

# KEEPING IT IN THE FAMILY: SEX, SCANDAL AND REBELLION IN BARONIAL CLEVELAND

by Rosie Bevan<sup>1</sup>

## ABSTRACT

This paper explores evidence that Joan, the wife of Peter de Brus, Lord of Skelton was a sister of Roger de Lacy, Constable of Chester, and by tracing the devolution of her marriage portion of an estate in Knottingley, into the Meinell family, the author concludes that it was common descent from this couple which caused serious problems for their descendants, Nicholas de Meinell and Lucy de Thweng, whose notorious love affair, resulted in accusations of incest by the church.

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## Introduction

This article gives an overview of the Brus family in Cleveland, then attempts to draw together contemporary documentary evidence about Peter de Brus and his kinship to give new insight into his world and the identity of his wife, Joan, whom the author proposes was sister of Roger de Lacy, Constable of Chester, Lord of Pontefract. Along the way new observations are made about other members of Peter's family, namely his nieces Agnes, wife of Roger Bertram of Mitford (d.1241); and Jueta wife of Nigel de Plumpton.

The second proposition the author makes by following the descent of Joan's marriage portion of an estate in Knottingley in the Honour of Pontefract, is that the wife of Stephen de Meinell of Whorlton was a daughter of Peter and Joan de Brus. The author will then examine other evidence which reinforces the theory of a Brus/Meinell marriage.

It is the significance of the Brus descent of Nicholas de Meinell that becomes the focus of the last part of this paper giving new insights how it may have ruined his marriage prospect and tainted his love affair with Lucy de Thweng, and explains why the couple was not only accused of adultery but incest, being related far too closely within the acceptable bounds of consanguinity.

## Historical and genealogical perspective of the Brus family in Cleveland

Owing to its proximity to Scandinavia, the north eastern stretch of the English coastline was subjected to frequent plundering by Norsemen, many of whom settled in Yorkshire throughout the ninth and tenth centuries. By the time of the Norman Conquest much of Yorkshire was ruled independently by a Danish aristocracy over an Anglo-Scandinavian underclass; a unique melting pot of culture, language and outlook. This situation posed a problem for the Norman kings, who could never rely on this independent northern population submitting to their authority as easily as had southern England, or that Scandinavian political influence would cease to be a force in the region.

In 1069, Sweyn of Denmark and Edgar the Atheling organised an invasion of 240 long boats from Denmark, up the river Humber to attack the Normans in York.

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<sup>1</sup> Contact details: [rbevan@ferside.co.nz](mailto:rbevan@ferside.co.nz)

After subduing the rebellion king William responded by ordering the systematic slaughter of communities in Yorkshire, between the Tyne and the Humber, and the destruction of villages, livestock, crops, and agricultural equipment. This took place over the winter months of 1069 and 1070. Partly in revenge for the massacre of the Norman community in York, the devastation of the region was a final solution intended to discourage foreign invasion once and for all by removing indigenous support and provisions for armed invaders. The *Harrying of the North*, as it was named by chroniclers, plunged the region into poverty and distress from which it would take decades to recover.<sup>2</sup> As indicated by the *Domesday Book* of 1086, Cleveland suffered along with the rest of Yorkshire, with most of its coastal villages from the River Tees to Whitby laid waste or considerably reduced in resources.

This was the recovering landscape to which Robert de Brus<sup>3</sup> arrived in May 1103, when Henry I granted him an estate in upper Eskdale, along the southern section of the wapentake of Langbaugh, which became his chief seat. It comprised Danby, Harpham, Crunkley and Lealholm - about 1440 acres in total, including Danby's forest, all with right of free warren and full rights of administering justice.<sup>4</sup> Among the witnesses to the grant was David, Earl of Huntingdon (brother to Henry's Queen Matilda), who later became king of Scotland and also royal patron of Robert de Brus.<sup>5</sup>

Henry's gift was in exchange for 24 carucates of land in Rigton and Collingham in West Yorkshire, which Robert had already been granted. He built a castle in the parish of Danby in a place which became known as Castleton above the Esk River,<sup>6</sup> situated in a commanding position in Eskdale, which could control routes from the east coast at Whitby to the low lying corridor of the Vale of York in the west and south. This estate was rich in iron ore and supported an important iron smelting industry, the ownership of which also meant control of weapon and implement making, as well as being a lucrative source of income. Brus established a market and fair at Castleton, making it the centre of commercial activity in upper Eskdale.

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<sup>2</sup> Simeon of Durham wrote "...so great a famine prevailed that men, compelled by hunger devoured human flesh, that of horses, dogs and cats, and whatever custom abhors; others sold themselves into slavery so that they might in any way preserve their wretched existence; others while about to go into exile from their country, fell down in the middle of the journey and gave up the ghost. It was horrific to behold human corpses decaying in the houses, the streets and the roads, swarming with worms, while they were consuming in corruption with an abominable stench. For no-one was left to bury them in the earth, all being cut off by the sword or by famine, or having left the country on account of the famine. Meanwhile the land being thus deprived of anyone to cultivate it for nine years, an extensive solitude prevailed all around. There was no village inhabited between York and Durham; they became lurking places to wild beasts and robbers, and were a great dread to travellers." Joseph Stevenson, trans., *The Historical Works of Simeon of Durham* (1855), 551.

<sup>3</sup> The Brus family name (also spelt Bruis) originated from Brix, Manche, arr.Valognes, Normandy close to the border of Brittany.

<sup>4</sup> Charles Johnson, ed., *Regesta Regum Anglo-Normannorum* II (1961), no. 648.

<sup>5</sup> David gave Robert de Brus the lordship of Annandale, comprising 10 knights' fees, which covered "Estrahanent and all the land from the march of Dunegal of Stranit to the march of Randolph Meschines". Essentially the boundary was Nithsdale held by Dunegal in the west and Cumberland held in the east by Ralph le Meschin, Earl of Chester. The territory was in a key location for it covered the western approach to Scotland from England. George Neilson, "Guisborough and the Annandale Churches", *Transactions of the Dumfriesshire and Galloway Natural History and Antiquarian Society (TDGAS)*, 3<sup>rd</sup> series XXXII (1953-4), 142-154.

<sup>6</sup> Danby Castle itself was a later fourteenth century edifice built by his Latimer descendants (Fig.1).

**Fig 1 Danby Castle, constructed by William Latimer, son of Lucy de Thweng**  
Latterly converted to a farmhouse it still hosts the court leet.



Three years later in 1106 Henry I granted Robert de Brus a further 98 estates, comprising a total of 400 carucates under cultivation (around 60,000 acres) as a measure to consolidate his authority over Yorkshire. While a few of these manors were in the East Riding, the majority were located in the north east in the area bounded by the North Yorkshire Moors, Cleveland and Hambleton Hills in the wapentake of Langbaugh. They were made available to Robert de Brus owing to the forfeiture of Fitz Baldric, William Malet and the count of Mortain, who had supported Henry's brother, Robert Curthose Duke of Normandy, in his unsuccessful bid for the English throne.<sup>7</sup>

It was probably about this time that Robert's chief seat was removed to Skelton Castle. Once owned by William Malet, it is located three and a half miles north of Guisborough on a high escarpment overlooking the valley formed by Skelton Beck, the mouth of which is at Saltburn-by-the-Sea, which provided a less conspicuous route for foreign invaders between the high sea cliffs there to the Tees Valley and the North Yorkshire Moors. Originally a Celtic fort, the castle at Skelton became a substantial structure under the ownership of the Brus family, running 1600 ft from north to south, containing a massive fortress, village, and a church at the southern end. Adam II built a stone keep and the castle was eventually enlarged to cover five and a half acres, surrounded by a vast moat 240 feet from bank to bank, making it one of the largest castles in Yorkshire. Although the stone structure was demolished in the 18<sup>th</sup> century, the impressive earthworks are still visible today.<sup>8</sup>

<sup>7</sup> EYC, II, 16-19. The Brus Fee was the only late entry into the Domesday Book, misleading historians into commenting that Robert de Brus was granted his land by William the Conqueror. P. King, "The Return of the Fee of Robert de Brus in Domesday", *The Yorkshire Archaeological Journal*, 60, (1988), 25-29. The resulting distorted pedigree that this assumption caused can be found *ad nauseam* in pedigrees posted on the internet.

<sup>8</sup> Joseph E. Morris, *The North Riding of Yorkshire*, (1931) p.353; *VCH Yorkshire*, 2: 51.

It is perhaps because of the wasted value of the land that Brus eventually received so much of it.<sup>9</sup> Despite the large area his fief covered, it was only ever assessed at 15 knights' fees, so that later generations of the family reaped the benefit of its increase in value after a period of economic recovery and Norman repopulation.<sup>10</sup> The eventual possession of around 135 manorial estates made Robert the most powerful baron in the north east, with territory stretching from county Durham in the north, to Allerton Mauleverer in the south.<sup>11</sup> Robert provided an important link in the chain of baronial defence across northern England as well as along the eastern coast controlling land stretching continuously from the mouth of the Tees along the coastline to Whitby.

Robert de Brus founded Gisborough priory (see cover picture) around 1119 with the generous grant of the manors of Guisborough and Kirkleatham, along with the living of every church in his demesne.<sup>12</sup> Following his example, his principal tenants granted land and possessions, augmenting family gifts generation by generation, helping it to become the third wealthiest religious establishment in Yorkshire by the time of the Dissolution. Appointing his brother William as its first prior, the priory was patronized by both the English and Scottish branches of the Brus family who were buried within the church, and the anniversary of their deaths continued to be commemorated by the canons of Gisborough priory for the next 400 years.<sup>13</sup> Robert's eldest son Adam inherited the Yorkshire lands, while Robert, his younger son, inherited the lands in Annandale and co. Durham – estates north of the Tees when the river became the border between England and Scotland in 1139. Protecting the landed interests of the family led to a divergence of political paths, but they remained linked by their ancestry and patronage of Gisborough priory.

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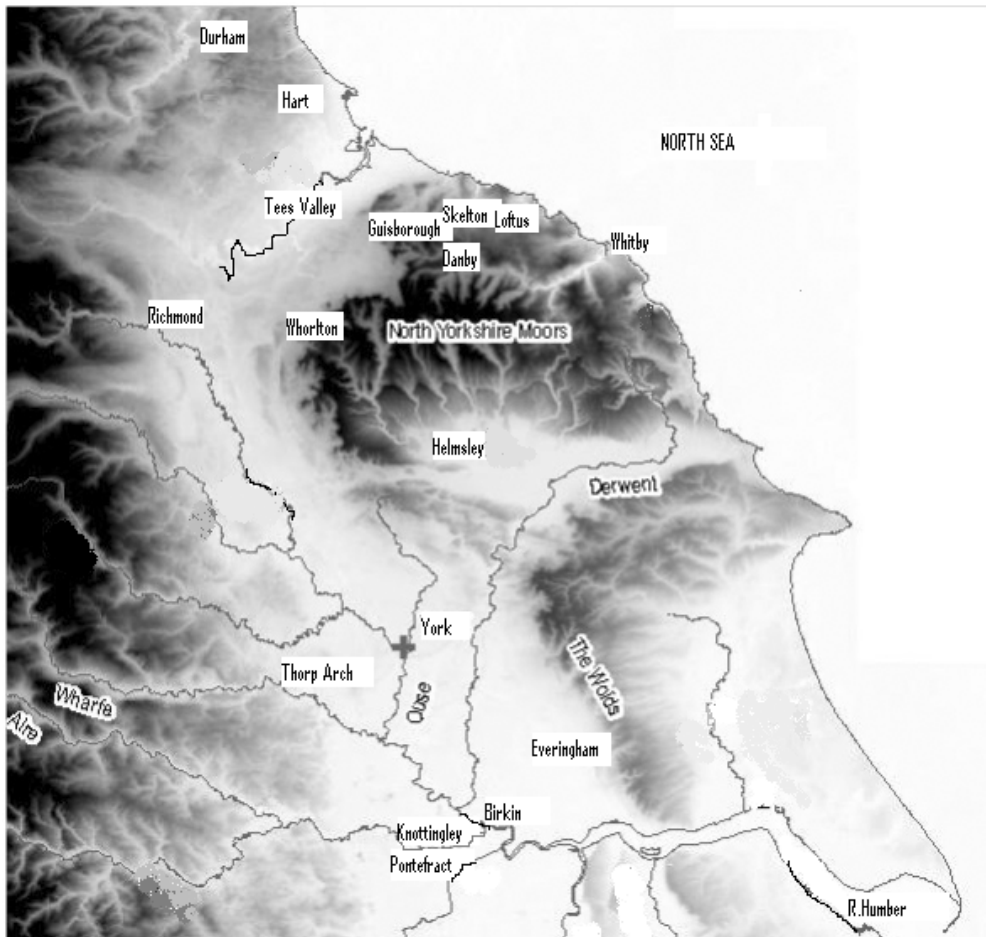
<sup>9</sup> Land in Yorkshire was rated at between 10 to 20 carucates to a knight's fee, in comparison to two or three in southern England. Hugh M. Thomas, *Vassals, Heiresses, Crusaders and Thugs: the Gentry of Angevin Yorkshire, 1154-1216* (1993), 89 note 10.

<sup>10</sup> In 1272 the annual income from the Brus fee in Langbaugh wapentake alone was over £500, which would then have been normally assessed at 25 knights fees. £37 of this was from Danby. *CIPM* I: 800.

<sup>11</sup> The manors included Burton Agnes, Thwing, Rudston, East and West Heselton, Rillington, Scampston, Bridlington, Gransmoor, Great Driffield, North Cave, Hotham, South Cliffe, Pocklington, Birdsall, Garrowby, Eddlethorpe, Thornthorpe, Firby, North Grimston, Burythorpe, Allerton Mauleverer, Widdington, Aldborough, Knaresborough, Little Ouseburn, Hopperton, Upper and Lower Dunsforth, Branton Green, Grafton, Thorpe near Scotton, Leathley, Rawdon, Horsforth, Thorpe (near Burnsall), Laverton, Azerley, Clareton, Thornborough, Carlton, Camblesforth, Appleton-upon-Wiske, Hornby, Low Worsall, Yarm, South Otterington, East Harlsey, Welbury, Kirk Levington, Morton Grange, Bordelby, Arncliffe, Ingleby, Little Busby, Crathorne, Hutton Rudby, Goulton, Seamer, Hilton, Thornaby, Marton, Newham, Tolesby, Faceby, Tanton, Nunthorpe, Morton, Newton, Upsall, Ormesby, Pinchingthorpe, Kildale, Lazenby, Guisborough, Stainton, Great Moorsholme, Cawthorne, Crambe, Newsham, Amotherby, High Hutton, Bridlington, Brompton, Thornton Dale, Wykeham and Marton, Cayton, Crunkley, Aislaby, Seaton, Kilton Thorpe, Kilton, Brotton, Skelton, Marske, Hutton Lowcross, West Leatham, Normanby, and Barnaby, Danby, Lealholm, Hangton, 'Bergolbi,' and 'Toschetorp' – the last two being unidentified. Brus was also granted lands across the Tees in co. Durham – Hart and Hartness, which were tenanted by the Scottish branch of the Brus family.

<sup>12</sup> Consisting of Marske, Upleatham, Kirkburn, Danby, Skelton, Stainton, Levington, Hartness and Stranton. *EYC* II 27.

<sup>13</sup> F Wormald, "A Liturgical Calendar from Guisborough Priory with some obits." *The Yorkshire Archaeological Journal* 31, (1934), 5. The last of the Scottish line to be buried there was Robert de Bruce (d.1295) grandfather of Robert Bruce, King of Scotland.

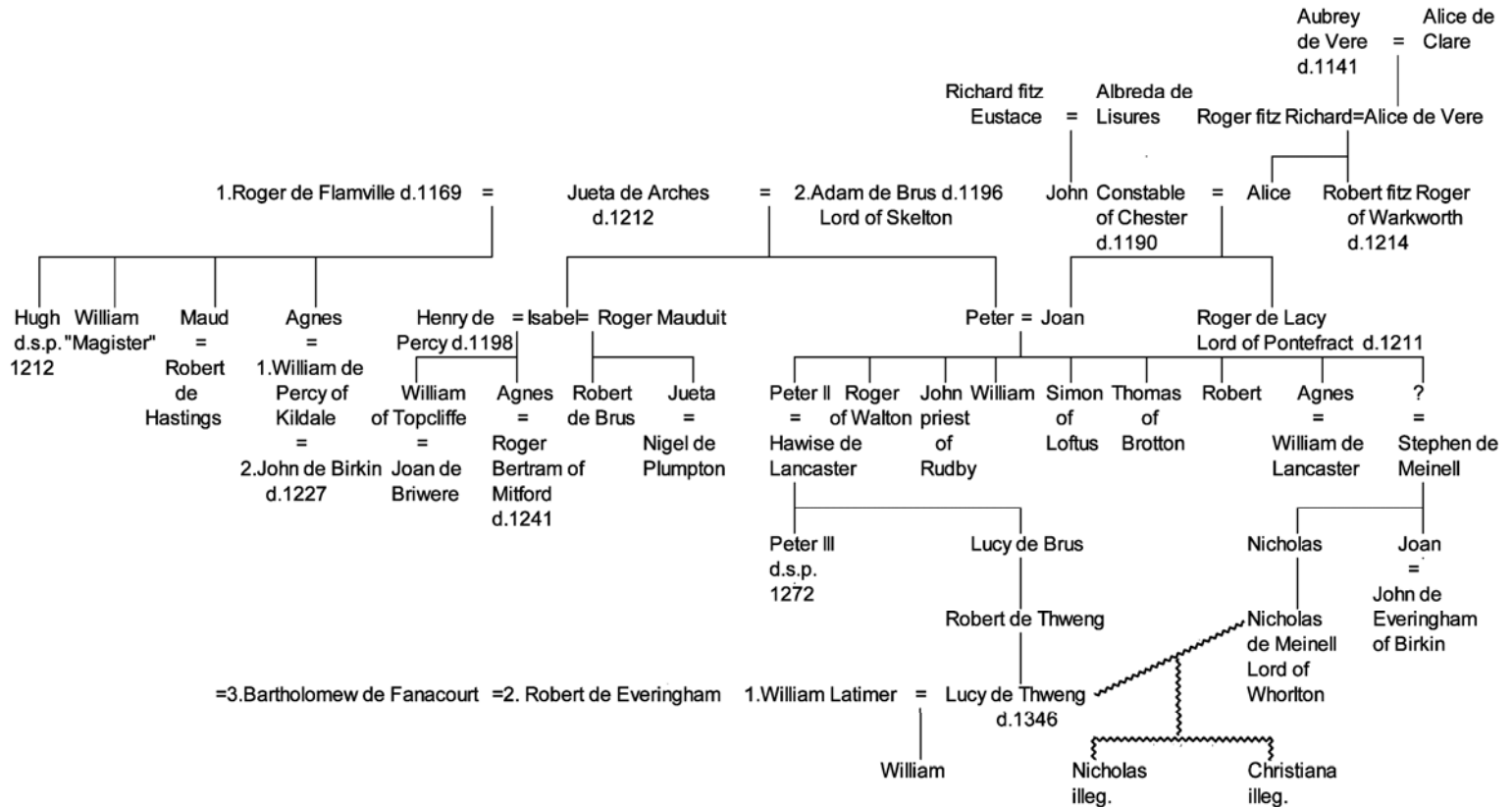
**Fig 2** Map of Yorkshire showing the locations mentioned in the article

The ancestry of Robert de Brus and the identity of his wife, Agnes, remain unknown - although she is stated to be a daughter of Fulk Paynel in the Gisborough cartulary - but Ruth Blakely's comprehensive and timely study on the Brus family has straightened out longstanding misconceptions about the English senior branch.<sup>14</sup> Earlier historians had misallocated the wives of Adam I, Adam II and Peter I de Brus, but by careful analysis of contemporary sources Blakely corrected the traditional placement, in particular that of Agnes, daughter of Stephen of Aumale, who was wife first of Adam, son of Robert de Brus, and secondly William de Roumare.<sup>15</sup> After this correction, the rest of the genealogy falls neatly into place.

<sup>14</sup> Ruth Blakely, *The Brus Family in England and Scotland, 1100-1295* (2005), xiv.

<sup>15</sup> For the complete analysis see R. M. Blakely, "The Bruses of Skelton and William of Aumale," *The Yorkshire Archaeological Journal*, 73, (2001) 25-27. Her solution corrected Farrer's observations in *EYC*: II, 15 by which he held the opposite placement. This also corrects *CP VII*: 670 which has Agnes of Aumale wife of William de Roumare and secondly Peter de Brus.

**Fig 3 A proposed selective pedigree of the kindred of Peter de Brus including the descent of Lucy de Thweng and Nicholas de Meinell**



Adam II, the father of Peter de Brus, is referred to as "*nobilis*" in a charter of 1238 presumably on account of his descent from the dukes of Normandy.<sup>16</sup> He was made ward of his uncle William of Aumale, then Earl of York, after his father's early death in 1142. Although related to the Norman royal house, the Aumale family did not particularly endear themselves to it, for in 1095 Stephen de Aumale was at the centre of a rebellion to put himself on the throne, and during the civil war William de Aumale was a supporter of King Stephen – a fact that could not have been ignored by Henry II and his sons. William of Aumale took advantage of his nephew's minority to appropriate for himself Danby, the *caput* of the Brus fee, with its castle and iron workings, which Henry II allowed him to keep until his death in 1179, when Henry took it into his own hands and peremptorily exchanged it with Adam de Brus for Rigton, Bardsey and Collingham in the West Riding.

Apparently of age in 1155, Adam II must have been born around 1134 and would have been 35 and more when he married Jueta de Arches sometime after 1169, the year of the death of her first husband. At that age Adam would undoubtedly have had a previous wife or wives, but of that there is no record. Blakely's statement that it was not unusual for a man to remain unmarried until his early thirties,<sup>17</sup> would not have applied to an important tenant in chief such as Adam de Brus, whose marriage would have been arranged early for the usual dynastic, political and economic reasons, particularly as minorities of heirs could be damaging to family wealth - as shown by William of Aumale's treatment of his nephew's possessions. Marriages were generally contractible for a male heir from a young age and performed between the age of 14 and 21, when it became the heir's own prerogative. One would expect Adam's first wife to have come from the wider family and political network, and it cannot be discounted that Adam had earlier female issue.<sup>18</sup>

Jueta, widow of Roger de Flamville (d.1169), was daughter and heir of William de Arches (d'Arques), of seven knights' fees in the Domesday holding of her grandfather, Osbern de Arches, in the Ainsty wapentake of the West Riding of

<sup>16</sup> Charles Travis Clay ed, *Yorkshire Deeds VII* (1932),143-144. Adam's great grandmother, Adelaide, was a sister of William the Conqueror. Adam was also a descendant of the Counts of Champagne. See Stewart Baldwin's *The Henry Project* web page, <http://sbaldw.home.mindspring.com/hproject/prov/rober000.htm>.

<sup>17</sup> Ruth Blakely, *op.cit.* (2005), 44.

<sup>18</sup> Possibly Lucy de Brus wife of William de Hommet, Constable of Normandy. Her husband was granted the castle of Brix in Normandy by Philip II of France after he took Normandy in 1204. De Gerville, "Memoire sur les anciens Chateaux du department de la Manche," *Memoires de la Societe des Antiquaires de la Normandie*, I (1824), 242. Gerville recites from a charter donating several annuities to the nuns of St Sauveur le Vicomte who resided in the priory of la Luthumiere, that William de Hommet had married Lucy, heir to possessions of Adam de Brus, her grandfather, their sons Richard de Hommet and William de Say witnessing the charter of their father's donation. The charter is dated by Gerville as 1232, but this clearly cannot be the date of the gift, for William de Hommet died in 1209. Lucy would have been considered Adam's heir long before Peter was born, as there would have been an age gap of around 22 years if she were born around 1155. That she was of the Yorkshire line seems clear by the fact that she once held 2 carucates of land in Bishopsthorpe, south of York, most likely as a marriage portion. Robert de Brus had certainly held land in Bishopsthorpe from which William Paynel gave 6 bovates to Kirkstall abbey. Lucy's estate became a Norman escheat in 1204 - although she was certainly dead by 1189. "*Ecclesia de Torp' est de donacione domini regis ratione duarum carucatarum terre que fuerunt eschaeta domini regis in eadem villa de quadam Lucia de Brus, qui terram illam foresfecit, quam terram Robertus Bustard modo tenet per dominum Johannem Regem.*" *The Book of Fees*, 358; W T Lancaster & W P Baildon, *The Coucher Book of Kirkstall Abbey* (1904), 6: 215.

Yorkshire.<sup>19</sup> These were held of the Mowbray fee, as were her manors in Scawby and Redbourne, in Lincolnshire. By Roger de Flamville, Jueta had two sons, Hugh and William,<sup>20</sup> and two daughters, Maud and Agnes.<sup>21</sup>

Jueta would give Adam his son and heir, Peter, and a daughter Isabel, wife first of Henry de Percy of Whitby, and secondly Roger Mauduit, having issue by both husbands.<sup>22</sup> Peter unexpectedly became her own heir, after her eldest son died without issue within days of her own death in 1212.<sup>23</sup> Jueta may not have been of noble blood, but she had proven fertility, having borne four surviving children to Roger de Flamville, and this may have been why, despite already having two sons to inherit her patrimony, she was an attractive proposition to Adam desperate for a male heir. Very little more is recorded about Adam, and he died in 1196 in his early sixties.

## Peter de Brus

Born around 1177, and being underage at his father's death, Peter was placed in the wardship of a favourite of King John, William de Forz, husband of Adam's cousin Hawise de Aumale, who answered for the Brus fee in 1196.<sup>24</sup> It was probably for this reason alone that his estate was pardoned the £15 scutage owed to the crown that same year.<sup>25</sup> On succeeding to the barony in 1198 Peter paid into the exchequer £25 of the £300 demanded to have seisin of his lands.<sup>26</sup> Being so close to full age he would have already been married.

The identity of Peter's wife, Joan, has long been cause for speculation because no charters name her family and she was not an heiress. Blakely's tentative opinion that there *was* "a familial connection with the future earls of Lincoln themselves, rather than one of their tenants,"<sup>27</sup> does not quite go so far as to commit to placing Joan. While there is no direct evidence, it is possible to gain a sense of her identity by examining a

<sup>19</sup> This is an area immediately west of York roughly bounded by the rivers Wharfe, Nidd and Ouse, the *caput* of which was at Thorp Arch.

<sup>20</sup> William, presumably named after his maternal grandfather, was referred to as *Magister* in a confirmation charter given by the prior of Newburgh sometime before 1186, "*ego Ricardus prior, et capitulum de Novoburgo, concessimus magistro Williellmo de Flamavilla terram illam quam Wido canonicus, juxta pontem de Norton tenuit, de feodo domini Rogeri de Flamavilla patris sui*". William Dugdale, ed., *Monasticon Anglicanum* 6:971. His existence has not been previously noted before now.

<sup>21</sup> The sisters were coheirs of their brother to the Flamville fee in High Hutton, Marton, Norton, Sutton, and Welham. *DD* 463. Maud became wife of Robert de Hastings of Little Easton, Essex, by whom she had Alice, wife of Godfrey de Lovaine brother of Henry Duke of Brabant and Lower Lotharingia, and mother of Sir Mathew de Lovaine, who witnessed a charter of his kinsman Peter de Brus III. William Dugdale, *Monasticon Anglicanum* (1823), VI:972; William Brown, ed., *Cartularium Prioratus de Gyseburne*, (1894) II, 251. Agnes was wife of William de Percy of Kildale, a tenant of Adam de Brus, and secondly, by 1204, John de Birkin, tenant of Roger de Lacy.

<sup>22</sup> *EYC* I, 428-429. Isabel was probably mother of Agnes, wife of Roger Bertram of Mitford. See below.

<sup>23</sup> Hugh had died without issue before 1212, when his widow Maud de Conyers unsuccessfully sued Peter for dower in the Arches fee. She lost the suit because Hugh had never been seised of the estate, despite having perhaps survived his mother. It seems that seisin was interpreted as the fundamental prerequisite for inheritance or attaining dower in feudal law, regardless of an heir surviving the previous tenant. *CRR*, 1210-1212, 346.

<sup>24</sup> Hubert Hall, ed., *The Red Book of the Exchequer* (1896), 87.

<sup>25</sup> *Pipe R*, 8 Ric, 185.

<sup>26</sup> *Pipe R*, 10 Ric, 31.

<sup>27</sup> Ruth Blakely, *op.cit.* (2005), 45.



wide variety of documentation to build up a case for her affiliation. Following the example of J C Holt who explored various kinship interactions in documentary record – fines proffered for custody and marriages of kinsmen, intermarriages between families and tenants, kinsman acting as guarantors for debts, acting as custodians for hostages etc,<sup>28</sup> we may be able to discern a pattern of behaviour, which will help to make Joan's kinship stand out.

### The evidence of Joan's marriage portion

Among a number of benefactions to religious houses, Peter and Joan his wife gave 10 marks of rent out of their mill in Knottingley, part of Joan's marriage portion, to the Augustinian priory of Healaugh<sup>29</sup> founded by Bertram Haget, to support two canons; and they confirmed a previous Lacy gift of a toft from their estate located next to their garden in Knottingley, to the cluniac priory of Pontefract founded by Robert de Lacy.<sup>30</sup>

Comprising four carucates of land at Domesday, Knottingley situated on the River Aire was not only part of the honour of Pontefract, the *caput* of which was only three miles away, it was part of its parish. While there was a tenant named Ranulph holding an estate in Knottingley in the Domesday Book, part of the land must have been held in demesne by the Lacy family at the beginning of its tenure, for the chapel there had been donated as part of the foundation grant of Pontefract Priory, along with its mother church of Brackenhill, by Robert de Lacy during the reign of William Rufus.<sup>31</sup> In medieval times Knottingley had a port on the river, which was then navigable as far as Leeds. In Peter and Joan's charter to Healaugh, the toft is described as lying "*between our garden to the west and the toft of Richard son of Sigereda, and stretches in length from the public way as far as the water which is called Aire, with free entrance and exit, and all other easements of that town.*" The gift therefore gave the priory important ease of access for the movement of goods via the river.

The Honour of Pontefract was obtained by Roger, Constable of Chester, in 1194, on becoming male heir to the estate of his distant kinsman Robert de Lacy, who died without issue the previous year. His accession was by no means assured by such distant kinship. With his grandmother, Aubrey de Lisures, still living; it could only be put into effect with her agreement and legal quitclaim, by which she negotiated to hold eight fees pertaining to the Lisures inheritance for life, which would then pass to her younger son William.<sup>32</sup> Roger had to pledge a massive fine of 3000 marks for his lands to King Richard, who kept the castle of Pontefract in his own hands as security.

In the late 12<sup>th</sup> century marriage portions amongst the baronial class depended on the size of a barony, the availability of suitable land, and the place of a

<sup>28</sup> J C Holt "Presidential Address: Feudal Society and the Family in Early Medieval England: III. Patronage and Politics." *Transactions of the Royal Historical Society*, 34, (1984), 125.

<sup>29</sup> J S Purvis, *The Chartulary of the Augustinian Priory of St John the Evangelist of the Park of Healaugh* (1936), 152. "*Omnibus Christi fidelibus Petrus de Brus salute in domino. Noveritis me dedisse concessisse et hac carta mea confirmasse Deo et ecclesie sancti Johannis Evangeliste de Parco de Helagh...pro salute anime me et Johanne uxoris mee...decem marcas argenti in molendino de Knottynglay quas recepi in maritagio cum predicta Johanna uxore mea...*"

<sup>30</sup> Richard Holmes, ed., *The Chartulary of St John of Pontefract*, (1899) I, 299-300.

<sup>31</sup> Richard Holmes, ed., *op. cit.*, (1899) I, 24.

<sup>32</sup> EYC III 199, 208. Roger was son of John the Constable, son of Aubrey de Lisures, daughter of Aubrey de Lacy, sister of Henry de Lacy, father of Robert de Lacy. The younger son was William fitz William of Sprotborough.

daughter in the family - ranging from 5 knight's fees worth about £50 per annum for the eldest daughter, down to 10 librates of land, representing a knight's fee for younger daughters.<sup>33</sup> Even without knowing the placement of Joan in the family, it is inconceivable that Peter would have received less than the equivalent of two knights' fees on their marriage, which implies there would have been rather more than a toft and mill in their possession in Knottingley. Indeed these possessions are highly suggestive that they were part of a larger estate.

In 1294 Henry de Lacy was recorded holding an estate in demesne when he was granted free warren there<sup>34</sup> - at the same time that the Grammary family occupied one knight's fee as a tenant.<sup>35</sup> It is therefore clear from this that there were at least two estates in Knottingley. Henry's inquisition post mortem held at York on 3<sup>rd</sup> March 1311 states that he held a water mill and lands out of which was payable annually to Healaugh priory £6 13s 4d, which shows that he had taken over the responsibility for the gift by Peter and Joan de Brus to Healaugh Priory. This appears to have taken effect in the time of John de Lacy, for in 1241 the king ordered the archbishop of York, who had the farm of lands of John after his death, to make the 10 mark payment to Healaugh priory.<sup>36</sup> This responsibility was not always taken very seriously - as the king's frequent intercession for the priory demonstrates.<sup>37</sup> The fact that Joan's marriage portion originally came directly from demesne land is very strong indication that she was a member of the family of Roger de Lacy.

There is no sign of any other land held which might have formed part of a marriage portion. The inquisition post mortem of Peter de Brus III in 1272 alludes to him holding two fees in Cleveland held of the Lacy fee,<sup>38</sup> and in 1279 Edward I ordered an extent of knights' fees in Peter's lands, owing to the dispute between his sisters and heirs over their inheritance, recording, "*The said Peter held Danebi for one fee in demesne, and of the Constable of Chester two fees, whereof Ambrose de Chamera and Geoffrey Maucovenaunt holds one in Esington and elsewhere, and Robert de Neville one in Hemillington and elsewhere.*"<sup>39</sup> These two fees were previously held of the earl of

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<sup>33</sup> Henry II established that 16 marks (just over £10) should be enough income to support a knight. In the time of Henry III it had risen to £15, and by Edward I it was £20.

<sup>34</sup> CCR, 1257-1300, 436.

<sup>35</sup> Hubert Hall, ed, *Red Book of the Exchequer I* (1896), 423; *The Book of Fees*, (1923), 1103. In 1201 the fee tenanted by William Grammary in Knottingley was part of the dower of Isabel, daughter of Hamelin, Earl of Warenne, widow of Robert de Lacy. Isabel afterwards married Gilbert L'Aigle and their daughter Alice, was the first wife of John de Lacy, Roger's son, but she died young without issue. CRR, 1196-1201, 377; EYC VIII, 21-22. Historical commentators assumed that Joan de Brus was a member of the Grammary family, but this position cannot be seriously entertained given the huge disparity in the status between the families.

<sup>36</sup> J S Purvis, *The Chartulary of the Augustinian Priory of St John the Evangelist of the Park of Healaugh*, (1936), 182.

<sup>37</sup> J S Purvis, *op. cit.* (1936), 180-184.

<sup>38</sup> C 132/41/13. The published abstract in CIPM I no. 800 reads "... also Peter de Brus held in Elmeland 2 fees of Henry de L..." Chris Phillips kindly examined the damaged original document under UV light at National Archives, and believed that the name appeared to be Lacy, especially as it appears elsewhere in the inquisition, i.e "all that hold of the fee of Henry de Lacy hold at foreign service". Chris also was of the opinion that "Elmeland" should read "Cliveland" i.e Cleveland.

<sup>39</sup> William Brown ed., *Yorkshire Inquisitions of the Reigns of Henry III and Edward I* (1892), 1,203. These places can be identified as Easington and Hemlington in the wapentake of Langbaugh. Ambrose is also recorded elsewhere as Ambrose de Harpham. Both Ambrose and Geoffrey appear to have married heiresses of the Rosel family.

Chester for the service of castle guard at Chester and although there is no documentation recording it, the transfer of these fees from the earl of Chester to the Constable of Chester almost certainly occurred on the division of the lands of the earldom of Chester in 1232 between the heirs of Ranulph de Blundeville, one of whom was Hawise of Chester, Countess of Lincoln, great grandmother of Henry de Lacy. They therefore did not descend from Joan as part of a marriage portion.

As Joan was never coheir to any part of the Lacy estate, it can be discounted that she was related to the last of the Lacy line. Having taken livery of his estates in 1198, Peter would have been born around 1177. Assuming Joan was of a similar age, chronologically she must be placed in the family as daughter of John, Constable of Chester, who lived between c.1150 and 1190, and his wife Alice, daughter of Roger fitz Richard, Lord of Warkworth, by Alice de Vere. Joan, therefore, was a sister of Roger de Lacy, who appears to have been born around 1170. However, the estate in Knottingley could only have come to Peter and Joan after Roger's accession to the Honour of Pontefract in 1194, which probably marks the date of their marriage and is consistent with the timing of the birth of their son and heir, Peter II, who was born before 1201.<sup>40</sup>

How a marriage alliance between these two baronial families might have come about is not easy to ascertain – usually it was either arranged through extended family networks or the direct intervention of the king. In this case, one possibility is that the marriage was arranged before Peter was 12 through the auspices of Hawise de Aumale, whose first husband William de Mandeville, Earl of Essex (d.1189), was first cousin of Alice, wife of John, Constable of Chester.<sup>41</sup>

Undoubtedly Roger de Lacy would be invaluable as a brother-in-law to Peter, as a powerful friend, political ally and protector. Apart from being Lord of Pontefract, Constable of Chester, and Lord of Clitheroe, Lancashire, he answered for 60 knights' fees in Yorkshire, was sheriff of Yorkshire and Cumberland between 1204 and 1209,<sup>42</sup> and had an impressive network of kinfolk. As Peter gained most of his concessions while Roger was Sheriff, it cannot but be assumed that Peter reaped the benefit of Roger's influence and aid during this period. A close relationship between the two families is demonstrated by the involvement in each other's family affairs, whereas previously there had been none.

### **The evidence from Peter's dealings with the crown**

Peter seems to have enjoyed the confidence of King John from an early time and witnessed the treaty at Lille between the king and the Count of Flanders in 1199.<sup>43</sup> Perhaps because he was held in such favour, Peter was eager for concessions from the king despite incurring several heavy debts over the space of a very few years. Some of these deeds involved Roger the Constable and Roger's uncle Robert fitz Roger, Lord of Warkworth, to a very marked degree.

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<sup>40</sup> The date is assumed by the fact that Peter II took seisin of his estates immediately after his father's death in 1222. *CFR*, 1216-1224, 224.

<sup>41</sup> William's mother was Rose de Vere, sister of Alice de Vere (wife of Roger fitz Richard of Warkworth), mother of Alice, wife of John the Constable.

<sup>42</sup> We may assume that the double marriage between the Brus and Lancaster baronies was arranged at this time.

<sup>43</sup> J Horace Round, ed., *Calendar of Documents Preserved in France A.D. 918-1206* (1899), I, 495.

In 1201 Peter pressured King John into exchanging the manors of Rigton, Bardsey and Collingham for the old Brus *caput* of Danby, pledging an additional £1000 as an incentive, and finding guarantors for 700 marks of it in Robert de Ros, Eustace de Vesci, Robert fitz Roger of Warkworth<sup>44</sup>, William de Stuteville<sup>45</sup>, Henry de Neville, and Hugh Bardolph.<sup>46</sup>

In 1204 Peter was joint guarantor with Roger the Constable and Robert fitz Roger of Warkworth for his tenant, Marmaduke de Thweng, imprisoned for murder, pledging 40 marks against him causing any more disturbance.<sup>47</sup>

That same year Peter pledged 200 marks to have the manors of Carlton and Camblesforth, which had become the Norman escheat of his tenant William Paynel, and the following year pledged 25 marks to have Loftus, another Norman escheat.<sup>48</sup> Shortly afterwards he pledged the king two palfreys and a greyhound to have half a carucate of land in Kirkburn and Waupley which was appurtenant to the land in Loftus.<sup>49</sup> In 1206 he pledged 1300 marks, which William de Briwere owed the king, to have the custody of the lands and heirs of William Bertram of Mitford in a deed that had Roger the Constable as primary witness.<sup>50</sup> Lastly in 1207 Peter bought the hereditary farm of the wapentake of Langbaugh for 400 marks.<sup>51</sup>

The participation of Roger the Constable and Robert fitz Roger in most of these transactions with the crown cannot be considered anything but significant, for they did not involve themselves so thoroughly in the business affairs of anyone else.

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<sup>44</sup> In 1212 Robert fitz Roger, uncle of Roger de Lacy, held 6 knights' fees in Northumberland in Warkworth, Walton, Rothbury, Newburn and Corbridge, as well as 7 fees by right of his wife daughter and coheir of William de Cheyney. *The Book of Fees*, 200.

<sup>45</sup> The first three were kinsmen of Roger de Lacy and the wife of William de Stuteville was Peter's second cousin, Berta daughter of Robert fitz Ralph of Middleham. King John afterwards granted these three manors to William at farm.

<sup>46</sup> Thomas Duffus Hardy ed., *Rotuli de Oblatis et Finibus*, (1835), 109-10.

<sup>47</sup> Thomas Duffus Hardy ed., *op.cit.* (1835), 232. Marmaduke de Thweng had acted as attorney for Peter de Brus in 1199 in his dispute with William de Brus over two fees in Hart and Hartness. *Northumberland Pleas from the Curia Regis and Assize Rolls 1198-1272* (1922), 2. That same year Robert fitz Roger stood as a pledge for Roger de Lacy for the repayment of the £1000 loan king John made to Roger for his ransom after capture at Chateau Gaillard in France. This must have added insult to injury given Roger had defended the castle expecting to be relieved by King John, who abandoned the campaign and returned to England leaving the defenders to their fate.

<sup>48</sup> T Duffus Hardy, ed., *Rotuli Litterarum Clausarum in Turri Londinensi asservati* (1833), 62, 66, 70. Loftus became a useful resource for endowing family members with lands without depleting the Brus patrimony. In 1226-28 it was tenanted by Peter II (in demesne), Eudo de Hommet and Stephen de Meinell. *The Book of Fees*, 357. The Hommet name crops up all through the Gisborough cartulary - Peter's seneschal, William de Tanton, was married to Agnes de Hommet. Eudo's son, Thomas de Hommet, gave Eudo's possessions in Loftus to Gisborough priory, also confirming the gift by Thomas de Brotton (younger son of Peter de Brus) of a toft and croft in North Loftus with the burial of his body in Gisborough Priory. Eudo de Hommet was possibly a kinsman of William de Hommet, Constable of Normandy, whose wife was Lucy de Brus. J. C. Atkinson, ed, *Cartularium Abbatheae de Rievall*. Durham (1889), 249,394; William Brown ed., *Cartularium Prioratus de Gyseburne*, (1894) II, 162.

<sup>49</sup> T Duffus Hardy, ed., *Rotuli de Oblatis et Finibus*, (1835), 340.

<sup>50</sup> T Duffus Hardy, ed., *Rotuli Litterarum Clausarum in Turri Londinensi asservati* (1833), 70.

<sup>51</sup> *Pipe Roll, 9 John*, 70. The terms of the deed were that Peter should pay an annual return at the old farm, plus an increase of £20 for all services. The pleas of the crown were to be held before the king's justices.

Although some of Peter's debt was pardoned, by 1208 the Exchequer was turning the screws for repayment of £1235.<sup>52</sup>

## The wardship of Roger Bertram of Mitford

Peter's wardship of Roger Bertram is significant, particularly as his seneschal, William de Tanton<sup>53</sup>, also acted as seneschal of Mitford. Roger de Bertram had originally been in the wardship of William de Briwere, who had married off his own daughter, Joan, to Peter's nephew, William de Percy of Topcliffe when he had William's wardship and marriage. It's possible Briwere had also married off a sister of William de Percy to Roger Bertram at the same time, hence Peter's motivation in gaining custody of Roger.

One of the daughters, and eventual coheir of Roger Bertram's barony in her issue, was Agnes, who became wife of Thomas FitzWilliam of Elmley, half first cousin of Roger de Lacy. Another daughter, Ada, was wife of Simon de Vere of Sproatley, kinsman both of Roger de Lacy via his Clare ancestry, and Peter de Brus, having a descent from Agnes de Arches, aunt of Jueta de Arches. A third daughter, Isabel, became wife of Philip Darcy, who had a similar descent as Simon de Vere.<sup>54</sup> The fourth daughter, Christiana, was wife of William de Ros of Mindrum, again kin of Roger de Lacy, while the wife of Roger Bertram's son and heir, also named Roger, was a daughter of Robert de Ros, Lord of Helmsley, another kinsman on the Lacy side.<sup>55</sup>

Because all these marriages occurred within the kinship network of Roger de Lacy, and Peter de Brus, the case that Roger Bertram's wife, Agnes, was close kin to Peter is very strong. The evidence points to her being Peter's niece – daughter of Isabel de Brus, widow of Henry de Percy. As Isabel's second husband was Sir Roger Mauduit of Eshot, Bockenfield and Little Felton, Northumberland - a knight and tenant of the barony of Mitford under Roger Bertram, this identification is almost certain. Isabel had a son named Robert de Brus by Roger Mauduit and a daughter, Jueta, named after her maternal grandmother. Jueta's half brother, William de Percy, provided her with ten librates of land in Kirklevington, the town of which had been Isabel's maritagium,<sup>56</sup> and marriage to his ward Nigel, son and heir of Robert de Plumpton, and they were to be kept in the care of Roger Mauduit during their minority.<sup>57</sup>

<sup>52</sup> Peter's indebtedness and his treatment by the crown is discussed by M.J.Vine, "Two Yorkshire rebels: Peter de Brus and Richard de Percy" *The Yorkshire Archaeological Journal*, 47(1975): 69-74.

<sup>53</sup> A younger son of William de Mowbray of Easby.

<sup>54</sup> Both were descendants of Rose de Bullington, daughter of Rose de Clare, Countess of Lincoln, as well as Agnes de Arches via the Kyme family. *EYC* I, 419.

<sup>55</sup> Roger's widow Ida was unlikely to have been a de Ros as stated by Hedley on chronological grounds, as that marriage took place in 1241, and Ida did not die until after the accession of Edward III in 1327 some 86 years later. Edward III reneged on his father's 1324 grant of the reversion of Ida's dower in the manor of Silksworth to Richard Emeldon to take effect after her death, giving it instead to Robert de Holand. Emeldon sued for compensation in 1329 giving rise to the supposition that Ida had then only recently died. W. Percy Hedley, *Northumberland Families*. (1968), I, 26-29; *CCR 1318-1323*, 600; *CPR 1321-24*, 398.

<sup>56</sup> *EYC* II, 24.

<sup>57</sup> *The Percy Cartulary* (1911), 19, 33. I am grateful to John Watson for sharing this information about Jueta.

It is notable that when William de Lancaster, son-in-law of Peter de Brus pledged relief of £100 for his barony in 1220, amongst his guarantors was Roger Bertram, as well as William's other kinsmen, Peter de Brus, Richard de Umfraville, and William, Earl of Warenne.<sup>58</sup> Technically the wives of William de Lancaster and Roger de Bertram would have been first cousins.

### Peter's charter activity

Peter held no lands in Northumberland, and his presence cannot be explained there by any other reason but by kinship matters. As well as his involvement with the Bertram family, he witnessed charters of Robert fitz Roger, Roger de Lacy's uncle. Peter was a primary witness with Roger de Lacy of a gift by Robert fitz Roger of a saltpan in Warkworth to the priory of Brinkburn,<sup>59</sup> and he witnessed king John's gift of the manor of Newburn to Robert fitz Roger in 1205, along with Eustace de Vesci and Robert de Ros.<sup>60</sup> Peter attested the release by Robert Bussel of the barony of Penwortham to Roger de Lacy in 1205; his name appearing third after that of Ranulph, Earl of Chester and Eustace de Vesci.<sup>61</sup> He was also the prime witness in a sale and quitclaim by Adam de Cridling of his interest in the towns of Cridling and Stubbs to Roger de Lacy.<sup>62</sup>

The close relationship between the Brus and Lacy families evidently continued into the next generation when, John de Lacy, as earl of Lincoln, (after November 1232), was the primary witness of the confirmation charter of Peter II de Brus to Gisborough priory,<sup>63</sup> as well as attesting Peter II's gift of an acre of land in Carlton to Selby abbey in 1240.<sup>64</sup>

### The evidence from the Langbaugh charter

The Wapentake of Langbaugh, one of seven in the North Riding of Yorkshire, was an administrative unit of the Danelaw covering 41 parishes between Middlesbrough, Easby Great Ayton, Guisborough, Marske, Maltby, Easington, Redcar and Whitby. At the northern edge was the fertile valley of the Tees, once the border between England and Scotland. The 28 mile coastline of cliffs to the south east to Whitby formed the natural eastern border, with the upland peak of the North Yorkshire Moors and the Esk valley forming the southern one. The River Wiske formed the western boundary. As discussed above, the lands of Peter de Brus were concentrated in this wapentake.

The Langbaugh Charter of Liberties is probably the most significant document connecting Roger de Lacy and Peter de Brus and a manifestation of the former's direct influence over Peter. The document is contained within the Gisborough Cartulary, evidently deposited for safekeeping, as the priory was also a tenant in the wapentake.<sup>65</sup> Roger de Lacy, apparently mistrustful of the king, understood the importance of legal contract as protection against abuses in crown revenue raising, and had issued his own charter of liberties to the burgesses of Pontefract

<sup>58</sup> *CFR, 1216-1224*, 150.

<sup>59</sup> William Page, ed., *The Chartulary of Brinkburn Priory* (1893), 142.

<sup>60</sup> T Duffus Hardy, ed., *Rotuli Chartarum* (1857), 120.

<sup>61</sup> W Farrer, *The Lancashire Pipe Rolls* (1902), 381.

<sup>62</sup> Richard Holmes, ed., *The Chartulary of St John of Pontefract* (1902), II,485.

<sup>63</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1889) I:97.

<sup>64</sup> J T Fowler, ed., *The Coucher Book of Selby Abbey* (1893) II, 139.

<sup>65</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1889), I, 92-94.

on his accession to the honor in 1194. He granted them and their heirs liberty and free burgage, and their tofts to be held of him and his heirs in fee, yielding 1 shilling per toft, and exempting them from toll and tribute throughout the honours of Pontefract and Clitheroe.<sup>66</sup> On King John's accession in 1199 Roger was one of the northern lords who had pledged him allegiance only on condition that he would restore legal rights that had been eroded under the reign of King Richard. When Roger became Sheriff of Yorkshire, he unsuccessfully resisted extortion of anything above the usual amount of the farm.<sup>67</sup> It was therefore likely Roger's experience and advice which influenced Peter's issuing of his charter sometime between the purchase of the farm of the wapentake in 1207, and 1209.<sup>68</sup>

The text is as follows,

*"Know that I have granted and confirmed by this my present charter to the knights and free-tenants of Cleveland and their men that none of them shall be summoned or impleaded in the Wapentake of Langbargh except by consideration of the Wapentake or through a reasonable 'sacrabar', nor shall they be troubled by pretence of a plea; and if any of them incurs a forfeiture it shall be assessed according to his chattels and according to the offence for which he incurred it. I also grant to them that my sergeants in the Wapentake shall swear to observe and maintain these liberties faithfully according to the tenor of my charter; and if any of them is condemned for this, he shall be removed by me or my heirs and be replaced by another. I also concede to them that the chief sergeant of the Wapentake shall have no more than three horses and three mounted sergeants under him, namely two in Cleveland and one in Whitbystrand. And in return for these liberties the same knights and free-tenants have conceded that if the sergeant of the Wapentake of Langbargh can show by a reasonable account that he cannot make up the farm of the lord king, namely 40 m., and his reasonable expenses from the issues of the Wapentake, then the same knights and free-tenants will pay the residue of the due farm of 40 m., allowing for the reasonable expenses of the chief sergeant as testified by me and my stewards. I concede all the aforesaid liberties to the knights and free-tenants of Cleveland and their heirs to be held of me and my heirs in perpetuity."<sup>69</sup>*

This was in effect a declaration to the holders of land in the wapentake whereby he agreed to limit his authority in return for a guarantee that they would voluntarily make up any shortfall in the difference between his income from the wapentake courts and the rent of forty marks charged by the king.<sup>70</sup> This charter has been discussed by both J C Holt and H Thomas as a precursor to the Magna Carta and as a manifesto of good government<sup>71</sup>; but such charters were not unknown, having precedence in such as the Coronation Charter issued by Henry

<sup>66</sup> This also had the effect of binding the support of his tenants and followers should the king attempt to destabilise his position. In 1191, having been entrusted by the chancellor with the custody of the castles of Tickhill and Nottingham during the absence of King Richard, Lacy hanged two knights who had conspired to surrender these castles to Count John, who in revenge plundered Lacy's lands. EYC III, 209-211.

<sup>67</sup> Hugh Thomas, *Vassals, Heiresses, Crusaders and Thugs: The Gentry of Angevin Yorkshire, 1154-1216* (1993), 205.

<sup>68</sup> When Robert le Waleys ceased to be under-sheriff of Yorkshire.

<sup>69</sup> J C Holt, *Magna Carta* (1992), 67-68.

<sup>70</sup> Apart from Peter de Brus and his tenants, the landholders affected at this time were Stephen de Meinell, Marmaduke de Thweng (the same person for whom Peter stood surety, being imprisoned for murder and affray), Alan de Wilton, Peter de Mauley, Hugh de Baliol and the Prior of Gisborough, as well as individuals holding smaller parcels of land.

<sup>71</sup> J C Holt, *op. cit.* (1992), 67-69; Hugh Thomas *op.cit.* (1993), 204-206.

I. Indeed, in 1201 Peter had witnessed King John's own confirmation of the Charter of Liberties to the freemen of Hartlepool at Durham.<sup>72</sup>

While Thomas suspected the choice of witnesses was in some way significant, he did not understand how, and stated that the list comprised of Yorkshire magnates and knights, none of whom was a tenant or follower of Peter and none held the majority of his lands in Langbaugh wapentake, therefore the common factor must have been disaffection with King John and the charter was a statement of rebellion. While this may be partly true, if we consider the possibility that Roger de Lacy and Peter de Brus were related by marriage, an examination of the witness list from a genealogical perspective leads us to a whole new understanding of it as a political statement.

The principal witnesses in order of their appearance were; Roger de Lacy, Robert de Ros, Eustace de Vesci, Robert Walensis, Walter de Fauconberg, Roald Constable of Richmond, Brian fitz Alan, John de Birkin, William fitz Ralph, and Walter de Bovington.

**Roger de Lacy, Lord of Pontefract, Constable of Chester** (d.1211) - Presumed brother in law of Peter; Sheriff of Yorkshire at the time of the charter. Roger's son and heir, John, was a Magna Carta surety and leader of the baronial revolt in Yorkshire.

**Robert de Ros, Lord of Helmsley** (d.1227) - Kinsman of Roger de Lacy by descent from a sister of Eustace fitz John<sup>73</sup>; Robert's heir, William, was married to Lucy fitz Piers, granddaughter of Robert fitz Richard of Warkworth. His wife was Isabel, illegitimate daughter of William of Scotland, widow of Robert de Brus (d.1190). Magna Carta surety.

**Eustace de Vesci, Lord of Alnwick** (d.1216) - Kinsman of Roger de Lacy by common descent from Eustace fitz John<sup>74</sup> Brother-in-law of Robert de Ros having taken to wife another illegitimate daughter of William of Scotland; Magna Carta surety.

**Robert Walensis/le Waleys** (d.1218) - Under-Sheriff of Yorkshire under Roger de Lacy; seneschal and tenant of the Lacy family. Tenant of Peter de Brus in Upper Dunsforth. The wife of his son Henry was Elizabeth de St Maria, niece of Geoffrey Haget, Justiciar (d.1199), through whom Henry's son, Richard, inherited the lordship of Healaugh.

**Walter de Fauconberg, Lord of Rise** (d.1216) – kinsman of Peter de Brus by descent from Agnes, sister of William de Arches, grandfather of Peter.<sup>75</sup> Tenant in the Arches fee and custodian of land formerly of Geoffrey Haget in Wighill, Bainton and Bilton.<sup>76</sup>

**Roald, Constable of Richmond** – Son of Alan the Constable.<sup>77</sup> Roald the Constable attested a deed with Peter de Brus of a gift by Ranulf son of Henry of

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<sup>72</sup> T Duffus Hardy, ed., *Rotuli Chartarum*, (1857) 86b. Peter was overlord of two fees held by his kinsman William de Brus in Hart and Hartness.

<sup>73</sup> Specifically third cousin.

<sup>74</sup> Specifically half first cousin once removed.

<sup>75</sup> Specifically second cousin.

<sup>76</sup> J S Purvis, ed., *op. cit.* (1936), 93.

<sup>77</sup> EYCV 91.



Ravensworth to the latter's kinsman.<sup>78</sup> This Ranulf was married to Alice de Stavely, granddaughter of Agnes de Flamville, Peter's half-sister.<sup>79</sup> Roald's grievance was that Henry II had unjustly disseised his grandfather of half of the fee of the constable of Richmond, comprising four manors and six and half fees, and in 1207 he refused to pay a taxation of a thirteenth. Roald received a royal command in May 1207 to give up the custody of the castle to Hugh de Nevill, but later Roald paid a fine and recovered possession.<sup>80</sup> As a mark of obduracy he found 34 kinsmen and tenants to guarantee his debt at 5 marks apiece.<sup>81</sup> In 1199 the prior of Gisborough was also named Roald – perhaps a kinsman of the constable.

**Brian fitz Alan** – son of Alan fitz Brian of Bedale<sup>82</sup> and Agnes Haget, sister and heir of Geoffrey Haget the Justiciar. Tenant both of Lacy, and Brus in the Arches fee.<sup>83</sup>

**John de Birkin** – a tenant of Roger de Lacy; married to the half-sister of Peter de Brus, Agnes de Flamville; a great nephew of Justiciar Roger de Arundel; Albreda de Lisures, Roger de Lacy's grandmother was formerly wife of John's great uncle, Geoffrey de Cauz.<sup>84</sup> Witness to Roger de Lacy's Charter of Liberties to Pontefract.

**William fitz Ralph** (d. 1218) – Held lands in the king's demesne in Yorkshire in Grimthorpe, Fangfoss, Meltenby, Givendale, and Pocklington; his wife is said to be Joan, daughter of Stephen de Meinell II of Whorlton and Joan de Ros and William's lands and heir were in the custody of Robert de Ros after his death.<sup>85</sup>

**Walter de Bovington** – Justiciar. Treasurer of the abbey of St. Mary's, York.<sup>86</sup> Tenant of the Brus barony in Rotsea; joint custodian of land in the Arches fee formerly of Geoffrey Haget, Justiciar, in Wighill, Bainton and Bilton. Witness to Roger de Lacy's Charter of Liberties to Pontefract.

From the details above it would appear that the majority of witnesses were in fact a group of kinsman and/or tenants connected to Peter and Roger de Lacy, as well as those disaffected by King John. The fact that the Haget connection crops up so many times cannot be a coincidence. It must indicate that there is a Haget connection to the Brus family, which would explain the personal interest in Healaugh priory, a Haget foundation.

<sup>78</sup> H C Maxwell Lyte, ed. *A Descriptive Catalogue of Ancient Deeds* (1902) 4, 351.

<sup>79</sup> Agnes' daughter, Alice de Percy, gave 9 bovates of land at Berwick on Tees from her marriage portion to Sinningthwaite Abbey, which was founded by Bertram Haget, father of Geoffrey Haget and his 4 sisters. William Dugdale, *Monasticon Anglicanum*, V, 464.

<sup>80</sup> EYC V, 92

<sup>81</sup> T Duffus Hardy, ed., *Rotuli de Oblatis et Finibus* (1875), 443-444. Each guarantor was listed in the rolls.

<sup>82</sup> According to K.Keats-Rohan this family descends from Bardulf of Ravensworth DD 257-8.

<sup>83</sup> Curiously a Conan son of Brian, half brother of Conan V Earl of Richmond, referred to Geoffrey Haget as his avunculus in a charter to Fountains Abbey. EYC IV, 91.

<sup>84</sup> Geoffrey de Cauz died before 1177. C. W. Foster, ed., *Final Concords of the County of Lincoln* (1920), II, 329.

<sup>85</sup> *The Book of Fees*, 246.

<sup>86</sup> It is interesting to observe that, according to an account of the constables of Chester from the coucher book of Kirkstall priory, Maud de Clere, the wife of Roger de Lacy, was reputed to be sister of a Treasurer of York, but it is hardly likely she would have come from the Bovington family. A Robert Haget was also Treasurer of York between 1243 and 1253, but how he was related to the justiciar's family is unknown.

The first named barons were at the heart of northern resistance against King John during the baronial wars owing to their particular grievances. Clearly the most influential of them, Roger de Lacy seems to have favoured a legal solution towards the problems they were facing, but nevertheless did remain loyal to King John until his own early death in 1211. By 1215 John de Lacy, Roger's son and heir, had become a member of baronial council of twenty-five, and with Ros, Vescei, and John fitz Robert, Lord of Warkworth, was a Surety of the Magna Carta.<sup>87</sup>

Peter was never a Surety as one might have expected, having refused the king his military support in Poitou in 1214, along with Roger de Montbegon, Richard de Percy and Eustace de Vescei, and was excommunicated by the Pope in 1215 with other northern barons for their role in the Magna Carta.<sup>88</sup> He was involved in the ensuing civil war, abandoning Skelton in 1216 to join the rebels in the south. An entry in the Close Rolls for 27th February 1216 reveals that the land he held in Thorp in Ainsty was confiscated and assigned to a new owner.<sup>89</sup> Following King John's timely death later that year, Peter reconciled with the new king and retained his barony until his death in 1226. He and Joan were buried in Gisborough priory.

### Onomastic evidence

An examination of the names of offspring can often offer certain clues about their ancestry and immediate family, owing to traditional naming patterns. Peter's children were:

**Peter II de Brus** - the heir born before 1201, named after his father. His wife was Hawise de Lancaster.

**Roger de Brus, kt**, who was given half a fee in Walton in the Arches fee (from which he donated a bovate to Healaugh priory<sup>90</sup>) and Camblesforth.<sup>91</sup> He attested Peter III's confirmation charter to Healaugh,<sup>92</sup> and his gift to Gisborough of four tofts in the vill of Kirkburn for the soul of the same Peter's deceased brother, John.<sup>93</sup> Roger witnessed the gift by John de Lacy of a moiety of the church of Blackburn along with his burial to Whalley abbey.<sup>94</sup> In 1246 he paid a fine of 10 marks to marry Denise, widow of Walter de Tatham but she married elsewhere.<sup>95</sup> Roger's heir appears to have been Constance, who brought Walton to her

<sup>87</sup> His disaffection probably caused by the 7000 marks relief demanded to inherit his patrimony in 1213 though he was pardoned most of this in 1215 when he took the cross with King John.

<sup>88</sup> These included Eustace de Vescei, John de Lacy, Robert de Ros, Roger de Montebegon, Nicholas de Stuteville, William de Mowbray and Richard de Percy. *Foedera* I: 136. Of significance to the barons' rebellion, John de Lacy had loose-knit ties by marriage to Robert fitz Walter and Roger de Montbegon – his kinswoman, Gunnor de Valoines, was wife of Robert fitz Walter, half brother of Simon fitz Walter whose wife, Sara de Nevill, was a cousin of Roger de Montbegon. Robert fitz Walter played a leading national role in the war against King John from 1212.

<sup>89</sup> T Duffus Hardy, ed., *Rotuli Litterarum Clausarum* (1833), 249.

<sup>90</sup> J S Purvis, *op.cit.* (1936), 54, 64, 71, 72, 179.

<sup>91</sup> Kirkby's Inquest, 220; *Excerpta e Rot. Fin.* i, 460.

<sup>92</sup> J S Purvis, *op.cit.* (1936), 90.

<sup>93</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1894), II 281.

<sup>94</sup> W A Hulton, ed., *The Coucher Book of Whalley Abbey* (1847), 75.

<sup>95</sup> C Roberts, ed., *Excerpta e Rotuli Finibus in Turri Londinensi asservati, Henry III, 1216-1272* (1835), I: 460; *CCR, 1242-1247*, 388, 389, 534.

husband William Scot, which then passed to the Fairfax family in 1280.<sup>96</sup> Roger was still living in 1251 when he made a fine with the prior of Healaugh over grazing rights in Walton,<sup>97</sup> and a plea of nuisance against the same prior.<sup>98</sup> He would probably be named after his uncle Roger de Lacy, who might have also been his god father.

**John de Brus** In 1228 Stephen de Meinell appointed John de Brus to his lucrative church living at Hutton Rudby. While John's identity seems tentative on face value here, circumstantial evidence outlined below will be very suggestive that he was a son of Peter and Joan. Probably named after John, Constable of Chester.

**William** With his parents Peter and Joan, William was named in a charter to Healaugh by Alan de Wilton for the health of their souls at a time when it is likely that they were already deceased.<sup>99</sup> Peter had a half-brother named William de Flamville, a grandfather named William de Arches, and an uncle, William de Brus.

**Simon, kt** Given land in North Loftus by his nephew Peter III, ("*Petrus de Brus tertius...Symoni de Brus, avunculo meo...*"), which Peter I had originally acquired as a Norman escheat.<sup>100</sup> Simon in turn divided this gift into two and settled each half onto his brothers Thomas and Robert and their heirs for their service.<sup>101</sup> He also attested his nephew Peter's confirmation charter to Healaugh.<sup>102</sup> Simon is a name not previously recorded in either Brus or Lacy families.

**Robert** Given land in North Loftus by his brother Simon de Brus, ("*Symon de Brus...Roberto fratri meo...*") as above. Father of William de Fehus.<sup>103</sup> Not to be confused with his cousin Robert de Brus, son of Isabel de Brus and Roger Mauduit who attested a charter of his nephew, William de Percy, to Healaugh priory.<sup>104</sup> Robert is a name that occurs in both families, but possibly named after Robert fitz Roger of Warkworth.

**Thomas de Brotton** "*Thomae de Brotton, fratri quondam Symonis de Brus*" given land in North Loftus by Simon his brother. He gave a bovate of land in North Loftus together with a toft and croft to Gisborough Priory for the burial of his body there.<sup>105</sup> His heir was his son, Roger.<sup>106</sup> Thomas is not a name recorded in the Brus or Lacy families.

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<sup>96</sup> F H Slingsby, ed., *Feet of Fines for the County of York from 1272 to 1300*. (1956), 27; *Kirkby's Inquest* (1867), 220, relates that Constance and William Scot had a daughter Clare, wife of Henry de Sezevaux, Mayor of York. Their daughter Agnes married Thomas Fairfax.

<sup>97</sup> John Parker, ed., *Feet of Fines for the County of York, from 1246 to 1272* (1932), 58.

<sup>98</sup> Charles Travis Clay, ed., *Three Yorkshire Assize Rolls* (1911), 58.

<sup>99</sup> J S Purvis, *op.cit.* (1936), 119.

<sup>100</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1894), II, 166.

<sup>101</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1894), II, 167, 168.

<sup>102</sup> J S Purvis, *op.cit.* (1936), 190.

<sup>103</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1894), II, 155, 161.

<sup>104</sup> J S Purvis, *op.cit.* (1936), 192, 222; *The Percy Chartulary* (1911), 19. Robert de Brus son of Isabel also witnessed a Healaugh charter of Richard Walensis, who was eldest son of Elizabeth St Maria, daughter of Alice Haget, suggesting Haget kinship with Peter and Isabel de Brus may have been through their mother.

<sup>105</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1894), II, 162, 171, 172. Thomas de Brotton was enfeoffed in this parcel of land by William de Guisborough and his wife Petronilla de

**Agnes de Brus.** Eldest daughter of Peter. Wife of William de Lancaster, Baron of Kendal (*d.s.p.*1246)<sup>107</sup> whose heirs were his two sisters, the eldest of whom, Hawise, had married Agnes' brother Peter. A double marriage between two families was repeated in the next generation when the eldest son and daughter of Peter II married into the Mauley family.<sup>108</sup> Possibly named after Peter's grandmother, Agnes de Aumale, or his sister Agnes de Percy.

No other daughters are recorded, but one would expect to see the names of Alice, Jueta, and Joan to appear, if there had been any others. John and Roger appear as primary names given to Peter's sons. They are names which have never appeared in the Brus family before this generation, and which support proposition that Joan was sister of Roger de Lacy. Unexpectedly occurring are the names Simon and Thomas, which are not known to exist in either the Brus family of Skelton, or the Lacy family previously. They perhaps belong to a discrete bloodline, for Simon settled land in Loftus on his brothers Thomas and Robert, after being granted it by Peter III de Brus. This deed begs the question as to whether Simon, Robert and Thomas were illegitimate.

Of all the younger sons only Roger appears to have received any land from his father, but the fact that he did receive it, is indicative that he was an older son, and this in itself is significant in the context of the traditional naming pattern. Given the status of the Brus family, it is puzzling that the youngest sons were not settled in life before their father died. It is possible that it was always intended but they were too young at the time of his unexpected death, or that their illegitimacy worked against them. Peter II does not seem to have concerned himself over them, but was perhaps too indebted to worry himself over his younger siblings, so it was left to Peter III, their contemporary, to provide for them.

### Evidence from their tomb

Around the time of the Dissolution of the monasteries during the reign of Henry VIII, Robert Aske,<sup>109</sup> a servant of John Dudley, Duke of Northumberland, visited a number of churches and recorded the names of the nobles buried from their tombs, before their existence became obliterated. These records were published in 1834 in *Collectanea Topographica et Genealogica* and include those of Gisborough Priory church. The document predominately lists the principals of the Brus family and their heirs. However, there is a curious anomaly which does not reconcile with what we know about the family, and this just happens to concern Peter de Brus.

Aske describes the tomb of Peter I de Brus as, "*Peter de Brus, son and heire of Adam the second and Joane daughter of the Erle of Chester*".<sup>110</sup>

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Percy (daughter of Alan de Percy of Dunsley), and confirmed by William de Hommet. The gift to Gisborough Priory was confirmed by Thomas son of Eudo de Hummet.

<sup>106</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1894), II, 160, 171, Brotton was a member of Skelton.

<sup>107</sup> William Dugdale, *Monasticon Anglicanum*, V 248; *CRR*, 1242-1247, 499.

<sup>108</sup> Joseph Bain, ed., *Calendar of Documents relating to Scotland* (1881), I: 249.

<sup>109</sup> Undoubtedly related to Robert Aske who was the leader of the Pilgrimage of Grace.

<sup>110</sup> "Sepultres in Gisborough Priory, co. York", *Collectanea Topographica et Genealogica* (1834), I, 20, 170.

Although the statement appears ambiguous as to whether Joan was wife of Peter or Adam, it is apparent in the context of the other tombs that the wife of Peter de Brus is meant. It is also quite clear that Joan mentioned here could not have been daughter of Hugh, Earl of Chester because neither she, nor any Brus descendant, was represented among the four sisters of Ranulph de Blundeville (d.1232), coheirs to the lands of the earldom of Chester. The Close Rolls clearly lay out the devolution of the Chester lands and do not mention any Brus heir at all. The chronology does not allow her to be daughter of a previous earl, nor is the name Joan known in the family or antecedents of the earls of Chester.

However the appearance of the word *Chester* is intriguing. If there was an inscription on the tomb perhaps it is a simple mistake in transcription. It would have certainly been rendered in Latin and perhaps abbreviated to read something like "*Joh'a filia Con Cestriae*". It is not too farfetched to speculate that Aske might have misread the inscription on the 300 year old tomb<sup>111</sup>, as "*Joh'a filia Com Cestriae*". Or alternatively Aske's own notes were mistranscribed when translated into English.

## Conclusions reached

From the above exploration of the nature of Joan's marriage portion at Knottingley, Peter's charter activity involving Roger de Lacy and Robert fitz Roger, the political influence of Roger de Lacy on Peter de Brus, with regard to the Langbaurch charter and the nature of kinship between the witnesses, common names such as Roger and John appearing in the new generation, and intermarriages between family and tenants, such as the marriage between Agnes de Flamville to John de Birkin, every element of evidence presented here reinforces the thesis of this article that Joan was a daughter of John, Constable of Chester, and sister of Roger de Lacy.

## The Devolution of Knottingley and the Meinell family

The lack of records relating to Brus holdings in Knottingley indicates that the family did not hold their interest for long. The nature of a gift of land given in free marriage usually meant that no service was owed until the estate had been inherited three times by the heirs of the body of the original donor. The effect of this is that it was often passed on before that occurred. Depending on the size of an estate, it was usual for a maritagium to be used towards endowing the eldest daughter, or daughters towards their own marriages and this is what seems to have happened with the Brus interest in Knottingley.

In the early seventeenth century, a deed detailing the transfer of land in Knottingley was copied by Roger Dodsworth, and this copy is now held in the Bodleian Library with his papers.<sup>112</sup> The deed, dated 1315, is an acknowledgement by Adam de Everingham of Birkin to Lord Henry Scrope of a quitclaim by Nicholas de Meinell (d.1322) as successor of Stephen de Meinell<sup>113</sup> of

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<sup>111</sup> There is also every possibility that this tomb was damaged by the fire of 1289 in which the church was said to have burnt down.

<sup>112</sup> Dodsworth MSS lxviii fo. 12. I am grateful for the kind assistance of Chris Phillips in transcribing the original deed.

<sup>113</sup> It meant effectively that the Everinghams would hold the estate of Henry Scrope, to whom Nicholas Meinell had sold the reversion.

the reversion of 20 librates of land in Knottingley. It contains the internal text of an earlier charter, the translation of which is given as,

*“Stephen de Meynell, greetings. You should know that I have given to John de Everingham in free marriage with Joan my daughter 20 librates of land in Knottingley. Witn: Lord Adam de Everingham, Lord Robert de Hilton, Lord Robert de Strelley, Robert de Meinell of Runton.”*

We are informed that Stephen Meinell, Lord of Whorlton, had a daughter, Joan, with whom he gave a maritagium of 20 librates of land in Knottingley on her marriage with John de Everingham of Birkin.<sup>114</sup> The implication of the quitclaim is that Nicholas was not only heir of his grandfather Stephen, but also of the wife who brought Knottingley into the family.

The parameters for the date of the original charter must be after 1246, when Robert de Everingham died, (for Adam, his heir, and elder brother of John, is the primary witness to the deed); and before 1269, when Stephen de Meinell died.<sup>115</sup> However, the most likely date for this charter would be around 2<sup>nd</sup> May 1249 when John's mother, Isabel de Birkin, settled on him her inheritance of the manor of Birkin, Yorkshire, and a moiety of the manor of Riskington, Lincolnshire with their advowsons.<sup>116</sup> Located only four miles away, the 20 librates of land in Knottingley would have been a most welcome addition to John's estate at Birkin.<sup>117</sup>

As Stephen gave the 20 librates of land in Knottingley in free marriage, it is likely that this is how he had received it himself. Given his status as a minor baron, it is unlikely that he would have married a daughter of the Earl of Lincoln. However, as a baron who held 7 knights' fees in the wapentake of Langbaugh, it would make perfect sense for the land to have come to him as a marriage portion with a daughter of Peter de Brus and Joan de Lacy. While there is no explicit evidence to confirm such a marriage, circumstantial evidence lends support to this theory.

It is as follows:

**Chronology.** Stephen de Meinell was born around 1205, having come of age in 1226. After his father died in 1207 Stephen was subjected to multiple wardship arrangements. His custody and marriage were first granted to Robert de Turnham, seneschal of King John, whose wife, Joan Fossard,<sup>118</sup> was a distant kinswoman of Stephen.<sup>119</sup> Turnham held it for three years then sold it to his brother in law, Ralph de Fay. In 1212/13, during the baron's revolt, Turnham was ordered to deliver the custody to Hugh de Gournay who had been granted

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<sup>114</sup> Grandson of John Birkin, testator of the Langbaugh charter.

<sup>115</sup> Robert Meinell of East Rounton occurs in the 1260s, Robert de Hilton lived 1230 to 1310 and Robert de Strelley's dates are roughly 1208 to 1280.

<sup>116</sup> C W Foster, ed., *Final Concords of the County of Lincoln A.D. 1242-1272* (1920), 281.

<sup>117</sup> In 1301 this estate was held by Adam de Everingham of Birkin when it was assessed at a third of a knight's fee. M L Faull, *West Yorkshire: an archaeological survey to A.D. 1500 : the administrative and tenurial framework* (1981), 2, 256. It was referred to as a manor in 1441 when it was held as dower by Alice widow of John Everingham, *CCR 1435-1441*, 492. It passed down the family to Henry Everingham, illegitimate son of Sir Henry Everingham, d.1546, whose only legitimate son had died without issue.

<sup>118</sup> Her grandchildren, Hilary and Peter de Mauley of Morpeth, would marry respectively Peter III and Joan de Brus in 1237.

<sup>119</sup> T Duffus Hardy, ed., *Rot. Chart.* (1857), 173b.

the honour of Whorlton. During the war King John assigned Stephen's custody to Hugh de Baliol, but in 1217 he was ordered by Henry III to surrender it to the Archbishop of Canterbury.<sup>120</sup> Only after much prevarication did Baliol surrender custody on 26 April 1219. Stephen was still unmarried at this time. However a further dispute arose between Fay and the Archbishop of Canterbury, to be settled finally in 1221 when Fay sold his right for 100 marks to the Archbishop,<sup>121</sup> who then, we might assume, granted it to Peter de Brus to marry his daughter. This would certainly have occurred within the five years preceding 1226, by which time Stephen had attained his majority, as well as become a tenant of Peter de Brus II in Loftus.

Stephen's son in law, John de Birkin, was presumably of age, or close to it, when his mother settled property on him in 1249; that is to say he was probably born around 1225 to 1228. This would have made John a similar age to a daughter of Stephen de Meinell if the latter had married around 1221.

**Tenancy in Loftus** in 1226-8 Stephen de Meinell is recorded as one of three tenants holding land in Loftus under Peter de Brus II whose father bought the vill in 1206 as the Norman escheat of William de Saucey.<sup>122</sup> We have already noted how Loftus was used by the Brus family to endow family members with land, and it would have also been useful for the provision of a marriage portion. The Meinell family is not previously recorded as a tenant in Loftus to this point in time, and again as a marriage portion it does not appear to have stayed in the family very long, perhaps providing one for a daughter in the next generation, or was a life interest only.

**John de Brus appointed to Rudby church.** All through the medieval period and beyond, it was common practice to prefer members of the extended family to advowsons of which a manorial family was patron. By 1228 Stephen de Meinell had appointed John de Brus to the advowson of the only church to which he held the living. Rudby (these days referred to as Hutton Rudby) was a rectory manor with a particularly lucrative living worth 250 marks (over £166 a year in 1299).<sup>123</sup> In January 1228 Walter de Kirkham was to have the perpetual vicarage paying John de Brus an annual pension of 10 marks, with five marks more when the living of Semer fell vacant and fell into Kirkham's possession.<sup>124</sup> The following year on September 14<sup>th</sup>, the Archbishop's register records that John de Brus had been presented to the church of Rudby by Stephen de Meinell, reserving to Kirkham his perpetual vicarage payment of 15 marks annually as a pension. John de Brus was probably dead by February 1234 when Ranulph fitz Ranulph was appointed to the living.<sup>125</sup> John de Brus was clearly a contemporary of Stephen Meinell and his wife, and the assumption is that he was the latter's brother.

**Social parity** There was little disparity in such a marriage – Stephen Meinell had extensive kinship with northern baronial families such as Stuteville, Ros, Fossard,

<sup>120</sup> *CRR, 1219-1220*, 45, 46. William Paynel, overlord of the seven fees tenanted by the Meinell family, sold his lands to the Archbishop of Canterbury. The Archbishop at that time was Stephen Langton, who played a sympathetic role alongside the barons in their struggle against King John, and undoubtedly had personal acquaintance with Peter de Brus.

<sup>121</sup> Irene J Churchill, *et al.*, eds., *Calendar of the Feet of Fines for Kent* (1956), cxxx.

<sup>122</sup> *The Book of Fees*, 357.

<sup>123</sup> William Brown, ed., *Yorkshire Inquisitions III* (1902), 120.

<sup>124</sup> Walter de Kirkham later became Bishop of Durham.

<sup>125</sup> J Raine, *The Register or Rolls of Walter Gray, Lord Archbishop of York* (1872) 19, 31, 65.

Malebisse, Percy, Neville, Paynel and Bulmer. His estate held in demesne was worth about £100, and the total income from his tenements was valued at over £300 at his son's death in 1299.<sup>126</sup> As tenant of the Archbishop of Canterbury, the bulk of his land was held in the wapentake of Langbaourgh in Whorlton, Seamer, Eston, Carlton, Middleton, Hutton Rudby, Atwick, Boynton, and Aldwark. His castle at Whorlton was situated on a high outcrop on a spur of the Cleveland Hills overlooking his estates to the northwest and guarding the entrance to Scugdale directly behind.

**Fig 4 The gatehouse of Whorlton Castle showing (below) detail of Meinell heraldry above the gate**



The arms at the top of the gatehouse (LH picture) appear to be an impalement, probably by Darcy of Meinell. The others show Meinell, Darcy of Knaith, and Grey of Heaton, representing the marriages of Nicholas and Lucy's descendants:

Sir Nicholas de Meinell (d.1322)  $\rightsquigarrow$  Lucy de Thweng (d.1347)

Sir Nicholas de Meinell (d.1341)  $\perp$  Alice de Ros

Sir John Darcy of Knaith (d.1356)  $\perp$  Elizabeth de Meinell (d.1368)

Sir Philip Darcy (d.1399) = Elizabeth, dau of Sir Thomas  
Grey of Heaton, Northumberland

<sup>126</sup> William Brown, ed., *Yorkshire Inquisitions III* (1902), 114-120.



Skelton castle was only 16 miles north east of Whorlton, following the route to Saltburn, below the foothills of the Cleveland Hills. The advantage of such a marriage for Stephen was considerable and elevated his status to enjoy kinship with the most powerful families of England, let alone Yorkshire. Although it was common practice for magnates to marry their younger daughters to local minor nobility, it may also have been some comfort to Joan and Peter to have a daughter living relatively close by.

Stephen must have outlived his Brus wife, whose name unfortunately remains unknown to us, as he is recorded having a later wife named Clemence, whom he divorced soon after marriage in 1265. In 1270 she made an unsuccessful claim against Nicholas de Meinell for dower.<sup>127</sup> Stephen's wealth can be ascertained by what she demanded; *ie* a third share in ten messuages, 30 carucates of arable, 115 acres of meadow, a rent of £124 12s., a rent of 96 quarters of wheat, 1400 acres of wood, 1500 acres of pasture, 4 watermills, 5 windmills, with appurtenances in the places mentioned above. She seemed to be very well informed about Stephen's possessions.

**Onomastic evidence.** Stephen de Meinell had sons named Peter and John - names not recorded previously in the Meinell family.<sup>128</sup> We can speculate that they were named after their maternal grandfather Peter de Brus and great grandfather (John the Constable), or cousin once removed (John de Lacy, Earl of Lincoln). Also to note is the fact that Stephen's daughter was named Joan, as is consistent with traditional naming patterns if Joan de Lacy was her maternal grandmother (according to the same pattern we might expect the Brus daughter to be named Alice, Jueta or Joan). Although Nicholas inherited the Meinell estates, he was a second son, the first having been named Robert who died young. He was presumably named after his paternal grandfather. The origin of Nicholas' name is unknown.

**Charter activity.** Stephen Meinell attested a charter of Peter de Brus II who gave Gisborough priory the tenth of his income from all the New Year fairs in his possession, for the health of his own soul, that of Joan his mother, his children and ancestors. The primary witness of this gift was Stephen de Meinell followed by other intimate members of the Brus household.<sup>129</sup> The specific mention of Joan and not his father, Peter, would suggest that Joan had very recently died and the gift was made on her behalf – although Peter had covered all configurations by including all past and future members of his line. The presence of Stephen de Meinell at this time could imply that his wife was in attendance, but as women were less likely to attest charters into the thirteenth century, her name does not appear. There is no conceivable reason why Stephen would have attested this charter apart from family reasons.

The Meinell family had previously taken no interest as benefactors of Healaugh priory until Stephen de Meinell granted it the three marks rent the monks paid him for three carucates of land it held of him in Hutton Rudby (Hutton juxta Rudby) and its perpetual use. Perhaps the gift being a little more than he wished to concede, in exchange the priory gave him six bovates that Alan de Wilton had

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<sup>127</sup> Paul A Brand, ed., *The Earliest English Law Reports*, volume I (1996), 8.

<sup>128</sup> W T Lancaster, ed., *Abstracts of the Charters and Other Documents contained in the Chartulary of the Priory of Bridlington* (1912), 35. Identified as the grantor's sons, they both witnessed a confirmation charter by Stephen of land in Sywardby to Bridlington priory.

<sup>129</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1889), I, 91-92.

given them in Middleton.<sup>130</sup> This charter was witnessed by members of his entourage including his step brother Robert de Stuteville of Ayton, (whose father Stephen's mother, Emma Malebisse had re-married), his half-brother John de Stuteville, Alan de Wilton, Walter de Mowbray and Theodore de Riebroc, who were three knights and tenants of Peter de Brus III and witnessed his charters. It is significant to note that the seneschal of Peter de Brus III was Nicholas de Stuteville, kt, probably of the same family of Ayton, and perhaps also a half-brother of Stephen.<sup>131</sup>

Stephen was also primary witness to a charter of gift by Theodore de Riebroc, kt, of six bovates of land in Askham Richard (in the Arches fee), given to him by Peter de Brus III, to Healaugh Priory for his soul and health of the soul of Peter de Brus, for the purpose of the maintenance of one canon to pray for their souls.<sup>132</sup>

There are signs of continuing involvement in the next generation, for Stephen's son and heir, Nicholas, was primary witness of a confirmation charter by Marmaduke de Thweng, husband of Lucy de Brus, one of the four sisters and coheirs of Peter de Brus III. As new lord of the fee in right of his wife, Marmaduke confirmed the gift of William Percy of Kildale of the chapel of St Hilda and lands and rents in Kildale of the Brus fee to Healaugh Priory. As Nicholas had no interest in any tenements in Kildale, his attestation can only be viewed by reason of being a family supporter – as first cousin of Lucy de Thweng, as well as kinsman of William de Percy. However there is a certain irony to be drawn from this pious act by the fact that Nicholas' son and Marmaduke's granddaughter would challenge the accepted mores of the church and community by their adulterous and incestuous affair. This will be dealt with further on.

Another significant deed by Nicholas de Meinell that lends to the theory that he was related to the Brus family was his participation as a surety for Sir Walter Fauconberg, husband of Agnes de Brus, eldest sister of Peter III. In 1268, Fauconberg, having found himself on the wrong side after the rebellion led by de Montfort, suffered forfeiture by the king and his lands were given to Robert de Brus of Annandale. Brus made a fine with Fauconberg to ransom them for £250 to be paid at Gisborough priory in three instalments, in default of which Robert would take possession of the lands in England in perpetuity. As extra security Fauconberg found guarantors for the debt – the two primary ones being Marmaduke de Thweng and Nicholas de Meinell.<sup>133</sup> Meinell was not a tenant or overlord of Fauconberg, and his involvement in the debt is not explicable by any other reason of interest other than kinship, which is exactly the reason why Marmaduke de Thweng, Fauconberg's brother in law was involved. Nicholas' exact relationship to Fauconberg and Thweng's wives would have been as first cousin.

**The Birkin connection** As already mentioned, marriage alliances were generally conducted within the extended family as far as the rules of consanguinity allowed, and as previously stated John de Birkin married Agnes de Flamville, half-sister of Peter de Brus, as her second husband. Agnes died sometime

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<sup>130</sup> J S Purvis, *op. cit.* (1936), 69.

<sup>131</sup> J S Purvis, *op.cit.* (1936), 59.

<sup>132</sup> J S Purvis, *op.cit.* (1936), 57-59.

<sup>133</sup> *CPR, 1266-1272*, 292-294.

between 1214 and 1218,<sup>134</sup> without further issue and her husband remarried Joan L'Enveise, a niece of Justiciar Roger Arundel, who provided him with a son Thomas, and a daughter Isabel. Thomas de Birkin did not long outlive his father and died without issue in 1230. It was Isabel, wife of Robert de Everingham, the Birkin heiress, who became Joan de Meinell's mother in law, and who settled her own property on her younger son, John, Joan's husband. Thus with the new marriage between Joan de Meinell and John de Everingham, the blood tie with the powerful Lacy and Brus families that had previously failed to materialise, was now achieved.

## Conclusion

There is plentiful evidence listed above pointing to a marriage connection between the two families of Brus and Meinell. They include the marriage portion in Knottingley, matching chronology, onomastic evidence, new tenancy in Loftus held of Peter de Brus, John de Brus appointed to Hutton Rudby church, charter evidence, and evidence of Nicholas de Meinell I acting with Marmaduke de Thweng as guarantor for Walter de Fauconberg, and the Meinell/Everingham marriage. The author concludes that the wife of Stephen Meinell was a daughter of Peter de Brus and Joan de Lacy.

## The story of Lady Lucy de Thweng and Lord Nicholas Meinell

The medieval love story of Lucy de Thweng and Nicholas Meinell is one suitable for an action packed television drama – replete with knights in armour, multiple abductions, assault, vengeance, kidnapping, enmity with the church, bribery and corruption, excommunication - all set within the backdrop of famine and war with Scotland. Michael Prestwich explored it in some detail in 2003<sup>135</sup> without considering one of the dilemmas of the couple – that their relationship was considered incestuous because they were related within the prohibited degree of consanguinity.<sup>136</sup> In the early 14th century the detail of their kinship was such common knowledge that it was evidently not considered necessary to document it and has thus been long forgotten. Their precise relationship has never been explained in modern times, but if the wife of Stephen Meinell was a daughter of Peter and Joan de Brus, as appears the case, then that kinship is explained; they were related in the third and fourth degree of consanguinity, both being descendants of Peter and Joan de Brus.

Lucy de Thweng was born on 24<sup>th</sup> March 1279 at Kilton castle, only child of Robert de Thweng and Maud, daughter of Gilbert Hansard of Evenwood, Co. Durham (by whom Lucy inherited Bozeat manor in Northamptonshire).<sup>137</sup> She was heiress to a quarter of the Brus barony through her grandmother Lucy de Brus, second sister and coheir of Peter III de Brus, of the lordship of Hart, Co. Durham, Danby, Yarm, Broughton, Skinningrove, Kirkburn and Lealholm and a

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<sup>134</sup> Doris Mary Stenton, ed., *Rolls of the Justices in Eyre: being the rolls of pleas and assizes for Yorkshire in 3 Henry III (1218-1219)* (1937), 407.

<sup>135</sup> Michael Prestwich, *An Everyday Story of Knightly Folk* (2003), 151-162.

<sup>136</sup> Incest was considered in much broader terms than today- one could not enter marriage with anyone who shared the same great, great grandparent or less as oneself, *i.e* marriage below the 5th degree was unacceptable and considered incest.

<sup>137</sup> *VCH Northamptonshire*, IV, 3-7; *C.Ch R, 1300-1326*, 159. The manor was probably the marriage portion of her great grandmother Maud de Mowbray. Maud's maternal ancestry is unknown.

moiety of the farm of Langbaourgh wapentake, as well as a moiety of the patronage of Gisborough priory and issues from lands held by the Fauconberg family in co-partnership. Lucy became a royal ward when she was orphaned at an early age and her custody and marriage were bought by Sir William Latimer of Scampston to marry his son of the same name. The marriage took place in 1295 when she was 16, but it was not a success despite the birth of their son and heir, William, around 1301. By 1303 Lucy had been collusively abducted from their manor at Kirkburn by persons unknown during William's absence in Scotland, and the sheriff was ordered to find her, without success. Latimer alleged that Robert Constable, and others deserted from the army in Scotland and seized Lucy de Thweng, together with some of Latimer's property. Constable claimed himself innocent of the accusation, and both he and Latimer offered to prove the issue by duel. In February 1304 a writ to the Sheriff of York stated the crime had been committed by "*evilly disposed persons*".

In 1305 Lucy was given permission by the Archbishop of York to sue for divorce from Latimer on grounds of consanguinity in the fourth degree.<sup>138</sup> Because he refused to pay the expenses for the divorce Latimer was excommunicated, only to have the sentence later revoked by the pope before it was announced. He sued a writ to the sheriff demanding that Lucy and those who were aiding her should be taken and brought to Latimer, but she made a plea to the king claiming that cohabiting with him was perilous to her soul in view of the consanguinity between them and the petition for divorce, and accused Latimer of cruelty.<sup>139</sup> She had evidently lost these scruples on embarking on her affair with Nicholas.

It is not clear when Lucy's relationship with Nicholas Meinell, Lord of Whorlton<sup>140</sup> first began, or if he was involved in her abduction. It is possible that it was initiated by Nicholas as revenge against the Latimer family, taking root in the failure of the arrangements for his own marriage around 1296-97. This marriage was arranged by his father to a daughter of Malise III, Earl of Strathearn, and his wife Agnes Comyn presumably after the Scots were beaten at Dunbar.<sup>141</sup> It seems the marriage contract was made under coercion, for Agnes was made to swear an oath on the gospels, at the insistence of the bishop of Saint Andrews, on pain of excommunication, to pay Meinell at Candlemas, with costs and damages in case of default. Pledging 200 marks should the marriage not take place, were Sir Alexander de Baliol of Cavers, her kinsman, and the Earl Patrick, her brother-in-law and others. It cannot be considered a coincidence that the wife of Agnes' brother, Sir Alexander Comyn, was Maud Latimer, sister of William Latimer, husband of Lucy.<sup>142</sup> Whatever the role of the Latimers in the marriage contract was, the marriage was evidently considered with disfavour by the Comyn faction,

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<sup>138</sup> The exact relationship is not stated but was perhaps by common descent from William de Mowbray who appears to have been Lucy's great grandfather via her mother Maud Hansard.

<sup>139</sup> TNA SC 8/324/E640.

<sup>140</sup> He was son of Lord Nicholas de Meinell, son of Stephen de Meinell and his presumed Brus wife. His mother, Christina, was probably daughter of William de Furneaux of Beighton, Derbyshire, younger brother of Sir Walter de Furneaux of Carlton in Lindrick, Nottinghamshire. William settled the manor of Beighton on the couple for the annual rent of a clove, but they released it back to him for an unspecified sum of money in 1287. I Jeayes, ed., *Derbyshire Charters (1906)*, 35; Suffolk Record Office. The Iveagh (Phillipps) Suffolk Manuscripts. HD 1538/133/1.

<sup>141</sup> CP XII/I, 383; Grant G Simpson & James Galbraith, eds., *Calendar of Documents Relating to Scotland Vol V Supplementary AD 1108-1516* (n.d.).154.

<sup>142</sup> TNA SC 8/97/4835.

perhaps because of the Brus descent of Nicholas Meinell, as the Bruce and Comyn families were bitter enemies.<sup>143</sup>

On default of the marriage, Nicholas the father asked Hugh de Cressingham, Treasurer of Scotland, to intercede with the king to distraint 200 marks the girl's mother had pledged as compensation, to come from goods coming out of Scotland. The blow to Meinell's ambition goes unrecorded, but must have been sore enough for him to want to extract as much as he could out of the situation. Hugh de Cressingham, renowned for his venality and pluralist tendencies, was well rewarded for whatever service he performed, for he was holding the living of Hutton Rudby at his death.<sup>144</sup>

In 1306 Latimer had Nicholas arrested by the sheriff of Yorkshire and thrown into the prison at York Castle, accusing him of hiring men to beat and kill him, but the man Latimer had bribed to say it, recanted and said that he had been coerced by Latimer into making this accusation. Nicholas was released and sued for compensation claiming £200 in damages against him. Around this time Lucy gave birth to a son named Nicholas, and in April 1307, having tangible evidence of adultery, the Archbishop mandated the Dean of York to call Nicholas and Lucy to appear before the dean on charges of adultery and incest.<sup>145</sup> They did not appear, so a commission was called to pronounce sentence upon them and proceed against them.

In September 1309 Lucy was warned to take up residence at Watton priory by November to undergo penance for adultery, possibly after the birth of a daughter.<sup>146</sup> Again she did not show up, but a compromise was reached whereby she was allowed to receive purgation at York for her persistent adultery and incest with Nicholas, "*super recidivo adulterii et incestus cum domino Nichalao de Meynil.*"<sup>147</sup> In January 1310 it was recorded that both Nicholas and Lucy agreed to part and Nicholas to pay £40, and Lucy to pay £10 towards the fabric of York Minster, pledging not to further commit carnal sin, but whether their separation was genuine is open to question. By 22 July 1312 William Latimer had obtained a divorce from Lucy, keeping the manor of Sinnington for life as compensation.<sup>148</sup> Lucy's Eskdale estate was already settled on their son.

Even though Nicholas was single, there was no prospect of the couple obtaining a papal dispensation to marry owing to the degree of their consanguinity.<sup>149</sup> At any

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<sup>143</sup> The Comyn family supported John Baliol as King of Scotland but their position changed when Baliol was deposed by Edward I in 1296. John Comyn of Badenoch then became Robert Bruce's main competitor until Bruce murdered him in 1306.

<sup>144</sup> Harry Rothwell, ed., *The Chronicle of Walter of Guisborough* (1957), 302.

<sup>145</sup> *The Register of William Greenfield, Lord Archbishop of York 1306-1315* (1936), II, 15.

<sup>146</sup> It was considered necessary to submit to penance in order to obtain the forgiveness of God through the priest's absolution – usually through penitential activities such as fasting and prayer - although monetary payments to the church were also perfectly acceptable.

<sup>147</sup> *The Register of William Greenfield, Lord Archbishop of York 1306-1315* (1931), I, 126, III, 13, 15, 19, 49, 72.

<sup>148</sup> *CCR, 1307-1313*, 466.

<sup>149</sup> Dispensations to marry in the 4th degree first appeared in 1255 and were generally approved for political reasons, but were very costly to obtain. The first dispensation to marry in the 3rd and 4th degree of consanguinity was issued to Humphrey de Bohun, Earl of Hereford and Elizabeth, daughter of Edward I only as recently as 1302. *CPapR*, I, 602. Given that Nicholas was forced to borrow the £40 to pay the Archbishop for his penance, it is unlikely he would ever have the resources to follow such a path. TNA C 241/63/133.

rate Archbishop Greenfield was unlikely to have been supportive of such a petition, considering the obduracy of their relationship. In fact anything to do with the Meinell family at all would have been an irritation, for in 1290 Nicholas' father had caused him considerable nuisance by falsely accusing his wife, Christina, of committing adultery with Greenfield when he was a canon of York.

By now aged 33 and not attracted to a cloistered life - even in the event a nunnery would allow her into their midst with her reputation - Lucy's best option was to marry again. Her second husband was a minor knight, Robert de Everingham of Everingham, younger brother of Sir John de Everingham of Laxton and great nephew of John de Everingham, whose wife was Joan de Meinell.<sup>150</sup> However in mid January 1313 Lucy was again violently abducted from his manor at Everingham at night by Nicholas and a company of over 40 men, and all those involved in the abduction were placed under sentence of excommunication.<sup>151</sup> Whether or not Lucy was in collusion with this abduction is not evident, but she afterwards returned to her husband, and lived peaceably as his wife. With a cooling off on Lucy's part, there may have seemed little point to Nicholas pursuing the relationship after this point.

His feudal responsibilities kept him occupied for the rest of his life. Between 1309 and 1320 Nicholas was summoned 36 times to serve against the Scots, raise local armies, or attend Parliament at Westminster - though he was discharged from much of his attendance at Parliament and commanded to reside in Yorkshire to defend against marauding Scots.<sup>152</sup> He seems to have relished antagonising the church, for in December 1314, probably to annoy the Archbishop; Nicholas summoned clergy to appear before him with horses and arms at Easingwold to march to Scotland, even though they held no land for which these services were demanded. The Archbishop was forced to order them to ignore the summons.<sup>153</sup> Even his short spell as sheriff of Yorkshire in 1315 (becoming in effect constable of York castle where he had been imprisoned) was not without controversy, as Nicholas complained in 1316 that Simon de Wakefeld, out of ill-feeling towards him because Nicholas did not want to have him below him in office when he was Sheriff of Yorkshire, had acquired a commission for John de Lisle and to John de Eure, to inquire into Nicholas' activities when he was Sheriff and they were harassing him.<sup>154</sup>

Nicholas was also implicated in murder, though not in so many words as to name him, as the accuser obviously did not want any repercussions on himself. All that was said was that "a great lord" ordered William and Roger de Eston, (foresters of Nicholas Meinell), to punish one Nicholas Carpenter, but had killed him and his brother instead at Aldwark (a manor belonging to Meinell). When it became

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<sup>150</sup> CPR, 1307-1313, 549. Brotton and Kirkburn were settled on the pair for life, with remainder to the right heirs of Robert. As Lucy and Robert never had issue together, the manors finally reverted to Adam de Everingham of Laxton on Lucy's death. CIPM VIII, no.639.

<sup>151</sup> William Brown, ed., *The Register of John le Romeyn Lord Archbishop of York 1286-1296* (1913), 207-208, CPR, 1313-1317, 65. The perpetrators also assaulted Alice de Everingham, Lucy's widowed mother-in-law, in the process.

<sup>152</sup> Francis Palgrave, ed., *Parliamentary Writs* (1834), II, 1161-1162.

<sup>153</sup> *The Register of William Greenfield, Lord Archbishop of York 1306-1315* (1931) I,155.

<sup>154</sup> TNA SC 8/192/9599.

known in the county that this “*great lord*” had ordered it, he ordered Geoffrey de Eston to blame someone else *ie* the plaintiff.<sup>155</sup>

Although Lucy did not have anything further to do with Nicholas, she did provide for her descendants by him.<sup>156</sup> The years 1314 and 1315 seem to have been significant to Nicholas, settling their son despite his illegitimacy, as heir to his estate,<sup>157</sup> which included a moiety of the barony of Wooler, of which he bought the reversion in 1315.<sup>158</sup> That year Nicholas made his only known religious benefaction when, perhaps deciding that he would never marry and have legitimate issue, he applied for a licence to give land in Hutton Rudby to chaplains at Aldwark and Greenhow to celebrate divine service for the soul of himself and his son Nicholas, son of Lucy de Thweng.<sup>159</sup> A daughter named Christiana, probably by Lucy, was married off in 1321 to Robert son of William de Sproxton, with the manor of Sproxton settled on her by the king’s command.<sup>160</sup>

In 1316 Robert de Everingham died in Scotland, and Lucy found herself suing for the return of her manors of Brotton, Kirkburn, and Yarm, when the overzealous escheator took them into the king’s hands as a result of Robert’s death. He did the same with her manor of Hart in County Durham after the death of its tenant Robert de Clifford in 1317.<sup>161</sup>

Lucy’s third and last husband was Bartholomew de Fanacourt, a retainer of William Latimer, whom she married after 12 July 1319.<sup>162</sup> It was to be her most lasting relationship. Although the Eskdale estate had been settled on her son William, Lucy still retained many of her other estates worth 8¼ knights’ fees, which at the king’s precept, was settled on her and Fanacourt in 1345, probably to protect his interest in their income, in the event of her death.<sup>163</sup>

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<sup>155</sup> TNA SC 8/323/E567.

<sup>156</sup> Lucy settled Yarm on Nicholas, and the moiety of the advowson of Gisborough on her granddaughter Elizabeth on her marriage to John Darcy in 1346. M.Roper, ed., *Feet of Fines for the County of York from 1300 to 1314* (1965), 102.

<sup>157</sup> Michael Roper & Christopher Kitching, eds., *Feet of Fines for the County of York from 1314 to 1326* (2006), 1, 6, 57.

<sup>158</sup> *CPR, 1313-1317*, 261. Perhaps using the proceeds from the sale of the reversion of Knottingley. It passed to Nicholas junior, in October 1322 after the death of Mary Graham, who was half sister of Malise Earl of Strathearn (d.1312).

<sup>159</sup> *The Certificates of the Commissioners Appointed to Survey Chantries, Guilds, Hospitals etc in the County of York* (1895), 554. The editor mistakenly translates Lucy as Luke.

<sup>160</sup> Michael Roper & Christopher Kitching, eds., *Feet of Fines for the County of York from 1314 to 1326* (2006), 64. She is described in the fine as Christiana, daughter of Nicholas de Meinell.

<sup>161</sup> *CIPM V*, 593; TNA SC 8/46/2257.

<sup>162</sup> William Brown, ed., *Cartularium Prioratus de Gyseburne* (1889), I, 123-125. When she gave a charter to Gisborough priory confirming its possession of everything it held in her lands, as the late wife of Lord Robert de Everingham “*in mea viduitate*” implying that she had not yet married Fanacourt.

<sup>163</sup> W Paley Baildon, ed., *Feet of Fines for the County of York from 1327-1347* (1910), 177-178. The lands listed were all concentrated at the northern part of the wapentake of Langbaugh - Coatham, Marske, Redcar, Runswick, Yarm, Kildale, Normanby, Lasingby, Nunthorpe, Airsholme, Ormesby, Upsall, Crathorne, Acklam, Linthorpe, Thornton, Marton, Tollesby, Rousby, Tanton, Liverton, Aislaby, Picton, Seaton, Skelton, Tocketts, Brotton, Stainsby, Hemlington, Colby, Pinchingthorpe, Bolby, Kirklevington, Lackenby, Barnaby, Berwick on Tees, Killingwick and Newton under Rosebery. Strangely the remainder was to the heirs of Bartholomew, and probably why the escheator at his inquisition reported that Bartholomew was a foreigner and therefore his heirs ineligible to inherit her lands. Her son William Latimer was her legal heir.

Apart from Fanacourt, whom she made executor of her will, Lucy outlived all her other menfolk. Nicholas died in 1322, possibly as a result of wounds sustained at the battle of Boroughbridge, fighting on the king's side. He was buried in the chancel of the now ruined parish church at Whorlton, an unusual oaken effigy marking his tomb. Although Lucy may have had little to do with their upbringing, she also outlived her sons who both became knights and died in their mid-thirties; William died in 1335 leaving a son and heir William, by his wife Elizabeth Botetort; and Nicholas died in 1341, leaving by his wife Alice de Ros, his heir Elizabeth. William Latimer, Lucy's first husband, having taken a second wife, died in 1327. Lucy herself died in 1346 at the age of 67, and as a patron of Gisborough priory she was buried in its church beside her first husband amongst the tombs of her Brus ancestors. It was a startlingly conventional conclusion to an unconventional life.

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