas. On 10 July 1322 Margaret del Borwes, whose first husband had been Richard Wyldegos, was restored to the bailiwick of the hundred of Appletree in Derbyshire in right of her son, Roger, a minor in her custody. The latter's ancestors had held the bailiwick since the appointment of Robert Wyldegos by Robert de Ferrers of Derby.⁶⁵ Similarly, the relatives of those who adhered to Thomas were restored to their lands. Richard de North Kilworth was restored to his messuage and thirty acres in North Kilworth, which his mother had demised to him. They had been taken into the king's hand because Richard's brother, Thomas, had been Thomas' adherent. This provides a hint at continuity between Thomas' tenants and those of his father, since Richard, Lord of South Kilworth held half a knights' fee of Edmund for scutage and suit of court in c. 1297, this is probably the same man whose brother went

⁶⁴ CChR, iii, p. 448; HBC, p. 456.

⁶⁵ CCR 1318-23, p. 570

off to support Thomas.⁶⁶ In Yeaveley, Derbyshire, the Meignill family regained their holding on 12 November 1322. Richard Foun, probably Thomas' steward in Leicester, was granted the manor of Yeaveley by Hugh de Meignill senior, for his lifetime with reversion to Hugh de Meignill, son of Hugh and Joan de Meignill; it had been taken into the king's hand because Richard was said to have adhered to Thomas. The Meignill family were also Edmund's tenants in 1297 and 1298.⁶⁷ A final example shows that Edward II did allow surviving rebels to regain their lands. The sheriff of Northampton was directed on 14 May 1322 to deliver to Bartholomew de Houton the lands, goods and chattels which he had seized into the king's hand because Houton had been adherent of Thomas, or 'other the king's enemies and rebels'. One part of what had been seized would have been sent to the king's wardrobe, and he still had to have guarantors and answer to the king for his actions, but he was in some sort restored.⁶⁸ These and similar examples point towards two things: a degree of continuity between Edmund and Thomas' tenants; the men who held from the father went on to hold from the son without any radical change. Although no great claims can be made from such a small sample, given the continuity between the tenants of Ferrers and de Montfort and Edmund, it is likely that most families went on to hold from Thomas much as they had from Edmund. Secondly, that harsh as Edward's measures against the rebels were, these examples show that the men who

66 CCR 1318-23, p. 597-8; CIPM, iii, p. 319.

67 CCR 1318-23, p. 608; CIPM, iii, p. 303, 313.

68 CFR 1319-27, p. 129; CCR 1318-23, p. 596.

formed the basic fabric of society were allowed to regain their lands and to carry on with life, just as those who had been falsely accused of adhering to Thomas were restored to their lands.⁶⁹ After the eruption and slaughter of early 1322 an equilibrium was restored as the year wore on, but Edward II had upset the balance so badly that it was insufficient to save him from his own fall.

After being established for fifty-seven years, it looked as though the earldom of Lancaster was coming to an end in 1322. With Thomas of Lancaster labelled as a rebel and traitor and then executed; with the king in control of the vast estates that went with the title, it was possible that the earldom would remain defunct. In a sense, however, Edward's wish to eradicate Thomas was his undoing, and made it easier for Henry to regain the earldom; Ferrers had been disinherited and left alive, but for all his attempts he never regained his position as Earl of Derby. The trial by which Thomas' execution was obtained was not legally secure and this allowed Henry of Lancaster to step in and gradually regain the position which his brother had held, but circumstance also worked in Henry's favour. Had Edward II remained king, it would have been a far harder return for Henry. That Edward had determined on Thomas' complete disgrace is clear from the evidence; he may have had it in mind since 1312, but he saw that it was possible by 10 January 1322, when Thomas was engaged in the siege of Tickhill. It had certainly been decided upon long before 12 March when the order to arrest Thomas was finally

69 CCR 1318-23, pp. 579, 589; CIM, ii, pp. 162, 163.

issued. Even so, an earl with the power and resources which Thomas could command should have run the king a far closer race. Yet when it came to the point of crisis he could not rely on those centres of support, like Leicester, which should have assisted him without question. His innovations in the way he raised money were one factor that had alienated the people of the town. Similarly, Robert Holland, the man on whom Thomas had bestowed more favour than anyone else in his retinue, failed to stand beside him in 1322. These defections say something about the attitude which people had towards Thomas, and it was a complete contrast with the reverence that many people adopted towards him after his death when he was revered as a worker of miracles. Although Edward II was harsh in his punishment of the rebels of 1322, after the executions had finished the evidence shows that lesser men were allowed to regain their lands whether they had personally been rebels or related to them. For the midlands it seems likely that some of the tenants who had been established at the time of Edmund were present after Thomas' death and reclaimed their manors. Thomas' patrimony had been broken into pieces, but they were mainly retained in the king's hand, waiting for Henry to come along and take them back.

II: 8 ALICE, COUNTESS OF LANCASTER AND LINCOLN, AND HER
ATTEMPTS TO ESTABLISH HER DOWER LANDS

As Alice Lacy lay dying in 1348 she could reflect on a life that had been filled with fraught personal relationships and moments of real terror. She was married three times, but her first and most important husband was Thomas of Lancaster. The reason for her marriage to Thomas is not hard to discern, she was a wealthy heiress and an ideal candidate for the heir of the earldom of Lancaster to take to wife. Though an astonishing territorial union, the marriage was not a personal success, and both partners were responsible for this. On Thomas' death Alice, like many other rebels' widows, found both her person and her lands completely unprotected and the Despencers took advantage of her vulnerability with Edward II's tacit agreement. It is clear that the treatment meted out to Alice was typical of that experienced by many other women connected with the rebels of 1322. Once the Despencers were executed and Edward II had been deposed, Alice was free of their depredations but by that time the damage to her dower and inheritance had been done and Edward III was not over anxious to fully restore her lands. There will be a brief discussion of Alice's position whilst Thomas of Lancaster was alive and her second and third marriages will be mentioned, but the most important aspect of this chapter is the way in which the Despencers deprived her of her lands and this will be studied in some detail.

Alice Lacy was of ancient lineage and as the only surviving child of Henry Lacy, Earl of Lincoln, and his

first wife, Margaret, she was a considerable heiress. On the death of her mother which cannot be pinpointed, but had obviously occurred before Henry Lacy's second marriage on 16 June 1310, she inherited the earldom of Salisbury, a patrimony which came down to her from her great-great grandmother Ela, Countess of Salisbury (1196-1238).¹ On the death of her father in 1311 she became Countess of Lincoln and entered into an inheritance worth ten thousand marks or £6 666 13s 4d.² On 27 May 1311 an order to the escheator stated that the castles and lands of Henry Lacy and those that he had held of his wife's inheritance should be delivered to Thomas. Although Thomas had done fealty, the king respited homage as he had not had seizin of all of Henry Lacy's castles and lands at this date. Once Alice had married Thomas he administered all of her estates, but she remained Countess of Lincoln until the day she died.³

Thus the desirability of a marriage between Alice Lacy and Thomas must have been obvious to all. Edmund of Lancaster no doubt saw the straightforward acquisition of another two earldoms as a real boon; the union also illustrated the nature of aristocratic marriage at this period, the pairing of youngsters who would be extremely wealthy in their own right when the older generation had

1 CP, vii, pp. 677, 686, 687; HBC, p. 481, Ela resigned the title in 1238; between 1238 and 1242 her husband, William Longespee, was sometimes addressed as earl but was disallowed the title in court in 1242, and other descendants did not claim it according to HBC but Alice's mother was referred to as countess of Salisbury, see CFR 1307-19, p. 92.

2 CP, vii, p. 687; J. Harland, Three Lancashire Documents, Chetham Society, lxxiv (1868), p. 3; Somerville, pp. 18, 19.

3 CFR 1307-19, p. 92.

had passed on. Furthermore, the earldoms of Lincoln and Salisbury could be tied more closely to the king via the extended royal family. Due to the unfortunate turn which Thomas of Lancaster's career took in the next reign the Crown soon saw the disadvantages of such a concentration of power in the hands of one nobleman who was too near the throne for comfort. When the betrothal and marriage of Alice and Thomas took place, however, Edward I was on the throne and these disadvantages were for the future. The Lancaster-Lacy marriage is an example of that policy towards the earls which McFarlane postulated, a move to place vital earldoms in the hands of trusted family members which brought them considerable wealth at no expense to the Crown. Moreover, the surrenders which Alice's parents made would have been well had Alice and Thomas produced a child. As they did not, the surrenders ensured that the lands would never descend to Alice's collateral heirs. On the contrary, as McFarlane states

the descendants of the king's brother or failing them the king and his descendants would enjoy them though these had neither Lacy nor Longsword ancestry.⁴

On 28 December 1292 a charter records that Henry de Lacy quitclaimed to the king the castle, town and honour of Pontefract and the reversion of the dower of his mother, also Alice de Lacy; Edward I then re-granted these to Henry with remainder to Edmund of Lancaster if Henry's heirs failed. This document is regarded as the contract which marked Alice and Thomas' betrothal.⁵ Alice was in her

⁴ K.B. McFarlane, 'Had Edward I a 'Policy' Towards the Earls?', *History*, 1 (1965), p. 156.

⁵ *CChR*, ii, p. 427, the manor of Thoresby in Lincolnshire was excepted from Henry de Lacy's quitclaim to the king; Maddicott, p. 3.

early teens on her betrothal, though there is some doubt about her exact age. Her father's inquisition post-mortem for Denbigh gives her birthday as Christmas Day, but her age is given on the various inquisitions as being between twenty-four and thirty-two which means she could have been born at any time between 1279 and 1287. A reference in a papal letter of 1338, however, states that she was aged above sixty; this puts her birth before 1278. The Complete Peerage states that she was sixty-six when she died in 1348 which would place her birth in 1282; although 1282 falls in the period suggested by her father's inquisition, it means she was fifty-six in 1338 when the papal letter was written, only ten when she was betrothed and twelve when she was married. Her precise age on her marriage which took place on or before 28 October 1294 is unknown, she may have been as young as seven or older than sixteen, the same age as Thomas himself, he was born c. 1278.⁶

Two years later the transfer of land to Thomas and Alice continued and on 24 October 1294 there were three further grants involving Henry de Lacy. One concerned the manor of Sutton which Henry and his wife restored to the king and who then re-granted it to them with remainder to Thomas and Alice. Similarly, Henry restored to the king his lands in the counties of Lancaster and Chester, and those held in dower by Alice, his mother in Lancaster, Dorset and York. These were re-granted to Henry with reversion to his heirs, that is Alice and her children, and

⁶ CIPM, v, pp. 153-64; *ibid*, ix, pp. 95-100; CP, vii, pp. 387, 687-8; Somerville, p. 19 states she was 'some thirteen years old' on her marriage, *ibid.*, p. 34 that she was sixty-seven when she died.

then with remainder to Edmund in fee. The third grant recorded Henry's surrender to the king of the Lincolnshire manors of Thoresby, Waithe, Ingoldmells, Wrangle, Steeping, and Wainfleet and the re-grant to Henry for his life with remainder to Thomas and Alice and their heirs. McFarlane finds it difficult to understand why the Earl and Countess of Lincoln were willing to agree to such an arrangement and suggests that high though it was, it was not too high a price to see their only surviving child well established in marriage, and this has to be the likeliest reason. On the face of it the marriage was a great coup, though an earl's daughter, Alice was surpassing her father's status by marrying the king's nephew thus taking a step up the social ladder, and the Lacy grandchildren would have royal blood.⁷

The first twenty-three years of Alice's marriage passed without comment. It was childless, as were all her marriages, and this must have been a difficulty on Alice's part. Thomas had at least one illegitimate child, a son named John de Lancaster, who went into the church.⁸ The peace of Alice's existence was broken when she was abducted in 1317. The event is mentioned in a number of chronicles, but the most detailed account is in the continuation of Nicholas Trivet's Annals which was also copied into Walsingham's Historia Anglicana. These chronicles state that Richard de St Martin, the Earl of Surrey's knight, was a member of a group of retainers who with the king's assent

7 PRO C 53/80 m 2; CChr, ii, pp. 455-6; Somerville, p. 19 quotes PRO DL 42/11 f 17 this reference is incorrect, it is PRO DL 42/11 f 9, 43, PRO DL 10/195; McFarlane, p. 156.

8 Somerville, pp. 26-7.

(it may have been hatched at a council meeting held at Clarendon in February 1317) took Alice from the manor of Canford in Dorset where Somerville suggests she had been living since 1314. Alarmed as they rode away by the sight of a procession of priests which they thought was the pursuit of Thomas, they abandoned the countess on the road leaving her defenceless. Discovering their error, however, they returned to her and escorted her to Reigate Castle, where Warenne was staying. Once there St Martin demanded her as his wife, claiming that he had had carnal knowledge of her before she had married Thomas. Of 'miserable stature, lame and hunchbacked', St Martin declared that Alice publicly agreed to the truth of his assertions; she was thoroughly disgraced. Thus St Martin laid claim to the earldoms of Lincoln and Salisbury in right of his 'wife'. The Flores Historiarum follows a similar line and implies that Alice went willingly with John Warenne, Earl of Surrey, whom it describes as a 'hardened adulterer', and so besmirched her name. Ramsay ascribes to the view that Alice eloped from her unfaithful husband in order to place herself under the protection of Warenne at Reigate, whereas Somerville suggests that the men who abducted the willing Alice may have done so instead of launching a surprise attack on Thomas when their courage failed them. Bridlington states that Warenne received her into his custody which leaves room for a little ambiguity and suggests her compliance. The Annales Paulini and Malmesbury, however, state that the Warenne raped Alice which clearly would not have had her consent. As scholars

on the subject have indicated, the Latin for 'rape' and 'ravishment' (meaning 'abduction') are very close, and the difference between the two words can become blurred; these two chronicles meant rape. Melsa's assertion that Alice was abducted not for any adulterous reason, but because Thomas was held in such contempt is probably nearest the mark in suggesting the motive for the abduction. Undoubtedly, the abduction was undertaken to embarrass Thomas before the world at large. The king's probable involvement can be explained by Thomas' attitude towards the Crown and his role in politics at this time; it reflects the lack of esteem in which the king held Thomas and his willingness to do anything to humiliate a prime mover in the death of Gaveston. Warenne's involvement may be explained by Thomas' thwarting his plans for a divorce from his wife, Joan of Bar, which he had been trying to obtain since 1313; territorial and political rivalries were other reasons for resentment. Richard St John's description is that of a stock villain, a man who was probably obeying his lord, and whose interpretation of Alice's reaction to her abduction cannot be trusted; he cannot have seriously expected to be granted the two earldoms he claimed. If Alice's marriage was difficult, it is easy to understand how she may have been as eager to embarrass Thomas for personal reasons as any of the others, however, her acquiescence in the scheme is not definite; how she could have believed that anything but her own disgrace would have come of such admissions is difficult to understand. It is possible that she hoped St Martin's

revelations might lead to the invalidation or even annulment of her marriage with Thomas, but he was far too powerful for any such scandal to seriously affect him or his position, as is proved by the fact that she remained Countess of Lancaster until Thomas' death. If she had been living at Canford since 1314, and if she agreed to the abduction it can only have made their personal relationship worse. On the other hand, if she had taken no part in the plot, she was as much a victim of embarrassment as Thomas, and if she had only been in her early teens when she married she can have been little more than a child when the alleged relationship with St Martin took place. The outcome of Alice's abduction was a private war between Thomas and Warenne which proves the extent of the offence which Thomas took at the treatment accorded his wife. This feud was not finally brought to a close until an exchange of lands took place in 1319.⁹

Whatever the truth of the abduction, she remained

⁹ Annales Paulini, p. 280 'rapta fuit'; Malmesbury, pp. 228, 233 'raptu'; S.S. Walker, 'Punishing Convicted Ravishers: Statutory Strictures and Actual Practice in Thirteenth and Fourteenth Century England', Journal of Medieval History, xiii (1987) pp. 237-8, 239, states that 'rapuit' meant 'abduction' whilst 'raptu' meant 'rape', Walker has found other examples where wives were probably consenting to an abduction in order to leave their husbands as alleged against Alice; Bridlington, p. 54; Melsa, ii, pp. 334-5; Walsingham, Historia Anglicana, i, pp. 148-9; J.H. Ramsay, Genesis of the House of Lancaster, i, (Oxford, 1913), p. 86, states that Alice eloped on 6 May; Maddicott, pp. 190, 197 (states that Alice was abducted on 11 April), 207-8; Somerville, pp. 26-7, n. 2, 337; CP, vii, p. 687, states Alice was abducted around Pentecost which fell on 22 not 26 May as it states; F.R. Fairbank, 'The Last Earl of Warenne and Surrey and the distribution of his Possessions', Yorkshire Archaeological Journal, xix (1907), pp. 210-11 states that Thomas divorced Alice but no other source ascribes to this view. 6 0

Thomas' wife until he was executed after the battle of Boroughbridge. Somerville states that she left Thomas in 1318, implying that they were separated, and states that 'her activities from then until his death are unknown'.¹⁰ If she felt that she had experienced troubles during her marriage to Thomas, however, the next phase of her life was to be no better, as her husband left her life the Despensers stepped in. It is difficult to say where Alice was during the last weeks of Thomas' life, and there is no evidence to suggest that she saw her husband before his death. On 22 March 1322, the day on which he was executed, a writ of aid was issued from Pontefract for the arrest of Alice, Joan, her step-mother, and others which supports the suggestion that neither of them were in Pontefract at the time; once taken they were to be conducted to the king. Fryde wonders at the arrest of 'the aged countess of Lincoln, mother of Alice' and states that she could not have been capable of doing much harm. This is indeed the case as Alice's mother was dead. Her mother had been Henry de Lacy's first wife, Margaret, who had died some time before 16 June 1310. The only other aged countess connected with the Lacys was Henry's mother, Alice, but she died before 12 July 1311. Fryde is wrong here, Alice's mother was dead well before 1322; the lady whose arrest was ordered was Joan, Henry de Lacy's second wife. Joan died before 27 October 1322, and although there is no evidence to suggest that this was due to her imprisonment it is possible.¹¹ Joan was still in prison at York on 7 June on

¹⁰ Somerville, p. 33.

¹¹ CPR 1321-4, p. 84; Fryde, p. 64; CP, vii, pp 681, 686-7.

which date her guardian, John de Bretagne, Earl of Richmond was sent instructions which stated that no unauthorised persons should be allowed to see her.¹² Fryde cannot see why Alice's step-mother should be arrested, but suggestions can be made. The identity of her second husband, Nicholas Audley, cannot have helped her; they married without the king's licence in 1312. He had been a member of Thomas of Lancaster's retinue and was required to provide his lord with thirty men. Although he was dead before 6 December 1316, his uncle and his cousin, both named Hugh de Audley, had been with Thomas in 1322. Hugh the elder surrendered before Boroughbridge and was imprisoned in Wallingford Castle, probably dying in captivity in 1325-6. Hugh the younger, however, was pardoned and went on to become Earl of Gloucester in 1337. Joan's second marriage strengthened her connection with Thomas and as step-mother of his widow she was unlikely to escape the notice of the king. Furthermore, whatever the official reasons put forward for her arrest they would only have been a cover to get her into the king's power. Edward and the Despensers had designs on her rights in certain lands and if she were in prison they would be all the easier to obtain.¹³ Similarly, the reasons for Alice's arrest are a mixture of the obvious and the underhand. Alice was not cast in the same mould as Queen Isabella; she took no part in her husband's political career, and by 1322 had probably been

¹² C 81/1329, no. 42; Fryde, p. 113.

¹³ CP, i, pp. 339, 346-8; Extinct Peerage, pp. 15-16; CIPM, vi, p. 41, 141; Holmes, pp. 134 (an incorrect reference to Audley's inquisition post mortem is made, it is p. 41 not no. 41).

estranged from her husband for some years. There is no escaping that she was the wife of the leader of the rebellion and was an obvious target in this respect, however, the overriding motive for her imprisonment must have been to cause as much terror in her as possible so that her acquiescence in the plans which the king and the Despensers had for her lands were all the easier to achieve. Like her step-mother, Alice was also imprisoned at York and was frightened further by the Despensers informing her that she was the real reason for Thomas' death and faced burning as a result.¹⁴ It shows the power that the Despensers had if Alice was brought to believe that this could be true. It is difficult to see how even the Despensers could have explained away the burning of a countess, especially when her husband had so obviously been the master of his own fate and actions. It speaks volumes, however, about the 'persuasions' used by the Despensers, there was no method which they would not try in order to lay their hands on more land.

Indeed, when the attitudes of Edward II and the Despensers towards other widows, wives and children of rebels are studied it becomes clear that the threat made against Alice's safety was one of the mildest forms of terror in which the Despensers indulged. The younger Despenser was accused of driving Lady Baret, probably the widow of Stephen Baret of Swansea, out of her mind by torturing her and breaking her limbs, though the reason for this dreadful treatment is unknown. As Alice and Joan

14 DL 42/11, f 66v-67r; Fryde, p. 113, n. 20.

discovered they were not averse to imprisoning women or children, Lady Mortimer of Wigmore, for example, was incarcerated with her six children. Similarly, Alice was not the only woman to be hounded until she had released the lands which the Despensers coveted for themselves.

Elizabeth D'Amory and Mary de St Pol, Countess of Pembroke, were denied their dower until they had released their lands; Alina de Mowbray and Elizabeth Comyn, the niece of Ayner de Valence, Earl of Pembroke, were both threatened, the latter with injury and imprisonment, until they gave up lands that should have been theirs by right. Thus Alice's treatment was not unusual, it was all of a piece with the way the Despensers treated other women caught up in the rebellion. In some respects the women mentioned above were more fortunate than others, at least one widow of an executed rebel, Margaret, widow of Henry le Tyeys, did not get any dower at all. Other women were unable to get seizin of their dower because the rebellion had left such chaos that local administration was totally disrupted; and one woman, the widow of Griffin de la Pole of Powys, failed to hold her dower because she was captured by a lawless gang of her own tenants. The women who must have suffered most were those whose rebel husbands were imprisoned, not dead; in this circumstance their families stood little chance of having lands assigned to them for their succour. Fryde found one example of a rebel's widow, Margaret de Penreth, being granted the manor of another rebel, Roger de Mowbray, in 'compassion of the estate of herself and her children' but this compares very poorly with the attitude

of Henry III towards the dependants of the rebels of 1265 when there are numerous examples of the generosity of the Crown to such families.¹⁵ Fryde states that, in general, dower lands were not included in the extents of land which were drawn up by the Despencers and thus they could not be accused of acting illegally where dower was concerned. If, as shall be shown in Alice's case, widows had been subjected to imprisonment and threats of violence; if the seizin of their dower lands was difficult to obtain, and if, when tenure had finally been secured, they were so set about with reversions in the Despencers' favour that their heirs were never going to inherit them, it is difficult to see how the Despencers could be said to have respected the law in this matter.¹⁶

It is Alice's treatment at the hands of the Despencers and Edward II to which the discussion will now turn. Although she eventually had access to her dower, the fact that the lands were her dower proved to be no protection. She was brought to sign away a considerable part of her lands and rights, and the Despencers were in no hurry. They were often content to have a reversionary interest in lands which would not fall in until Alice's death, and judging by the vast amounts of land that they took over immediately, they could afford to wait. As things fell out, their own demise came about before Alice's but it shows that they were sufficiently confident in their future to make these long term plans.

15 Fryde, pp. 117, 63, 110-15, 79, 80; CPR.1321-4, p. 196; see Section I: 6 a, pp. 201-2 for example; G.A. Holmes, 'The Judgement on the Younger Despenser, 1326', EHR, lxx (1955), p. 265.

16 Fryde, p. 79.

As already noted, a writ was issued on the same day as Thomas' execution for the arrest of Alice and Joan, the pursuit of Alice and her step-mother began immediately.¹⁷ Seemingly, some of Joan's holdings were taken into the king's hand before those of Alice. On 6 April 1322 a keeper was appointed for lands in Chester and Lancaster which were formerly of Joan, Countess of Lincoln, Thomas of Lancaster and Robert de Holland, and on 1 May a similar order went out to gather any debts or wardships into the king's hand in the same lands.¹⁸ By 26 June Alice begins to appear in the records and the king's opening salvo was to bind her to him with an astonishing recognisance for £20 000. The entry on the Close Roll states only that Alice acknowledged that she owed the king £20 000 which was to be levied on her lands in England and Wales in default of payment. A memorandum goes on to state that

this recognisance was made for a certain cause, concerning which the king made his letters patent to the aforesaid Alesia, as is contained on the Patent Roll.¹⁹

The entry appears on the Patent Roll on the following day, 27 June, and states

that if she retain the lands she has, or will have, without alienating them in whole or in part, except by special licence of the king, the said recognisance is to be void and of none effect.²⁰

That lands could not be alienated without the king's licence was surely normal procedure by 1322, why the need to hold a recognisance of £20 000 over her head? Even if Alice had not been able to see what was coming with the

¹⁷ CPR 1321-4, p. 84.

¹⁸ CFR 1319-27, pp. 116, 126.

¹⁹ CCR 1318-23, p. 564.

²⁰ CPR 1321-4, p. 141.

death of Thomas, the administrators of the earldom had a shrewd idea, Henry of Lancaster foremost among them. The £20 000 recognisance may well illustrate that moves to 'save' land, by Alice alienating it to others, had already been made. Henry of Lancaster's first attempts to regain his inheritance may be another reason for it. Edward II and the Despensers probably pre-empted any such move by obtaining Alice's agreement to the recognisance.

On 26 June 1322, the same date as the first appearance of the recognisance for £20 000, the Close Roll records the beginning of Alice's release of her lands to the king. They follow a pattern in which Alice released her rights in her own lands to the king, and then granted him all her right in any lands in the same area which might have been held in dower by Joan or anyone else. Thus the king deprived her of her own lands and any reversionary interest she had in lands which were held with a life interest. For example, Alice released her right to the king in the castle, town, manor and honour of Pontefract and the towns that pertained to them, as well as all other castles, towns and so on in Yorkshire. A second document is then enrolled in which Alice grants to the king all manors, towns, advowsons, knights' fees and so on which pertained to the castle, town and honour of Pontefract and in Yorkshire which Joan and others hold in dower.²¹ All of these should have reverted to Alice, but her grant meant they would revert to the king instead. There were four grants of this kind on 27 June when the same procedure was followed for

²¹ CCR 1318-23, p. 575.

lands in the counties of Leicester, Chester, Middlesex, Lincoln, Oxford, Northampton, Cambridge, as well as London and Wales.²² Two of the manors which the king received via these grants in June were granted out again very quickly. On 5 July Long Buckby in Northamptonshire was granted to Ralph Basset of Drayton, and Sedgebrook in Lincolnshire went to John Talebot, the latter also received a rent of 23s 4d in Swannington. The manors were granted to the two men 'for good service rendered and to be rendered' and though this is a common phrase in grants, both Basset and Talebot appear as witnesses to further grants and releases which Alice made during the summer of 1322, the gift of Long Buckby and Sedgebrook must have been rewards for the support that these two men had shown the king in this matter of Alice and probably for other services.²³ Edward II shows, too, that the lessons of his father were not wholly lost on him, his supporters were not only rewarded, but it came from the proceeds of Alice's releases and at no cost to the Crown. Similarly, but with less surprise, Hugh Despenser the elder, Earl of Winchester, had his share of lands which Alice quitclaimed to the king in June. On 9 July he was granted the castle, town, manor and honour of Denbigh as well as the cantreds of Rhos and Rhyfniog and

22 CCR 1318-23, p. 575, the manors mentioned are Donington in Leicestershire, Halton in Cheshire, Culham, Uxbridge, and Egdwere in Middlesex, Halton-on-Trent, Waddington, Brattelby, Sedgebrook, Horbling, Lutton and Thorley in Lincolnshire, Bicester and Milton in Oxfordshire, Wardington and Long Buckby in Northamptonshire, Grantchester in Cambridgeshire, lands and tenements in the street of Holborn, London, and Clifford, Glasbury, and the castle, town, manor and honour of Denbigh in Wales together with all their appurtenances.

23 CPR 1321-4, pp. 145, 194, 324, 343; CChR, iii, pp. 446-7; CCR 1318-23, pp. 574-5, 576.

the commote of Dinmael in Denbighshire, this was just the beginning of the crop the Despensers were to gather from Alice's lands. The younger Despenser had his share from the June surrenders; he was granted the castle, manor and honour of Donington on 16 July. Even the Despensers had to wait for the seizin of some lands, a mandate for the delivery of Donington was not issued until 10 March 1323, the king was taking his share of the profits before the younger Despenser received it.²⁴ As the lands were freed by Alice some were granted out again, no doubt as promised by Edward II when he was searching for support before Boroughbridge, whilst others remained in the king's hand.

Alice was also required to release reversionary interests of her own. John de Warenne, Earl of Surrey, held Amesbury, Winterbourne Earls and Trowbridge in Wiltshire, Canford in Dorset, and Henstridge and South Charlton in Somerset of the inheritance of Alice for his lifetime only. By her grant of the 9 July 1322 she released her reversionary interest to the king.²⁵ Almost a month later on 6 August, the king granted it to Hugh Despenser the younger and on the same day Alice granted Despenser all the knights' fees, advowsons of churches, prebends, chapels, religious houses and hospitals which pertained to these same manors and their hamlets.²⁶ Thus

24 CChR, iii, pp. 448, 449; CCR-1318-23, pp. 619, 620; CPR 1321-4, p. 262.

25 DL 42/11 f 66v, 67; CCR-1318-23, pp. 574-5, CPR-1321-4, p. 343.

26 CChR, iii, p. 450; CPR-1321-4, pp. 343, 179 10 July 1322 Surrey was asked to do fealty for the manors; CCR-1318-23, pp. 674-5, he did it by letter on 3 August; CPR 1334-8, p. 550, 6 November 1337 they went to the Earl of Salisbury.

on Surrey's death, the younger Despenser could look forward to holding these manors in their entirety, the Despensers were nothing if not thorough in their looting. Returning to the 9 July, Alice was also required to release her rights in the castle, manor, honour and soke of Bolingbroke and its wood ('Le Frith'), as well as moors in Lincolnshire and other manors and towns in Lancashire.²⁷

Thus from the death of Thomas in March until July 1322 there was little but loss for Alice of Lancaster; it is possible that there was an agreement afoot. It was also on 9 July that the tide began to turn in Alice's favour, on that day two orders were issued to stop interference in Alice's lands. One went to the escheator beyond Trent to refrain from intermeddling further in lands that had been held of Alice's inheritance by a tenant who had since died, and to restore the issues since

the king has amoved his hand from the lands of her inheritance and from the lands that she holds for life or otherwise in dower of the assignment of Thomas, earl of Lancaster.²⁸

The keeper of lands of the king's enemies in Cambridge received the same directive with regard to the manor of Grantchester which was to be restored to Alice if it was found to be of her inheritance. This was followed by a series of orders on the 10 July when Alice received manors in the counties of Stafford, Derby, Leicester, and Berkshire that had been assigned to her as dower when she

27 CCR 1318-23, p. 576 other places named are Wildmore fen in Lincolnshire; and the castle, town and manor of Clitheroe; Penwortham, Blackburn, Igtenhill, Standen, and Accrington; and the cowsheds, parks, and the chace and forest of Rochdale and Blackburn.

28 CCR 1318-23, p. 579.

married Thomas. There was also a group of Lincolnshire manors which her father had surrendered to the king on 28 October 1294. They were returned to the earl for his lifetime, with remainder to Alice and Thomas; Edward obviously allowed this remainder to stand. Apart from the manor of Alkborough, although included in the lands that went to Alice, Hugh Despenser, Earl of Winchester was granted a licence to grant the manor of Alkborough to John de Crumbewell and his wife for their lifetime on 8 July 1322. Winchester was said to hold the manor in chief, and on 23 October 1322 he granted certain parcels of land, a wood and a mill in Alkborough to Hugh Despenser the younger and his wife. Clearly, this manor cannot have been held by Alice.²⁹ Similarly, the reversion of the manor of Avington in Berkshire was allowed to stand. It had been held by Emma Longspee, but was granted to Alice on 10 July. The same day saw a grant of all the corn, grass, and hay on thirty-five manors in twelve counties which, according to the grant, the king had already restored to Alice. On 11 July Alice went into the chancery at York and acknowledged all these deeds. It is possible that she was brought to release so much to the king in return for the lands which she was granted in one form or another. The grants in Alice's favour continued; on 12 July she was granted the castle, town, manor and honour of Halton in Cheshire with

29 CChr, ii, p. 456; CCR-1318-23, pp. 578-9 places named are the castle and borough of Newcastle under Lyme, and the towns of Penkhull, Seabridge, Wolstanton, Clayton and Caldon in Stafford, Derford in Derbyshire and Earl Shilton in Leicester, Hungerford in Berkshire, Everleigh and Collingbourne Ducis in Wiltshire and Alkborough and Swaton in Lincoln; CPR-1321-4, pp. 174, 211.

all the knights' fees and appurtenances, which was to be held in the same way as Henry, Earl of Lincoln had held it. On the same day she was formally granted fifteen manors in four counties and Wales, plus moors in Lincolnshire and property in Holborn, London which the king had claimed he had already returned in the grant of corn, grass and hay on 10 July. The same document also contains the grant of the reversionary interest of the manors of Grantchester in Cambridgeshire and Horbling in Lincolnshire which Joan, her stepmother, held in dower. Both grants, however, include a clause stating that all the lands mentioned were remaindered to Hugh Despenser the younger, Alice only obtained a life interest in lands which should have been passed down to her own heirs and successors.³⁰ On 12 July two keepers of forfeited lands were ordered to refrain from interfering with the knights' fees pertaining to the earldom of Salisbury which were of Alice's inheritance, and to restore their issues to her.³¹ So whilst Alice regained land, she did not achieve the success of Henry of Lancaster, plus it is clear that she was only allowed to hold what the king was willing to give her. The land was secured for her lifetime, but there was no guarantee that

30 CPR 1321-4, pp. 179-180, 181, 182; Whilst this was true of thirteen manors the record of the restoration of the remainder did not make it to the Patent Roll until 12 July, the manors mentioned (ibid., pp. 179-80) are the castle, town, manor of Clifford, and Glasbury in Wales, Culham, Uxbridge, and Egdware in Middlesex, Halton-on-Trent, Waddington, Brattelby, Lutton, Thorley, the castle, town, manor, honour and soke of Bolingbroke, the moors of Wildmore fen and woods ('Le Frith') in Lincolnshire, Waddington and Long Buckby in Northamptonshire, Bicester and Milton in Oxfordshire, lands and tenements in Holborn, London, together with knights fees and all their appurtenances.

31 CCR 1318-23, p. 571.

it would remain with her successors permanently. On 13 July she was granted five hundred marks a year to be received out of the issues of castles, towns, manors, vaccaries and parks in Lancashire in case she should be evicted from various castles, manors and towns in five counties which the king had caused to be delivered to her as the dower assigned to her at the church door. On the same day she was granted licence to marry whom she would of the king's allegiance, an important right.³²

On 14 July the releases by Alice began again. She released her right to the king in eight manors and two parks in Yorkshire.³³ The next day she lost all the horses, cows, sheep, and oxen on her land, they were to be transferred to other lands in the king's hand, thus all her livestock was also confiscated. On the same day Joan granted the constableness of the castle of Chester and its avowries, the hundred of Halton and the manors of Congleton, Whitley, Runcorn and More in Cheshire, and Grantchester in Cambridgeshire, all of which she held in

32 CPR 1321-4, p. 178, Alice was originally granted the five hundred marks in return for releasing all her right and claim in the castle, town and manor of Clitheroe, the manors and towns of Penwortham, Blackburn, Ightenhill, the manors of Standen, Accrington, and the vaccaries, parks, chase and forest of Rochdale and Blackburn, this grant was vacated. Ibid., p. 183 the five hundred marks were to come from the issues of lands mentioned above in case she was evicted from the castle of Newcastle under Lyme, with the borough of the towns of Penkull, Seabridge, Wolstanton, Clayton in Stafford, Derford with the park in Derbyshire, Earl Shilton in Leicester, Hungerford in Berkshire, Everleigh and Collingbourne Ducis in Wiltshire.

33 CCR 1318-23, pp. 575-6, the named manors are Campsall, Elmsall, Roundhay, Kippax, Owston, Bradford (CPR 1321-4, p. 196, the advowson of the church of Bradford was released to the king by Alice on 8 August), Ackworth, and Tanshelf (apart from Whitgift), and the parks of Pontefract and Ackworth in Yorkshire.

dower, to Hugh Despenser the younger for her lifetime. On 27 July Alice was required to grant her reversionary right in all of these manors, apart from Grantchester and More, to Hugh Despenser the younger in fee simple.³⁴ On the 16 July Alice was allowed to make a grant of her own and alienate the manor and the advowson of the church of Swaton to St Mary's Abbey in Barling, both in Lincolnshire, though she was granted licence to do so on the 10 July. The advowson was only granted to Alice on 7 August, and obviously had not been in her gift when she made the grant. On the following day, she was required to go into chancery once again to acknowledge the releases of 9 July; and on 18 July her step-mother, Joan, was also in chancery to acknowledge the release which Alice had made on 14 July surrendering her manors in Yorkshire.³⁵ Perhaps as a reward for her acknowledgement, Joan was granted the manor of Whitgift in Yorkshire with its appurtenances. From this grant it is clear that Joan's dower lands were taken into the king's hand because of Thomas' rebellion and that he had ordered the delivery of Whitgift at an earlier point. Whilst the manor had been delivered fairly promptly, the appurtenances had been withheld because the keeper was unsure as to whether they belonged to the manor and did not wish to let them out of his hand until it was officially confirmed. The point is that Joan had enjoyed these dower lands without question since Henry, Earl of Lincoln's death in 1311. It must have been extremely annoying for her to

³⁴ CPR 1321-4, p. 194; CAD, i, p. 21, no. A 198.

³⁵ CPR 1321-4, pp. 175, 324, the grant was confirmed on 13 July 1323; CCR 1318-23, p. 576; Somerville, p. 33 does not mention the grant of Swaton.

have her lands seized in the first place and then to have to undergo this laborious questioning and proving of her case before they were returned to her in total.³⁶

On 18 August Alice released her right to the king of the constablenesship of the castle of Lincoln and its appurtenances, and the manors of Saltfleetby and Scartho in Lincolnshire. The two manors were granted to Alice for her lifetime with remainder to Hugh Despenser the younger on 3 December, so they were not completely out of her hands for long, though as usual they were only returned to her with a life interest.³⁷ On 20 September the constablenesship of Lincoln castle was restored to Alice along with the court of the fee of 'La Haye', possibly to be identified with Haye, the bailey before the gate of Lincoln castle, and twenty pounds for the third penny of the county which the sheriff had to deliver to her from the issues of his bailiwick. All of these things had been held by her father and were restored to Alice for her lifetime. This grant is just the beginning of a series of entries which concern Alice's tenure of the constablenesship of Lincoln castle, and they show that she had quite a time trying to get seizin of all that was due to her. On 13 June 1324 the new keeper of rebels' lands in Lincolnshire had the order to deliver the above to Alice as the former keeper left his office before he had had the opportunity to do so; the day before the

³⁶ CFR 1319-27, pp. 174-5.

³⁷ CCR 1318-23, p. 575, the appurtenances of the castle were the custody of the prison and gate, the rents and services, and suit of court of the tenant of the bailey, and all other profits; CChR, iii, p. 451.

sheriff was directed to pay her the twenty pounds owing to her. It was not until the end of 1324, however, that Alice received the first instalment of arrears which she was due for the third penny of the county. The various sheriffs in office had to be repeatedly badgered before they paid up, and this pattern continued with similar orders being issued between 1326 and 1330 for payment of the third penny.³⁸

These orders also indicate the date of Alice's second marriage. An order of 20 October styles Alice 'daughter and heiress of Henry Lacy, late earl of Lincoln' whereas that of 10 November is an order to pay 'Ebulo Lestraunge and Alice, daughter and heiress of Henry Lacy, late earl of Lincoln, now his wife'. It is clear that they must have married at some point between these dates and not in the autumn of 1322 as Somerville suggests. Nor can it be true that her lands were confiscated for marrying without the king's licence as put forward by Dugdale and followed by Somerville. She received a licence to marry whom she would of the king's allegiance in July 1322, as already noted, and so even if she had married in the autumn of 1322 she would have been within her rights to do so. It is possible that she was confused with her stepmother, Joan, who married Nicholas de Audley in 1312 without the king's licence.³⁹ The issues of the constablenesship of Lincoln castle and its appurtenances proved as elusive as those of the third penny of the county and were still not in Alice

38 CCR 1318-23, p. 596; CCR 1323-7, pp. 114, 124, 231, 245-6, 462, 626, 142-3, 167, 283-4, 434; CCR 1330-33, p. 1.

39 CCR 1323-7, pp. 231, 245-6; CP, i, p. 339; *ibid.*, xii, p. 341; Somerville, p. 34; Dugdale, *Baronage*, i, p. 782; *Monasticon-Anglicanum*, ii, p. 189; CPR 1321-4, p. 178.

and Ebulo's hands on 4 February 1327. An order was issued on that day calling for the cessation of interference in these holdings and the delivery of the issues. This had no effect and a second order of similar content went out on 25 September, adding that the escheator, Matthew Broun, had delivered the issues to the constable and the bailey, but Alice and Ebulo remained unpaid and sought redress from the king. Finally, at some point before 8 February 1328 they must have had delivery of these monies, for on this date the same Broun asked to be allowed the issues which pertained to the constableness of Lincoln castle and the bailey before the castle gate in his account before the exchequer; another such order was issued to the exchequer on his behalf on 16 November 1331. Alice and Ebulo had a disagreement with Broun, however, and demanded the payment of £24 7s 2d from him in chancery. Apart from the escheator's recalcitrance, the main reason why Alice had had such difficulties in obtaining her rights in Lincoln become clear from the results of an inquisition entered on the Close Roll on 4 August 1331. It states that she

had been impeded by the mayor and bailiffs and the community of the city from having the bailey aforesaid by the metes and bounds whereby Henry de Lacy held it, and from holding their court there and from receiving amercements and other profits thence in the same way that Henry did.⁴⁰

The men in Lincoln were ordered to cease such obstructions, though it is unknown why they should have been so opposed to Alice unless it was a lingering dislike for Thomas.

To return to 1322, the next event which altered

40 CCR 1323-7, pp. 114, 28, 169, 255; CCR 1330-33, pp. 255, 372-3, 530, 531.

Alice's position slightly was the death of Joan, her step-mother. The writ for her inquisition post-mortem was not issued until 27 October, but an order to the escheator of 3 October indicates Joan died at the beginning of the month, or in late September. The escheator had the manor in his hands because of her death and was ordered to cease interfering with the manor of Grantham, since Alice's assignment meant that the manor reverted to Hugh Despenser the younger on the death of Joan.⁴¹ The king also took his profits from Joan's death and on 23 December ordered the keepers of ten counties 'to keep to the king's use the goods and chattels' in Joan's lands.⁴² Two further manors liberated on Joan's death were those of Horbling in Lincolnshire and Grantchester in Cambridgeshire. They have already been mentioned, but bringing all the references together will give an overall picture of the king's actions. Originally, both manors had been held by Henry, Earl of Lincoln; on 27 June 1322 they were among twenty which Alice released to the king. Notwithstanding this, an order of 9 July stated that the manor of Grantchester ought to be delivered to Alice if it was found to be of her inheritance. A grant of 12 July 1322 shows both manors were held in dower of the king's inheritance by Joan. On Joan's death, therefore, they should have reverted to him; the grant of 12 July changes this and states that on the death of Joan they should go to Alice for her lifetime, and

41 CCR-1318-23, p. 604, CFR-1319-27, p. 180, orders to orders to take Joan's lands into the king's hand followed on 28 October.

42 CFR-1319-27, pp. 191-2, the ten counties were Oxford, Lincoln, Dorset, Wiltshire, Salop and Hereford, Stafford, Chester and Wales.

then be remaindered to Hugh Despenser the younger. On 15 July Joan granted the manor of Grantchester to Hugh Despenser the younger for her lifetime which must mean that though this manor had been part of her assigned dower Joan had not held it. Once Joan died, therefore, Despenser lost tenure of the manor, and an order to deliver the manors to Alice was issued on 4 November. This order refers to the position before 12 July stating that the manors would have reverted to the king, but they should already have been secured for Alice by the grant of 12 July.⁴³ It was also at the beginning of November that a warning went out to the sheriff, bailiffs and others in the county of Lincoln

to be attendant upon and aiding to Alice...with the posse of the county if necessary, the king having heard that certain men with armed force are marching to where she is staying awaiting an opportunity to abduct her.⁴⁴

No more is known about those who threatened Alice at this time since there is no further mention of the incident, but it would be interesting to know who it was and what they were planning. The most obvious group to employ such tactics would have been the Despensers, but presumably they had only just let her out of her imprisonment in York.

To return to Alice's holdings, the manors of Saltfleetby and Scartho which Alice had released to the king on 18 August were granted to her on 3 December with remainder to Hugh Despenser the younger.⁴⁵ There was some question as to how these lands had come into the king's hand, since an inquisition of 23 February 1323 established

43 CIPM, v, p. 154; CCR 1318-23, pp. 575, 579, 605; CPR 1321-4, pp. 182, 179-80, 194.

44 CPR 1321-4, p. 215.

45 CChr, iii, p. 451.

beyond doubt that various tenements in these two places, Boston in Lincolnshire and Holmer in Buckinghamshire had been held jointly by Thomas and Alice and arrived in the king's hand due to Thomas' forfeiture. The same collection of inquisitions investigated tenements in Amesbury in Wiltshire, Stenwith in Lincolnshire, and the manor of Kingston in Dorset and established that these lands had been held in dower by Joan of Alice's inheritance. On 16 November 1323 the escheator was ordered to cease interfering in these lands, presumably meaning that Alice should be left to her enjoyment of them in peace.⁴⁶ Similar orders in the same year showed that Alice had to maintain constant vigilance where Crown officials were concerned. On 18 April the keeper of Lincoln was told not to 'disquiet' Alice about the cost of hay and seed corn in the Lincolnshire manors which the king had granted her on 16 July 1322. Alice could prove that the keeper had intended to charge her for these costs. Interestingly, she is addressed as the Countess of Lincoln and Salisbury in this order. On 23 April the delivery of the manor of Upleadon in Hereford and the issues which it had accrued since the 12 July 1322 was ordered as long as Alice could prove that it was part of the honour of Clifford. She had managed to do this and had the manor safe in her hands, but on 5 June another order went out to the keeper of lands in Hereford to deliver all the corn, hay and grass growing in the said manor in line with the king's grant of 10 July 1322. Alice had to constantly petition for every single

⁴⁶ CIM, ii, p. 162; CCR-1323-7, p. 40.

portion that was her due. Similarly, on 12 July the keeper of the forfeited lands was told not to 'intermeddle' with the knights' fees belonging to the earldom of Salisbury, and to restore their issues to Alice, another example of the tardiness of the system.⁴⁷

On 12 September 1323 there was an inquisition into the Templars' lands in Gloucester and Kent which Alice's ancestors had donated to the order. On its demise Thomas and Alice had entered the lands, but after 1322 they went into the king's hand. The inquisition established that the lands were of the inheritance of Alice.⁴⁸

It is in 1325 that the most staggering documents concerning Alice and the Despensers come to light. In February there were two pardons concerning the younger Despenser and one dealing with the elder Despenser, Earl of Winchester. The fact that they are pardons is significant enough, if the Despensers needed a pardon it implies that they had done something wrong. The amount of land involved is astonishing; the younger Despenser was pardoned for entering without licence 162½ knights fees in nine counties, one honour, one soke, two castles, a wood/moor, 62 000 acres of marsh, thirty shillings rent, twenty-two manors, three advowsons and all the land in Holborn, London that Henry of Lincoln had held. The elder Despenser's list is not quite so long but remains impressive, he received a

⁴⁷ CCR 1318-23, pp. 641, 646, 656, 571; CPR 1321-4, p. 182; CCR 1323-7, p. 23, similarly, on 3 February 1327 the keeper was ordered to refrain from interfering in the manor of Stretton in Oxfordshire which was held of Alice and Ebulo by James de Audley, the cousin of the Nicholas de Audley who married Alice's step-mother, Joan.

⁴⁸ CIM, ii, pp. 177-8.

pardon for entering four manors, two wapentakes, thirteen and four sixth knights fees, one carucate, three messuages, and three virgates of land, 500 acres of wood, a hundred acres of meadow, three cantreds, a castle and forty shillings of rent. Having been pardoned, both men were granted a licence to retain all that they had illegally entered, moreover, these were only the lands belonging to Alice, this list is a tiny proportion of the lands they acquired in the years following Thomas of Lancaster' fall. The pardons imply that the Despensers marched straight into Alice's lands in 1322 and that the whole pattern of releases, remainders and grants was constructed afterwards to bring illegal changes of tenure within the law. The case of John de Sutton and his wife, Margaret, illustrates this arbitrary action. Both the Despensers and three other men were involved in arresting and imprisoning Sutton until he made over his two castles, a lordship, a town, nine manors and sixty shillings rent. Once the Despensers and their associates had got seizin of these lands, Sutton was 'conveyed into chancery' by Oliver de Ingham, one of the group who had stood bail for him, and who further promised to pay the younger Despenser £2 000 if Sutton alienated his lands to others. Ingham kept him imprisoned until the end of the regime, so the money never had to be paid. Alice's case has had to be pieced together from a variety of sources, but it has a number of points which bear a close resemblance to Sutton's experience. She was terrified and imprisoned by the Despensers, made the various releases that they and the king required of her, and was taken into

chancery twice and her step-mother the same.⁴⁹ There are so many points of comparison, however, that it is very likely that Alice received the same treatment for the same reasons as Sutton, to take as much of her land as possible. As a countess she was protected for her lifetime in many of her holdings, where Sutton had no privilege to protect him, but had the Despensers not fallen from power they would have ended up holding the bulk of her inheritance. In the same month as the pardons were enrolled there was also a grant to Alice and Ebulo of a licence to enfeof another long list of places to the younger Despenser on 10 February 1325; he then re-granted these lands to the couple for Alice's lifetime. Apart from the manors of Horbling in Lincolnshire and Grantchester in Cambridgeshire, which had been granted to Alice without strings, the majority of the lands were already designated as being held by Alice for her lifetime and were already remaindered to the younger Despenser. The enfeofment to Despenser, therefore, seems to be reiterating a state of affairs which already existed.⁵⁰ These documents of February 1325 mark the end of the Despensers' schemes to inveigle land out of Alice's hands, but their fall initiated further changes in Alice's position which will be briefly studied.

On the death of the Despensers their lands were taken into the king's hand, and certain decisions were reversed,

49 CPR 1324-7, pp. 102-3 the pardons are dated 5, 10 and 11 February 1325; CIM, ii, pp. 239-40, pp. 248-9, Fryde, pp. 228-32.

50 CCR 1318-23, p. 608, Grantchester is not mentioned on the enfeofment; CChR, iii, p. 451; CPR 1321-4, p. 179-80, 30s of rent in Boston are also mentioned on the enfeofment, though Long Buckby and Brattelby are not; CIM, ii, p. 162; CCR 1323-7, p. 40.

however, it did not mean a complete reversal in Alice's fortunes. For example, Edmund, Earl of Kent, was granted all of Hugh Despenser, Earl of Winchester's lands in Leicester (apart from the manor of Loughborough) and his forfeited reversion of the manor of Brattleby, with the fees of Hays which he was to receive on Alice's death. Kent was executed in 1330, but his wife, Margaret, held on to the manor by an order of 14 February 1331. Similarly, the town, castle and manor of Denbigh and the cantreds and commote that were held with it went to William de Monte Acuto as part of his reward for assisting the king in the arrest of Roger Mortimer.⁵¹ Although changes were under way with the accession of Edward III, Alice and Ebulo spent most of the early years of his reign trying to obtain seizin of rents and lands. They were petitioning for the payment of the third penny of the county of Lincoln as discussed above; in March and September 1328 they were still trying to obtain seizin of the manor of Caldon in Staffordshire, thirty shillings of rent, and the advowson of the church and chapel of Cowlinge in Suffolk, all of which had been confiscated in 1322 and six years later were still not under their control.⁵²

A more positive result of the change of monarch came with arrangements which were made for Ebulo Lestrangle if Alice predeceased him, and in a sense it amounts to dower

51 CPR 1327-30, p. 246; CCR 1330-33, p. 196; HBC, p. 467; CChr, iv, pp. 199, 210, the place names mentioned are the commote of Dinmael, and the cantreds of Rhos, Rhyfniog and Carmarthen, the latter was said to have been released by Alice but it is not mentioned in her releases; CPR 1334-8, pp. 549, 550.

52 CCR 1327-30, pp. 265, 319.

for him. He was to be granted land and rent to the yearly value of five hundred marks from the lands which they jointly held for Alice's lifetime. The memoranda attached to the end of the grant is of interest and may reflect how unusual this kind of grant was. It states that

the said Ebulo, in the presence of the Council, agreed to surrender the foregoing letters patent into Chancery for cancellation, if the prelates and magnates of the realm did not consent to the premises.⁵³

No objection was raised and in the event such provision was unnecessary, as Ebulo predeceased Alice in 1335.⁵⁴

Changes brought about by the fall of the Despensers did not effect Alice and Ebulo's tenure until 16 February 1331, but even then she was not fully restored to all her lands. Following in his father's footsteps, Edward III made Alice confirm the documents in which she had released all her lands to Edward II and the Despensers which on their downfall had escheated to the Crown. In return Alice and Ebulo did get the castle and cantred of Builth in Wales and the manor of Bisham in Berkshire, whereas they would have obtained nothing from Edward II and his cronies. Nonetheless, Alice must have been entitled to the return of more than she received, but Edward III was reluctant to part with it. He doubtless saw no reason to do so when he could use Alice's lands to reward followers such as William de Monte Acuto at no expense to the Crown, the spirit of Edward I's economy was moving into the fourteenth century. On 16 February 1331 Alice and Ebulo were also granted seventeen manors, three castles, twenty pounds yearly in

⁵³ CPR 1327-30, p. 338.

⁵⁴ ~~CPR 1327-37~~, p. 468; CP, vii, p. 687.

lieu of the third penny of the county of Lincoln and other lands, but most of these they had nominally held since 1322. The key factor was that they were to hold them as her father had held them; the tenure for Alice's lifetime had gone. Not only did they hold them as tenant in chief, but more importantly, they were to descend to their heirs, and if they were lost through no fault of their own the king promised to find other lands in exchange; Ebulo's heir was his nephew, Roger Lestraunge, fourth Lord Strange.⁵⁵ Like Henry of Lancaster, Alice regained her lands, but it took her longer to renew her seizin than it took Henry, and she was never fully restored.

As mentioned above, Ebulo Lestrangle died in 1335 on 8 September, but Alice was not destined to live in peace. Her lands were under threat once again when she was abducted for the second time in her life and 'ravished' by Hugh le Frene. It is unclear whether the Complete Peerage

⁵⁵ CPR 1330-4, p. 74; CCR 1330-3, p. 273; K.B. McFarlane, 'Had Edward I a Policy towards the Earls?', History (1965), 1, p. 156; CChr, iv, pp. 199, 213-4, 357 the charter was confirmed on 6 May 1336; the place-names mentioned are the manors of Culham and Egdwere [Uxbridge which is usually mentioned in connection with these manors is omitted] in Middlesex, Bicester and Milton in Oxfordshire, Halton, Horbling, Scartho, Saltfleetby, the wood ('Le Frith'), castle and manor of Bolingbroke, with the soke, moor and marsh, the custody and guard of the castle of Lincoln, with the bailey, the manor of Wadenhoe in Northamptonshire, the manor of Holborn in London, castle and manor of Clifford, the manor of Glasbury in Wales, the manor of Overton with the land of Maelor Saesneg, the castle, manor and hundred of Ellesmere and the hamlets of Colmere and Hampton in the march of Wales, the manor of Grantchester in Cambridgeshire, the manor of Waddington on the death of the current holder Alice de Stopham; CPR 1330-4, p. 113 a writ was issued to the tenants of Halton, Horbling, Scartho, Saltfleetby, the castle and manor of Bolingbroke, and the wood ('Le Frith') to be intendant to the couple as regards their homages, rents and services; CP, XII, i, pp. 353-4.

is using this word in the medieval sense of 'abduction' or in the more modern sense of 'rape'.⁵⁶ On 20 February 1336 all the lands, goods and chattels of Frene and those of Alice in the counties of Lincoln, Northampton and Nottingham were to be taken into the king's hand until further notice. They were both said to have escaped from the castle of Somerton

where the king ordered them to be kept separately because Hugh took her from the castle of Bolingbroke thither and entered the castle of Somerton by force.⁵⁷

The king ordered their arrest and separate confinement, from which they escaped. A further order was issued for their arrest on the same day; however, Alice married Hugh before 23 March 1336 on which date the king granted livery of Alice's lands and their goods in Somerton castle. According to Bracton, it was solely at the discretion of the woman whether she married the man who violated her, if this is what happened to Alice, possibly for a second time. Had she not done so he would have been liable to severe penalties; mere ravishers were under the penalty of two years' imprisonment, though Walker has shown that they often avoided prison or only spent a short time there until they had paid compensation to the wronged parties, usually the husband whom the wife had left. Alice's third marriage was accepted, however, and in July 1336 the castle and cantred of Builth in Wales, which had been granted to Alice and Ebulo in 1331, was committed to Hugh and Alice. They

⁵⁶ CP, vii, p. 687; S.S. Walker, 'Punishing Convicted Ravishers: Statutory Strictures and Actual Practice in Thirteenth and Fourteenth Century England', Journal of Medieval History, xiii (1987) p. 237.

⁵⁷ CFR 1327-37, p. 473, a similar order was issued for the counties of Oxford, Berkshire and Buckingham.

were to hold it 'until certain claims thereon put in by the king be discussed, or until further order', rather an odd form of words when the castle and its appurtenances should have been a secure part of Alice's holdings by 1336, possibly the king planned to exchange these lands for others, a proviso of one of the 1331 grants.⁵⁸ Fortunately perhaps under the circumstances, Hugh died nine or ten months after their marriage in December 1336 or January 1337.

Alice was not yet to be left in peace, on 4 May 1337 a commission of oyer and terminer was appointed at her request to look into an attack in which Roger Lestrangle, Ebulo's heir, together with a party of thirty-one men (including two knights, a canon and his abbot)

broke her castle at Bolyngbrok [Bolingbroke], imprisoned her there, took away 20 of her horses, worth £200, carried away her goods and assaulted her men and servants.⁵⁹

It may have been in response to this attack that Alice granted Roger a life interest of the manor of Ellesmere, a licence for her to do so was granted on 20 June 1337.⁶⁰

Finally, a letter from the pope, Benedict XII, to the Bishop of Lincoln on 10 July 1338 perhaps provides the means by which Alice tried to guarantee her future safety. It is ambiguously worded, but it appears that after Ebulo Lestrangle's death Alice had made a vow of chastity and in

58 CP, v, p. 573; CPR 1327-37, p. 491; CPR 1334-8, p. 282; CChR, iv, pp. 213-4; CPR 1330-34, p. 74; Bracton De Legibus Et Consuetudinibus Angliae, ed G.E. Woodbine, transl S.E. Thorne, ii (1968), pp. 414-5; Walker, Journal of Medieval History, xiii (1987) pp. 238, 240, 248.

59 CPR 1334-8, p. 450

60 CPR 1334-8, p. 465.

token of this had accepted a habit and a ring. Her abduction and ravishment by Hugh le Frene had broken this vow, perhaps she had feared such an attack and had hoped the vow of chastity might protect her; once the damage was done, however, she consented to live with him in matrimony until he died. In 1338 the Bishop of Lincoln was ordered to compel her to observe her vow under threat of spiritual penalties and the papal letter threatened ecclesiastical censures on anyone who tried to make her break it.⁶¹

Perhaps there was a need to protect her from other men, at last Alice had an uninterrupted period of widowhood. She died on 2 October 1348 aged about sixty-six and was buried with her second husband at Barlings Abbey in Lincolnshire. Though she never had children some of the manors she had held for her lifetime descended to Ebulo Lestrangle's nephew, Roger Lestrangle, and others returned to Henry of Grosmont, Earl of Lancaster (1345-51), son of the third earl discussed in the next chapter. Thus the final group of lands which had been held by Thomas returned to the earldom of Lancaster when Alice died.⁶²

This study of the way the Despensers and Edward II treated Alice has shown that it was typical of their methods of land acquisition after Thomas of Lancaster's death. They used terror, both physical and psychological, imprisonment and worse, in many ways Alice fared better than most. Their greed for land knew no bounds

61 Calendar of Papal Registers: Papal Letters, ed W.H. Bliss, ii, 1305-42 (London, 1895), p. 544.

62 CP, vii, pp. 687-8, *ibid.*, xii, p. 341; CIPM, ix, no. 107, pp. 95-100; HBC, pp. 458, 468, Grosmont was Duke of Lancaster (1351-61).

as can be seen from the vast amounts that they took from Alice alone. These actions show the very real anarchy that pervaded England at the end of Edward II's reign. There was little justice to be had when the king himself connived at the despoilation of his subjects, and this provides a stark contrast to the way in which Henry III carried on with regard to the wives and widows of the rebels of 1265 and 1266. Moreover, the struggle continued once Alice had proved her right to possession of certain lands, or had been granted those lands with a life interest. She was constantly badgering officials to deliver monies or lands to her and having to go to the king and plead for his assistance, and this was true of the reigns of both Edward II and Edward III. A certain amount of tardiness can be put down to red tape, but the level of grudging delivery which Alice had to accept suggests that she was more than ordinarily subject to this attitude of Crown officials. It is hard to discern a reason for this, it is possible that it may have been continued ill-feeling about Thomas. Her tenure was secure once Edward III had established himself on the throne after the fall of Mortimer and Isabella; indeed, this was probably the reason that Alice and Ebulo had to wait until 1331 before things actually got under way. The key change was the security of tenure which Edward III granted her so that her heirs could inherit, but even Edward III did not return all of her lands and in this respect she was not as successful as Henry of Lancaster. The other factor that is plain from this study of Alice of Lancaster is the number of times which her person was under

threat. She was abducted twice, in 1317 and 1336, folk wanted to capture her in 1322 and she was imprisoned in her own castle by her nephew-in-law in 1337. Once again it is difficult to know whether this was the usual gamut of medieval life or merely an extraordinary case; there do not seem to be many aristocratic ladies who endured so many adventures in a lifetime, but perhaps evidence exists for Alice which has been lost for others. It certainly adds to the picture of violence and lawlessness that abounded in this period whether the malefactors were after Alice's person or her lands.

SECTION III: HENRY, THIRD EARL OF LANCASTER, 1326-45

9: HENRY, THIRD EARL OF LANCASTER, HIS ROLE AND THAT OF
HIS RETAINERS IN THE RECOVERY OF HIS EARLDOM

1322-30

It is hard to see in Thomas any vestige of Edmund of Lancaster; both Thomas' political career and his personal life were unsuccessful. Henry of Lancaster showed a greater resemblance to his father, the early years of his career had seen him loyally serving the Crown apart from a small blip when he needed to seek a pardon for his part in Gaveston's death which suggests he was involved in some respect.¹ After Thomas' death, Henry felt he was his brother's heir and should be restored to all that Thomas had once held. For obvious reasons this restoration did not occur immediately, but it was always Henry's objective, and though circumstances had worked against Thomas, they came to Henry's rescue; he made the right decision when he supported Edward III in 1327. The point of most danger came in the years dominated by Isabella and Mortimer. Initially, his support for the power behind the throne was profitable, and he achieved partial restoration of Thomas' lands. His unsuccessful rebellion in 1328-9, however, nearly ended with the confiscation of the earldom of Lancaster a second time. The fall of Isabella and Mortimer's regime was fortuitous for him, and whatever his actions had been in 1328-9 they had not permanently alienated Edward III, and during the remainder of his reign Henry's restitution to the respected ranks of the nobility

1 CP, vii, p. 397.

was completed. The national stage on which Henry walked is contrasted in this chapter with the regional picture offered by the honours of Tutbury and Leicester. A sample of tenants is taken to see if there was continuity under Henry and Thomas as there had been under Edmund.

Although brother to Thomas, Henry was not involved in his downfall. He was abroad at the time of Boroughbridge and though his lands were immediately seized, they were swiftly returned. Although he was married to Despenser's half sister, Maude Chaworth, it is unlikely that this would have saved him from any retribution had he been involved with Thomas' rebellion, family connections seemed to count for very little, and as always in civil wars the same families were on both sides. Thomas' family life was not a happy one, he was not close to his brother, and as Maddicott states, if Thomas could send out 750 letters in the year 1318-19 and not send one to Henry they were not in close contact.² It makes it all the more telling, therefore, that Henry sought revenge for Thomas' death when the opportunity arose.

The attempt to regain Thomas' lands began almost immediately; in June 1322 Henry petitioned unsuccessfully for the return of the county of Lancaster.³ In May 1323 he appointed Thomas le Blount and Richard de Rivers to prosecute his petition before the king and council for the return of the earldoms of Lancaster and Leicester. On 29 March 1324 this petition brought him the return of the county and honour of Leicester, apart from Kenilworth

² Fryde, pp. 72-3; Maddicott, p. 319.

³ Somerville, p. 31.

Castle, as well as lands in Northumberland which Simon de Montfort had originally held of the barony of John le Viscount. Orders were sent out to various keepers to deliver the lands of the honour of Leicester to him in the counties of Wiltshire, Southampton, Berkshire, Middlesex, Gloucester, Somerset, Dorset, Bedford, Buckingham, York and Derby; and a similar order followed on 4 June to the counties of Kent, Surrey, Sussex, Leicester, Norfolk, Suffolk, Cambridge, Nottingham, Oxford, Huntingdon, Essex and Hertford. The midland counties of Warwick, Northampton, Rutland, and Staffordshire go unmentioned in 1324 but there is no clear reason why this should be so. All of these counties had previously had keepers and surveyors appointed to them, Northamptonshire and Rutland as a pair, and the others individually, so they should have been delivered. A note of 10 May in the same year states that Henry ought to have 'the name and honour of Earl of Leicester' in future; Somerville asserts he was created earl on this date though other sources take his creation from 29 March.⁴ Henry had the honour of Leicester in his hands by 8 November 1324, if not before, since an order to hand over land to tenants in Warwickshire stated that the honour was held by him; on 11 November he is styled as Earl of Leicester in a document concerning Wells Cathedral.⁵ On 22 June 1324, not the 28 as Somerville states, Henry had livery of Godmanchester and the rent of the township of

⁴ Somerville, p. 31; CCR 1319-27, pp. 268, 284, 118-20, 139-40; HBC, p. 469; CP, vii, pp. 397, 548.

⁵ CCR 1323-7, p. 235; Calendar of the Manuscripts of the Dean and Chapter of Wells, i, Historical Manuscript Commission, xii (London, 1907), p. 494.

Huntingdon.⁶ All that had been regained by this date was part of the original grants to Edmund. There does not seem to have been any movement in 1325, apart from the charge of treason alleged against Henry for writing a letter of consolation to Adam Orleton, Bishop of Hereford (1317-27), using his brother's arms, and for setting up a cross to induce passers-by to pray for Thomas of Lancaster. Henry explained that he was merely trying to console the bishop and his words were not to be interpreted as treason; he maintained that he had adopted his father's arms which he held by hereditary right, not by right of his brother. Moreover, the cross had been erected to encourage people to pray for the soul of his brother, not to offend the king. No proceedings followed. Strangely, although the Vita Edwardi II implies that Henry was to be left behind in England to assist Prince Edward govern the realm whilst Edward II went to France to do homage for Aquitaine and Ponthieu, on 25 August 1325 Henry was granted protection for four months because he was going abroad with the king. In the event neither Henry or the king made the journey, Prince Edward was sent instead with disastrous results.⁷

In 1326 Henry immediately supported Isabella when she landed in England on 24 September; indeed Tout suggests that Isabella posed as the champion of the Contrarians and

⁶ CFR.1319-27, p. 286; Somerville, p. 31.

⁷ CPR.1324-7, p. 167; Somerville, p. 31 states that Henry was summoned for service in Aquitaine in August 1324; CP, vii, p. 398; Chronicles of the Reigns of Edward I and Edward II, ii, RS lxxvi, p. 280; Vita Edwardi Secundi, transl N. Denholm-Young (London, 1957), pp. 136-8, 140, 141; HBC, p. 250.

'avenger of the Martyr of Pontefract'.⁸ The king took reprisals against him; on the 10 October an order went out for Henry's Welsh lands to be taken into the king's hand, two days later keepers were appointed, and on 20 October orders were given to seize his lands in Wales and destroy them if the castles were not so delivered. Much of Henry's land lay in Wales due to his first marriage with Maude Chaworth, who brought him the lands around the castles of Kidwelly and Ogmore. Similarly, he had inherited other Welsh lands from his father, namely, Monmouth and the border fortresses of Grosmont, Skenfrith and Whitecastle, collectively known as the Three Castles. There were other lands from Maude in Hampshire and Wiltshire, and all his father's lands beyond Severn as well as Rodley and Minsterworth.⁹ The negative effect of an attack on Henry's Welsh lands, however, was more than compensated for by the rewards which his rapprochement with Isabella and Mortimer brought him. When Edward II panicked and he and the younger Despenser fled to Wales, he was captured, after an abortive trip to sea, by Henry of Lancaster on 16 November at either Llantrisant, or near Neath, the sources disagree; Edward was never free again. The younger Despenser was horribly executed at Hereford on 24 November, but Edward was taken to Henry's castle of Monmouth, and thence to Kenilworth where he remained in Henry's custody until 4 April 1327; Edward was removed from Kenilworth and Henry's custody at this date and taken to Berkeley Castle. Henry

8 T.F. Tout, 'The Captivity and Death of Edward of Carnarvon', The Collected Papers of Thomas Frederick Tout, iii, (Manchester, 1934), p. 148.

9 CFR 1319-27, pp. 418-9, 422; CPR 1324-7, p. 332; Somerville, pp. 8, 17-18.

does not seem to have played a part in Edward's death which probably took place on 21 September 1327.¹⁰ The commitment of more land to Henry must have been a reward for the active role he played in events. On 7 December 1326, the honours and castles of Lancaster, Tutbury and Pickering, as well as the manors of Melbourne in Derbyshire and Stanford in Berkshire were committed to Henry during the king's pleasure; a second commitment on 10 December placed the manors of Hartington, Crowdecote and Wirksworth in Derbyshire, Ridlington in Rutland, Bagworth and Lindridge in Leicestershire and manors in the counties of York and Buckingham in Henry's hands; this was not full restitution, he became keeper of these estates which were run for the king's profit, but at least they were under his control.¹¹

It is not known exactly when he was given leave to style himself Earl of Lancaster, but it was undisputed from the date of his attendance at a council meeting at Bristol on 26 October 1326, the meeting at which Prince Edward was proclaimed keeper of the realm for a month. Henry was formally restored to the title on 3 February 1327 by which date Edward III had been king for ten days.¹² On the same day Henry petitioned parliament to reconsider the judgement

10 Fryde, pp. 191, pp. 192-3; Murimuth, p. 49 states Edward sheltered in Neath Abbey, but Henry was sent by the queen to secure Edward 'with the aid of money' presumably a bribe; Ann Paulini, p. 319 states Edward was captured in Wales and led to the castle of 'Lantrosin' [Llantrisant] near 'Neiz' [Neath], they are about twenty-five miles distant from each other; *ibid.*, p. 333 Edward was at Lanthony Abbey on 5 April on his way to Berkeley; Fryde, p. 200 states Edward had arrived by 5 July; Kerr, p. 130; Tout, pp. 151-2.

11 CCR 1319-27, pp. 424, 429; Somerville, pp. 31-2.

12 CCR 1323-7, pp. 655-6; HBC, pp. 39, 468; Somerville, p. 32; M. Prestwich, The Three Edwards (London, 1980), p. 97.

passed on Thomas which had led to his execution and the disinheritance of his heirs. Henry asked that the chancellor find the records of the case and examine them in parliament so that any errors could be redressed, and right done to him as Thomas' heir and that he should have livery of his inheritance. The examination of the record took place and Henry pointed out the legal errors as he saw them. Firstly, that Thomas was accused of felonies and executed in time of peace, but was not arraigned or called upon to plead as law and custom demanded. Secondly, that the condemnation of Thomas went ahead without the lawful judgement of his peers, contrary to the law and Magna Carta; and that it was clearly a time of peace in which all this occurred because the law courts were still sitting and the king had never gone about the land with 'banners displayed'. In light of all this, the decision was taken to revoke the judgement on Thomas and annul it entirely; Henry was to be allowed to enter upon his inheritance and writs were issued to the chancellor and others to make the record and process void. It was only after this procedure that the usual inquisition post mortem was taken to find out exactly what Thomas had held on the day he died.¹³

In contrast to the inquisition post mortem of Edmund, that of Thomas as it appears in the calendar is very sparse. There is little detail supplied concerning the number of holdings and knights' fees, despite the fifteen inquisitions taken for the midland counties. The original documents have not stood the test of time well, even those

¹³ CCR 1327-30. pp. 105-6; RP, ii, pp. 3-5; Kerr, pp. 129-31; Somerville, p. 32.

which are legible are heavily stained and/or damaged.¹⁴ All Thomas was said to have held in Warwickshire, for example, was the castle of Kenilworth, which is obviously wrong.¹⁵ On 6 April 1327, before all these inquisitions were completed and returned to chancery, the escheator was ordered to deliver to Henry the lands late of his brother except the lands late of the Templars; homage was respited in this early order, but completed on 21 April when the order for delivery was repeated. This second order excepted the lands formerly belonging to the Templars once again, as well as certain Yorkshire manors and castles. Thus all the lands which Thomas had held in chief of the king on the day he died, apart from the noted exceptions, were returned to Henry's hand. Those who held the lands had to pay Henry any issues due from the time the land had been in the king's hand and which had not yet been accounted for at the exchequer, although Henry was not liable to pay anything for the lands with which he had been entrusted in December 1326; Henry also requested the return of Thomas' records at this time.¹⁶ This was a major step

14 PRO C 135/6 m 8, 9, 13, 14, 15, 16, 17, 18, 24, 25, 26, 27, 33, 34, 35, 36, 37; CIPM, vii, pp. 56-68, there were three in Derbyshire (p. 60, 12 March, 14 March; p. 65, 19 February); one in Leicestershire (p. 66, 28 February); four in Northamptonshire (p. 63, two on 14 March, and two on p. 64 16 April); two in Nottinghamshire (p. 62, 14 April, p. 65, 21 February); four in Staffordshire (p. 61, writ: 6 February, Inq: 12 March, 20 March, p. 62, two on 31 March) and one in Warwickshire, p. 65, writ 12 February, Inq 17 February); LRO BR I/2/17 a 1605 copy of the Leicestershire inquisition; Bateson, ii, p. 3.

15 CIPM, vii, p. 65; CCR 1323-7, pp. 235, 593.

16 CFR, iv, p. 33; PRO Ancient Petitions 8318, Rotuli Parliamentorum Anglie Hactenus Inediti 1279-1373, ed H.G. Richardson & G.O. Sayles, Camden Society, third ser, li, pp. 143-44; Somerville, p. 32; RP, ii, p. 430.

towards full restoration but it was not a complete one. The fate of the Templar possessions which Thomas had held, and the castles and manors in Yorkshire which had gone to the Earl of Surrey in 1316 was decided in 1328 when they were finally quitclaimed to Surrey on 2 March.¹⁷ There was another dispute over the Trowbridge manors which had gone to the Earl of Surrey in 1319 (Trowbridge, Aldbourne, Winterbourne Earls, Amesbury, Canford Magna, Shapwick, Henford and Charlton); this was not resolved until 1365 when John of Gaunt was fifth Earl of Lancaster.¹⁸ There remained the lands which Thomas had enjoyed as a result of his marriage to Alice Lacy; the earldom of Lincoln, and parts of the Lacy inheritance were not in Henry's hand. The claims of Alice, and her second and third husbands took precedence over any claim that Henry of Lancaster might have as has been explained in her chapter. Similarly, on 1 February 1327 some of the Lacy lands were granted to Queen Isabella, the queen mother, for her maintenance. She had to surrender the castle, honour and borough of Pontefract on 10 February 1330 so that they could be granted to Edward III's queen, Philippa; they were leased by the elder Henry from Philippa, and eventually restored to the Lancastrian inheritance in 1348 in the time of Henry of Grosmont, Henry's son and the fourth Earl of Lancaster.¹⁹

Up to 1327 then, the support which Henry had given Isabella and Mortimer during the deposition of Edward II,

17 Ancient Deeds, i, (London, 1890), p. 40, A 351 (PRO E 40); Somerville, p. 33.

18 Foedera, II, ii, p. 704; Somerville, pp. 35-6.

19 See Section II: 8, pp. 285-6, 288-9; CPR 1327-30, pp. 66-9, 500-501; Somerville, pp. 34-5; HBC, p. 468.

and Edward III's recognition as king brought its rewards. Henry had established the illegality of the treatment meted out to Thomas, and had achieved recognition of himself as his brother's rightful heir. Although he had not regained all that Thomas had once held, he had managed to secure the patrimony over which Edmund held sway. This progress was placed in the balance in 1328 and 1329; Henry almost fell victim to charges of rebellion, and all that he had regained faced renewed confiscation whilst the country could easily have slipped once again into civil war.

Henry of Lancaster's role in the politics of the last years of Edward II's reign and the beginning of Edward III's is important, but its precise nature is a difficult one to unravel from the conflicting evidence. He was active in the capture, and keeping of Edward II under guard in Lancastrian castles, and in working alongside Isabella and Mortimer as they established Edward III on the throne as described above. Yet in less than two years Henry had become the focus of opposition to the regime that he had helped to install. The reasons for his volte-face is one area under discussion. Though Henry incurred Edward III's displeasure between 1328-9, it was insufficient to do permanent damage to the personal relationship between king and earl once the regime of Isabella and Mortimer had fallen. Clearly, it was Henry's treatment at the hands of the new regime which led to his disenchantment.

Initially all had been well, Henry was close to the new king, had been present at Edward III's coronation on 1 February 1327, and bestowed knighthood upon him. Henry was

appointed the king's guardian and head of the council which was to assist the fifteen year old to rule. This advantageous position, however, was not one which he was destined to occupy for long. Henry was gradually excluded by Mortimer, who had no official role apart from the personal one he occupied by dint of his relations with Queen Isabella. Knighton goes further and states that Isabella and Mortimer contrived to completely usurp the authority which Henry had been given by the general consent of the magnates, so that he was prevented from giving the king his advice. Naturally, this loss of influence over the king led to resentment on Henry's part, offending his sense of duty, leaving him unable to fulfil the obligation laid upon him by the magnates, and even more worrying, preventing access to the king, the most valuable source of patronage in the land. This situation was compounded by the disastrous campaign against the Scots during July and August 1327; it ended with what many magnates regarded as the humiliating Treaty of Northampton, ratified in the parliament which sat between 24 April and 14 May 1328; the treaty seemed to grant the Scots all they had ever demanded. By mid-September, Henry had ceased to witness royal charters which suggests that his estrangement from court began at this time.²⁰

Another act which led to a further deterioration in relations between Henry and the government was Robert Holland's murder, Thomas' key retainer who had deserted

²⁰ CCR 1327-30, p. 100; Fryde, p. 218, Melsa, p. 358; Knighton, i, p. 447; CP, vii, p. 399.

before Boroughbridge. According to the Annales Paulini, he was on his way from Berkhamstead Castle to London (the Brut states he was on his way to London to see the queen) when he was attacked by a gang of men at Borehamwood in Hertfordshire on 15 October 1328; they killed and then beheaded him. Though nobody says so, the fact that he was beheaded after being murdered must have been a horrible parody of Thomas of Lancaster's death. The Calendar of Inquisitions Miscellaneous mentions the men involved as John le Irissche, John le Walssche, Thomas de la Panetrie and Thomas Polgrom. According to the Brut, however, the man responsible for the beheading was Thomas Wyther, who was hidden by Henry of Lancaster 'for drede of pe Quene', the latter had been close to Holland and wanted Wyther exiled. The Annales Paulini calls the perpetrator 'G. Wyther', knight, who, with his associates, was responsible for, not only decapitating Holland, but presenting the head to Henry of Lancaster; Knighton agrees that Thomas Wyther was the headsman. Wyther had a fairly long association with Thomas of Lancaster, certainly from 16 November 1318 when he was pardoned for being his adherent and probably earlier; he, and his brother, fought at Boroughbridge with Thomas and had made fine for three hundred marks to save his life after the battle. There is little doubt that Wyther was involved in the attack on Holland and Henry of Lancaster probably knew about it beforehand as Wyther was in receipt of a fee of £10 from him at the time of the murder. Henry assisted Wyther after the deed was done, as the Brut states, and in his turn Wyther supported Henry in

his rebellion later in the year.²¹ Indeed, considering the distance that there seems to have been between the brothers in life, Henry supported those who were keen to revenge Thomas' death with an alacrity that shows blood is thicker than water, and matters of principle and inheritance were more important than personal relations.

These incidents help to explain the breakdown in Henry's relationship with Isabella and Mortimer's regime, and he did not stand alone. The failure of the Scottish campaign in July and August 1327 probably accounts for the support that Henry had from Edward II's two brothers, the Earls of Norfolk and Kent. Not that their support was particularly long-lived, Kent made a last minute change of allegiance since he was still at court on 20 October 1328, but when he went over to Henry, Norfolk went with him.²² By early January 1329, around the time of the sacking of Henry's lands and after only three months of supporting Henry, they both returned to support Mortimer and the queen, accusing Henry of sedition 'to the best of their power'; they were not stalwart supporters, it is even a possibility that they were the eyes of the regime in Henry's camp. Nonetheless, according to Fryde, it was partly Kent's role in Lancaster's rebellion which eventually excited Mortimer's suspicions; Kent was executed

21 Fryde, pp. 217-9; HBC, p. 556; CIM, ii, p. 270; Brut, p. 257 dates Holland's murder 'at Michelmasse pat next come after' (29 September 1328) beside the town of St Albans; Chronicles of the Reigns of Edward I and Edward II; Annales Paulini, ed W. Stubbs, i, RS lxxvi, p. 342; Chronicon Henrici Knighton, ed J.R. Lumby, i, RS xcii, p. 449; CPR 1317-21, p. 229; CPR 1319-27, p. 155; Maddicott, 'Holland', pp. 469-70; see Appendix Four.

22 Fryde, p. 221.

for treason on 19 March 1330 after trying to find Edward II in Corfe Castle, so Mortimer must have seen Kent as a real threat.²³ Another matter for disenchantment with the government which worked in Henry's favour was the failure to come to a speedy agreement about the Scottish lands of the northern English lords. This grievance led Percy, Beaumont and Wake, the three lords whom the Scots particularly distrusted, to support Henry. Hugh Audley may have joined Henry because he had expected a larger portion of the Clare inheritance in 1327 and failed to achieve it; if Henry had been successful he would doubtless have been required to try and influence the king to change the division of this inheritance.²⁴ The families of Audley and Wake had further connections with the earls of Lancaster which provided another reason for their support. In 1297 the Audley family held a third part of the manor of Alstonfield, Staffordshire of Edmund; an Audley fought at Boroughbridge in 1322 with Thomas of Lancaster, although he died in prison in the same year.²⁵ Similarly, John Wake, father of Thomas, held land of Edmund in Atterton and Witherley in Leicestershire, and Brinklow in Warwickshire. Thomas Wake took an active role in Edward's deposition and was married to Henry of Lancaster's daughter, Blanche, so that there were family connections as well as those of shared endeavour and feudal ties.²⁶

23 Fryde, p. 222, 224-5; Holmes, p. 86; Knighton, i, p. 450.

24 Fryde, p. 220.

25 CIPM, iii, p. 314; E. Beresford, Memorials of Old Staffordshire (London, 1909), p. 35; see Appendix Four.

26 CIPM, iii, pp. 310, 320, 319; Northamptonshire Families, ed O. Barron (London, 1908), p. 318; Fryde, pp. 198-200; see Appendix Four.

Henry also had the support of a number of highly placed clerics. John Stratford, Bishop of Winchester (1323-33) had initially attended the parliament at Salisbury, but left it to join Lancaster, later an attempt was made to prosecute him for leaving without the king's licence. He was treasurer from 14 November 1326 to 27 January 1327, and was followed in this office by another supporter of Henry, Adam Orleton, Bishop of Hereford (1317-27; he became Bishop of Worcester 25 September 1327-33). Orleton was treasurer from 27 January until 28 March 1327 and was connected with the court as Mortimer's chaplain. He had accepted the see of Worcester by papal provision without the king's licence, and this had earned him Mortimer's displeasure, and was never a popular move with the court; Tout goes further and states he was 'a self-seeking ruffian'. Stratford had also obtained his appointment to the see of Winchester in this manner against the wishes of Edward II who withheld his temporalities for a year after his elevation in 1323. Stratford had been active in the deposition of Edward II and like Henry of Lancaster was disenchanted with the regime that he had helped to establish; like Henry too, he had the support of the city of London.²⁷ The sympathies of the Archbishop of Canterbury, Simon Mepeham, also lay with Henry, he attempted to mediate between the government and Henry in December 1328 and January 1329, though he did not meet with great success. Stephen Gravesend, Bishop of London, also

²⁷ Fryde, pp. 220-21; HBC, pp. 86, 105, 233, 250, 279; CPMR 1323-64, pp. 3-4, 68-9; Tout, p. 164.

supported Henry as did the clergy of the city.²⁸

Thus Henry's dissatisfaction with the regime of Isabella and Mortimer was plain. Moreover, it was a feeling shared by the other men who supported him. Fryde believes that the move from concealed to open discontent began around the time of the Salisbury parliament in October 1328, but it is more likely that there had been a growing breach between Henry and the court since the summer of that year. There are two versions of events which emerge from the evidence: that of the king and court, and that put forward by Henry. The creation of a balanced picture of the whole from the sources and the interpretations already made by other scholars of these events is not an easy task.

On 16 December 1328 the king sent a copy of the messages he had sent to Henry of Lancaster, to the mayor, aldermen, sheriffs and commonalty of London. These 'messages' referred to events as far back as the parliament at Northampton (24 April-14 May 1328) and make it clear that the king felt that Henry had taken the initiative and absented himself from the royal presence, rather than the king actively excluding him from it. In illustration of this point Edward states that in spite of Henry's agreement to the various matters raised in the parliament at Northampton: that the Bishops of Chester and Worcester should go to France and promote the king's claim to that kingdom; that magnates should assist justices to deal with felonies and trespasses in their areas (this was clause

28 Fryde, pp. 221; CPMR.1323-64, p. xxxiv.

seven of the Statute of Northampton); that the king should live of his own and that

the Earl of Lancaster should remain near the King to counsel and aid him, and that no important business should be done without the Earl, which duties the Earl undertook loyally to perform. Nevertheless, in spite of these ordinances and promises the Earl removed himself from the King and his Council.²⁹

The king's letter states that Henry had attended council meetings at Warwick and Worcester, but that the latter had changed his mind on the point of sending emissaries to France unless the matter was discussed at a larger meeting which he advised the king to hold at York. Henry had not attended the king in York, excusing his absence in letters and causing delay to the king's business, thus parliament was summoned to meet at Salisbury. On the king's journey south via Lincoln, Norfolk and London,

the Earl had appeared at Barlyngs [Barlings] with a retinue of armed and mounted men, to the great displeasure of the King, who ordered him by word of mouth to attend the Parliament at Salisbury.³⁰

In his interpretation of the king's letter, Redstone adds that the king

heard from Lancaster's own mouth that, in spite of the Statute of Northampton, he intended to go to the Parliament at Salisbury with a number of armed men.³¹

The Calendar of Plea and Memoranda Rolls does not mention this retort; if it is true, Henry and the king had a conversation of some sort, Henry was in a belligerent mood which took no account of what the law might say. The

29 CPMR 1323-64, pp. 78-9; Redstone, p. 162 states that the Bishop of Winchester was to go to France, this must be a misreading of the document; The Statutes of the Realm, i, (1810: repr London, 1963), p. 259.

30 CPMR 1323-64, p. 79

31 Redstone, p. 162.

king was at Barlings, a small hamlet north east of Lincoln, from 7 to 9 September according the Close Rolls, and Henry's action directly contravened the Statute of Northampton, as he obviously realised. The statute stated that unless on the king's business

no man great nor small, of what condition soever he be...be so hardy to come before the King's Justices, or other of the King's Ministers doing their office, with force and arms, nor bring no force in affray of the peace, nor to go nor ride armed by night nor by day...upon pain to forfeit their Armour to the King, and their Bodies to Prison at the King's pleasure.³²

Fryde comments that the Statute of Northampton may have been framed with the knowledge that discontent was growing within the country which made it 'an ominous threat'.³³ If anyone was tempted to arm themselves or their followers then the perpetrators of such acts would have broken the law and be liable to immediate prosecution on that ground alone. Strictly speaking then, Henry placed himself in the wrong by leading armed men on manoeuvres around the countryside; in addition he had been asked personally by the king to attend parliament in Salisbury, due to meet on 16 October. On 14 September, however, Henry sent the Bishop of Winchester and Lord Wake to a meeting at the Guildhall in London 'to talk over affairs of state'. This meeting is reported in two extant letters. The king reports it in his, and the mayor, aldermen and commonalty of London report it in a letter of explanation dated 27 September which the king had demanded of them after he had

³² CCR 1327-30, pp. 316, 421; Statutes, i, p. 258.

³³ Fryde, p. 218; CCR 1327-30, p. 477 illustrates that the statute was used against others, in this case the Archbishop of York and the Bishop of Durham who were making use of armed men in their quarrel.

learnt that Henry's representatives had attended such a meeting. By comparing the two letters, the omissions and differing interpretations in the king's letter are clear. He states that Wake and the bishop made certain allegations at the Guildhall,

that the King was badly advised, had no good council round him, had not the wherewithal to live, and paid nothing for the expenses of his household.³⁴

The letter sent by the mayor to the king stated the allegations of Henry's representatives much more fully,

that the King ought to live of his own and have treasure ready for dealing with his enemies, which treasure he did not possess; that it had been laid down at the Parliament of Westminster after the King's coronation that he should have around him certain prelates, earls and barons of his Council to advise him, and this had not been done; and lastly, that they desired that above all things the peace should be well kept in the kingdom.³⁵

The general thrust of lack of good counselling is accurately reported but the criticism about lack of money has been taken by the king, or those around him, to mean that he is unable to pay for his domestic expenses. Henry's representatives could have been inferring that Edward had no money to deal with external enemies, like the Scots, nor with internal enemies, like Mortimer. Henry's wish for the peace of the realm is omitted altogether from the king's version; indeed, the king was far more concerned that a number of foreigners were present in the Guildhall and that these criticisms of his government had been reported abroad to foreign powers 'to the great slander' of the king and did nothing for the promotion of his claim to

³⁴ CPMR 1323-64, p. 79.

³⁵ Ibid., pp. 68-9.

France. The Brut amplifies further on the abuses that had been brought to the attention of 'pe noble Erl'; payment for domestic needs were not fully met, Isabella and Mortimer earned the hatred of the populace due to the habit of their retinue taking prizes and paying little in return so that 'pe contre pat pai comen in were ful sore adrade' and the economies of these areas must have suffered; it also states the belief that the king should live of his own. The point about the counsellors appointed at the king's coronation not being allowed to undertake the role entrusted to them is made, and a general disgust is exhibited at the treaty with the Scots, plus criticism of the marriage of Joan, the king's sister, to David, son of Robert the Bruce which was seen as one of disparagement; and the way in which Edward II was removed from the custody of Henry of Lancaster, without recourse to parliament, and then traitorously done to death. The fault for all of these things is laid at the door of Isabella and Mortimer, the former is criticised for not returning lordships, rents, towns and castles that pertained to the Crown, and Mortimer is advised to go and live on the lands for which 'he had holpen disherite miche peple'. Whilst the Brut is partisan and favours Henry and his followers to the exclusion of all others, apart from the king who is excused all because he was 'ful zonge and tendre of age', the causes for remedy which it lays down as Henry's had some substance to them as is reflected in the letters from the Plea and Memoranda Rolls.³⁶

³⁶ Brut, i, pp. 257, 258-9.

To return to the king's letter, after the meeting at the Guildhall, the king states that Henry gathered men at arms at Higham Ferrers in Northamptonshire which the king learnt about whilst he was at Cambridge. 'In order to avoid the Earl', the king did not go on to London but joined the queen and queen mother, and stayed with them until he arrived in Salisbury for parliament.³⁷ The open discontent of which Fryde speaks at the Salisbury parliament, therefore, was another event in a series which had begun with Henry's non-attendance at the council meeting at York on 31 July 1328. Parliament sat from 16 to 31 October at Salisbury, but despite the king's personal request delivered at Barlings, Henry did not attend. The king's letter states that Henry sent 'certain knights as his proctors' to parliament with the reasons for his non-appearance.³⁸ These reasons did not go down very well and many thought they were insufficient for Henry to absent himself. According to the king, the bishops were also of this opinion, but did not like to say so openly and pressed the king to discuss the matter before a full council prior to making a decision, particularly as the Bishop of Winchester had missed the debate so far. When the latter did appear in parliament he stated that

he knew well that the Earl [Henry] had not come because of the quarrel between himself and Lord Mortimer. The Earl had heard, he said, that the Lord Mortimer had made peace in Scotland, in order to destroy him... The Bishop added that if an agreement could be reached between the Earl and Mortimer all would be well.³⁹

37 CPMR 1323-64, pp. 79-80.

38 CCR 1327-30, p. 396; CPMR 1323-64, p. 80, 82; Holmes incorrectly states that parliament rose on All Saints, 1 November when it did so on the eve of All Saints, 31 October; HBC, p. 556.

39 CPMR 1323-64, p. 80.

Here the main reason for Henry's discontent was brought out into the open, there was a deep divide between the two men and Henry's allegations of poor counsel and lack of money obviously rested on the foundation of his personal animosity towards Mortimer. The charge that Mortimer had made peace in Scotland only to free him to deal with Henry, may be what Henry felt to be true, but Robert the Bruce's illness and the government's increasing burden of debt were more likely reasons behind the treaty with Scotland.⁴⁰

According to the king's letter, Mortimer was called upon to defend himself against these charges, his explanation was accepted and he also denied that he wished harm to Henry or any of his party and took an oath to this effect on the cross of the Archbishop of Canterbury. Once again the king invited Henry to attend parliament in safety, and if there were any in the king's entourage that Henry distrusted the king would give him surety; the Bishops of London and Winchester were sent to Henry to convey this message and the news of what had occurred. According to the king's letter, this all caused grievous delay to the business which parliament had before it, part of which was the elevation of Mortimer to the earldom of March. Fryde suggests that if Henry knew of this scheme then he may have stayed away to show his disapproval of such an elevation.⁴¹ When the bishops returned, they brought not the earl but his denial that he was seeking his own profit, and a further claim that abuses remained which, in the interest of the whole realm, had to be remedied. Three of the four

⁴⁰ Fryde, pp. 216-7.

⁴¹ Ibid., p. 219.

abuses raised at this point had been raised before: that the king should live of his own, have the peers of the realm about him as chosen by the parliament of Westminster after his coronation, and maintain the peace of the realm. The new point concerned the queen consort, that she ought to have her dowry to live on without grieving the people. Henry went on, according to the king's letter, to state that he would come to parliament but asks the prelates and others to

excuse him to the King for coming with an armed force, since his motive for doing so was not any desire to disobey the King or to harm any one, but merely to protect himself against those who were notoriously anxious to do him a wrong. If the King considered he should come in any other wise, because of the danger of conflict, he prayed the prelates and magnates to obtain from the King letters of safe-conduct for himself and his party.⁴²

Henry's fears about those at court with whom he had quarrelled had not been allayed by Mortimer's oath. He knew it was wrong if he was asking to be pardoned for it, but he was not prepared to attend parliament without an armed force at his back, and he also realised that this might precipitate conflict. Having received the Bishops of London and Winchester and their message from Henry, the king answered each of the points which Henry raised. He agreed that he ought to be richer and if anyone could tell him how it might be managed he would be grateful, but all were 'impoverished by the present disturbances'; the matter of the queen-consort's dowry was a private one; and the king also wished to see the maintenance of law, order and peace in the realm, finally

As to the point that the King should be counselled by

the peers of the realm, summons had frequently been sent to the Earl, but he had been unwilling to come and had removed himself from the King.⁴³

The implication that it was Henry who had taken the initiative and chosen not to attend the king recurs time after time. The king was willing to have Henry attend him, but Henry was unwilling to do so whilst his antipathy towards Mortimer remained. It is possible that Henry truly feared for his personal safety, since Mortimer would not baulk at using unorthodox methods to be rid of opposition. Indeed, Edward III sat upon the throne because those about him did not baulk at using unorthodox methods; if kings had fallen, earls were of little moment. The king agreed to issue letters of safe conduct for Henry, on condition that he and his followers would answer at law. As a result, of course, Henry refused to accept them and on 31 October the king decided to adjourn parliament to meet again at Westminster on 9 February 1329. Thus the king planned to journey to London via Winchester

when news was brought to him that the Earl of Lancaster with others had entered the City of Winchester with a great force of men-at-arms and foot-men, and had gathered to himself large numbers of men in a warlike manner.⁴⁴

The king's letter is one of three documents which mention Henry and his followers at Winchester. Another royal version of events, called a memorandum by Fryde and a manifesto by Holmes which they both agree must be dated after 7 January 1329 but before the submission of Henry and his associates later in the month, also states that Henry

⁴³ CPMR.1323-64, p. 82.

⁴⁴ Ibid.

went to Winchester and had a strong armed force with him.⁴⁵ Redstone, in his interpretation of the king's letter, states that Henry arrived in Winchester with a great force which he assembled in front of the king's lodgings.⁴⁶ An inquisition of 28 November 1328 taken before the bailiffs of Winchester provides further details. It states that though Henry did not attend parliament in Salisbury, which convened on 16 October and rose on 31 October, he was nearby at Winchester from 30 October until 3 November. One issue is the manner of his arrival there, the royal versions suggest that Henry went there when the king did, whereas the inquisition states he was there the day before parliament rose; the attitude which he adopted whilst he remained there is another. According to the inquisition he was accompanied by Thomas Wake, Hugh Audley, and Roger de Grey, 'with their household' and they were unarmed, and all remained peacefully at Winchester during their stay.⁴⁷ Redstone implies that Henry had a force from London there under John de Bedford as well.⁴⁸ Two pieces of evidence agree and the third directly contradicts them. Given the uncertain situation, Henry and his men would be armed, yet even if they were not it would suit the court to allege that they were because it would put them in direct breach of the Statute of Northampton. Indeed, the king's letter states that he immediately ordered the sheriff of

⁴⁵ G.A. Holmes, 'The Rebellion of the Earl of Lancaster, 1328-9', *BIHR*, xxviii (1955), pp. 88-9 prints the 'royal manifesto' (PRO C 49/F6/13) and dates it to the second half of January; Fryde, p. 219, her reference of C 49/6/13 is now invalid at the PRO.

⁴⁶ Redstone, p. 163.

⁴⁷ *CIM*, ii, p. 258; see Appendix Four.

⁴⁸ Redstone, p. 163.

Southampton to arrest all those who carried weapons against his prohibition and the statute. Fryde feels that the bailiffs on the inquisition may have been swayed by the knowledge that John Stratford, Bishop of Winchester, supported Henry. It was a dangerous game to support the wrong side, and would have been risky for the bailiffs to give a favourable account of Henry merely to accommodate the bishop, but it is a possible explanation of the contradiction. Had Henry's entourage made a nuisance of themselves and indulged in the damage of property that was later alleged against them, it is unlikely that even the bishop could have prevailed upon the bailiffs to stand by a false account; Henry's men probably were armed but they must have behaved with discretion in Winchester at least.⁴⁹ The king's attempt to arrest Henry and his followers was met by a stalemate, although the sheriff conveyed his orders to Lord Wake, Henry's men refused to move until they were ready; just as the king was making his entry to the city on 3 November

the Earl and his armed following left the City and passed by the side of the King, which was seen by some of the King's household, who told him what they saw, an action which the King regarded with great displeasure as being done against the peace and his own honour, and in despite of him.⁵⁰

Not surprisingly, the royal memorandum supports the king's account and states that Henry and his followers met with the king's retinue on the way to London, and an 'armed demonstration' was made by Henry. As it failed to impress the king or move him to support Henry, he withdrew to his

49 HBC, p. 556; CIM, ii, p. 258; Fryde, pp. 219-20; Prestwich, Three Edwards, pp. 111-12; C 49/F6/13.

50 CPMR 1323-64, p. 83.

midland holdings to gather his men.⁵¹ Henry was playing a dangerous game here, one more hazardous than previous historians have made out. This parade past the king and his household was the second such show of force in which Henry had indulged. He had openly reported to the king that he was armed and he re-emphasised the point by this carefully timed exit. There was a very real danger that civil conflict was imminent, Fryde states that Mortimer was gathering troops at Salisbury who remained in his pay until the crisis was over in January 1329.⁵² Redstone goes so far as to suggest that Mortimer actually broke up the parliament by armed force, though there is no record of this in the king's letter, and it would not make sense to omit it when Mortimer could be portrayed as the man of the moment, fighting off Henry's armed men. It would also have strengthened the king's hand in his dealings with the officers of the city of London who were constantly assuring the king that they were not involved in conspiracies against him and were totally loyal. The king must have heard that the city supported Henry, indeed, the Brut states that Henry had six hundred Londoners at his command, though Redstone insists they only ever numbered one hundred. A letter that the city wrote to the king on 18 November 1328 was quick to deny all knowledge of a body of horsemen going in arms to Winchester and terrorising the country through which it passed. When it is laid beside the evidence from the Brut, however, it seems that there was something in the king's allegation which is further

⁵¹ Fryde, p. 221.

⁵² Ibid., p. 220.

confirmed by the appearance of John de Bedford on the list of those men at Bedford with Henry in January 1329. Bedford is identified by Redstone as Henry's captain of mercenaries.⁵³ It is unlikely that conflict erupted at Salisbury, the prelates were constantly urging caution and Henry probably hoped that a show of force would be sufficient to win his point. Fryde argues that Henry's stance over the Salisbury parliament was an attempt to reassert his personal influence over the king, if so it was not a success and escalated rather than diffused the situation.⁵⁴ Henry was as dogmatic in his view of the country as a whole as the king was in his. Salisbury was make or break from Henry's point of view, it provided the forum to show the king that he was not going to change his attitude. The underlying quarrel with Mortimer would have to be solved before there could be agreement elsewhere. The Bishop of Winchester had been correct in his analysis of the situation.

Henry must have gone from Winchester to Hungerford since he wrote a letter on 5 November 1328 from there to the mayor, aldermen and commonalty of London in which he states that

he had been at Winchester and had signified his good intentions to Parliament in the most obedient manner, but had not obtained a hearing; and when he was about to offer his services to the King, he found that Parliament had been adjourned to London, because they had no wish to see him there (at Salisbury).⁵⁵

This letter does not tally with the account given in the

⁵³ Redstone, p. 160 does not footnote this statement, *ibid.*, pp. 152, 163; Brut, p. 260; CPMR 1323-64, pp. 69, 73-4, 84; CIM, ii, pp. 274-5; see Appendix Four.

⁵⁴ Fryde, p. 218.

⁵⁵ CPMR 1323-64, p. 72; Redstone, pp. 160-61.

king's letter of 16 December. Whilst the king maintained that despite being ready to receive Henry, the latter refused to appear, this letter implies that Henry had been deliberately snubbed and prevented from attending parliament. Henry's letter goes on to say that the Earl of Kent had told Henry things which he could not commit to paper, but which the bearer of the letter would relate; and he had gone to his own lands on the advice of the prelates and the Earl of Kent (who was supporting Henry at this stage). The letter ends by reiterating that he, like the city of London, was loyal and had the welfare of the king and the country at heart. Redstone suggests that the information too risky to write down must have been details about Kent's plot to restore Edward II. The question that comes to mind, however, is why would Kent involve Henry in such a plot when Henry had helped to depose Edward, and if it was information concerning Edward II why would Henry tell the city about it? Fryde states that Kent had been ambivalent about Edward II but even so news of his death may have made him 'permanently disaffected towards Mortimer', in contrast Tout describes him as 'stupid and unpopular'.⁵⁶ If Kent were involved in such a plot he may have felt that Henry, as the new centre of government opposition, was the obvious person to turn to for assistance; and as the city supported Henry then he in turn might look to London for help. If the matters which could not be written about did concern Edward II, however, it would be logical to conclude that action would have been

⁵⁶ Fryde, p. 217; Tout, p. 172.

taken speedily; but by the time Kent actually went in search of Edward II it was sixteen months after Henry had written the letter of 5 November. Kent was executed on 19 March 1330 for trying to find Edward II in Corfe Castle where, according to the Fieschi letter, Edward had been after he had escaped from Berkeley Castle, officially the scene of his death.⁵⁷ Similarly, if Kent had had such a scheme in November 1328 it is difficult to account for his desertion of Henry in January 1329. It is always possible that the matter which could not be written down did not concern the plot to free Edward II, but then there is a question mark over what other matter Kent could have known about that Henry needed to tell the city and was so delicate it could not be committed to paper. The other interesting point about Henry's November letter is that he does not mention meeting or brushing past the king's retinue as he left Winchester. If it is true, however, that Henry and the king had a conversation outside Barlings in Lincolnshire to the effect that Henry would be armed despite the Statute of Northampton, the armed ride out of Winchester can only be interpreted as a snub for the king and Mortimer. So Henry's view of why he did not attend parliament and the king's view of it were rather different. The king obviously refused to acknowledge that the quarrel with Mortimer was sufficient cause for Henry to absent himself from his proper role in government, indeed, according to the king's account Mortimer had taken an oath

⁵⁷ Fryde, pp. 225, 204-5; Brut, i, p. 264 records the rumour that Edward was alive in Corfe Castle, but states that it was untrue and Kent was deceived by it.

to illustrate his good will in the matter. Similarly, Henry felt that he was being prevented from acquitting his role in government properly, and felt that there were abuses that needed remedy. The reason for much of this stance must lie with his belief that Mortimer was not to be trusted and possibly wished to do him real harm.

In the first week of December the court remained near London, but by the second week it had moved to Gloucester and remained there or in Worcester for the rest of the month according to Holmes. The latter suggests that the court moved to this area because the marcher estates of Mortimer were within easy access if Henry ever attacked.⁵⁸ The king's letter was written from Gloucester on 16 December, the opening states that the king had sent certain messages to Henry but instead of answering the king as he promised, Henry

had moved from Leicester to Kenilworth and was now advancing in force against the King, to whom he would have done an injury, if he could have taken him unawares. Though the Earl and his party declared they were acting in the King's interests, and that their movements were directed not against him, but against certain of his subjects, the King considered that their proceedings would result in grave disorder, and thus directly affected him. In any case it was not their duty, but his, to act as judge and do justice.⁵⁹

The king ends by hoping that the city of London would not assist Henry and ordering that the messages which he had sent to Henry should be publicly proclaimed. These messages have already been discussed and were issued in response to Henry sending his envoys, Ralph Basset and

⁵⁸ Holmes, p. 85, CPR-1327-30, p. 342 has entries dated at Abingdon and Cirencester on 10 December when chancery, if not the king must have been in those places.

⁵⁹ CMPR-1323-64, pp. 77-8

William de Clinton 'recently' to the king at Westminster, probably between 21 November and 1 December. Basset and Clinton repeated the message carried to the Salisbury parliament by the Bishop of Winchester,

that an agreement was possible if the Earl of Lancaster and the Earl of March could discuss their differences together.⁶⁰

Once again there is evidence of personal differences between the two earls that needed settlement as well as the other criticisms of the government. They asked the king to call a council meeting at which the two could come together. The king, however, was not impressed with the envoys' line of argument. He felt that Henry's trespasses were against himself and therefore 'amends should be made to him alone'. The letter implies that the king issued the messages against his better judgement and only so that 'the Earl may be better disposed to make his submission'.⁶¹ The king was not prepared either to deliver Mortimer to Henry or vice versa; he stood between them and despite all Henry could say, refused to see his stand as anything other than a means of potential disorder. Despite the evidence that Henry was arming, the king did not suggest he was about to retaliate in kind, although as pointed out above Mortimer was certainly gathering troops from October 1328. The commonalty of London sent word to the king around 21 December that his messages had been publicly proclaimed on 20 December and that the earl would reply to the king's message once he had consulted with his peers. They

60 CMPR 1323-64, p. 78; CPR 1327-30, p. 339-40; Holmes, p. 85.

61 CMPR 1323-64, p. 78.

reaffirmed the loyalty of the city and wanted all 'emnities' to cease until they could be redressed in the approaching parliament.⁶²

In mid-December, according to Holmes, the Earls of Kent and Norfolk, whom he calls 'two of the more disinterested peers' but who were both openly supporting Henry at this time, launched another negotiation attempt.⁶³ Holmes states that they sent out a letter to the prelates, probably a circular. It asked them to attend a meeting in London at which they would discuss events, plus the feeling that the king was breaking Magna Carta and his coronation oath. This latter comment indicates their anti-government stance at this time. As a result of this summons the Bishop of London and the Archbishop of Canterbury arrived in London on 18 December; Thomas Wake, William Trussel and Thomas Roscelyn, Henry's followers had probably joined them by 21 December. On 22 December the mayor, aldermen and commonalty of London wrote to the king again and on 23 December Simon Mepeham, the Archbishop of Canterbury, also wrote to him, both proffered the same advice, that

it was now common knowledge that the King had been advised to advance in force against certain peers...to the great peril of the realm, the Archbishop earnestly prays and admonishes the King to desist from these intentions until the meeting of Parliament at Westminster, at which any peer or other who had offended might make amends and be punished according to due process of law.⁶⁴

This letter reached the king at Worcester and conveys the urgency of the situation and the threat to peace that the

⁶² CMPR 1323-64, pp. 83-4

⁶³ Holmes, p. 85.

⁶⁴ Holmes, p. 85; CMPR 1323-64, pp. 84-5; see Appendix Four.

quarrel between Henry and Mortimer posed. The advice to move against Henry must have come from Mortimer, and the Archbishop's insistence that the king leave discussion to parliament, like the city of London's before him, shows the general unwillingness for the situation to degenerate into civil war as it had in the last months of Thomas of Lancaster's career. Equally, the insistence that 'certain peers' be punished according to the due process of law reflects the reluctance to countenance another rash of summary executions as had occurred in 1322. The king replied to the mayor, aldermen and sheriffs of London on 29 December from Worcester. He stated that he would advance from Worcester to Leicester via Warwick to deal with 'those who are laying waste the country' but that he was willing to pardon all those who would surrender to him before 7 January 1329, apart from Henry Beaumont, William Trussell, Thomas Roscelyn, and Thomas Wyther, the latter being the suspected murderer of Robert Holland.⁶⁵ Clearly, in comparison with these, Henry's offence was not that severe. Having kept Christmas at Waltham, Henry arrived with a large following in London on 1 January, and met with the Earl of Norfolk at Blackfriars after his meeting in St Paul's.⁶⁶ The royal memoranda states that Henry, Wake 'and others' swore an oath on the gospels at St Paul's in the presence of Kent and the Archbishop of Canterbury that they had not

done anything against the estate of the King or to the dishonour of his royal lordship and the damage of himself his mother or anyone else.⁶⁷

⁶⁵ CMPR 1323-64, pp. 85-6; see Appendix Four.

⁶⁶ Ann. Paulini, i, p. 343.

⁶⁷ Ann. Paulini, i, p. 344; Fryde, p. 222; Holmes, p. 86.

On 2 January another meeting was held at which the decision was taken to send the archbishop, the Bishop of London and the Earls of Kent and Norfolk as envoys to the king with news of the oath Henry and his colleagues had sworn.⁶⁸ According to the royal memoranda, the king did not accept the oath and even suggests that Henry broke it. Holmes states that the initiative was taken by the court which stayed at Warwick between 30 December 1328 and 1 January 1329, journeyed to Kenilworth Castle, where the king and his servants were refused entry, and on to Coventry between 2 and 4 January; it finally arrived in Leicester on 6 January.⁶⁹ By this time Kent and Norfolk returned to the king and Knighton sees this as the reason for Henry's defeat; similarly, Fryde suggests that it was their movement back to court which gave Mortimer the encouragement to mount an attack on Leicester. The royal memorandum also accuses Henry of destroying the property of the king and others as he went about the country as well as spreading anti-government propaganda, encouraging the king's subjects to rebel against him, and moving about the country dressed as friars 'condemning and mocking' the king. This latter charge echoes the fixation that Edward II had about Contrariants dressing up as friars after Boroughbridge.⁷⁰ Knighton claims that Henry's lands endured a week of destruction by the royal army beginning on 4 January, three days before the deadline for surrender, and according to the Calendars of Patent and Close Rolls

⁶⁸ Ann Paulini, i, p. 344.

⁶⁹ CPR 1327-30, pp. 343-5, 355.

⁷⁰ C 49/F6/13, 'despissant et mokant'; Fryde, pp. 219, 221; Knighton, i, p. 450; see Section II: 7, pp. 238-9.

whilst the king was still in Coventry.⁷¹ This does not mean that the attack could not have taken place before the deadline, and Fryde believes that Knighton is telling the truth here, it is just that it would have meant that the king had not kept his word.⁷² With the situation as delicately balanced as it was it would seem an unnecessary risk for the king to renege on his promise of pardon for all who submitted before the 7 January, particularly as his itinerary was exactly as he laid down in his letter of 29 December. There is always the possibility that the attack went ahead early despite the king's objection; with Mortimer involved the king may have been unable to hold him back. Whenever the attack took place it was severe, Knighton states that Leicester and the lands around it underwent a pillage in which the royal force destroyed

woods, parks, vineyards, ponds, fisheries,...they led away whatever was precious or their vile hands came upon: gold, silver, corn, appurtenances, beds, tables, weapons, vestments, game, farm animals, sheep, oxen, geese, hens, [and] church ornaments.⁷³

The attack went ahead, but did not improve the situation. What happened after it depends on the date that Henry made his submission; there are two possibilities. According to the Patent and Fine Rolls chancery was in Leicester from 6 to 11 January with a document issued from both the Tower of London and Leicester on 11 January. Similarly, there are documents issued from both Leicester and Bedford on 12 January. Chancery was also in Bedford later in the month; it moved to Northampton between 14 and 17 January; Newnham,

⁷¹ CPR 1327-30, pp. 343-4, 355.

⁷² Fryde, p. 222.

⁷³ Knighton, i, p. 450, my translation.

from 18 to 19 January, with entries dated at both Newnham and Bedford on 20 January (this may be explained by the business of the day beginning in one place and ending in another); on 23 January it was at Dunstable and from 24 to 25 January it was at St Albans with a further two entries for Dunstable and St Albans on 26 January. Given that the location of chancery and the king is the same, the movement of chancery provides two possible dates for Henry's submission: 12 or 20 January. The Brut states that the retinues of Mortimer, Isabella and the king formed

an huge ost; and pai conseilede pe Kyng so pat oppon a nyght pai ryden xxiiij [myle] toward Bedford pere pat pe Erl of Lancast' was wip his company, and poght haue him destroyed. and pat night she [Isabella] rode biside the Kyng her sone, as a knyzt armede, for drede of Dep. And hit was done pe Kyng Edward to vnderstond, pat pe Erl Henry of Lancastre & his companie wolde haue destroyed pe Kyng and his conseil for euermore, wherefor pe Kyng was somedel towards him heuy & annoiede.⁷⁴

If Henry submitted on 12 January the length of the journey between Leicester and Northampton that the royal forces had to cover was about thirty-one miles, rather than the twenty-four mentioned by the Brut, but although the distance is greater, this fits with the notion of punishing Henry by the devastation of his lands and then confronting him straightaway. Henry could have submitted on 20 January, with the royal force riding about twenty-eight miles from Newnham; there are several places of this name, but that in Northamptonshire seems the likeliest location of the court. It would seem most logical, however, to move towards Henry immediately after the blow against Leicester had been taken, thus his submission probably took place

⁷⁴ Brut, i, p. 260.

around 12 January, but not 13 January as stated by Redstone, there does not seem to be a document issued from Bedford by chancery on that date and Redstone does not footnote his suggestion.⁷⁵ The Brut lays the blame for the military move against Henry very squarely on the shoulders of those about the king, namely Mortimer and a very active Isabella, if the Brut's account of her dressing as a knight is true. The chronicle also intimates that the king was misinformed about Henry's motives, but as a pro-Lancastrian document it reflects Henry's point of view rather than that of the court.⁷⁶ The Brut provides an indication of the composition of the royal force, that is the three retinues of the king, Mortimer and Isabella.⁷⁷ Five inquisitions dated between 13 and 16 February 1329 list some of the men who accompanied Henry at Bedford; if Henry is counted as well, there are eighty-nine men named, plus 'the brethren' of Radcliffe, county Lancaster. Moreover, one of the inquisitions, dated 13 February, states that Henry and his followers were at Bedford on 8 January 'armed to the terror of the people'. They were bearing arms against the king, thereby breaking the Statute of Northampton, and were lodging in the town 'against the will of the commonalty'. Once again the Statute of Northampton is used against Henry and his followers. Sir Thomas Roscelyn, and others who were not identified, arrived at night, broke down his doors

75 CFR-1327-37, pp. 116, 117; CFR-1327-30, pp. 344, 346, 347, 356, 357, 358, 359, 422; Redstone, p. 163; there are places called Newnham in the counties of Gloucester, Hampshire, Hertford, Kent, Cambridge.

76 A. Gransden, Historical Writing in England, i.i.c. 1307 to the Early Sixteenth Century (London, 1982), p. 74.

77 Brut, i, p. 260.

and kidnapped the sheriff, Sir John Mareschal, detaining him against his will for a day and a night. Since the sheriff was both a member of the commission appointed to look into this matter and the inquisition was taken in front of him, it is not surprising that the resulting document talks about Henry and his followers in scathing terms, though it has to be said that kidnapping is a terror tactic and illegal.⁷⁸ The sheriff also had difficulties with the other officers of the town, a commission of oyer and terminer was issued on 6 June alleging that the mayor and the bailiffs of Bedford had resisted him in the execution of his office. If they would not act with the sheriff they might well have been acting with Henry.⁷⁹ Mortimer and the royal force were in the environs of Leicester at this date, whether the armed attack took place before or after the 7 January as discussed above. From withdrawing to his own lands to gather troops, as he said in his November letter written from Hungerford, Henry was then reported by the king as having moved from Leicester to Kenilworth from whence the king alleged he was advancing on him in force in mid-December; he kept Christmas 1328 at Waltham and on 1 and 2 January 1329 he was in London. London to Bedford is about fifty miles and he was there by 8 January, one day after the promise of pardon had expired. Bedford to Leicester is about thirty-one miles, not that far distant, yet if Henry submitted to the king on 12 January it must mean that for four days Henry made no move

⁷⁸ CIM, ii, pp. 274-5; see Appendix Four.

⁷⁹ CPR 1327-30, p. 431.

to go to the defence of his lands around Leicester.⁸⁰ The royal force did not catch Henry's force on the hoof at Bedford as it moved north; he had been sitting there for days. It is difficult to know whether he was expecting action from the king because he had not taken advantage of the pardon or whether he was returning north at a leisurely pace. The reasons behind Henry's stay at Bedford may have been similar to the reasons for his submission. If he knew that the royal force was attacking his lands and he went to their defence, it would have brought him and his followers into conflict with that force and probably with the king. At all times Henry had refused to blame the king for what was going on around him, and although this was often the cry of those who had stood in opposition before him, Henry may have meant it. Given the fate of his brother, Henry was unwilling to confront a royal force and risk bloodshed and charges of treason; and even if Henry himself did not feel this, a sufficient number of his followers may have done so which made any kind of military move impossible. Henry must have hoped that sabre rattling would be sufficient to cause the removal of Mortimer and his own reinstatement in the king's good graces at the very least, but in this he was wrong. He underestimated the hold that Mortimer and Isabella had over Edward III. If Henry submitted on 12 January, he did not do so because of the sequestration of his lands. On 16 January 1329 the king ordered all sheriffs to take the castles, manors, lands, goods and chattels of Henry and his associates into his

⁸⁰ CIM, ii, p. 258, 274-5; CPMR-1323-64, p. 72, 77; Ann Paulini, i, p. 343, 344.

hand because of the 'trespasses and excesses' which they had committed, and further that they had been

opposing the king contrary to the statutes published by the common council of the realm, and their disobediences [sic]⁸¹

Interestingly, Henry and his followers are presented as acting against the king, and as lawbreakers, particularly the Statute of Northampton no doubt, the record makes no allusion to Henry's call for reform or his stand on principle as might be expected. The loss of their lands was not a means to increase the pressure on them to surrender if they had already done so by 12 January, it was a means of punishment. Yet in the last days before Boroughbridge, Thomas of Lancaster and his followers had had their lands confiscated before the final reckoning, and if Edward III's mind was working the same way as his father's, it makes the 20 January look a more likely date of submission for Henry. Fryde suggests that Henry and the others saw that they could go no further with their quarrel unless they were prepared to fight against the king; plus the desertion of Kent and Norfolk and their accusations of sedition may have encouraged Mortimer, and she states 'his followers were obviously abandoning him'.⁸² Whilst Fryde's first two points are certainly admissible as reasons for Henry's submission, the desertion of his followers is not necessarily true. The list of men at Bedford is substantial and all of his main followers are named, the Earl of Athol, Audley, Wake, Beaumont and so on, as well as John de Bedford, the leader of Henry's London mercenaries.

⁸¹ CFR 1327-37, iv, pp. 116-7.

⁸² Fryde, p. 222.

A further fourteen names associated with Henry are to be found on the Close Roll as they acknowledged the fines which they were owed to the king, this brings the total number of men associated with Henry to over a hundred.⁸³ They may have arrived at Bedford with Henry and deserted him as the 12 January approached, but there is no suggestion in the chronicles that there was wholesale desertion and none of the outrage that surrounded Robert Holland's desertion of Thomas of Lancaster. The only men who deserted Henry were the king's uncles, the Earls of Kent and Norfolk.⁸⁴

To return to Henry's submission, there was obviously a negotiatory role played by Simon Mepeham, the Archbishop of Canterbury, though interestingly the Brut states that it was the 'Erl Marchal' that is the Earl of Norfolk, and the Earl of Kent who took messages between the king and Henry 'pat pe Kyng grantede him his pees'.⁸⁵ Perhaps having had a foot in both camps they were as good as anyone to help the two sides reach an agreement. The actual submission was in the form of an oath in which they were under pain of loss of life, limb, lands and tenements if they caused any more trouble, and on top of this there was a fine which varied from person to person. Henry was fined £30 000 according to the Close Roll entry of 9 February, though the Brut states it was a 'raunson' of £11 000, the chronicle is more likely to be inaccurate here and this points to the dangers of relying too heavily on chronicle material.⁸⁶

83 CIM, ii, pp. 274-5; CCR 1327-30, pp. 528-30.

84 Knighton, i, p. 450; Redstone, p. 163.

85 Brut, i, p. 260.

86 CCR 1327-30, p. 528; Brut, i, p. 260.

For Henry de Ferrers it was 2 000 marks, for Hugh de Audley £10 000, for Thomas Wake 15 000 marks, for the Earl of Athol £ 5 000 and so on down to a fine of a hundred shillings levied on Nicholas Whittyng'. Of the thirty-one men named on the roll all were fined; fourteen were from midland counties and ten of these were from Leicestershire. It is dangerous to draw too much from such a small sample but it is clear that the midlands remained as important to Henry as they had been to Simon de Montfort sixty-four years before for the recruitment of men. There is also a note dated 12 December 1330 stating that the men involved at the riding at Bedford

with the intention of doing certain things against the estate of us and our realm, as was surmised by Roger de Mortimer, our late enemy: we therefore order the chancellor to cause them to have letters of pardon and release of their ransoms under the great seal.⁸⁷

The nullification indicates that by the end of 1330 Mortimer was squarely blamed for the belief in the belligerent intentions of Henry and his followers. The daunting fines of February 1329 were reduced for some at the beginning of 1330, or the men were granted assistance to pay them. Hugh de Audley, for example, was originally fined £10 000, 3 000 marks were remitted on 24 April 1329, and a further 2 000 were remitted on 26 January 1330 of the 12 000 he owed.⁸⁸ Once Mortimer had fallen, however, they were wiped out between 5 December 1330 and 22 January 1331.⁸⁹ The restoration of lands came more swiftly,

⁸⁷ CCR 1327-30, p. 531; see Appendix Four.

⁸⁸ CPR 1327-30, pp. 484, 472, 474, 547.

⁸⁹ CPR 1330-34, pp. 28, 33.

presumably once those involved had made arrangements to pay their fines; Henry was restored to his lands on 6 February 1329 and this was followed on 9 May 1329 by the grant of all the liberties and free customs that Edmund of Lancaster had enjoyed.⁹⁰ Henry was restored to favour of a kind to be given such a grant only four and a half months after causing a major political crisis, moreover, he was described as 'our faithful man' and this whilst Mortimer was still active at court. This is another proof that Henry had not alienated Edward III and that the king enjoyed some independence of action; it seems an unlikely gift to have been bestowed on Henry through the patronage of either Isabella or Mortimer. There were those, of course, who were exempted from the pardon granted to the majority of Henry's followers in January 1329, Knighton names Henry de Beaumont, Thomas de Roscelyn, William Trussell and Thomas Wyther; the Brut adds Fulk Fitz Warin, and a further hundred knights who were exiled because Mortimer coveted their lands. This allegation is supported somewhat by the fines levied on two of Henry's followers, part of their fine was to be paid to Mortimer on behalf of money owed to him by the king, and this may have left the door open for him to distrain their lands if the money was not forthcoming.⁹¹ It seems unlikely, however, that a

⁹⁰ CCR 1327-30, p. 433; LRO BR II/3/2 (VB f 40 no.28); Bateson, ii, p. 9; CPR 1327-30, pp. 458-9 exemplification of a charter of Henry III of 24 January 1236 when these rights were granted to Robert, Earl of Leicester, confirming the grant for Roger de Quincy, Earl of Winchester who died in 1264, yet the exemplification is dated 12 November 1329.

⁹¹ Knighton, i, p. 451; Brut, i, pp. 260-1; CCR 1327-30, p. 529.

hundred knights were forced abroad as well; the documented number of Henry's adherents is over this number, though not all are knights. The five men named fled abroad to France and waited for better days. Nonetheless, after Mortimer's fall and their return to the country, Roscelyn and Beaumont were certainly restored to their lands in December 1330.⁹²

For some authorities the rebellion of Henry of Lancaster hardly merits the term, but this detailed study of the events of 1328-9 show that Henry was deeply committed to his point of view and truly felt that he had a justifiable grievance, particularly in his complaints against Mortimer. The way in which he went about drawing the king's attention to his problems was not the most politic, but Henry had probably tried impassioned pleading with the king which had fallen on deaf ears, if indeed, he had been allowed private access to the king at all. The aims of those involved in the conflict are said to be unclear by Fryde; she suggests that if Henry aimed at regaining control of the king he failed, but as he did not permanently alienate Edward it was impossible for Mortimer to remove Henry from the political scene. The emphasis here needs re-adjustment; there is more in the personal animosity which Henry had towards Mortimer than Fryde suggests. Obviously, by removing Mortimer from the political scene, Henry would have had greater influence over the king, but this was a secondary concern to ousting Mortimer. Given the basically personal nature of the rebellion it is not surprising that Edward was not

⁹² CCR 1330-33, p. 79.

alienated. Though Mortimer may have tried his best to make the official record present Henry's actions in the worst possible light, his execution for treason like Thomas of Lancaster was never an option. Further, there can have been few who wished to see a return to the situation of 1322, the nobility were not prepared to accept a repeat performance, and Henry had considerable support, the city of London, a number of highly placed clerics and lay support.⁹³ There is little evidence that Henry was deserted by his key supporters, all the powerful men who followed him received fines, and some of the lesser ones as well according to their means.⁹⁴ Fryde provides no evidence for her comment that Henry submitted because his followers were 'obviously' abandoning him; the only obvious pair of deserters were Kent and Norfolk and much good it did them. The royal memoranda of January 1329 lays great emphasis on the fact that the seizing of the estates of Henry and his followers was a temporary measure to ensure their co-operation and not permanent confiscation.⁹⁵ All these factors helped to save him from complete destruction in 1329, plus a growing realisation amongst the governing classes that the regime of Isabella and Mortimer was not much of an improvement on what had gone before.

Fryde states that Henry may have played a more important part in the overthrow of Mortimer than the sources relate. She puts forward the fact that he acted as a surety for Gregory Foriz when he was on trial for murder

⁹³ See above pp. 305-8.

⁹⁴ CCR-1327-30, pp. 528-30.

⁹⁵ PRO C 49/F6/13.

in the court of the King's Bench. Foriz was an associate of William Aylmer and it was Aylmer and the Dunheved brothers who had tried to free Edward II from Berkeley Castle on 9 July 1327. Thomas Dunheved was a Dominican friar, the king's former confessor, and an ambassador to the papal court whence he had been sent to try and obtain a divorce for Edward II and Isabella according to the Annales Paulini; Stephen Dunheved had been a landholder in Warwickshire, but had had to abjure the realm for felony in 1321. They may have managed to free Edward II from Berkeley castle for a short while before he was re-captured and murdered. It is possible that there was a tenuous link between these men and Henry, but Fryde does not say why a link between the men who tried to free Edward II and the overthrow of Mortimer is relevant. She also points to Lancaster's itinerary which according to charter attestations suggest he was at court in February and July 1329, June and July 1330 and then not until 16 October. The overthrow of Mortimer occurred on 19 October at Nottingham Castle.⁹⁶ More telling of Henry's involvement is the participation in the coup at Nottingham of a knight associated with him at Bedford in January 1329. A commission of oyer and terminer was issued on 20 May 1329 to look into the case of Thomas de Thornham of Southampton, who had been placed in the custody of the sheriff of Norwich and been imprisoned in Norwich Castle for being at Bedford with Thomas Roscelyn and via him with Henry. On 1

⁹⁶ Fryde, pp. 201, 224; Tout, pp. 157, 161; F.J. Tanqueray, 'The Conspiracy of Thomas Dunheved, 1327', EHR, xxxi (1916), pp. 119-24.

May 1330 he was pardoned for his adherence to Henry and for breaking out of Norwich Castle, as was the man who helped him to escape. His adventures continued, on 20 October 1331 he was pardoned for assisting at the arrest of Mortimer at Nottingham Castle and he was also to be enabled to enter the Order of St John of Jerusalem in England and his pardon for breaking prison and adhering to Henry were re-iterated. The arrest of Mortimer only took place on 19 October, this was a very swift pardon indeed, it must have been drawn up in advance of the action to be entered on the roll so swiftly, particularly as a comparison of timescale for the initial pardon for Bedford shows that it was not granted for sixteen months.⁹⁷ The plans for Mortimer's arrest were so secret that the truth is unlikely to be uncovered, but if Henry's knight was involved, Henry must have played some part in the planning of the coup; Mortimer's defeat would have been a source of considerable satisfaction. It is unwise to push the evidence too far, but Henry's actions in the early years of Edward III's reign had method behind the madness. It could be argued that had Henry not taken the stance that he did the young king's eyes would not have been opened to the nature of Isabella and Mortimer's regime so promptly, nor would the others involved in government have been brought to see what a dangerous man Mortimer was. The country danced on the precipice in January 1329, it was nearly civil conflict for the second time in the same decade; at the very least Henry of Lancaster was the catalyst that brought about Mortimer's

⁹⁷ CPR 1327-30, pp. 429, 519, 533; CPR 1330-34, p. 177.

downfall.

So much for the famous men who were linked with Henry and the national events in which he participated; like Edmund, both Thomas and Henry depended on their patrimony for income and support, and it is to those tenants of the honours of Tutbury and Leicester that the thesis finally turns. Maddicott points out that the men associated with the Earls of Lancaster were beginning to fall into distinct groups. Those holding land from Thomas were not necessarily those who accompanied him on military expeditions, similarly, the administrators working on the earl's estates were rarely military servants.⁹⁸

Illustrations of these three groups can also be found amongst Henry's men, limitations of space prevent a survey of both the honours of Tutbury and Leicester so examples have been drawn for the discussion of feudal tenants from Leicestershire in the honour of Leicester. Given that the pattern of the findings for both honours under Edmund is similar, the findings in one county will reflect the picture in the others to a greater or lesser degree.

There were those men who formed the group which was mainly concerned with estate management like Robert Foucher who had been in the earl's service since before 1327; in 1330-1 he was steward of Derbyshire within the Tutbury honour, and steward of the Leicester honour in 1337-8, steward of the Tutbury honour in 1345 as well as being sheriff and on commissions of oyer and terminer, but he does not seem to have been Henry's tenant.⁹⁹ There were

⁹⁸ Maddicott, p. 58.

⁹⁹ CPR 1330-4, pp. 323, 386; Somerville, pp. 356, 357.

those who acted as estate officials who held land from him like William Davy, a clerk, who was granted lands by Thomas of Lancaster in 1321, was receiver of the Tutbury honour in 1327 and crown receiver of Thomas' lands in the counties of Derby, Stafford and Leicester in 1332.¹⁰⁰

Similarly, some of those families who held from Edmund of Lancaster in 1297-8 can be traced among Henry's tenants, but they were not with him at Bedford nor were they fined for supporting him. In c. 1297 William Moton held one knights' fee in Peckleton and Stapleton of Edmund and the Nomina Villarum of 1316 states that William Moton and the Earl of Lancaster were lords in Peckleton, Earl Shilton and Huit (also in Earl Shilton) which confirms that the Motons were in possession under Thomas. There is something of a gap in the sources until 1346 when Edward III was granted an aid for the knighting of Edward of Woodstock which stated that William Moton was assessed at five shillings for half a quarter of a knights' fee in Peckleton and Stapleton which he held of the honour of Leicester.¹⁰¹ Clearly, the size of Moton's holding had decreased, but the continuity is clear under the three earls. A similar example is that of Ralph Turville who held four and a half knights' fees in Thurlaston, Normanton Turville, Croft and other places of Edmund c. 1297. The Nomina Villarum states that in 1316 Ralph Turville and Robert de Campania were lords in Thurlaston, Croft and Normanton Turville. In 1346, on the same aid granted to Edward III, Ralph

¹⁰⁰ Somerville, p. 27.

¹⁰¹ CIPM, iii, p. 319; FA, v, p. 183; Nichols, IV, ii, p. 487.

Turville, grandson of the man who had held from Edmund, was assessed at thirty shillings for three quarters of a knights' fee for Thurlaston, Normanton Turville and Croft held of the honour of Leicester.¹⁰² As with the Moton family the holding of the Turvilles is smaller in 1346 than it had been c. 1297 but the thread of continuity for the same family in the same area holding from the three earls is clear. The same conclusions may be drawn using different sources, Henry de Grey held one and a half knights' fees of Edmund in Evington and Humberstone c. 1297. His inquisition post mortem taken on 30 September 1308 states that he died seized of the manor of Evington and its members held of the Earl of Leicester, that is Thomas of Lancaster, for one and a half knights' fees. Richard de Grey was his son and heir and he appears as Sir Richard de Grey on the Lay Subsidies for 1327 and 1332. Thus the Greys were certainly in Evington under Henry and probably held the manor from him as well.¹⁰³ Whilst it will not be true that every family who held from Edmund went on to hold from both Thomas and Henry, there is a strong thread of continuity.

So much for estate officials and feudal tenants, there are still the men, over a hundred of them, that accompanied

102 CIPM, iii, p. 319; FA, v, p. 183; Nichols, IV, ii, pp. 995, 1001; the same pattern is discernible with the Mallory family at Kirkby Mallory CIPM, iii, p. 319; FA, v, p. 183; Nichols, IV, ii, p. 762.
103 CIPM, iii, p. 320; *ibid.*, v, p. 51; Farnham, II, i, p. 225; John de Grey was a member of Thomas of Lancaster's retinue and undertook to provide him with nineteen men, Holmes, p. 141; a similar continuity may be seen with the Astley family in Broughton Astley, CIPM, iii, pp. 319, 507; FA, v, p. 184; Farnham, i, pp. 204, 205; CP, i, pp. 284-5.

Henry to Bedford who were later fined with him and must have been the core of his military retinue.¹⁰⁴ There are a number of these men whose names are familiar from the tenant families who held from Edmund, though it is not always possible to say whether these are direct members of those families or merely men with the same name.¹⁰⁵ Audley and Wake and their connection with the earls of Lancaster have already been mentioned. Henry Danet looks to be a likely candidate for a man who was both a feudal tenant of Henry and a military man. In c. 1297 Ralph Danet held half a fee in Bromkinsthorpe in Leicestershire doing suit of court and scutage. Henry Danet is amongst those with Henry at Bedford in January 1329 and was fined a hundred pounds for his adherence on 9 February. He appears on the Lay Subsidy for Bromkinsthorpe in both 1327 and 1332, and in 1343 Elizabeth, the wife of Henry Danet and executrix of his will, was involved in a plea of forty shillings with Henry, Earl of Lancaster. In 1361 Henry, first Duke of Lancaster, died seized of half a knights' fee in Bromkinsthorpe of which Henry Danet was the holder.¹⁰⁶ The

¹⁰⁴ CIM, ii, pp. 274-5; CCR 1327-30, pp. 528-31.

¹⁰⁵ The men who fall into this category are Hugh Audley; William le Blount; Francis le Butler: William le Butler held the manor of Sondon, Staffordshire from Edmund, CIPM, iii, p. 301; Henry Danet; Henry, Thomas and Ralph de Ferrers: the Ferrers family held Loxley, Staffordshire and Breadsall and Locko Hay in Derbyshire from Edmund, CIPM, iii, pp. 301, 303; Philip de Folville; William Lovel: John Lovel held Titchmarsh in Northamptonshire from Edmund, CIPM, iii, p. 296; William Trussel (elder and younger): William Trussel was a sub-tenant in Marston Trussel in Northamptonshire in 1284 whose eventual overlord, Robert de Wyville, held from Edmund in 1298, FA, iv, p. 11, CIPM, iii, p. 309; Thomas Wake of Liddel.

¹⁰⁶ CIPM, iii, p. 319; CIM, ii, pp. 274-5; CCR 1327-30, p. 530; Farnham, vi, p. 240; Nichols, IV, ii, p. 565.

evidence illustrates that the Danets retained both feudal and military links with the Earls and Dukes of Lancaster. With the Blounts there is a tenuous link with Edmund, in 1297 a Philip 'Blound' held a messuage and twelve acres in Lancaster of Edmund and was also his carpenter at Lancaster Castle. This could be a case of a meteoric rise through the social classes, though unlikely; certainly William le Blount, 'the nephew' as he is called, became a feudal tenant of Henry when he was granted the manor of Barton under Needwood in Staffordshire on 15 May 1329 and another manor in Lancaster on 11 July 1330. It seems likely that William le Blount was the man who, like Danet, was at Bedford in January 1329 and fined five hundred pounds on 9 February and who received the grants of land for his support.¹⁰⁷ A third example from this list is the Folville family; in January 1298 Ralph Folville held three parts of a fee in Teigh, Rutland from Edmund, by August, however, this was held by John de Folville. The same man appears in 1305 with the same holding; he was dead by 1310, and was succeeded by his son, another John de Folville, who was lord of Teigh in 1316, though the manor formed part of his mother's dower. In 1330 John de Folville is linked once again with the same holding in Teigh on a list of Lancaster lands, there is no doubt that he was a tenant of Henry and that the family had held of Thomas as well.¹⁰⁸ The

¹⁰⁷ Barton under Needwood was held by the Somerville family under Edmund, so there is a possible break of continuity here, though they may have remained as minor tenants CIPM, iii, p. 314; CPR-1327-30, pp. 389, 543; CIM, ii, pp. 274-5; CCLR-1327-30, p. 530; Blount was pardoned his fine 14 December 1330, CPR-1330-4, p. 28.
¹⁰⁸ CIPM, iii, p. 310; FA, iv, pp. 204, 208, *ibid.*, vi, p. 567.

Folville family's involvement in crime is too well documented to need repetition here, suffice it to say that Eustace, Richard and Walter Folville were involved with others in the murder of Roger Beler, a Baron of the Exchequer in 1326. There is some dispute about which brother, whether Richard or Robert was present at the murder, the Calendar of Patent Rolls has several orders for the arrest of four brothers: Richard, Robert, Eustace and Walter who were to be tried before Henry of Lancaster as a commissioner of oyer and terminer; only Robert, Walter and Laurence were pardoned in 1329. Farnham states that all six younger brothers were 'a lawless gang of robbers' who were involved in a number of crimes. John held aloof from the murder of Beler but he cannot have been unaware of his brothers' activities.¹⁰⁹ Though a Philip Folville appears on the list of men fined for accompanying Henry to Bedford, he was fined two hundred pounds on 18 April 1329, there is no Philip among the Folville family which was linked with Teigh; he is mentioned by Nichols as the son of John Folville, and tenant of lands in the manor of Rearsby, but Nichols then connects this family with Beler's murder as well, so it is probably not an accurate identification. Not only were Eustace, Richard and Walter pardoned for their involvement in the murder of Roger Beler on 11 February 1327, Eustace, Laurence, Robert and Walter de

109 G. Farnham, 'The Manors of Allexton Appleby and Ashby Folville', TLAS, xi (1919-20) pp. 460-62; E.L.G. Stones, 'The Folvilles of Ashby Folville, Leicestershire and their Associates in Crime 1326-47', TRHS, fifth ser, vii (1957), pp. 119-120; VCH Rutland, p. 152; E.B. Redlich, The Parish History of Teigh (Shipston on Stour, 1926), p. 28; CPR 1324-27, pp. 243, 245, 250, 284, 286, 288.

Folville were pardoned on 10 March 1329 for aiding the king 'when he took the field against certain rebels'.¹¹⁰ It would seem that the brothers of a tenant of Henry fought against him rather than rallying to his support. It cannot be, as the Victoria County History has it, that they were in rebellion, indeed, from their pardon the king is thanking them for assisting him to put it down. The number of men whom the king pardons in this way numbers almost one hundred and fifty and if the Folvilles are anything to go by the standard of recruit whom the king used in his struggle was not a very salubrious one.¹¹¹ Although the trap of thinking that everyone with the same name must be related in some way must be avoided, there are also men who were with the king who had names which are among those men who held from Edmund of Lancaster.¹¹²

It is clear from these examples that there was continuity between 1297-8 and 1330 and later in the fourteenth century, and this continuity is true amongst

110 CCR-1327-30, p. 530; CPR-1327-30, pp. 10, 475; Nichols, III, i, p. 389.

111 VCH-Rutland, p. 152; CPR-1327-30, pp. 373, 374, 380, 381, 382, 383, 386, 391, 395, 401, 402, 404, 415, 419, 437, 439, 452, 461, 464, 465, 466, 475, 494, 504, 509, 513, 514, 515, 518, 519, 528, 540, 541; CPR-1330-34, p. 16.

112 Men who were pardoned by the king for riding with him against the rebels of 1329 whose family name also appears among those who held from Edmund: CPR-1327-30, p. 401, William de Arderne, CIPM, iii, p. 290, the family held in Knotton, Staffordshire; CPR-1327-30, p. 419, Roger Curzon, CIPM, iii, pp. 313, 304, 303, 314, 301, the family held in Kedleston, Croxton and Twyford, Derbyshire and Breadsall and Field in Staffordshire; CPR-1327-30, p. 395, Robert Fraunceys, CIPM, iii, p. 310, the family held in Edmundthorpe, Leicestershire; CPR-1327-30, p. 466, Thomas de Verdoun, CIPM, iii, pp. 300, 314, the family held in Crakemarsh and Combridge, Staffordshire, Worthington, Leicestershire, and Hartshorne, and Foremark, Derbyshire.

some of Edmund, Thomas and Henry's estate officials, military and feudal tenants. To draw a more complete picture of the extent of this continuity, the honours of Tutbury and Leicester would need to be examined in the detail in which Edmund's holdings have been studied, and restrictions of space do not allow that here. These findings suggest that there was a fair amount of continuity so that the wholesale confiscation of 1322 did not dislodge all Lancastrian tenants from their lands.

Henry then achieved a great deal; in 1322 Edward II's animosity towards Thomas of Lancaster meant that there was little chance of Henry regaining his brother's lands. Persistence was one of Henry's characteristics, however, and by 1330 everything that Edmund once held was restored to his second son. The key to his restoration was the deposition of Edward II; had he remained on the throne it is unlikely that the judgement on Thomas of Lancaster would ever have been overturned. Henry's role in the establishment of Edward III on the throne in place of his father provided an atmosphere in which the judgement on Thomas could be reassessed and ultimately demolished. Where national politics worked against Thomas, the political climate favoured Henry's personal schemes. Initially, Henry's success was undimmed and he had an important role in the new government. It was Mortimer, rather than Isabella, who cast a cloud over this new beginning. Henry's personal animosity towards Mortimer was an important factor in his stance in 1329, but it was not only self interest at stake. The regime of Mortimer and

Isabella was no less corrupt than that of the Despensers. Moreover, Mortimer not only broke the law, he upset the traditional roles and customs of government. Henry dearly wanted to regain his standing within the close royal circle, but it was also Henry's stand against Mortimer which brought the king to see how dangerous Mortimer was to the realm, and to the throne itself. Officially, the king refused to see things from Henry's point of view, he would be no better off allowing Henry to dictate his actions than he was under the tutelage of his mother and Mortimer. Edward knew that Henry was not strong enough to take on the combined royal force and win, and equally, Henry had the wit to submit rather than thrust the realm into civil conflict, nor did he wish to suffer his brother's fate. Henry had astutely used his retinue and the threat of violence to make the point about Mortimer and Kent's execution must have driven it home even more forcefully. Events came to Henry's rescue and probably with the benefit of his planning; Henry's knight, Thomas de Thornham, was actively involved in Mortimer's arrest and was swiftly pardoned and rewarded. On Mortimer's overthrow and Isabella's banishment, Henry and his followers had their fines for the riding at Bedford quashed. This was the end of the beginning of the earldom of Lancaster, by 1330 Henry had achieved all he could where the honours of Tutbury and Leicester were concerned. He had in his hands the lands with which his father had begun as Earl of Lancaster. In 1351 and 1362 the Earls of Lancaster would be Dukes and in

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1399 they would sit on the throne, but 1330 saw the end of the formation of the earldom of Lancaster.

CONCLUSION

This thesis set out to see whether there was continuity or change amongst the tenants and lands which Edmund of Lancaster (1267-96) was granted after the confiscation suffered by Simon de Montfort, Earl of Leicester (1239-65), and the disinheritance suffered by Robert de Ferrers, Earl of Derby (1254-66). It has shown that the vast majority of the tenants who held from de Montfort and Ferrers, went on to hold with very little disruption or upheaval from Edmund.¹ Some of the families in fact had held the same lands not from these three earls alone like the Hartshorne family of Hartshorne in Derbyshire, and the Campvilles in Clifton Campville in Staffordshire, but for generation after generation for most of the thirteenth century, like the Senevills of Lockington in Leicestershire. Similarly, the thesis has revealed a small number of female tenants, it is something of an achievement to have found any; it seems most likely that they were widows or heiresses as they do not remain in the records for very long.² The Barons' War (1264-66) was a civil conflict, but it was one of many upheavals during the thirteenth century which had been weathered by most of the families who became Edmund's tenants in 1265 and 1266. There are families for whom evidence is not available and others who fade from the records, like Henry de Pecco in Bitteswell, Leicestershire, and the Toks in Anslow in Staffordshire, but the evidence never proves conclusively that these families were removed

1 See Section I: 3 a, b, 6 a, b.

2 See Section I: 3 a, p. 61; 3 b, pp. 104, 105; 6 a, pp. 163-4, 202-5.

from their holding and replaced with someone more congenial to Edmund.³ Indeed, it is highly unlikely that this occurred at all by design; the most obvious examples of a change in personnel was the replacement of Ferrers and de Montfort by Edmund, but it was not the fate of lesser men. Even if the tenants had rebelled against the Crown between 1264 and 1266, they were still allowed to reclaim their lands, and even if the rebel died on the battlefield then, by and large, his heir held in his stead as was the case for the Grey family in Evington and Humberstone in Leicestershire.⁴ They had to pay fines of redemption, but the important point is the climate of reconciliation, the Crown was at pains to rehabilitate the rebels and reconstruct a stable society after the rifts caused by de Montfort. There is a possibility, however, that rebellious tenants were 'demoted' and did not hold as directly from Edmund as they had from their former earls. It is easy enough to illustrate this phenomenon with the Segraves in Witherley in Leicestershire and the Trussels of Marston Trussel in Northamptonshire, but it is difficult to prove that 'demotion' was the reason for their distance from Edmund in the landholding chain.⁵ It is debateable whether the position of a tenant in a chain of tenure made him any easier to control or whether it represented any loss of status. Nonetheless, the attitude of the thirteenth century towards rebellious subjects is a stark contrast to that prevailing in the fourteenth. For the most part those

3 See Section I: 3 b, pp. 110-12; 6 a, pp. 205-6.

4 See Section I: 6 a, p. 178, n. 91.

5 See Section I: 6 a, pp. 185-90.

who did not die on the battlefield did not die at all in 1265 and 1266; in 1322 there was not only large scale imprisonment of men, women and children, but a great number of executions were carried out in an atmosphere of terror and anarchy, Thomas of Lancaster's being the foremost of them all.⁶ All of this was to be an object lesson for the errant subject in order to circumvent any repetition of a subject taking a stand against his king; hence the 'tyranny' of Edward II. It was a move that was successful for five years but which ultimately ended in Edward's own downfall.

A similar contrast may be made between the Crown's treatment of wives, widows and children. Between 1264 and 1266 the Crown was at pains to alleviate the sufferings of those dependants left without means of sustenance with grants of land. Juliana de Moton, Editha de Astley, and Margaret Basset all had rebel husbands, but they were all granted the means to sustain themselves and their families.⁷ Yet in 1322 the maltreatment of widows, wives and children was astonishingly harsh. Edward II must have known that the Despensers resorted to terror tactics and even torture in order to encourage rebels' widows to part with their rightful dower lands and other lands of their inheritance. Alice, Thomas of Lancaster's widow, and Joan, her stepmother, were two of many women who were subjected to this terrible treatment.⁸ There was no attitude of reconciliation or chivalry from 1322 to 1327, a situation

6 See Section II: 7, pp. 241, 243.

7 See Section I: 6 a, pp. 180-4.

8 See Section II: 8, pp. 262-6.

the evidence illustrates clearly. Indeed, a factor which has been brought out by the research is the level of difficulty which all women experienced in trying to obtain their dower, whether it was Eleanor de Montfort trying to obtain the dower from her first marriage when her husband died in natural circumstances or when she was fighting for her dues after de Montfort's death.⁹ The same can be said of Eleanor de Ferrers; when Derby was disinherited, Eleanor lost her claim to a third of his earldom, and Edmund was legally secure in his denial.¹⁰ The point is, however, that the securing of dower was a fight for many ordinary women as well, and they often had to fight other members of the family in court.¹¹ The reluctance to part with dower lands is easily understood they could be out of the lord's hands for many years. Henry of Lancaster never did hold Alice's dower lands, by the time they returned to his son Henry had been dead for three years.¹²

Another element brought to the fore by the research is the level of violence in the thirteenth and fourteenth centuries. The legal records speak eloquently of violent crime, particularly in Staffordshire.¹³ This is as might be expected since cases which came to court are bound to reflect criminal acts, but the lives of the Folville family bring the point home. They were based in both Leicestershire and Rutland and the family had been involved in crime for generations, perpetrating murder and being

9 See Section I: 5, pp. 125, 131.

10 See Section I: 2, pp. 37-42.

11 See Section I: 3 b, p. 90; 6 a, pp. 169, 174-5.

12 See Section II: 8, p. 290.

13 See Section I: 3 a, pp. 90-2.

murdered themselves; they cannot be an isolated example.¹⁴ The Barons' War had its effect in that the midlands were not under loyal control, de Montfort exercised his charm on the tenantry, whilst the general climate was one in which men took the law into their own hands.¹⁵ Edward I's emphasis on the populace sorting out their differences in court is understandable. Moreover, things got considerably worse in Edward II's reign because of the king's attitude and that of his favourites, the treatment of Alice of Lancaster is proof enough of that, a violent society was not the prerogative of the fifteenth century. Furthermore, the Despensers marched into Alice's lands and then the legal documentation was constructed to fit the new situation. Similarly, the Hundred Rolls illustrate that the same procedure was adopted when Edmund was taking over Ferrers' and de Montfort's lands, and earlier in the century when Stapleford was seized and became part of the Ferrers patrimony as a result, possession was nine tenths of the law. These transferrals were ordered by paper work, but it was written after the event.¹⁶

As for the effect that the rebellion of 1322 had on Thomas' tenants, contrary to expectation the small sample that has been taken shows that there is evidence of continuity among his tenants in Leicestershire at least.¹⁷ To be sure, the same process which was followed for the analysis of Edmund's honours needs to be done again for Thomas' tenants and again for Henry's tenants to see how

14 See Section I: 6 b, pp. 210-20.

15 See Section I: 3 a, p. 55; 6 a, pp. 188-9.

16 See Section I: 3 a, pp. 56-7; Section II: 8, pp. 282-4.

17 See Section II: 7, pp. 250-2.

wide the overlap is between the tenantry of Edmund's sons. There are families that prove continuity beyond doubt, but more work needs to be done on a wider scale to prove it conclusively.

Discussion of the tenants brings the relationship that existed between the land, the tenant and the lord to the fore. The complex nature of the feudal landholding system has been illustrated in every county presented here. By the thirteenth century the land was split up into small fees, and tenants often held only a fraction of one knights' fee. The number of men involved in a chain of tenure between the men who worked the land and an earl like Edmund could be as many as twenty-three, as with the Wakes in Atterton and Witherley in Leicestershire; it is no surprise that the lawcourts were constantly busy with land disputes.¹⁸ It is these very chains of tenure, however, which illustrate the nature of bastard feudalism during this period. Edmund was lord of other men who were lords to those beneath them and often he numbered other noblemen amongst his tenants, thus there is also evidence of multiple lordship.¹⁹ As the century progressed it is clear that there were different groups of men who were linked with a lord. He had his landed tenants, some of whom would be part of his knightly retinue, but not all of them, and his administrators who were not always his knights or his landed tenants, though men might belong to two of these categories, and this division, or specialisation was

18 See Section I: 6 a, pp. 159-60.

19 See Section I: 6 a, pp. 151-3, 189-90.

becoming more marked under Thomas and Henry.²⁰ The personal bond between lord and tenant has been discussed and for all the terms and conditions which were laid upon a man who wished to serve a particular lord, at moments of crisis it took more than an agreement to keep a retainer at his lord's side. The quality of the bond between de Montfort and his men, and Henry and his men, may be contrasted with that between Thomas and his men. For all of the size of Thomas' retinue, it was a personal charisma which Thomas lacked that led to the mass desertion of his retainers before Boroughbridge, particularly Robert de Holland. De Montfort's men faced the same difficult choice and remained with him. Henry's men never quite faced the king across a battlefield but came very close to it. They had to take the consequences of fines for their support of Henry, but there is no evidence to prove that they deserted him. Reasons for leaving one's lord are not hard to find, self-preservation is a strong instinct, and facing their king across a battlefield meant they had broken a basic oath of allegiance in any case, so by deserting Thomas they were going back to the loyalty and fealty that they owed the king, but were they right to desert their lord? It is an interesting dilemma, presumably they were right to return to the king since allegiance to him would outweigh any other when their lord was leading them against him.²¹ Personal qualities are difficult to evaluate but the thesis has shown that they played their part. The point cannot be taken too far, but a lack of personal qualities made a

20 See Section III: 9, pp. 341-8.

21 See Section II: 7, pp. 235-7; Section III: pp. 333-4.

difference in Thomas' career, just as earning the personal animosity of Edward II worked to his disadvantage. Similarly, there was a personal dislike at the bottom of the situation that developed between Henry and Mortimer as the letters between the various parties illustrate; obviously, this dislike of each other was coupled with Mortimer and Isabella's actions which undermined Henry's position, but personal relations are a factor which ought to be considered.²²

So much for the tenants whom Edmund took over from Ferrers and de Montfort, it follows that if he took over the tenants, he also took over the lands of the two former earls as is proven in the chapters which analyse the counties of the two honours.²³ In general the lands which Edmund held on his death in 1296 were the lands that he had been granted in 1265 and 1266. There were a few exceptions to this rule; some lands de Montfort and Ferrers held had slipped out of Edmund's hands by the time of his death but these were not great in number, Stramshall in Staffordshire, for example.²⁴ It must also be pointed out that the records are not always accurate. Some places should have been mentioned on his inquisition post mortem but fail to appear, like Birstall in Leicestershire, but this has to be an oversight, like the mentioning of a manor's members in one document and not in another.²⁵ It illustrates that Edmund held more than those lands listed

²² See Section III: 9, pp. 303, 313, 324.

²³ See Section I: 3 a, b, 6 a, b.

²⁴ See Section I: 3 b, p. 89.

²⁵ See Introduction, p. xvii :Section I: 6 a, pp. 153-55, 170-2, 206-7.

on his inquisition. The records have provided ample evidence but on occasion they do contradict themselves. This is, however, the nature of the beast; it is unreasonable to expect medieval records to be consistent. What is more, the anomalies, whether they can be explained or not, do not affect the overall continuity of the lands or the tenantry, they are irritating and thought provoking but generally they do not reflect significant differences.²⁶ All of this illustrates that the midland shires experienced a return to stability under the lordship of Edmund of Lancaster. He took over from de Montfort and Ferrers and consolidated their lands, as with the addition of Newcastle under Lyme and its foreign in Staffordshire for instance, and held them together peacefully for thirty one years.²⁷ Despite the attempts of Ferrers at recovery via the royal and papal courts, the initial plan to re-instate the younger Simon de Montfort and his brother, Amaury's, bid for papal assistance, Edmund retained their lands and Thomas came into a smoothly running patrimony.²⁸

Thomas of Lancaster, however, did not have it running smoothly for long. It is true that he lived in different times and was under different pressures, but the animosity of Leicester towards him shows that he was not a good lord in that town's opinion.²⁹ In some ways Thomas played into the hands of Edward II and the Despencers, but Edward II's confiscation of Thomas' lands shows that his disinheritance had been decided upon well in advance of Boroughbridge.³⁰

26 See Section I: 6, p. 147, for one of many examples.

27 See Section I: 3 b, pp. 100-8.

28 See Section I: 2, pp. 44-5; 5, pp. 132-3, 138.

29 See Section I: 6 a, pp. 230-4.

30 See Section II: 7, pp. 221-5.

Edward and the Despensers with their greed for land and total disregard for law and order sowed the seeds of their own destruction and it was in this that the salvation of the earldom of Lancaster lay. Henry of Lancaster's exclusion from the royal circle by Mortimer and Isabella, after being appointed by parliament, upset traditional custom. There was a great deal of personal animosity between Mortimer and Henry and in the jockeying for power that ensued at the beginning of Edward III's reign, Henry lost.³¹ By his shrewd political manoeuvring and use of his retinue, however, he managed to turn the situation in his favour. It is hard to know exactly what the king's personal attitude to the situation was. He had been suddenly elevated to the throne under the auspices of Mortimer and Isabella, and it is not to be wondered at if he was blind to their faults; he had not served the apprenticeship that the Lord Edward had had at the end of Henry III's reign in the aftermath of Evesham. Although officially he was impervious to Henry's argument about the dangers to the realm and the throne which Mortimer represented, he must have understood the niceties of the situation. Henry, meanwhile, pushed his point to the limit at Bedford, he could go no further without causing a repetition of 1322. Neither he, nor those in government, wished to go so far, and so he submitted to the king in 1329, but he had made his point. His stance against Mortimer illustrated that whatever Mortimer's attractions, he was too dangerous to be allowed to carry on; and as

³¹ See Section III: 9, pp. 302-3.

Edward III grew older he must have been tiring of Mortimer's and his mother's tutelage. Henry's actions alerted the king to Mortimer's further potential for curbing the independence of the monarch to his profit but not to that of the monarch or the realm. The evidence can only hint at Henry's fore knowledge, but it is more than likely that he was cognisant of the plot to be rid of Mortimer once and for all. The final years of Henry's career do not concern the thesis, but his swift recovery of Edward III's esteem came too quickly for his actions in 1329 to have been considered a real threat. There was no residue of ill-feeling between Henry and Edward III as there had been between Thomas and Edward II.³²

Thus Henry of Lancaster brought the earldom of Lancaster back from its early grave under Thomas. His support of Isabella and Mortimer as they opposed Edward II was opportune in that he received many of the earldom's lands back in return. Yet when faced with the untenable situation created by Mortimer he was not afraid to take a stand to make his point even though he must have been aware that it could have had a deleterious effect on his position as Earl of Lancaster. It could be argued that Henry knew from the beginning just how far he needed to push the situation in order to illustrate his point. Once Edward III was independently established on the throne the house of Lancaster did not look back. By 1330 the initial formation of the earldom of Lancaster was over, it was the end of the beginning.

³² See Section III: 9, pp. 308-37.

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APPENDICES

APPENDIX ONE

LISTS OF EDMUND OF LANCASTER'S HOLDINGS IN THE HONOURS OF
TUTBURY AND LEICESTER 1296-8¹

Edmund held lands in five counties within each honour: Derby, Stafford, Leicester, Northampton and Warwick (only two places) in the honour of Tutbury, and Leicester, Northampton, Nottingham, Rutland and Warwick in the honour of Leicester. Due to the need for brevity, the only counties listed here are those that are discussed in detail in the text, but the same has been done for the other counties.

THE HONOUR OF TUTBURY: holdings in the county of DERBY (1296-8)

Also known as the lands of the earldom of Ferrers.²

<u>13thC..Place-names</u>	<u>Modern Place-names</u>	<u>100.or.Wapentake</u>
Aldolvistre		
Alkemonton	Alkmonton	Appletree
Allerwasle	Alderwasley	Wirksworth
Alton	Alton	Wirksworth
Apiltre 100	Appletree 100	Appletree
Asch/Ess	Ash	High Peak
	Ash	Appletree
Aston	Aston	Morleston+Litchurch
Attelowe	Atlow	Wirksworth
Barton	Barton Blount	Appletree
Basselowe	Baslow	High Peak
Beaurepeir	Belper	Appletree
Berwardcote	Bearwardcote	Appletree
Boilleston	Boylstone	Appletree
Bontissale	Bonsall	Wirksworth
Bradeborne	Bradbourne	Wirksworth
Bradele	Bradley	Appletree
Brailesford	Brailsford	Appletree
Brassington	Brassington	Wirksworth
Bretteby	Bretby	Repton+Gresley
Breydessale	Breadsall	Appletree
Bronlaston	Burnaston	Appletree
Catton	Catton	Repton+Gresley
Chaddesden	Chaddesden	Appletree
	Chaddesden	Morleston+Litchurch
Cobbeleie	Cubley	Appletree
Coldebroc		
Croudecote	Crowdecote	
Croxhall	Croxall	Repton+Gresley
Dalbury	Dalbury with Lees	Appletree
Duffeld+forest	Duffield	Appletree

1 All of the lists in this appendix are compiled from Edmund's inquisition post mortem, CIPM, iii, pp. 288-321, PRO C 133/81, m 1-49.

2 CIPM, iii, pp. 290-1, 299-300, 302-4, 306, 311-13; PRO C 133/81 m 7b, 8, 17, 20, 36.

Durantesthorpe	Edensor	High Peak
Ednesouere	Idridgehay	Wirksworth
Edricheshay/e	Elton	High Peak
Elton	Egginton	Morleston+Litchurch
Eginton	Etwall	Appletree
Ettewell	Eyton	Morleston+Litchurch
Eyton		
Forniwerke	Foremark	Repton+Gresley
Gresele 100	Gresley 100	Repton+Gresley
Gresele	Church Gresley	Repton+Gresley
Haddon	Over Haddon	High Peak
	Nether Haddon	High Peak
Hedcote/Hethecote	Heathcote	Wirksworth
Herteshorn	Hartshorne	Repton+Gresley
Hertindon+ advow.	Hartington	Wirksworth
Heuegge/Heyegge	Heage	Appletree
Hogam	Hognaston	
Holonde	Hulland	Wirksworth
	Holland alias Richmond	Wirksworth
Holebrok	Holbrook	Appletree
	Holbrook	Morleston+Litchurch
Hoppewell	Hopwell Hall	Morleston+Litchurch
Hordelowe	Hurdlow	
Houg, Le	Hoon	Appletree
Hulton	Hilton	Appletree
Irton	Ireton, Kirk	Wirksworth
Kingeswode		
Kettliston	Kedleston	Appletree
Linton	Linton	
Lochawe/Lochay	Locko Hay	Appletree
Lollington	Lullington	Repton+Gresley
Mackworth	Mackworth	Morleston+Litchurch
Marketon	Markeaton	
Matlac	Matlock	Wirksworth
Maunsel	Monsall	
Mercaston	Mercaston	Appletree
Mercington	Marchington	
Midleton by Yeolgreve	Middleton	High Peak
	Middleton	Wirksworth
Moginton	Muggington	Appletree
Neubold/Newebald	Newbold	Scarsdale
Neubugging	Newbiggin	part of Belper
Neuton upon Trente	Newton Soleny	Repton+Gresley
Octhorp/Okethorp	Oakthorpe/Ockbrook	
Offedecote	Offcote	Wirksworth
Oneston	Unstone	Scarsdale
Oslaston	Osleston	Appletree
Osmundeston	Osmaston	Repton+Gresley
	Osmaston	Appletree

Peurwich/Peverewych	Parwich	Wirksworth
Ravenesdale	Ravensdale Park	Appletree
Rodbourne	Radbourne	Appletree
Saperton	Sapperton	Appletree
Schirle	Shirley	Appletree
Scropton/Cropton	Scropton	Appletree
Seggeshale	Sedsall	
Snelliston	Snelston	Appletree
Somersale	Somersal Herbert	
	Somersal	Appletree
	Potter Somersal	Appletree
Sothewode	Southwood	part of Belper
Spondon	Spondon	Appletree
Staunton	Stanton	High Peak
	Stony Stanton	Repton+Gresley
	Stanton	Morleston+Litchurch
Sudbury	Sudbury	Appletree
Sudenfen	Sinfin	
Sutton	Sutton on the Hill	Appletree
	Sutton	Scarsdale
Swartlingcote	Swadlincote	
Swerkiston	Swarkeston	Repton+Gresley
Thorvaston	Thurvaston	Appletree
	Thurvaston (Upper)	Appletree
	Thurvaston	Morleston+Litchurch
Tissington	Tissington	Wirksworth
Topsorr		
Trussele	Trusley	Appletree
Twicross		
Twiford	Twyford	
Wingirworthe	Wingerworth	Scarsdale
Wintresmulne		
Wirksworth	Wirksworth	
Wynleye	Windley	Appletree
Yeolegreve	Youlgreave	High Peak
Yldrisle	Yeldersley	Wirksworth
Yveleie	Yeaveley	Appletree

Lands in the county of Derby which do not belong to the earldom of Ferrers³

<u>13th.C.Place-Names</u>	<u>Modern-Place-Names</u>	<u>100.or.Wapentake</u>
Alsop	Alsop-en-le-Dale	Wirksworth
Benteleg	Bentley (Fenny)	Wirksworth
Bredlowe	Broadlow Ash	Wirksworth
	Broadlowash	
Caldelowe		
Crumford	Cromford	Wirksworth
Esseburn	Ashbourne	Wirksworth

Eyton*

Hokenaston	Hognaston	Wirksworth
Hopton	Hopton	Wirksworth
Hunsindon		
Irton/Yrton*	Kirk Ireton	
Kersinton	Carsington	
Mapilton	Map(p)leton	Wirksworth
Matlock*		
Melebourne	Melbourne	Repton+Gresley
Middleton (by Yeolgreve on Honour of Tutbury list)		
Over Bonteshale (Bunteshale on Honour of Tutbury list)		
Peverewyz*	Peverwras	Wirksworth
Snitterton	Snitterton	High Peak
Thorp	Thorpe	Wirksworth
Underwode	Underwood	Wirksworth
Wednesleg	Wensley?	
Wirksworth*	Wirksworth	

HONOUR OF TUTBURY: holdings in the county of STAFFORD (1296-8)⁴

13th.C. Place-names Modern Place-names

Adgeresle/Agarsleye	Agardsley	
Astonisfeld	Alstonfield	Totmonslow
Aunsedel	Anslow	
Barton	Barton under Needwood	Offlow
Callingwood	Callingwood	
Chebbeseie	Chebsey	Pirihill
Clifton	Clifton Campville	Offlow
Combrugg	Combridge	Totmonslow
Condesle/Coundisle	Consall	
Coton?	Coton under Needwood	Offlow
Crakemers	Crakemarsh	Totmonslow
Cresswell	Cresswell/Cresswell Green	
Draicote	Draycott in the Clay	Offlow
Dimmesdal	Dimsdale	[manor of Newcastle]
Falede	Fauld	Offlow

* Denotes that these places appear on the honour of Tutbury list as well.

⁴ CIPM, iii, pp. 289-90, 300-301, 313-15, 321; PRO C 133/81 m 6, 18, 37, 49.

Hambury#	Hanbury	Offlow
Hanchurch	Hanchurch	[manor of Newcastle]
Hanford	Hanford	[manor of Newcastle]
Herlaston	Harlaston	Offlow
Holdich	Holditch	[manor of Newcastle]
Horecros, Le	Hoar Cross	
Knotton	Knutton	[Manor of Newcastle]
Lockesle	Loxley	Totmonslow
Le Leyes	Leigh?	
Mercington	Marchington	
Modiesmor	Madeley Heath	
Needwood Forest	Needwood Forest	Offlow
Neubold	Newbold Verdon?	Offlow
Rodelowe	Rudlow	
Rolliston#	Rolleston	Offlow
Sirescote	Syrescote	DMV
Sondon	Sandon	DMV
Stoke#	Stoke	Pirihill
Tatenhull# =	Tatenhill	
Tonstal	Tunstall	Offlow
Tuttesbury	Tutbury	
Uttoxather#	Uttoxeter	Totmonslow
Whichenore	Whichnor	Offlow
Witmore	Whitmore [manor of Newcastle]	Offlow
Wolstanton# =	Wolstanton	Pirihill
Yoxhale/Ioxhall#	Yoxall	

STAFFORD Lands and tenements in the county said to be in the
FOREIGN OF NEWCASTLE UNDER LYME⁵

<u>13th C. Place Names</u>	<u>Modern Place Names</u>	<u>100 or Wapentake</u>
Clayton	Clayton	
Cnotton/Curtton	Knutton?	
Fenton	Fenton	
Hanley	Hanley	
Langeton	Longton	
Newcastle	Newcastle-under-Lyme	

Denotes advowson of the church there as well.

= Denotes a marking of the advowson as being allocated as dower.

5 CIPM, iii, pp. 289-90; PRO C 133/81 m 6.

Penkel	Penkhull
Schelton	Shelton
Scheperug	Sheepridge now Seabridge
Schertelyme	
Stafford	Stafford
Wlstaneton	Wolstanton

Church of Stoke with its chapels:- Burwardeslym Burslem
Newcastle Newcastle
Norton (6)
Wytemor Whitmore

Chapel of St.Mary by preserve of Newcastle
Church of Wlstaneton with its chapel of Kel Keele

A view of frankpledge is held twice a year at courts next after Michaelmas and Easter.

HONOUR OF LEICESTER: LANDS IN THE COUNTY OF LEICESTER
1296-8⁶

Carlton-Curlieu-Bailiwick

<u>Modern-Place-names</u>	<u>13th-Century-Place-names</u>	100
Bitteswell	Butunswell	
Catthorpe	Thorpe juxta Lilleburne	
	Thorp cat	Guthlaxton
Cranoe	Cravenhou	Gartree
Glooston	Gloreston	Gartree
Enderby	Endredeby	Guthlaxton
Kilworth, South	Kenelyngwrth Suth	Guthlaxton
Knaptoft	Knapetoft	DMV Guthlaxton
Langton, East	Langeton	
Langton, West	Langeton, 'the other'	
Mowsley	Musele	Gartree
Noseley	Nousele	DMV Gartree
Shangton + Hardwick	Scanketon + Herdewik	
Smeeton	Smetheton	
Stockerston	Stocfaston	
Stonton Wyville	Staunton Wyvile	
Theddingworth	Thedyngworth	Gartree
Thorpe Langton	#Thorp	
Walton	Walton	
Wigston Magna	Wygingeston	
Willoughby Waterless	Wyluby	Guthlaxton

6 These lists of Leicestershire are compiled from CIPM, iii, pp. 289, 295, 318, 321; PRO C 133/81 m 5, 12, 46, 49; Levi Fox's lists in EHR, liv (1939), pp. 400-402; TLAS, xx, (1937-9), pp. 362-4.

DMV denotes Deserted Medieval Village.

It is difficult to correctly identify all of the Thorpes; they are not given a second name on Edmund's inquisition as they are on Fox's lists; one of them is a Deserted Medieval Village.

Desford Bailiwick

Cadeby	Cateby	Sparkenhoe
Desford	Dersford	Guthlaxton
Kirkby Mallory	Kyrkeby Mallore	
Peckleton	Peltyng	Guthlaxton
		Sparkenhoe
Ravenstone	Raveneston	
Stapelton	Stapilton	

Earl Shilton Bailiwick

Blaby + Countesthorpe	Blaby + Cuntasthorp	Guthlaxton
Broughton Astley	Broutton/Brocton	Guthlaxton
Earl Shilton	Sculton/Shulton	Sparkenhoe
Frowlesworth	Frollesworth	Guthlaxton
Normanton Turville	Normanton	DMV/Guthlaxton
+ Thurlaston	Thurleston	
+ Croft	Craft	
Sapcote	Sapcote	
Whetstone	Weston	
Thorpe Prime	#Thorp	

Glenfield Bailiwick

Glenfield	Glenefeld	Sparkenhoe
Bruntingthorp/Bromkinsthorp (Fox)	Brentyngthorp	

Hinckley Bailiwick

Atterton + Witherley	Attirton DMV + Wythirdele	Guthlaxton
Higham on the Hill	Hyham	Guthlaxton
Hinckley	Hynkele	Guthlaxton
Stoke Golding	Stoke	
Upton	Upton	
Wellesborough	Welesberuwe	

Sileby or Belgrave Bailiwick

Belgrave	Belegrave	Goscote
Burton on the Wolds	Borton	
Evington	Evynton	Gartree
Hathern	Hauthirn	Loughborough
		Diseworth
		Guthlaxton
Humberstone	Humbreston	Goscote
Lockington	Lokyngton	W. Goscote
Prestwold	Prestewold	E. Goscote
Saxelby + Shoby	Saxilby	Goscote
Sileby	Syleby	Goscote
Sutton in the Elms	Sutton	?Guthlaxton
Thorpe Acre	#Thorp	
Thurnby	Thyrneby	Gartree
Walton on the Wolds	Walton	
Wanlip	Onelep	
Whatton	Watton	Goscote
Wymeswold	Wymundewold	Goscote

HONOUR OF LEICESTER: holdings in the county of RUTLAND 1296-8⁷

Teigh Thy/Ty East

Names on Fox's lists of honour of Leicester which are NOT
featured on Edmund's inquisition post mortem

<u>LEICESTER</u>	<u>Hinckley Bailiwick</u>
<u>Carlton Curlieu Bailiwick</u>	Shenton
Ashby Magna	
Carlton Curlieu	<u>Sileby/Belgrave Bailiwick</u>
Ilston the Hill	
Laughton	Birstall
Westerby	Bushby
	Cotes
<u>Desford Bailiwick</u>	Ingarsby DMV
	Keyham
Bagworth + Thornton	Thurcaston
Kirby Muxloe	
Osbaston	

A list illustrating the differences between the two lists of
the honour of Leicester by Levi Fox⁸

<u>TLAS</u>	<u>EHR</u>
<u>Carlton Curlieu Bailiwick</u>	
Thorpe Langton	Only East Langton West
Langton	appears
<u>Desford Bailiwick</u>	
Kirkby Muxloe	Does not appear
<u>Sileby/Belgrave Bailiwick</u>	
Bushby	Does not appear
Houghton on the Hill	Does not appear
Keyham	Does not appear
Does not appear	Sutton in the Elms
<u>Hinckley Bailiwick</u>	
Shenton	Does not appear

⁷ CIPM, iii, pp. 310, 321; PRO C 133/81 m 30, 48.

⁸ Fox, EHR, liv (1939), pp. 400-402; TLAS, xx, (1937-9), pp. 362-4.

APPENDIX TWO

MEN ATTACHED TO EDMUND OF LANCASTER 1255-96

All the people on this list are referred to in the sources in connection with Edmund of Lancaster; they were his knight (or whatever the person's role was) or were active with him or on his behalf. This list supplements the list of officers found in Somerville, pp. 347-9.

- AARON, SON OF VIVES: 1 September 1271, Jew, CPR.1266-72, p. 572; 5 July 1279, states he was granted to Edmund by Henry III, CPR.1272-81, p. 318; 12 February 1282, reference to Aaron, but he is not called Edmund's Jew, CPR.1281-92, p. 56; 17 April 1290, grant to Queen Eleanor of any action or forfeiture which the king has against Aaron, *ibid.*, p. 350; 28 July 1290, licence granted, *ibid.*, p. 379.
- JOHN DE ADINET: 1 June 1281, going abroad, CPR.1272-81, p. 441.
- PHILIP LE ARMURER: 4 September 1276, going beyond seas, CPR.1272-81, p. 160.
- NICHOLAS DE AUDLEY: June-August 1294, in the service of Edmund in Gascony, SHC, vii, p. 17.
- HUGH DE AUNGERVILLE, 19 October 1270, going to the Holy Land, CPR.1266-72, p. 465; on list of The English Crusading Force of 1270-2, S.D. Lloyd, English Society and the Crusade 1216-1307, (Oxford, 1988), p. 264.
- WILLIAM BAGOT, 26 June 1270, kt, CChR, ii, p. 144; Easter, 1296, going with Robert Fitzwalter in Edmund's retinue travelling to Gascony, SHC, vii, p. 34.
- MASTER RALPH DE BANNEBURY: 10 April 1292, going abroad, CPR.1281-92, p. 486.
- WILLIAM BARTON: 1294, bailiff of Edmund in Leicestershire, Farnham, II, i, p. 29.
- WILLIAM BASSET: 7 June 1298 and 28 June 1300 going beyond seas with Blanche, Edmund's widow, CPR.1292-1301, pp. 353, 521.
- WALTER DE BATHONIA: 12 October 1289, CPR.1281-92, p. 325; 10 April 1292, going abroad both times, *ibid.*, p. 486.
- ROBERT OF BELGRAVE: 1276, bailiff, G.F. Farnham et al., 'The Manor of Ashby Folville', TLAS, xi (1919-20), p. 457.
- BERNARD DE BERGH: 17 May 1294, to be replaced as verderer, being insufficiently qualified, CCR.1288-96, p. 347.
- ROBERT BERTRAM: 23 September 1294, pardoned a knights' fee due from him for Gascony, CPR.1292-1301, p. 87.
- WILLIAM DE BEYTON/BOYTON: 3 April 1292, going abroad, CPR.1281-92, p. 482; 15 October 1292, staying abroad, *ibid.*, p. 508.
- THOMAS DE BIRMINGHAM: 9 April 1295, kt, in retinue during Welsh War, SHC, viii, p. 16.
- ROGER (LE) BRABAZON: kt, 18 August 1289, nominated with Hugh de Vienne, presumably as attorneys, CPR.1281-92, p. 324; 8 May 1293, attorney with Hugh de Vienne, CPR.1292-1301, pp. 9, 14; 7 June 1298, attorney with John de Ditton for Blanche, Edmund's widow, 28 June 1300, attorney with Henry de Rolleston for Blanche, *ibid.*, pp. 353, 521; Somerville, p. 349.

RALPH DE BRAY: 20 January 1264, attorney, CLR, v, p. 130.
THOMAS DE BRAY: 19 October 1278, steward of Leicester honour, Bateson, i, p. 194; Somerville, p. 348.
THOMAS DE BRITANNIA: 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR 1292-1301, p. 353.
GILES DE BREWOSA: 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR 1292-1301, p. 353.
JOHN DE BRUMMOR/BREMORE: 1 March 1255, yeoman, CLR, iv, p. 302; Somerville, p. 347.

PETER COK: 11 June 1256, yeoman, CLR, iv, p. 302.
MASTER RALPH CIMUBON: 1 June 1281, going abroad, CPR 1272-81, p. 441.
WILLIAM DE CUGHE/CUGEHO: 12 October 1289, going abroad, CPR 1281-92, p. 325; 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR 1292-1301, p. 353.
HUGH DE CAUMBRAY: 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR 1292-1301, p. 353.

THOMAS DE DADINTON: 18 January 1278, going beyond seas, CPR 1272-81, p. 254.
WILLIAM DE DALEBY: 19 April 1272, clerk, CPR 1266-72, p. 646.
ROGER DARCY: 17 July 1277, gone to Wales, CPR 1272-81, p. 220.
JOHN DE DITTON: 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR 1292-1301, p. 353.
ELLIS DE DUACO: 23 May 1267, chaplain, CLR, iv, p. 274; 24 May 1267, chaplain, CPR 1266-72, p. 63.
WALTER DE DUFFORD: 3 April 1292, going abroad, CPR 1281-92, p. 483.

ELLIS: 28 June 1271, chaplain, probably Ellis de Duaco, CPR 1266-72, p. 547.

ROBERT DE FARNHAM: 26 and 28 April 1286, CPR 1281-92, pp. 238, 235; 12 October 1289, going abroad both times, ibid., p. 325.
GUY FERRE: 30 January 1271, going to the Holy Land, CPR 1266-72, p. 512; on Lloyd's list of The English Crusading Force of 1270-2, p. 265; Somerville, p. 349.
THOMAS LE FORESTER: 1291-2, bailiff at Newcastle under Lyme with Ralph de Thikness and others, SHC, VI, i, p. 203.
RICHARD DE FUKERAM: 6 February 1271, kt, CPR 1266-72, p. 515, unmentioned on Lloyd's list of The English Crusading Force of 1270-2; 24 January 1277, steward appointing constables in Wales, CPR 1272-81, p. 189; 1 January, 25 April 1279, attorney with Hugh de Vienne, ibid., pp. 296, 308; 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR 1292-1301, p. 353.
JOHN LE FURNER: 12 April 1272, merchant with James de Sancto Omero, CPR 1266-72, p. 687.

ROBERT DE GALTWYK: 4 July 1264, clerk, CPR 1258-66, p. 331.
BARTHOLOMEW DE GATYNGDEN: 26 January 1265, valetto, CCR 1264-68, p. 15; he is also mentioned as a keeper of Edmund's lands, along with Henry Purcel who may be one of Edmund's men as well, CPR 1258-66, p. 438.
ADAM DE GERSTAN: 25 July 1294, verderer in forest of

Lancaster (dead at this date), CCR-1288-96, p. 359.
HENRY DE GLASTON: 26 April 1286, CPR-1281-92, p. 239; 6 February 1294, going abroad both times, CPR-1292-1301, p. 62.
WILLIAM DE GRANDISONO: 2 January 1283, yeoman, CChR, ii, p. 264.
GERARD DE GRANZON: c. 1276, clerk, SHC, VI, i, p. 76.
HENRY DE GREY: kt, going to Gascony with William de Vesci in the train of Edmund, CP, vi, p. 123.
EUSTACE DE HACCHE: 15 September 1294, going to Gascony, CPR-1292-1301, p. 87.
WILLIAM DE HARDRESHULL: 15 September 1294, going to Gascony, CPR-1292-1301, p. 87.
JOHN DE HODING: 1274-5, bailiff, RH, i, p. 239.
EUSTACE DE HOLEWEYE: 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR-1292-1301, p. 353.
WILLIAM DE HUNTINGFIELD: 21 May 1281, cook, 1279, CPR-1272-81, p. 435.
INGRAM: 1266, clerk, keeper of the wardrobe, CLR, v, p. 241
WILLIAM DE INGE: 23 November 1296, keeper of lands that belonged to Edmund, CCR-1296-1302, p. 2.
JOHN: 26 October 1263, chaplain, CPR-1258-66, p. 293.
JOSCEUS, SON OF ROBERT: 8 July 1262, protection granted whilst on the service of Edmund, CPR-1258-66, p. 217.
JOHN DE KAM: 28 October 1263, yeoman taking letters abroad, CPR-1258-66, p. 295.
HENRY KENBAUD: 4 June 1273, with Stephen Wyles men and merchants, CPR-1272-81, p. 51.
GEOFFREY DE LANGLEY THE YOUNGER: 8 February 1271, kt, granted a manor in Nottinghamshire for services rendered, CChR, ii, p. 162; S. Lloyd, 'The Lord Edward's Crusade, 1270-1: Its Setting and Significance' in War and Government in the Middle Ages, ed. J. Gillingham, J.C. Holt (Cambridge, 1984), p. 130; 1 June 1281, CPR-1272-81, p. 441, 12 October 1289, going abroad both times, CPR-1281-92, p. 325.
ALAN DE LASCELES: 1 June 1281, going abroad, CPR-1272-81, p. 441; on Lloyd's list of The English Crusading Force of 1270-2 and went with Edmund on crusade, p. 262.
WILLIAM LE LATYMER: 25 November 1275, gone beyond seas, CPR-1272-81, p. 125.
RALPH DE LAVYNTON: 1 June 1281, chaplain going abroad, CPR-1272-81, p. 441.
ALARD LE LEU: 29 May 1272, merchant, CPR-1266-72, p. 698.
ROGER LE MESSEGER: 17 January 1272, messenger, CPR-1266-72, p. 617.
JOHN MORICE: 20 February 1277, bailiff of honour of Leicester, co. Warwick, CIM, i, p. 323.
JOHN DE MORTAIN: 20 July 1264, attorney, CPR-1258-66, p. 337; he is mentioned again as one of three keepers of Edmund's lands 13 August 1265, *ibid.*, p. 438.
JAMES DE MULTON: 2 December 1295, going to Gascony, then cancelled from the roll, CPR-1292-1301, p. 167.

- HENRY OWEYN: 1270, bailiff, Darley Cartulary, ii, p. 436, n. 1; RH, ii, p. 298; Pym Yeatman, II, iii, p. 64; 1275, bailiff at Uttoxeter, SHC, V, i, p. 119; Somerville, p. 347.
- MASTER ELIAS DE PETRAGOR': 1 July 1285, proctor going overseas, CPR-1281-92, p. 180.
- RICHARD, SON OF JOHN: 10 September 1295, setting out for Gascony, CCR-1288-96, p. 456.
- RICHARD: 16 March 1264, huntsman and keeper of dogs, CLR, v, p. 134.
- HENRY DE ROLLESTON: 28 June 1300, attorney with Richard le Brabazon for Blanche, Edmund's widow, CPR-1292-1301, p. 521.
- JOHN RUSSEL: 1 June 1281, clerk going abroad, CPR-1272-81, p. 441.
- WILLIAM DE RYVERS: 10 October 1295, merchant with Gerard de Vilers, CPR-1292-1301, p. 153.
- JAMES DE SANCTO OMER OF ST OMER: 10 February, 23 May 1271, 12 April 1272, merchant, CPR-1266-72, pp. 516, 536, 687.
- JAMES DE SANCTO MARTINO: 7 June 1298, going beyond seas with Blanche, Edmund's widow, CPR-1292-1301, p. 353.
- REGINALD DE SANCTO MARTINO: 10 April 1292, going abroad, CPR-1281-92, p. 486; 12 August, 17 September 1294, going to Gascony, CPR-1292-1301, pp. 83, 87.
- LAURENCE DE SANCTO MAURO (SEYMOUR): 27 July 1276, going to Navarre, CPR-1272-81, p. 156; 8 January 1278, going beyond seas, ibid., p. 251; 1 June 1281, going abroad, CPR-1272-81, p. 441; on Lloyd's list of The English Crusading Force of 1270-2, p. 268; 12 October 1289, going abroad, CPR-1281-92, p. 325.
- NICHOLAS DE SANCTO MAURO: 1 August 1276 going beyond seas, CPR-1272-81, p. 157; 24 April 1294, staying beyond seas, CPR-1292-1301, p. 69.
- RALPH DE SANCTO MAURO: 1 June 1281, going abroad, CPR-1272-81, p. 441.
- BARTHOLOMEW DE SARESBURIA: 20 September 1260, quit of tallage on his lands, houses and chattels in Guildford as a reward for services rendered, CPR-1258-66, p. 94.
- HENRY SEGWART: 2 December 1295, going to Gascony, then cancelled from the roll, CPR-1292-1301, p. 167.
- SAPIENTIA: 1297-8, former nurse, CIPM, iii, p. 292.
- PHILIP DE SHIRBURN: 26 April 1286, going abroad, CPR-1281-92, pp. 240, 247.
- NICHOLAS DE STAFFORD: 6 August 1276, going beyond seas, CPR-1272-81, p. 158.
- OSBERT DE STAUNTON, 27 December 1260, clerk, CLR, v, p. 13; Somerville, p. 349.
- THOMAS LE TAYLLUR: 10 May 1267, serjeant, CPR-1266-72, p. 58.
- RICHARD THALEBOT: 26 July 1276, going to Navarre, CPR-1272-81, p. 156.
- RALPH DE THIKNESS: 1291-2 bailiff at Newcastle under Lyme with Thomas le Forester and others, SHC, VI, i, p. 203.
- EYMO THURBERT: 11 June 1256, knight, CLR, iv, p. 302.
- ROBERT DE TURBERVILLE: 6 February 1271, kt, going to the

Holy Land, CPR-1266-72, p. 515; on Lloyd's list of The English Crusading Force of 1270-2, p. 272; a Marcher lord in Edmund's service, Lloyd in War and Government in the Middle Ages, pp. 129-30.

WILLIAM DE VALERS: 9 August 1260, yeoman, CPR-1258-66, p. 88.

WALTER LE VEER: 8 July 1267, yeoman, CPR-1266-72, p. 85.

THEOBALD DE VERDON: 20 January 1273, clerk, SHC, VI, i, p. 60.

HUGH DE VIENNE: 10 February 1271, clerk, CPR-1266-72, p. 517; granted a fee of £12 by Edmund, ibid., p. 511; 27 July 1276, attorney with Richard Fukeram in England for two years, CPR-1272-81, p. 156; 1 January, 25 April 1279, attorney with Richard de Fukeram, ibid., pp. 296, 308; 18 August 1289, with Roger le Brabanzun probably nominated attorneys, CPR-1281-92, p. 324; 12 April 1292, with Walter de Helyun, attorneys for a year, ibid., p. 480; 7 January 1293, attorney with Walter de Helinn (probably to be identified with Helyun), SHC, VI, i, p. 211; 8 May 1293, attorney with Roger le Brabazun, the younger, CPR-1292-1301, pp. 9, 14; Somerville, p. 349.

GERARD DE VILERS: 10 October 1295, merchant with William de Ryvers, CPR-1292-1301, p. 153.

VILLEINS: Michaelmas Term, 1297, Simon, son of Roger, William, son of Roger Bakun, William, son of Roger, William Wodeman, Thomas Astel, William Owayn, Roger, Roger Harding, John, his son, William Harding, Ralph le Hore, William, son of Henry le Fisshere, and eighteen others, all villeins in Anslow, Staffordshire, SHC, vii, pp. 45-6.

ALAN DE WALDECHEF: 10 April 1292, going abroad, CPR-1281-92, p. 486.

ROBERT DE WALDECHEF: 1275, constable of Tutbury, SHC, V, i, p. 121.

RICHARD DE WALDECHEF: 8 January 1278, going abroad, CPR-1272-81, p. 252; 15 June 1291, staying in Scotland, CPR-1281-92, p. 433.

ROGER DE WARDENTON: 1275, bailiff, RH, ii, p. 298; Pym Yeatman, II, iii, p. 50.

JOHN DE WYKE: 26 April 1286, going abroad, CPR-1281-92, p. 238; 12 July 1290, going abroad, ibid., p. 374.

RICHARD DE WYKES: 1266, steward, CLR, v, p. 241; 27 July 1276, going to Navarre, CPR-1272-81, p. 156.

STEPHEN WYLES: 4 June 1273, with Henry Kenbaud men and merchants, CPR-1272-81, p. 51.

WILLIAM WYTHIER: 9 April 1295, kt, in retinue during Welsh War' SHC, viii, p. 16.

APPENDIX THREE

WITNESSES AND MANUCAPTORS OF THE DEEDS
OF ROBERT DE FERRERS IN 1269

It would be interesting to discover whether the witnesses to the deeds which led to the ultimate disinheritance of Ferrers were men notably connected with Edmund, or whether they were servants of the Crown and royal administration. Of all of the witnesses below, Richard de Foukeram is most often mentioned in connection with Edmund and his personal administration, both as his attorney and as a witness to more personal charters.¹

In a bid to try and discover the personnel covered by the general phrase 'and many others' with which the list of witnesses always ends, the original manuscript was consulted, but the Close Roll contains exactly the same phrase at the end of the list of witnesses.² It is unlikely that the full complement of witnesses will ever be known.

A Table Showing the Incidence of the Witnesses on the Deeds of Robert de Ferrers in 1269

Names	Manucaptors	I ³	II ⁴	III ⁵	IV ⁶
Robert Walerand ⁷	+				+
Roger de Clifford	+				+
Roger de Somery	+				+
John de la Linde ⁸		+	+	+	+
John de Muscegr ⁸			+	+	+
Richard Fokeram ⁹			+	+	+
Stephen de Eddeworth ¹⁰		+	+	+	+
Bogo de Knovill ¹¹			+	+	+
Bartholomew le Peytevin		+	+	+	+
John Russel			+	+	+
Henry de Penstan		+	+	+	+
Guy de Leziniaco ¹²		+			
John de Chishull		+			
Peter de Chauvent ¹³		+			
William Belet		+			
William de St Ermina ¹⁴		+			
William de Faucham		+			
Robert Aguillon ¹⁵		+			
William de Aet, steward		+			
William la Zuche ¹⁶		+			
Henry d'Almain ¹⁷	+				
William, Earl of Pembroke	+				
John, Earl of Surrey ¹⁸	+				
William, Earl of Warwick	+				
Thomas de Clare ¹⁹	+				
Hamo Lestrangle	+				
Bartholomew de Sytleg	+				
Robert de Briwes ²⁰	+				

It is clear from this table that three of the men who acted as manucaptors also acted as witnesses on Document I, the carta obligatoria, otherwise the manucaptors as a group remain distinct. Only four of the twenty-eight men named

above appeared as witnesses on all four deeds, but they were not manucaptors.

Footnotes

- 1 See note 9.
- 2 PRO C 54/86/ m 7d; Mosley, pp. 20-5 publishes all four documents.
- 3 CCR-1268-72, pp. 122-3, Ferrers committing lands to manucaptors in the presence of the chancellor.
- 4 CCR-1268-72, pp. 123-4, Ferrers promising not to hinder seizin of his lands by the manucaptors.
- 5 CCR-1268-72, pp. 124-5, Ferrers agreeing to the transfer of his mother's lands to Edmund in due course.
- 6 CCR-1268-72, p. 125, the carta obligatoria.
- 7 Walerand was also a steward of the household though not described as such on the Close Roll or by Moseley when he appears as either a manucaptor or a witness, see HBC p. 75; CPR-1266-72, p. 359, 24 July 1269 he was granted all the lands of Fulk de Lucy, formerly belonging to the king according to the Dictum of Kenilworth; ibid., p. 336, 4 May 1269 a man was exempted from service on assizes at his instance.
- 8 CPR-1266-72, p. 343, 18 May 1269 Linde was granted houses in London; ibid., p. 344, 20 May he was appointed one of the arbitrators between the Kings of England and France
- 9 Richard de Fokeram was Edmund's attorney and was connected in other ways with Edmund (see Appendix Two), he also witnessed a number of other charters for Edmund and had custody of Countess Margaret de Ferrers' dower lands after her death in 1281, CPR-1272-81, p. 427; CPR-1266-72, p. 336, 1 May 1269 he was on an inquisition.
- 10 CPR-1266-72, p. 336, 3 May 1269 Eddeworth was granted the manor and forest of Clarendon.
- 11 Bogo de Knovill was mandated to hand over Chartley castle to Edmund on 26 July 1276, CPR-1272-81, p. 156.
- 12 Moseley makes an error here and calls Guy de Leziniaco, 'Lord Guy de Master'. This is a misreading of the following name, Master John de Chishull, he has somehow omitted Leziniaco and thought his surname was master; CPR-1266-72, pp. 338, 349, 7 May and 18 June 1269 respectively, Leziniaco is styled 'the King's brother' and has a man pardoned at his instance, ibid., p. 348, 18 June he is paid money owed to him by the king (similarly, ibid., pp. 350, 356); John Chishull was chancellor from November 1263 to 25 February 1264 and was reappointed 30 October 1268 to 29 July 1269, HBC, p. 78; CPR-1266-72, p. 344 21 May 1269 for an example of him acting as chancellor.
- 13 CPR-1266-72, pp. 336, 355, 4 May and 16 July 1269 respectively he had a man pardoned at his instance.
- 14 Ibid., pp. 338 8 May 1269 a renewed promise by the King to pay St Ermina £100 from escheats.
- 15 Robert Aguilon was also a steward of the household, HBC, p. 75; CPR-1266-72, p. 338, 8 May 1269 he was confirmed quit at the exchequer for the counties of Surrey and Sussex; ibid., p. 348, 13 June 1269 Aguilon was granted a wardship and lands.
- 16 Powicke, ii, p. 494, William la Zuche was arrested at

- the same time as Derby in 1264.
- 17 CPR.1266-72, pp. 342-3, 20 May 1269 d'Almain had Rockingham Castle committed to him for life at the instance of the queen, the Lord Edward, Edmund and Leziniaco.
 - 18 Ibid., p. 343, 18 May 1269 Surrey was given the liberty of 'free tronage' in Stanford and 'Graham' [it has been difficult to identify this place it may be Grayingham or Grantham].
 - 19 Ibid., p. 342, 20 May 1269 Clare had a man pardoned at his instance.
 - 20 Ibid., p. 349, 18 June 1269 an exemption from jury service was granted at de Briwes' instance.

APPENDIX FOUR

MEN CONNECTED WITH HENRY, THIRD EARL OF LANCASTER, 1326-45¹

JOHN, THOMAS, and HENRY DE ABYNDON of Norton Brun: three brothers *

JOHN ANTON': *

EDMUND DE APPELBY: *, 9 February 1329, fined £100 for being at Bedford, CCR-1327-30, p. 529; 12 January 1330, had remission of £20 of his fine, CPR-1327-30, p. 474.

DAVID, EARL OF ATHOL: *, 30 January 1329 he and his followers were accused of breaking into the house of William de Ros of Helmsley, in Gainsborough, Lincoln, CPR-1327-30, p. 423; 9 February 1329 fined £5 000 for being at Bedford, CCR-1327-30, p. 529; he was pardoned his fine on 2 January 1331, CPR-1330-34, p. 33

HUGH AUDLEY: kt, *, 2 March 1327, pardoned for breaking prison at Nottingham Castle, CPR-1327-30, p. 31; Richard de Grey of Codnor pardoned for letting him escape, *ibid.*, p. 69; 9 February 1329 fined £10 000 for being at Bedford, CCR-1327-30, p. 528; 12 April 1329, going beyond seas, CPR-1327-30, p. 381; 26 January 1330 remission of 2 000 of 12 000 marks still due on the £10 000 fine of which he was pardoned 3 000 marks on 24 April last, *ibid.*, p. 484; 14 April 1330 a commission of oyer and terminer granted to look into the rent acquired for the lifetime of Margaret, wife of Hugh, sometime wife of Peter de Gaveston in London and confiscated due to the quarrel of Thomas of Lancaster, and whether they released it to Queen Isabella to whom it was granted, *ibid.*, p. 560

ROBERT and WILLIAM BARET: *

JOHN DE BARKWORTH: 17 February 1329, CPR-1327-30, p. 362.

HENRY BEAUMONT: kt, *

ROBERT ATTE BECHE: *

JOHN DE BEDFORD of London: *, 15 June 1329, pardoned for his adherence to those in rebellion against the king provided that he did not go within twelve leagues of the city of London, CPR-1327-30, pp. 399, 401.

SIMON DE BELTOFT: *

NICHOLAS DE BERKESWELL; 9 February 1329, fined £40 for being with Henry at Bedford in January 1329, CCR-1327-30, p. 530.

THOMAS and WALTER BEVER: *

JOHN BLOUNT: kt, *, 11 July 1330, granted a manor in Gloucester by Henry, CPR-1327-30, p. 543; RETAINED by HENRY received fee of £5 a year, paid before 1 June 1330; an executor of the earl's will; brother of Sir William, Somerville, p. 356; granted a manor in Gloucestershire by Henry of Lancaster 27 January 1332, CPR-1330-34, p. 258; another manor so granted 5 July

¹ For reasons of brevity this list is a supplement to the list of officers compiled by Somerville, pp. 354-8 unless the men played a part in Henry's actions, or new evidence on them has been found.

* Indicates that in January 1329 these men were with Henry at Bedford, CIM, ii, pp. 274-5

1332, *ibid.*, p. 321 (William le Blount, William de Walkington, Richard de Rivers, Roger de Cully, John de Freland were witnesses), *ibid.*, p. 321.

WILLIAM (LE) BLOUNT: *, 9 February 1329, fined £500 for being at Bedford, CCR-1327-30, p. 530; 15 May 1329, grant of manor of Barton, Staffordshire to William le Blount 'the nephew' for life, in chief, CPR-1327-30, p. 389; 12 September 1329, abroad with Henry of Lancaster, *ibid.*, p. 442; 11 July 1330 granted a manor in Lancaster by Henry, *ibid.*, p. 543; 14 December 1330, pardoned his fine of £500, CPR-1330-34, p. 28; Somerville, pp. 356, 357.

JOHN BOTE COURT: kt, *, 9 February 1329, fined £130 for being at Bedford, CCR-1327-30, p. 530.

ROBERT DE BOTTESFORD of Stodham: *

WILLIAM DE BRADESSHAW: kt, *

ROBERT BRETON: kt, 25 May 1329, fined £200 for being at Bedford in January 1329, CCR-1327-30, p. 530.

ROBERT BROUN: *

FRANCIS LE BUTLER (BOTYLER): *

WILLIAM DE CHETWODE: *

JOHN CHILD of Billesdon: *

THOMAS DE CHIKEWELL (Jykewell) of London: *

SIMON, SON OF COLET DE BUDDENHO/ SIMON JOLET: may be the same person, *

ROGER DE CULLY: *, 9 February 1329, fined £100 for being at Bedford, CCR-1327-30, p. 529; 15 December 1330, pardoned his fine, CPR-1330-34, p. 33; Maddicott, pp. 58-9.

HENRY DANET: *, 9 February 1329, fined £100 for being at Bedford, CCR-1327-30, p. 530.

JOHN DE DENHAM: kt, *, Somerville, p. 356

JOHN DE DENEVOR: 15 March 1329, released from imprisonment in Norwich Castle for adhering to Henry; 24 August 1330 pardoned for taking part in rebellion CPR-1327-30, p. 552.

ROBERT DURAUNT of Brenne: *

JOHN DYKEBY of Leicester: *

JOHN ENGAYNE (Dengayne): kt, *, involved with Sir Anketin de Martival in a bond for two other Martivals to pay them 40 marks, LRO DG 21/10; 9 February 1329, fined 1200 marks for being at Bedford, CCR-1327-30, p. 529; 12 Jan 1330, remission of 200 marks of fine, CPR-1327-30, p. 472.

THOMAS ENGAYNE: kt, *

ROBERT (DE) FARNHAM: *, 9 February 1329, fined £20 for being at Bedford, CCR-1327-30, p. 530; 10 January 1331, pardoned his fine, CPR-1330-34, p. 33

HENRY DE FERRERS: kt, *, 9 February 1329, fined 2000 marks for being at Bedford, pardoned £200 of 750 marks which was payable at specified terms, CCR-1327-30, p. 530; 12 September 1329, abroad with Henry, CPR-1327-30, p. 442; 22 July 1330, Ferrers had a writ of aid to arrest men guilty of breaking the peace, *ibid.*, p. 571; 14 December 1330, pardoned of recognisance of £5000, CPR

1330-34, p. 28; 18 February 1331, on commission of oyer and terminer for oppressions by ministers of the late king and the king in the counties of Warwick, Leicester and Worcester, ibid., p. 133

THOMAS DE FERRERS: kt, *, 9 February 1329, fined 40 marks for being at Bedford, CCR-1327-30, p. 529; 12 September 1329, abroad with Henry, CPR-1327-30 p. 442.

RALPH DE FERRERS: kt, *

PHILIP DE FOLVILLE: 10 March 1329, several Folvilles pardoned for assisting the king against certain rebels, CPR-1327-30, p. 374; 18 April 1329, fined £200 for being at Bedford, 15 May, pardoned 20 marks of the 40 marks payable at specified terms, CCR-1327-30, p. 530; he was assaulted and lost two fingers at Melton Mowbray, Leicestershire, CPR-1327-30, p. 481; 15 December 1330, arrest of several Folvilles ordered, CPR-1330-34, p. 61; 10 January 1331, pardoned his fine, ibid., p. 33

WILLIAM DE FRAUNK: 4 March 1329, fined £200 for being at Bedford, CCR-1327-30, p. 530.

JOHN FYTHZ SYMOUND: *

WILLIAM, SON OF HENRY ATTE GRENE of the borough of St Edmunds: *

MARMADUKE DE GRINDALE: *

ROBERT GOBION: *, 9 February 1329, fined £10 for being at Bedford, CCR-1327-30, p. 529.

WILLIAM DE GODESSANCE: *

ROBERT GOWER: *

WILLIAM AND THOMAS ATTE HALLE of Dunstable: *, 8 March 1329, order for arrest of William de Dunstable CPR-1327-37, p. 373

HENRY DE H[AMBUR]Y: *

RALPH DE HASTYNGS: 24 October 1332, grant for life of the castle, honour and forest of Pickering, the bailiwick of the soke of Scalby and the lordship of Easingwold, etc, CPR-1330-34, p. 364, Somerville, p. 356.

WILLIAM LE HEIR: *

ROBERT DE HELPESTON: *

HENRY DE HULLE (HILLES): *, 9 February 1329, fined 100 marks for being at Bedford, CCR-1327-30, p. 529.

JOHN JERYN (GERYN): *, 9 February 1329, fined £40 for being at Bedford, CCR-1327-30, p. 530.

JOHN JUEL: *

WILLIAM ATTE LEE: kt, *

JOHN LEURE: *

HENRY DE LEVESHALL: *

HENRY DE LEYBOURNE: *

HELDEBROND OF LONDON: *

ROBERT LONGEVILL: *

WILLIAM LOVEL: kt, *, 9 February 1329, fined 200 marks for being at Bedford, CCR-1327-30, p. 529.

WILLIAM MARMYON: 1 February 1329 adhered to those at variance with the king, CPR-1327-30, p. 362.

RICHARD DE MERCLESDEN: chief forester of Blackburnshire,

1334, Somerville, p. 355; confirmed in office for life as granted by THOMAS by fine of 40s on 10 December 1331, CPR.1330-34, pp. 33-4

THOMAS DE MONTE HERMERII: 9 February 1329, fined 1000 marks for being at Bedford, CCR.1327-30, p. 530; 20 July 1330 grant to pay his fine, he could pay the 200 marks required of him in installments of 12 marks 6s 8d, ibid., p. 547; 20 January 1331 pardoned his fine, CPR.1330-34, p. 33

ROBERT DE MORTEYN: 4 December 1329, fined £20 for being at Bedford, CCR.1327-30, p. 530.

THOMAS AND EDWARD DE PABENHAM: *

JOHN DE PAVELY: *

GILBERT PECCHIE: 9 February 1329, fined £100 for being at Bedford, CCR.1327-30, p. 529; 22 January 1331, pardoned his fine, CPR.1330-34, p. 33

JOHN PIPPARD of Goldyngton: *

WILLIAM DE PLUMSTEAD: 9 February 1329, fined £10 for being at Bedford, CCR.1327-30, p. 530.

JOHN PYCOT of Ronhale: kt, *

WILLIAM DE QUYNTON: *

RADCLIFFE, Lancaster: January 1329, the brethren of the town were with Henry at Bedford, CIM, ii, pp. 274-5.

WILLIAM DE REDYNGES: 15 June 1329, probably pardoned for being with Henry, CPR.1327-30, p. 399

ROBERT REVEL: 9 February 1329, fined £20 for being at Bedford, CCR.1327-30, p. 530.

RICHARD DE RYVERS: *

JOHN ROSSELYN: kt, *

THOMAS ROSCELYN: kt, 8 February 1329 Isabella granted the arrears on recognisances of Ralph de Camoys to Thomas Roscelyn now in the king's hands (vacated by surrender) CPR.1327-30, pp. 360, 364; 13 February, grant of his lands and goods to Oliver de Ingham, justice of Chester, ibid., pp. 364, 365-6.

ANDREW SALEMAN: 15 June 1329 probably pardoned for being with Henry, CPR.1327-30, p. 399

PETER AND ROBERT DE SALTHERS: *

JOHN SAPY: *

THOMAS DE SCEFTINGTON: *

THOMAS, GEOFFREY AND SIMON SKEFTON: three brothers, *

PHILIP DE SCHETEWYNDE: *

THOMAS SPIGOURNEL: kt, *, 9 February 1329, fined 500 marks for being at Bedford, CCR.1327-30, p. 529.

WILLIAM DE STERMOUTH: 15 June 1329 probably pardoned for being with Henry, CPR.1327-30, p. 399.

ROGER ATTE STOKKE: *

STEPHEN DE SWYNNERTON: 28 July 1329, fined £100 for being at Bedford, CCR.1327-30, p. 530.

THOMAS DE THORNHAM of county Southampton: *, 20 May 1329, commission of oyer and terminer issued to look into the men who took him out of sanctuary in Norwich after he escaped from custody of sheriff of Norwich in which he was for being at Bedford with Thomas Rosselyn, CPR

1327-30, p. 429; 1 May 1330, pardoned for adherence to Henry and breaking prison at Norwich Castle, ibid., pp. 519, 553; 23 March 1331, pardon to Roger de Frengre for assisting him to escape, CPR.1330-34, p. 97; pardoned for assisting at the arrest of Mortimer in Nottingham Castle and to enable him to enter the order of St John of Jerusalem in England, and for adhering to Henry escaping, Thomas Wyneman of Thornham, kt, also pardoned 20 October 1331, ibid., p. 177

WILLIAM TRUSSEL THE ELDER: kt, *, 29 January 1329, grant of lands of a king's ward to Norman Darcy after lost by Trussel, CPR.1327-30, p. 360; 15 February 1329, grant to Darcy of any of Trussel's goods in the lands of the king's ward, ibid., p. 361; 16 May 1329, lands and goods of Trussel in Cambridgeshire granted to the king's yeoman ibid., p. 392; 21 March 1330, William, son of Edmund Trussel, pardoned then cancelled because he had no charter, ibid., p. 500; 1337, steward of the Leicester honour in Northampton, 1331, 1335-7, probably escheator of the south, Somerville, p. 356

WILLIAM TRUSSEL THE YOUNGER: kt, *

JOHN DE TWYFORD: *, 9 February 1329, fined £200 for being at Bedford, £40 of which was granted to Roger Mortimer by the king in part payment of a royal debt, CCR.1327-30, p. 530; 5 December 1330, pardoned his fine, CPR.1330-34, p. 33

HENRY DE TWYFORD: *

THOMAS WAKE of Liddell: kt, *, 9 February 1329, fined 15 000 marks for being at Bedford, CCR.1327-30, p. 530; 12 December 1330, pardoned of recognisance of £10,000 CPR.1330-34, p. 28; 18 February 1331, on commission of oyer and terminer for oppressions by ministers of the late king and the king in the county of York, ibid., p. 133

GEOFFREY DE WALLECOTE: 9 February 1329, fined £10 for being at Bedford, CCR.1327-30, p. 530.

WILLIAM DE WALKYNGTON: *, 4 November 1332, licence for Henry to grant him three manors in Derbyshire, except the lead mines, CPR.1330-34, p.367; also witness to charter of Henry, see John Blount.

JOHN DE WAUTON: 9 February 1329, fined £50 for being at Bedford, CCR.1327-30, p. 529.

NICHOLAS WHITTYNGR: 9 February 1329, fined 100s for being at Bedford, CCR.1327-30, p. 530; 1 July 1329 pardoned for adherence to certain of king's subjects in rebellion against him, CPR.1327-30, p. 403.

WILLIAM DE WINESTOWE: *

PHILIP DE WYBBESSNADE: *

WILLIAM DE WYMYNGTON: *

WILLIAM DE WYSTOWE: 25 May 1329, fined £500 for being at Bedford, CCR.1327-30, p. 530, possibly to be identified with Winestowe.

THOMAS WYTHYER: kt, *

APPENDIX FIVE

THE ADVOWSONS OF EDMUND OF LANCASTER

Below is a transcript of the schedule of advowsons with the monetary values which are omitted in the calendar, CIPM, iii, p. 321, and taken from PRO C 133/81 m 49.

County	Value £ s d pa	Sub-Totals	Dower Churches
STAFFORD			
Stoke	100		
Wolstanton	40	140	*
Hanbury	100		
Uttoxeter	46 13 4		
Tatenhill	40		*
Yoxale	33 6 8		
Rolleston	26 13 4	246 13 4	
DERBY			
Duffield	100 ?		*
NORTHAMPTON			
Higham	40		
Raundes	50		*
Irchester	30	120	*
LEICESTER			
Stapleford	20		
Edmondthorpe	20		*
Wymondham	24 6 8		
Tutbury:			
Portions of			
the chapel	4	56 6 8 (incorrect) 68 6 8 (correct)	
LANCASTER			
Preston in			
Amondernesse	100		
St. Michael's			
upon Wyr	100		
TOTAL	804 (with the incorrect figure £763 with the correct one £775)		

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BR I/2/15 (Edmund of Lancaster)
BR I/2/17 (Thomas)
BR I/2/21/1 (Alice)
BR II/3/2 (VB f 40 no. 28), MF 145
BR III/1/14 (Mayor's Accounts)
BR III/1/15
BR III/1/16

Hazelrigg Mss

DG 21/1 (Noseley)
DG 21/8
DG 21/10
DG 21/11
DG 21/13
DG 21/12
DG 21/14
DG 21/15
DG 21/16
DG 21/17
DG 21/18
DG 21/35/a-n

Gretton (Sherrard) Mss

DG 40/286 (Folville and Teigh)
DG 40/287
DG 40/288
DG 40/289

Other documents

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34 D56/50
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