

Feudal Politics in Yorkshire 1066 x 1154

By

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Summary of Thesis

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This thesis provides a broad study of the tenurial, administrative and political history of Yorkshire in the first century of English feudalism. It begins by providing a new and more precise chronology for the Norman conquest of Yorkshire and illustrates the importance of castleries and hundreds in the process of take-over. In Chapter 2 the thesis reveals that in the fifty years following the Domesday survey the Normans extended the system of compact lordships based upon castleries, hundreds and hundredal castleries in order to bring the more remote parts of the county under control and to provide protection for its borders. The new men placed in control of these lordships played a vital role in the integration of Yorkshire within the royal system of justice and administration. Attention is then paid in Chapter 3 to the scale and pattern of Norman sub-enseffment in the period 1086 x 1135. The study throws new light on both the purpose of the system of military service introduced by the Normans and the reasons for the rapid expansion of monasticism in Yorkshire after 1100. Chapter 4 illustrates how after 1135 royal control over the local administration of Yorkshire disintegrated in the face of the political difficulties of King Stephen and the growing power of William earl of York, and Chapter 5 examines how King David of Scotland exploited Stephen's weakness in the northern England to extend his influence within the area. Chapter 6 considers the nature of some of the new enfeoffment tenancies recorded in the 1166 inquest and elucidates the reasons behind the reluctance of magnates to acknowledge their existence and pay scutage upon them. And finally, the thesis concludes in Chapter 7 with a major re-assessment of the nature and strength of lordship and the emergence of property right in the first century of English feudalism.

IN MEMORY OF MY PARENTS
JOYCE AND GEOFFREY DALTON

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Preface

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Even a cursory glance at the footnotes of this thesis will reveal the considerable debt I owe to the scholarship of William Farrer and Sir Charles Clay. The fruits of their outstanding devotion to the collection and edition of the records of the aristocratic community of Yorkshire from the eleventh to the thirteenth century can be found in the twelve volumes of *Early Yorkshire Charters* published by the Yorkshire Archaeological Society. To these Dr. Diana Greenway added an excellent edition of the charters of the Mowbray family published for the British Academy in 1972. In the examination of these documents, and many others published by a variety of record societies, I took my inspiration from the works of Sir Frank Stenton whose excellence in the field of charter scholarship remains unequalled.

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closed to them by social situation. Although both died before the completion of the thesis, without their support and encouragement the work could never have been started, let alone brought to a conclusion. It is in memory of them that I dedicate it.

Abbreviations

Sources

- Acta Sanctorum* *Acta Sanctorum*,
ed. J. Bollandus *et al.* (Antwerp, 1643-1867)
- Anderson, *Scottish Annals* A.O. Anderson, *Scottish Annals from English Chroniclers
A.D. 500 to 1286*, (London, 1908)
- ASC *The Anglo-Saxon Chronicle*,
ed. and trans. D. Whitelock *et al.*
(London, 1961)
- BL British Library
- Book of Fees* *Liber Feodorum. The Book of Fees commonly called
Testa de Nevill*, 3 vols. (Record Commission, 1920-31)
- Bridlington Chartulary* *Abstracts of the Charters and Other Documents
contained in the Chartulary of the Priory of Bridlington*
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17 vols. (1898-1955)
- Cal. Patent. Rolls* *Calendar of Patent Rolls Preserved in the Public Record
Office (1292-1509)*, 52 vols. (London, 1891-1916)
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ed. J.H. Round (London, 1899)
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Gloucestriae* *Historia et Cartularium Sancti Petri Gloucestriae*,
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trans. J. Stevenson (vol. IV, pt. i, London, 1856)
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- Danelaw Documents* *Documents Illustrative of the Social and Economic History
of the Danelaw*, ed. F.M. Stenton (British Academy, 1920)
- DB* *Liber Censualis Vocatus Domesday Book*,
4 vols. (Record Commission, 1783-1816)
- Diceto* *Radulphi de Diceto Opera Historica*,
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vol. 2, ed. J. Brownbill (Chetham Society, n. s., 74, 76, 78, 1915-19)
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- LRO Lincoln Record Office
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Journals and Societies

- AJ *Archaeological Journal*
- BNJ *British Numismatic Journal*
- BSAN *Bulletin de la Societe des Antiquaires de Normandie*
- CHJ *Cambridge Historical Journal*

<i>CLJ</i>	<i>Cambridge Law Journal</i>
<i>EcHR</i>	<i>Economic History Review</i>
<i>EHR</i>	<i>English Historical Review</i>
EPNS	English Place Name Society
<i>JBAA</i>	<i>Journal of the British Archaeological Association</i>
<i>JEH</i>	<i>Journal of Ecclesiastical History</i>
<i>JMH</i>	<i>Journal of Medieval History</i>
<i>JSA</i>	<i>Journal of the Society of Archivists</i>
<i>LHR</i>	<i>Law and History Review</i>
<i>SHR</i>	<i>Scottish Historical Review</i>
<i>TCWAAS</i>	<i>Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society</i>
<i>TRHS</i>	<i>Transactions of the Royal Historical Society</i>
<i>YAJ</i>	<i>Yorkshire Archaeological Journal</i>

Chapter 1

The Norman Conquest of Yorkshire

By 1086 on the pages of Domesday Book at least the vassals of William the Conqueror were in a powerful position in Yorkshire. The survey records that the vast majority of the Anglo-Scandinavian aristocracy had either been dispossessed or had suffered a decline in their social standing.¹ Twenty-five continental magnates were in possession of over 90% of the landed area of Yorkshire. And yet the estates described as being within their control were mostly under-developed. If the Domesday figures are totalled and tabulated they reveal that, taken as a whole, agricultural land in Yorkshire had suffered a dramatic decline in value in the twenty years following the arrival of the Normans. Much of the county was apparently characterized by low population and plough-team densities, and a large body of estates were described as waste and recorded without resources or value.² In many areas the survey provides almost no information beyond carucage figures. In only a few had estates weathered the twenty years of Norman rule well. The concern of this chapter is with the dynamics of Norman settlement, and two questions in particular. Firstly, to what extent were the Normans in control of Yorkshire in 1086? And secondly, what were the methods and stages by which this control had been established?

The Norman conquest of Yorkshire has traditionally been portrayed as a slow, ill-organized and piecemeal affair. Dr. Wightman, for example, who produced the only detailed structural analysis of a Yorkshire Domesday honour, argued on the basis of the apparent absence of honorial castles in 1086

¹ *DB*, i, 298a-332b.

² *Domesday Geography*, 31-40, 59-71, 114-22, 139-50, 192-97, 212-21, and Figs. 9-11, 15-18, 28-30, 33-6, 47-9, 53-5.

and the survival of large numbers of Anglo-Scandinavian tenants that the creation and organization of the great compact honours of Pontefract, Richmond, Holderness and possibly Conisbrough were delayed until the 1080s.³ Accepting this interpretation Professor Le Patourel could only suggest that the development of Norman tenurial control was a very gradual and dislocated process lacking firm direction from above:

In so far as it was controlled, it could only be operated by assigning to each of William's followers who were seeking property in Yorkshire the lands, or parts of the lands, of some English landholder, for it is difficult to see how an estate could be defined in any other way...This would often bring it about that the total holding of any Norman baron was a scattered, untidy, and perhaps unworkable affair.⁴

The ideas of Wightman and Le Patourel were readily adopted in turn by William Kapelle who found that they complemented his interpretation of the pre-conquest political separatism of the north and the consequential strong resistance faced by the Normans there after 1066.⁵ The historiographic tradition can also be traced most recently in the work of Professor Searle who argues that no Norman could hope to control or govern the north in 1070 and that while Earl Waltheof lived the area was closed to Norman ambition, only becoming ripe for real conquest after 1075.⁶

It will be argued in this chapter that these conclusions are flawed. They are flawed because they either ignore, or employ only selectively, or misinterpret the evidence of the main source for Norman settlement, which is Domesday Book. It is through a comprehensive analysis of Domesday Book that this chapter will re-examine the methodology and progress of the Norman conquest of Yorkshire by measuring the level of estate organization achieved on the various Norman honours in 1086. Before it can be used in this way, however, the Domesday information requires clarification at certain points and must also be combined with an understanding of the administrative, agricultural and strategic realities of the period. The first section of the chapter will therefore explain and justify the manner

³Wightman, *Lacy Family*, 21-9, 40-3, 54.

⁴J. Le Patourel, 'The Norman conquest of Yorkshire', *Northern History*, 6 (1971), 12. See also J. Le Patourel, 'The Norman colonization of Britain', *I Normanni e la loro espansione in Europa nell'alto medioevo* (Settimane di Studio del Centro Italiano di Studi sull' Alto Medioevo xvi, Spoleto, 1969), 418-9; Le Patourel, *Norman Empire*, 41-3.

⁵Kapelle, *Norman Conquest*, 3-49, 86-157, esp. 144-5.

⁶E. Searle, *Women and the Legitimization of Succession at the Norman Conquest* (California Institute of Technology Social Science Working Paper 328, July 1980), 11-12, 19-20; more briefly under the same title in *Anglo-Norman Studies*, 3 (1980).

in which the Domesday evidence is to be employed as a measure of estate organization. Having established the measurement criteria the Yorkshire honours will then be examined in descending order of estate organization, and a number of broad categories of development will be established. The process reveals that not only were some honours highly organized in 1086 and focused upon compact castleries, but also that their construction had been carefully planned and controlled, and that they had been in existence for considerably longer than has hitherto been supposed. The result, therefore, is to illustrate the degree to which the Normans were in administrative and military control of Yorkshire by 1086, and to establish a new chronology for the process by which this control had been achieved.

Measures of Estate Organization

1. Waste

The question of the meaning of the term waste in Domesday raises a technical point, but one which is central to much broader argument and therefore requires discussion. When correctly interpreted waste, or the lack of it, can be employed to measure the degree to which the Domesday honours of Yorkshire had been brought under Norman administrative control by 1086.

Hundreds of vills distributed throughout Yorkshire were described in Domesday as either wholly or partly waste. It was originally thought that the term was applied to vills that had been devastated by the Conqueror's armies, particularly during the course of the harrying of the north in 1069 x 1070.⁷ T.A.M. Bishop, however, was the first to point out that the heavier concentration of waste vills in the more remote upland areas of Yorkshire implies that there was no simple relationship between the routes followed by the Norman army and the distribution of waste. He argued that if waste was equated solely with military devastation it would be natural to expect the greatest concentration of waste vills in the lowlands which were far more accessible to the Conqueror's troops. Bishop suggested, therefore, that rather than the course of armies, the distribution of waste indicates the migration of native peasants forced by Norman lords to abandon their upland vills in

⁷F.H. Baring, 'The Conqueror's footprints in Domesday', *EHR*, 13 (1898), 17-25; J. Beddoe and J.H. Rowe, 'The ethnology of West Yorkshire', *YAJ*, 19 (1907), 31-60, esp. 50-1, 58-9. Welldon Finn accepted the equation of waste with military devastation in certain areas: Welldon Finn, *Economy*, 193-210, esp. 205.

order to re-populate lowland settlements devastated by William's troops.⁸ Although still accepted by some scholars,⁹ weaknesses in Bishop's argument were illustrated by Dr. Maxwell who, although unsure of the precise relationship, remained convinced that wasting was the result of the harrying of the north.¹⁰ The majority of the estates in the Yorkshire Domesday he declared, 'seem to convey the fact that a waste holding had no population, no teams and no value in 1086'.¹¹

Despite the neatness of the theory there are logical grounds for doubting the equation of waste with physical destruction and for disposing of the myth that the Conqueror organized a systematic devastation of the north.¹² Although the graphic and corroborative accounts of several chroniclers leave little doubt that there was major destruction of some kind, they are tempered by the military and chronological limitations within which the Conqueror was working in 1069 x 1070. It is questionable whether William had the manpower and time necessary to reduce vast areas of a county the size of Yorkshire to a depopulated, uncultivated desert. In the late 1060s the bulk of his troops must surely have been stationed in the castles that were under construction everywhere in the south of England and Welsh marches, and his visit to Yorkshire in 1069 x 1070 lasted no more than three months, and may have been considerably shorter.¹³ The key to the extent of the harrying of the north is provided by Orderic. Although his general description of the horrendous scale and horror of the devastation is one of the most vivid,¹⁴ Orderic makes two precise and consistent statements which serve to qualify his account in one crucial respect. He begins the account by stating that the Conqueror, 'continued to comb forests and remote mountainous places, stopping at nothing to hunt

⁸T.A.M. Bishop, 'The Norman settlement of Yorkshire', in *Studies in Medieval History presented to Frederick Maurice Powicke*, ed. R.W. Hunt *et al.* (Oxford, 1948), 1-14.

⁹Most recently by Dr. Harvey: S. Harvey, 'Domesday England', in *The Agrarian History of England and Wales II*, ed. H.E. Hallam (Cambridge, 1988), 134-5.

¹⁰*Domesday Geography*, 68-71, 147-50, 60-1. Additional problems with Bishop's thesis were illustrated by Kapelle: Kapelle, *Norman Conquest*, 163-6.

¹¹*Domesday Geography*, 63, 144.

¹²The wholesale wasting of the north was accepted by Douglas who wrote of 'a systematic harrying of Yorkshire' so terrible that 'its results were still apparent twenty years later': Douglas, *William the Conqueror*, 220. The thesis continues to be accepted by some historians of Domesday and the conquest period: Harvey, 'Domesday England', 63; Bates, *William the Conqueror*, 81, 84, 134.

¹³The Danes captured York on 20th September 1069. The speed of William's response is not known, but it is certain that while on his way to Yorkshire he was prevented by opposing forces from crossing the River Aire for three weeks. It is likely, therefore, that he arrived in Yorkshire by late October at the very earliest. Orderic records that in January William 'left the Tees and returned to Hexham' before departing to deal with a rebellion at Chester. Although it is possible that Orderic wrote Hexham in error for Helmsley near York, it is equally possible that he wrote Tees in error for Tweed or Tyne, and that William had carried out harrying far beyond the northern boundaries of Yorkshire. This is supported by Symeon of Durham who states that William's army was spread out to harry the area from York to Durham. If this is correct William's forces would have been even more thinly spread in Yorkshire. See, Orderic, ii, 231, 234-5 and note 1; Symeon, *Opera*, ii, 188.

¹⁴Orderic, ii, 231-3.

out the enemy hidden there', and concludes with a description of William spending fifteen days, 'encamped on the banks of the Tees [where] Waltheof and Gospatric submitted to him'.¹⁵ Teesdale fits the description of a forested, remote and mountainous place, and was exactly the sort of area where rebel Anglo-Scandinavians might take refuge from a hostile Norman king. When considered in conjunction with the military and chronological realities, Orderic's account of the Conqueror's movements in 1069 x 1070 strongly suggests that, although severe, the harrying of the north was largely confined to the more remote upland regions of Yorkshire, and that its purpose was to seek out and secure the submission of the native leaders who had assisted the Danish capture of York.

It might be argued against this interpretation that, although most extensive in the uplands, waste was also distributed widely throughout lowland Yorkshire and indicates that the Conqueror had indeed systematically devastated the county. The equation of waste with physical devastation, however, is open to question. A heavy concentration of waste is to be found on the great royal estates which were largely situated in the lowlands, and which William is unlikely to have devastated. The king's demesne manors were the basis of his authority in the localities and if William was intent on destroying them it is difficult to explain why it is usually the sokelands and berewicks rather than the manorial centres that were waste.¹⁶ Moreover, the wasted royal estates were often situated in the midst of many other villis which were populated and equipped. The distribution of waste, in short, is hardly consistent with a systematic programme of devastation.¹⁷

An alternative interpretation of waste was proposed by Wightman who argued that the term was used to describe estates, often sokelands, whose administration had been transferred to other centres.¹⁸ In support of his case Wightman noted the close correlation between waste and overstocked manors - that is manors with more plough-teams than ploughlands. The thesis, however, does not square with Dr. Hall's argument that Domesday ploughlands were definite spatial agricultural units, and that as an agricultural community expanded and more land came under the plough, rather than

¹⁵Orderic, ii, 231-233.

¹⁶In the case of Warter, Bridlington, Burton Agnes, Wakefield, Pickering, Aldborough and Knaresborough the manors were described as populated and equipped with plough-teams whereas the outliers were either wholly or partly waste: *DB*, i, 299b-300a.

¹⁷The majority of the outliers of the royal manor of Pickering were described as waste even though the manors of Hugh fitz Baldric with which they were intermingled were largely unwasted: *DB*, i, 299b, 327a-328a.

¹⁸Wightman, *Lacy Family*, 43-53.

increasing the number of ploughlands administrators simply increased the area of the ploughlands already in existence.¹⁹ The obvious inference to be made from this is that overstocked manors did not necessarily have an excess of plough-teams, and therefore need not have incorporated the administration of waste estates.²⁰

Although the theory of administrative transference is flawed, Wightman's general conclusion that, 'The meaning of waste seems to have been that for administrative purposes the land to which it was applied was worthless or nearly so',²¹ actually comes close to the truth. Dr. Green has argued persuasively that waste meant land that, for whatever reason, was not paying tax, and Domesday affords a considerable body of evidence to support her case.²² Dr. White believes that the term included 'all sorts of defaults' beside those of tax, and together with Professor King argues that non-payment was the result of administrative problems preventing collection.²³ A lack of administrative control would explain the waste entries in Domesday Yorkshire. The Domesday commissioners relied in the compilation of their accounts on panels of local village officials,²⁴ and if these had not been organized, or were not being compelled to attend the inquest hearings in the county town, the commissioners would have had no information for vills except their names and carucage provided by pre-conquest fiscal records.²⁵ This would neatly explain why waste estates are generally recorded without population or resources, and why the sokelands and berewicks of the complex manors were waste when the manorial *caputs* were often equipped and populated. Norman administrative reconstruction was more likely to have begun at the centre rather than the peripheries of an estate.

¹⁹D. Hall, 'Fieldwork and field books: studies in early layout', in *Villages, Fields and Frontiers: Studies in European Rural Settlement in the Medieval and Early Modern Periods*, ed. B.K. Roberts and R.E. Glasscock (BAR International Series, 185, 1983), 115-29.

²⁰The most obvious example is the manor of Conisbrough which was overstocked by forty-nine plough-teams even though it was William of Warenne's only estate in Yorkshire: *DB*, i, 321b. A similar case is provided by the Fossard manor of Hexthorpe which was overstocked by ten plough-teams even though Fossard held few estates within the vicinity and none of them were waste. On a more general scale the problems of explaining waste in terms of administrative transference are illustrated by the demesne of the honour of Hugh fitz Baldric where far more manors were overstocked than understocked (23 : 11), and the total number of excess teams on the overstocked manors was higher than the number of teams absent from the understocked manors (48 : 28).

²¹W.E. Wightman, 'The significance of "waste" in the Yorkshire Domesday', *Northern History*, 10 (1975), 70.

²²J.A. Green, 'The last century of Danegeld', *EHR*, 96 (1981), 252.

²³G.J. White, 'The restoration of order in England, 1153-1165' (Univ. of Cambridge, Ph.D. thesis, 1974), 272, 247-85; G.J. White, 'Were the Midlands "wasted" during Stephen's reign?', *Midland History*, 10 (1985), 26-46; E. King, 'The anarchy of King Stephen's reign', *TRHS*, 34 (1984), 143-7. Professor Fleming has illustrated a correlation between estate vale decline and agricultural reorganization under the Normans, and concludes that 'land held its value until it was acquired and reorganized by a new lord': R. Fleming, 'Domesday Book and the tenurial revolution', *Anglo-Norman Studies*, 9 (1986), 92-3.

²⁴*Inquisitio Comitatus Cantabrigiensis* and *Inquisitio Eliensis*, ed. N.E.S.A. Hamilton (1876), 97.

²⁵See for example the Domesday record for Cravenshire: *DB*, i, 332a. For pre-conquest records see S.P.J. Harvey, 'Domesday Book and its predecessors', *EHR*, 86 (1971), 753-73; S.P.J. Harvey, 'Domesday Book and Anglo-Norman governance', *TRHS*, 5th ser., 25 (1975), 175-93.

The equation of waste with a lack of administrative control is supported by a comparison of the estates belonging to the king and the archbishop in Yorkshire. Given the fact that the Conqueror considerably augmented the royal demesne in the county²⁶ but spent little time there, it is logical to suppose that the reorganization and lack of supervision would have been accompanied by an administrative disjunction. In the case of the church estates, on the other hand, where there was greater continuity in both tenement and tenure, we would expect the disjunction to be less marked. If waste is interpreted as a lack of administrative control this contrast between royal and ecclesiastical estates is clearly reflected in the Domesday returns.

The royal demesne displays a heavy concentration of waste. Of the thirteen royal manors incorporating extensive outliers two were entirely waste and in the other six either the whole or greater part was waste. Even the manors and portions of manors not so described had not been entrusted to farmers, were greatly devalued and incorporated few resources.²⁷ It is significant, however, that the greatest concentration of waste occurs on the 330 or so small royal manors formerly held by a multitude of minor Anglo-Scandinavian thanes and situated in the more remote areas of the county. Together with their location, the lack of detailed information for them and the peculiarity of their incorporation within the royal demesne, the fact that Domesday lists them separately from the great royal manors²⁸ suggests that they were estates only temporarily in the king's hands which he had not yet had time to grant out, and which were therefore outside Norman administrative control in 1086.²⁹ Taken as a whole in 1086 the royal demesne, encompassing well over 900 ploughlands supported only 4 1/2 demesne plough-teams, 88 1/2 peasant teams, a population of under 300, and had declined to only 6% of its value in the Confessor's day (Table 1).

By contrast the 100 demesne manors of the archbishop of York display a much lower level of waste, had retained a higher proportion of their 1066 value and incorporated considerably more human and agricultural resources. Although the number of waste estates exceeded forty they were mainly

²⁶To the four manors of King Edward William added twelve large estates formerly belonging to the earls Edwin, Morcar and Tosti and more than 330 small manors held by a multitude of pre-conquest landholders: *DB*, i, 299a-300a.

²⁷*DB*, i, 299a-300a.

²⁸*DB*, i, 300a.

²⁹Most of them were later to be used to form the honours of Brus, Espec, Bulmer and Eustace fitz John: see Chapter 2.

TABLE 1: DEMESNE AND TENANT RESOURCES ON THE ESTATES OF THE KING AND ARCHBISHOP IN 1086

RESOURCES AND VALUES	DEMESNE		TENANT		TENANT RESOURCES EXPRESSED AS A PERCENTAGE OF TOTAL HONORIAL RESOURCES	
	KING	ARCHBISHOP	KING	ARCHBISHOP	KING	ARCHBISHOP
Carucates	1872.9	918.3	2	254	0.1	21.7
Ploughlands	934	518.5	2	153.9	0.2	22.9
Demesne Plough-teams	4.5	45.5	0	37.5	0	45.2
Peasant Plough-teams	88.5	234.1	0	115.5	0	33
Villeins	161	468	0	243	0	34.2
Bordars	79	244	0	142	0	36.8
Sokemen	25	41	0	12	0	22.6
Other Population	34	43	0	3	0	6.5
Total Population	299	796	0	400	0	33.4
1066 Value £	708.5	291.1	0	104.4	0	26.4
1086 Value £	41.8	113.9	0.1	61.5	0.2	35.1
1086 Value as a % of 1066 Value	5.9	39.1	0	58.9		

the smaller and poorer manors of less consequence.³⁰ The non-wasted estates incorporated the great complex manors of Patrington, Sherburn-in-Elmet, Everingham, Bishop Wilton, Otley, Ripon and Beverley,³¹ some of which were comparatively richly endowed with resources and reasonably prosperous.³² Overall although the non-wasted archiepiscopal estates incorporated less than half the ploughlands of the royal demesne they supported approximately ten times as many demesne plough-teams, three times as many peasant teams and well over twice the population (Table 1). Unlike the royal manors large portions of them had been entrusted to knights and clerics,³³ and this enfeoffment of a class of officials,³⁴ with all its administrative implications, must at least partly explain why the archbishop's demesne had preserved 40% of its 1066 value.³⁵

2. Overstocked Manors

Assessing the number of overstocked manors, that is manors with an excess of plough-teams over ploughlands, on the Norman honours of 1086 would appear to be an obvious method of building up a picture of comparative levels of estate organization. As with waste, however, the meaning of overstocking has been variously interpreted and requires clarification before it can be employed in this way. William Kapelle argues that overstocking was the result of a Norman attempt to manorialize the old soke system of pre-conquest England by expanding the area within the old soke vills under demesne cultivation.³⁶ One of the many problems with this interpretation is that it ignores the possibility that the manorialization reflected in Domesday had already taken place long before 1066.³⁷ A more practical explanation of overstocking is provided by Dr. Harvey who points to the possible influence of onerous ploughing commitments to lords, colonization prospects, the counting of young oxen not yet ready for working, prosperous villeins and variable field rotation systems,

³⁰The exception here is Weaverthorpe: *DB*, i, 303a.

³¹It must be said that the greater part of the berewicks of Otley and Ripon were waste: *DB*, i, 303b.

³²Particularly Sherburn-in-Elmet which supported 25 1/2 demesne plough-teams, 63 peasant teams, a peasant population of 231, and had preserved its 1066 value of £34 6s: *DB*, i, 302b.

³³In addition to eleven knights holding various estates there were an unspecified number in possession of fifty-two carucates on the manor of Sherburn-in-Elmet. Other tenants included seven clerics, two thanes, the tenants-in-chief William I of Percy and Ilbert I of Lacy, the abbot of Selby and William of Verli.

³⁴For the administrative role of the knights and clerics enfeoffed on the great demesne manors of tenants-in-chief see Harvey, 'Domesday England', 80, 85.

³⁵*DB*, i, 302b-304b.

³⁶Kapelle, *Norman Conquest*, 175-6.

³⁷T.H. Aston, 'The origins of the manor in England', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston et al. (Cambridge, 1983), 3-42, esp. 8-23. Kapelle's thesis is examined in more detail in Appendix 1.

soils and team sizes, all of which might account for the excess of plough-teams on some estates.³⁸ Her suggestions, however, are largely speculative, unsupported by evidence and outweighed by Dr. Hall's conclusion that overstocking is an administrative illusion.³⁹

All that can be said of overstocked manors is that they were estates where the number of plough-teams was in excess of the original number on the land when the estate was first assessed for taxation long before 1066. Although it does not provide evidence that the Normans had expanded agriculture, overstocking does indicate that the estate was not as underdeveloped as those where the number of plough-teams was exceeded by that of ploughlands. As such, in a more limited capacity, it may still be employed to indicate different levels of organizational development in the Yorkshire honours in 1086.

3. Agricultural Profitability

Although a relative concept, given the substantial overall decline in estate values in Yorkshire (Table 2), agricultural profitability provides the third measure of estate organization in 1086, particularly the degree to which the manors composing the Norman honours had maintained the values ascribed to them in 1066. Because of the possibility of a time-lag between the organization and its reflection in profitability it is useful to examine the scale and particularly the type of agriculture practiced on estates. Here the work of Dr. Harvey is of particular assistance. Largely on the basis of Domesday evidence Harvey illustrates that the raising of rents and dues from assets such as grazing, woodland, moorland peasant agriculture and hundredal jurisdiction was a far more profitable form of agriculture than direct demesne cultivation.⁴⁰ The corollary of her conclusion is that the most profitable, or potentially most profitable, estates, that is those with a low proportion of demesne to peasant plough-teams, were the most administratively developed in 1086.⁴¹

The relationship between proportions of demesne to peasant plough-teams, profitability and es-

³⁸Harvey, 'Domesday England', 52-3.

³⁹Hall, 'Fieldwork and field books', 115-29.

⁴⁰S.P.J. Harvey, 'The extent and profitability of demesne agriculture in England in the later eleventh century', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston *et al.* (Cambridge, 1983), 45-72; Harvey, 'Domesday England', 92-4.

⁴¹An unknown factor on the demesne land was the amount of ploughing performed by the peasants with their own teams. The larger the number of peasants and their teams, the larger may be the proportion of demesne land tilled. It is unlikely, however, that the demesne plough force was invariably supplemented on a large scale: S. Harvey, 'Domesday England', 90.

**TABLE 2: THE VALUE OF THE ESTATES OF YORKSHIRE LAY
TENANTS-IN-CHIEF 1066 X 1086**

NAME OF TENANT-IN-CHIEF	VALUE OF YORKSHIRE ESTATES IN 1066 £	VALUE OF YORKSHIRE ESTATES IN 1086 £
Hugh earl of Chester	260	10.5
Robert count of Mortain	241.25	85.11
Alan count of Brittany	215.22	86.22
Rob. and Ber. of Tosny	21.28	21.52
Ilbert I of Lacy	322.28	158.98
Roger I of Bully	134.08	76.45
Robert Malet	29.63	9.13
William I of Warenne	18	40
William I of Percy	95.9	54.8
Drogo de la Beuvriere	561.75	94.3
Ralph Mortemer	23.13	10.03
Ralph Paynel	23	5.13
Geoffrey of la Guerche	4	1.5
Geoffrey Alselin	16	4.5
William of Aincurt	6	2.03
Gilbert I of Gant	12.2	3
Gilbert Tison	47.4	26.28
Richard fitz Arnfastr	5.53	5.07
Hugh fitz Baldric	100.23	70.65
Erneis of Burun	23.7	10.78
Osbern of Arches	53.56	23.21
Odo the Crossbowman	11.25	4.9
Aubrey of Coucy	5.5	3
Gospatric	21.63	9.7
King's thanes	85.25	23.57
Roger the Poitevin	?	0

tate organization, however, was not always simple and a number of qualifying remarks need to be made before conclusions are drawn from plough-team ratios on the honours of Yorkshire. Firstly, in some cases profitability might be the result of a simple accidental excess of a particular profitable resource rather than the product of efficient estate organization. Conversely demesne estates run by resident lords possessed of few non-arable assets might be highly organized but relatively unprofitable. Secondly, account must be taken of the work of Kosminsky who, on the basis of the thirteenth century Hundred Rolls, was able to show a correlation between the proportion of demesne to peasant plough-teams and the size of an estate. The smaller the estate, the greater the proportion of demesne teams.⁴² Since his ideas have been shown to be applicable to the late eleventh century⁴³ the influence of estate size needs to be considered before using demesne to peasant team ratios as an index of administrative organization. Thirdly in examining plough-team ratios care must be taken to ensure that the basic demesne requirements for supporting resident Norman administrators had first been met.⁴⁴ A low proportion of demesne to peasant teams in a Norman honour cannot be taken as an indication of a highly developed estate organization if there were not sufficient demesne teams to support such an administrative group. Only where the demesne itself supported a good number of teams would a low proportion of demesne to peasant teams indicate that the lord had progressed beyond the stage of food production for the household to the exploitation of the more profitable sources of agricultural income.

4. The Progress of Enfeoffment and Condition of Tenant Estates

Administration requires supervisory personnel. The number of resident sub-tenants enfeoffed on the tenancies-in-chief, and the condition of their estates, is therefore a useful method for gauging the level of estate organization in 1086.

Before examining tenant enfeoffment it is necessary to consider briefly the argument put forward by Wightman, and upheld by Kapelle, that the survival of large numbers of Anglo-Scandinavian tenants on the honours of Pontefract and Richmond in 1086 indicates that the Normans had not

⁴²Kosminsky, *Agrarian History*, 96.

⁴³J.D. Hamshere, 'Domesday Book: estate structures in the west Midlands', in *Domesday Studies*, 155-82.

⁴⁴Four demesne plough-teams appears to have been sufficient to support the important castle of Montgomery in the Welsh marches: *DB*, i, 248b, 253b.

had time to dispossess them, and that the honours were therefore of recent creation.⁴⁵ It is equally possible, however, that the indigenous tenantry remained in possession of their lands because particular Norman lords had either no desire or, at some point in the settlement process, no capacity to replace them. As James Campbell has recently illustrated the ability of the Normans to run and exploit England owed much to the agents of *English government*, among the most important of whom were the landed thanes.⁴⁶ It is also possible that the continuity of native tenure on the honours of Pontefract and Richmond owed something to their position as frontier lordships⁴⁷ in which it was common for lords to retain the bulk of their vassals within the household, so as to form readily available compact military fighting units.⁴⁸ Another suggestion, made by Professor Fleming, is that the Norman administration was unable to cope with the redistribution of the small estates of hundreds of minor Anglo-Scandinavian thanes.⁴⁹ And to this it should be added that the problem would have been exacerbated by the fact that in Yorkshire and other frontier areas the Normans appear to have been running short of men. Most of the tenants-in-chief, and many of their men, held extensive lands in several other counties beside Yorkshire and appear to have been over-committed to the extent that they must have been largely absent from the majority of their estates for considerable periods of time.⁵⁰ The pressures on William's vassals to return to Normandy were strong, and from both Domesday and the accounts of the chroniclers we obtain a strong impression of a magnate community with more lands than they knew what to do with, and a king struggling to sustain his resources of manpower.⁵¹ In such a situation it was only practical to allow native tenants to remain on their lands.

⁴⁵ Wightman, *Lacy Family*, 40-2; Kapelle, *Norman Conquest*, 144-5.

⁴⁶ J. Campbell, 'Some agents and agencies of the late Anglo-Saxon state', in *Domesday Studies*, 201-18.

⁴⁷ F.M. Stenton, 'Pre-Conquest Westmorland', in Historical Monuments Commission, *Westmorland* (1936), liii. There is good evidence that the Scots were in control of Cumberland in the Conqueror's reign. Their power may have extended as far south as the Rere Cross on Stainmore to the west of Richmondshire. See G.W.S. Barrow, 'The Anglo-Scottish border', *Northern History*, 1 (1966), reprinted in Barrow, *Kingdom of the Scots*, 26; Kapelle, *Norman Conquest*, 129-31.

⁴⁸ *Mowbray Charters*, xxxiv, lxi-lxii; Orderic, iii, 255 note 3.

⁴⁹ R. Fleming, *Kings and Lords in Conquest England* (Cambridge, forthcoming), Chapter V, esp. 209-12. My thanks are due to Professor Fleming for allowing me to see drafts of Chapters IV and V of her book in advance of publication.

⁵⁰ Among the tenants of Alan of Richmond who held land in other counties beside Yorkshire were Robert of Mosters (Nottinghamshire and Lincolnshire), Picot (Lincolnshire), Landric (Lincolnshire), and Wihomarc (Cambridge and Norfolk): *VCH, Yorkshire*, ii, 158-9. See also J.F.A. Mason, 'Roger de Montgomery and his sons (1067-1102)', *TRHS*, 5th ser., 13 (1963), 9.

⁵¹ The problems are illustrated by Orderic's account of the threats made by some of the wives of William's vassals that they would commit adultery unless their husbands returned home to Normandy. The king responded by promising great rewards to those who stayed and dispossession to those who left: Orderic, ii, 218-20, cited by Bates, *William the Conqueror*, 125.

5. Castleries

One of the best indications of estate organization and the imposition of Norman administrative control is the existence of castles and castleries on the Norman honours in 1086. Castle construction implies the establishment of a fixed and resident administration and the agricultural organization required to support a community of Norman officials and garrison troops.⁵² The remains of motte and bailey earthworks survive in a considerable number of settlements distributed throughout Yorkshire. Stenton maintained that these small and rudimentary fortifications, found throughout the country, were a product of the conquest period rather than of Stephen's reign.⁵³ Evidence for the construction of numerous motte and bailey castles in places as remote as the Welsh marches within a few years of 1066 provides support for his argument.⁵⁴ In Yorkshire although Domesday mentions the existence of castleries on four honours the evidence for the early construction of most of the motte sites is not as clear cut. The recording of castles in Domesday, however, is notoriously inconsistent and a close analysis of the agricultural organization, settlement and prosperity of estates in and around the villis incorporating earthworks reveals that in many cases the demesne that supported the lord's household was being cultivated, household garrison knights had been established on the land⁵⁵ and estate values had been maintained, indicating the presence of a Norman community. This community if conventionally housed would live in and around a castle. When the number and distribution of the early fortifications is determined it emerges that the construction of castleries was one of the first steps in, and the keystone of, the establishment of Norman military and administrative control in Yorkshire.⁵⁶

⁵²Even early wooden castles were designed as residences as well as strongholds: Brown, *Castles*, 26-7, 31-2.

⁵³Stenton, *First Century*, 198-200.

⁵⁴For castles in the Welsh marches built by 1071 see A.H.A. Hogg and D.J. Cathcart King, 'Early castles in Wales and the marches', *Archaeologia Cambrensis*, 112 (1963), 77-124; *VCH, Hereford*, i, 224-33, 236; *The Royal Commission on Ancient and Historical Monuments in Herefordshire*, 3 vols. (London, 1931-34), i, 57, 152, 225, 245; ii, 68, 170, 195; iii, 9, 27, 29, 33, 45, 47, 49, 59, 192; C. Lewis, 'The Norman settlement of Herefordshire under William I', *Anglo-Norman Studies*, 7 (1984), 201. Domesday lists eight castles in Herefordshire, Ewing and Gwent: *DB*, i, 162a, 180a-b, 183a-b, 184, 185a-186b. Golob argues that the castlery of Dudley was established 1070 x 1071: P.E. Golob, 'The Ferrers earls of Derby: a study of the honour of Tutbury (1066-1279)' (Univ. of Cambridge, Ph.D. thesis, 1984), 53-4. For early castles at Dunheved and Trematon on the count of Mortain's estates in Cornwall see *DB*, i, 121b-122a, cited by I.N. Soulsby, 'The fiefs in England of the counts of Mortain 1066-1166' (Univ. of Wales, Cardiff, M.A. thesis, 1974), 221-2.

⁵⁵The early enfeoffment of garrison troops in the immediate vicinity of the castles is known from the count of Mortain's castles of Montacute, in Somerset, and Pevensey: Soulsby, 'Fiefs in England', 83.

⁵⁶For the offensive as well as defensive purpose of the castles in a programme of conquest see Le Patourel, 'Norman conquest', 15 and note 14; J. Yver, 'Les chateaux forts en Normandie jusqu'au milieu du XII siecle', *BSAN*, 53 (1957 for 1955-56), 39, 58.

The measures of estate organization outlined above will now be applied to the Domesday honours of Yorkshire. As well as throwing considerable light on the method by which the Normans established their control in the county, the results illustrate that in 1086 some lordships had a very different structure and purpose, and were far more highly developed, than others. In the analysis that follows the Norman honours have been divided into six categories on the basis of the level of estate organization apparent on them in 1086. The approach is impressionistic rather than rigidly systematic. The categories are distinguished and defined on the basis of the overall organizational profile produced by the application of all five measures of estate development, rather than the individual and limited picture produced by each of them. It is therefore possible that honours with markedly different internal structures may appear within the same category of organization. In five out of six cases the categories provide a basis for establishing the order in which the various honours began to be constructed and, when used in conjunction with chronicle and charter evidence, suggest a new and more rapid chronology for the Norman tenurial take-over.

Estate Organization on the Honours of Yorkshire in 1086: Six Categories

1. Conisbrough

The manor of Conisbrough with its twenty-eight sokelands stretched across the gap between the marshy Humberhead levels and the Pennine hills (Map 1) and was the sole constituent of the Yorkshire honour held in 1086 by William of Warenne, a distant cousin of the king.⁵⁷

The high level of estate organization evident in Conisbrough in 1086 suggests that William I of Warenne came into possession of the honour at an early date. No part of the estate was waste, and even the sokelands were equipped with both demesne and peasant plough-teams and supported a large peasant population (Table 3). As a whole Conisbrough was heavily overstocked by a total of forty-nine plough-teams. By 1086 it had more than doubled its 1066 value, one quarter of its

⁵⁷ *DB*, i, 321a.

MAP 1

THE HONOUR OF WILLIAM OF WARENNE: 1086

KEY

 TICKHILL

 LORD'S CASTLE

 LORD'S DEMESNE SOKELAND

--- BOUNDARY OF LAND OVER 500ft.

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES

0 5

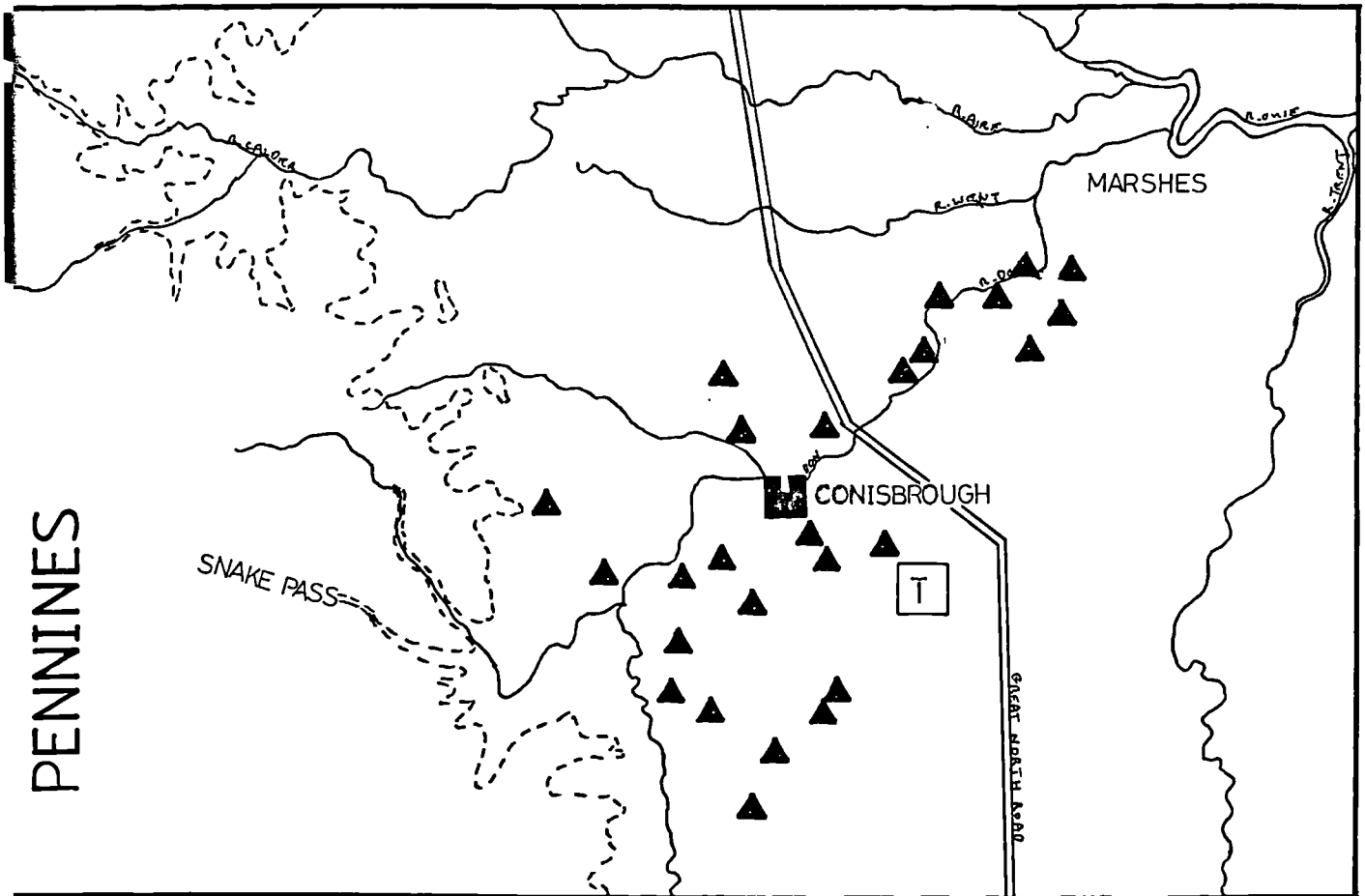


TABLE 3: THE RESOURCES AND VALUES OF DEMESNE AND TENANTED ESTATES ON THE HONOUR OF CONISBROUGH IN 1086

RESOURCES AND VALUES	DEMESNE	TENANTED
Carucates	90.88	0
Plough-lands	59	0
Demesne Plough-teams	16	0
Peasant Plough-teams	92	0
Villeins	95	0
Bordars	82	0
Sokemen	120	0
Other Population	4	0
Total Population	301	0
1066 Value £	18	0
1086 Value £	40	0
1086 Value as a % of 1066 Value	222.22	0
% Demesne Plough-teams	14.8	0
County Average	26.77	29.4
% Peasant Plough-teams	85.2	0
County Average	73.23	70.6
Average Manor Size (Carucates)	90.9	0
County Average	4.9	4.5
Average No. of Peasants Per Team	3.3	0
County Average	3.9	3.6

worth being attributed solely to tallage,⁵⁸ a remarkable feature in a county where the value of most estates had declined dramatically. The prosperity is reflected in its agricultural organization. The low proportion of demesne to peasant plough-teams, despite the well developed state of the demesne, suggests that the Normans had already gone beyond the stage of producing food for resident soldiers and officials and were organizing the more profitable sources of agricultural income, including peasant rents and services. This is also suggested by the presence of 120 sokemen. Conisbrough was in fact one of the ancient Old English soke estates in which peasants from a large number of vills - the sokelands - paid a range of rents and services and suit of court, owed to the king or earl, at a manorial centre. Indispensable for their management were the sokemen who were usually of higher status and greater freedom than the villeins and who contributed soke to the lord.⁵⁹ Rights of soke were valuable and their exploitation probably accounts for the considerable amount of tallage incorporated in the value of Conisbrough in 1086. Given the rarity of both rising estate values and sokemen on Yorkshire Domesday honours their coincidence on the lordship of Conisbrough is unlikely to have been a matter of chance.

Conisbrough is known to have been the site of a powerful castle in the twelfth century and it is likely that it had already been fortified before the Normans arrived in England. The name Conisbrough derives from the Old English Cyningesburh, 'the defended burh of the king', and the Normans appear to have been quick to make use of and develop the site. Together with the structure of the earthworks at Conisbrough⁶⁰ and the highly developed state of the demesne agriculture here in 1086, the concentration of ten of the sixteen demesne plough-teams within a five-mile radius of the honorial *caput*⁶¹ suggests that William I of Warenne had constructed a castle here within a few years of assuming control of the estate. The honour of Conisbrough, in short, was a castlery, and a highly organized and profitable castlery at that.

⁵⁸In 1086 £10 of the total value of £40 was attributed to tallage: *DB*, i, 321a.

⁵⁹Harvey, 'Domesday England', 69-73; G.W.S. Barrow, 'Pre-feudal Scotland: shires and thanes', in Barrow, *Kingdom of the Scots*, 7-68, esp. 27.

⁶⁰S. Johnson, *Conisbrough Castle* (H.M.S.O., 1984), 3.

⁶¹Five at Conisbrough and five at Warmfield: *DB*, i, 321a.

2. The Honours of William I of Percy and Hugh Fitz Baldric

The level of estate organization discernible on the honours of William I of Percy and Hugh fitz Baldric in 1086 bears sufficient comparison to warrant their incorporation within the same category. Although both lords succeeded Anglo-Scandinavian antecessors the continuity of tenurial structure was far from exact. Only a portion of the estates of the antecessors were acquired and the new Norman honours incorporated other estates besides.⁶² The impression of deliberate Norman tenurial engineering is reinforced by the strategic location of the honorial estates on several of the road and river approaches to York (Maps 2-3). To the south-west of York William of Percy acquired a cluster of estates formerly belonging to William Malet centred on Tadcaster through which ran the Roman road linking the Great North Road with York.⁶³ The north road itself passed through the clusters of Percy estates further north in the vicinity of Spofforth and Topcliffe, close to the mouth of Wharfedale and the valley of the river Swale respectively. In the East Riding the Percy holdings near Wheldrake flanked the road connecting York with Market Weighton via Pocklington. Those near Scarborough were located at the point where the Roman road to the east coast probably intersected the road from Bridlington to Guisborough via Whitby. The lands of Hugh fitz Baldric, situated largely in Birdforth and Manshoe wapentakes, covered the approaches to York from the north, either via the road from Durham or the river Derwent.

The level of estate organization on the honours of Percy and Fitz Baldric in 1086 suggests that they had been in existence for a considerable period of time. The development of demesne agriculture in both cases indicates the presence of a large and resident body of Norman soldiers and administrators. Of the fifty-six Percy manors farmed directly by the lord fifteen supported plough-teams, nine were overstocked, eight had increased in value⁶⁴ and only fifteen were waste. In

⁶²The antecessors of William I of Percy were Gamall, Northmann and Gamalbarn, and those of Hugh fitz Baldric were Gamall and Ormr. Estates belonging to pre-conquest landholders with the same names passed to many other Yorkshire tenants-in-chief beside Percy and Fitz Baldric, including Berengar of Tosny, Ibert I of Lacy, Robert Malet, Robert count of Mortain, Alan of Richmond, Osbern of Arches and Drogo de la Beuvriere. Despite the possibility of there being more than one Anglo-Scandinavian landholder with each of these names it is unlikely that each of the Norman magnates succeeded a different individual. Although one of the antecessors of Hugh fitz Baldric can be identified as Gamall son of Osbern it is not certain that all the lands acquired by Hugh from 'Gamall' belonged to this man, or that Gamall son of Osbern was distinct from the Gamall whose lands were acquired by William I of Percy and several other Norman lords. For Gamall son of Osbern see Fleming, *Kings and Lords*, 161 and note 135.

⁶³The Percy estates acquired from Malet were Scoreby, Ianulfestorp, Dunnington, Elvington, Wheldrake, Hazlewood, Stutton, Tadcaster, Saxehalla, Huggenby, and Hornington manor.

⁶⁴Seamer had actually quadrupled in value from 20s to £4: *DB*, i, 323a.

MAP 2

THE HONOUR OF WILLIAM OF PERCY: 1086(1)

KEY

Y YORK

L LORD'S CASTLE

■ " DEMESNE MANOR

● " " BEREWICK

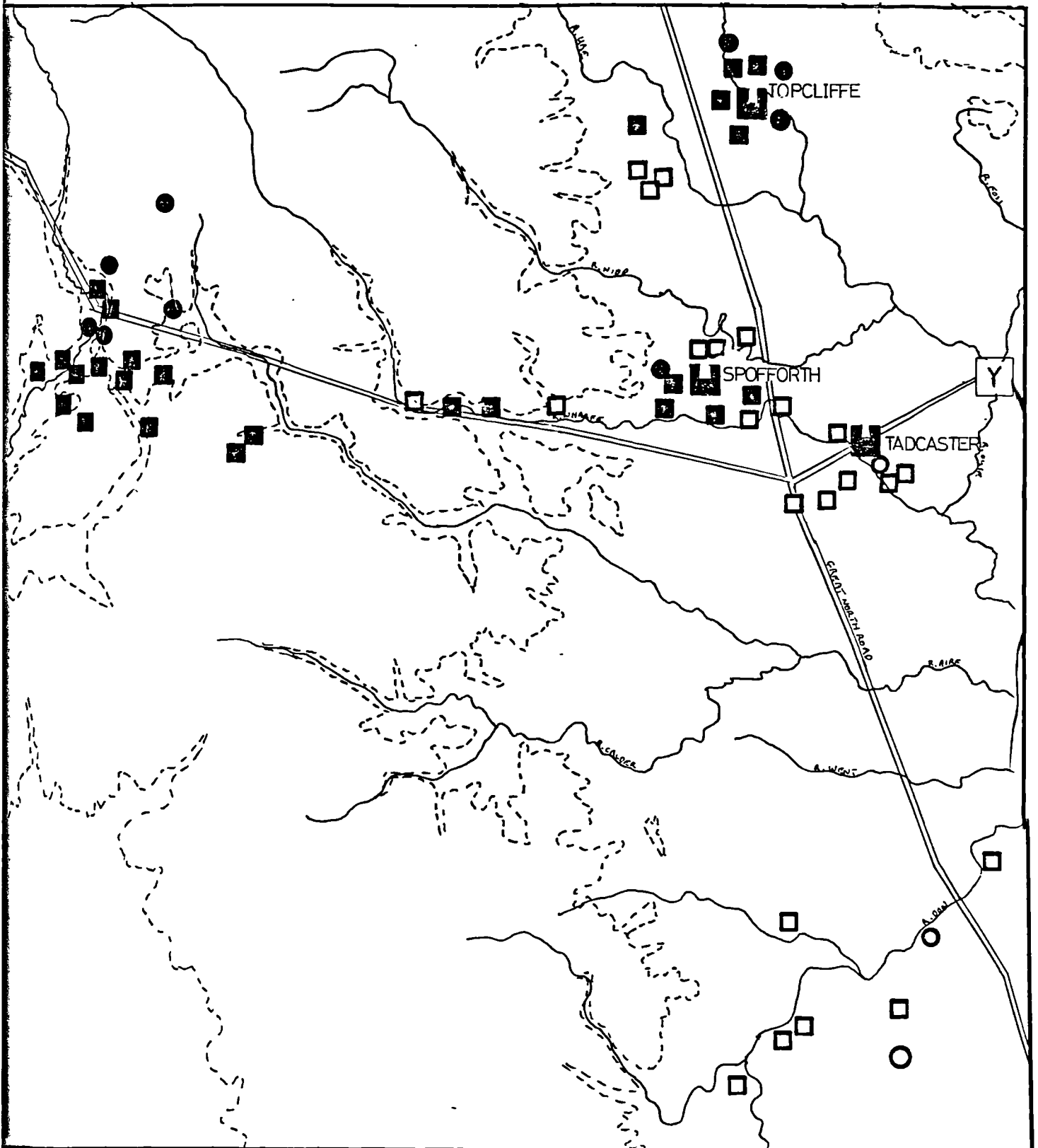
□ TENANT MANOR

--- BOUNDARY OF LAND OVER 500ft.

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES

0 5



MAP 2

THE HONOUR OF WILLIAM OF PERCY: 1086 (2)

KEY

Y YORK

--- BOUNDARY OF LAND OVER 500ft.

■ LORD'S CASTLE

== MAJOR ROAD

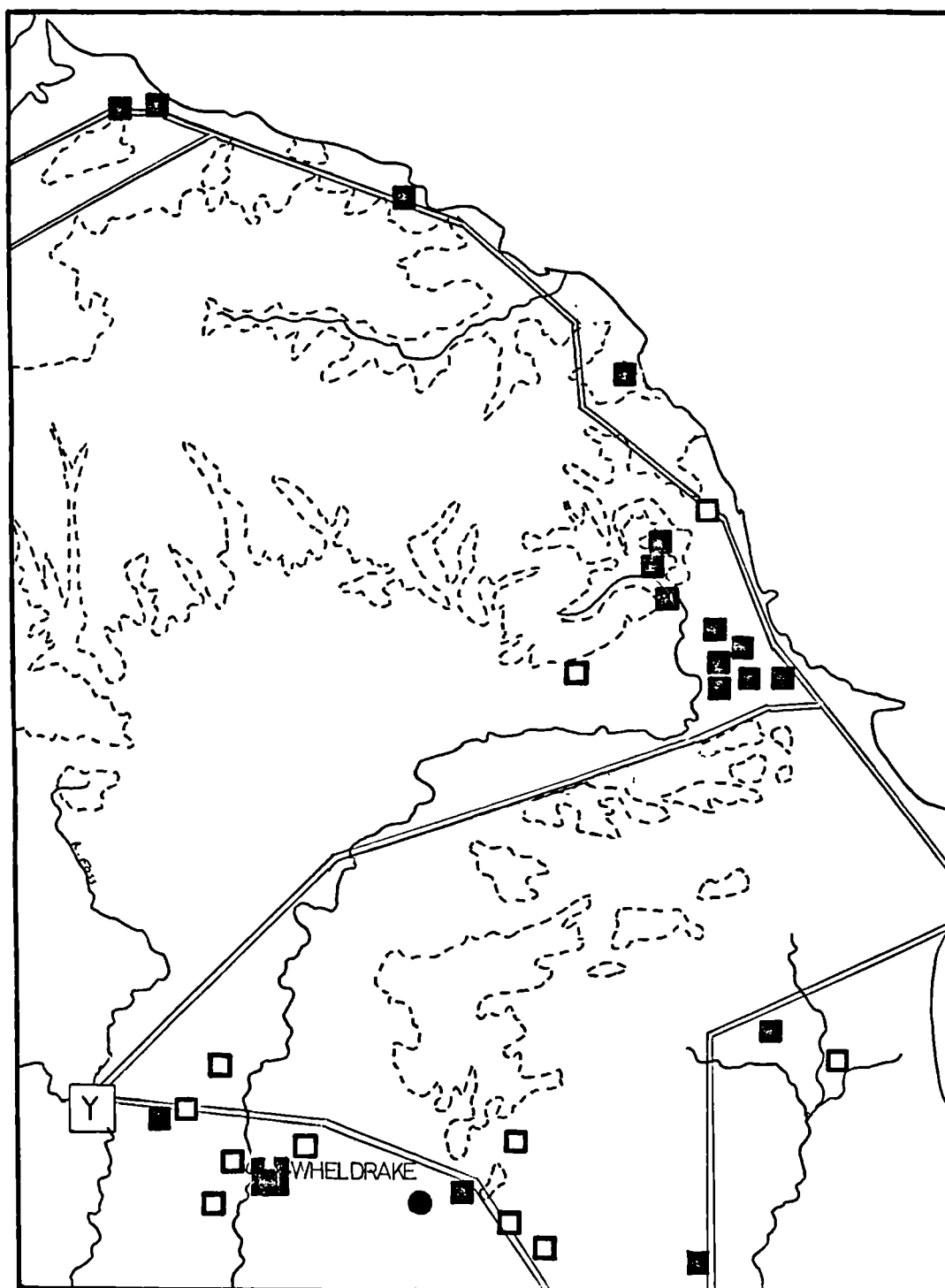
■ " DEMESNE MANOR

SCALE: ONE INCH = 5 MILES

● " " BEREWICK

0 5

□ TENANT MANOR



MAP 3

THE HONOUR OF HUGH FITZ BALDRIC: 1086

KEY

Y YORK

■ LORD'S CASTLE

■ " DEMESNE MANOR

● " " BEREWICK

□ TENANT MANOR

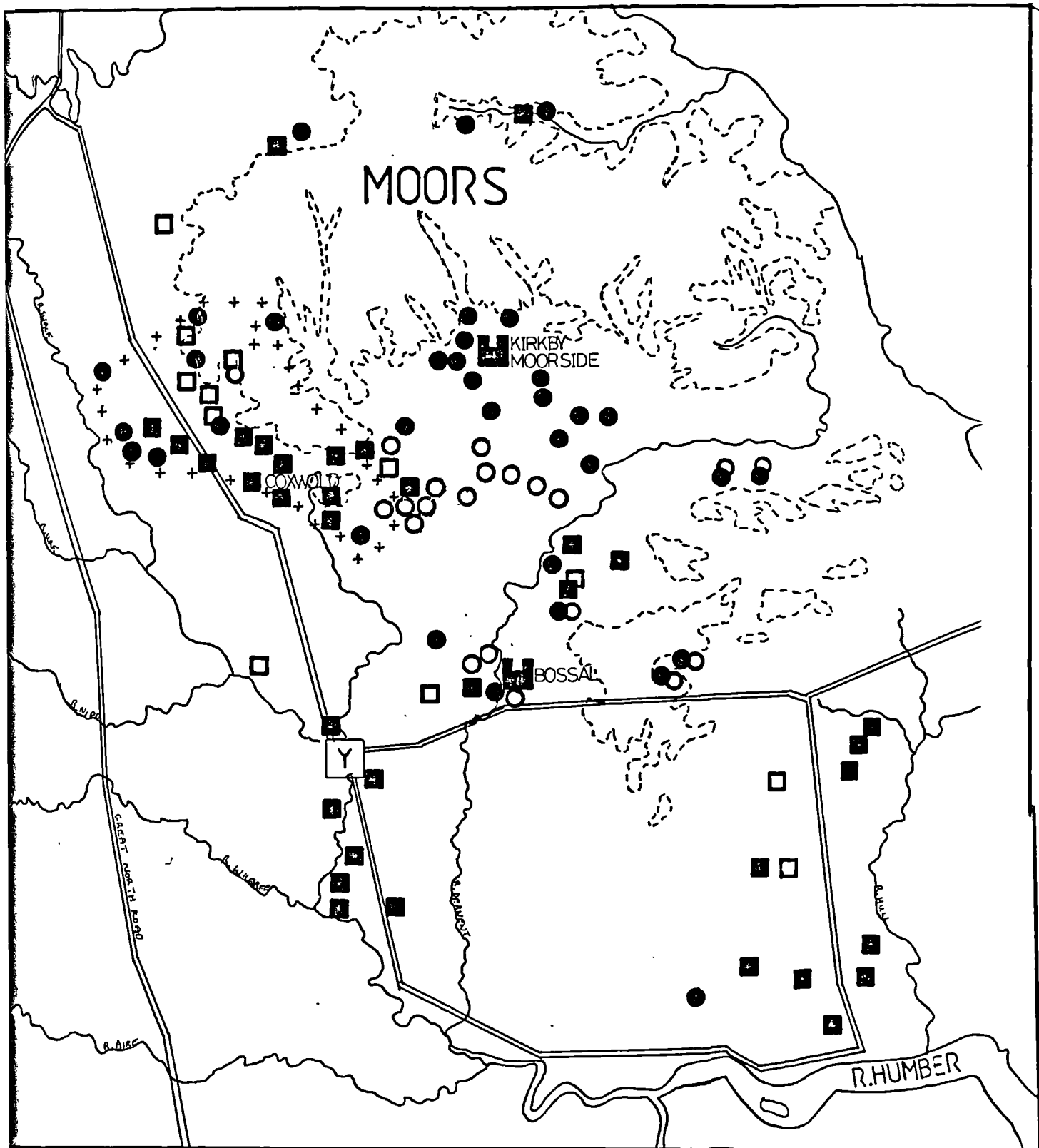
○ " BEREWICK

--- BOUNDARY OF LAND OVER 500ft.

+++ " " BIRDFORTH WAPENTAKE

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES



the case of Hugh fitz Baldric's fifty-two demesne manors the development was even more advanced. Twenty-eight supported plough-teams, eighteen were overstocked, four had preserved their value, fifteen had increased in value and only two were described as waste.⁶⁵ The demesne estates of both lordships had retained a comparatively high proportion of their 1066 values: in the case of Percy 54%, in that of Hugh fitz Baldric 76% (Table 4). To some extent this is reflected in the structure of the agriculture. On the honour of Hugh fitz Baldric the provision of large numbers of plough-teams for the peasantry, and the fact that the proportion of lordly to peasant teams was much lower than the county average (Table 4), reveals the emphasis on peasant agriculture and indicates that the lord had progressed beyond the provision of food for his retainers towards the exploitation of the more profitable sources of agricultural income. Nowhere is this more clearly illustrated than Coxwold which had undergone the greatest value increase of all Hugh's demesne estates, and where twenty-nine of the colossal total of thirty-three plough-teams belonged to the peasantry.⁶⁶ The same emphasis on peasant agriculture, however, is not a characteristic of the Percy demesne where the proportion of lordly to peasant teams was well above the county average. To some extent the contrast is to be explained by the smaller average size of the Percy manors which rarely incorporated the extensive networks of berewicks and sokelands where peasant plough-teams tended to be far more common.⁶⁷ The preponderance of the lord's plough-teams on the Percy demesne, therefore, need not be seen as a sign of administrative inertia.

In comparison with most other Yorkshire Domesday tenants-in-chief William I of Percy and Hugh fitz Baldric had enfeoffed a large number of tenants (Table 5). The structure of the tenant estates closely resembles the demesne of their respective lords. The majority supported tenant demesne teams suggesting that the tenants were resident on the land.⁶⁸ Some of the estates had increased in value⁶⁹ and only a few were described as waste.⁷⁰ Overall, on both honours, tenant estates had

⁶⁵ As we might expect most of the waste estates were situated on the fringes of the honour close to the Pennines.

⁶⁶ *DB*, i, 327b. Coxwold had doubled its value from £6 to £12.

⁶⁷ The average size of the Percy demesne manors was 4.16 carucates which places them within Kosminsky's classification of small manors. At an average size of 6.7 carucates Hugh fitz Baldric's manors were well within the classification of middle-sized estates.

⁶⁸ Thirty-six of the fifty Percy tenant manors, and thirteen of Hugh fitz Baldric's eighteen, supported demesne teams.

⁶⁹ Six Percy manors at Hagenby, Hornington and Scoreby had increased in value. On the honour of Hugh fitz Baldric the total was three: one at Scrayingham and two at Cawton.

⁷⁰ Four Percy manors and only one belonging to Hugh fitz Baldric.

TABLE 4: THE RESOURCES AND VALUES OF DEMESNE AND TENANTED ESTATES ON THE HONOURS OF WILLIAM I OF PERCY AND HUGH FITZ BALDRIC IN 1086

RESOURCES AND VALUES	DEMESNE		TENANTED		TENANT RESOURCES AS A % OF TOTAL HONORIAL RESOURCES	
	Percy	Fitz Baldric	Percy	Fitz Baldric	Percy	Fitz Baldric
Carucates	233.1	293.1	153.1	120.8	39.6	29.6
Plough-lands	96	136.5	91	58	48.7	29.8
Demesne Plough-teams	26	34	27.5	18.5	51.4	38.1
Peasant Plough-teams	44.5	117.3	55.5	61	55.5	34.2
Villeins	173	296	108	163	38.4	35.5
Bordars	50	11	39	4	43.8	26.7
Sokemen	1	1	0	0	0	0
Other Population	6	9	2	5	25	35.7
Total Population	230	317	149	172	39.3	35.2
1066 Value £	43.3	70.3	52.56	29.9	44.9	29.9
1086 Value £	28.5	53.5	26.1	17.2	47.6	24.3
1086 Value as a % of 1066 Value	65.8	76.1	49.7	57.3		
% Demesne Plough-teams	36.9	22.5	33	23.3		
County Average	26.77	26.77	29.4	29.4		
% Peasant Plough-teams	63.1	77.5	67	76.7		
County Average	73.23	73.23	70.6	70.6		
Average Manor Size (Carucates)	4.2	7	3.1	6.7		
County Average	4.9	4.9	4.5	4.5		
Average No. of Peasants Per Team	5.2	2.7	2.7	2.8		
County Average	3.9	3.9	3.6	3.6		

**TABLE 5: THE NUMBER OF TENANTS ENFEOFFED BY
YORKSHIRE LAY TENANTS-IN-CHIEF BY 1086**

NAME OF TENANT-IN-CHIEF	NUMBER OF TENANTS ENFEOFFED
Hugh earl of Chester	2
Robert count of Mortain	4
Alan count of Brittany	28 approx.
Rob. and Ber. of Tosny	1
Ilbert I of Lacy	38 approx.
Roger I of Bully	4 approx.
Robert Malet	0
William I of Warenne	0
William I of Percy	17
Drogo de la Beuvriere	33 approx.
Ralph Mortemer	0
Ralph Paynel	1
Geoffrey of la Guerche	0
Geoffrey Alselin	0
William of Aincurt	0
Gilbert I of Gant	0
Gilbert Tison	9
Richard fitz Arnfastr	0
Hugh fitz Baldric	8
Erneis of Burun	7
Osbern of Arches	15 approx.
Odo the Crossbowman	0
Aubrey of Coucy	0
Gospatric	0
King's thanes	0
Roger the Poitevin	0

preserved a relatively high proportion of their value, and this is reflected in the proportion of tenant demesne to peasant teams suggesting the exploitation of peasant rents (Table 4). On the enfeoffed land of Hugh fitz Baldric the three estates to have increased their value supported only peasant teams.⁷¹

It is almost certain that several castles had been constructed on both honours by 1086, and probably much earlier. On the honour of Hugh fitz Baldric the earthworks of a small fortification still survive at Bossal in the village of Buttercrambe,⁷² and the high level of estate organization evident here and in several other nearby estates belonging to Hugh in 1086 suggest that it dates from the period of the conquest (Table 6).⁷³ In and around Buttercrambe Hugh's estates incorporated a large number of lordly and peasant plough-teams, a sizeable peasant community, a number of functioning mills and churches, and in some cases had already been granted to Norman tenants. With the exception of only Buckton Holms they had either increased or preserved a high proportion of their 1066 values. The agricultural picture suggests administrative organization, security and the production of food for, and collection of dues by, a Norman population resident within an established castlery. There were certainly strategic grounds for the construction of such a castle. Bossal was situated on the banks of the river Derwent only a mile or so north of the Roman road running from York to Bridlington which crossed the Derwent at Stamford Bridge where the army of Harold Hardrada had camped and been defeated in 1066. The fortification of the vill would therefore have helped to control movement along the river and road, and to provide York with protection from the east.⁷⁴

It is possible that Hugh fitz Baldric's relatively compact cluster of well-developed estates to the north of York extending from Birdforth wapentake into those of Manshoe and Pickering-Lythe also constituted one or more castleries. Of the possible castle sites, which include Felixkirk⁷⁵ and

⁷¹Cawton supported no tenant demesne plough-teams, and at Scrayingham they accounted for only 16.2% of the total number of teams on the estate.

⁷²Cathcart King, *Castellarium Anglicanum*, ii, 514.

⁷³*DB*, i, 327b.

⁷⁴It is possible that Bossal castle was supported by a second fortification at Langton where earthworks survive: Cathcart King, *Castellarium Anglicanum*, ii, 531.

⁷⁵The earthworks of a motte, and possibly a bailey, survive at Felixkirk: Cathcart King, *Castellarium Anglicanum*, ii, 517. The agricultural evidence for the existence of a castle by 1086 is ambiguous. Although the manor had been bestowed upon a tenant, Gerard, who also held the majority of Hugh's well developed estates in the vicinity, and incorporated two lordly and one peasant plough-teams, its population consisted of only one peasant and its value had declined from twenty-six shillings to only five shillings: *DB*, i, 327a-b.

TABLE 6: THE CASTLERY OF BOSSAL IN 1086

RESOURCES AND VALUES	NAME OF ESTATE				
	Manor of Scrayingham and its berewicks	Manor of Buttercrambe and its berewicks	Manor of Heslington and its berewick	Manor of Sand Hutton	Manor of Langton and its berewicks
Carucates	15	6.25	5	7	39
Ploughlands	7.5	3	2	3.5	20
Demesne Plough-teams	0	2	0	0	3
Tenant Demesne Plough-teams	3	0	0	1	3
Peasant Plough-teams	15.5	0	2	2	15
Villeins	29	2	3	11	43
Bordars	0	0	0	0	4
Sokemen	0	0	0	0	1
Other Population	0	0	0	0	0
1066 Value	50s	21s	42s	32s	£12
1086 Value	60s	60s	20s	30s	£6
Mill Value	-	£2	-	-	£1 5s
Church	1	0	0	0	2
Priest	1	0	0	0	2

RESOURCES AND VALUES	NAME OF ESTATE			
	Manor of Norton and its berewick	Manor of Buckton Holms	Two Manors of Scrayingham	Manor of North Grimston
Carucates	4.75	3	12	2.25
Ploughlands	2	1.5	6	1
Demesne Plough-teams	2	0	5	2
Tenant Demesne Plough-teams	0	0	0	0
Peasant Plough-teams	4	0	6.5	1
Villeins	12	0	15	6
Bordars	0	0	0	0
Sokemen	0	0	0	0
Other Population	0	0	0	0
1066 Value	60s	?	60s	20s
1086 Value	60s	0	100s	30s
Mill Value	£1 10s	0	£2	0
Church	1	0	0	0
Priest	1	0	0	0

Gilling East,⁷⁶ the most likely to date from the conquest period is Kirkby Moorside.⁷⁷ Although it had declined in value from £12 to 100s the estate was still reasonably prosperous by Yorkshire standards in 1086, incorporated seventeen plough-teams including two belonging to the lord, and was overstocked.⁷⁸ The evidence, however, is not as compelling as in the case of Bossal, and the existence of a castle at Kirkby Moorside by 1086 must remain in doubt.

On the honour of Percy each of the four separate clusters of estates in the West and East Ridings appear to have formed the basis of a castlery in 1086. The most northerly was that centred on Topcliffe where motte and bailey earthworks can still be seen.⁷⁹ In 1086 the manor could boast three lordly and fourteen peasant plough-teams, was overstocked, supported a peasant population of nearly fifty, incorporated a functioning mill and church, and had increased its value,⁸⁰ all of which suggests a high level of estate organization and Norman administrative control.⁸¹ The same may be said of Spofforth,⁸² Tadcaster⁸³ and Wheldrake,⁸⁴ the probable centres of the remaining three Percy castleries, all of which encompass castle earthworks.⁸⁵

The construction of so many castles by William I of Percy and Hugh fitz Baldric within twenty miles of York, and the compact nature of the estates surrounding the individual fortresses, reinforces the impression that their honours were deliberately constructed at an early date with a definite strategic purpose in mind. When viewed in conjunction they form a relatively continuous barrier around York, and there can be little doubt that the Conqueror had constructed them during the early years of Norman involvement within Yorkshire in order to provide protection for the city.

⁷⁶ Cathcart King, *Castellarium Anglicanum*, ii, 517.

⁷⁷ *Ibid.*, 520-1.

⁷⁸ *DB*, i, 327b.

⁷⁹ Cathcart King, *Castellarium Anglicanum*, ii, 527. Clay stated that William I of Percy built a castle at Topcliffe, although on the basis of what evidence is not made clear. If so the castle must have been in existence at the latest by the time of William's departure on Crusade in 1096. See *EYC*, xi, 1.

⁸⁰ *DB*, i, 323b.

⁸¹ *DB*, i, 323a.

⁸² Although incorporating only two ploughlands Spofforth was endowed with four lordly and four peasant plough-teams. No other Percy estate in Yorkshire exhibited a greater concentration of demesne cultivation. It was also equipped with a working mill and had increased its value three-fold in the Conqueror's reign: *DB*, i, 322a.

⁸³ Tadcaster had increased in value from 40s to 100s and incorporated three demesne plough-teams and four peasant teams: *DB*, i, 321b.

⁸⁴ Wheldrake was certainly a castle site in Stephen's reign: Symeon, *Opera*, ii, 323. Like Tadcaster it had originally belonged to William Malet. Although understocked it had preserved its 1066 value and been alienated to a tenant, William of Coleville. Although in the hands of different sub-tenants several other nearby Percy estates, including Elvington, Sutton-upon-Derwent, Leconfield and Scoreby were comparatively well organized and may have contributed to the support of a castle at Wheldrake: *DB*, i, 322b.

⁸⁵ Cathcart King, *Castellarium Anglicanum*, ii, 532, 527, 531.

3. The Compact Lordships: Richmond, Pontefract and Holderness

The honours of Richmond, Pontefract and Holderness, held in 1086 by Alan of Brittany, Ilbert I of Lacy and Drogo de la Beuvriere respectively, display an obvious similarity of tenurial structure which sets them apart from other Yorkshire Domesday honours. In each case they were constructed from the estates of almost all the pre-conquest landholders within extensive and compact territorial regions on the frontiers of the county (Maps 4-6). The honours were Norman creations and cut sharply across pre-existing tenurial patterns. Their geographical position suggests that they were constructed with a strategic purpose in mind. In the north and west Richmond and Pontefract protected the Pennine passes and river valleys linking Yorkshire with Lancashire and Scottish-controlled Cumberland. It would also appear that they were intended to control movement into and out of Yorkshire from north to south.⁸⁶ Richmond stretched across the Vale of York between the Pennines and the North Yorkshire Moors, and Pontefract covered the gap between the hills and the marshy Humberhead Levels. Through the heart of both ran the great Roman road to the north. In the east Drogo de la Beuvriere's honour of Holderness combined with his estates in northern Lincolnshire to protect the coast and Humber estuary from Scandinavian incursions. Despite certain variations the similarity of structure was matched by a similarity of internal estate organization, indicating that the honours were created with the same purpose and at approximately the same time, and warranting their inclusion in the same category of analysis.

By the standards of Yorkshire in 1086 the demesne estates of the three honours were reasonably well developed. At first sight this appears to be more apparent in the case of the honour of Holderness where only six of the thirty-three manors were waste and, despite heavy value decline and understocking, the real worth of the demesne and proportion of demesne estates supporting lordly teams remained high by Yorkshire standards. On the honours of Richmond and Pontefract waste was far more prevalent. In the former forty-five of the hundred demesne manors were so described, and in the latter the proportion was forty-five out of fifty-eight. To some extent, however, the figures are misleading, and when considered geographically the bulk of the waste estates are to be found in the western halves of the honours in and around the fringes of the Pennines. The highly

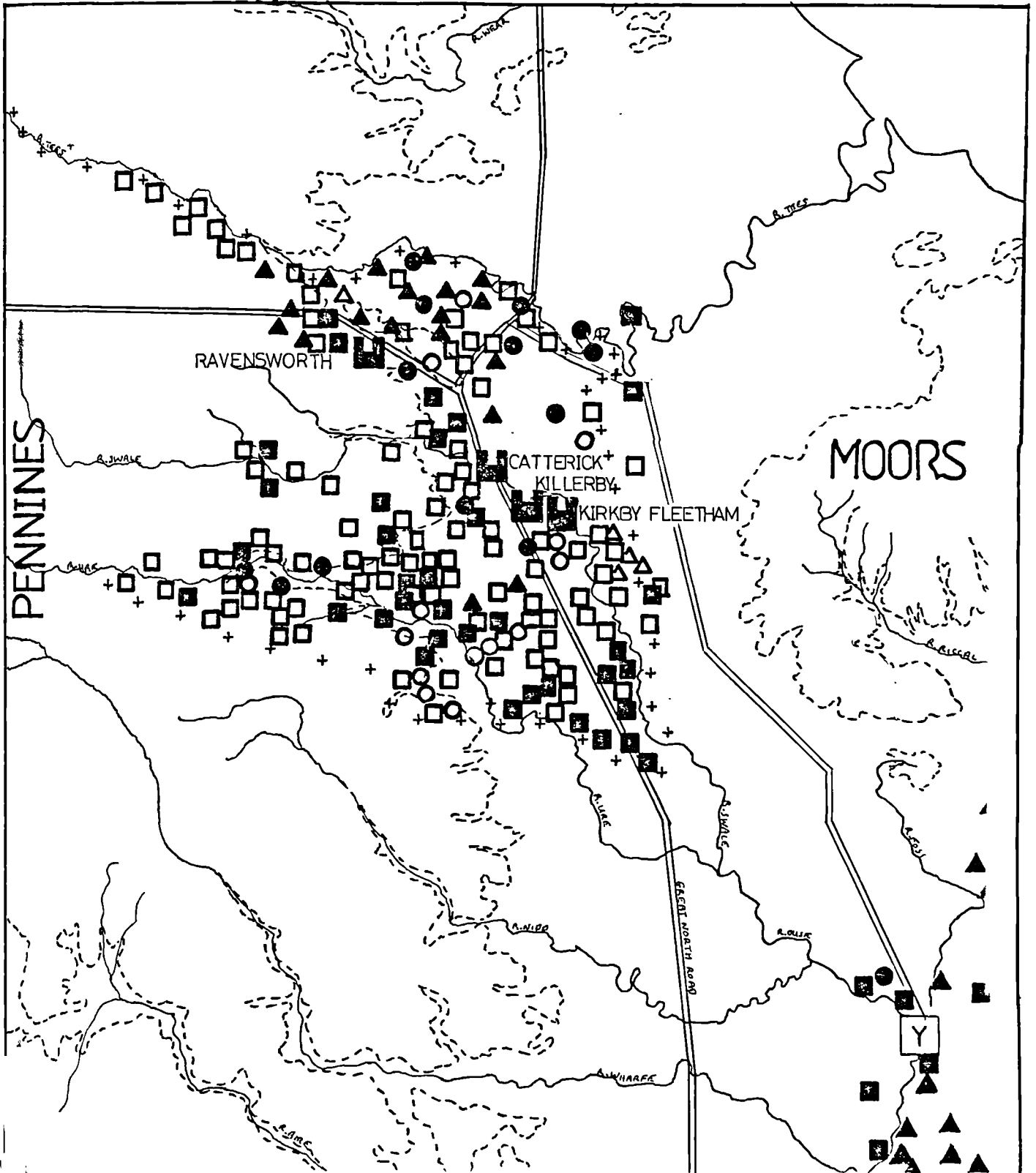
⁸⁶Wightman, *Lacy Family*, 17-21, 28-9; Stenton, 'Pre-conquest Westmorland', liii.

MAP 4

THE HONOUR OF RICHMOND: 1086

KEY

- | | | | |
|---|-----------------|-----|-------------------------------|
| Y | YORK | --- | BOUNDARY OF LAND OVER 500 ft. |
| L | LORD'S CASTLE | +++ | RICHMONDSHIRE |
| ■ | " DEMESNE MANOR | == | MAJOR ROAD |
| ● | " " BEREWICK | | SCALE ONE INCH = 5 MILES |
| ▲ | " " SOKELAND | | 0 5 |
| □ | TENANT MANOR | | |
| ○ | " BEREWICK | | |
| △ | " SOKELAND | | |



MAP 5

THE HONOUR OF ILBERT OF LACY: 1086

KEY

Y YORK

L LACY CASTLES

■ LORD'S DEMESNE MANOR

● " " BEREWICK

□ TENANT MANOR

○ " " BEREWICK

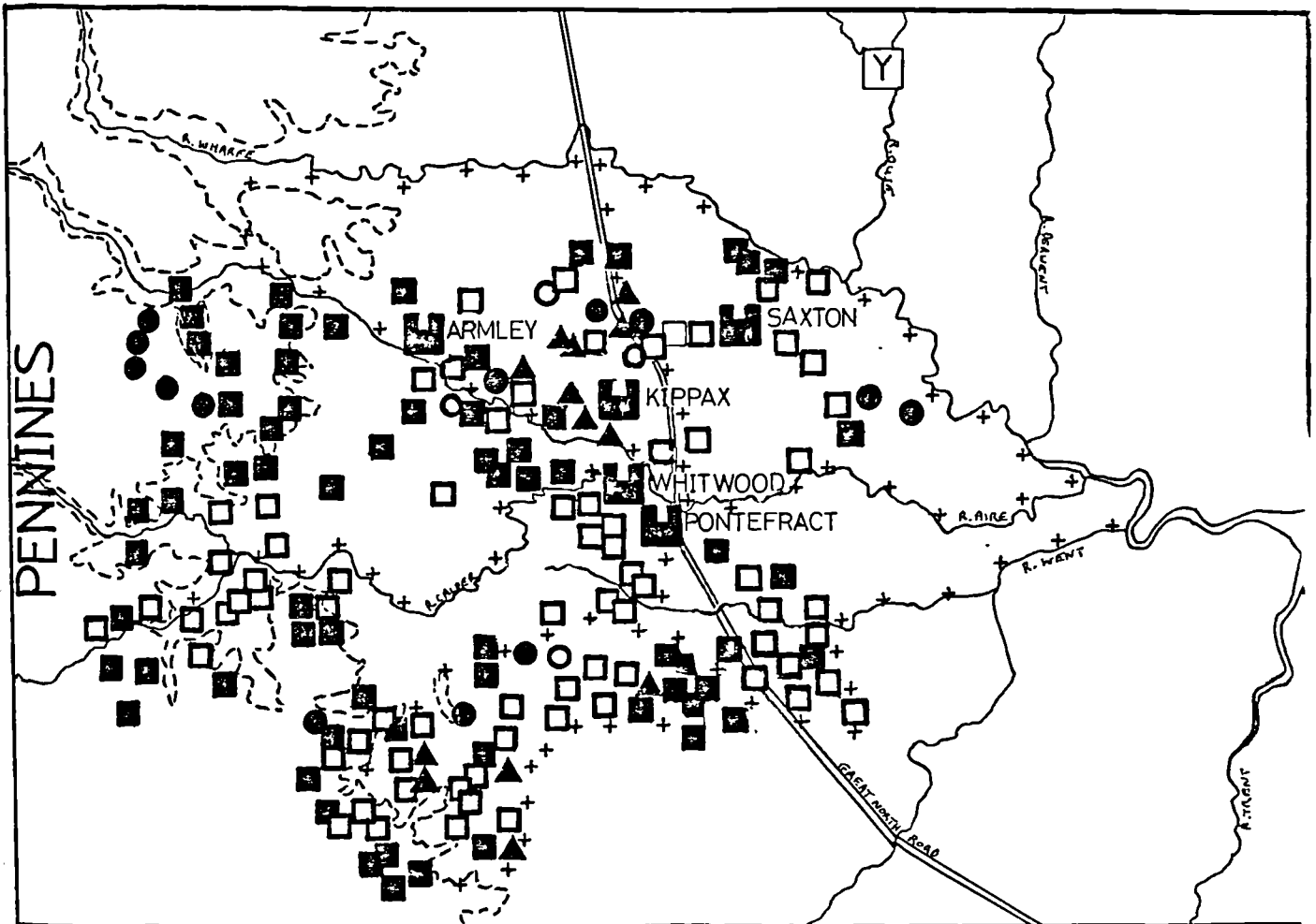
--- BOUNDARY OF LAND OVER 500ft.

+++ BOUNDARIES OF HUNDREDS

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES

0 5



MAP 6

THE HONOUR OF DROGO DE LA BEUVRIÈRE: 1086

KEY

Y YORK

L LORD'S CASTLES

■ " DEMESNE MANOR

● " " BEREWICK

□ TENANT MANOR

○ " BEREWICK

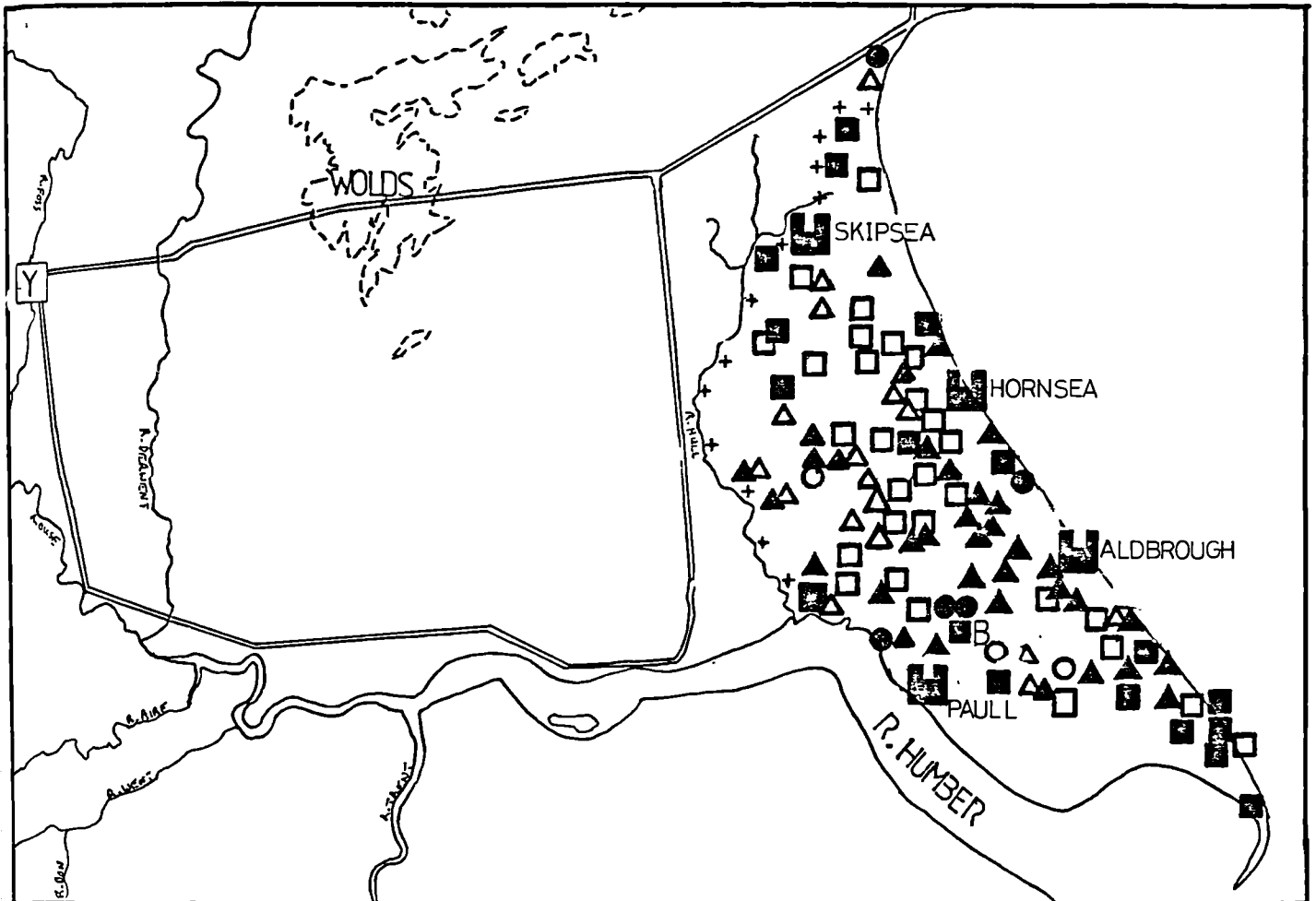
--- LAND OVER 500ft.

+++ BOUNDARY OF HOLDERNESS WAPENTAKE

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES

0 5



developed nature of some of the demesne manors in the eastern halves of the honours meant that as a whole their demesne supported more lordly and peasant plough-teams and had retained a higher proportion of their 1066 values than Holderness.

Although taken as a whole the lord of Richmond's demesne had preserved only about 27% of its 1066 value (Table 7), if the waste estates are excluded from the reckoning the figure rises to 80%.⁸⁷ This relative prosperity is reflected in the structure of agriculture which was geared towards the exploitation of the more lucrative peasant cultivation. Despite the existence of a large number of teams belonging to the lord the proportion of lordly to peasant teams was below the county average, and numerically the peasants were comparatively well equipped with their own teams (Table 7). On the honour of Pontefract the unwasted demesne manors had retained 75% of their 1066 value and the emphasis on peasant agriculture was even more marked than at Richmond (Table 7). On the honour of Holderness, by contrast, although still valuable in real terms, the unwasted estates had preserved just 15% of their 1066 value, a reflection no doubt of the fact that despite the large average size of the demesne manors the proportion of lordly to peasant plough-teams was above the county average and the peasants were comparatively poorly equipped (Table 7). The greater emphasis on food production over a wide area suggests that, although Drogo de la Beuvriere governed a greater geographical proportion of his honour directly, the dispersal of his efforts and lack of administrative concentration had inhibited the development of the more profitable forms of estate organization.

In terms of the extent and development of sub-eneffment the compact lordships appear among the more advanced in Yorkshire, a reflection in part of the greater resources at the disposal of their lords with which to endow tenants. Even so in terms of the proportion of honorial resources granted to tenants the compact lordships were among the most developed in Yorkshire (compare Tables 3-5, 7-9). In the honours of Holderness and Pontefract the large numbers of tenant manors supporting demesne teams, the high proportion of demesne to peasant teams, and the low level of waste indicate the presence of a resident tenantry who had organized their estates for food production by 1086.⁸⁸ The Pontefract tenant holdings had preserved a relatively good proportion of their 1066

⁸⁷ Only the count's castlery estates are included. Most of these were not waste and had preserved a high proportion of their 1066 values.

⁸⁸ Before the fall of Bishop Odo of Bayeux in 1088 Ilbert I of Lacy's estates outside Yorkshire amounted to only two manors in Lincolnshire and seven in Nottinghamshire: Wightman, *Lacy Family*, 31.

**TABLE 7: THE RESOURCES AND VALUES OF DEMESNE AND
TENANTED ESTATES ON THE HONOURS OF RICHMOND,
PONTEFRACT AND HOLDERNESS IN 1086**

RESOURCES AND VALUES	DEMESNE			TENANTED			TENANT RESOURCES AS A % OF TOTAL HONORIAL RESOURCES		
	R	P	H	R	P	H	R	P	H
Carucates	410.5	468.4	329	788.8	316.1	199.3	65.8	40.3	37.7
Plough-lands	349.1	288.6	319.3	538.9	218.9	189.3	60.7	43.1	37.2
Demesne Plough-teams	28	45.5	23.5	72.5	73.5	38	72.1	59.8	62.8
Peasant Plough-teams	77.4	138.5	58.3	184.4	127.5	44	70.4	47.9	43
Villeins	149.9	260	201	441	282	202	74.6	52	50.1
Bordars	38	93	39	126	190	76	76.8	63.5	66.1
Sokemen	7	10	33	0	9	9	0	47.4	21.4
Other Population	2	88	7	6	14	4	75	16.3	36.4
Total Population	197	451	280	573	495	291	74.4	52.3	51
1066 Value £	97.1	170.5	376.7	119.1	151.8	185.1	54.9	47.1	32.9
1086 Value £	26.1	89.8	54.1	60.2	69.2	40.2	69.8	43.5	42.6
1086 Value as a % of 1066 Value	26.8	52.7	14.4	50.9	45.6	21.7			
% Demesne Plough-teams County Average	26.6 26.77	24.7 26.77	28.7 26.77	28.2 29.4	36.6 29.4	46.3 29.4			
% Peasant Plough-teams County Average	73.4 73.23	75.3 73.23	71.3 73.23	71.8 70.6	63.4 70.6	53.7 70.6			
Average Manor Size (Carucates) County Average	7.1 4.9	4.7 4.9	10 4.9	5.9 4.5	2.8 4.5	2 4.5			
Average No. of Peasants Per Team County Average	2.5 3.9	3.3 3.9	4.8 3.9	3.1 3.6	3.9 3.6	6.6 3.6			

KEY

R = Honour of Richmond
P = Honour of Pontefract
H = Honour of Holderness

values, and although the same cannot be said of those on the honour of Holderness their estates had nevertheless lost less than those of their lord (Table 7). On the honour of Richmond although a high proportion of unwasted tenant manors supported demesne teams,⁸⁹ indicating the presence of a resident tenantry, there appears to have been a distinction between the estates of the continental and Anglo-Scandinavian retainers of the lord. This is reflected in the much lower proportion of demesne to peasant teams on the lands of the continental tenants, suggesting that for at least part of their time they were absentee rent collectors whereas the Anglo-Scandinavians were in permanent residence.⁹⁰ This is also indicated by the extensive estates held by the continental tenants in other counties.⁹¹ The reliance on the more profitable peasant rents would explain why the tenant holdings generally had preserved a higher proportion of their 1066 values than had the demesne (Table 7).⁹²

A number of settlements on each of the three compact lordships preserve the earthworks of motte castles and there is good evidence that several of them were constructed before 1066. The Domesday Summary records that the lord of Richmond, 'has in his castlery (*castellatu*) 200 manors less one',⁹³ indicating that the castlery corresponded with the bulk of Count Alan's Yorkshire lands in Richmondshire. The exclusion of forty-three of his estates from the castlery⁹⁴ undermines Wightman's argument that the term was used to mean the whole of a baron's estates - the honour - and need not imply the existence of a castle.⁹⁵ References in the Domesday *clamores* to a castlery on the honour of Pontefract⁹⁶ should therefore be taken as firm evidence for the construction of a castle by Ilbert I of Lacy by 1086. Although Domesday makes no mention of a castlery in Holderness it is recorded elsewhere that the builder of Skipsea castle was Drogo de la Beuvriere who must have established it before 1087 when he lost his honour.⁹⁷ The existence of at least one castle in each of the compact lordships by 1086 would therefore seem assured, and there were probably many more.

⁸⁹ Fifty-four out of seventy-six.

⁹⁰ On the estates of the continental tenants the proportion was 26%. On that of the Anglo-Scandinavians it was 32%; and if the unusual number of fourteen peasant teams on Bjornulfr's manor of Well is disregarded the figure rises to 39%: *DB*, i, 312a.

⁹¹ *VCH, Yorkshire*, ii, 158-9.

⁹² For their size the tenant manors incorporated a higher proportion of the honour's plough-teams and peasants than those of the lord.

⁹³ *DB*, i, 381b.

⁹⁴ *Ibid.*

⁹⁵ Wightman, *Lacy Family*, 24 note 2.

⁹⁶ *DB*, i, 373b. A charter of William Rufus issued between 1088 and c.1095 also mentions the castlery: *EYC*, iii, no. 1415.

⁹⁷ English, *Holderness*, 7.

Although at a later date Richmond became the *caput* of the counts of Brittany in Yorkshire and the site of a powerful castle, it is unlikely to have been constructed before 1086 when the demesne portion of the manor is described as waste.⁹⁸ The castlery referred to by Domesday Book was probably focussed instead on castles at Catterick, Killerby, Kirkby Fleetham and Ravensworth, all of which incorporate motte earthworks.⁹⁹ The agricultural structure and estate organization of all four manors and the estates within their immediate vicinity suggest that the castles had been constructed by 1086. The manor of Catterick, of which Killerby was a berewick, had been held before 1066 by Earl Edwin, and as a traditional focus of local authority was a natural centre from which to reconstruct administrative control within the area. That the reconstruction was well underway by 1086 is illustrated by the fact that although situated in a region where value decline was the norm Catterick had preserved its 1066 value of £8, incorporated nine lordly and eleven-and-a-half peasant plough-teams, was overstocked and supported a population of forty-six well equipped peasants.¹⁰⁰ Nearby Kirkby Fleetham was similarly well developed in 1086, and together the three castles may have been constructed with the purpose of providing mutual support and protection.¹⁰¹ Further north Ravensworth had been granted by Count Alan to Bodin. Although not as well developed as the other castle settlements Ravensworth and a number of nearby estates, including the great manor of Gilling, either incorporated demesne ploughs and/or had preserved a good proportion of their values in an area which was otherwise largely waste.¹⁰²

The existence of castles on the honour of Richmond in 1086 is also indicated by the enfeoffment of ten *militēs* at Newton-le-Willows, Hesselton and Patrick Brompton close to the motte sites. These manors had either increased or preserved much of their value, and between them incorporated six demesne and eighteen peasant plough-teams and a population of forty-one peasants. The average holding of a *miles* was just over three carucates indicating that they were members of the class of professional household knights identified by Dr. Harvey in Domesday Book who were probably

⁹⁸ *DB*, i, 311a.

⁹⁹ Cathcart King, *Castellarium Anglicanum*, ii, 515, 519, 523.

¹⁰⁰ *DB*, i, 310b.

¹⁰¹ *DB*, i, 309b-310a. Similar clusters of small castleries situated within a few miles of each other had been constructed in the Welsh marches by 1086: see above note 53.

¹⁰² The other well-developed estates in the region belonging to Bodin were Melsonby, Bidderston, Newsham and Scorton: *DB*, i, 310a. The manor of Gilling and its outliers in Hartforth, Moulton and Manfield incorporated both demesne and peasant plough-teams: *DB*, i, 309a.

in the first stages of becoming landed. The distribution of these knights in Domesday 'reflects their function' and they are found in greatest numbers in areas of strategic importance, especially in the Welsh marches where numerous early castles had been constructed.¹⁰³ Their existence in Richmondshire in possession of well organized estates close to known castle sites must therefore indicate that the castles were in existence by 1086 and had been there for some time.

If the Richmondshire estates supporting two or more demesne teams are plotted on a map together with the manors, demesne or sub-eneffed, which had either maintained or increased their 1066 value a centralization of demesne resources and administration becomes clear, and it can be no coincidence that the nuclei of this centralization were the vills incorporating motte earthworks (Map 7). Fourteen of Count Alan's twenty Richmondshire demesne plough-teams were situated in Catterick and Gilling.¹⁰⁴ There can be no question but that Richmondshire was a castlery in 1086 and that it was organized for the support of not one but several castles.

The same centralization of demesne resources and estates displaying a high degree of administrative organization can be detected on the honour of Pontefract, and here too there can be little doubt that it was directly related to the construction of several early castles (Map 8).¹⁰⁵ The earthwork remains of these fortifications are almost certainly those which survive at Pontefract, Kippax, Whitwood, Saxton and probably Armley.¹⁰⁶ Pontefract became the *caput* of the honour. In 1069 while on his way to Yorkshire via the Great North Road the Conqueror had been delayed here for three weeks by Anglo-Scandinavian forces who had destroyed the bridge over the river Aire, and only reached York after taking a long and troublesome diversion.¹⁰⁷ It is difficult to accept Dr. Wightman's argument that William waited another seventeen years to build a castle at this vital crossing.¹⁰⁸ In 1086 although the settlement had declined in prosperity it remained a valuable and important centre of demesne agriculture.¹⁰⁹ Even more important and highly developed was the great manor of

¹⁰³S. Harvey, 'The knight and the knight's fee in England', *Past & Present*, 49 (1970), 5-30, esp. 5-17, 24-5; Harvey, 'Domesday England', 84. Harvey illustrates that such knights commonly held villein land, and it is significant that the major part of the population of the Richmondshire vills in the possession of knights consisted of villeins.

¹⁰⁴*DB*, i, 309a, 310b.

¹⁰⁵Very little tenant enfeoffment had taken place west of a north-south line drawn through East Ardsley, and most of the Lacy estates in this region were waste: Wightman, *Lacy Family*, 41-2, 52-3.

¹⁰⁶Cathcart King, *Castellarium Anglicanum*, ii, 523, 519, 528, 524, 529.

¹⁰⁷Orderic, ii, 231.


¹⁰⁸Wightman, *Lacy Family*, 24-5, 41-2.

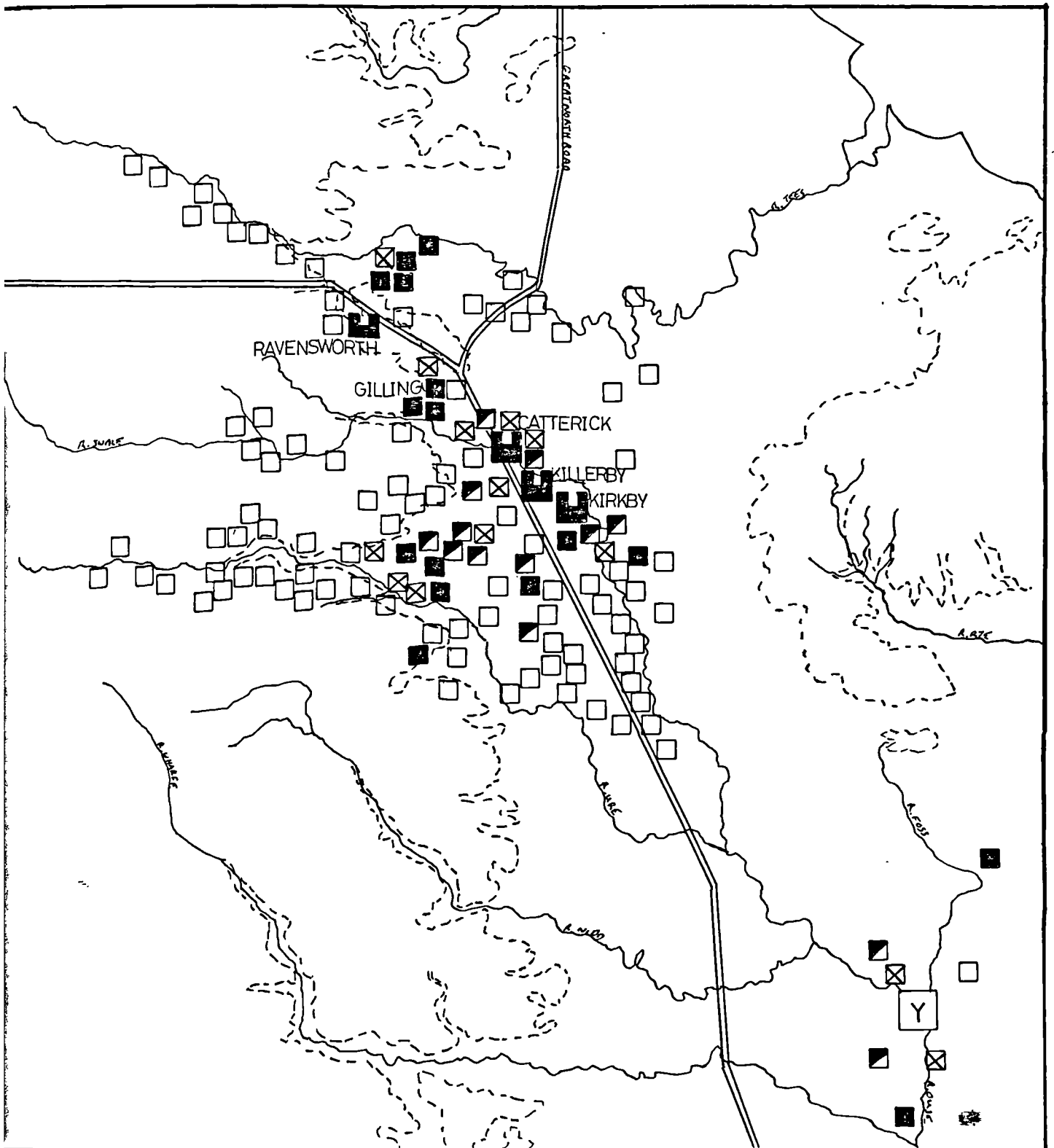
¹⁰⁹*DB*, i, 316b. The manor had declined in value from £20 to £15. It supported four demesne and twenty-two peasant plough-teams, and was overstocked by eight teams. Only Kippax had more demesne teams.

MAP 7

VALUE PRESERVATION AND DEMESNE AGRICULTURE ON THE HONOUR OF RICHMOND

KEY


- Y YORK
- MANORS EITHER PRESERVING OR INCREASING THEIR VALUE: 1066 × 1086
- MANORS SUPPORTING TWO OR MORE DEMESNE PLOUGH-TEAMS: 1086
- MANORS PRESERVING/INCREASING VALUE AND SUPPORTING TWO OR MORE TEAMS
- OTHER MANORS BELONGING TO THE HONOUR
- BOUNDARY OF LAND OVER 500ft.
-  LORD'S CASTLE
- == MAJOR ROAD
- SCALE: ONE INCH = 5 MILES
0 5

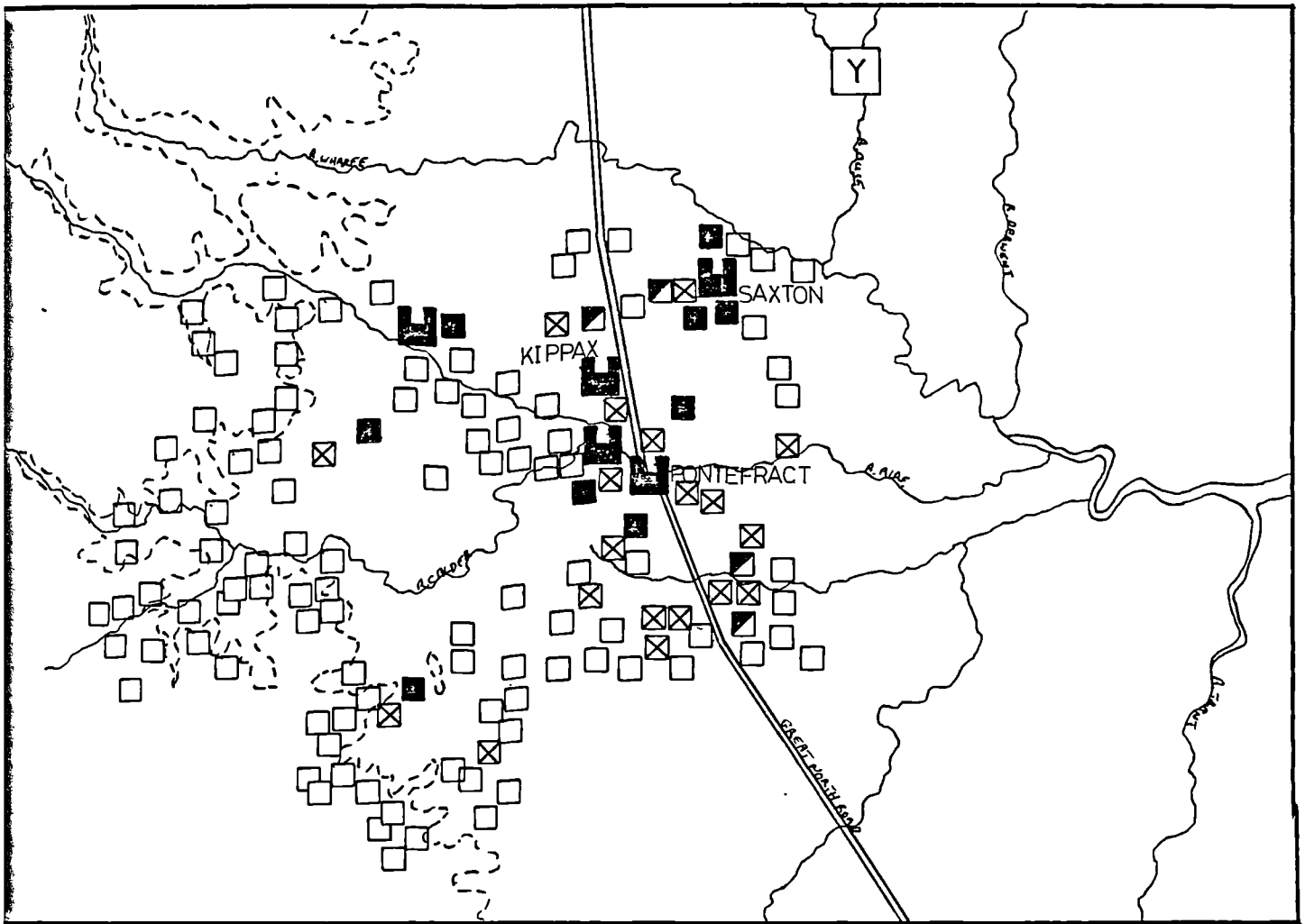
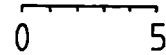


MAP 8

VALUE PRESERVATION AND DEMESNE AGRICULTURE ON THE HONOUR OF PONTEFRACT

KEY

- Y YORK
- MANORS EITHER PRESERVING OR INCREASING THEIR VALUE: 1066×1086
- MANORS SUPPORTING TWO OR MORE DEMESNE PLOUGH-TEAMS: 1086
- MANORS PRESERVING/ INCREASING VALUE AND SUPPORTING TWO OR MORE TEAMS
- OTHER MANORS BELONGING TO THE HONOUR
- BOUNDARY OF LAND OVER 500ft.
-  LORD'S CASTLE
- == MAJOR ROAD
- SCALE: ONE INCH = 5 MILES



Kippax which had been held before 1066 by Earl Edwin and was probably the administrative centre of Skyrack wapentake. In 1086 Kippax was the wealthiest estate on the honour, having preserved its pre-conquest value of £16, and supported three times as many demesne teams as any other Lacy manor.¹¹⁰ Although not nearly so well developed, estate organization in the manors of Saxton, Whitwood and Armley and other settlements nearby probably reflects the existence of more early castles.¹¹¹

The honour of Holderness displays a much lower level of administrative centralization. This was doubtless due in part to the fact that unlike Richmond and Pontefract it did not incorporate large areas of uplands which, because they were poorer, less accessible and potentially more dangerous, encouraged the concentration of initial settlement in lowland areas. It also incorporated a greater number and wider distribution of wealthy demesne manors formerly belonging to Anglo-Scandinavian earls, which could only encourage Drogo de la Beuvriere to spread his administrative resources. Although less geographically confined Drogo's administration was therefore more basic. Nevertheless in addition to Skipsea he may well have constructed castles at Aldbrough, Hornsea and Paullholme by 1086. Aldbrough is known to have been a castle site in the early twelfth century,¹¹² and Hornsea and Paullholme incorporate the earthworks of what may be early mottes.¹¹³ Although greatly devalued in 1086 all three estates display a sufficient level of estate organization and demesne agriculture to indicate the presence of an early castle.¹¹⁴ In the case of Aldbrough this is the more likely in view of the establishment of four *milites* on the manorial outliers.

¹¹⁰ *DB*, i, 315a. It supported twelve demesne plough-teams.

¹¹¹ Saxton incorporated three demesne and six peasant plough-teams, 1 3/4 churches and two mills, supported fourteen peasants and had retained a good proportion of its comparatively high 1066 value: *DB*, i, 315a. This is all the more remarkable in view of the fact that it had undergone the manorial reorganization which Professor Fleming argues was often responsible for a decline in estate values in the conquest period: Fleming, *Kings and Lords*, 148-50. Although it had declined in value from 40s to 20s Whitwood incorporated two demesne plough-teams and a single peasant team: *DB*, i, 315b, 317b. In 1086 Armley appears to have been under-developed but bordered the important estate of Leeds which, despite considerable manorial reorganization under the Normans, had increased its value from £6 to £7 and incorporated thirty-five peasants operating fourteen peasant plough-teams: *DB*, 317b, 315a-b.

¹¹² *EYC*, iii, nos. 1300, 1304, 1307.

¹¹³ Cathcart King, *Castellarium Anglicanum*, ii, 531.

¹¹⁴ Aldbrough had declined in value from £40 to £6 but incorporated three plough-teams belonging to the lord, three belonging to the *milites* and nine belonging to the peasants who were forty in number: *DB*, i, 324a. Hornsea had declined in value from £56 to £6 but incorporated two lordly and 3 1/2 peasant plough-teams, and seventeen peasants: *DB*, i, 323b. Paullholme was a berewick of the manor of Burstwick which had declined in value from £56 to £10. The total of five berewicks incorporated a total of two lordly and seven peasant plough-teams, together with a population of thirty peasants. The remainder of the manor supported another six lordly teams and twenty-three peasants: *DB*, i, 323b.

4. The Honour of the Count of Mortain

In its structure and organization the honour of Robert count of Mortain was distinct from any other Yorkshire lordship. The count's extensive estates, both demesne and tenanted, were distributed widely throughout the three Ridings of the county and display an amorphous quality (Map 9). Even in the areas where they are at their most compact they intermingle with those of other magnates. With the exception of Cleveland, where the count's estates may have protected the coast road, and south Yorkshire, where they formed a relatively compact cluster which bestrode the Great North Road, it is difficult to discern a strategic purpose behind their distribution.

Count Robert is likely to have spent little, if any, time in Yorkshire. Although in England in 1069 and again in 1071 x 1072, when he fought in the fenlands, by 1074 he was in Normandy and may not have returned to England until 1086.¹¹⁵ His long absences would explain the poor condition of his Yorkshire demesne estates in 1086. Compared with the estates he granted to tenants in Yorkshire Robert's demesne manors were fewer in number, more poorly equipped with resources and of lower value (Table 8). Most were located either in the Vale of Pickering or Cleveland, the poorest agricultural areas of Yorkshire in 1086.¹¹⁶ Of the sixty-one demesne manors thirty-six were waste¹¹⁷ and the remainder supported only twelve lordly teams. The best endowed were Kirkham and Howsham with only two each. Although a handful of demesne manors were overstocked, the excess of plough-teams was due to the presence of a well equipped peasantry, reinforcing the evidence that the count was an absentee rent collector. Without a solid demesne base to support a large resident administration, however, Robert's exploitation of the more profitable sources of agriculture could only be limited, and overall his demesne estates had a total value of less than £16 in 1086 and display one of the worst rates of value preservation in Yorkshire (Table 8).

The main burden of administering the Mortain estates in Yorkshire appears to have fallen on the honorial tenants who controlled nearly three-quarters of the count's lands and an even greater proportion of his resources (Table 8). Between them two tenants, Nigel Fossard and Richard of Sour-

¹¹⁵Soulsby, 'Fiefs in England', 19-20, 29-32.












¹¹⁶*Domesday Geography*, 115, 161-2.

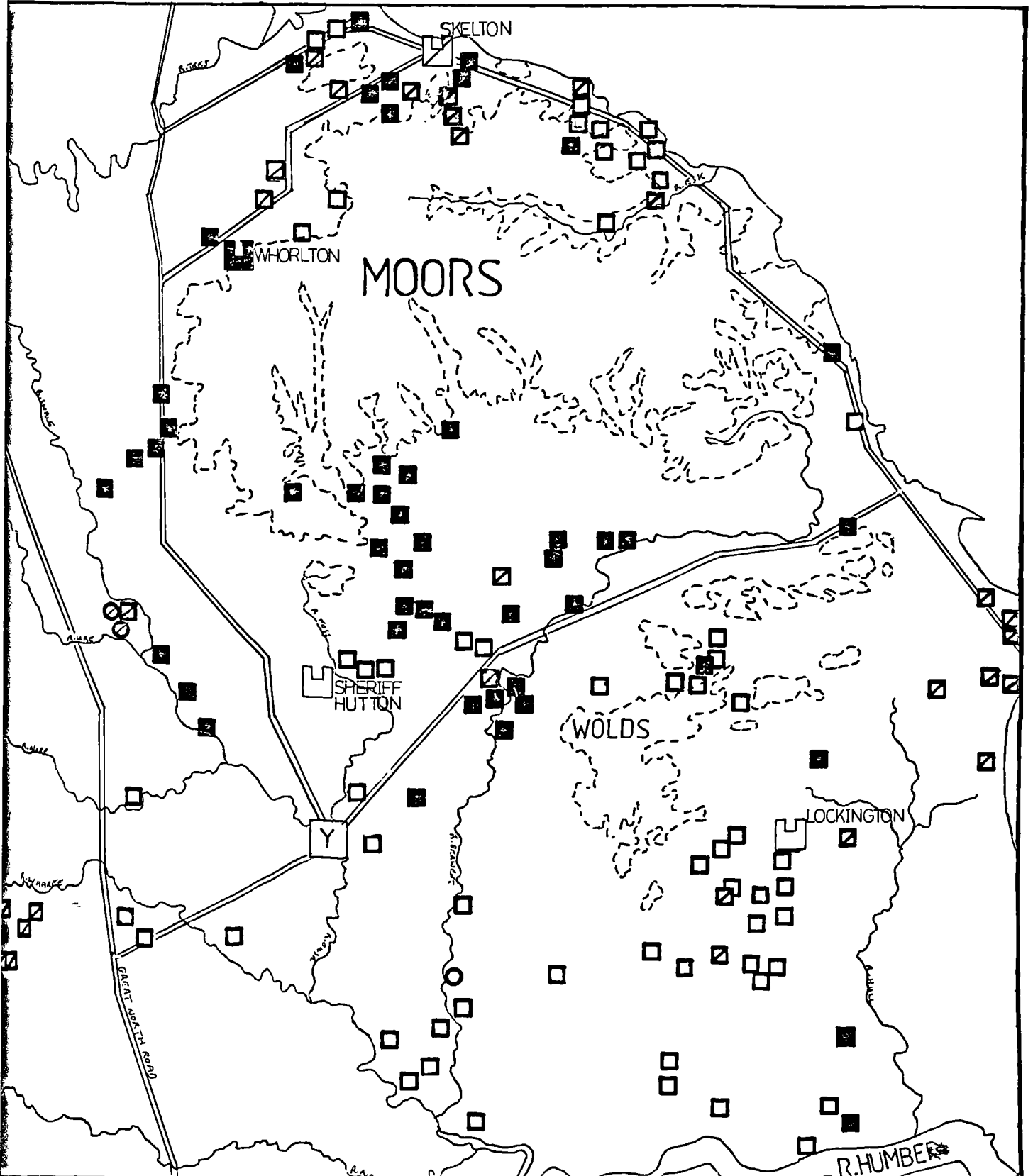
¹¹⁷The count had only two unwasted estates in Cleveland. One of these, Hutton Rudby, had declined in value from £24 to only 26s 8d: *DB*, i, 305d.

MAP 9

THE HONOUR OF ROBERT OF MORTAIN: 1086 (1)

KEY






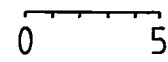
-  CASTLE PROBABLY BUILT BY LORD
 -  LORD'S DEMESNE MANOR
 -  " " BEREWICK
 -  CASTLE PROBABLY BUILT BY FOSSARD
 -  MANOR SUB-ENFEOFFED TO " "
 -  CASTLE PROBABLY BUILT BY SOURDEVAL
 -  MANOR SUB-ENFEOFFED TO " "
 -  --- BOUNDARY OF LAND OVER 500ft.
 -  == MAJOR ROAD
- SCALE ONE INCH = 5 MILES
-  0 5
-  YORK



MAP 9

THE HONOUR OF ROBERT OF MORTAIN: 1086 (2)

KEY

- | | | | |
|--|----------------------------------|---|------------------------------|
|  | TICKHILL | --- | BOUNDARY OF LAND OVER 500ft. |
|  | LORD'S DEMESNE MANOR | +++ | " " STRAFFORTH WAPENTAKE |
|  | CASTLE PROBABLY BUILT BY FOSSARD | == | MAJOR ROAD |
|  | MANOR SUB-ENFEOFFED TO FOSSARD | SCALE ONE INCH = 5 MILES | |
|  | " " " SOURDEVAL |  | |

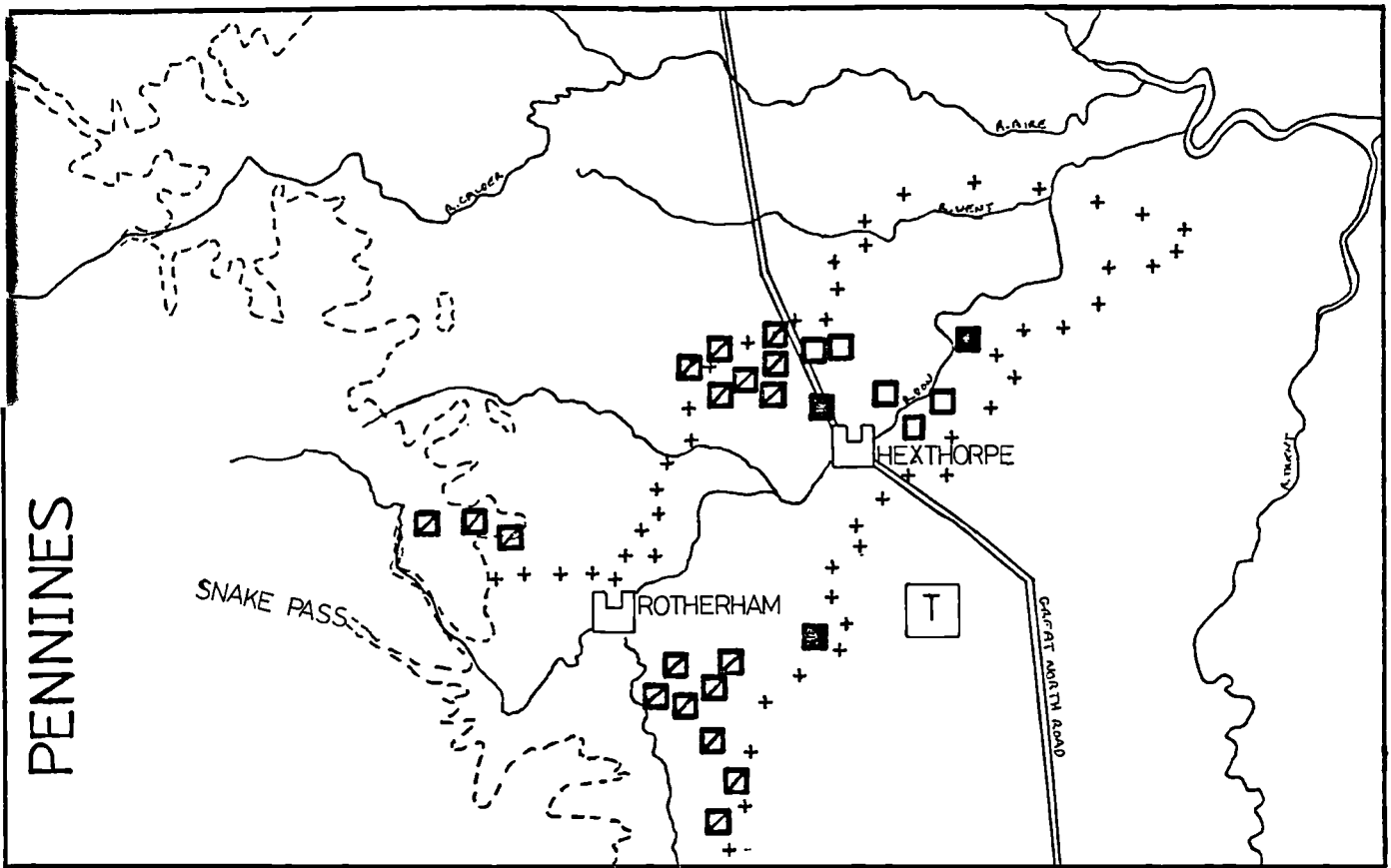


TABLE 8: THE RESOURCES AND VALUES OF DEMESNE AND TENANTED ESTATES ON THE HONOUR OF ROBERT COUNT OF MORTAIN IN 1086

RESOURCES AND VALUES	DEMESNE	TENANTED	TENANT RESOURCES AS A % OF TOTAL HONORIAL RESOURCES
Carucates	304	712.7	70.1
Plough-lands	116	371	76.3
Demesne Plough-teams	12	48.5	80.2
Peasant Plough-teams	52.1	168	76.3
Villeins	116	370	76
Bordars	12	111	90.2
Sokemen	5	86	94.5
Other Population	8	19	70.4
Total Population	141	586	80.5
1066 Value £	49.9	190.9	79.1
1086 Value £	15.8	69.4	81.5
1086 Value as a % of 1066 Value	31.62	36.3	
% Demesne Plough-teams County Average	18.7 26.77	22.4 29.4	
% Peasant Plough-teams County Average	81.3 73.23	77.6 70.6	
Average Manor Size (Carucates) County Average	5 4.9	4.1 4.5	
Average No. of Peasants Per Team County Average	2.7 3.9	3.5 3.6	

deval, held 151 of the 153 tenant manors. The most developed of these were in the Hexthorpe region where fifteen of their thirty manors supported tenant demesne teams and only two were waste.¹¹⁸ In the East Riding although approximately half of Nigel Fossard's fifty-four manors supported demesne agriculture the total number of his ploughs at work was only 16 1/2. With the exception of Middleton the Sourdeval holdings here were waste. Elsewhere in the honour tenant demesne agriculture becomes even more scarce, particularly in Cleveland where nearly all the estates were waste.

Although the tenant estates had preserved only a low proportion of their 1066 value it was higher than that of the demesne estates of their lord. To some degree this must have been a result of the better organization of the demesne, especially in the Hexthorpe region where tenant demesne plough-teams are most abundant and the manors of Fossard and Sourdeval had retained 49% of their pre-conquest value.¹¹⁹ Overall, however, the proportion of demesne teams on the tenant estates was well below the county average (Table 8). On the honours with reasonably well developed demesnes this would be evidence that the tenants had established the food production necessary to support themselves, their officials and soldiers, and had begun to organize the more profitable sources of agriculture. On the honour of Mortain, however, when viewed against the background of a limited demesne base the low proportion of demesne to peasant plough-teams suggests that on many estates, and particularly in the northern and eastern fringes of the honour, Fossard and Sourdeval were absentee rent collectors whose administrative supervision was limited.

The estates held by Nigel Fossard and Richard of Sourdeval of the count of Mortain were confined to Yorkshire suggesting that Robert intended them to live and work in the county,¹²⁰ and despite the limited extent of demesne agriculture on their estates it is possible that they had constructed a number of castles by 1086. The most likely site for an early fortress was the composite manor of Hexthorpe in Strafforth wapentake. Situated at the point where the Great North Road crosses the River Don the manor was of considerable strategic importance to a Norman king wishing to guarantee

¹¹⁸The estates here comprised 20.5% of the Fossard and Sourdeval manors but incorporated 27% of their demesne plough-teams. The waste estates were Wales and Ulley.

¹¹⁹The proportion of demesne plough-teams on the tenant estates close to Hexthorpe was only 18% despite the fact that eight of the thirty manors were overstocked. At Hexthorpe, the most prosperous of Nigel Fossard's estates, valued at £12 in 1086, only two of the thirty-two plough-teams belonged to the lord. The manors supported forty sokemen, a highly unusual occurrence in Yorkshire. Sokemen were also to be found on other Mortain estates in this region including Long Sandall (2), Brodsworth (6), Todwick (2), Thrunscoc (3), Whiston (6), Aston (1), and the soke of Scinestorp (1).

¹²⁰Soulsby, 'Fiefs in England', 179-80.

his access to the north and the city of York (Map 9). As a former possession of Earl Tosti, and the focus of a large number of appurtenant sokelands including neighbouring Doncaster, Hexthorpe was also an administrative and jurisdictional centre of considerable importance, and almost certainly the seat of a hundred. Although it had declined in value from £18 in 1066 to £12 by 1086 it was still a wealthy estate by Yorkshire standards and well organized at the time of the Domesday survey. In addition to the two demesne plough-teams belonging to Count Robert's tenant, Nigel Fossard, the manor and its sokelands incorporated another thirty peasant teams operated by over 100 peasants; and several other Mortain holdings within the vicinity were also well equipped and populated.¹²¹ The high degree of estate organization indicates the presence of a body of Norman administrators, and it is possible that the twelfth century fortifications at Doncaster,¹²² within which Hexthorpe had been absorbed, originated before 1086 and provided the focus of a small hundredal conquest castlery organized to protect the major highway to the north.

In addition to Hexthorpe Nigel Fossard may have been responsible for the construction of fortresses at Sheriff Hutton, Rotherham and possibly Lockington; Richard of Sourdeval may have been the founder of Skelton castle; and it is possible that the count of Mortain himself built a stronghold at Whorlton.¹²³ With the exception only of Whorlton all of these estates incorporated some degree of demesne agriculture in 1086, had preserved a good proportion of their 1066 value and were surrounded by other comparatively well organized Mortain holdings capable of contributing towards the maintenance of a castle community.¹²⁴ Whorlton itself was the only unwasted part of the composite manor of Hutton Rudby and supported eight peasant teams and a population of twenty

¹²¹ *DB*, i, 307b-308b.

¹²² Cathcart King, *Castellarium Anglicanum*, ii, 530, 534.

¹²³ Cathcart King, *Castellarium Anglicanum*, ii, 525, 528, 530, 521. Cathcart King identifies Sheriff Hutton as the 'Hutton' fortified by Alan III of Richmond in Stephen's reign. It is more likely, however, to have been Hutton Conyers near Ripon.

¹²⁴ The Fossard holding in Sheriff Hutton consisted of eleven carucates which, together with Ganthorpe, Welburn and Terrington, appear to have been sokeland of the manor of Bulmer. The sokeland incorporated one demesne and four peasant plough-teams. Although declining in value from £5 to £2 the manor of Bulmer appears to have been reasonably well organized. In addition to two demesne and eight peasant plough-teams it supported twenty-five peasants, a priest, church and a mill. The comparatively well-organized estates nearby included Marton, Ferlington, Fornetorp, Crambe, Barton-le-Willows, Warthill, Huntington and Linton-upon-Ouse. See *DB*, i, 306a. Rotherham supported one demesne and 2 1/2 peasant plough-teams, a mill and a church, but had declined in value from £4 to 30s. It was only a few miles from Hexthorpe. Lockington incorporated one demesne and three peasant plough-teams, but had declined in value from £6 to 30s. A number of Fossard estates in the vicinity, however, including Beswick, Middleton-on-the-Wolds, Goodmanham, Watton, Steitorp, Etton and Raventhorpe were all reasonably well organized: *DB*, i, 306b-307a. Skelton incorporated one demesne and three peasant plough-teams. Although it had declined in value from 40s to 16s it was still comparatively well-organized for an estate in Cleveland where the majority of villi were waste. See *DB*, i, 305b.

peasants.¹²⁵ Given that many more estates within the vicinity of these castles were under-developed their existence testifies to the priority placed upon the construction of fortifications in the process of estate organization. The vassals of the Conqueror, of whatever status, guaranteed their safety before venturing out into a potentially hostile countryside.

5. Embryonic Lordships

Included in this category of organizational development are the honours of Osbern of Arches, Erneis of Burun, Ralph and Berengar of Tosny, Gilbert Tison, Ralph Mortemer, Ralph Paynel and Hugh earl of Chester. With the exception of the honours of Arches and possibly Burun the construction of each of the embryonic lordships was undertaken mainly with the lands of one or two Anglo-Scandinavians and with some respect for pre-conquest tenurial patterns.¹²⁶ This is reflected in their geographical distribution. Whereas the estates of Tison, Tosny, Paynel, Mortemer, Chester and, to a lesser extent, Burun are distributed widely throughout the county those of Arches are compact, largely confined to the wapentake of Ainsty immediately to the west of York, and reflect deliberate Norman tenurial engineering (Maps 10-16).

Compared with the honours examined so far the level of estate organization on the embryonic lordships in 1086 was retarded. This is not to say, however, that there was no development or that the development was the same in all cases. When these lordships are subjected to the various measures of estate organization it emerges that, although reasonably well advanced in some ways, as a whole the development of Norman administration was limited. In some lordships we can discern a sharp contrast between a few highly developed estates and many manors with little or no organization at all. In others a less intense administration appears to be functioning in a much larger portion of the honour. There are also cases of honours combining a reasonably well developed demesne with poorly organized tenant estates.

The contrasts are clearly seen in the case of the honour of Tosny. The demesne resources of

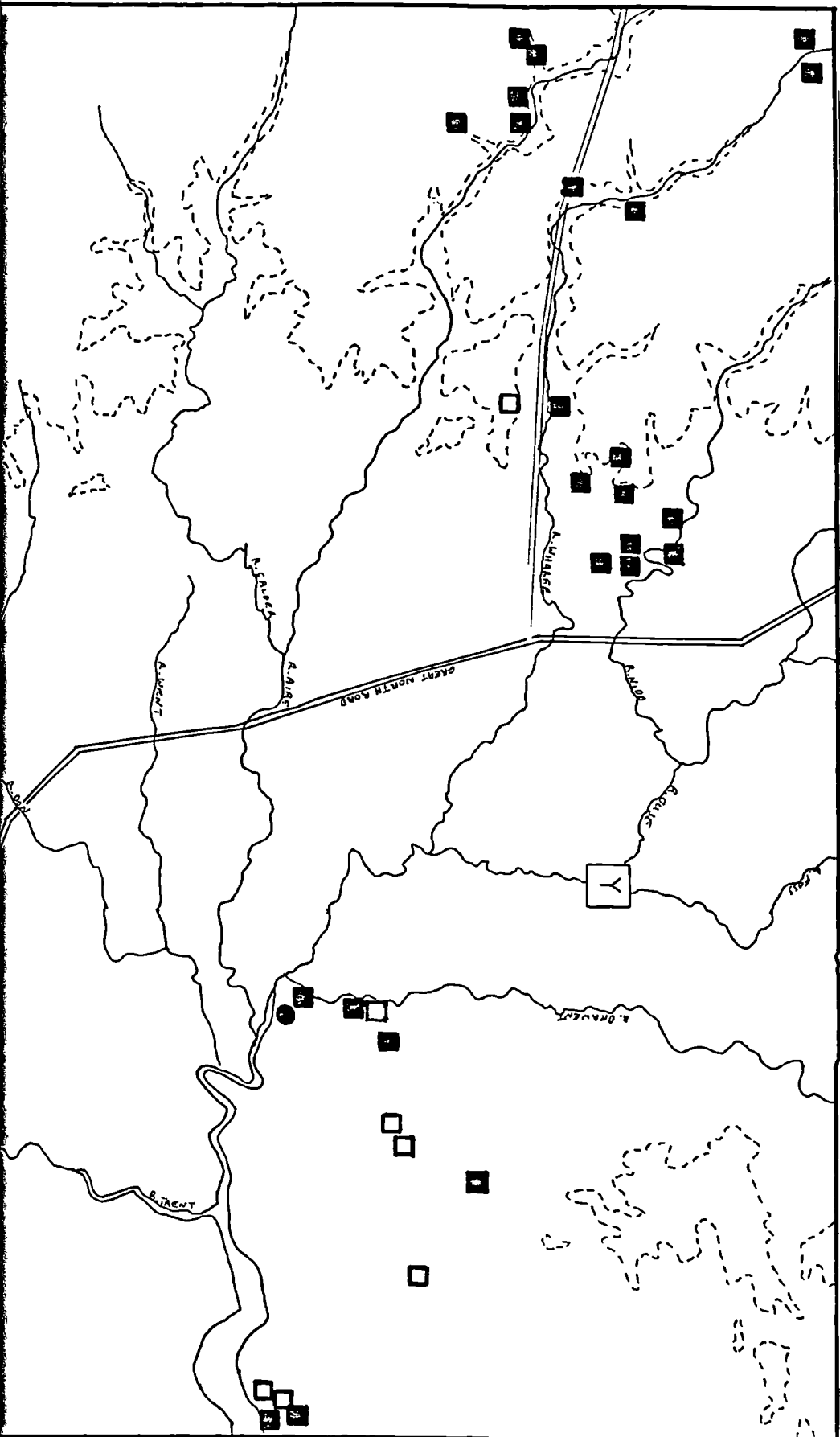
¹²⁵ *DB*, i, 305b.

¹²⁶ The honour of Tison was formed largely from the estates of Gamalbarn; the honour of Tosny from those of Thorgautr, Thorbrand and Gamall; Paynel from those of Merlesveinn; Mortemer from those of Eadgifu; and Chester from those of the earls Siward and Harold. By contrast Erneis of Burun succeeded four Anglo-Scandinavians, and Osbern of Arches succeeded at least twenty.

MAP 10 THE HONOUR OF GILBERT TISON: 1086

KEY

- Y YORK
- LORDS' DEMESNE MANOR
- TENANT MANOR
- BEREWICK
- MAJOR ROAD
- SCALE: ONE INCH = 5 MILES



MAP 11

THE HONOUR OF TOSNY: 1086

KEY



YORK



CASTLE POSSIBLY BUILT BY LORD



LORD'S DEMESNE MANOR



"

"

BEREWICK



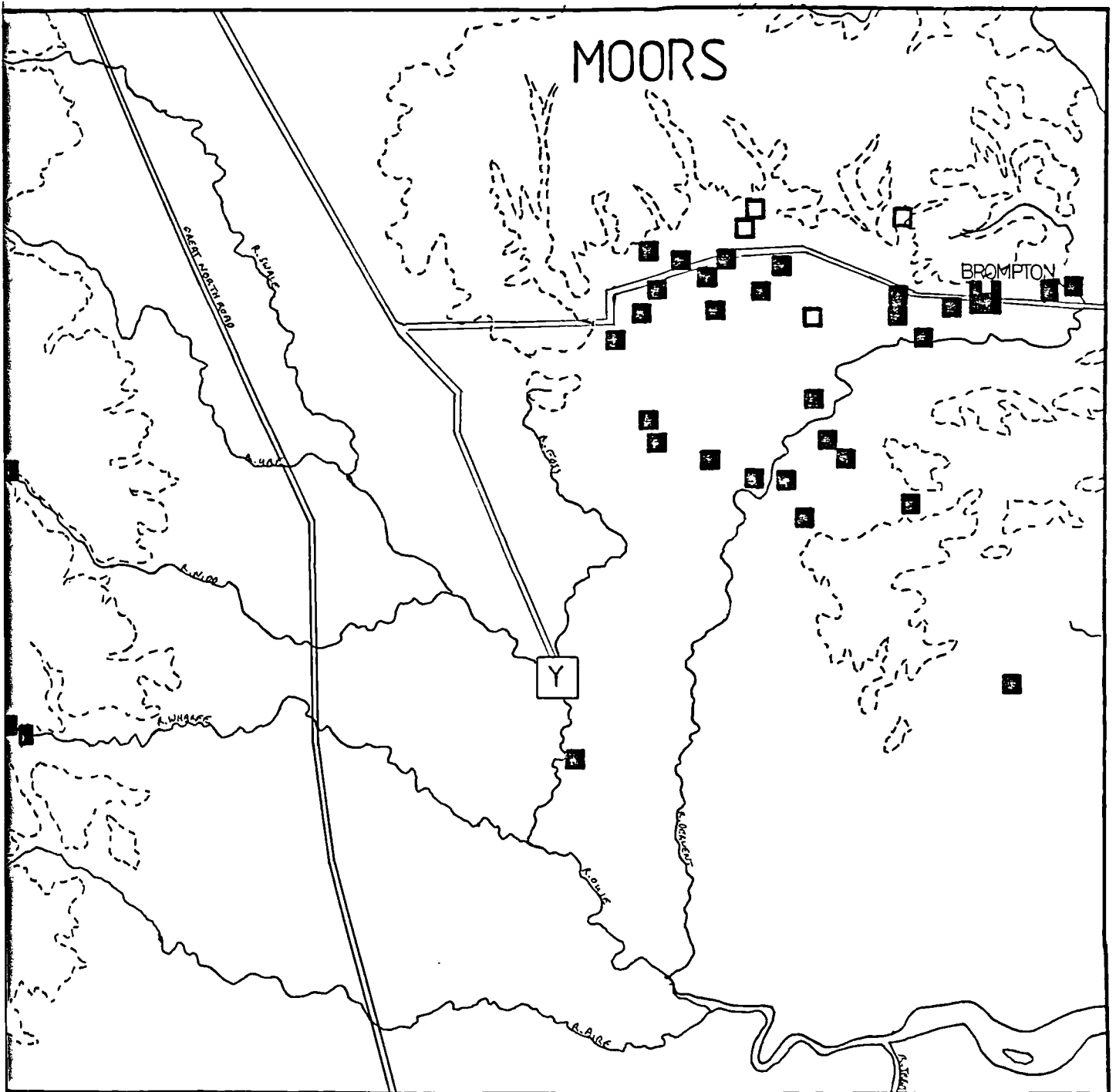
TENANT MANOR

--- BOUNDARY OF LAND OVER 500ft.

== MAJOR ROAD

SCALE ONE INCH = 5 MILES

0 5



MAP 12

THE HONOUR OF RALPH PAYNEL: 1086

KEY

Y YORK

--- BOUNDARY OF LAND OVER 500ft.

■ CASTLE POSSIBLY BUILT BY LORD == MAJOR ROAD

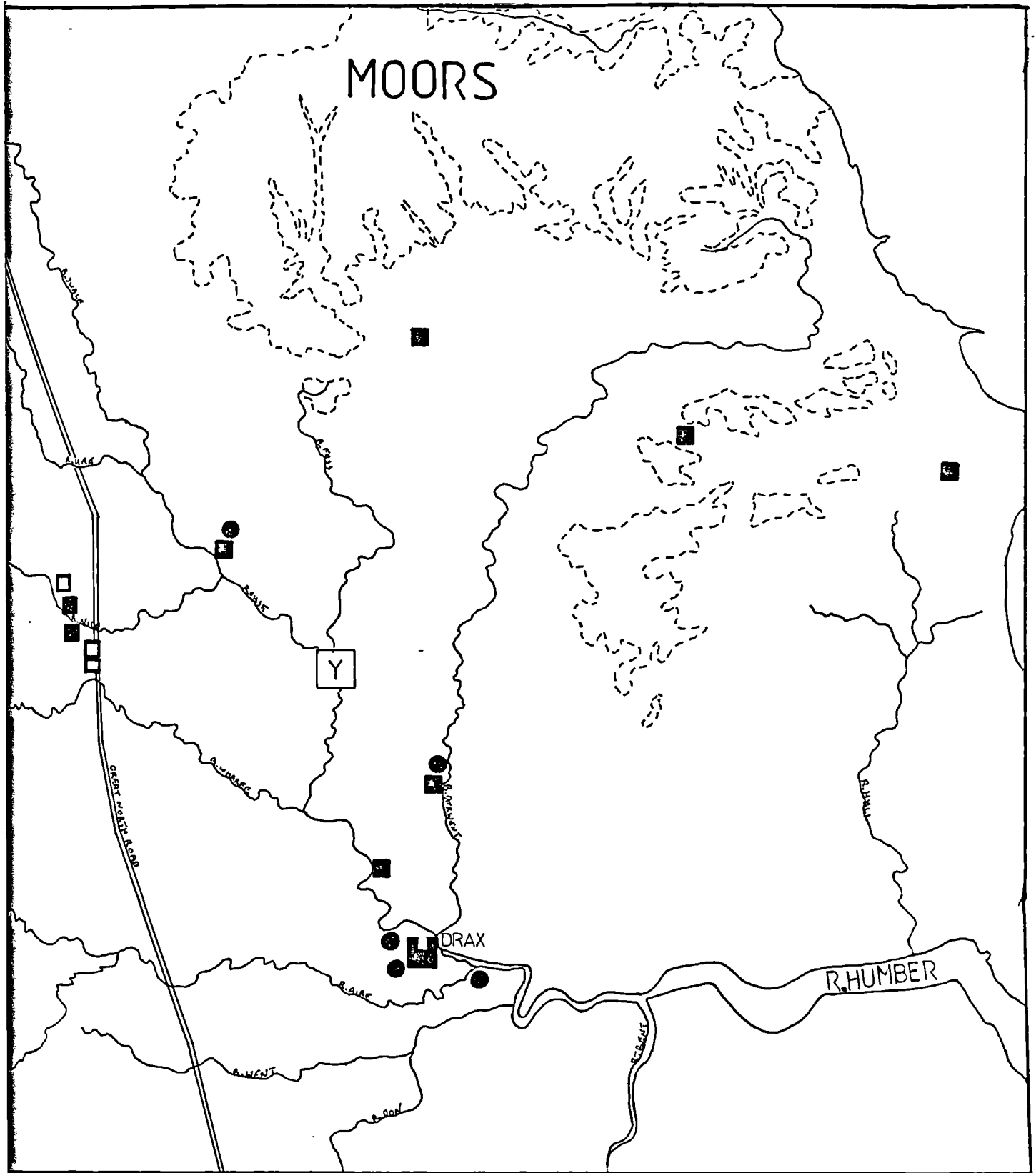
■ LORD'S DEMESNE MANOR

SCALE: ONE INCH = 5 MILES

● " " BEREWICK

0 5

□ TENANT MANOR



MAP 13

THE HONOUR OF RALPH MORTEMER: 1086

KEY

Y YORK

■ LORD'S DEMESNE MANOR

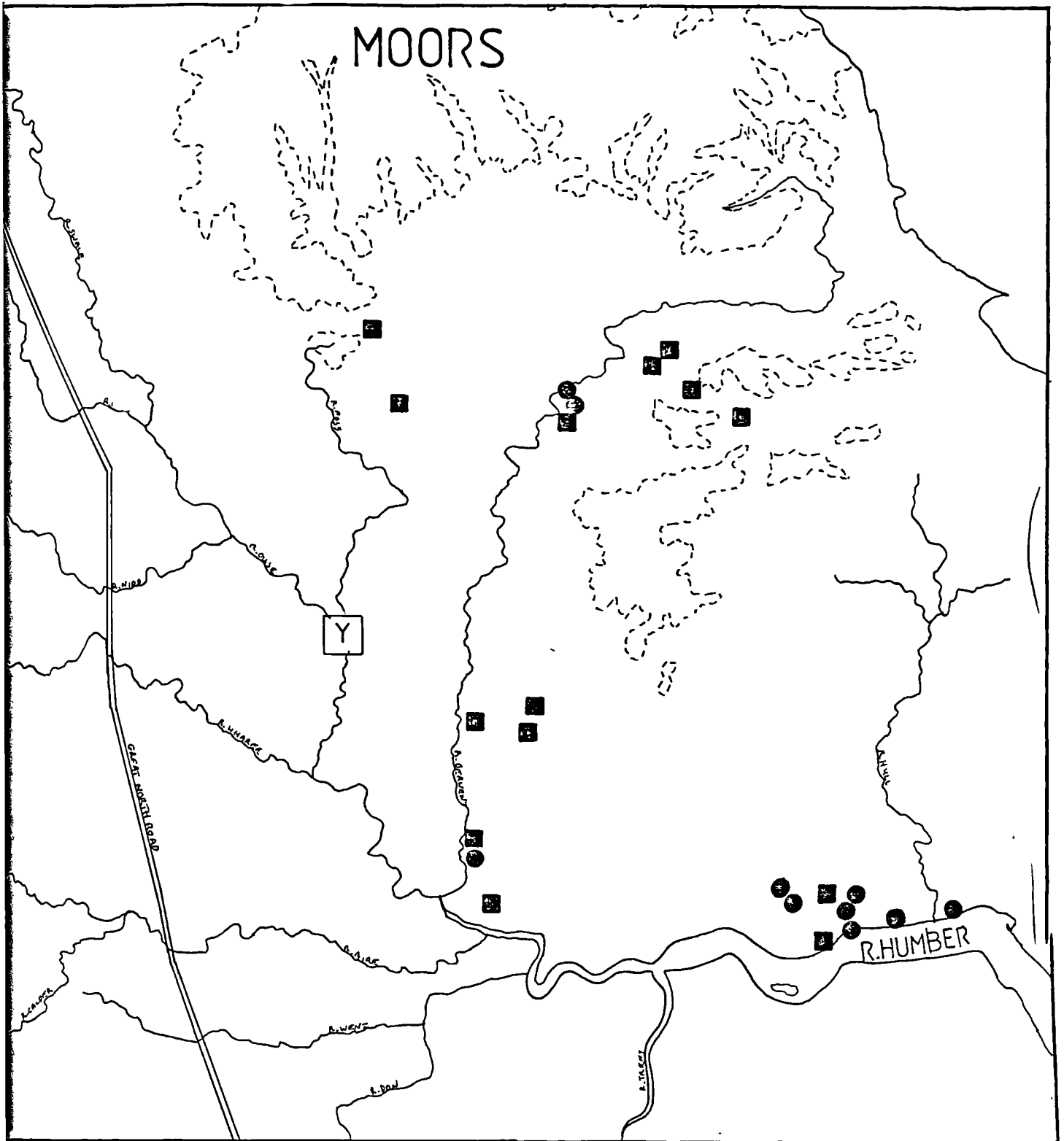
● " " BEREWICK

--- BOUNDARY OF LAND OVER 500ft.

== MAJOR ROAD

SCALE ONE INCH = 5 MILES

0 5



MAP 14

THE HONOUR OF HUGH EARL OF CHESTER: 1086

KEY

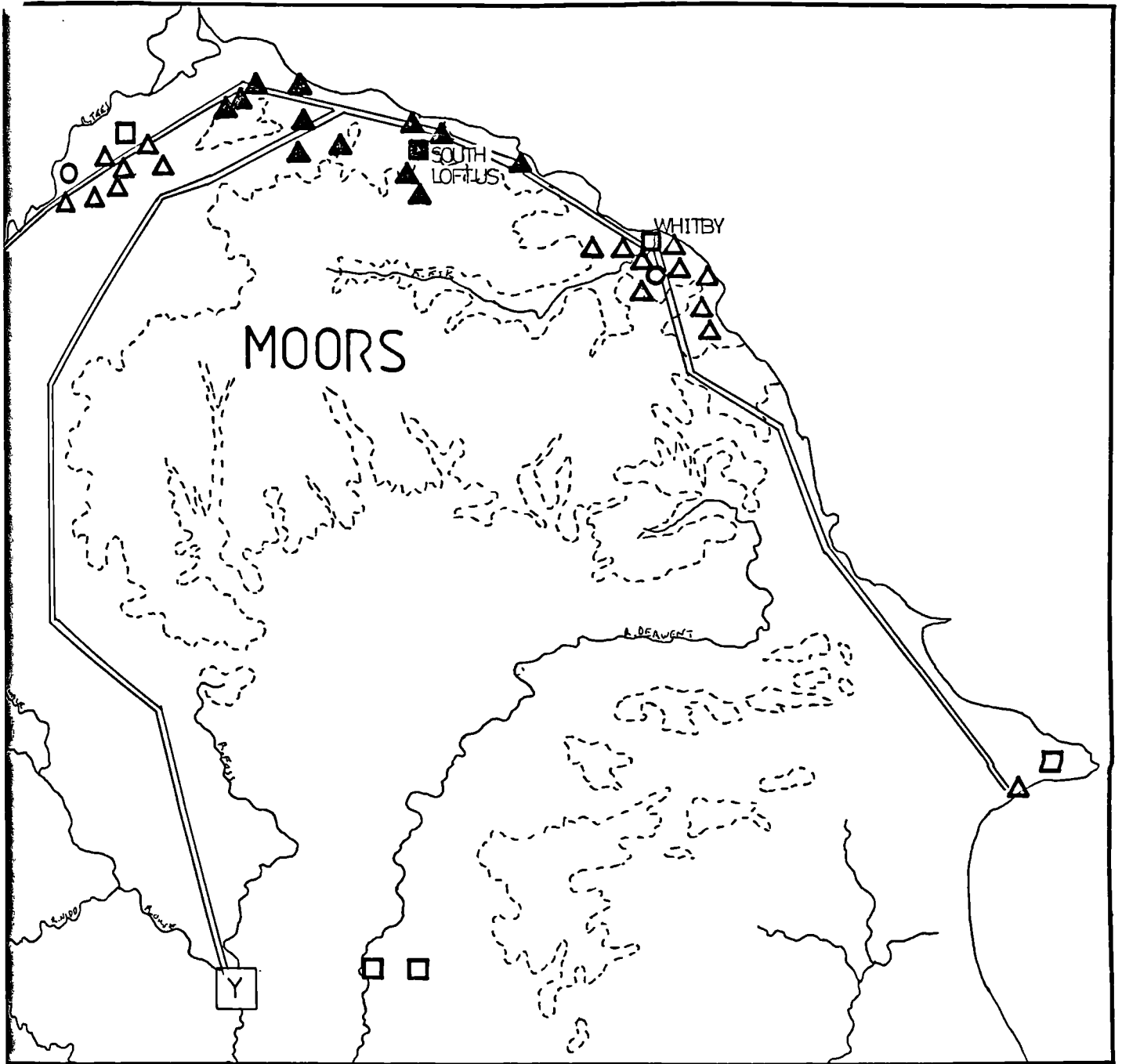
- Y YORK
- LORD'S DEMESNE MANOR
- ▲ " " SOKELAND
- TENANT MANOR
- " BEREWICK
- △ " SOKELAND

--- BOUNDARY OF LAND OVER 500ft

== MAJOR ROAD

SCALE ONE INCH = 5 MILES

0 5



MAP 15

THE HONOUR OF ERNEIS OF BURUN: 1086

KEY

Y YORK

--- BOUNDARY OF LAND OVER 500ft.

■ CASTLE POSSIBLY BUILT BY LORD

== MAJOR ROAD

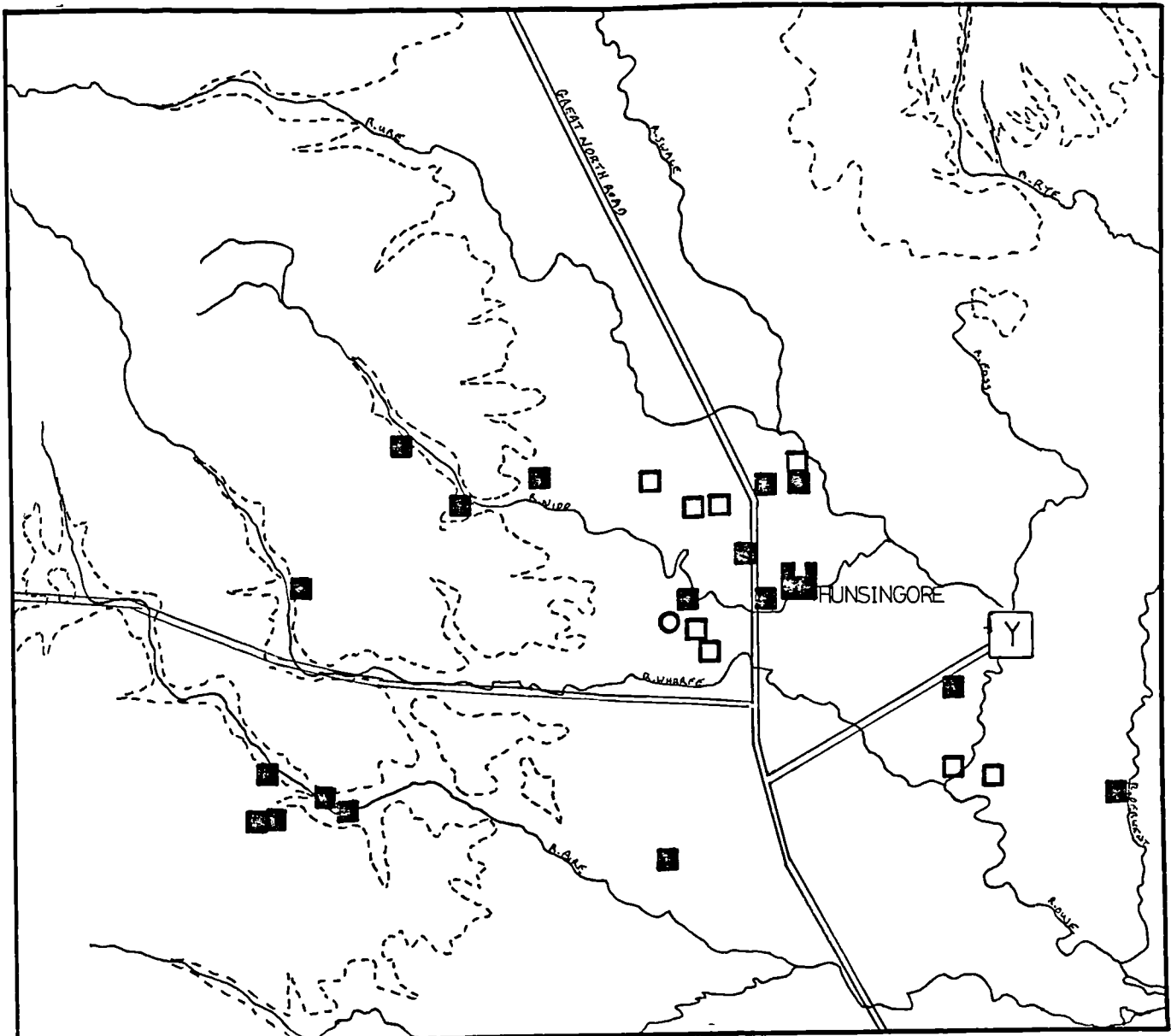
■ LORD'S DEMESNE MANOR

SCALE: ONE INCH = 5 MILES

□ TENANT MANOR

0 5

○ " BEREWICK

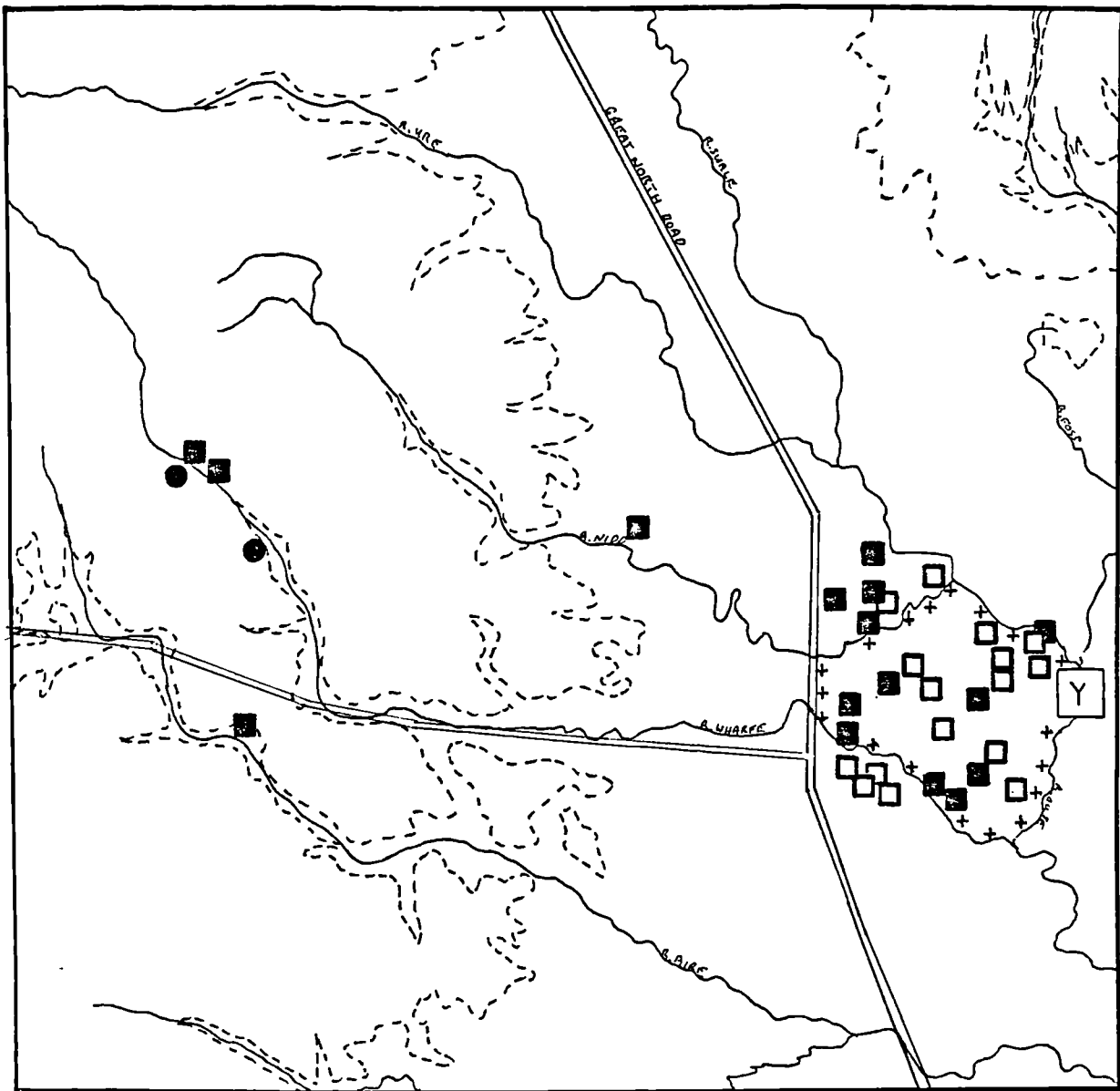


MAP 16

THE HONOUR OF OSBERN OF ARCHES: 1086

KEY

- | | | | |
|---|---------------------|--------------------------|------------------------------|
| Y | YORK | --- | BOUNDARY OF LAND OVER 500ft. |
| ■ | LORD'S DEMESE MANOR | +++ | " " AINSTY WAPENTAKE |
| ● | " " BEREWICK | == | MAJOR ROAD |
| □ | TENANT MANOR | SCALE ONE INCH = 5 MILES | |
- 0 5



Ralph of Tosny and his son Berengar were greater, and in some cases considerably greater, than in any of the other estates considered under this heading (Table 9). As a whole the demesne appears to have weathered the twenty years of Norman rule well and increased its value despite being seriously understocked. To some extent this may have been due to an exploitation of the more profitable sources of agricultural income, which is suggested by the comparatively low proportion of demesne to peasant plough-teams (Table 9).¹²⁷ When we look more closely, however, the organization of the demesne was not uniform across the entire honour but concentrated in a handful of highly developed estates. Over half the Tosny demesne manors were waste, less than 30% incorporated demesne teams, less than 10% were overstocked and only 11% had increased in value (Table 10). In short, with the exception of eight manors¹²⁸ the Tosny demesne, incorporating thirty-five manors, was largely under-developed in 1086.

The Tosnys had made little progress towards the establishment of a locally based tenant community by 1086. Only five manors had been granted out, and all of them to St. Mary's abbey York. Although the honour was far more richly endowed with resources than any other embryonic lordship in terms of volume and value, its tenants held less resources than those on the honours of Arches and Tison. Moreover, in terms of the proportion of total honorial resources held by tenants only on the honour of Mortemer was this proportion lower than that of the honour of Tosny. Although the estates alienated to St. Mary's had increased their value in the conquest period and incorporated functioning plough-teams they appear, understandably, to have been primarily geared toward food production. The proportion of demesne to peasant plough-teams was well above the county average, and higher than any other embryonic lordship. This reflects the different priorities of a resident monastic community (Table 9).

The honour of Osbern of Arches was also among the more developed embryonic lordships, but one with a very different internal organization that of the Tosnys. Although at a lower level than that on the Tosny lordship demesne cultivation on the honour of Arches had been organized on

¹²⁷That the proportion was slightly below the county average could have been influenced by the fact that the size of the Tosny demesne manors was also below the average (Table 9). The Tosny peasants were not well equipped by the standards of the county. It must also be noted that in Buckton Holms, the estate to increase its value by the greatest numerical amount, the proportion of demesne to peasant plough-teams was well above the county average: *DB*, i, 314b.

¹²⁸North Dalton, Brompton, 'Leidtorp', Buckton Holms, Menethorpe, Settrington, and the two manors in Duggleby.

TABLE 9: THE RESOURCES AND VALUES OF DEMESNE AND TENANTED ESTATES ON THE EMBRYONIC LORDSHIPS: 1086 (1)

RESOURCES AND VALUES	DEMESNE			TENANTED			TENANT RESOURCES AS A % OF TOTAL HONORIAL RESOURCES		
	T	To	P	T	To	P	T	To	P
Carucates	104.1	162.4	86.4	46.5	18.5	8	30.9	10.2	8.5
Plough-lands	48	108.3	46	31	14	4	39.2	11.5	8
Demesne Plough-teams	11.5	16.4	4	4.5	6	1	23.3	26.8	20
Peasant Plough-teams	22	43.5	11	8	5	2	26.7	10.5	15.4
Villeins	79	116	33	33	29	7	29.5	20	17.5
Bordars	25	49	0	15	0	0	37.5	0	0
Sokemen	4	8	2	0	0	0	0	0	0
Other Population	3	17	2	2	1	0	40	5.6	0
Total Population	111	190	37	50	30	7	31.1	13.5	15.9
1066 Value £	22.4	19.2	19	25	1.6	4	52.7	7.3	17.4
1086 Value £	16.7	19.3	3.1	10	2	2	36.5	9.4	39
1086 Value as a % of 1066 Value	74.5	100.5	16.5	38.4	129	50			
% Demesne Plough-teams	34.3	27.3	26.7	36	54.5	33.3			
County Average	26.77	26.77	26.77	29.4	29.4	29.4			
% Peasant Plough-teams	65.7	72.7	73.3	64	45.5	66.7			
County Average	73.23	73.23	73.23	70.6	70.6	70.6			
Average Manor Size (Carucates)	3.6	4.6	8.6	6.6	3.7	8			
County Average	4.9	4.9	4.9	4.5	4.5	4.5			
Average No. of Peasants Per Team	5	4.4	3.4	6.3	6	3.5			
County Average	3.9	3.9	3.9	3.6	3.6	3.6			

KEY

T = Honour of Gilbert Tison
 To = Honour of Robert and Berengar of Tosny
 P = Honour of Ralph Paynel

TABLE 9: THE RESOURCES AND VALUES OF DEMESNE AND TENANTED ESTATES ON THE EMBRYONIC LORDSHIPS: 1086 (2)

RESOURCES AND VALUES	DEMESNE		TENANTED		TENANT RESOURCES AS A % OF TOTAL HONORIAL RESOURCES	
	Mortemer	Chester	Mortemer	Chester	Mortemer	Chester
Carucates	112	42.3	0	135.3	0	76.1
Plough-lands	61	34	0	93	0	73.2
Demesne Plough-teams	6.5	0	0	9	0	100
Peasant Plough-teams	15.3	1	0	28	0	96.6
Villeins	59	1	0	84	0	98.8
Bordars	0	0	0	4	0	100
Sokemen	5	0	0	17	0	100
Other Population	2	0	0	1	0	100
Total Population	66	1	0	106	0	99.1
1066 Value £	23.1	48	0	212	0	81.5
1086 Value £	10	0	0	10.5	0	100
1086 Value as a % of 1066 Value	43.4	0	0	4.9		
% Demesne Plough-teams	29.9	0	0	24.3		
County Average	26.77	26.77	29.4	29.4		
% Peasant Plough-teams	70.1	100	0	75.7		
County Average	73.23	73.23	70.6	70.6		
Average Manor Size (Carucates)	8	42.3	0	33.8		
County Average	4.9	4.9	4.5	4.5		
Average No. of Peasants Per Team	4.3	1	0	3.8		
County Average	3.9	3.9	3.6	3.6		

TABLE 9: THE RESOURCES AND VALUES OF DEMESNE AND TENANTED ESTATES ON THE EMBRYONIC LORDSHIPS: 1086 (3)

RESOURCES AND VALUES	DEMESNE		TENANTED		TENANT RESOURCES AS A % OF TOTAL HONORIAL RESOURCES	
	Burun	Arches	Burun	Arches	Burun	Arches
Carucates	65.6	82.4	23.6	89.1	26.5	52
Plough-lands	34	62.5	12.5	81.3	26.9	56.5
Demesne Plough-teams	6	7	3	7.5	37.5	51.7
Peasant Plough-teams	11	12	2	26	15.4	68.4
Villeins	30	29	12	61	28.6	67.8
Bordars	12	13	1	22	7.7	62.9
Sokemen	2	0	0	1	0	100
Other Population	0	1	0	1	0	100
Total Population	44	43	13	85	22.8	66.4
1066 Value £	18.1	22.1	5.7	31.5	23.8	58.8
1086 Value £	7.8	7.7	2.8	15.5	25.5	66.7
1086 Value as a % of 1066 Value	43.1	35.1	48.7	49.2		
% Demesne Plough-teams	35.3	36.8	60	22.4		
County Average	26.77	26.77	29.4	29.4		
% Peasant Plough-teams	64.7	63.2	40	77.6		
County Average	73.23	73.23	70.6	70.6		
Average Manor Size (Carucates)	3.9	2.5	3.4	2.5		
County Average	4.9	4.9	4.5	4.5		
Average No. of Peasants Per Team	4	3.6	6.5	3.3		
County Average	3.9	3.9	3.6	3.6		

**TABLE 10: DEMESNE PLOUGH-TEAMS, OVERSTOCKING, WASTE AND VALUE INCREMENTS ON THE EMBRYONIC LORDSHIPS:
1086**

NAME OF HONOUR	PROPORTION OF MANORS WITH LORD'S TEAMS	PROPORTION OF MANORS OVERSTOCKED	PROPORTION OF MANORS WASTE OR GIVEN NO 1086 VALUE	NO. OF MANORS THAT HAVE INCREASED IN VALUE	MAXIMUM NO. OF LORD'S TEAMS ON A MANOR
Tison	9 of 29 (31%)	3 of 29 (10.3%)	16 of 29 (55.2%)	2 of 29 (6.9%)	5
Tosny	10 of 35 (28.6%)	3 of 35 (8.6%)	19 of 35 (54.3%)	4 of 35 (11.4%)	4
Paynel	4 of 10 (40%)	0 of 10 (0%)	6 of 10 (60%)	0 of 10 (0%)	1
Mortemer	3 of 14 (21.4%)	1 of 14 (7.1%)	9 of 14 (64.3%)	1 of 14 (7.1%)	3
Chester	0 of 5 (0%)	0 of 5 (0%)	5 of 5 (100%)*	0 of 5 (0%)	0
Burun	3 of 16 (18.8%)	3 of 16 (18.8%)	11 of 16 (68.8%)	2 of 16 (12.5%)	2
Arches	16 of 33 (48.5%)	3 of 33 (9.1%)	13 of 33 (39.4%)	4 of 33 (12.1%)	3

* One of the sokelands of one of the earl of Chester's manors was not waste.

a greater number of estates. In each case the proportion of demesne manors endowed with lordly teams, overstocked and more valuable in 1086 than 1066 was higher than on the honour of Tosny, and the proportion that were waste was lower (Table 10). However, in terms of the amount of demesne resources that had been organized the honour of Arches pales in comparison. Its thirty-three manors incorporated only seven lordly and twelve peasant plough-teams, and a peasant population of forty-three. Moreover whereas the Tosny demesne as a whole had increased in value in the conquest period, that of Arches had fallen by 65% (Table 9). This was doubtless a reflection of the proportion of lordly to peasant plough-teams on the Arches estates which was well above the county average and suggests that Osbern was concentrating on food production rather than the exploitation of the more profitable sources of agricultural income (Table 9).

A contrast between the honours of Arches and Tosny is also evident in the structure of tenant enfeoffment. Osbern of Arches had established fifteen tenants in Yorkshire by 1086, a far higher number than on any other embryonic lordship, and one of the highest numbers in the county as a whole (Table 5). With the exception of only the honour of Chester the organization of resources on the Arches tenant estates was the most advanced of all the embryonic lordships, both numerically and in proportion to total honorial resources (Table 9). Even so in many cases the control of tenants over their estates can merely have been nominal. No tenant held more than two demesne teams and the majority had none at all, indicating that although enfeoffed the tenants were not resident on the land. This is also reflected by the low proportion of demesne to peasant plough-teams which suggests the collection of peasant rents by an absentee landlord.

The remaining honours in the embryonic category display in various ways a lower overall level of estate organization than those of Tosny and Arches. The honour of Chester, for example, was devoid of demesne cultivation despite some organization of tenant estates. On the honour of Mortemer the situation is reversed. In this case, however, even the demesne was poorly developed with over nine of the fourteen manors described as waste and the 6 1/2 lordly plough-teams confined to just three estates (Table 10).

Despite a considerable degree of internal variation the general impression derived from an examination of the embryonic lordships in 1086 is that estate organization was much less advanced

than on the previous three categories of Yorkshire honours. Demesne cultivation was either confined to a handful of highly developed manors, spread thinly over a larger, but still limited, area of the demesne (never exceeding 50% of the demesne manors), or non-existent; and demesne values had usually declined dramatically during the conquest period. In most cases enfeoffment and the organization of tenant estates was even more retarded.

The comparative lack of progress in estate organization on the embryonic lordships is also reflected in the paucity and unconvincing nature of the evidence for early castle construction. The strongest case is that of Brompton on the honour of Tosny, the site of a motte.¹²⁹ Although incorporating only three ploughlands the manor supported one demesne and three peasant plough-teams in 1086, a population of nine villeins and a functioning mill, and had increased in value from 10s to 20s.¹³⁰ It was also situated close to a number of other reasonably well-developed Tosny estates which may have contributed to the support of a castle.¹³¹ A similar situation occurs on the Burun honour where the remains of what may be a motte survive at Hunsingore.¹³² In 1086 Hunsingore was overstocked and had increased its value. Although its sokelands had not fared as well, a portion of them were cultivated and situated close to other well organized Burun manors.¹³³ The only other castle possibly dating from the Conqueror's reign on the embryonic lordships was that of Drax which is known to have existed in Stephen's day.¹³⁴ Given the threat of Scandinavian invasion via the Humber there were sound strategic reasons for the early construction of a castle to guard the estuary at Drax. In 1086 the manor incorporated its full complement of three plough-teams, one of which belonged to the lord, as well as a church and priest but had declined in value from 40s to 20s.¹³⁵ Compared with the compact lordships with their multiple castles we can only conclude that the embryonic honours were militarily and administratively under-developed.

¹²⁹ Cathcart King, *Castellarium Anglicanum*, ii, 514.

¹³⁰ *DB*, i, 314a.

¹³¹ They included 'Leidtorp', Sinnington, Newton, Snainton, Little Marish and Thornton Dale. Close by also were Spaunton, Dalby and Kirkby Misperton, held of Tosny by the abbot of St. Mary's York, incorporating six demesne and four peasant plough-teams: *DB*, i, 314b.

¹³² Cathcart King, *Castellarium Anglicanum*, ii, 532.

¹³³ Including Copmanthorpe, Little Cattal, Flaxby, Copgrove and Little Bramham: *DB*, i, 328b.

¹³⁴ *Chronica de Melsa*, i, 136; Newburgh, 94; Henry of Huntingdon, 291.

¹³⁵ *DB*, i, 325b.

6. The Honour of Roger the Poitevin

The Yorkshire estates of Roger the Poitevin were confined to Cravenshire where almost every estate had been granted to him (Map 17).¹³⁶ Beside Roger and the king only the king's thanes and William I of Percy held lands in Cravenshire, and these were small in area.¹³⁷ Roger's estates were composed of the lands of several Anglo-Scandinavian landholders and cut across pre-conquest tenurial patterns. The honour was a Norman creation and is described in Domesday as a castlery.¹³⁸ Its purpose was almost certainly to defend the eastern fringes of the Pennines at the point where the Roman road linking Lancashire and Airedale entered Yorkshire.

The description of all the Cravenshire manors resembles a geld list. The only information provided is the number of carucates at which the manors were assessed and the names of their holders in 1066. With little useful information to be derived from the area the Domesday commissioners in York may not have felt it useful to question further and were content to copy the tax information from Anglo-Scandinavian fiscal records into the Domesday text. The futility of attempting a survey of this region is illustrated in the record of Roger's Lancashire lands which appears in the king's section: 'Out of these sixteen vills are inhabited by a few people, but how many living there is not known. The rest are waste'.¹³⁹ The implication is that Roger had only recently established himself in Cravenshire in 1086 and had not progressed far in the organization of his estates.¹⁴⁰

The Norman Conquest of Yorkshire: Castles, Control and Chronology

The application of the measures of estate organization to the honours of Yorkshire and the six categories of development established above provide a framework for understanding the means by which the Normans constructed their authority in Yorkshire, the degree to which the construction was complete in 1086, and the stages by which it had been undertaken.

The keystones of the establishment of Norman control were the castleries that were under construction everywhere in Yorkshire before 1086. The argument of Wightman that the castles at York

¹³⁶ *DB*, i, 332a-b.

¹³⁷ William I of Percy held fifty-seven carucates here of which fifty-four were recorded as waste: *DB*, i, 322b.

¹³⁸ *DB*, i, 332a.

¹³⁹ *DB*, i, 301d.

¹⁴⁰ Although not specifically stated as such it is probable that Roger's lands were waste.

MAP 17

THE HONOUR OF ROGER THE POITEVIN: 1086

KEY

Y YORK

■ LORD'S DEMESNE MANOR

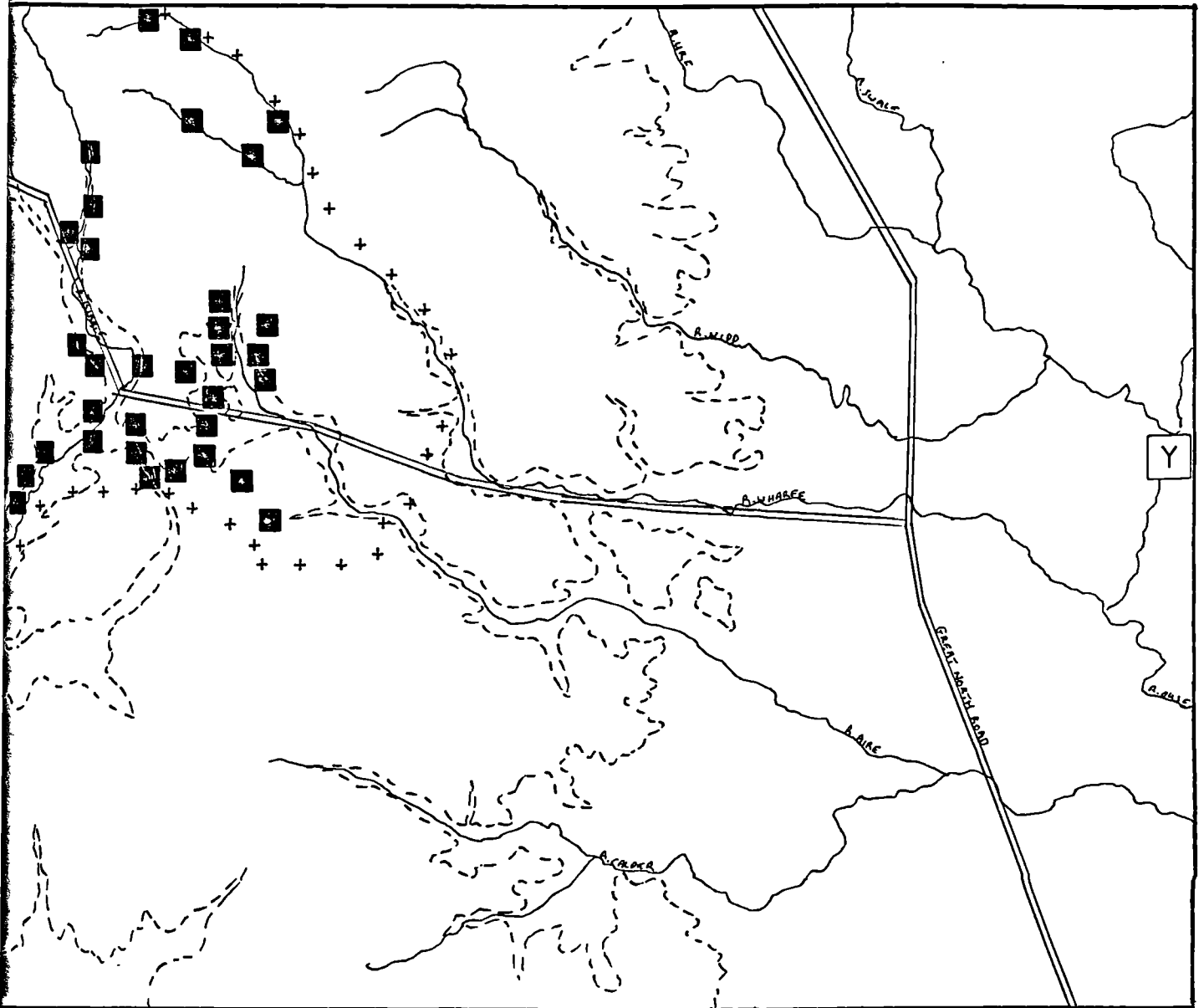
--- BOUNDARY OF LAND OVER 500ft.

+++ " " CRAVENSHIRE

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES

0 5



were the only Norman fortifications in existence in Yorkshire in 1086 can no longer be accepted.¹⁴¹ In fact, when combined with archaeological and topographical evidence, the estate organization revealed by Domesday Book indicates the existence of not one but several castles on each of the honours of Percy, Fitz Baldric, Richmond, Pontefract and Holderness by 1086. These castles, moreover, were the nucleus of castleries, a term referring not simply to organized estates supporting castles but to districts that were dominated by them. Thorner we are told was situated, 'within the bounds of Ilbert I of Lacy's castle',¹⁴² even though it was over ten miles from the nearest fortress. Similarly the castlery of Alan earl of Richmond appears to have incorporated the whole of Richmondshire. The castleries were a Norman creation. That they were a result of deliberate and carefully controlled planning is implicit in the fact that they ignored pre-conquest tenurial patterns and, at least in the case of Roger the Poitevin's fee in Cravenshire, appear to have been delineated as castleries before the Norman tenants began the supervision of their estates. In Roger's case the king's attention to detail is even more implicit in the fact that William I of Percy, Erneis of Burun and Berengar of Tosny had been induced to accept the loss of a number of Cravenshire estates in order that the land could be employed in the construction of the Poitevin castlery.¹⁴³ Planning and control is also reflected in the strategic location of the castleries, either on the fringes of the Pennines or close to the major roads and rivers. The routes of communication were the tentacles by which the Normans tightened their grip on Yorkshire.

Stenton referred to the castlery as 'a well defined district within which the whole arrangement of tenancies was primarily designed for the maintenance of the castle'.¹⁴⁴ This is unobjectionable, but it should be added that castleries could have a judicial as well as territorial basis, and that they were not necessarily organized along honorial lines: they sometimes corresponded with the wapentakes, hundreds, sokes and shires of pre-conquest England. The castlery of Roger the Poitevin appears to correspond with Cravenshire, and that of Alan of Richmond with Richmondshire. Evidence of a much later date illustrates that Richmondshire formed a jurisdictional liberty and its lords had the

¹⁴¹Wightman, *Lacy Family*, 54.

¹⁴²*DB*, i, 373b.

¹⁴³*DB*, i, 332a.

¹⁴⁴Stenton, *First Century*, 194.

right to appoint their own sheriffs;¹⁴⁵ and this may indicate that from the conquest period the lords of Richmond had enjoyed the right to exercise the royal jurisdiction and collect the royal revenues attached to the shire. In the case of the honour of Pontefract one castlery was almost certainly based upon the wapentake of Skyrack. The Domesday *clamores* record that, 'the men of Barkston Ash and Skyrack wapentakes gave testimony to Osbern of Arches that Wulfbert his predecessor had all Thorner, but all Thorner is situated within the bounds of Ilbert's castle, according to the first measurement, and according to the most recent measurement is situated outside it'.¹⁴⁶ This can only have been one of the disputes resulting from a conflict between antecessorial and hundredal grants which Professor Fleming illustrates were at the heart of many of the legal cases recorded in the Domesday *clamores*.¹⁴⁷ The claim of Osbern of Arches was clearly antecessorial and there are strong indications that the wapentake men were trying to decide whether Thorner was within the bounds of a wapentake belonging to Ilbert I of Lacy. The problem had arisen because Thorner lies very close to the boundary between Barkston Ash and Skyrack wapentakes, which explains the involvement of both wapentake courts and the need for precise measurements. The Lacy wapentake was clearly that of Skyrack, the court of which was controlled by the family in the twelfth century.¹⁴⁸ But it was not to the wapentake but Ilbert's castlery that the jurors referred in 1086, and there can be little doubt that the two were perceived as being the same.¹⁴⁹

¹⁴⁵Stenton, *First Century*, 109. Richmondshire is mentioned in a charter issued by Matilda, a daughter of Stephen count of Brittany, 1120 x 1138: *EYC*, v, no. 390. See also *Regesta*, ii, no. 1311. By the second half of the twelfth century Richmondshire had been divided into two wapentakes. The one at Gilling is mentioned in 1166: *Pipe Roll 12 Henry II*, 49.

¹⁴⁶*DB*, i, 373b.

¹⁴⁷Fleming, *Kings and Lords*, 194-5.

¹⁴⁸*EYC*, iii, no. 1656; Wightman, *Lacy Family*, 103-4, 107.

¹⁴⁹Although not designated as a castlery in Domesday the wapentake of Holderness may provide another example of the organization of a castlery on the basis of a wapentake. With the exception of only the lands belonging to the church the lords of Holderness held all the estates in the wapentake and, at least in the thirteenth century and probably much earlier, exercised important privileges in the area based upon their possession of the wapentake court, including the right to exclude royal sheriffs. Orderic refers to Holderness as a shire, and it is possible that the liberty may date from the conquest period: English, *Holderness*, Chapter 3, esp. 98-107. The coincidence of castleries and liberties/hundreds was not confined to Yorkshire. It also occurs in the Sussex Rapes, all of which had their own sheriffs in 1086 and have been referred to as 'self-contained feudal castleries': *CDF*, 1-1i; *VCH, Sussex*, i, 352; J.F.A. Mason, 'The officers and clerks of the Norman earls of Shropshire', *Trans. Shrop. Arch. Assoc.*, 56 (1960), 244, 247. Robert count of Mortain may have enjoyed a similar privilege in the Rape of Pevensey in Sussex where he had constructed an early castle: Morris, *Medieval Sheriff*, 45; Soulsby, 'Fiefs in England', 85, 163. In the midlands Stenton proved that the Ferrer's fee centred on Tutbury was a castlery with evidence that in the thirteenth century one of the rural deaneries of Derbyshire was known as 'Castelar', and illustrated that all the parishes in this deanery were in the wapentake of Appletree wherein Tutbury was situated and which the Ferrers family controlled almost in its entirety. Although the Ferrers family controlled estates beyond the boundaries of Appletree it is likely that the wapentake formed the basis of the castlery of Tutbury. See Stenton, *First Century*, 196; Golob, 'The Ferrers earls', 49 and note 17, 59. It must be noted, however, that castleries did not always correspond with hundreds and liberties. The castlery of Dudley, for example, was situated at the point where the boundaries of the counties of Staffordshire, Worcestershire and Warwickshire converge, and incorporated portions of the estates of several hundreds: Golob, 'The

The alienation and militarization of the royal organization of wapentakes, hundreds, soles and shires corresponds with what was happening under the Normans in other frontier regions of England, particularly the Welsh marches where in some cases individual lords were granted all the royal estates and rights within an entire county.¹⁵⁰ The policy was doubtless designed to assist the Norman magnates to govern and control these vulnerable areas more effectively and to make the exercise of Norman administration more immediate. The wapentakes and shires were important centres of jurisdiction and revenue collection and the natural foundation on which to construct Norman authority. Anxious to maintain and exploit them it was logical for the Conqueror to attach them to the castles which housed his local officials. And so in some areas the Old English shires and wapentakes became the Norman castleries. The importance of the new military establishments was not lost on Orderic who declared that 'the fortifications called castles built by the Normans were scarcely known in the English provinces, and so the English, in spite of their courage and love of fighting, could put up only a weak resistance to their enemies'.¹⁵¹ From whatever perspective they are viewed, strategic, financial or jurisdictional, the castles and castleries were crucial to the establishment of Norman control in Yorkshire.

The construction of the castleries and some of the honours which incorporated them does not square with Le Patourel's argument that the Conqueror granted land to his vassals on the basis of pre-conquest tenurial holdings with the result that the Norman honours were scattered, untidy and possibly unworkable. Some honours, such as those of Mortemer and Paynel, clearly display such an amorphous structure, but others, such as those of Percy, Richmond, Pontefract, Holderness, Arches and Roger the Poitevin, were compact lordships of a very different kind. Part of the reason for the contrast appears to be a deliberate change in the method of enfeoffment during the course of the conquest in parts of the midlands and the north. Professor Fleming argues that for the first seven years of the Conqueror's reign the lands of individual or small groups of Anglo-Scandinavian lords which became available through death or disgrace were bestowed in their entirety upon Norman lords

Ferrers earls', 51; *DB*, i, 177a. I owe this reference to Dr. David Crouch.

¹⁵⁰As in the case of the honour of Hugh earl of Chester which incorporated all the estates in Cheshire with the exception only of those of the church. Although to a lesser extent the same phenomenon is illustrated in Herefordshire where the estates of the king, queen, earls and sheriff passed to William fitz Osbern and formed the basis of compact castleries: Lewis, 'Norman settlement of Herefordshire', 199-201.

¹⁵¹Orderic, ii, 219.

designated as successors. By c.1073, however, the supply of great Anglo-Scandinavian antecessors had been exhausted and the Norman administration could not cope with the problems of assigning the small estates of minor Old English thanes to individual Norman successors. Faced with this problem, and increasing commitments in Normandy, the Conqueror had to decide how to dispose of the remaining Anglo-Scandinavian lands and provide for the security of the north at the same time. The solution he devised was to grant the lands by hundred to his most powerful and trusted magnates. All the estates within hundreds not already incorporated within the demesne, belonging to the church, or acquired by secular lords from antecessors were bestowed in their entirety upon an individual Norman tenant-in-chief, thus creating a series of compact lordships made up of the estates, or portions of the estates, of several pre-conquest landholders.¹⁵²

Professor Fleming's thesis has much to recommend it and is supported by a considerable amount of detailed evidence. She illustrates, for example, that the estates of William Malet the sheriff of Yorkshire, who was dead by 1071, had been granted by antecessor; and that Robert count of Mortain received grants by hundred in as many as nineteen Yorkshire wapentakes.¹⁵³ But the antecessorial/hundredal division is not the full story. In some cases the construction of Norman honours appears to have owed more to military strategy than antecessorial succession or 'hundredal' grant. The honour of Hugh fitz Baldric, for example, which was made up partly of 'hundredal' grants in the wapentake of Birdforth and partly of antecessorial acquisitions, did not incorporate all the estates belonging to Hugh's antecessors, Gamall and Orm. With the exception of a manor in Langbargh wapentake and about twenty more in the East Riding only the lands of Gamall and Orm in Birdforth and neighbouring wapentakes were acquired by Hugh, and many more of their estates passed to other Norman tenants-in-chief.¹⁵⁴ The compactness of the honour was therefore the result of deliberate and selective tenurial engineering. The same was true of the compact castleries that formed the fee of William I of Percy who acquired only a portion of the lands of his antecessors.¹⁵⁵ An even clearer example is provided by the distribution of land in the wapentake of Strafforth which Fleming states was acquired by Roger I of Bully and added to his considerable adjoining estates in

¹⁵²Fleming, *Kings and Lords*, Chapter V.

¹⁵³Ibid., 193-4, 189-92.

¹⁵⁴Above p. 15 and note 61.

¹⁵⁵Ibid.

Derbyshire.¹⁵⁶ On closer analysis, however, it emerges that although Bully acquired considerable holdings in Strafforth wapentake from a large number of Anglo-Scandinavian lords, he did not acquire every estate there that had not been taken into the demesne, granted to the church or alienated to Norman lords according to antecessorial succession. A large number of estates in Strafforth also passed to Robert count of Mortain, and had been held by a variety of pre-conquest lords, the majority of whom are not listed by Fleming among the count's antecessors.¹⁵⁷ The conclusion to be drawn from this is that both antecessorial and 'hundredal' considerations had little to do with the distribution of land to Roger I of Bully and the count of Mortain in Strafforth wapentake, and that both lords acquired their estates according to strategic considerations. The Bully estates formed the north-western segment of the compact castlery of Tickhill that controlled the Great North Road, and the Mortain estates probably formed two small castleries guarding the entrance into Yorkshire via the Snake pass and the point where the Great North Road crosses the River Don (Map 9).¹⁵⁸

If the methodology of the Norman settlement does not square with the traditional interpretation put forward by Wightman, Le Patourel and others neither does its chronology. Almost all of the small motte and bailey castles that peppered the landscape of Yorkshire in 1086 had been constructed within the honours of the first four categories of estate examined in this chapter. That the process of constructing them was underway within a short time of William's arrival in England is suggested by the Anglo-Saxon chronicler's graphic description of his visit to the north in 1068 when he went 'to Nottingham and built a castle there, and so went to York and there built two castles, and in Lincoln and everywhere in that district'.¹⁵⁹ Together with the organization of the demesne agriculture necessary to support them, the settlement of sub-tenants on the land, and the progress beyond food production toward the exploitation of the more profitable sources of agricultural income evident on

¹⁵⁶Fleming, *Kings and Lords*, 192.

¹⁵⁷The Mortain estates in Strafforth had been held by Ulfketill, Skotakoldr, Wulfsige, Ragnaldr, Arnulfr, Asi, Earl Edwin, Earl Tosti, Ligulfr, Hunding's sons, Godhyse, Arnketill, Hakon, Buga, Thorketill, Arnthorr, Morcar, Leofsige and Leofketill: *DB*, i, 307b-308b. Fleming lists Count Robert's possible antecessors as Swein, Uhtred, Northmann, Waltheof, Ulfketill, Orm, Thorketill, Gamal and Ligulfr: Fleming, *Kings and Lords*, 190.

¹⁵⁸The compact castlery of Dudley belonging to William fitz Ansculf provides an example from outside Yorkshire of an estate constructed on strategic principles rather than according to antecessorial or 'hundredal' grants. The castlery was situated at the point where the counties of Staffordshire, Worcestershire and Warwickshire meet, and consisted of a solid block of territory incorporating portions of the three hundreds whose boundaries followed those of their respective counties. The castlery was constructed from the estates of a large group of pre-conquest landholders, and the only estates within its boundaries held by someone other than Fitz Ansculf were two manors belonging to the king. See Golob, 'The Ferrers earls', 51. I owe this reference to Dr. David Crouch who intends to discuss it in more detail in his *Power and the English Aristocracy, 1066-1272* (Yale UP, forthcoming).

¹⁵⁹*ASC*, s.a. 1068, 148.

these lordships, their existence in 1086 indicates an honorial structure and administration which had been in existence for a considerable period of time. On organizational grounds alone the origins of the first four categories of honours must be placed before the 1080s, and in some cases before the mid 1070s. And if the organizational evidence is combined with other details of the Norman settlement recorded in Domesday and the chronicles it is possible to suggest even more precise dates for the beginnings of Norman honorial construction in Yorkshire.

By far the most highly organized honour in Yorkshire in 1086 was that of Conisbrough which was the only great soke to increase, let alone preserve, its value in the conquest period. It had been held before 1066 by Harold Godwinson whose estates in other areas of England were some of the first to be granted out to Normans by the Conqueror.¹⁶⁰ In addition to its availability, due to Harold's death in 1066, Conisbrough's strategic location and importance as a traditional centre of local administration must also have influenced the Conqueror to place the estate in safe hands at an early date. Indeed the grant may well have taken place when the king went to Yorkshire in 1068 to deal with a rebellion led by the earls Gospatric, Edwin and Morcar, the pre-conquest sheriff of Lincolnshire, Merlesveinn, and the English claimant to the crown, Edgar the Atheling.¹⁶¹ William built castles at several points along his line of march including Nottingham and York, and it may have been at this time and in order to guarantee access to Yorkshire that Conisbrough castle was constructed.

The two years following the 1068 rising were very disturbed and although the sheriff of Yorkshire, William Malet, and Gilbert I of Gant were active in the county, acquired a number of estates there, and may have constructed castles at Tadcaster and Hunmanby respectively,¹⁶² little additional

¹⁶⁰Fleming, *Kings and Lords*, 203. In Herefordshire Harold's estates were quickly granted to William fitz Osbern, another relative of the king, who died in 1071: Lewis, 'Norman settlement of Herefordshire', 211.

¹⁶¹*ASC*, s.a. 1068, 148; Orderic, ii, 222, 218.

¹⁶²The estates acquired by William Malet are known from the Domesday *clamores* which state that he held a number of them before the destruction of York castle in 1069. Malet appears to have succeeded to the lands of several pre-conquest antecessors who may have fallen at the battles of Fulford or Stamford Bridge, with the result that his holdings were widely spread throughout the three Ridings of Yorkshire. A group of them were situated in a cluster to the south-west of York around Tadcaster which bestrode the Roman road linking the Great North Road with York. The site was of obvious strategic importance and the castle here, the earthworks of which survive, could date from the period of Malet lordship. Saxehalla, which has been located within Tadcaster, is recorded in Domesday as 'within the castle boundary' (*infra metam castelli*) and was also held by William Malet. In 1086 Tadcaster had more than doubled its 1066 value and incorporated three demesne teams, and many other estates belonging to William Malet within the vicinity were similarly well developed. It is possible that they owed at least part of this organization to the efforts of Malet in addition to those of William I of Percy who succeeded him in the estates after his death c.1071. Malet's son, Robert, succeeded to only a portion of his father's fee, the major part of which was distributed among several other tenants-in-chief. See *DB*, i, 373a-374b, 320b-321a; Cathcart King, *Castellarium Anglicanum*, ii,

Norman honorial construction is likely to have taken place in this period.¹⁶³ In the autumn of 1068 Robert of Commines who had been sent by the Conqueror to be earl of Northumberland was murdered with his men at Durham, and a similar fate befell Robert fitz Richard one of the Normans entrusted with control of Yorkshire. The few remaining Normans in Yorkshire under the leadership of William Malet found themselves trapped in York by a force of native rebels commanded by Gospatric, Merlesveinn, the Atheling and several Yorkshire thanes. Although the Conqueror successfully relieved the city before Easter 1069 and built a second castle there, by the end of September a combined force of native rebels and Danes attacked York, destroyed its fortifications, and either captured or killed its Norman commanders. The king's response was dramatic. He marched north and, after encountering fierce resistance from rebel forces who held the line of the river Aire against him for three weeks, eventually reached York by Christmas forcing the Danes to retreat to the banks of the Humber. After negotiating terms for a Danish withdrawal he then embarked upon a ruthless campaign designed to put an end to northern resistance in which he pursued the native leaders into the uplands and forests where they were hiding. The earls Waltheof and Gospatric at least are known to have made their submission before William left the region in January or February 1070. Only when this campaign was over, the native rebels either compliant, in exile or dead, and peace restored could the settlement of Norman tenants in Yorkshire continue.

Given the stock of recently confiscated rebel estates and the need to consolidate his hold on Yorkshire it is likely that the king was quick to begin the construction of new Norman honours in the county. Among the first to be created were those of William I of Percy and Hugh fitz Baldric which display a high degree of estate organization in 1086, were focused upon several castles and had clearly been in existence for some years by that date. Although the Percy honour cannot have been completed before the acquisition of a number of estates formerly belonging to William Malet, who died 1069 x 1071, William I of Percy claimed that he was already in possession of Bolton Percy

527; J.H. Round, 'The death of William Malet', *The Academy* (26th April 1884); Fleming, *Kings and Lords*, 193. Gilbert I of Gant was captured when the Danes stormed York castle in 1069. In 1086 he held two manors and their appurtenances in Hunmanby which was almost certainly the jurisdictional centre of Turbar hundred and still contains the earthwork remains of a motte and bailey castle. Although the estate had declined in value from £12 to only £3 it incorporated three demesne plough-teams and ten peasant teams operated by over forty peasants, and was clearly capable of supporting a castle. See Freeman, *Norman Conquest*, iv, 204, 258, 268; *DB*, i, 326a; Cathcart King, *Castellarium Anglicanum*, ii, 519.

¹⁶³For what follows see *ASC*, s.a. 1069, 150; Orderic, ii, 218-31; Orderic, iv, 95; Florence, *Chronicon*, ii, 4; Symeon, *Opera*, i, 188-9.

while Malet was alive and held the sheriffdom of York.¹⁶⁴ His early presence in Yorkshire with Hugh fitz Baldric is also attested by an entry in Domesday Book recording a complaint made by the burgesses of York that Percy had taken a certain house into the castle after his return from the Scottish expedition of 1072. William responded by claiming that he had taken the house on the orders of the sheriff, Hugh fitz Baldric, in the first year after the destruction of York castle, which would place the seizure in 1070.¹⁶⁵ It was also at about this time that Hugh fitz Baldric participated in the establishment of Selby abbey.¹⁶⁶

The evidence suggests that William I of Percy and Hugh fitz Baldric were the men chosen by the Conqueror to restore Norman authority in Yorkshire after the debacle of 1069. They had been given charge of York, and the honours created for them, distributed in a belt covering the road and river approaches to the city, were clearly designed to help them defend it. Although formed largely from the estates of a handful of Anglo-Scandinavian antecessors the strategic structure of the honours was the product of deliberate Norman tenurial engineering rather than chance. Only portions of the fees of antecessors were included and these were combined with several estates drawn from other non-antecessorial pre-conquest lordships. A military function is also evident in the heavy concentration of castles established on both honours. Administratively and strategically they display all the signs of simultaneous, controlled construction, and this may be what Orderic had in mind when he declared that upon returning to York after harrying the Tees in 1070 the Conqueror 'restored the castles there and established order in the city and surrounding district'.¹⁶⁷

Within eighteen months of the harrying of the north the Conqueror dealt with the two principal remaining Anglo-Scandinavian lords in the region, Edwin earl of Mercia and his brother Morcar earl of Northumbria. Their removal cleared the way for the next major phase of Norman tenurial reorganization and settlement, the creation of the compact lordships of Richmond, Pontefract and Holderness. The brothers had apparently remained loyal to William throughout the Danish invasion but revolted in 1071 because they feared imprisonment. Edwin was killed by his own retainers while on his way to Scotland to raise support, and Morcar was captured along with many other native

¹⁶⁴ *DB*, i, 374a.

¹⁶⁵ *DB*, i, 298a.

¹⁶⁶ *Selby Coucher*, i, 14-19; Symeon, *Opera*, ii, 186.

¹⁶⁷ Orderic, ii, 233.

rebels on the Isle of Ely and imprisoned for the remainder of the Conqueror's reign.¹⁶⁸ Between them the brothers held considerable estates in Yorkshire, including many of the great sokes, and their lands were employed to form the core of the lordships granted to Alan of Richmond, Ilbert I of Lacy and Drogo de la Beuvriere. The castles of Alan of Richmond were constructed within a few miles of Edwin's great soke manor of Gilling, and those of Ilbert I of Lacy were established in his equally important manors of Kippax and Tanshelf (Pontefract). And in Holderness no less than five composite manors belonging to Morcar,¹⁶⁹ one of which may have incorporated a castle,¹⁷⁰ were among the most valuable estates on the honour in 1086. The comparatively highly developed organization of these honours in 1086 suggests that the Conqueror wasted little time in constructing them after the demise of the earls of Mercia and Northumbria. Their creation may well have taken place as early as 1072 when William passed through Yorkshire on his way to and from a campaign against the Scots. His failure to secure anything more from Malcolm Canmore than homage and a vague promise to accept his overlordship left the north open to the threat of invasion by a Scottish king who had provided shelter to many Anglo-Scandinavian exiles.¹⁷¹ It may therefore have been with this in mind, and at this time, that William sought to guarantee the security of the region by constructing the compact lordships which were clearly designed to protect the frontiers of Yorkshire. For Orderic there was no doubt that the removal of the earls Edwin and Morcar marked the point at which William 'divided up the chief provinces of England among his followers'.¹⁷²

The construction of the honour of Robert count of Mortain is much more difficult to date. In terms of its size, distribution and internal organization it bears little comparison with the other lordships established by the Conqueror in Yorkshire. Although constructed like the compact lordships from the estates of many pre-conquest landholders, and therefore a Norman creation, the Mortain fee did not display the same compactness and was distributed widely throughout the three Ridings of the county. Internally estate organization on the honour varied considerably between lordly and

¹⁶⁸ Orderic, ii, 256; Brown, *Norman Conquest*, 197 note 285.

¹⁶⁹ Kilnsea, Withernsea, Mappleton, Hornsea and Easington: *DB*, i, 323b-324a.

¹⁷⁰ Hornsea, see above p. 24.

¹⁷¹ Ritchie, *Normans in Scotland*, 29, 32-4; Stenton, *Anglo-Saxon England*, 606; *ASC*, s.a. 1072, 155; Florence, *Chronicon*, ii, 9; Malmesbury, *Gesta Regum*, ii, 309; *Chronicon de Abingdon*, ii, 9-10; Symeon, *Opera*, i, 195-6, 200, 211. The hollowness of the Abernethy agreement is illustrated by the Scots invasion of Northumbria in 1079 which prompted a second Norman expedition under the command of Robert Curthose: *ASC*, s.a. 1079, 159; Florence, *Chronicon*, ii, 13.

¹⁷² Orderic, ii, 261.

tenant estates, and between the different geographical regions incorporated within it. By and large the estates retained by Count Robert were extremely under-developed in 1086, whereas in some areas those of his vassals display a much higher degree of organization. This was especially so in the more southerly portions of the honour, in the wapentakes of Staincross, Strafforth and Osgoldcross, and in parts of the East Riding. Generally, however, the tenant estates were progressively less well organized the further north they were situated. The pattern suggests two possibilities. Either that the count's tenants were concentrating their administrative efforts in particular areas, or more probably that the honour had been constructed in piecemeal fashion with the more southerly portions being granted to Count Robert earlier than the estates in the North Riding. Whatever the case the high level of organization on the estates south of the River Aire, and the probable construction of castles in Strafforth wapentake, the East Riding, Bulmer wapentake and possibly even Cleveland suggests that the honour had been under Norman administrative control for several years before 1086 and that its origins belong to the 1070s rather than the 1080s. Indeed in the case of the estates in Strafforth wapentake centred on Hexthorpe which controlled the point where the Great North Road crossed the River Don, the importance of securing the manor and guaranteeing access to Yorkshire argues in favour of an even earlier Norman take-over. It is possible that the Conqueror granted Hexthorpe and other estates within the vicinity to Count Robert when he marched to Yorkshire in 1068, or in 1069 when Robert is known to have fought the Danes in the region immediately to the east of the River Don.¹⁷³

If the dating of the honour of Mortain on the basis of estate organization alone is difficult, that of the embryonic lordships and the honour of Roger the Poitevin is impossible. The low or, in the case of the Poitevin estates, non-existent level of development need not be taken to indicate a late date of honorial creation. It is possible that the honours had been established at an early date but remained substantially under-developed because their lords had devoted their organizational efforts to lands in other parts of the country. With the exception of the honour of Arches the lack of tenant enfeoffment on these lordships may well reflect a shortage of the manpower necessary to colonize and administer the counties at the peripheries of Norman control. This appears to have

¹⁷³Soulsby, 'Fiefs in England', 18.

been the case with the honour of Ralph Paynel which as well as Yorkshire incorporated estates in Devon, Somerset, Gloucestershire, Nottinghamshire and Lincolnshire. A marked contrast between the holdings in Yorkshire, Lincolnshire and Devon, the bulk of which had been retained in demesne, and the remainder of the honour, where most of the estates had been granted to tenants, was noted by Lennard.¹⁷⁴ It indicates that, as we might expect, Ralph Paynel was organizing his estates in stages and left the more remote counties until last.

The same was true of the fee of Hugh earl of Chester which, despite its lack of organization in 1086, had been in existence since at least c.1076 x c.1078 when William I of Percy granted land in Whitby held of the earl to the monastic pioneer Reinfrid for the foundation of an abbey.¹⁷⁵ The Yorkshire fee constituted only a small portion of a vast tenorial complex extending throughout twenty shires. The complete absence of lordly demesne teams and the granting of the bulk of the fee to two tenants, one of whom was of Anglo-Scandinavian stock, is only to be expected given the probability that Earl Hugh never visited Yorkshire and had an over-abundant supply of estates in more vital areas of the country with which to endow his limited entourage of continental vassals. A low level of estate organization in 1086, therefore, need not be seen as a reflection of a late date of honorial creation. In fact with the exception of only the honour of Arches all the embryonic lordships appear to have been examples of the antecessorial honours which Professor Fleming argues were established before c.1073.

In one case, however, that of the honour of Roger the Poitevin, corroborative evidence indicates that it would be correct to equate a lack of estate organization with a late date of honorial creation. Roger is known to have been born c.1060,¹⁷⁶ and can only have received his estates on coming of age. It is even possible that he was enfeoffed during the course of the Domesday survey. The Domesday Summary for Yorkshire which pre-dates the main text¹⁷⁷ records only a handful of Cravenshire estates and assigns them no lord.¹⁷⁸ In the main text itself with the exception of only the honour

¹⁷⁴Lennard, *Rural England*, 95-8.

¹⁷⁵*DB*, i, 305a; D. Bethell, 'The foundation of Fountains abbey and the state of St. Mary's York in 1132', *JEH*, 17 (1966), 17-18.

¹⁷⁶Orderic, iii, 138; *Complete Peerage*, xi, 688-9; Mason, 'Roger de Montgomery', 14-15.

¹⁷⁷Harvey, 'Domesday predecessors', 753-73.

¹⁷⁸*DB*, i, 380b.

of Brus, the return of which was entered in the second decade of the twelfth century,¹⁷⁹ Roger's Cravenshire fee is the last to be recorded. The region was very new to Norman eyes in 1086.

Conclusion

When combined with evidence from other sources the level of estate organization on the various Norman honours of Yorkshire in 1086 reveals that the conquest, colonization and tenurial reorganization of the county was achieved with a greater degree of control and more rapidly than has hitherto been supposed. Many of the Norman Domesday honours, including several of the most under-developed in 1086, had been established within five or six years of the arrival of the Conqueror, and very few remained to be constructed after c.1075. It is possible that the only lordship originating in the 1080s was that of Roger the Poitevin. Although some of the Norman honours were simply formed from the estates of one or two antecessors others, such as the compact lordships of Richmond, Pontefract and Holderness, were far more complex tenurial units incorporating the estates, or portions of the estates, of many Anglo-Scandinavian thanes. Their sophistication, lack of regard for pre-conquest tenurial patterns, and strategic orientation betray deliberate tenurial planning and supervision from above. Together with the concern to deal with tenurial disputes and encroachments evident within the Domesday *clamores* the compact lordships are witness to the careful control the Conqueror was determined to exercise over the process of settlement in Yorkshire.

The systematic way in which he and his followers went about the conquest of Yorkshire is illustrated most clearly perhaps in the construction of castles on nearly every honour. The county was a land of castleries in 1086, carefully situated close to the major road and river routes and in some cases corresponding to the hundreds which were and remained the centres of wealth and local jurisdictional authority throughout the first century of English feudalism.¹⁸⁰ In terms of both communications and administration the castleries gave the Normans a stranglehold on Yorkshire.

¹⁷⁹P. King, 'The return of the fee of Robert de Brus in Domesday', *YAJ*, 60 (1988), 25-31.

¹⁸⁰For the construction of castles for the purpose of controlling road and river routes in the midlands see Golob, 'The Ferrers earls', 59-61, 71 and note 82. Golob rejects Le Patourel's argument that castles were constructed simply for the purpose of protecting the frontiers of the conquest, the corollary of which was that the fortresses in the south date from the 1060s, those in the midlands from the 1070s, and those in the north from the 1080s. Instead Golob argues that the castles in the midlands were built to settle, and establish control over, large tracts of land in the wake of English rebellions. He dates the construction of Nottingham castle to 1068, and that of Dudley and Tutbury to 1071 x 1072 following the rebellions at Chester and Ely: *ibid.*, 43, 49-54.

All this is not to say, however, that Norman control and settlement was complete in 1086. There was still much to be done. To some extent the Conqueror's vassals ruled from the river and roadsides, especially the Great North Road, and the castleries were small oases in an administrative desert. Considerable areas of Yorkshire, particularly the Pennine uplands and Cleveland, were largely unknown to the Normans in 1086, and it was only slowly over the next half-century that they were colonized and brought under control. The settlement and tenurial restructuring of the county remained an on-going process and will be examined in the chapters that follow. As for the progress of the conquest in Yorkshire in 1086, and the extent of the Conqueror's achievement, the words of another great statesman referring to a similar struggle for control of England in a much later period are perhaps the most appropriate. It was not the end, or even the beginning of the end, but it was perhaps the end of the beginning.

Chapter 2

The Transformation of Yorkshire 1066 x 1135: Military Consolidation and Administrative Integration

By 1086 William the Conqueror and the first generation of Anglo-Norman magnates had laid the foundations of Norman rule in Yorkshire. The county had undergone a tenurial and military revolution. The vast majority of the pre-conquest tenants had been replaced by continental lords, and their estates either dismembered completely or absorbed within new and larger tenurial complexes based upon castles and hundreds. The county bristled with Norman castles, around the majority of which a resident continental tenantry was already bringing Norman administration to bear. And coordinating this administration was the Norman sheriff, Erneis of Burun, based in one of the castles at York, and directly responsible to the king.¹

In the years that followed the Conqueror's death in 1087 it fell to his sons William Rufus and Henry I to build upon these tenurial, military and administrative foundations in order to consolidate and extend the Norman grip on Yorkshire. There remained much to be done. Large areas of the county, particularly Cleveland and the eastern fringes of the Pennines, lay outside direct Norman control and required organization and colonization to secure them against attack from either Scotland or Scandinavia. The local machinery of central government would also have to be upgraded if the Norman kings were to supervise the tenurial engineering, exercise effective royal administration,

¹W. Farrer, 'The sheriffs of Lincolnshire and Yorkshire, 1066-1130', *EHR*, 30 (1915), 282; *DB*, i, 298a; *VCH, City*, 29-31.

and organize the exploitation of their own demesne estates which were largely 'waste' in 1086. In the half century that followed the Domesday survey the Conqueror's sons set about achieving these objectives in a climate of repeated political upheavals. The rebellions of 1088 and 1095, and the political disturbances of 1101 x 1106 led to the political fall of several powerful Norman lords and royal relatives to whom the Conqueror had entrusted Yorkshire, and gave William Rufus and Henry I an opportunity to replace them and conduct a deliberate reorganization of their estates. The greatest strides were taken by Henry I who made use of the land reservoir derived from the extensive royal demesne estates and forfeitures in the north to introduce an important breed of new men into the area who were closely attached to his court. By 1135 these men controlled local government, the royal castles, and a large number of the county's hundreds. Their rise to power dramatically transformed the structure of magnate lordship and royal administration in Yorkshire, and completed the conquest and settlement which the Conqueror had begun. What follows examines the stages and methods by which this transformation was achieved.

William Rufus and Yorkshire: The Securing of the Frontier

William Rufus had been in power only a year when a political storm blew up which was to alter the structure of lordship in Yorkshire. Although the ring-leader of the 1088 rebellion, organized to replace William Rufus with Robert Curthose, was Odo bishop of Bayeux, and the main theatres of contention were the counties of Kent and Sussex and the Welsh marches, several magnates who were tenants-in-chief in Yorkshire were closely involved in the affair.² Robert count of Mortain was Bishop Odo's brother, and his castle of Pevensey was one of the three major rebel centres along the south coast;³ William bishop of Durham was Odo's protege,⁴ and 'did whatever damage he could' in the north;⁵ and Ralph Mortemer and the earl of Northumberland, Robert of Mowbray, were part

²For the general events of the rebellion see Orderic, iv, 120-5; Malmesbury, *Gesta Regum*, ii, 360-4; *ASC*, s.a. 1088, 166-8; Florence, *Chronicon*, ii, 22-4; Barlow, *Rufus*, 70-82. The Anglo-Saxon chronicle states that the ring-leaders were Odo bishop of Bayeux, Geoffrey bishop of Coutances and William bishop of Durham. I hope to illustrate elsewhere the primary importance of Odo's patronage as a cohesive force in the rebel group.

³Florence, *Chronicon*, ii, 23. Orderic regarded Robert as a reluctant rebel led astray by his brother. His close relationship with Odo is clear from the entreaties he made to the dying Conqueror to set Odo at liberty: Orderic, iv, 99.

⁴William had been a member of the clergy of Bayeux: Symeon, *Opera*, i, 170.

⁵*ASC*, s.a. 1088, 167.

of a subsidiary rebellion in the Welsh marches.⁶

With the exception of Odo of Bayeux the king appears to have dealt leniently with all these men when the rebellion ended in failure in the summer of 1088. Although it has been stated that the count of Mortain was exiled for his part in the affair,⁷ and suggested that his son, William, was never allowed to recover the Yorkshire portion of the Mortain fee,⁸ there is no basis to support either proposition. There is good evidence, in fact, that Robert was reconciled with the king before the end of the rebellion,⁹ and that his estates passed in their entirety to William.¹⁰ Ralph Mortemer was also back in the king's favour shortly after the rebellion, and in 1090 was one of a group of magnates in north-eastern Normandy who fortified their castles in support of William Rufus.¹¹ A year later the bishop of Durham, who had gone into exile after refusing to accept the jurisdiction of the king's court when brought to trial for deserting Rufus,¹² was also restored to royal favour and recovered both his confiscated estates and the castle of Durham.¹³ Robert earl of Northumberland, who appears to have accompanied him into exile, may have secured his pardon at about the same time, and was certainly back in control of his English fee by 1095 when he took part in another rebellion.

Although most of the principal opponents of William Rufus recovered the king's goodwill, the 1088 rebellion almost certainly produced some political casualties, and among them at least two Yorkshire tenants-in-chief. Punishment for participation in the rebellion is the most likely explanation for the unusual descent of the extensive Domesday fee of Hugh fitz Baldric. Although Hugh had

⁶Barlow, *Rufus*, 82, and the sources cited here. Ralph Mortemer witnessed a charter of Robert Curthose shortly before the outbreak of the rebellion: Haskins, *Institutions*, 291.

⁷Ellis stated that Count Robert and Bishop Odo were besieged in Pevensey castle, forced to surrender, deprived of their estates and banished: A.S. Ellis, 'Biographical notes on the Yorkshire tenants named in Domesday Book', *YAJ*, 4 (1875-76), 129. He cited the Anglo-Saxon chronicle. However, the chronicle makes no specific mention of Robert, and states that after the siege of Pevensey Bishop Odo was besieged in Rockingham castle before being forced to surrender and sent into exile: *ASC*, s.a. 1088, 167-8; *EYC*, ii, 326.

⁸*VCH, Yorkshire*, ii, 155; *EYC*, ii, 326. West suggested that Robert was forced to surrender part of his English fee in Northamptonshire, and that this was later restored to his successor: West, *Justiciarship*, 35-6.

⁹Orderic, v, 209. Robert also witnessed several royal charters which may date from after the rebellion: *Regesta*, i, nos. 296, 323, 325, 328, 451.

¹⁰It has been argued that William count of Mortain succeeded his father in at least nine of the twenty counties incorporating his fee, 'and most probably the remainder also': I.N. Soulsby, 'The fiefs in England of the counts of Mortain' (Univ. of Wales, Cardiff, M.A. thesis, 1974), 42-6. The estates in the nine counties, which do not include Yorkshire, account for nearly 90% of the Domesday value of the fee.

¹¹David, *Curthose*, 54; Florence, *Chronicon*, ii, 26; Malmesbury, *Gesta Regum*, ii, 363; Orderic, iv, 183.

¹²For the trial see Symeon, *Opera*, i, 170-95; Barlow, *Rufus*, 82-91.

¹³The bishop's estates in Yorkshire had been seized by the sheriff, Ralph Paynel, and divided between the counts Odo of Champagne and Alan of Brittany: Symeon, *Opera*, i, 171-3, 179. The castle of Durham was taken into the king's hands, along with the bishop's lands in county Durham, on 14 November 1088 by Ivo Taillebois and Erneis of Burun: *ibid.*, 192.

two daughters each obtained from him only her *maritagium*.¹⁴ The bulk of his estates in Yorkshire and other counties passed instead to Robert I of Stuteville before 1100, almost certainly at the direction of the king.¹⁵ A royal confiscation and re-grant of Hugh's fee is also indicated by the fact that several of his Yorkshire estates did not pass to Stuteville, but were retained by the king and used at a later date to endow other tenants-in-chief.¹⁶ When Hugh witnessed a charter of Robert Curthose in Normandy in 1089 it may well have been as an exiled rebel seeking compensation from the lord for whom he had recently sacrificed his English estates.¹⁷

It is possible that Robert Malet participated in the 1088 rebellion, and almost certain that he suffered a similar fate to Hugh fitz Baldric during the early years of the reign of Rufus. He has traditionally been portrayed as one of the powerful magnates of the conquest period excluded from the court circle under William Rufus and brought back in the reign of Henry I.¹⁸ The true extent of his fall from grace after 1087, however, has only recently been revealed. Dr. Lewis has illustrated that Malet was deprived of his estates by Rufus, and that his honour of Eye was granted to Roger the Poitevin, a favoured supporter of the king rather than an opponent as has traditionally been supposed.¹⁹ The estates of Durand Malet also appear to have passed to Roger by 1094,²⁰ indicating that the Malet family may have fallen during or shortly after the 1088 rebellion.

More Yorkshire tenants-in-chief were to fall in the rebellion of 1095 which, according to Florence of Worcester, was organized in order to replace William Rufus with Stephen of Aumale the son of Odo count of Champagne, lord of Holderness.²¹ As in 1088 the rebellion was a failure but Rufus was far less inclined to be forgiving. The count of Eu was mutilated and blinded for his part in the affair, and his fellow conspirators, Odo of Champagne and Robert earl of Northumberland, were deprived of their English estates and imprisoned or sent into exile, where they stayed for the remainder of

¹⁴ *EYC*, ix, 73.

¹⁵ *Ibid.*, 73-5.

¹⁶ Rufus used Hugh's estates in Basedale and Westerdale to endow Guy of Balliol: *VCH, Yorkshire*, ii, 179; *EYC*, i, 438; *Regesta*, ii, no. 648; *DB*, i, 328a, 380b.

¹⁷ *EYC*, ix, p. xiii. Hugh was a member of the family of the lords of Bacqueville near the ducal castle of Arques in the north-eastern march of Normandy. Arques had been bestowed by Duke Robert Curthose on the powerful Helias de St. Saens, and Hugh fitz Baldric may have supported the duke in the rebellion of 1088 in order to preserve the security of his Norman estates: *EYC*, ix, 70-2.

¹⁸ C.W. Hollister, 'Magnates and curiales in early Norman England', *Viator*, 8 (1977), 63-81.

¹⁹ C. Lewis, 'The king and Eye: a study in Anglo-Norman politics', *EHR*, 104 (1989), 569-87.

²⁰ For the traditional view that Roger the Poitevin was involved in the rebellion of 1088, and that his later surrender of a castle in southern Normandy to Philip I of France in 1094 was a betrayal of William Rufus see Barlow, *Rufus*, 77, 84-5, 333; J.F.A. Mason, 'Roger de Montgomery and his sons (1067-1102)', *TRHS*, 5th ser., 13 (1963), 19.

²¹ Florence, *Chronicon*, ii, 38.

Rufus's reign.²²

The confiscation of a number of Yorkshire honours resulting from the rebellions of 1088 and 1095 and the on-going seizure of Anglo-Scandinavian tenancies, together with the escheat of a number of estates through natural causes, gave William Rufus an opportunity to reorganize the tenurial structure of the county and establish a number of new men in honours deliberately constructed for its defence. As Dr. Greenway has observed, the formation of strong lordships on the potential Scottish invasion routes into Yorkshire, 'was in line with Rufus's vigorous northern policy',²³ and probably occurred during his visit to the north in 1092. The construction of Carlisle castle, the establishment of Ivo Taillebois in the lordships of upper Eden, Kendale and Lonsdale,²⁴ and the restoration of southern Lancashire to Roger the Poitevin almost certainly took place at this time.²⁵ Through his creation of compact lordships Rufus was laying the foundations of northern military self-sufficiency.

The greatest recipient of the king's favour in Yorkshire was Robert I of Stuteville, lord of Valmont and Etoutteville-sur-Mer in the north-east of Normandy. Robert, as we have seen, secured the major part of the confiscated estates of Hugh fitz Baldric. Most of the land acquired was situated in the wapentakes of Birdforth, Manshoe and Pickering-Lythe and probably already constituted two castleries in 1086, one of which was almost certainly centred on the great estate of Kirkby Moorside (Map 18). Because of their compact nature and strategic location in the Vale of York, and at the mouth of several of the passes through the North Yorkshire Moors, there were good reasons for preserving the integrity of these estates and granting them intact to Hugh fitz Baldric's successor. Although Stuteville also acquired the majority of Hugh's more amorphous holdings in

²² *ASC*, s.a. 1095 x 1096, 173. Stephen of Aumale accompanied Robert Curthose on the crusade of 1096: David, *Curthose*, 228.

²³ *Mowbray Charters*, xxiii.

²⁴ Farrer, *Kendale*, i, p. viii-x, 1; F.M. Stenton, 'Pre-Conquest Westmorland', in Historical Monuments Commission, *Westmorland* (1936), liv.

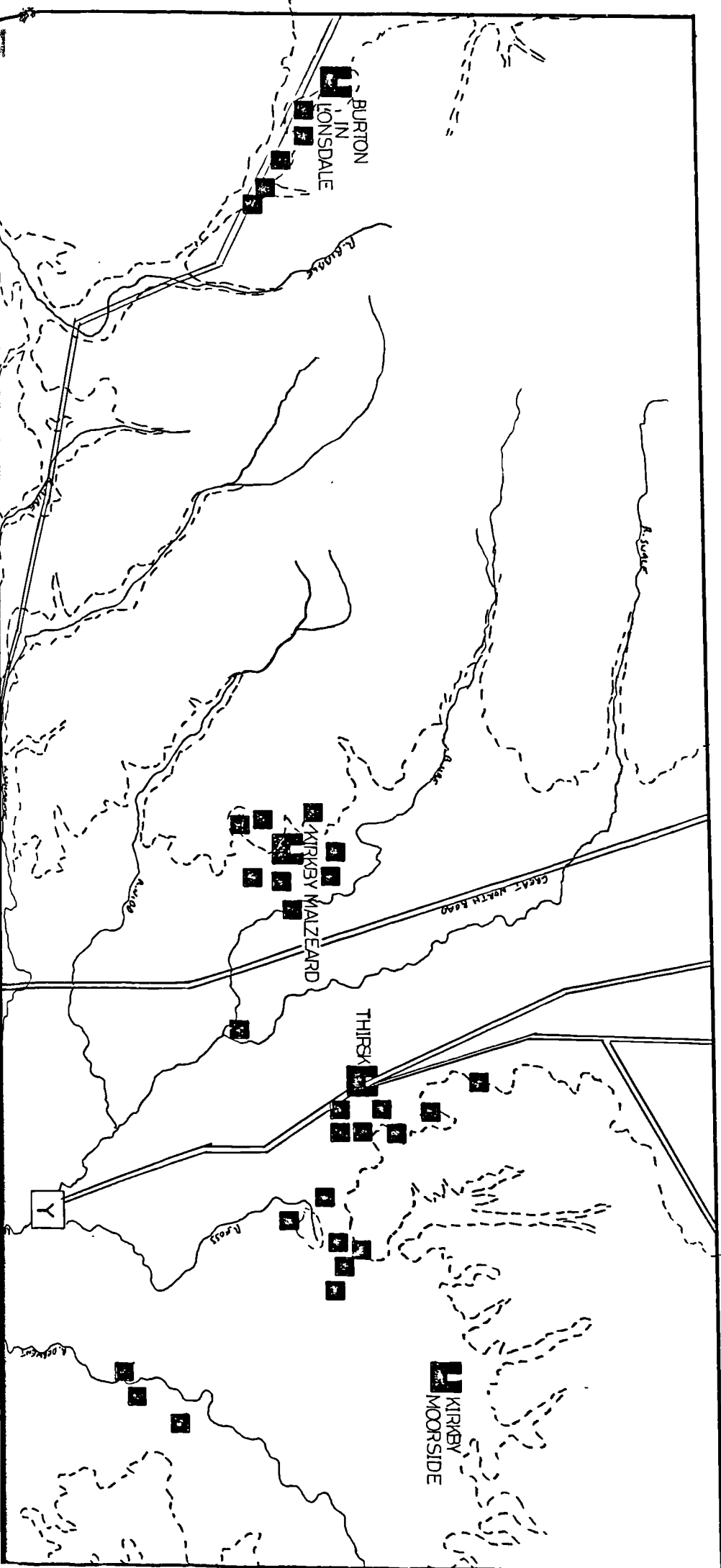
²⁵ Roger's tenure of estates south of the river Lune in Lancashire and in Norfolk and Derbyshire is described in the past tense in the folios of Domesday Book, and it has been assumed that he had lost the estates as a punishment for participation in the rebellion against the king. Domesday also records, however, that Roger was holding (*habet*) his lands in northern Lancashire, Amounderness and Cravenshire in 1086, and he appears to have acquired them only shortly before the survey was completed. Mrs. Thompson argues that rather than being deprived in 1086, Roger was actually involved in a complex exchange by which he acquired his lands in northern Lancashire, Amounderness and Yorkshire in return for those in southern Lancashire, Derbyshire and Norfolk. She also points out that charters issued by Roger in favour of Sees abbey illustrate that he had been restored to his lands in southern Lancashire before 1094. See K. Thompson, 'The cross-Channel estates of the Montgomery-Belleme family c.1050-1112' (Univ. of Wales, Cardiff, M.A. thesis, 1983), Chapter 3, citing *CDF*, nos. 665, 664; Farrer, *Pipe Rolls*, 289.

MAP 18

THE HONOUR OF ROBERT OF STUTEVILLE c.1100

KEY

- Y YORK
- CASTLES PROBABLY HELD BY STUTEVILLE
- MANORS
- BOUNDARY OF LAND OVER 500ft.
- == MAJOR ROAD
- SCALE: ONE INCH = 5 MILES



the East Riding, it is significant that the relatively small outlying estates in Eskdale and Teesdale were reserved by the king for other purposes.²⁶ Rufus appears to have been determined to establish Stuteville in a series of large and compact castleries designed to defend the approaches to Yorkshire from the north and west, and he augmented the grant of Hugh fitz Baldric's estates with parcels of royal demesne in the North Riding. Stuteville almost certainly received the extensive royal manor in Thirsk to add to the one he had already acquired there from Hugh,²⁷ and may have constructed the castle which was in existence at Thirsk in 1129 x 1130.²⁸ On the other side of the Vale of York he received a compact body of lands seized from the Anglo-Scandinavian Domesday tenant-in-chief, Gospatric, centred on Kirkby Malzeard in the Pennine foothills,²⁹ and may have built the castle in existence there in 1129 x 1130.³⁰ Further west he appears to have been granted Lonsdale and Kendale after the death of Ivo Taillebois c.1094.³¹ The lordship controlled one of the major routes into Yorkshire from the north-west and it is likely that either Taillebois or Stuteville built the castle of Burton-in-Lonsdale.³²

William Rufus employed more confiscated rebel estates to establish another new man in a compact and strategically orientated fee on the northern frontier of Yorkshire. The tenancy of Guy of Balliol, lord of Bailleul-en-Vimeu,³³ was constructed from a combination of royal demesne manors and a handful of estates formerly belonging to Hugh fitz Baldric and Robert earl of Northumberland.³⁴

²⁶Below, pp. 51-61.

²⁷*Mowbray Charters*, xxiii. Stuteville also appears to have acquired sokeland of the royal manor of Aldborough in Ellenthorpe, together with royal estates in Harton and Sutton-by-Stamford Bridge: *EYC*, ix, 75-6, nos. 1 and note, 4 and note. Dr. Greenway states that Robert was also granted land formerly belonging to the count of Mortain in Myton-on-Swale. She cites the evidence of a confirmation charter of Henry II for St. Mary's abbey York, recording the gift of Robert of Meinil and Robert of Stuteville of eight carucates in Myton. The land granted was doubtless made up by a former Mortain manor of 4 1/2 carucates, and two former royal manors amounting to 3 carucates and 2 bovates. There is nothing to indicate, however, which portion was bestowed upon the abbey by Robert of Stuteville. If, as suggested above, Robert count of Mortain was not deprived after 1088, and his son William was in possession of the Mortain fee until the rebellion of 1101 x 1106, in which the Stuteville's also fell, it is probable that Robert of Stuteville's grant to St. Mary's consisted of the former royal estates in Myton. See *EYC*, i, no. 354, p. 272; *DB*, i, 300b, 306b.

²⁸*Pipe Roll 31 Henry I*, 138.

²⁹In 1201 William of Stuteville claimed Malzeard against the Mowbray family: *EYC*, ix, nos. 41-3, cited in *Mowbray Charters*, xxii and note 5. That the lands were seized from Gospatric is suggested by the fact that although he had sons they succeeded to only a small portion of his fee: *VCH, Yorkshire*, ii, 183-5; *West Yorkshire*, ii, 252.

³⁰*Pipe Roll 31 Henry I*, 138.

³¹*Ibid.*

³²In 1201 Burton-in-Lonsdale was claimed by William of Stuteville against the Mowbray family: *EYC*, ix, nos. 41-3, cited in *Mowbray Charters*, xxii and note 1.

³³Loyd, *Families*, 11, 17, 47, 108.

³⁴*EYC*, i, 438-9; *VCH, Yorkshire*, ii, 183. Hugh's estates in Basedale and Westerdale passed to Balliol: *VCH, Yorkshire*, ii, 179. See also Sanders, *Baronies*, 41, 68, 73, 25. Guy of Balliol's descendants were later to claim that William Rufus had established the family in their English estates: *Book of Fees*, i, 201. Guy of Balliol may be mentioned in a charter of William Rufus: *Regesta*, i, no. 412.

It dominated Teesdale and controlled entry into Yorkshire via the important Roman road linking Cumbria with the Great North Road (Map 19). Within a very short time of its foundation the Balliols had constructed a castle and founded a borough at their *caput* of Barnard.³⁵

In conjunction with the great castleries of Richmond and Cravenshire the Yorkshire lordships re-organized or created by William Rufus formed an almost continuous military belt from the southern fringe of the North Yorkshire Moors in the east, to Lonsdale and the Ribble valley in the west. It was probably with the intention of providing further links in the chain of castleries that Rufus granted the extensive royal hundredal manors of Bolton-in-Craven and Northallerton to Robert of Rumilly and William bishop of Durham respectively.³⁶ Bolton dominated the Roman roads linking Cumbria with Wharfedale and Airedale, and Northallerton controlled the lowland gap between the North Yorkshire Moors and the castlery of Richmond through which ran one of the two major roads between Durham and York (Map 19). Castles were constructed in a berewick of Bolton at Skipton,³⁷ and in the manor of Northallerton and possibly also its nearby sokeland of Kirkby Sigston,³⁸ and there can be little doubt that here again the Normans had manufactured hundredal castleries.

The tenurial restructuring in Yorkshire in the period 1087 x 1100 may reflect an attempt by William Rufus to defend the county against the threat from Scandinavia as well as Scotland. As recently as 1085 the Danes had planned another invasion of northern England.³⁹ It is probable that the grant of the extensive royal manor, borough and port of Bridlington, the seat of Hunthow hundred, to the Gant family was made to strengthen the coastal defences, and that it occurred in the reign of Rufus.⁴⁰ Gilbert I of Gant already enjoyed lordship of Hunmanby, the seat of the

³⁵D. Austin, 'Barnard castle, co. Durham. First interim report: excavations in the town ward', *JBAA*, 132 (1979), 52.

³⁶Robert of Rumilly had been granted Bolton by 1096: *EYC*, vii, 1-3. It is probable that the shire of Craven, like that of Holderness, was divided into several hundredal districts or centres. The sheer size of Bolton, incorporating eight berewicks, twelve sokelands and a total of seventy carucates, and its pre-conquest tenure by Earl Edwin leave little doubt that the estate was a hundredal seat. See *DB*, i, 301b. For the grant of Northallerton to the bishop of Durham see *EYC*, ii, no. 927; Symeon, *Opera*, i, 127. It is significant that the grant appears to have been associated with Rufus's expedition to Scotland.

³⁷Although the castle is first mentioned in the period 1131 x 1140 it could have been constructed by Robert of Rumilly: Cathcart King, *Castellarium Anglicanum*, ii, 526.

³⁸Although a nephew of William Cumin is said to have built a castle at Northallerton in 1142, it is possible that Rufus expected Bishop William to build some form of fortification when he granted him the estate: Cathcart King, *Castellarium Anglicanum*, ii, 522, 520.

³⁹*ASC*, s.a. 1085, 161. The Conqueror took the plan seriously and returned to England with a large army in order to meet the threat. For some reason, however, the plan never materialised.

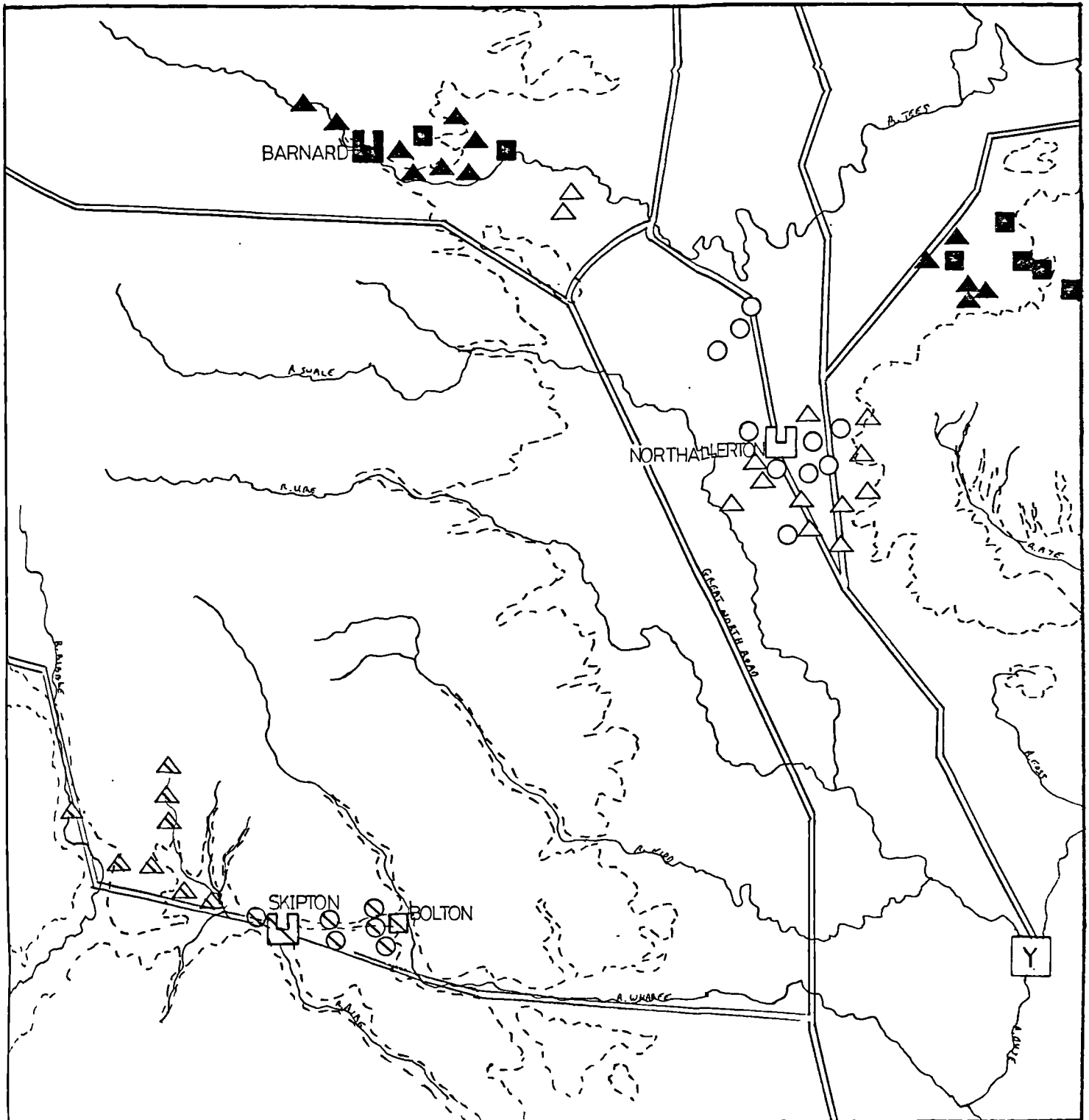
⁴⁰Bridlington was by far the most extensive and valuable estate in Hunthow hundred. Attached to it were berewicks in two neighbouring vills, and sokelands in another fourteen. It had been in the possession of Earl Morcar before 1066 when it was valued at £32: *DB*, i, 299b. In the second volume of *Early Yorkshire Charters* Farrer stated that the manor and soke of Bridlington was granted to the son of Gilbert I of Gant, Walter, by Henry I: *EYC*, ii, 431. He

MAP 19

THE CASTLERIES OF BARNARD, SKIPTON AND NORTHALLERTON: c. 1100

KEY

- | | | | |
|---|--|---|--|
| Y | YORK | ⌊ | CASTLE PROBABLY BUILT BY THE BISHOPS OF DURHAM |
| ■ | CASTLE PROBABLY BUILT BY GUY OF BALLIOL | □ | MANOR HELD BY BPS. OF DURHAM |
| ■ | MANOR HELD BY " " | ○ | BEREWICK " " " " " |
| ▲ | SOKELAND HELD BY " " | △ | SOKELAND " " " " " |
| ⌊ | CASTLE PROBABLY BUILT BY ROBERT OF RUMILLY | — | MAJOR ROAD |
| □ | MANOR HELD BY " " | | SCALE: ONE INCH = 5 MILES |
| ○ | BEREWICK HELD BY " " | | |
| △ | SOKELAND " " | | |



neighbouring hundred of Turbar, had probably built a castle there by 1086, and had considerable experience of dealing with Danish invasions.⁴¹ By adding Bridlington and a number of other former royal manors nearby⁴² to his estates, Rufus effectively doubled the size and resources of Gilbert's castlery without sacrificing its compactness (Map 20).

Tenurial engineering designed to provide security for the Yorkshire coast can also be discerned in the hundreds bordering those of Hunthow and Turbar. Part of the land granted to Gilbert I of Gant was attached to the royal manor of Falsgrave which was almost certainly one of the hundredal centres of the wapentake of Pickering-Lythe.⁴³ More grants of royal land in and around Falsgrave, and further north along the Yorkshire coast, were made to William I of Percy⁴⁴ whose important interests in the area included an under-tenancy in the hundredal manors of Whitby and South Loftus held in 1086 of the earl of Chester.⁴⁵ Through these acquisitions the Percy family were established in a powerful position in the coastal plain between the North Yorkshire Moors and the sea (Map 20). Like his neighbour, Gilbert I of Gant, William I of Percy was a veteran of the warfare of the Conqueror's reign, a former custodian of York castle,⁴⁶ and probably well suited to the role of providing for the military security of the coastal frontier. The shared experience and cooperation between the two old warriors may well be reflected in the marriage of Percy's eldest son and heir,

was followed by Kapelle: Kapelle, *Norman Conquest*, 198. In the *Victoria County History*, however, Farrer stated that the manor had been granted to Gilbert I of Gant, who died c.1095, by William Rufus: *VCH, Yorkshire*, ii, 175. See also M.R. Abbot, 'The family of Gant and its estates in the eleventh and twelfth centuries' (Univ. of Cambridge, Ph.D. thesis, 1973), 77-9, 23.

⁴¹Gilbert had been one of the magnates defending York castle against the Danes in 1069: Freeman, *Norman Conquest*, iv, 204, 258, 268.

⁴²Including Argam, Hilderthorpe, Sewerby, Wilsthorpe, Filey, Folkton, Foston, Fraisthorpe, Fordun and Muston: *VCH, Yorkshire, ER*, ii, 6, 18, 24, 44, 86-7, 91, 105, 138, 166-7, 170, 181, 191, 202, 210, 235, 280, 333, 335, cited in J. Green, 'William Rufus, Henry I and the royal demesne', *History*, 64 (1979), 344. It is possible that some of these estates may have been granted to Gilbert's son, Walter, by Henry I.

⁴³Gant secured sokeland of Falsgrave in Filey: Green, 'Royal demesne', 344. Falsgrave had a berewick at Northfield, sokelands in over twenty nearby vills, and had been held by Earl Tosti before 1066 when it was valued at £56: *DB*, i, 299a.

⁴⁴The churches of Northfield and Thirley Cotes, a berewick and sokeland of Falsgrave respectively, had passed to Percy before his death c.1096: *EYC*, ii, no. 855, calendared in *EYC*, xi, no. 1. Sokeland of Falsgrave in Hutton Buscel was certainly in Percy hands by c.1135, and possibly by 1096: *EYC*, ii, no. 872. Sokeland of Falsgrave in Osgodby, Deepdale and possibly Wykeham, together with other royal estates in Killerby and Cayton constituted a knight's fee of the old enfeoffment held by the Percys in 1166, and was therefore under the control of the family by 1135. Walter of Clyve, who may have been the father of the first recorded tenant of the knight's fee, witnessed a charter of Alan I of Percy in the period c.1109 x 1114. See *EYC*, xi, 233-4; *DB*, i, 299a. The royal estates granted to the Percy family further north along the coast included Wilton and Lazenby, which were in the hands of William I of Percy, Dunsley, which was certainly held by Alan I of Percy before c.1115, and possibly Kilton and Kilton Thorpe: *EYC*, xi, 233, 7-8, 225-7.

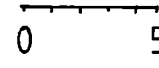
⁴⁵*EYC*, xi, 11-14; *DB*, i, 322b-323a, 305a. It is probable that the large wapentake of Langbargh was divided into several hundredal districts. That Whitby and South Loftus were hundredal seats is suggested by their incorporation of large numbers of berewicks and sokelands in neighbouring vills, high 1066 value, and pre-conquest tenure by an Anglo-Scandinavian earl.

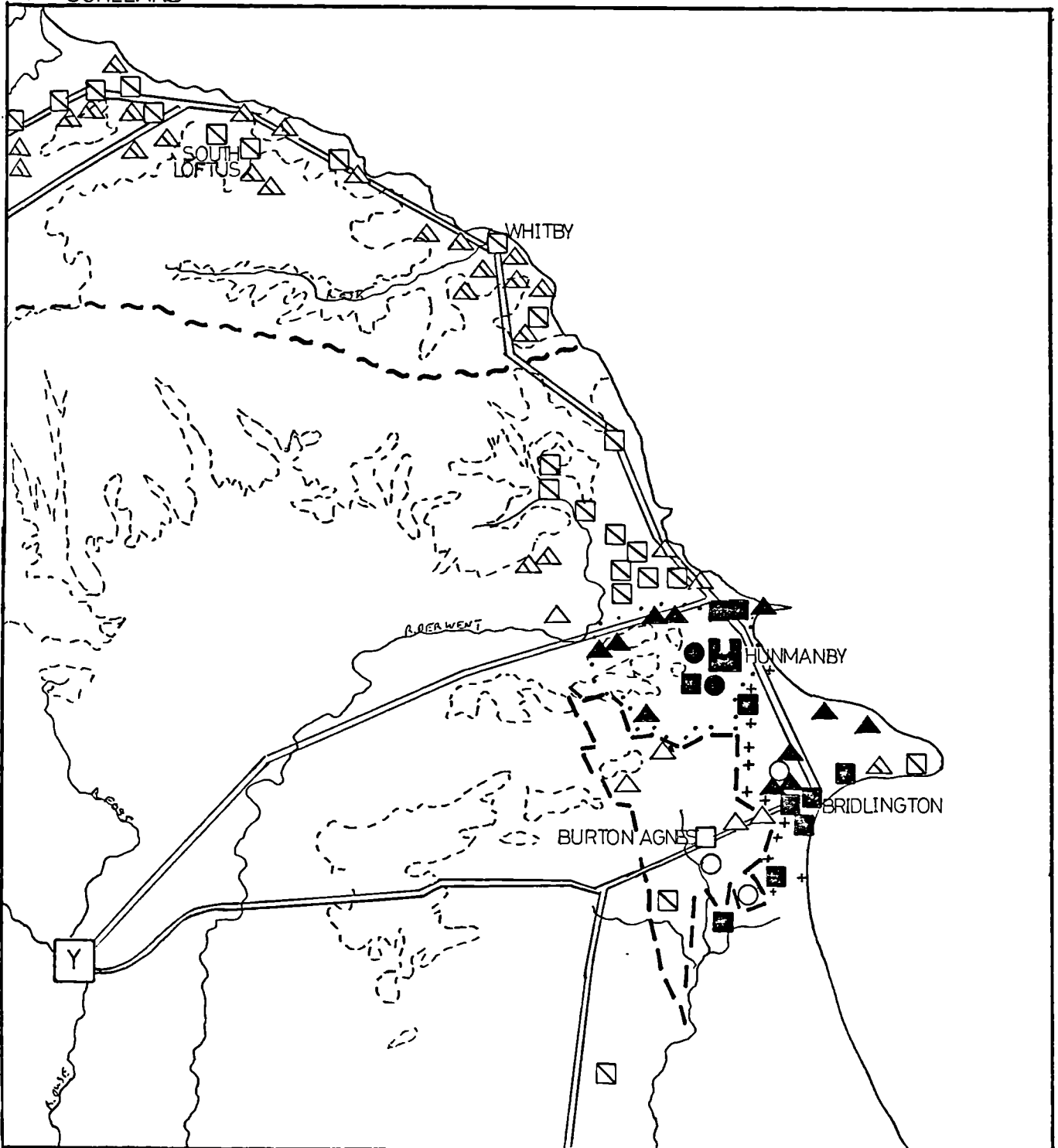
⁴⁶Percy accompanied the Conqueror on the Scottish campaign of 1072 and had been in control of York castle at some point in the period 1070 x 1072: *DB*, i, 298a.

MAP 20

THE COASTAL ESTATES OF GANT, PERCY AND BAINARD: c.1100

KEY

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Alan, to Gant's daughter, Emma.⁴⁷

Further south the royal hundred of Burton Agnes, which bordered both Hunthow and Turbar, was also alienated by Rufus and placed in the hands of the sheriff of Yorkshire, Geoffrey Bainard, a man new to the county and completely dependent upon the king (Map 20).⁴⁸ Another newcomer to the north, Arnulf of Montgomery, a younger son of Roger II of Montgomery, was entrusted with the great hundredal castlery of Holderness after the fall of Odo count of Champagne in the rebellion of 1095 (Map 21).⁴⁹ His brother, Roger the Poitevin, a supporter and favourite of Rufus, already held extensive Lincolnshire estates close to the southern shore of the Humber, and by a royal grant was able to augment them with the confiscated lands of Durand Malet. It was here too that Rufus granted Robert I of Stuteville the compact castlery of Axholme, originally created by the Conqueror to prevent a recurrence of the events of 1069 when the Danes had used the area as a retreat (Map 21).⁵⁰ And only a few miles inland he granted custody of the important castle of Tickhill, controlling the Great North Road, to another Montgomery brother, Robert of Belleme, whose expertise as a castle engineer was doubtless intended to be put to good effect in strengthening its fortifications.⁵¹

Wherever we look when examining the tenorial policy of William Rufus in Yorkshire we see the same thing, a series of royal hundreds and other estates confiscated from the rebels of 1088 and 1095, stretching along the vulnerable frontiers of the county or across the major highways, being entrusted either to experienced soldiers already established in Yorkshire in 1086, or to a body of men who were new to the county. The duties of all these lords appear to have been primarily military rather than administrative. William Rufus had provided for the defence of Yorkshire. It was to be Henry I and his new men who would consolidate his efforts and also provide for its administration.

⁴⁷ *EYC*, xi, 2.

⁴⁸ *EYC*, ii, no. 676.

⁴⁹ *CDF*, nos. 667, 1235; *EYC*, iii, no. 1300.

⁵⁰ *Mowbray Charters*, xxi.

⁵¹ Dr. Chibnall argues that Robert received only the custody of the castle and not the lordship of the honour of Tickhill which was held by the Bully family: M. Chibnall, 'Robert of Belleme and the castle of Tickhill', in *Droit privé et institutions regionales: études historiques offertes à Jean Yver* (Paris, 1976), 151-6. For Robert's engineering skills see Chibnall, *ibid.*, 155; K. Thompson, 'Robert of Belleme reconsidered', *Anglo-Norman Studies*, 13 (forthcoming). My thanks are due to Mrs. Thompson for allowing me to see her paper in advance of publication.

MAP 21

THE CASTLERIES OF HOLDERNESS AND AXHOLME c.1100

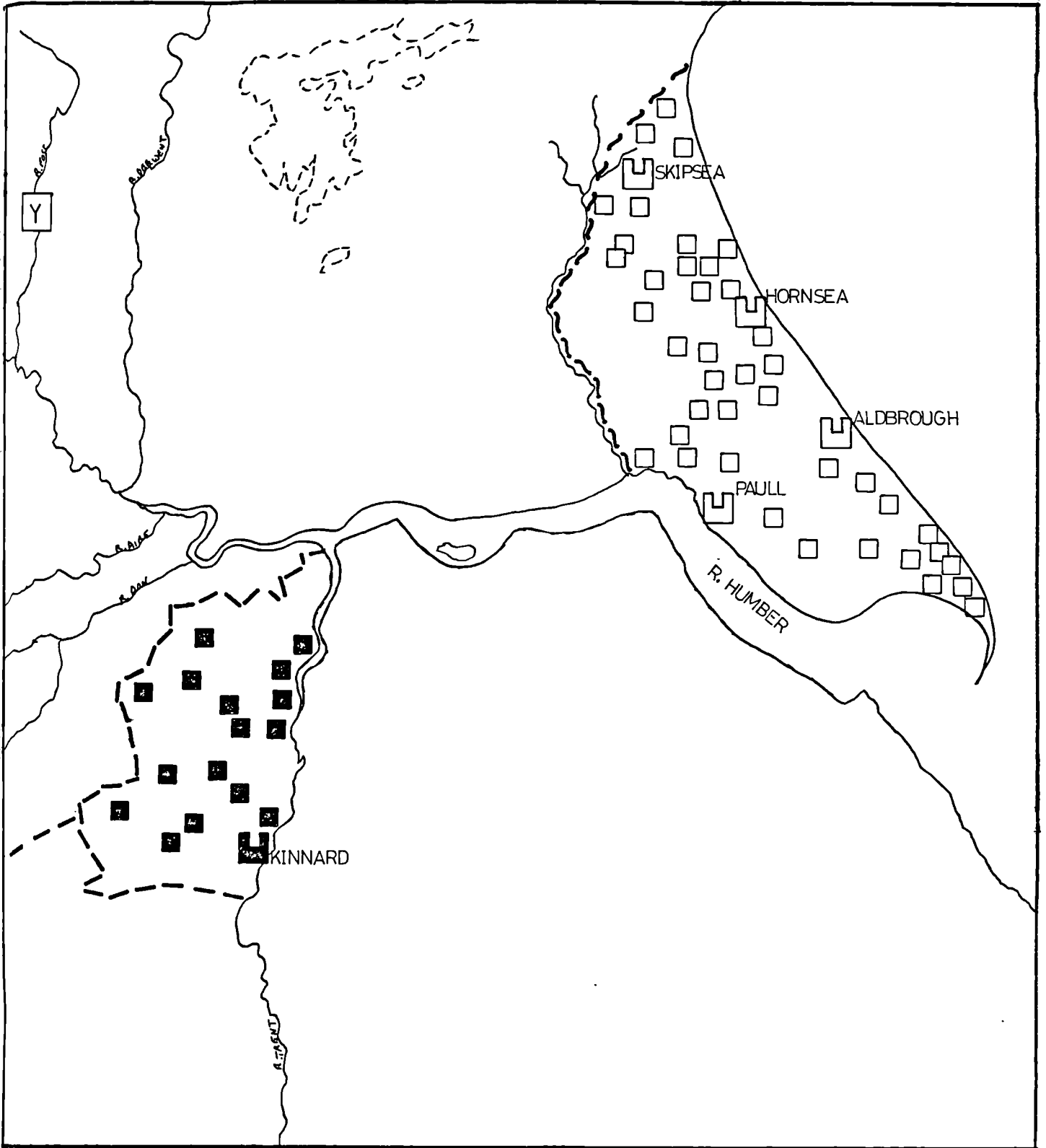
KEY

- Y YORK
- ┌ CASTLE HELD BY ARNULF OF MONTGOMERY
- MANOR " " " " "
- ┌ CASTLE " " ROBERT OF STUTEVILLE
- MANOR " " " " "

- BOUNDARY OF LAND OVER 500ft.
- COUNTY (MODERN)
- - - HOLDERNESS WAPENTAKE

SCALE ONE INCH = 5 MILES

0 5



Henry I and Yorkshire: Military Conclusions and Administrative Beginnings

Within a year of Henry I's succession to the crown the supporters of Robert Curthose, and men with a variety of grievances against the new king, rebelled. England was thrown into a period of political upheaval that was to continue intermittently until 1106. Several magnates in control of substantial Yorkshire lordships became involved in the opposition and suffered the confiscation of their estates for their trouble. They included Robert of Belleme and his brothers Roger the Poitevin and Arnulf of Montgomery, William count of Mortain, Robert I of Stuteville, Robert of Lacy, Ranulf Flambard bishop of Durham, and possibly Erneis of Burun, Gilbert Tison and William of Arches.⁵² The forfeited Yorkshire estates were vast and gave Henry I an opportunity to conduct a tenurial reorganization of the county even more radical than that of William Rufus. Although the old conquest magnate families who had prospered under Rufus were to continue to receive a share of the political spoils, Henry I was primarily concerned with the establishment of a group of new men closely connected with the court and skilled in matters of government as well as warfare. The aim of the new king was not only to defend Yorkshire but also to govern it.

Tenurial Restructuring 1100 x 1135: I. The Consolidation of the Compact Lordships

The Montgomery brothers were among the first rebels to be dispossessed by Henry I. Robert of Belleme's garrison of Tickhill surrendered to royal forces in 1102 and the castle remained in the king's hands for the rest of the reign.⁵³ It is likely that the estates of Robert's brothers were confiscated shortly afterwards. Although the lands of Roger the Poitevin's castlery of Cravenshire were divided at an uncertain date between the Rumilly lords of Skipton and Alan I of Percy, Henry I was clearly intent that Cravenshire should retain its military character. In addition to the Poitevin lands, both the Rumillys and the Percys received extensive estates in Cravenshire derived from other confiscated rebel honours, including those of Tison, Burun, Arches and Mortain. And to

⁵²For the best account of the rebellion, and those involved, see C.W. Hollister, 'The Anglo-Norman civil war: 1101', *EHR*, 88 (1973), 315-33; *ibid.*, 'Magnates and curiales', 63-81; *ibid.*, 'Henry I and the Anglo-Norman magnates', *Anglo-Norman Studies*, 2 (1979), 93-107.

⁵³Chibnall, 'Robert of Belleme', 155-6.

these were added lands formerly belonging to the king.⁵⁴ The result was the formation of two compact and partially interwoven castleries incorporating nearly all the land in Cravenshire.⁵⁵ The Percy estates were mainly concentrated in the Ribble valley and probably focused upon a castle at Gisburn,⁵⁶ while the Rumillys dominated the upper Wharfe and Aire valleys and built their castle at Skipton (Map 22).⁵⁷ They also acquired a compact cluster of former royal estates in and around Wath-upon-Deerne in south Yorkshire.⁵⁸

Roger the Poitevin's opposition to Henry I may have been undertaken in response to, or in expectation of, the king's restoration to Robert Malet of the estates secured by Roger from the confiscated Malet fee in the reign of Rufus. Robert Malet had been one of the first magnates to come to the king's side in 1100, became one of his closest counsellors,⁵⁹ and was back in possession of his estates before his death in 1105 x 1106.⁶⁰ Although the Anglo-Saxon chronicle states that William Malet, whose exact relationship with Robert is uncertain, was deprived of his estates in 1110 Dr. Lewis suggests that he may never have succeeded Robert, and it is probable that the Malet lands were resumed by the crown in 1106.⁶¹ The Yorkshire estates were divided in the years that followed between Stephen of Blois, who also secured Roger the Poitevin's honour of Lancaster,⁶² Robert of Brus,⁶³ Forne fitz Sigulf,⁶⁴ William Meschin,⁶⁵ Anchetill of Bulmer,⁶⁶ Robert of Meinil,⁶⁷ and the powerful Nigel d'Aubigny.

Nigel d'Aubigny was a younger son of Roger I d'Aubigny, lord of the small Norman honour of St. Martin d'Aubigny, a brother of William d'Aubigny the royal *pincerna*, and the most prominent

⁵⁴ *EYC*, vii, 45-7, 194-5; *EYC*, xi, 14-16.

⁵⁵ Besides the Rumillys and Percys the Mowbrays and Chauncys were the only families to hold land in chief in Cravenshire, and their estates here were small: *EYC*, vii, 45-7.

⁵⁶ Cathcart King, *Castellarium Anglicanum*, ii, 517, 529. Gisburn was situated only a mile from the Roman road linking Yorkshire and Cumbria via Lonsdale.

⁵⁷ Above, p. 52.

⁵⁸ *EYC*, vii, 194-5.

⁵⁹ Lewis, 'King and Eye', 580-3; C.W. Hollister, 'Henry I and Robert Malet', *Viator*, 4 (1973), 115-20; Barlow, *Rufus*, 420.

⁶⁰ *Ibid.*, 580.

⁶¹ *Ibid.*

⁶² In or about 1113 Stephen secured the major part of the Malet honour, including the *caput* of Eye in Suffolk: Hollister, 'Robert Malet', 118-19. For the Yorkshire estates passing to Stephen see *EYC*, iii, 454-7. Stephen was in control of the honour of Lancaster by the time of the Lindsey Survey, which has recently been re-dated to 1115 x 1116: Tait, *Medieval Manchester*, 63; T. Foulds, 'The Lindsey Survey and an unknown precept of Henry I', *BIHR*, 59 (1986), 212-15; Sanders, *Baronies*, 126, 43, 120-1.

⁶³ Including land in North Cave and elsewhere: *EYC*, iii, 417, 457.

⁶⁴ In a charter issued in the period 1115 x 1122 Henry I gave notification of his grant to Forne of land belonging to the Malet fee in Thornton-le-Moor: *Regesta*, ii, no. 1357.

⁶⁵ Carlton in the parish of Guisley passed to William Meschin: *EYC*, iii, 457.










⁶⁶ *Ibid.*

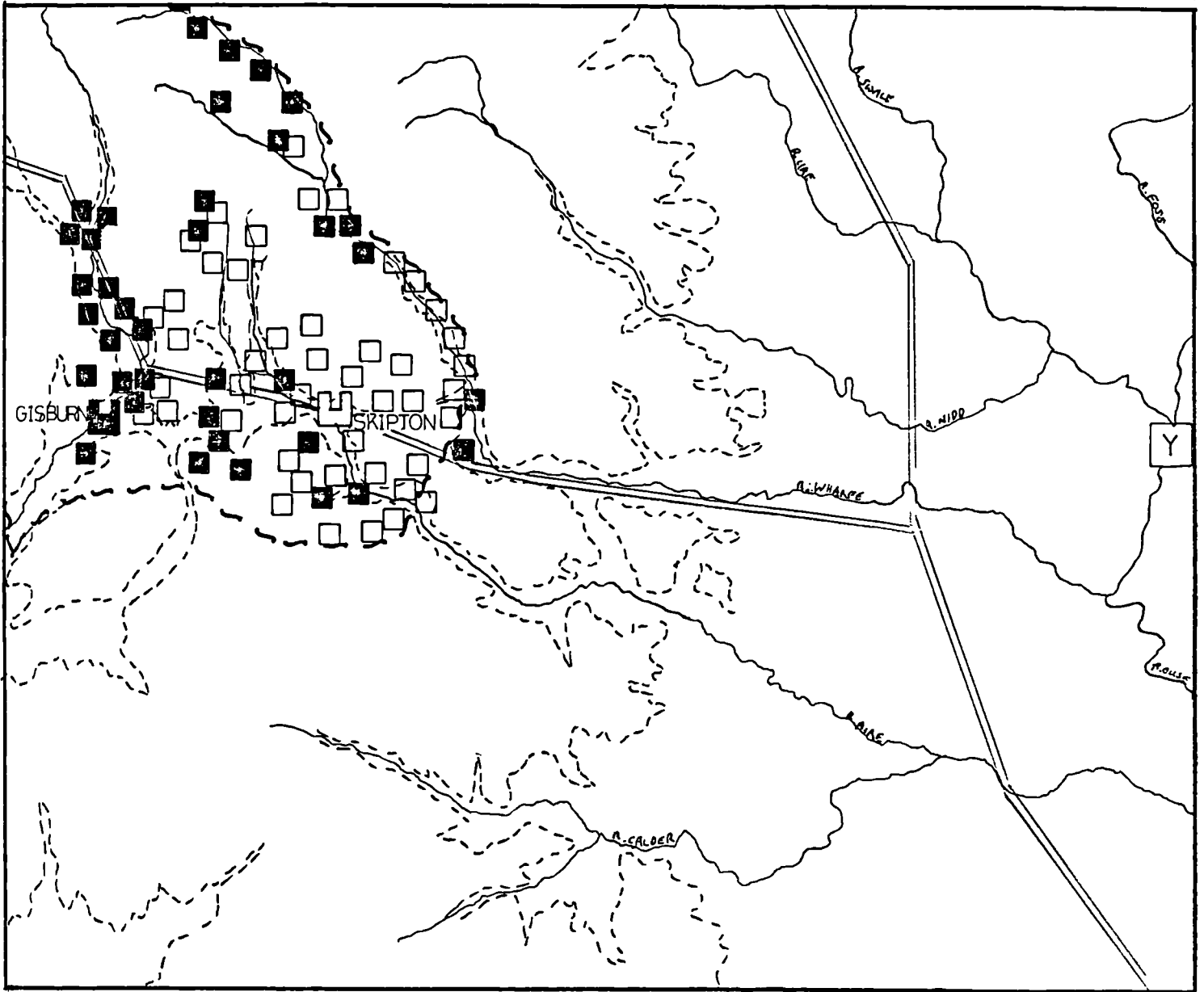
⁶⁷ The Meinils acquired the former Malet estates in Great and Little Ayton in Cleveland: *EYC*, ii, 358.

MAP 22

CRAVENSHIRE IN THE REIGN OF HENRY I

KEY

- | | | | |
|--|------------------------------|---|-------------------------------|
|  | YORK |  | BOUNDARY OF LAND OVER 500 ft. |
|  | CASTLE HELD BY ALAN OF PERCY |  | " " CRAVENSHIRE |
|  | MANOR " " " " " |  | MAJOR ROAD |
|  | CASTLE " " CECILY OF RUMILLY | SCALE ONE INCH = 5 MILES | |
|  | MANOR " " " " " |  | |



and richly rewarded member of the group of new men introduced by Henry I into the aristocratic community of Yorkshire.⁶⁸ Although beginning his career as a landless knight at Henry's court in 1101, during the following two decades Nigel was elevated by royal patronage to a position rivalling that of the most powerful magnates in Yorkshire. He appears to have secured his estates in the county and eight other shires in the period c.1107 x c.1115. His Yorkshire estates were formed largely from the confiscated honour of Robert I of Stuteville, one of the rebels captured by the king at Tinchebrai in 1106,⁶⁹ and included the lordship of Lonsdale and Kendale together with the Stuteville castlery centred on Thirsk (Map 23). Although some of the components of the castlery were withheld Nigel made up for them by securing the addition of several former Malet holdings nearby. On the other side of the Vale of York he obtained the Stuteville castlery of Malzeard, the portion of Gospatric's fee in Nidderdale and Masham which had passed to Erneis of Burun, and a sub-tenancy in three estates belonging the archbishop of York's manor of Ripon which, according to Dr. Greenway, provides 'further evidence that this large and compact lordship was the result of deliberate royal policy'.⁷⁰ A royal desire for tenurial uniformity and integration is also reflected in the fact that most of the more amorphous Stuteville estates in the East Riding of Yorkshire were withheld from Nigel, and passed instead to Geoffrey Murdac.⁷¹ Henry I was just as determined as Rufus to rationalize the often complicated and incoherent tenurial pattern resulting from the first generation of Norman settlement, and to replace it with a network of largely self-contained and regular castleries.

In addition to the Stuteville and Malet estates Nigel d'Aubigny was granted the overlordship of two former tenants-in-chief and their fees. By 1118 he had been given the service of Gilbert Tison, and by 1124 that of William of Arches.⁷² For Tison and Arches this represented nothing less than feudal demotion and suggests that they may have been involved in the rebellions against the king. This is also indicated by the partial disintegration of the Tison fee. Gilbert Tison carried only a portion of his former Domesday estates in Yorkshire, mainly in the East Riding, to Nigel

⁶⁸I am indebted for the details in this paragraph to the work of Dr. Greenway: *Mowbray Charters*, xvii-xxiv.

⁶⁹Shortly before the battle Henry also captured Robert's son, Robert II, at St. Pierre-sur-Dives: *EYC*, xi, 1-2.

⁷⁰*Mowbray Charters*, xiii.

⁷¹*EYC*, ix, 65-7, 74, 140.

⁷²*Mowbray Charters*, xxv.

MAP 23

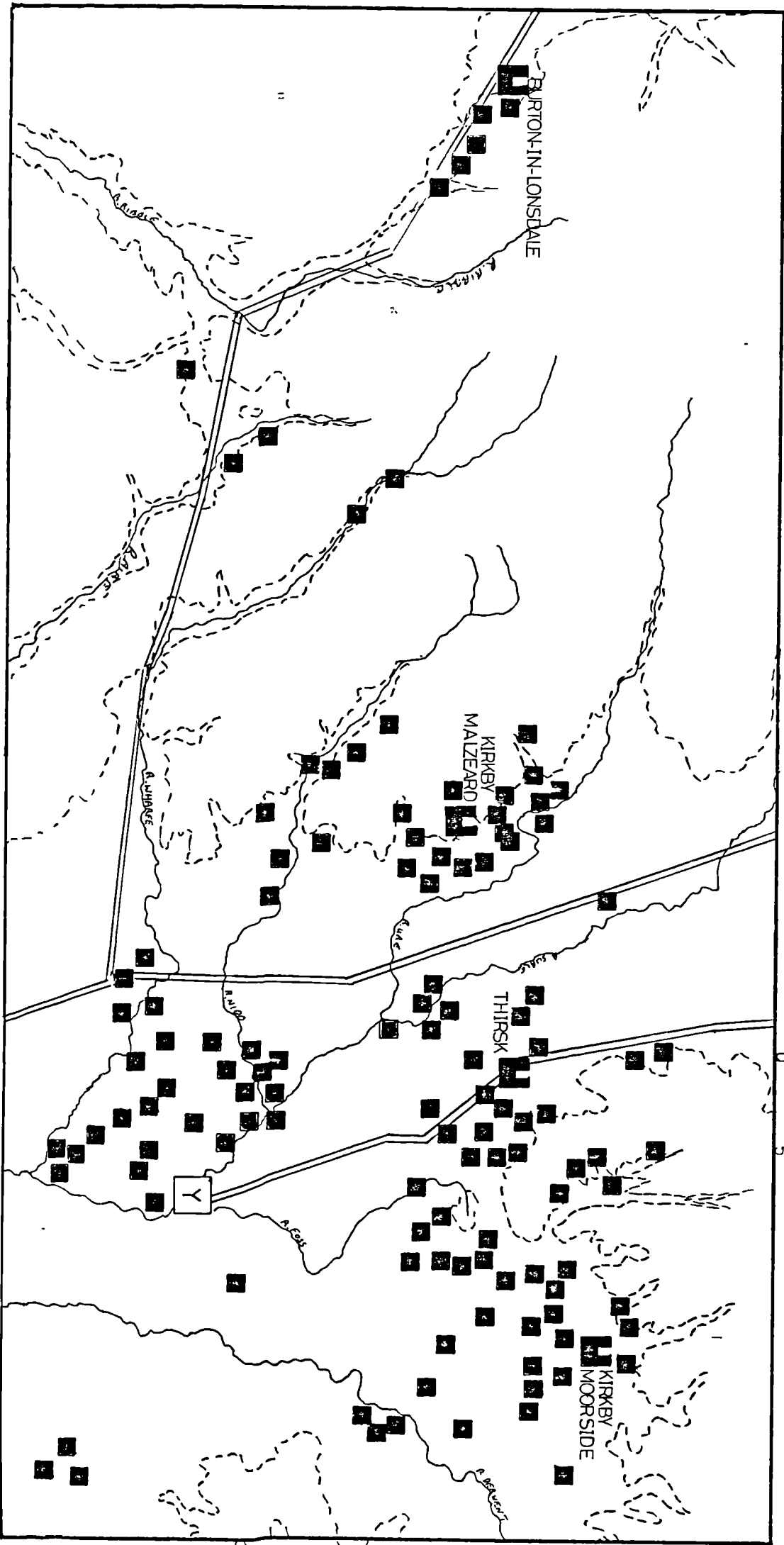
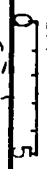
THE HONOUR OF NIGEL d'AUBIGNY c.1115

KEY

- Y YORK
- d'AUBIGNY CASTLE
- " " ESTATE

- BOUNDARY OF LAND OVER 500ft.
- == MAJOR ROAD

SCALE ONE INCH = 5 MILES



d'Aubigny.⁷³ Most of his estates in the West Riding passed either to the king⁷⁴ or to the honours of Percy,⁷⁵ Rumilly,⁷⁶ Eustace fitz John,⁷⁷ and appear to have contributed either towards the creation of new castleries or the rounding-off of existing ones.⁷⁸ The disintegration and re-distribution of the Tison fee in this way is symptomatic of a royal confiscation and carefully controlled re-grant. This is also suggested by the fate of the Arches fee which, with the exception of eight carucates in Silsden that passed to the Rumilly castlery in Cravenshire,⁷⁹ and four carucates in Oxton added to the Percy castlery of Tadcaster,⁸⁰ appears to have passed to Nigel d'Aubigny largely intact. Most of the fee was situated in Ainsty wapentake close to York where Nigel held custody of the royal castle, and was probably made subject to his lordship so that it could be employed to support the fortress (Map 16). Whether by redistribution or feudal subjection the old amorphous Domesday lordships were being forced to conform to the new system of integrated castleries.

The same policy can be discerned in the descent of the confiscated honour of William count of Mortain, the estates of which were widely scattered throughout Yorkshire in 1086 (Map 9). William initially accepted Henry I,⁸¹ but by 1101 had become involved in some way with the magnates opposing him.⁸² Although possibly reconciled with the king for a short period thereafter, by 1104 he was in open rebellion against Henry in Normandy and was deprived of his English estates.⁸³ It was outside his castle of Tinchebrai that the decisive encounter between Henry and Robert Curthose

⁷³Out of a total of more than 160 carucates about 114 passed to Nigel d'Aubigny, and in 1166 were represented by fifteen knights' fees held of Nigel's son, Roger of Mowbray, by William Tison the grandson of Gilbert Tison. They were almost certainly located in the East Riding vills of Anlaby, Bubwith, Kirk Ella, West Ella, Gribthorpe, Harlthorpe, Hessleskew, Holme-upon-Spalding, Laytham, Loftsome, Sancton, Tranby, Willerby and Wressell: *EYC*, xii, 1, 22-3.

⁷⁴Including those in Beckwith, Rossett, Scotton and Bilton: *EYC*, xii, 21.

⁷⁵Tison estates in Beamsley, Great Braham, Otley, Glusburn, Grassington, Linton and Threshfield passed to the Percys: *EYC*, xi, 14-15.

⁷⁶Tison land in Glusburn and Oakworth passed to the honour of Skipton: *EYC*, vii, 46-7, 48 and note 2, 275 and note 3, 93, 178-80, 256.

⁷⁷The former Tison estate in Plumpton near Knaresborough was in the hands of the Vescy descendents of Eustace fitz John in the late twelfth century: *EYC*, xii, 19-20, no. 53 and note.

⁷⁸The lands passing to the king were all close to the royal castle and hundredal manor of Knaresborough. Those passing to the Percys formed part of their castleries of Gisburn in Cravenshire and Topcliffe. Those passing to Rumilly were absorbed within the castlery of Skipton-in-Craven. The Tison land in Plumpton acquired by the Vescys was close to Knaresborough where Eustace fitz John, the ancestor of the family, had held custody of the castle in the reign of Henry I.

⁷⁹*EYC*, vii, 47, 194-5.

⁸⁰*EYC*, xi, 15.

⁸¹William witnessed four charters issued by the king in 1101: *Regesta*, ii, nos. 492, 497, 510, 544.

⁸²Malmesbury, *Gesta Regum*, ii, 431; *Liber de Hyda*, 304-5. His exact role, however, is unclear: Hollister, 'Anglo-Norman civil war', 328.

⁸³William witnessed a charter of Henry I issued in 1104 but appears to have withdrawn to Normandy after Henry refused to allow his request to succeed to the earldom of Kent which had been held by his uncle Odo bishop of Bayeux. William's English estates were seized only after he had ravaged the estates of some of Henry's supporters in Normandy. See *Regesta*, ii, no. 677; Malmesbury, *Gesta Regum*, ii, 473-5; Florence, *Chronicon*, 53; *ASC*, s.a. 1104, 179; David, *Curthose*, 169.

was fought in 1106. William was captured in the fighting and imprisoned in the tower of London for the remainder of his life.⁸⁴ In the years that followed his Yorkshire estates were dismembered and employed as components in the construction of new compact lordships.

After the fall of William of Mortain the sub-tenancies granted by his father to Nigel Fossard and Richard of Sourdeval⁸⁵ were transformed into tenancies-in-chief. Although a portion of the Fossard estates in south Yorkshire centred upon Doncaster were leased to the crown, and the remainder appear to have been confiscated by Henry I before 1130 when they were still in his hands, Robert Fossard had been in possession of his lands at some point before 1129 and was given the opportunity to pay for their recovery.⁸⁶

The integrity of the Sourdeval estates, however, was not maintained. The major part of them passed at some point in Henry I's reign to Ralph Paynel, lord of Drax, the husband of Sourdeval's daughter, Maud. Ralph granted all the Sourdeval estates in the West Riding, situated in three compact clusters in the wapentakes of Strafforth, Staincross and Skyrack, to his younger son by a second marriage, Jordan Paynel, the ancestor of the Paynels of Hooton (Map 24).⁸⁷ Almost all the Sourdeval estates in the North and East Ridings, however, consisting of a compact body of estates in the hundred of Hunthow, what probably amounted to a hundredal castlery based upon the extensive manors of Hutton Rudby and Seamer in Langbargh wapentake, and two isolated manors in Bulmer

⁸⁴Malmesbury, *Gesta Regum*, ii, 475; *ASC*, s.a. 1106, 180; Soulsby, 'Counts of Mortain', 52-4. Soulsby presents evidence that William may have been set free and taken the monastic habit at Bermondsey in 1118, but this is not completely convincing.

⁸⁵Above, pp. 25-7.

⁸⁶The pipe roll of 1129 x 1130 reveals that Robert Fossard's fee was being held by the king against a debt of 1000 marks. He also owed additional debts of 41s 6d 'pro recuperanda terra sua primitis', and 60 marks 'ut resaisiatur de terra sua'. The first debt appears to be an extremely heavy relief, suggesting that Robert Fossard was not in the king's favour in 1129 x 1130. The remaining debts indicate that he had enjoyed full seisin of his lands at some time and had suffered dispossession, possibly on more than one occasion. Another entry records that Bertram of Bulmer, son and heir of the sheriff of Yorkshire and steward of the Fossard honour, Anshetill of Bulmer, owed £55 6s 'quos pater suus cepit de terra Roberti Fossardi'. Since Bertram succeeded his father as sheriff by 1129 at the latest this entry reveals that Robert Fossard was in possession of his lands at some time before this date. This is confirmed by a charter of Henry I issued between c.1126 and 1129 giving notification that he had confirmed the gift of a number of churches to Nostell priory made by Robert Fossard in the hand of Archbishop Thurstan and in the presence of Anshetill of Bulmer. See *Pipe Roll 31 Henry I*, 25, 24; *Regesta*, ii, no. 1662. Determining the fate of the Fossard tenancy in the period 1100 x 1130 is complicated by the uncertainty surrounding the date of the death of Robert Fossard's father, Nigel, the Domesday lord of the Fossard fee. Farrer suggested that he died c.1120: *EYC*, ii, 326. A Nigel Fossard is named in a schedule of lands held in Allertonshire by the monks of Durham dating from after 1100. The name also appears in a the witness list of a charter issued by Archbishop Thurstan in the period 1114 x 1129, and possibly 1114 x 1116: *Liber Dunelmensis*, 77; *EYC*, i, no. 95; *Regesta*, ii, no. 1332; P. King, 'The return of the fee of Robert of Brus in Domesday', *YAJ*, 60 (1988), 26-8. However, in a royal charter issued in the period 1101 x 1107, and probably in 1101, indicates that Robert Fossard may already have succeeded his father: *Regesta*, ii, no. 546. It is possible that Nigel Fossard had entrusted Robert with control of either the whole or a portion of his English estates by 1101, and that Robert was deprived along with his lord the count of Mortain in 1106, and later restored and deprived again.

⁸⁷*EYC*, vi, 4-5, 38-9, 181, no. 1. The Sourdeval estates passing to the Paynels of Hooton are tabulated by Clay: *ibid.*, 58. They amounted to fifteen knights' fees in 1166: *Red Book*, i, 430.

MAP 24

THE SOURDEVAL ESTATES PASSING TO THE PAYNELS OF HOOTON

KEY

Y YORK

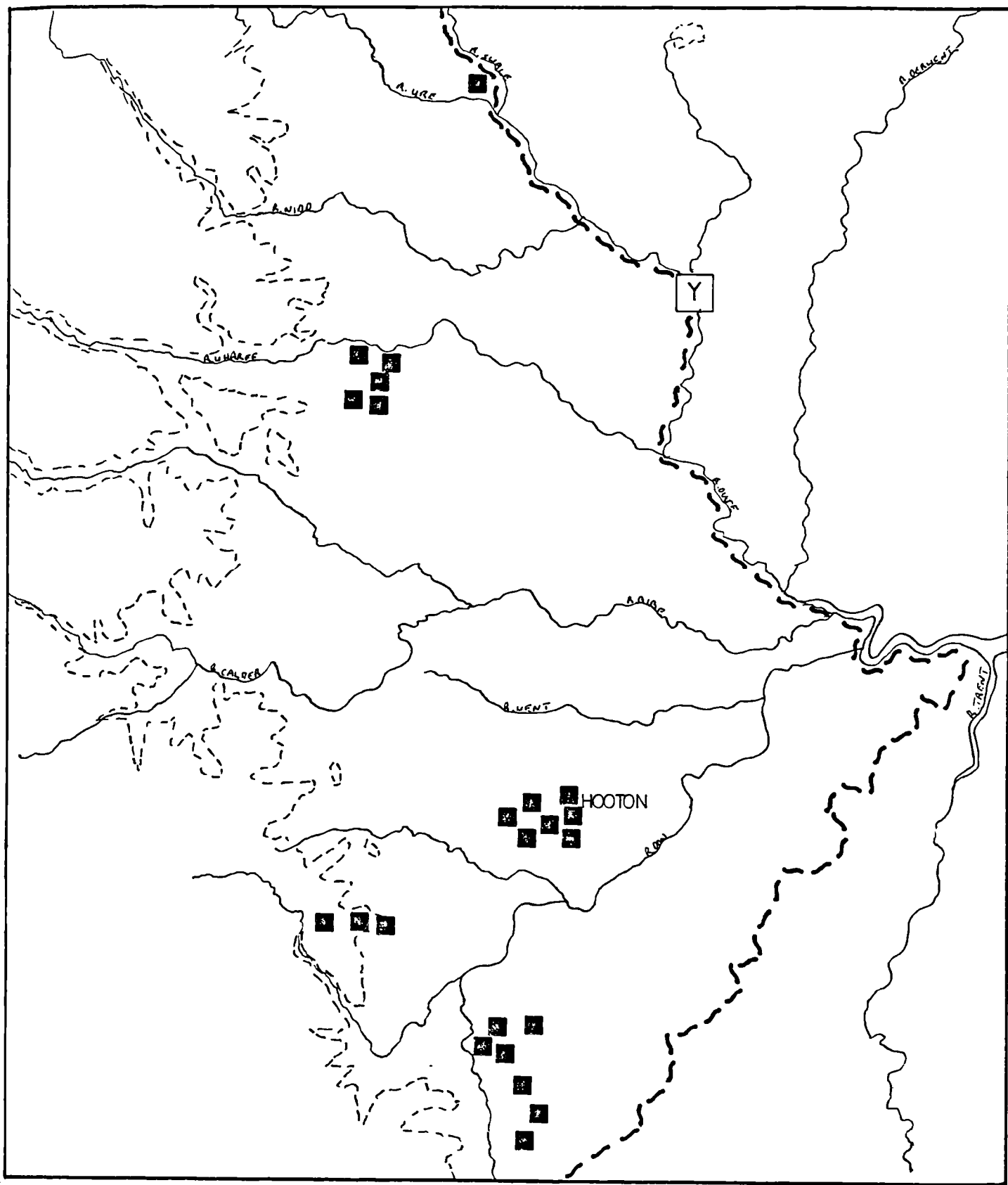
■ SOURDEVAL MANOR PASSING TO THE PAYNELS OF HOOTON

--- BOUNDARY OF LAND OVER 500ft.

--- " " THE WEST RIDING

SCALE ONE INCH = 5 MILES

0 5



wapentake, appear to have been granted by Ralph to Robert I of Meinil (Map 25).⁸⁸ There is a clearly discernible pattern here. Ralph Paynel was not only alienating the major part of his Sourdeval acquisitions to his family and tenants, but alienating them on a sharply delineated regional basis in the interests of tenurial uniformity. The delineations were the county Ridings, and the progress towards uniformity was deliberate. The intention was to replace the old tenurial structure, in which many of the more peripheral Sourdeval estates in the North and East Ridings had been 'waste' and outside Norman administrative control,⁸⁹ with a new system in which resident lords with localized and manageable tenurial interests could bring Norman authority to bear. There was a directing hand at work here, and it belonged to the king rather than to Ralph Paynel. This is suggested by the rounding-off of the Meinil lands with nearby estates formerly belonging to the royal demesne and Robert Malet,⁹⁰ and by the descent of the portion of the Sourdeval fee that was not acquired by Ralph Paynel.⁹¹

The thirteen former Sourdeval manors that eluded Ralph Paynel were confined exclusively to the wapentake of Langbargh and used in the construction of a compact castlery for Robert I of Brus. They included Skelton, where the castle and borough which became the Brus *caput* may already have been in existence, and Guisborough, where Robert founded an Augustinian priory in

⁸⁸ *EYC*, vi, 185-7; *EYC*, ii, 135-7. Richard of Sourdeval held a manor in Seamer and Tanton in 1086. Seamer had sokelands in the neighbouring vills of Hilton, Middleton-upon-Leven, Foxton and Carlton: *DB*, i, 305b. Hutton Rudby with its sokelands in Rudby, Skutterskelfe, Blaten, Whorlton, Coulton and Crathorne was held by the count of Mortain in demesne: *DB*, i, 305b. The manor had been in the possession of Gospatric in 1066, and it is possible that after the Domesday survey it passed to Richard of Sourdeval who succeeded Gospatric in several other estates, including Seamer. Hutton Rudby's size and position as one of the most valuable estates in Langbargh wapentake in 1066 suggest that it was a jurisdictional centre and possibly the seat of a hundred court. A castle existed at Whorlton in the early thirteenth century and may date from the Conqueror's reign when the vill supported twenty villeins and eight plough-teams, and was the only portion of the manor of Hutton Rudby not described as waste: Cathcart King, *Castellarium Anglicanum*, ii, 528; *DB*, i, 305b.






⁸⁹ Of the estates in twenty vills which passed from Richard of Sourdeval to Robert I of Meinil via Ralph Paynel only the manor of Seaton and its berewick in Tanton and sokeland in Middleton, and the sokeland of Hutton Rudby in Whorlton, were not described as waste in 1086: *DB*, i, 305b, 306a, 307a.

⁹⁰ The royal demesne estates passing to the Meinils are tabulated in *EYC*, ii, 136. With the exception of only one carucate in Fridaythorpe all of the estates were situated close to the clusters of former Mortain estates acquired by Robert I of Meinil in the wapentakes of Langbargh and Hunthow: *DB*, i, 300a, 301a. The same was true of the Malet estates acquired by the Meinils in Great and Little Ayton in Langbargh wapentake: *EYC*, ii, 358. It must be said, however, that the date at which all these estates were acquired by the Meinils is uncertain.

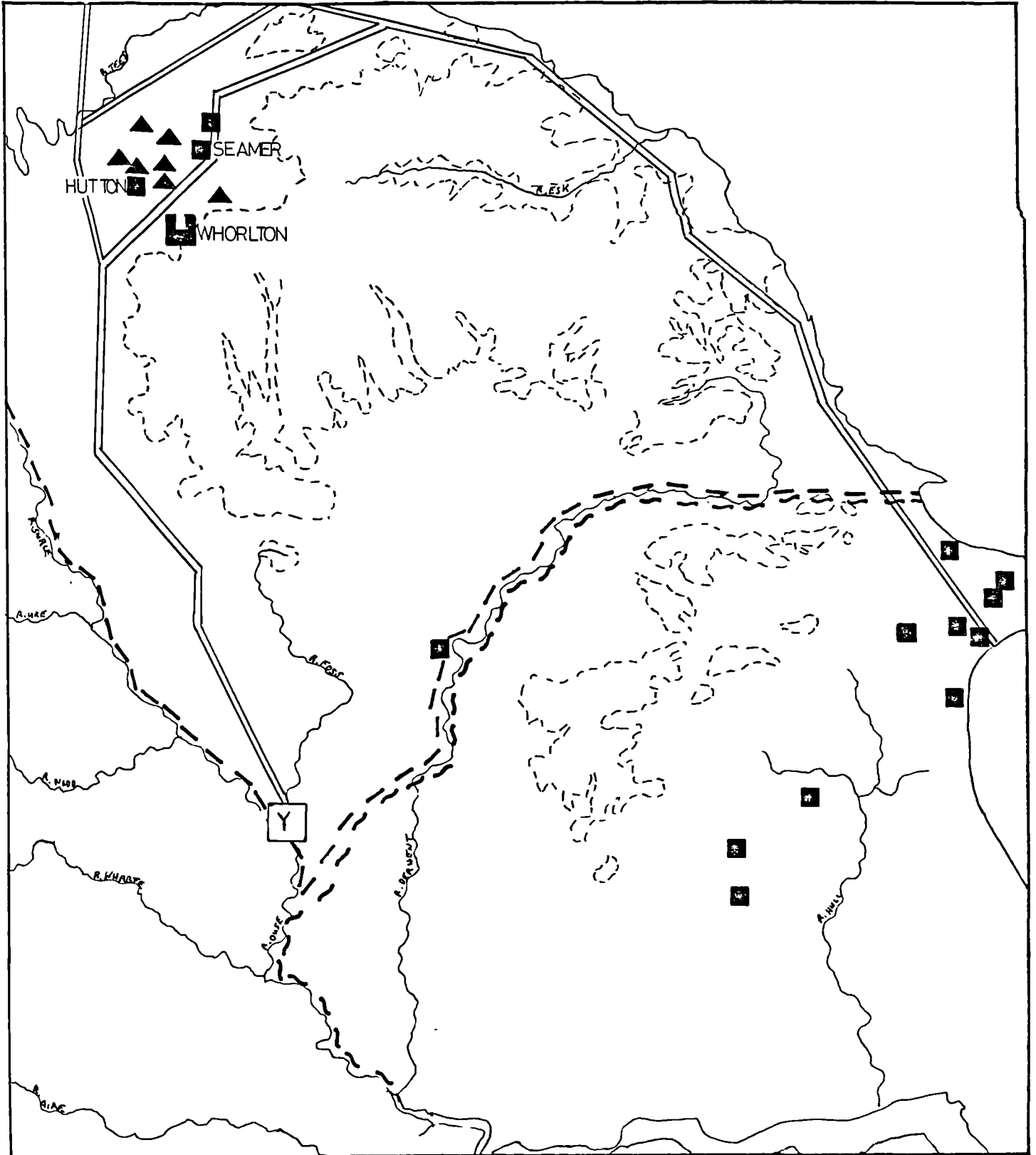
⁹¹ That the king could command or advise tenants-in-chief to alienate lands to sub-tenants is illustrated by royal charters. See, for example, *Regesta*, ii, no. 546.

MAP 25

THE SOURDEVAL ESTATES PASSING TO THE MEINIL FAMILY

- | | | | |
|---|-----------------------------------|---|-------------------------------|
|  | YORK |  | BOUNDARY OF LAND OVER 500 ft. |
|  | PROBABLE SITE OF SOURDEVAL CASTLE |  | " " THE NORTH RIDING |
|  | SOURDEVAL MANOR PASSING TO MEINIL |  | " " " EAST " |
|  | " " SOKELAND " " " |  | MAJOR ROAD |

SCALE ONE INCH = 5 MILES



1119.⁹² Brus made his first appearance in England in the reign of Henry I,⁹³ is not known to have been related to the Sourdevals, and almost certainly acquired his estates from the king.⁹⁴ The composition of the remainder of his castlery provides clear evidence of Henry I's involvement in the construction process and concern for tenurial uniformity. The major part of the castlery was made up of over eighty manors which had been in the king's hands in 1086, to which were added estates recovered by the crown from Robert Malet or confiscated from the former demesne lands of Gospatric, William of Mortain and Hugh fitz Baldric.⁹⁵ The Fitz Baldric estates, which dominated Eskdale, were granted with other lands by Henry I to Brus in 1103 in exchange for land in Reighton and Collingham situated some distance outside Langbargh wapentake.⁹⁶ It was probably also at the direction of the king that Brus acquired an under-tenancy in two knights' fees of the earl of Chester incorporating estates in Hemlington, Easington and several other villis in Cleveland.⁹⁷ These grants provide only two examples of what almost certainly amounted to a complex series of deliberate royal land transactions by which Henry I manufactured the Brus honour. Together with the neighbouring Fossard estates centred on Lythe castle,⁹⁸ and those belonging to the Meinils in and around Hutton Rudby, the new lordship entrusted to Robert I of Brus formed an important link in an interlocking chain of castleries protecting the north-eastern frontier of Yorkshire, and controlled by resident lords established or re-instated by the king (Map 26). Through a process involving tenurial reorganization,

⁹² Although Skelton had declined in value from 40s in 1066 to 16s in 1086 it supported one demesne plough-team, three peasant teams and a population of twelve peasants at the time of the Domesday survey. Several nearby Sourdeval estates, including Guisborough, were also populated and equipped with plough-teams and collectively may have been able to support an early fortress: *DB*, i, 305b. A founder's history of Guisborough priory states that Robert of Brus was lord of Skelton in the time of the Conqueror: *Monasticon*, vi, 267, cited in Cathcart King, *Castellarium Anglicanum*, ii, 525 note 83a. For a recent argument for re-dating the foundation of Guisborough priory to 1119 see King, 'Robert de Brus', 29.

⁹³ It is just possible that Robert I of Brus arrived in England before 1100. Together with William I of Percy who died c.1096 he witnessed a charter of Hugh earl of Chester issued in favour of Whitby abbey: *Whitby Chartulary*, 28. It is possible, however, that the charter is a forgery.

⁹⁴ Although Sir Charles Clay suggested that Robert may have married a daughter of Richard of Sourdeval there is no direct evidence for such a union: *EYC*, vi, 4-5. Even if such a marriage had taken place the division of the Sourdeval tenancy between the wives of Ralph Paynel and Robert I of Brus would have been highly unusual before 1130 when descent in the female line was invariably to a single heiress: J.C. Holt, 'Feudal society and the family in early medieval England: IV. The heiress and the alien', *TRHS*, 5th ser., 35 (1985), 1-10. The evidence suggests that Robert acquired the Sourdeval estates passing to him by other means, of which the most likely is a royal grant.

⁹⁵ The estates comprising the Brus fee are tabulated in *EYC*, ii, 16-19.

⁹⁶ *Regesta*, ii, no. 648; *DB*, i, 327b-328a, 333a, 380b. The estates secured by Brus included twelve carucates in Danby, Crunkly Gill, Houghton, Houghton Hill and Lealholm. The land sacrificed by Brus in Reighton in the hundred of Hunthow on the coast had been held by the king in 1086: *DB*, i, 301a. Collingham does not appear to have been situated in Yorkshire.

⁹⁷ In 1168 Adam II of Brus paid scutage on two knights' fees held of the earl of Chester: *Pipe Roll 14 Henry II*, 99. For the identity of the component estates see *Cal. Inq. P. M.*, i, 265.

⁹⁸ Although greatly de-valued in 1086 it is likely that the Fossards built a fortress at Lythe within a short time of the Domesday survey. Traces of an early motte, or ringwork, and a bailey still survive in the vill. The earthwork castle appears to have been superseded by a stone fortification at nearby Mulgrave c.1220: *DB*, i, 305a; Cathcart King, *Castellarium Anglicanum*, ii, 521-2.

MAP 26

THE CLEVELAND CASTLERIES OF BRUS, FOSSARD AND MEINIL

KEY

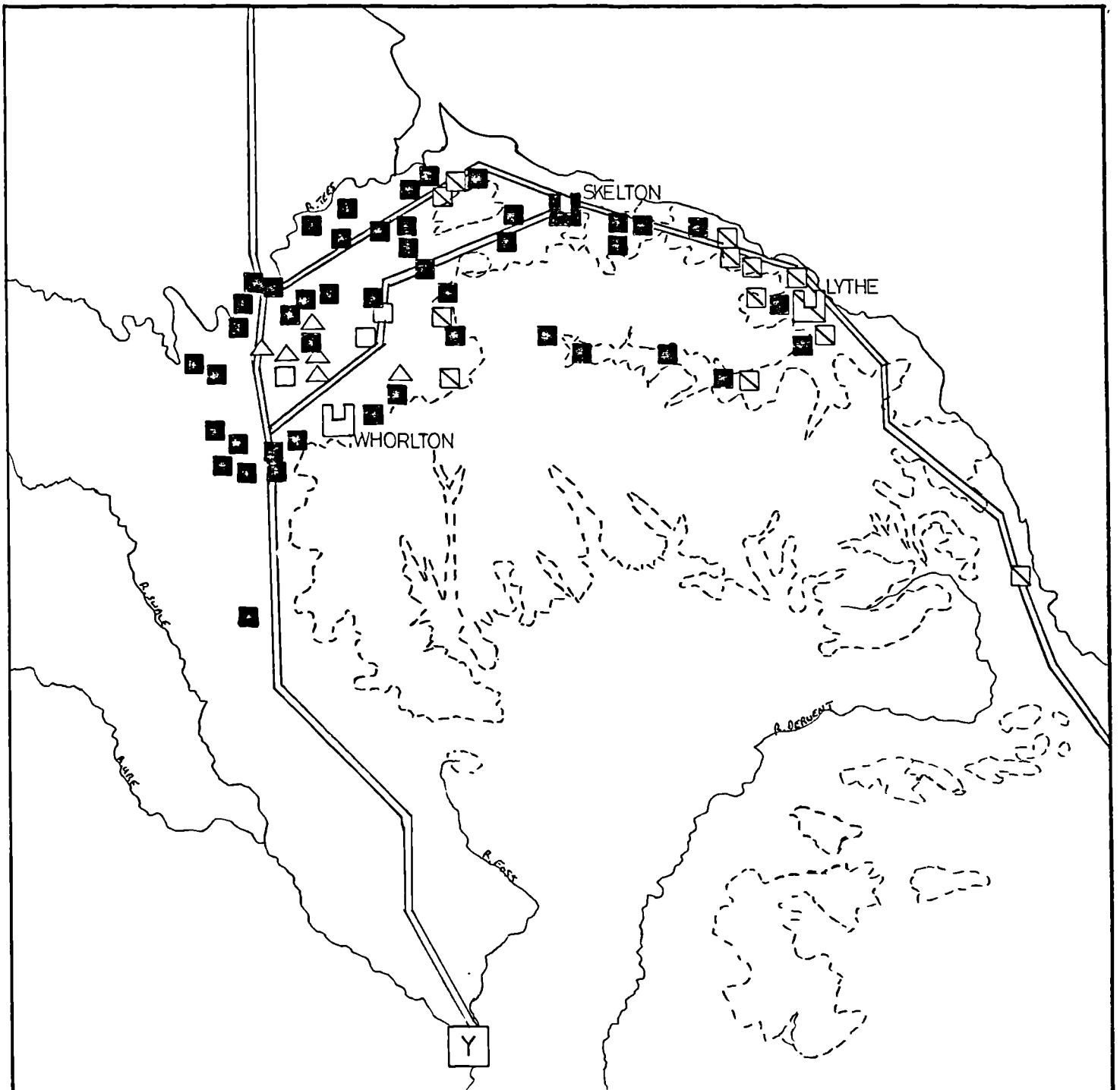
- Y YORK
- PROBABLE SITE OF BRUS CASTLE
- MANOR HELD BY BRUS
- PROBABLE SITE OF FOSSARD CASTLE
- MANOR HELD BY FOSSARD
- PROBABLE SITE OF MEINIL CASTLE
- MANOR HELD BY MEINIL
- SOKELAND " " "

--- BOUNDARY OF LAND OVER 500 ft.

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES

0 5



and the introduction and elevation of new men, Henry I brought a region which had remained largely outside the control of his father within the Norman structure of lordship.

Henry I's determination to maintain, consolidate or create compact lordships centred upon castleries, hundreds or hundredal castleries is discernible in the tenurial history of several other areas within Yorkshire. This was certainly the case with the lordships protecting the east coast. When Arnulf of Montgomery was deprived of the honour of Holderness in 1102 it was restored intact to Stephen of Aumale whose father, Odo count of Champagne, had been deprived by Rufus in 1095.⁹⁹ Further north Henry I almost certainly had a part to play in the acquisition of the hundred of Burton Agnes by Robert I of Brus. Whether Robert secured the manor by direct royal grant or through marriage to a daughter of the previous tenant, Geoffrey Bainard, is impossible to say,¹⁰⁰ but even in the latter case the consent of the king would have been required. Henry I's involvement is also suggested by his grant to Robert in 1103 of ten carucates of royal demesne land in berewicks belonging to the manor of Burton Agnes in Harpham and Gransmoor, in part-exchange for estates in Reighton and Collingham.¹⁰¹

The king also preserved the integrity of the compact lordship of the Lacy family which incorporated several hundreds and a number of castleries in the West Riding of the county (Map 5), despite the fact that it was taken back into his hands on three separate occasions during the reign. Robert of Lacy was among the group of magnates supporting Robert Curthose in 1101, and although Orderic's description of his subsequent trial, dispossession and exile in 1102 has been challenged there is independent evidence to support its accuracy.¹⁰² At some point within the next decade, however,

⁹⁹Stephen was supporting Henry I in Normandy in 1104: Orderic, vi, 56; *CDF*, no. 1210.

¹⁰⁰Farrer's original view that Robert I of Brus married a daughter of Geoffrey Bainard was subsequently revised in a later work where he suggested that Brus married a daughter of Richard of Sourdeval. There is no direct evidence for either union: *EYC*, ii, 11-12; *EYC*, vi, 4-5.

¹⁰¹*Regesta*, ii, no. 648. The royal estates passing to Brus had been held by Earnwine the priest in 1086: *DB*, i, 331a, 382a.

¹⁰²Orderic, iv, 309. Hollister challenged Orderic's account, arguing that Robert was high in royal favour in 1102 and received the Yorkshire estates of Warin Bussel, William of Say and the office of local justiciar or sheriff from the king: Hollister, 'Henry I and Robert Malet', 118. However, none of the charters cited by Hollister to substantiate his argument can be accurately dated to 1102, and the texts of some of them actually offer support for Orderic's account. In one Robert appears to be restored to lands of which he had been dispossessed by the king: 'Carta regis Henrici primi per quem dedit Roberto de Laccio totam terram que remansit ex terra Roberti de la Castane de Pontefracto quam rex disrationavit erga eum, sibi, et heredi suo jure hereditario tenendam, cum soka et saca': *EYC*, iii, no. 1418. In another charter Henry grants Robert land which 'he had claimed against him' in Yorkshire, that is, the land of William of Say, which was now to be held by the king: *EYC*, iii, no. 1420. It is also significant that in 1102 x 1103 Robert's cousin, Roger of Lacy, was acting as Duke Robert's *magister militum* in Normandy. See *EYC*, iii, nos. 1419, 1421-2; *Regesta*, ii, nos. 598, 559, 1030; Wightman, *Lacy Family*, 35-7, 65-6; Kapelle, *Norman Conquest*, 198; David, *Curthose*, 143 and note 20.

Robert was restored to his lands, before being finally deprived in 1112.¹⁰³ His Yorkshire estates then passed in their entirety to Hugh of la Val¹⁰⁴ who held them until his death sometime before 1129, and finally to William Maltravers who proffered 1000 marks and £100 to the king to marry la Val's widow and control his lands for a period of fifteen years, and retained the estates until his murder at the hands of a knight of the honour in 1135.¹⁰⁵ The great Lacy castlery might be confiscated from a rebel or leased to an unscrupulous financier, but under no circumstances, it seems, was it ever to be dismantled.

The same was true of the Warenne hundredal castlery of Conisbrough which had been established by the Conqueror to control navigation along the Don and entry into Yorkshire via the lowland gap between the Pennines and the Humberhead marshes.¹⁰⁶ Although William II of Warenne opposed Henry I in 1101, and is described as departing for Normandy late in the year after being disinherited,¹⁰⁷ by 1103 he was back in Henry's favour 'and throve as one of his closest friends and counsellors'.¹⁰⁸ Henry I not only restored Warenne to his Yorkshire estates but was probably the king responsible for substantially augmenting them with a grant of the extensive and valuable royal hundredal manor of Wakefield.¹⁰⁹ In 1086 the manor and its berewicks had declined in value from £60 to only £15 and nearly all the sokelands were waste, a lack of organization which the alienation to Warenne was doubtless designed to remedy.¹¹⁰ But there was also a military purpose behind the grant. Situated on the river Calder between Pontefract and the mountains, Wakefield was well placed to guard the entrance into Yorkshire via Calderdale and provide support for the neighbouring castleries of Conisbrough, Hallam and Pontefract in controlling north-south communications into and

¹⁰³It is interesting that Robert's deprivation occurred at about the same time as Henry I's capture of Robert of Belleme who had been one of the principal opponents of the king in 1102: *ASC*, s.a. 1112, 182; Farrer, *Pipe Rolls*, 383; *VCH, Lancashire*, i, 314-15.

¹⁰⁴Hugh was in control by the time of the Lindsey survey which has been re-dated to 1115 x 1116: Wightman, *Lacy Family*, 66; Foulds, 'Unknown precept'.

¹⁰⁵*EYC*, iii, 143, 148; Wightman, *Lacy Family*, 66, 68, 72; *Pipe Roll 31 Henry I*, 34.

¹⁰⁶Conisbrough's position as a hundredal seat is indicated by its size, value and ownership. The manor incorporated sokelands in over twenty-four neighbouring vills, was valued at £40 in 1086, and had been held by Earl Harold in 1066: *DB*, i, 321a.

¹⁰⁷C.W. Hollister, 'The taming of a turbulent earl: Henry I and William of Warenne', in *Reflexions Historiques*, 3 (1976), 87.

¹⁰⁸Orderic, vi, 14.

¹⁰⁹The exact date of the grant is uncertain and could have occurred at any point between 1088 and 1121. Clay suggested c.1107: *EYC*, viii, 178. See also Holt, *Northerners*, 214; Wightman, *Lacy Family*, 20. Wakefield's position as the seat of a hundred is clear from its size, value and ownership. The estate incorporated berewicks in nine neighbouring vills and sokelands in another nineteen. It was valued at £60 in 1066 when it was in the possession of King Edward: *DB*, i, 299b.

¹¹⁰*DB*, i, 299b.

out of the county (Map 27). If not already a castlery in the early twelfth century it was soon to become one, and like the military lordships of the Welsh and Scottish marches was held together with Conisbrough on very favourable terms of knight-service.¹¹¹

The tenurial engineering described above was probably completed within the first fifteen years of Henry I's reign. It was a period in which priority was given to the protection of the frontiers of Yorkshire and the road and river routes that traversed it. The king adopted a dual approach to the task. By dismantling the amorphous rebel lordships and preserving and consolidating the integrity of those which were more compact, Henry I rationalized the tenurial pattern of Yorkshire and strengthened its network of castleries. He had also begun the process of introducing a group of new men already attached to his court into the local tenurial community, of which Nigel d'Aubigny and Robert I of Brus were pioneer members. In the second decade of the twelfth century the process continued and Brus and d'Aubigny were joined by several other courtiers seeking to make their political and administrative fortunes in the north. By this time the reservoir of confiscated rebel estates was almost empty, and Henry I had to rely increasingly on the use of other means of patronage in order to establish the new men in Yorkshire.

Tenurial Restructuring 1100 x 1135: II. New Lordships for More New Men

The most prominent of the new men established by Henry I in Yorkshire in the period c.1110 x c.1120 was David of Scotland who had been brought up and educated at the royal court since at least 1103, and whose marriage to a daughter and heiress of Countess Judith, widow of Waltheof earl of Northumbria, was arranged by the king in 1113 or 1114.¹¹² Through his wife David acquired extensive estates in Huntingdon and Northamptonshire, and control of the compact hundredal castlery of Hallam in south Yorkshire (Map 27) which he retained after becoming king of Scotland in 1124.¹¹³

¹¹¹The combined estate of Wakefield and Conisbrough, incorporating some 212 carucates, owed the service of only 2 or 2 1/2 knights: *EYC*, viii, 137-40, 178-9. This was probably because the Warenne lords were expected to maintain a regular garrison out of their own resources: see below, pp. 99, 108.











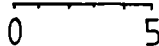


¹¹²*Regesta*, ii, no. 548; *ASC*, s.a. 1114, 183; G.W.S. Barrow, 'The royal house and the religious orders', *TRHS*, 5th ser., 3 (1953), 85, reprinted in Barrow, *Kingdom of the Scots*, 173.

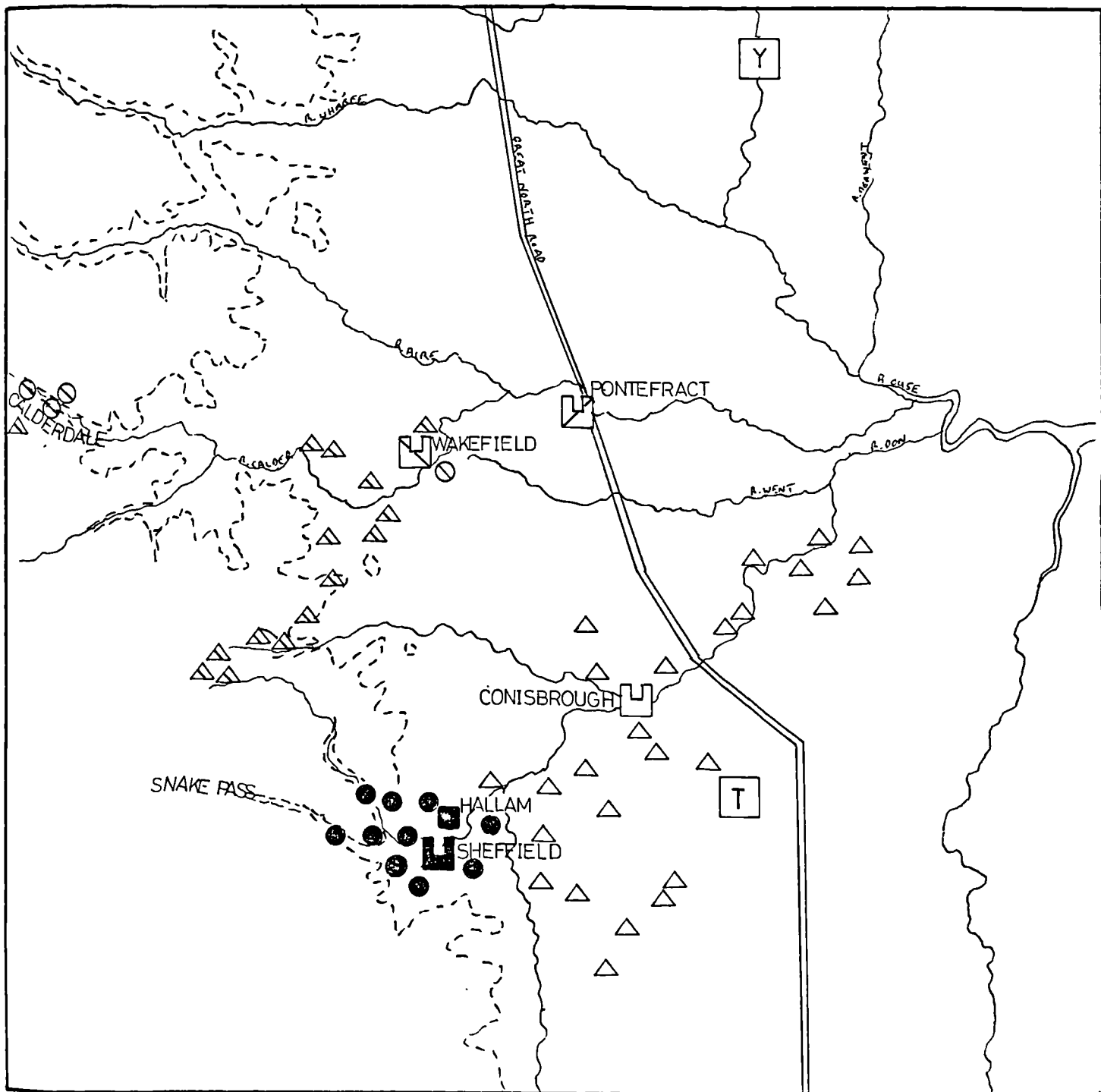
¹¹³*DB*, i, 308a. The manor of Hallam and its sixteen berewicks, together with two manors in Attercliffe and Sheffield described as *inland* of Hallam, were listed with the estates of Roger of Bully in the Yorkshire Domesday and stated to be held by Roger of Countess Judith: *DB*, i, 320a. The berewicks are not listed individually, but have been identified by Farrer: *EYC*, ii, 3. For the marriage of King David to Judith's daughter and heiress and succession to Hallam see *Complete Peerage*, vi, 63, 640-2; ix, 662-4; Freeman, *Norman Conquest*, iv, 301, 524, 601; *VCH, Yorkshire*, ii, 166. Hallam's hundredal status is suggested by the fact that it was usually described as a shire: Smith, *Place-Names WR*, i, 101. It was also extensive, wealthy, and in the possession of an Anglo-Scandinavian earl in 1066. It incorporated 2

MAP 27

THE CASTLERIES OF HALLAM, WAKEFIELD AND CONISBROUGH IN HENRY I'S REIGN

KEY

- | | | | |
|---|--------------------------------------|---|----------------------------------|
|  | YORK |  | WARRENNE'S CASTLE |
|  | TICKHILL |  | SOKELAND ATTACHED TO CONISBROUGH |
|  | PROBABLE SITE OF KING DAVID'S CASTLE |  | PONTEFRACT CASTLE |
|  | MANOR HELD BY KING DAVID |  | MAJOR ROAD |
|  | BEREWICK ATTACHED TO HALLAM | SCALE ONE INCH = 5 MILES | |
|  | PROBABLE SITE OF WARRENNE'S CASTLE |  | |
|  | BEREWICK ATTACHED TO WAKEFIELD | | |
|  | SOKELAND " " " | | |



Henry I may also have been behind the transfer of sokeland close to Hallam, belonging to the former Sourdeval manor of Whiston in Handsworth, to David's control.¹¹⁴

Eustace fitz John was another new man established in the north who owed his political elevation there partly to favourable marriage. As a younger son Eustace appears to have inherited little of his father's modest fee in Essex, Suffolk and Norfolk and owed his marriage and promotion in the northern shires to the king.¹¹⁵ He appears to have been at the royal court by 1116,¹¹⁶ and almost certainly before 1130 had married Beatrice, daughter and heiress of Ivo of Vescy.¹¹⁷ Through his wife Eustace acquired lordship of an extensive and compact barony centred on the castle of Alnwick in Northumberland, the former royal manor of Old Malton on the river Derwent in the North Riding of Yorkshire where a castle existed by 1138,¹¹⁸ and probably five and a half knights' fees in Yorkshire formerly belonging to the honour of Ralph Mortemer (Map 28).¹¹⁹ A second marriage to Agnes, daughter of William fitz Nigel constable of Chester, which probably also occurred before 1130,¹²⁰ brought Eustace additional estates in Loddington in Northampton and Hilderthorpe near Bridlington in Yorkshire, held of the earl of Chester.¹²¹ His acquisition of several more under-tenancies in Yorkshire held of the Archbishop of York, bishop of Durham, earl of Richmond, William Fossard, William Paynel, Nigel d'Aubigny and count of Aumale probably owed

demesne plough-teams, 12 1/2 peasant teams, and 33 villeins in 1086 and may have supported a castle at this date. A castle was in existence at Sheffield by 1184, and it has been argued that Earl Waltheof's hall was probably located on the same site: Cathcart King, *Castellarium Anglicanum*, ii, 530.

¹¹⁴ *EYC*, iii, v.

¹¹⁵ The father of Eustace and Payn fitz John was identified by Sir Charles Clay as John fitz Richard who held land in Essex, Suffolk and Norfolk valued at £32 12s in 1066, and approximately £38 in 1086: *Complete Peerage*, xii, part ii, Appendix B. Eustace's share of the inheritance of his father appears to have amounted only to an interest in the vill of Saxlingham in Norfolk held of the abbey of St. Benet's Holme and valued at 20s in 1066: *DB*, ii, 266. He granted a rent of 20s per annum from Saxlingham to St. Peter's abbey Gloucester: *Cartularium Glocestria*, i, 114. The bulk of his father's fee probably passed to his brother Payn. This is suggested by the fact that Payn was pardoned danegeld of 40s in Norfolk in 1129 x 1130, over three times the remission granted to Eustace: *Pipe Roll 31 Henry I*, 95; *DB*, ii, 265-6.

¹¹⁶ He attests a royal charter issued before April 1116: *Regesta*, ii, no. 1130.

¹¹⁷ *Complete Peerage*, xii, 272-4.

¹¹⁸ Sanders, *Baronies*, 103; Symeon, *Opera*, ii, 292.

¹¹⁹ In 1185 the custodian of the honour of William of Vescy, son and heir of Eustace fitz John, accounted for 5 1/2 knights' fees of the fee of Mortemer, the service of which had been given in marriage to a predecessor of William of Vescy and had not yet attained the third heir: *Pipe Roll 33 Henry II*, 93. A grant by Ivo of Vescy to St. Mary's York of two carucates in Gilling-in-Ryedale belonging in 1086 to Ralph Paynel, suggests that the marriage had taken place by the early years of the twelfth century and involved a member of the Vescy family rather than Eustace fitz John himself: *Cal. Chart. Rolls*, iii, 114. Eustace was later to grant four carucates in Gilling to St. Mary's, which was exactly the number held in the vill by Mortemer in 1086: *EYC*, iii, no. 1877; *DB*, i, 325b. The descent of the Domesday fee of Ralph Mortemer, who appears to have been alive in the early years of the reign of Henry I, is extremely complicated and far from clear. It is probable that besides Gilling-in-Ryedale the 5 1/2 knights' fees incorporated a land in Wintringham, Knapton, North Ferriby, Swanland, Braithwaite, Newsholme, Scamspton, Brind, Wressel, and Gribthorpe: *EYC*, iii, p. v, 486-7, 494, 498, 501.











¹²⁰ *Complete Peerage*, xii, 274.

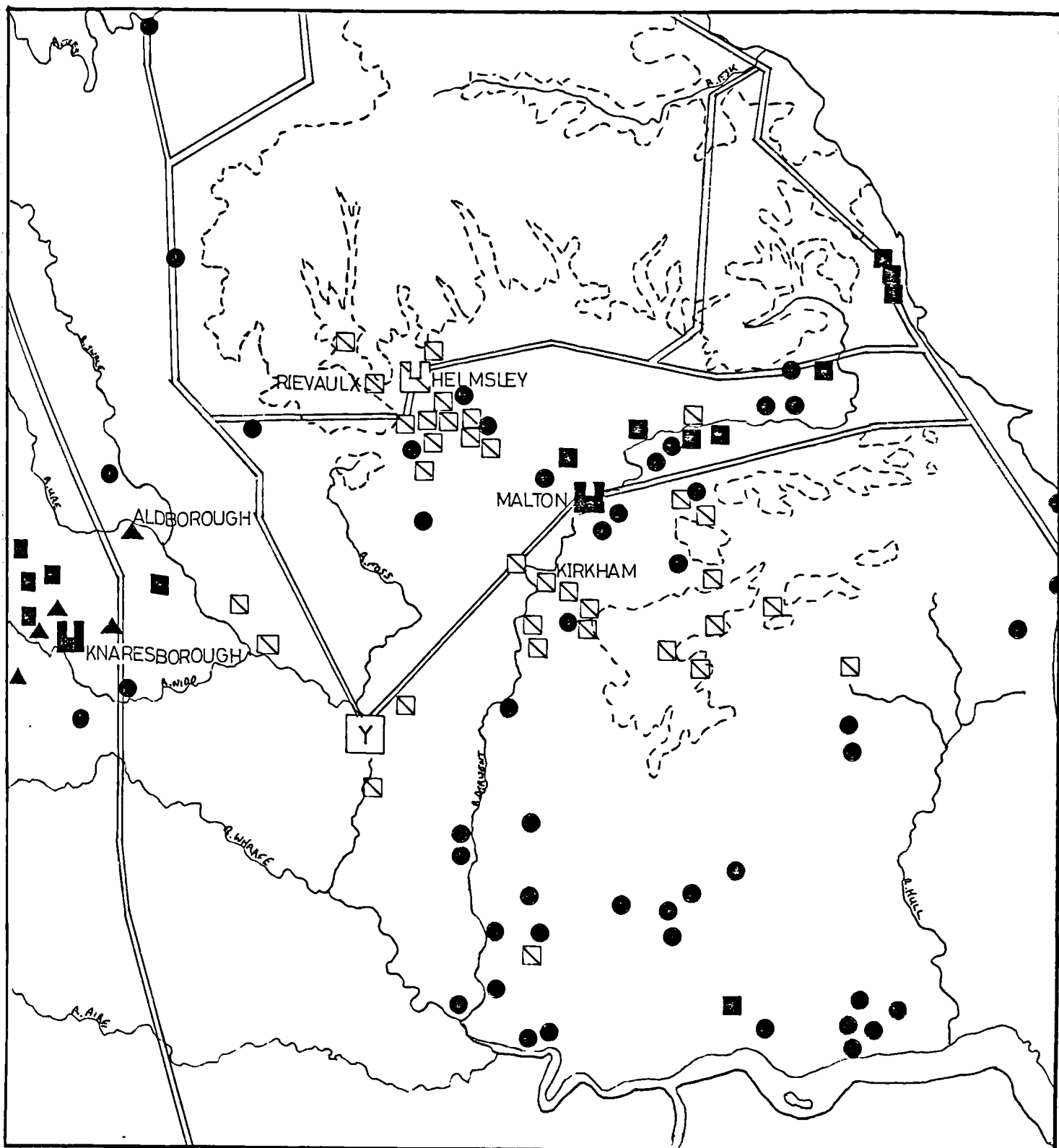
¹²¹ *EYC*, ii, nos. 1108-11.

MAP 28

THE ESTATES OF EUSTACE FITZ JOHN AND WALTER ESPEC IN HENRY I'S REIGN

KEY

- | | | | |
|--|---|---|-------------------------------|
|  | YORK |  | BOUNDARY OF LAND OVER 500 ft. |
|  | CASTLES HELD BY EUSTACE FITZ JOHN |  | MAJOR ROAD |
|  | ESTATE HELD IN CHIEF BY " " | SCALE: ONE INCH = 5 MILES | |
|  | SUB-TENANCY HELD BY " " |  | |
|  | ROYAL ESTATE HELD IN CUSTODY BY FITZ JOHN | | |
|  | CASTLE HELD BY WALTER ESPEC | | |
|  | ESTATE " IN CHIEF BY " | | |



something to his connection with the royal court.¹²² During the minority of Roger of Mowbray, son and heir of Nigel d'Aubigny, Henry I was certainly responsible for granting Eustace land belonging to the Mowbray fee in Brompton.¹²³ It was also to the king that Eustace owed the custody of the royal hundredal manors and castles of Knaresborough, Aldborough and Tickhill which he was holding in 1130.¹²⁴ In the case of some of the component estates of Knaresborough the custodianship was transformed by royal grant or rapacious opportunism into private possession.¹²⁵ Whatever the case Henry I is unlikely to have begrudged Eustace the land. Entries in the pipe roll of 1129 x 1130 reveal Eustace receiving allowances against debts owed to the king for expenses incurred in work on the fortifications of Tickhill and Knaresborough, and for repairs to the gate of Bamburgh castle in Northumberland which was also in his custody, and suggest that these fortresses had been placed in the charge of an experienced and skilled engineer.¹²⁶ Even in 1130 the military reinforcement of Yorkshire was not quite at an end.

Closely involved with Eustace fitz John in the administration of the north, and established in the area at about the same time, was Walter Espec. Like Eustace, Walter was the son of a landholder of middling rank from the south of England,¹²⁷ a newcomer to the north, and held the bulk of his estates in Northumberland, where he was lord of Wark,¹²⁸ rather than in Yorkshire. He first appears

¹²²Dr. Green has noted that multiple under-tenancies of this kind were common among Henry I's administrators: Green, *Government*, 182 and note 194.

¹²³*Regesta*, ii, nos. 1722, 1730.

¹²⁴Eustace owed £22 from the farm of Knaresborough and Aldborough: *Pipe Roll 31 Henry I*, 24, 31. See also *Regesta*, ii, no. 1432. The royal castle was at Knaresborough. Eustace was still in control of Knaresborough after the foundation of Fountains abbey in 1132: *Memorials of Fountains*, i, 50-1. Although Roger II of Bully never acquired the castle of Tickhill which remained in the hands of the king and his custodian after the death of his father, Roger I, c.1098, he did secure the Bully estates formerly attached to Tickhill at some point in the reign of Henry I. By 1129 x 1130, however, both the castle and the Bully lands appear to have been in the custodianship of Eustace fitz John: *Pipe Roll 31 Henry I*, 36; Chibnall, 'Robert of Belleme', 151-6.

¹²⁵Henry II confirmed land in Stainleys, Branton, Cayton, South Acres and Killinghall, which had formed part of the royal manors of Knaresborough and Aldborough in 1086 and had subsequently passed to Serlo of Burg the custodian of the manors before Eustace, to William of Vescy the son and heir of Eustace: Public Record Office Chancery Miscellanea C 47/9/5, printed as an appendix to C.H. Hartshorne, *Memoirs illustrative of the history and antiquities of Northumberland*, Proceedings of the Archaeological Institute, Newcastle-upon-Tyne, 1852 (London, 1858); *Regesta*, ii, no. 1541. A foundation record of the priories of Malton and Watton, established by Eustace fitz John, states that Serlo of Burg was the builder of Knaresborough castle and that after his death his inheritance passed to Eustace: *Monasticon*, vi, 972. Serlo's son, Osbert, is known to have predeceased him: Green, *Government*, 265-6. It is clear that the lands acquired from Serlo by Eustace were regarded as private property. The custodianship of the castle of Knaresborough, and presumably the remainder of the manors of Knaresborough and Aldborough, however, were not heritable. Serlo was still alive in 1129 x 1130 and Eustace can only have acquired the custodianship by royal grant: *Pipe Roll 31 Henry I*, 31.

¹²⁶*Pipe Roll 31 Henry I*, 31, 35, 36. For his custodianship of Bamburgh see Symeon, *Opera*, ii, 291-2. Between 1115 and 1127 Henry I granted Eustace the land of 'the arblaster' which the king held in demesne in Bamburgh: *Regesta*, ii, no. 1279. This may have been Hamo Balistarius the reeve: *Regesta*, ii, no. 572.

¹²⁷Walter succeeded to the fee held in 1086 by William Spech. This comprised approximately forty hides valued in 1086 at £32, and assessed at ten knight's fees in chief in 1166: *DB*, i, 211b, 215a, 218a; W. Farrer, 'The honour of Old Wardon', *Bedfordshire Hist. Rec. Soc.*, 11 (1927), 1-46, cited in Green, *Government*, 245-6 and note 164.

¹²⁸Sanders, *Baronies*, 149. For the constituent estates see *Book of Fees*, ii, 1120; *Northumberland County History*,

in a great assembly of northern magnates held at Durham in 1121,¹²⁹ by which time he was clearly already well established. A year later he founded the Augustinian priory of Kirkham in the East Riding of Yorkshire.¹³⁰ Kirkham was a component of a small and relatively amorphous Yorkshire lordship, composed mainly of estates formerly belonging to the demesne of the count of Mortain and the king (Map 28).¹³¹ By 1134 Walter had built a castle at Helmsley and founded a Cistercian abbey at Rievaulx in Ryedale. Together with the neighbouring d'Aubigny castleries of Thirsk and Kirkby Moorside his lordship controlled the southern exits of the passes through the North Yorkshire Moors and the Roman road linking the coast with the Great North Road.

The remaining members of the group of new men established in Yorkshire by Henry I after 1110 include Anshetill of Bulmer, who obtained the important and extensive royal manor of Easingwold, the seat of Bolesford wapentake, together with several other manors formerly belonging to the king or held as under-tenancies of the Rumilly and Mowbray families;¹³² Geoffrey fitz Pain, who was granted the remnants of the former honour of Erneis of Burun, and lordship of the royal hundredal manors of Warter and Market Weighton;¹³³ Turgis Brundos, who secured control of Rosedale and a small

ix, 31.

¹²⁹Symeon, *Opera*, ii, 261.

¹³⁰*Regesta*, ii, no. 1459; *Cartularium de Rievaille*, 159, 243; *EYC*, x, no. 105; *Vita Ailredi*, lxxiii.

¹³¹In 1166 the guardian of Everard of Ros whose father, Robert, succeeded to the major portion of the estates of Walter Espec, including Helmsley, answered for 7 7/24 knights' fees of the old enfeoffment and 1 knight's fee of the new: *Red Book*, i, 432-3. In 1168 scutage was paid on 8 1/5 knights' fees of the old enfeoffment and 2 1/4 of the new, but later scutages were paid on approximately 6 knights' fees: Sanders, *Baronies*, 53 note 2. I have identified the following components belonging to Walter's honour. 1. Land formerly belonging to the king: Helmsley, West Newton, Naburn, Leavening, Sproxtton, and Griff: *EYC*, x, 144, 167; *EYC*, i, 328 *Kirkby's Inquest*, 62, 71, 114, 115; *Cartularium de Rievaille*, 16-21; *DB*, i, 300b, 301a, 331b. 2. Land formerly belonging to the count of Mortain: Helmsley, Kirkham, Oswaldkirk, Garton-on-the-Wolds, Harome, Kirby Grindalythe, Foggathorpe, Sledmere, Thixendale, Warthil, Howsham, Pockley, Beadlam, Riclose, Nunnington, Barthorpe, Linton-upon-Ouse, Whitwell, Westow, Loft Marishes, Cowton, and Aldwark: *EYC*, x, 144, 148-9, 151-2, 153, 157, 162-3, 166, 168-9, 173, no. 95 and note; *EYC*, ii, 382, 143; *Cartularium de Rievaille*, 159, 243, 131, 207; *Cal. Inq. P. M.*, viii, no. 474; *Kirkby's Inquest*, 71, 113-14, 119, 262; *Vita Ailredi*, lxxiii; *DB*, i, 306a, 307a, 305b, 382a, 306b, 307b. 3. Estates formerly belonging to Berengar of Tosny: Bilsdale: *EYC*, x, 148-9; *EYC*, ii, 55; *DB*, i, 4. Estates formerly belonging to the king and the count of Mortain which probably formed part of the fee: Aketon, Thorpe Bassett, Acklam, Towthorpe, Fridaythorpe, Rillington: *Kirkby's Inquest*, 274, 262, 275; *DB*, i, 301a, 307a.

¹³²The lands held in chief by Bulmer are tabulated in it *EYC*, ii, 114. In the 1166 inquest, on behalf of William of Bulmer, David Lardiner returned slightly more than 2 1/2 knights' fees of the old enfeoffment held in chief: *Red Book*, i, 428-9. Geoffrey of Valognes husband of Anshetill's daughter, Emma, appears in the 1166 returns holding four knights' fees of Fossard and one of Percy: *Red Book*, i, 407-25. The estates had almost certainly been held by Emma's father, Bertram of Bulmer, before 1135. In addition the son and heir of Bertram of Bulmer, William, is recorded as the tenant of five knights' fees of the bishopric of Durham and one knight's fee of Mowbray: *Red Book*, i, 417-20. The Bulmer estates held of Fossard were situated partly in Bramham and Sheriff Hutton which were close to Easingwold: *EYC*, ii, 341, 365. The knight's fee held of Percy was probably located partly in Aismunderby and Markingfield in the parish of Ripon: *EYC*, xi, 180-1. The knight's fee held of Mowbray was located in Hartlington, Kepwick, and Over and Nether Silton: *Mowbray Charters*, 265. Anshetill of Bulmer was the steward of Robert Fossard but owed his elevation to a tenancy-in-chief and administrative position to Henry I. In this sense he was a new man: *Regesta*, ii, nos. 1627, 1072, 1286, 1336, 1621.

¹³³Geoffrey fitz Pain succeeded to the Lincolnshire portion of the honour of Erneis of Burun by the time of the Lindsey survey in 1115 x 1116. It is almost certain that, with the exception of only Nidderdale which passed to Nigel d'Aubigny, Geoffrey also acquired the Yorkshire estates of Burun: Sanders, *Baronies*, 56; *Mowbray Charters*, xxii. Although Professor King suggested that Geoffrey may never have controlled the royal manors of Warter and Market

cluster of nearby estates derived from the royal demesne and the dismembered fee of Gospatric,¹³⁴ and Forne fitz Sigulf, who received a small group of former royal estates in Warter hundred in the East Riding, and a grant from Henry I of land formerly belonging to Robert Malet in Thornton-le-Moor.¹³⁵ With the probable exception of the fee of Geoffrey fitz Pain, none of these lordships are known to have been fortified in the twelfth century, and none appear large or compact enough to have had a military function (Map 29). Like Eustace fitz John and Walter Espec some of the new men who held them were to serve in other counties in a military capacity as the defenders of the frontiers of Norman authority.¹³⁶ But their smaller and more scattered lordships in Yorkshire suggest that this was not their primary function in this county. The military reorganization of Yorkshire was already virtually complete when these men arrived in the region, and the Normans had already made considerable progress in pushing the frontiers of their power into the counties beyond the Tees. The consolidation of military security in Yorkshire through the rationalization of the structure of lordship paved the way for the second, and equally important, element in the process of conquest - the integration of the county within the system of royal administration and justice. It was to Henry I's new men that this duty was principally to fall.

The Coming of Royal Government

Norman kings, like their Anglo-Scandinavian predecessors, rarely visited the English counties north of the Humber estuary which was viewed by some chroniclers as a dividing line between northern

Weighton, the danegeld exemptions secured by Geoffrey in 1129 x 1130 indicate that he was in possession of the manors, and the Yorkshire portion of the Burun honour, at that date. Geoffrey appears to have secured exception for all his lands in Lincolnshire, and this was probably also true in Yorkshire where the remission of £3 2s 6d, at a taxable rate of 4d per carucate, represents a fee of 187 1/2 carucates. In 1086 the Yorkshire portion of the fee of Erneis of Burun was assessed at 89 1/4 carucates. At some date after 1086 Erneis gave Ralph Paynel 35 1/4 carucates in Bingley in return for 23 1/4 carucates in Ribston and Tockwith and their appendages. Thus in the late twelfth century the Burun fee incorporated some 77 1/4 carucates, far less than the 187 1/2 of 1129 x 1130. A large part of the difference could be accounted for if Geoffrey fitz Pain had been granted the manors of Warter and Market Weighton which were assessed in 1086 at 79 carucates. See E. King, 'The parish of Warter and the castle of Galchlin', *YAJ*, 52 (1980), 49-54; *Pipe Roll 31 Henry I*, 34, 121; *VCH, Yorkshire*, ii, 180-1, 278; *EYC*, vi, 57; *DB*, i, 328b, 299a; *EYC*, x, 24. It appears that we should accept the truth of a statement made in a charter of Geoffrey Trussebut, dated 1175 x 1178, that Geoffrey fitz Pain granted the church of St. James of Warter and six bovates of land there to the canons of Warter priory: *EYC*, x, no. 71; *EYC*, x, 1-4, 8, 14, 108-9. In 1166 the Trussebut, who appear to have succeeded to the honour of Geoffrey fitz Pain, are recorded as holding ten knights' fees in Yorkshire in chief: *Red Book*, i, 435. This tenancy is listed separately from the five knights' fees held by the knights of Warter.

¹³⁴The nearby estates were in Aislaby, Cawthorne, Cropton and Wrelton: *VCH, Yorkshire*, ii, 185; *VCH, Yorkshire NR*, ii, 454-5, 457. For Turgis see T.H.B. Graham, 'Turgis Brundos', *TCWAAS*, 29 (1929), 49-56.

¹³⁵The estates acquired from the royal demesne are tabulated in *EYC*, ii, 509. For the grant of Thornton see *Regesta*, ii, no. 1357.

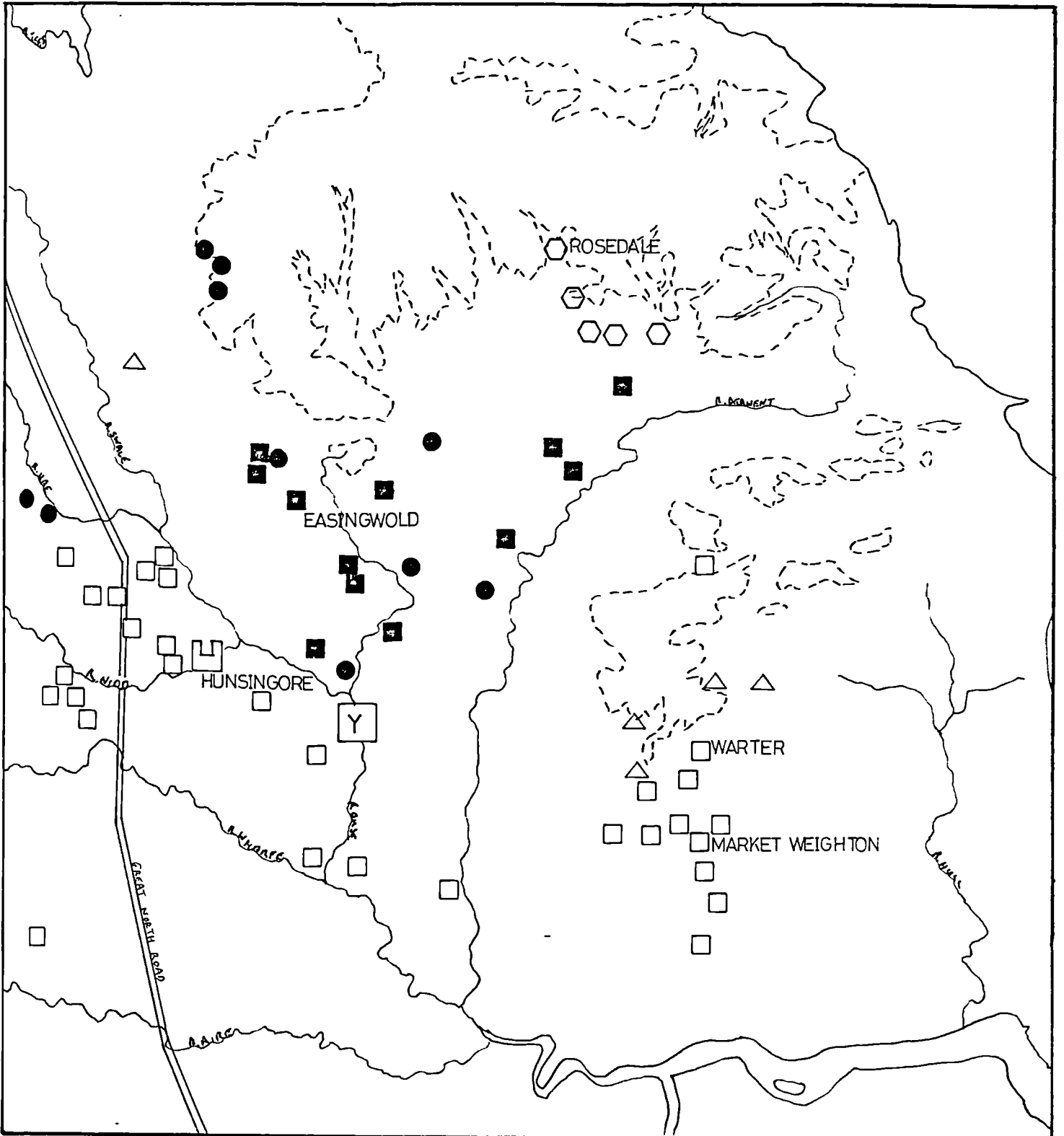
¹³⁶Forne fitz Sigulf and Turgis Brundos held the Cumbrian lordships of Greystoke and Liddell respectively: *VCH, Cumberland*, i, 421; Graham, 'Turgis Brundos'. Forne also held Coquetdale in Northumberland, Coniscliffe in county Durham, and probably several estates in Upper Teesdale: *EYC*, ii, 505 note; *Regesta*, ii, nos. 1279, 1639.

MAP 29

THE ESTATES OF BULMER, FITZ PAIN, BRUNDOS AND FITZ SIGULF c.1135

KEY

- | | |
|--|--|
| <p> Y YORK
 ESTATE HELD IN CHIEF BY BULMER
 SUB-TENANCY HELD " "
 U CASTLE PROBABLY HELD BY FITZ PAIN
 ESTATE HELD IN CHIEF " " "
 " " " " " BRUNDOS
 " " " " " FITZ SIGULF </p> | <p> --- BOUNDARY OF LAND OVER 500 ft.
 == MAJOR ROAD
 SCALE: ONE INCH = 5 MILES
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 0 5 </div> </p> |
|--|--|



and southern England.¹³⁷ William the Conqueror and William Rufus each went to York three times,¹³⁸ and Henry I only once or twice.¹³⁹ If royal government was to be exercised in Yorkshire, it was to be exercised at second hand by local agents. One of the most important of these was the archbishop of York who presided over the shire court with the sheriff. The Norman kings were always careful to ensure that the post of archbishop was filled with a man drawn from a group of clerics closely attached to the royal court and household.¹⁴⁰ In the Conqueror's reign, however, the secular delegates of royal government in Yorkshire were not *curiales* but local magnates, many of whom were either powerful relatives of the king or their tenants.¹⁴¹ This combination of governmental authority and tenurial power was doubtless a reflection of the military insecurity of the region. The only local administrative position with a known official title was that of sheriff, and in this was always held by a local tenant-in-chief. In terms of their landed resources the sheriffs of Yorkshire in the Conqueror's reign were among the wealthiest in the whole of England.¹⁴² The first man to hold the office was William Malet who was installed in 1069.¹⁴³ He was succeeded in office after his death,

¹³⁷Symeon, *Opera*, ii, 267. Henry I reinforced his household troops when travelling north of the Humber: Nicholl, *Thurstan*, 32.

¹³⁸The Conqueror in 1068, 1069, and probably 1072: *Regesta*, i, p. xxi-xxii. William Rufus probably on his way to Durham in 1091, on his way to Carlisle in 1092, and during the rebellion of 1095 when he visited Newcastle: Barlow, *Rufus*, 449-52.

¹³⁹Henry certainly visited York during his tour of the northern shires in 1122, and was in Yorkshire in 1102 and 1105: *Regesta*, ii, p. xxix-xxxii.

¹⁴⁰Archbishop Thomas I (1070 x 1100) was a native and canon of Bayeux, and almost certainly a protege of the Conqueror's half-brother, Odo bishop of Bayeux: Freeman, *Norman Conquest*, iv, 339-40. Archbishop Gerard (1100 x 1108) had been a chancellor to both William I and William II: Orderic, v, 297 note 6; Hugh the Chantor, 12; V.H. Galbraith, 'Girard the chancellor', *EHR*, 46 (1931), 77-9. Archbishop Thomas II (1109 x 1114) was Henry I's chaplain, a nephew of Archbishop Thomas I, and a son of Samson bishop of Worcester who was closely connected with Bayeux: *Episcopal Acta V*, xxv; V.H. Galbraith, 'Notes on the career of Samson bishop of Worcester', *EHR*, 82 (1967), 96-101. Archbishop Thurstan (1114 x 1140) originated from the region of Bayeux and with his brother, Audoen, who became bishop of Evreux, he had served as one of Rufus's clerks and as chaplain for Henry I: Nicholl, *Thurstan*, 5, 50-1; C.N.L. Brooke, 'The composition of the chapter of St. Paul's 1086-1163', *CHJ*, 2 (1951), 124 and note 71; Hugh the Chantor, 34; Barlow, *English Church*, 83. The bishops of Durham were also closely associated with Bayeux and drawn from the same circle of clerical *curiales*: D.R. Bates, 'The character and career of Odo bishop of Bayeux, 1049/50-1097', *Speculum*, 50 (1975), 13. See also C.N.L. Brooke, 'Gregorian reform in action: clerical marriage in England, 1050-1200', *CHJ*, 12 (1956), 1-21, reprinted in *Medieval Church and Society* (1971), 69-99; Barlow, *Rufus*, 60-1, 147-8, 179, 192-5, 204-5, 210, 217. Barlow notes that many of the Conqueror's bishops were not closely related to the royal court: *ibid.*, 178-9.

¹⁴¹The king's relatives included Robert count of Mortain, a half-brother; Drogo de la Beuvriere, the husband of one of the king's relatives; William I of Warenne, a distant cousin; Countess Judith, a niece; Odo count of Champagne, a brother-in-law; and Gilbert I of Gant, a first cousin once removed. The tenants of the king's relatives included Ilbert of Lacy, who held considerable estates of Odo bishop of Bayeux the Conqueror's half-brother; and Thomas I archbishop of York and William bishop of Durham who were probably proteges of Bishop Odo. See Soulsby, 'Counts of Mortain', 2-3; English, *Holderness*, 7; L.E. Loyd, 'The origins of the family of Warenne', *YAJ*, 31 (1934), 97-113; Freeman, *Norman Conquest*, iv, 301, 339-40, 524; G. Beech, 'Aquitainians and Flemings in the foundation of Bardney abbey (Lincolnshire) in the later eleventh century', *The Haskins Society Journal*, 1 (1989), 83; Wightman, *Lacy Family*, 31-5; Symeon, *Opera*, i, 170.

¹⁴²Green has illustrated that in terms of their wealth and status the sheriffs of England in the Conqueror's reign were a mixed bag. With the exception of only one other, the wealthiest was the first sheriff of Yorkshire, William Malet, who held lands valued at over £629. Although not nearly as wealthy Malet's successor, Hugh fitz Baldric, was still among the most powerful sheriffs with lands valued at £131, of which over half was situated in Yorkshire: J. Green, 'The sheriffs of William the Conqueror', *Anglo-Norman Studies*, 5 (1982), 129-45, esp. 141-2.

¹⁴³W. Farrer, 'The sheriffs of Lincolnshire and Yorkshire 1066-1130', *EHR*, 30 (1915), 281; Green, 'Sheriffs', 142.

before or during 1071, by Hugh fitz Baldric, and Hugh in turn by Erneis of Burun sometime after the late 1070s and before 1086.¹⁴⁴ If there were other officials it is likely that they too were magnates and that their duties were primarily military rather than administrative or judicial. William Malet probably died fighting the Danes,¹⁴⁵ and defending York castle with him in 1069 was Gilbert I of Gant, the Conqueror's cousin.¹⁴⁶ When we catch a glimpse of the activities of next sheriff, Hugh fitz Baldric, we find him patrolling the Humber and moving through the county with an army at his back.¹⁴⁷ His deputy, William I of Percy, a man of equal stature, when not away with the king campaigning in Scotland was entrusted with the custody of York castle.¹⁴⁸ In Yorkshire at least, the first generation of Norman officials were military magnates rather than professional administrators.

The reign of Rufus began in the same way as the reign of the Conqueror had ended. Erneis of Burun remained in office until 1088 when he was replaced by another local tenant-in-chief, Ralph Paynel.¹⁴⁹ The reliance of the king on powerful magnates was illustrated during the course of his quarrel with William bishop of Durham in the same year. Ralph Paynel confiscated the bishop's estates in Yorkshire, while the counts Odo of Champagne, Roger the Poitevin and Alan of Brittany were sent with an army to negotiate with William at Durham.¹⁵⁰ The castle of Durham and the episcopal estates were eventually taken into the king's hands in November 1088 by Erneis of Burun and Ivo Taillebois.¹⁵¹

By c.1093, however, a change had taken place. Ralph Paynel was replaced as sheriff, and the series of men who succeeded him were either newcomers to Yorkshire or under-tenants of the Domesday magnates, men elevated to small local tenancies-in-chief by the king and far more dependent upon him than the great magnates had been.¹⁵² Moreover, the office of local justiciar appears for the first

¹⁴⁴Farrer, 'Sheriffs of Yorkshire', 282.

¹⁴⁵Freeman, *Norman Conquest*, iv, 473; J.H. Round, 'The death of William Malet', *Academy* (26th April 1884).

¹⁴⁶Freeman, *Norman Conquest*, iv, 204, 258, 268.

¹⁴⁷*Selby Coucher*, i, [14]-[15].

¹⁴⁸*DB*, i, 298a.

¹⁴⁹Farrer, 'Sheriffs of Yorkshire', 282.

¹⁵⁰Symeon, *Opera*, i, 171-3, 176-9.

¹⁵¹*Ibid.*, 192.

¹⁵²Paynel's successor, Geoffrey Bainard, was probably a younger brother of the important Domesday tenant, Ralph Bainard, and may have been a landless younger son. He was certainly a newcomer to Yorkshire and, as we have seen, was granted the royal demesne hundred of Burton Agnes: Farrer, 'Sheriffs of Yorkshire', 282. The administrative change is also apparent in several other counties: Green, 'Sheriffs', 145. Although a small number of the Conqueror's more prestigious sheriffs either retained their positions until 1100, or passed their offices to their sons, the majority of the sheriffs of Rufus were either from the middling ranks of aristocratic society, or men of more obscure social origins with little or no land in the counties where they held office: Barlow, *Rufus*, 189-90.

time alongside that of the sheriff and, although held by the magnates Ralph Paynel and Robert of Lacy, marks an important new departure in county administration.¹⁵³ The governmental emphasis was already beginning to shift from military control to civil administration and justice.

It was, however, in the reign of Henry I that the greatest advances towards integrating Yorkshire within the system of royal government were made. The key role in this belonged to the new men. They formed the vital link between court and countryside. On the one hand, through their local estates, marriages, custodianships and religious patronage they were absorbed into the local aristocratic community.¹⁵⁴ On the other, they were all dependant upon the king and closely attached to his court. Several of them, including Nigel d'Aubigny, Eustace fitz John, Walter Espec and Robert I of Brus, were younger sons or more substantial magnates from the west of Normandy who had probably been in the service of Henry I before he became king, and attached themselves to his court after 1100.¹⁵⁵ Others, like the successive sheriffs, Osbert and Anchetill of Bulmer, were under-tenants of relatively lowly status in the reign of Rufus.¹⁵⁶ They owed most, if not all, of the Yorkshire estates that passed to their descendants, large or small, held in chief or as under-tenancies, to Henry I. It was to this group of new men that the king entrusted almost all the major administrative positions in Yorkshire. They were to govern as his men, as an extension of the royal court, and work together as a team in which each official regulated the activities of his colleagues. The age of the independent local military official, it seemed, was drawing to a close.

The administrative diversification and co-operation promoted by Henry I in Yorkshire can be traced in the opening decade of his reign. In 1100 he replaced Rufus's sheriff, Bertram of Verdun, with an under-tenant of the honour of Percy, Osbert, who was already sheriff of Lincolnshire.¹⁵⁷ Although continuing to employ the local justiciar, Robert of Lacy,¹⁵⁸ Henry entrusted similar responsibilities to one of his powerful new men, Nigel d'Aubigny, who also received the custodianship of the castle of

¹⁵³Barlow, *Rufus*, 190; H.A. Cronne, 'The office of local justiciar in England under the Norman kings', *Univ. of Birmingham Hist. Journal*, 6 (1958), 28-9. For the functions of local justices see Stenton, *English Justice*, 66-7.

¹⁵⁴The role of the new men in promoting northern monasticism will be examined in Chapter 3.

¹⁵⁵Nigel d'Aubigny and Eustace fitz John were both younger sons: *Mowbray Charters*, xvii-xix; *Complete Peerage*, xii, part ii, Appendix B; Green, *Government*, 251; *EYC*, 99. Robert of Brus was probably lord of Brix in the Continent. The family of Walter Espec may well have come from the same Norman neighbourhood as the d'Aubignys: Green, *Government*, 246. For Henry I's promotion of men from western Normandy or Brittany generally see Green, *ibid.*, 146-8.

¹⁵⁶*EYC*, xi, 213-17; Green, *Government*, 238. On Henry's use of men from the middling ranks of magnate society, and under-tenants, generally see Green, *Government*, 139-46; Morris, *Sheriffs*, 41-52, 75-87.

¹⁵⁷Farrer, 'Sheriffs of Yorkshire', 277-85.

¹⁵⁸*EYC*, iii, nos. 1418-22; Wightman, *Lacy Family*, 35-7, 65-6; *Regesta*, ii, nos. 598, 559, 1030.

York.¹⁵⁹ Osbert served until his death around 1115, while for Nigel service in northern government appears to have been part of an administrative apprenticeship. From around 1118 until his death in 1129, as Greenway observes, Nigel 'was constantly at the king's side, acting as adviser and military commander, and travelling with the court throughout England and Normandy'.¹⁶⁰ His involvement with the government of northern England, however, was far from over. He retained his important estates there, and the frequency with which he attests royal charters dealing with northern affairs after 1118, often in the company of the local officials who worked there, suggests that his specialized cognizance of the region continued to be put to good effect by the king when formulating northern policy.¹⁶¹ The liaison between Nigel and Walter Espec and Eustace fitz John appears to have been particularly close, and it is almost certain that these men were his judicial successors in Yorkshire and other counties in the north.¹⁶²

From the latter part of the second decade of the twelfth century Walter Espec and Eustace fitz John were the leading figures in the government of the north, and operated what amounted to an administrative and judicial partnership. The pipe roll of 1129 x 1130 records allowances granted to both men for restocking royal manors and from the farm of the bishopric of Durham. Together with a number of royal charters addressed to them, and concerning Durham, the evidence suggests that they were entrusted with joint custody of the temporalities of the see of Durham during the five year vacancy that followed the death of Bishop Ranulf Flambard in September 1128. The pipe roll also reveals that at some point before 1129 they had heard pleas together in Yorkshire, Northumberland, Carlisle and Westmorland, that Eustace had also heard them in Durham, and that Walter had heard pleas of the stag and was probably in control of the jurisdiction of the royal forests.¹⁶³ As Dr. Green has remarked, 'Nothing is a clearer witness to the reality of royal authority in the north than these laconic entries in the pipe roll for payments from pleas of itinerant justices'.¹⁶⁴

¹⁵⁹ *Mowbray Charters*, xvii-xviii, xxv.

¹⁶⁰ *Mowbray Charters*, xviii.

¹⁶¹ *Regesta*, ii, nos. 1241, 1272, 1285-7, 1319-20, 1322-3, 1460, 1491, 1494, 1541, 1617, 1627-8.

¹⁶² Nigel d'Aubigny, Walter Espec and Eustace fitz John are associated in some way in several royal charters: *Regesta*, ii, nos. 1279, 1335, 1357, 1491, 1494, 1541, 1603, 1284, 1575.

¹⁶³ *Pipe Roll 31 Henry I*, 32-3, 24, 131, 27, 35, 142-3, 36, 132; *Regesta*, ii, nos. 1604, 1561, 1825. Dr. Green suggests that the need to make arrangements for the episcopal revenues of the see of Durham to be paid into the treasury could well have prompted the whole eyre: Green, *Government*, 133.

¹⁶⁴ Green, *Government*, 133. Green states that in addition to hearing pleas of the crown the itinerant justices of Henry I probably conducted wide-ranging inquiries into the administration of the king's rights in the localities: *ibid.*, 81, 108.

The joint role of Walter Espec and Eustace fitz John in the enforcement of royal justice in Yorkshire and other northern counties is also clear from the royal charters addressed to, or witnessed by, them (Table 11). Half of the twelve charters addressed to Walter Espec concern Yorkshire, and the other half deal with matters relating to Northumberland, Durham and Cumberland. Of the six Yorkshire charters five are also addressed to Eustace fitz John, and in three of these the king conveys specific instructions concerning the tenure of lands and rights implying that the addressees were to act in a judicial capacity. In one charter, for example, Walter and Eustace are commanded to cause the prior and canons of Nostell to have the land in Bramham given to them by Anschetill of Bulmer, and to restore any estates that had been unjustly seized by Anschetill and his lord, Robert Fossard.¹⁶⁵ Of the fifteen royal charters witnessed by Walter Espec ten concern Yorkshire, four deal with Northumberland, Cumberland and Durham, and one is addressed to the men of Bedfordshire where Espec was a landholder. Eustace fitz John attests four of the same charters and, like Walter, was clearly in regular attendance at the royal court.¹⁶⁶

The royal charters addressed to or witnessed by Walter Espec also reveal his close co-operation with several other new men working as northern officials besides Eustace fitz John. Among those addressed with him in a judicial capacity in some of the charters were Ranulf bishop of Durham, Nigel d'Aubigny, Odard sheriff of Northumberland, Forne fitz Sigulf, Anschetill and Bertram of Bulmer sheriffs of Yorkshire, and Geoffrey Escolland steward of the bishopric of Durham (Table 11). And witnessing some of the same charters, either alone or in various combinations of groups, were Archbishop Thurstan, Nigel d'Aubigny, Robert of Brus, Forne fitz Sigulf, Geoffrey fitz Pain and William Maltravers. Walter himself was frequently among groups of northern officials attesting royal charters addressed to their colleagues in Yorkshire, Cumberland, Northumberland and Durham, despite the fact that the charters were issued in places as far from the north as Rockingham, Woodstock, Winchester, Westminster and Portsmouth. Walter Espec's membership of a specialized northern judicial team that functioned in both court and countryside is perhaps best illustrated by royal charters such as the one witnessed by Nigel d'Aubigny, in which Henry I warns his custodian of

¹⁶⁵ *Regesta*, ii, no. 1662.

¹⁶⁶ Eustace attested twenty-eight charters of Henry I in the period 1114 x 1135, and was addressed by the king in a further eight: *Regesta*, ii, nos. 1130, 1217, 1284, 1312, 1327-8, 1459, 1464, 1575, 1654, 1710, 1723, 1740, 1752-3, 1758-60, 1766, 1770, 1773, 1809, 1811, 1832, 1856, 1868, 1870-1.

**TABLE 11: THE CHARTERS OF HENRY I ADDRESSED TO,
WITNESSED BY, OR CONCERNING WALTER ESPEC (1)**

DETAILS OF CHARTER	NUMBER OF CHARTER IN REGESTA II							
	1264	1279	1312	1326	1332	1333	1335	1336
Place of Issue	Woodstock	Winchester	?	Nottingham	York	York	York	York
Addressed	+	+						
Other Addressees	F, O	D, F, O		T	T	T		B
Judicially Active								
Judicially Active With								
Witnessed		+	+	+	+	+	+	+
Other Witnesses		A, RB F	T, EFJ	F	GM, NF P, EFJ		D, W A, RB	
Affairs of which County	Durham Northumb.	Northumb.	Yorks.	Yorks.	Yorks.	Yorks.	Yorks.	Yorks
Notif., Gift, Conf.		+	+	+	+	+	+	
Specific Instruction	+							+
Witn. Include Non. Yorks. Tenants		+	+	+		+		

KEY

+ = Affirmative

Addressed: Denoting whether or not Walter Espec is addressed in the charter.

Other Addressees: The names of other Yorkshire tenants-in-chief addressed in the charter.

Judicially Active: Denoting whether or not the charter commands Walter Espec to perform judicial duties.

Judicially active with: The names of other Yorkshire tenants-in-chief commanded in the charter to carry out the same judicial duty as Walter Espec.

Witnessed: Denoting whether or not Walter Espec witnesses the charter.

Other Witnesses: The names of other Yorkshire tenants-in-chief witnessing the charter.

Affairs of County: The county with which the charter deals.

Notif., Gift. or Conf.: Denoting whether or not the charter is a simple notification, gift or confirmation.

Specific Instruction: Denoting whether or not the charter conveys specific judicial instructions to the addressees.

Witn. Include non Yorkshire tenants: Denoting whether or not the witnesses of the charter include tenants-in-chief from outside Yorkshire.

A = Nigel d'Aubigny

B = Anshetill of Bulmer

BB = Bertram of Bulmer

D = Ranulf Flambard bishop of Durham

F = Forne fitz Sigulf

GE = Geoffrey Escolland

GFP = Geoffrey fitz Pain

GM = Geoffrey Murdac

NF = Nigel Fossard

O = Odard sheriff of Northumberland

P = Alan I of Percy

RB = Robert I of Brus

T = Thurstan archbishop of York

W = William II of Warenne

**TABLE 11: THE CHARTERS OF HENRY I ADDRESSED TO,
WITNESSED BY, OR CONCERNING WALTER ESPEC (2)**

DETAILS OF CHARTER	NUMBER OF CHARTER IN REGESTA II					
	1357	1451	1459	1463	1464	1491
Place of Issue	Windsor	Brampton	Rockingham	Rockingham	Woodstock	Worcester
Addressed						
Other Addressees	T, A, B				T	T
Judicially Active	+					
Judicially Active With						
Witnessed		+		+	+	+
Other Witnesses		RB F	T, EFJ P, B	T, D P	EFJ, RB	A
Affairs of which County	Yorks.	Beds.	Yorks.	Yorks.	Yorks.	Cumb. Westm.
Notif., Gift, Conf.		+	+	+	+	+
Specific Instruction						
Witn. Include Non. Yorks. Tenants	+	+	+	+	+	+

KEY

+ = Affirmative

Addressed: Denoting whether or not Walter Espec is addressed in the charter.

Other Addressees: The names of other Yorkshire tenants-in-chief addressed in the charter.

Judicially Active: Denoting whether or not the charter commands Walter Espec to perform judicial duties.

Judicially active with: The names of other Yorkshire tenants-in-chief commanded in the charter to carry out the same judicial duty as Walter Espec.

Witnessed: Denoting whether or not Walter Espec witnesses the charter.

Other Witnesses: The names of other Yorkshire tenants-in-chief witnessing the charter.

Affairs of County: The county with which the charter deals.

Notif., Gift, or Conf.: Denoting whether or not the charter is a simple notification, gift or confirmation.

Specific Instruction: Denoting whether or not the charter conveys specific judicial instructions to the addressees.

Witn. Include non Yorkshire tenants: Denoting whether or not the witnesses of the charter include tenants-in-chief from outside Yorkshire.

A = Nigel d'Aubigny

B = Anchetill of Bulmer

BB = Bertram of Bulmer

D = Ranulf Flambard bishop of Durham

F = Forne fitz Sigulf

GE = Geoffrey Escolland

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NF = Nigel Fossard

O = Odard sheriff of Northumberland

P = Alan I of Percy

RB = Robert I of Brus

T = Thurstan archbishop of York

W = William II of Warenne

**TABLE 11: THE CHARTERS OF HENRY I ADDRESSED TO,
WITNESSED BY, OR CONCERNING WALTER ESPEC (3)**

DETAILS OF CHARTER	NUMBER OF CHARTER IN REGESTA II					
	1494	1532	1541	1557	1560	1561
Place of Issue	Portsmouth	Woodstock	Winchester	Argentan	?	?
Addressed		+		+	+	
Other Addressees	T	B		EFJ, F, BB	EFJ, O	
Judicially Active			+			+
Judicially Active With			B			EFJ
Witnessed	+					
Other Witnesses	A, F		A	T		
Affairs of which County	Yorks. Northumb.	Yorks.	Yorks.	Yorks.	Cumb.	Northumb. Durham
Notif., Gift, Conf.	+			+	+	
Specific Instruction		+	+			
Witn. Include Non. Yorks. Tenants		+	+	+		+

KEY

+ = Affirmative

Addressed: Denoting whether or not Walter Espec is addressed in the charter.

Other Addressees: The names of other Yorkshire tenants-in-chief addressed in the charter.

Judicially Active: Denoting whether or not the charter commands Walter Espec to perform judicial duties.

Judicially active with: The names of other Yorkshire tenants-in-chief commanded in the charter to carry out the same judicial duty as Walter Espec.

Witnessed: Denoting whether or not Walter Espec witnesses the charter.

Other Witnesses: The names of other Yorkshire tenants-in-chief witnessing the charter.

Affairs of County: The county with which the charter deals.

Notif., Gift, or Conf.: Denoting whether or not the charter is a simple notification, gift or confirmation.

Specific Instruction: Denoting whether or not the charter conveys specific judicial instructions to the addressees.

Witn. Include non Yorkshire tenants: Denoting whether or not the witnesses of the charter include tenants-in-chief from outside Yorkshire.

A = Nigel d'Aubigny

B = Anschetill of Bulmer

BB = Bertram of Bulmer

D = Ranulf Flambard bishop of Durham

F = Forne fitz Sigulf

GE = Geoffrey Escolland

GFP = Geoffrey fitz Pain

GM = Geoffrey Murdac

NF = Nigel Fossard

O = Odard sheriff of Northumberland

P = Alan I of Percy

RB = Robert I of Brus

T = Thurstan archbishop of York

W = William II of Warenne

**TABLE 11: THE CHARTERS OF HENRY I ADDRESSED TO,
WITNESSED BY, OR CONCERNING WALTER ESPEC (4)**

DETAILS OF CHARTER	NUMBER OF CHARTER IN REGESTA II					
	1603	1604	1662	1679	1685	1740
Place of Issue	Portsmouth	Windsor	Trentham	Westminster	Rouen	Windsor
Addressed		+	+	+	+	
Other Addressees	T	EFJ, GE	EFJ	EFJ, BB	EFJ	
Judicially Active						
Judicially Active With						
Witnessed	+					
Other Witnesses	A, GFP					EFJ
Affairs of which County	Durham	Durham	Yorks.	Yorks.	Northumb.	Yorks.
Notif., Gift, Conf.	+			+		+
Specific Instruction		+	+		+	
Witn. Include Non. Yorks. Tenants	+	+	+			+

KEY

+ = Affirmative

Addressed: Denoting whether or not Walter Espec is addressed in the charter.

Other Addressees: The names of other Yorkshire tenants-in-chief addressed in the charter.

Judicially Active: Denoting whether or not the charter commands Walter Espec to perform judicial duties.

Judicially active with: The names of other Yorkshire tenants-in-chief commanded in the charter to carry out the same judicial duty as Walter Espec.

Witnessed: Denoting whether or not Walter Espec witnesses the charter.

Other Witnesses: The names of other Yorkshire tenants-in-chief witnessing the charter.

Affairs of County: The county with which the charter deals.

Notif., Gift. or Conf.: Denoting whether or not the charter is a simple notification, gift or confirmation.

Specific Instruction: Denoting whether or not the charter conveys specific judicial instructions to the addressees.

Witn. Include non Yorkshire tenants: Denoting whether or not the witnesses of the charter include tenants-in-chief from outside Yorkshire.

A = Nigel d'Aubigny

B = Anshetill of Bulmer

BB = Bertram of Bulmer

D = Ranulf Flambard bishop of Durham

F = Forne fitz Sigulf

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NF = Nigel Fossard

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RB = Robert I of Brus

T = Thurstan archbishop of York

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**TABLE 11: THE CHARTERS OF HENRY I ADDRESSED TO,
WITNESSED BY, OR CONCERNING WALTER ESPEC (5)**

DETAILS OF CHARTER	NUMBER OF CHARTER IN REGESTA II					
	1741	1756	1759	1760	1825	1891
Place of Issue	Windsor	Oxford	Westminster	Westminster	?	Oxford
Addressed		+			+	+
Other Addressees		EFJ	T	T, D		EFJ
Judicially Active						
Judicially Active With						
Witnessed			+	+		
Other Witnesses			T, EFJ GFP	EFJ		
Affairs of Which County	Yorks.	Yorks.	Yorks. Hants.	Northumb.	Durham	Yorks.
Notif., Gift, Conf.	+		+	+		
Specific Instruction		+			+	+
Witn. Include Non. Yorks. Tenants			+	+		

KEY

+ = Affirmative

Addressed: Denoting whether or not Walter Espec is addressed in the charter.

Other Addressees: The names of other Yorkshire tenants-in-chief addressed in the charter.

Judicially Active: Denoting whether or not the charter commands Walter Espec to perform judicial duties.

Judicially active with: The names of other Yorkshire tenants-in-chief commanded in the charter to carry out the same judicial duty as Walter Espec.

Witnessed: Denoting whether or not Walter Espec witnesses the charter.

Other Witnesses: The names of other Yorkshire tenants-in-chief witnessing the charter.

Affairs of County: The county with which the charter deals.

Notif., Gift. or Conf.: Denoting whether or not the charter is a simple notification, gift or confirmation.

Specific Instruction: Denoting whether or not the charter conveys specific judicial instructions to the addressees.

Witn. Include non Yorkshire tenants: Denoting whether or not the witnesses of the charter include tenants-in-chief from outside Yorkshire.

A = Nigel d'Aubigny

B = Ansethull of Bulmer

BB = Bertram of Bulmer

D = Ranulf Flambard bishop of Durham

F = Forne fitz Sigulf

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GM = Geoffrey Murdac

NF = Nigel Fossard

O = Odard sheriff of Northumberland

P = Alan I of Percy

RB = Robert I of Brus

T = Thurstan archbishop of York

W = William II of Warenne

Knarborough and Aldborough, Serlo of Burg, that if the canons of St. Peter's York were not placed in possession the lands and rights pertaining to the church of Aldborough as they had held them in the past Walter Espec, Forne fitz Sigulf and Anshetill of Bulmer would cause it to be done, so that the king would hear no further claims for want of justice.¹⁶⁷ These royal charters clearly reveal the co-operation of Henry I's northern officials, the close ties and co-ordination they maintained between the royal court and the localities, and the resultant intrusion of royal justice and administration into Yorkshire and other counties north of the Tees.

The strength of Henry I's administrative grip on Yorkshire is reflected not only in the 1129 x 1130 pipe roll and the royal charters, but also in the number of key centres of local government placed in the hands of his new men. These included York castle, the centre of city and county administration,¹⁶⁸ which was in the custody of Nigel d'Aubigny, and the other major royal fortresses of Knarborough and Tickhill, entrusted first to Serlo of Burg and then to Eustace fitz John.¹⁶⁹ As well as important military and demesne centres Knarborough and Tickhill were also the seats of wapentakes or hundreds, the important institutions of justice and law enforcement which Professor Sawyer and Dr. Harvey argue were the key to local power in this period.¹⁷⁰ It is a striking fact that of the thirty-one or so wapentakes or hundreds of Yorkshire in secular hands in 1135 at least thirteen were under the control of the king's new men,¹⁷¹ and several others were in the possession of old-established magnates who had benefitted greatly from Henry I's patronage.¹⁷² It was through these institutions more than any other, perhaps, that the ordinary men and women of Yorkshire were brought into contact with royal authority.

Henry I's new men played a vital role in integrating Yorkshire within the system of royal govern-

¹⁶⁷ *Regesta*, ii, no. 1541. For similar charters illustrating the judicial cooperation of several northern officials see *Regesta*, ii, nos. 1357, 1532, 1604, 1625, 1662.

¹⁶⁸ *VCH, Yorkshire, City*, 29-31, 522-3.

¹⁶⁹ Serlo held only Knarborough.

¹⁷⁰ S.P.J. Harvey, 'The extent and profitability of demesne agriculture in England in the later eleventh century', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston *et al.* (Cambridge, 1983), 45-72; P. Sawyer, 'The royal Tun in pre-conquest England', in *Idea and Reality in Frankish and Anglo-Saxon Society*, ed. P. Wormald *et al.* (Oxford, 1983), 280-3. For the function of hundreds see Green, *Government*, 111-12.

¹⁷¹ The precise number of hundreds and wapentakes in Yorkshire is difficult to determine because several of the larger wapentakes appear to have been deprived into a number of hundreds, the seats of some of which have not been identified. The fourteen hundreds and wapentakes under the control of Henry I's new men were Morley, Skyrack, Agbrigg, Staincross, and possibly Osgoldcross, held by William Maltravers; Burgshire, held by Eustace fitz John; Bolesford, held by Anshetill and Bertram of Bulmer; Manshoe and Birdforth, held by Nigel d'Aubigny; Warter and Market Weighton, held by Geoffrey fitz Pain; and almost certainly a hundred within Langbargh wapentake, held by Robert I of Brus.

¹⁷² Stephen of Aumale had been restored by Henry I to his father's lordship of Holderness which incorporated three hundreds.

ment, but it is important to point out when attempting a balanced view of this role that, although greatly advanced, the integration was far from complete in 1135. Large areas of Yorkshire, including a good number of hundredal seats, remained outside the influence of the new men and under the control of old conquest magnates who were less dependant upon the king and not nearly so frequently in attendance at his court. The honour belonging to the count of Aumale may even have been outside the jurisdiction of the royal sheriff, and this was certainly true of the ecclesiastical liberties of Beverley and Ripon.¹⁷³ Moreover, the regularity and comprehensiveness of the judicial eyres conducted by the new men are impossible to determine. The availability and effectiveness of royal justice must remain open to question, especially in the north where both local customs and language barriers were still confronting the Normans with problems in the twelfth century.¹⁷⁴

It must also be remembered that the king often had to compromise with his officials. Despite their lowly origins and debts to royal patronage the new men were often capable of rapacious and independent actions undertaken to further their own interests rather than those of their royal master. In 1106 Henry I was forced to send Robert bishop of Lincoln, Ralph Basset, Geoffrey Ridel, Ranulf Meschin and Peter of Valognes to Yorkshire to preside over an inquest after Archbishop Gerard of York complained that the sheriff of Yorkshire, Osbert, was attempting to undermine the liberties of St. Peter's York.¹⁷⁵ Some years later Henry commanded his castellan of Knaresborough, Serlo of Burg, who had been entrusted with custodianship of the archiepiscopal estates during the exile of Archbishop Thurstan from 1116 to 1121, to cause the canons of St. Peter's York to have their church of Aldborough, suggesting that Serlo may not have returned all of the church's property after Thurstan's restoration.¹⁷⁶ When he thought he was dying another northern official, Nigel d'Aubigny, confessed to a series of illegal land seizures from the church and other tenants.¹⁷⁷

The administrative compromise between the king and his local officials is also reflected in the pipe roll of 1129 x 1130. Although Henry I had increased the financial efficiency of royal government

¹⁷³English, *Holderness*, Chapter 3, esp. 98-107; *DB*, i, 303b, 304a; G.R.J. Jones, 'The portrayal of land settlement in Domesday Book', in *Domesday Studies*, 189.

¹⁷⁴During the course of a judicial inquest held at York in 1106 Anshetill of Bulmer had to translate northern English for the benefit of the Normans and southern English: *Visitations of Southwell*, 91.

¹⁷⁵*Ibid.*

¹⁷⁶*Regesta*, ii, no. 1541. In 1129 x 1130 Serlo still owed £26 7s 3d for the returns of the archbishopric of York while it was in his hands: *Pipe Roll 31 Henry I*, 31.

¹⁷⁷*Mowbray Charters*, nos. 2-9.

in order to compensate for the considerable erosion of demesne resources since 1086, and collected a total revenue that was surpassed only three times in the reign of Henry II.¹⁷⁸ It is clear that he was sharing this wealth with his local officials. Dr. Green has calculated that although the crown received £23000 in 1129 x 1130 it had demanded over £68000, and that over £38000 still remained outstanding after the Michaelmas audit. Most of the unpaid debts go back well before 1129 and had been allowed to run on for several years, and a large number, amounting to some £5000, were written off in pardons.¹⁷⁹

In Yorkshire the proportion of the demanded revenue that was left outstanding as debt or pardoned was higher than that for the country as a whole. Of the £4309 demanded £2699 is described as owing, £308 as pardoned and only £1302 as paid into the treasury.¹⁸⁰ Although some of the more fortunate beneficiaries of Henry I's relaxed attitude to payment were the heads of old conquest families,¹⁸¹ the new men appear to have been particularly privileged. The fifteen tenants pardoned danegeld include Walter Espec, Eustace fitz John, Geoffrey fitz Pain, William Maltravers, and Bertram of Bulmer, and the sums allowed to them probably represent a full remittance of the tax.¹⁸² The pardon granted to Maltravers was the highest in the county, and his privileges in other areas of finance were even more remarkable. His immense proffer of 1000 silver marks and £100 for the wife and land of Hugh of la Val was the largest individual debt left outstanding in Yorkshire, and he was pardoned an additional forty silver marks in pleas.¹⁸³ The privileges were even extended to his tenants, such as Peter of Arches, who was pardoned ten marks 'for the love of William Maltravers'.¹⁸⁴ Walter Espec, Serlo of Burg and the sheriff, Bertram of Bulmer, were also highly privileged and allowed large outstanding debts. Those of Bertram comprised 145 silver marks for his father's debts and his lands and office, £55 for land he had taken from Robert Fossard, and £26

¹⁷⁸Green, *Government*, 55; Green, 'Royal demesne', 337-52.

¹⁷⁹Green, *Government*, 87-8.

¹⁸⁰The figures are my own. I have included the accounts for the area between the Ribble and the Mersey and for Blythe which appear to incorporate Yorkshire estates: *Pipe Roll 31 Henry I*, 24-36.

¹⁸¹Stephen count of Brittany was pardoned twenty-two silver marks for his lesser feudal tenants and fifty-nine silver marks for his demesne lands: *ibid.*, 28, 27. William I of Warenne received a pardon of over £6 for danegeld, one of the highest remissions in the county: *ibid.*, 34.

¹⁸²*Ibid.*, 34; *EYC*, x, 3 note 3; *VCH, Yorkshire*, ii, 180, 140. Eustace fitz John, Walter Espec, Geoffrey fitz Pain and William Maltravers were also pardoned danegeld in the other counties where they held lands: *Pipe Roll 31 Henry I*, 95, 121, 51, 62.

¹⁸³*Ibid.*, 34, 29.

¹⁸⁴*Ibid.*, 28-9.

for the county aid of the previous year.¹⁸⁵ It is even possible that the sums actually paid into the treasury by the new men were far from burdensome. The king demanded only £22 from Eustace fitz John for the farm of the royal manors of Aldborough and Knaresborough despite the fact that they had a combined value of £16 in 1066 and were probably worth far more by 1129.¹⁸⁶ Sixty years later William of Stuteville was still expecting to make a profit after proffering £2000 for the custody of Knaresborough castle,¹⁸⁷ a sum which, even allowing for the rapid inflation of the later twelfth century, suggests that his predecessor, Eustace fitz John, had struck a very favourable bargain with Henry I.

The integration of Yorkshire within the system of royal administration and justice, then, was still in its early stages in 1135, but it would be wrong to underestimate the extent of Henry I's achievement. Although forced to compromise with the new men entrusted with control of the local machinery of government, that machinery was now operated in the king's name and served to enforce his justice and collect his taxes. The vehemence of the criticisms launched against the group of new men by a host of contemporary chroniclers was perhaps as much a response to their administrative efficiency as their allegedly dubious social origins.¹⁸⁸ As much is implied by one description of the activities of two of the most powerful members of the group in the West Country, Payn fitz John and Miles of Gloucester. According to the author of the *Gesta Stephani* these men had, 'raised their power to such a pitch that from the river Severn to the sea, and all along the border between England and Wales, they involved everyone in litigation and oppressed them with forced services'.¹⁸⁹ Had he been more familiar with the men and the area, the author might have said the same about Payn's brother, Eustace fitz John, and his partner, Walter Espec, in northern England. It can only be significant that the one thing he did know about Eustace, or at least considered worthy of record, was that he was 'a great and influential friend of King Henry'.¹⁹⁰ The government of the new men,

¹⁸⁵ *Ibid.*, 24, 26.

¹⁸⁶ Although the two estates had declined in value to only 75s in 1086 this was probably due to a lack of Norman administrative organization rather than physical destruction: *DB*, i, 299b-300a. There is some evidence to suggest that between 1050 and 1150 land rents approximately doubled: Raftis, *Ramsey Abbey*, 56-65. As Green has pointed out, however, in comparing rents, farms and Domesday values we may not be comparing like with like: Green, 'Royal demesne', 337, 348.

¹⁸⁷ *Pipe Roll 2 Richard I*, 68. For late twelfth century evidence illustrating the profitability of farming custodies see *EYC*, vi, 22-4.

¹⁸⁸ For the criticism of men 'raised from the dust' see Orderic, vi, 16-17; *Gesta Stephani*, 23-5; *Chronicles of the Reigns*, iii, 40.

¹⁸⁹ *Gesta Stephani*, 23-5.

¹⁹⁰ *Ibid.*, 55.

for all its shortcomings, was royal government.

Conclusion

The half century that followed the completion of the Domesday survey witnessed a dramatic transformation in the structure of magnate lordship and local administration within Yorkshire. By 1135 the tenurial map of the county had been deliberately and substantially re-drawn. Most of the more amorphous and unwieldy Domesday honours had been replaced with more compact and manageable military lordships constructed with estates confiscated from rebels and alienated from the royal demesne. The new castleries brought Norman military security and administrative control to regions along the frontiers of Yorkshire which had remained largely outside the authority of the Conqueror and the first generation of continental magnates. The lords who controlled them were resident, and belonged to a new breed of men introduced into the county by Rufus and Henry I. They were largely men of lower social status, younger sons or members of families from the middling ranks of feudal society, who owed everything to the king, were closely attached to his court, and came to rival the local power of the old conquest magnates. The same men had also been entrusted with control of the local administration of the county. They served as archbishops, sheriffs, justices, and demesne custodians, and held the major royal castles and nearly half of Yorkshire's hundredal seats. They brought the business of the countryside to the royal court, and the authority of the court to the countryside. Through them Henry I had made considerable progress by 1135 in increasing royal control over its own administration. In the 'nineteen long winters' that followed, as we shall see in a later chapter, this control was to disintegrate.

Chapter 3

The Transformation of Yorkshire 1086 x 1135: Military Enfeoffment and Monasteries.

The previous chapter examined the transformation of the structure of magnate lordship and local administration in Yorkshire in the period from the Domesday survey to the death of Henry I in 1135. There was, however, far more to the process of conquest than this. A body of around thirty tenants-in-chief, no matter how powerful, could not hope to establish Norman control on their own. In an age of limited bureaucracy and poor communications manpower remained of permanent importance. To be effective lordship had not only to be exercised, it had to be seen to be exercised, and few tenants-in-chief could hope to govern all their estates directly. Delegation of authority, the establishment of Norman tenants on the ground, was therefore an essential element in the imposition of Norman authority. The process was under way from the moment the Conqueror arrived in England, and continued throughout the period under consideration. In many ways it is crucial to an understanding of feudal politics and society in the Anglo-Norman period. It has been said of the structure of the Norman settlement that it 'determined the organization of the estate in the thirteenth century, no less than the workings of the honour in the twelfth, and it set the pattern of the [lord's] relations with [his] tenants for as long as the bonds between them endured'.¹

The present chapter examines the evolution of the Norman settlement of Yorkshire between 1086 and the death of Henry I. The study is based primarily on the Domesday survey and the military

¹King, *Peterborough Abbey*, 18.

returns of 1166 which provide a fossilized picture of tenant enfeoffment on the honours of Yorkshire in 1086 and 1135 respectively. In spite of its limitations, notably a failure to specify terms of tenure, Domesday provides a detailed record of the distribution, size, resources and value of both demesne and tenant estates. I will therefore begin my study by employing the information contained within the survey to establish the scale and pattern of enfeoffment in 1086 and the degree of control exercised over the process by lords.

The returns of 1166 provide a much less detailed record for an examination of enfeoffment. They simply describe the number of knights' fees established on the honours of tenants-in-chief in 1135, and name the tenants who held them. However, the constituent estates of the military tenancies of several Yorkshire honours have been painstakingly reconstructed by Sir Charles Clay and other scholars, and it is possible to employ the results of their labours to build up a picture of the pattern and scale of enfeoffment in Yorkshire at the death of Henry I. Since a comprehensive examination of all the knights' fees recorded in the Yorkshire returns is beyond the scope of this thesis,² the most feasible method of establishing some general conclusions about the settlement in 1135 is to study the military tenancies on three honours of differing size, distribution and tenurial history. The honours chosen were those of Mowbray, Percy and Skipton-on-Craven.

One of the results to emerge from the study of the settlement pattern in 1135 is that the Normans were still in the early stages of organizing their estates in the more remote military frontier areas of Yorkshire. The military tenancies here were few in number, small and largely confined to the immediate vicinity of the castles. The pattern reflects that in existence on many lordships in more accessible areas fifty years earlier. The parallel raises questions about the exact relationship between

²The nature of the *cartae* returns allows no simple computation of the total number of knights enfeoffed in Yorkshire by 1135. The fees constituting individual honours, often distributed over several counties, are usually recorded in a honorial list under the heading of a single county where the chief seat of the lord lay. Hence many of the fees entered within the Yorkshire section of the return were actually located in whole or in part outside Yorkshire, and the task of establishing their identity, determining the location of their component estates, and computing their value is an enormous one fraught with difficulties. This is clearly illustrated in Clay's editions of *Early Yorkshire Charters*. In many cases it is impossible to determine the location of the estates constituting individual knight's fees. For the extensive honours, such as those of Vescy and Helmsley, which Clay does not consider in detail the knights' fees would have to be reconstituted from scratch. Moreover, the Yorkshire returns in any event are incomplete. No return was made for the honour of Warenne, while those for the honours of Holderness, Brus, Trussebut, Richmond, Louvain, Tickhill and Warter are very simple entries recording only the total number of knights held by the lord in Yorkshire without any indication whether they were of the old or the new enfeoffments or knights to be enfeoffed on the demesne: *Red Book*, i, 434-6. The alternative approach of employing the known quotas of Yorkshire honours, which are very few, is also unreliable in view of Professor Holt's thesis that some quotas may have been altered as the twelfth century progressed. In many cases, notably Richmond, it is difficult to establish the *servitium* with any degree of confidence. See Keefe, *Feudal Assessments*, 157-88 and notes.

the castles and the knights and knights' fees that surrounded them in the initial stages of conquest when the Conqueror was establishing a new system of military obligation in England. In the next section of the chapter this relationship is examined in detail. It will be argued that, at least in the early years of Norman rule, the organization of castle-guard provided the fundamental rationale behind the system of military quotas introduced by the Conqueror.

In addition to introducing a new military system into Yorkshire the Normans were also responsible for ushering in a new wave of monasticism. The emergence of this monasticism and the rationale behind it is examined and elucidated in the final part of the chapter. There is a considerable body of evidence to suggest that the rapid growth in the number of religious houses in Yorkshire, particularly after 1100, resulted partly from a conscious policy on the part of the Norman kings to harness the reform movement within the church to the on-going programme of conquest and colonization. The nature and pattern of monastic settlement reveals that the establishment of monks and monasteries, as much as the establishment of knights and castles, was geared towards the extension and consolidation of Norman power.

Taken together the evidence, military and religious, indicates that by 1135, with the exception of the frontier areas of the county, the Normans had largely succeeded in establishing the structure of tenant settlement that was to endure for the next two hundred years.

The Scale and Pattern of Tenant Settlement in 1086

There had already been an extensive degree of enfeoffment on several Yorkshire honours by 1086, and Norman tenants were in control of considerable portions of honorial lands and resources (Table 12). Unfortunately as Domesday usually only records the identity of immediate tenants it provides no index of the level of sub-enfeoffment, which may have been substantial. The extent of tenant enfeoffment within individual honours appears to have depended above all on whether or not the lord was resident within the county. In the case of the honours of Mortain and Chester, for example, where the lords held extensive possessions outside Yorkshire and were probably rarely, if ever, resident

TABLE 12: THE PROPORTION OF HONORIAL RESOURCES ALIENATED TO TENANTS ON THE HONOURS OF YORKSHIRE: 1086 (1)

RESOURCES AND VALUES	TENANTS-IN-CHIEF						
	Hugh earl of Chester	Robert count of Mortain	Alan count of Brittany	Rob. & Ber. of Tosny	Ilbert I of Lacy	Roger I of Bully	Robert Malet
% Carucates	76.1	70.1	65.8	10.2	40.3	8.7	0
Rank	1	2	3	11	5	12	14
% Ploughlands	73.2	76.3	60.7	11.5	43.1	8.2	0
Rank	2	1	3	11	6	12	14
% Demesne Teams	100	80.2	72.1	26.8	59.8	10.6	0
Rank	1	2	3	10	5	13	14
% Peasant Teams	96.6	76.3	70.4	10.5	47.9	9.8	0
Rank	1	2	3	12	6	13	14
% Total Population	99.1	80.5	74.4	13.5	52.3	10.9	0
Rank	1	2	3	12	5	13	14
% 1066 Value	81.5	79.1	54.9	7.3	47.1	9	0
Rank	1	2	4	13	6	12	14
% 1086 Value	100	81.5	69.8	9.4	43.5	13	0
Rank	1	2	3	13	6	12	14
Average of Ranks	1.1	1.9	3.1	13.6	5.6	12.4	0
No. of Tenants Enfeoffed	2	4	28	1	38	4	0

RESOURCES AND VALUES	TENANTS-IN-CHIEF						
	William I of Warenne	William I of Percy	Drogo of la Beuvriere	Ralph Mortemer	Ralph Paynel	Geoffrey of La Guerche	Geoffrey Alselin
% Carucates	0	39.6	37.7	0	8.5	0	0
Rank	14	6	7	14	13	14	14
% Ploughlands	0	48.7	37.2	0	8	0	0
Rank	14	5	8	14	13	14	14
% Demesne Teams	0	51.4	62.8	0	20	0	0
Rank	14	7	4	14	12	14	14
% Peasant Teams	0	55.5	43	0	15.4	0	0
Rank	14	5	7	14	10	14	14
% Total Population	0	39.3	51	0	15.9	0	0
Rank	14	7	6	14	11	14	14
% 1066 Value	0	44.9	32.9	0	17.4	0	0
Rank	14	7	8	14	11	14	14
% 1086 Value	0	47.6	42.6	0	39	0	0
Rank	14	5	7	14	8	14	14
Average of Ranks	0	6	6.7	0	11.1	0	0
No. of Tenants Enfeoffed	0	17	33	0	1	0	0

TABLE 12: THE PROPORTION OF HONORIAL RESOURCES ALIENATED TO TENANTS ON THE HONOURS OF YORKSHIRE: 1086 (2)

RESOURCES AND VALUES	TENANTS-IN-CHIEF					
	William of Aincurt	Gilbert I of Gant	Gilbert Tison	Richard Fitz Arnfastr	Hugh Fitz Baldric	Erneis of Burun
% Carucates	0	0	30.9	0	29.6	26.5
Rank	14	14	8	14	9	10
% Ploughlands	0	0	39.2	0	29.8	26.9
Rank	14	14	7	14	9	10
% Demesne Teams	0	0	23.3	0	38.1	37.5
Rank	14	14	11	14	8	9
% Peasant Teams	0	0	26.7	0	34.2	15.4
Rank	14	14	9	14	8	10
% Total Population	0	0	31.1	0	35.2	22.8
Rank	14	14	9	14	8	10
% 1066 Value	0	0	52.7	0	29.9	23.8
Rank	14	14	5	14	9	10
% 1086 Value	0	0	36.5	0	24.3	25.5
Rank	14	14	9	14	11	10
Average of Ranks	0	0	8.3	0	8.9	10
No. of Tenants Enfeoffed	0	0	9	0	8	7

RESOURCES AND VALUES	TENANTS-IN-CHIEF					
	Osbern of Arches	Odo the Crossbowman	Aubrey of Coucy	Gospatric	King's Thanes	Roger the Poitevin
% Carucates	52	0	0	0	0	0
Rank	4	14	14	14	14	14
% Ploughlands	56.5	0	0	0	0	0
Rank	4	14	14	14	14	14
% Demesne Teams	51.7	0	0	0	0	0
Rank	6	14	14	14	14	14
% Peasant Teams	68.4	0	0	0	0	0
Rank	4	14	14	14	14	14
% Total Population	66.4	0	0	0	0	0
Rank	4	14	14	14	14	14
% 1066 Value	58.8	0	0	0	0	0
Rank	3	14	14	14	14	14
% 1086 Value	66.7	0	0	0	0	0
Rank	4	14	14	14	14	14
Average of Ranks	3.9	0	0	0	0	0
No. of Tenants Enfeoffed	15	0	0	0	0	0

within the county³ alienation had taken place on a grand scale by 1086.⁴ This doubtless reflects a need to delegate authority in order both to establish effective lordship over the land, and to secure the most effective economic means of exploiting estates far removed from the centres of honorial power where direct demesne cultivation was impractical. Within the Yorkshire the count of Mortain and earl of Chester had endowed their tenants with far more lands and resources than they had retained in demesne (Tables 12-14). Moreover the estates alienated to tenants were those of better quality. The majority of the manors retained in his own hands by Robert count of Mortain were situated either in the Vale of Pickering, 'an ill-drained, marshy countryside in the eleventh century', or in the 'poor countryside' of Cleveland. In contrast the bulk of his estates in the prosperous limestone region near Doncaster had been granted to tenants.⁵ The quality of the alienated estates suggests that they were to function as independent economic units. This would explain the appointment of very few tenants to control them. The count had only four Yorkshire tenants, the earl just two,⁶ and it is no surprise to find that by the early years of the twelfth century at the latest the families of these powerful retainers had secured control of the tenancy-in-chief of their Mortain holdings.⁷

The lords of the remaining Yorkshire honours where tenants had been enfeoffed by 1086 were probably resident within the county for at least part of their time, and consequently the concentration of lands and resources in the hands of tenants was not as marked as on the lordships of Mortain and Chester (Tables 12-14). On the majority of the honours the larger and more populated estates of higher value were usually retained in demesne, especially the manors which had been held in 1066 by Anglo-Scandinavian earls and were probably the focus of hundreds.⁸ This suggests that

³Robert count of Mortain held lands in twenty counties. The Yorkshire estates comprised 18% of the total number of manors on the honour (184 out of 1002) and only 14% of the 1066 value of the honour (only 4.25% in 1086). Robert appears to have been absent from England in Normandy, where he held extensive estates, for long periods during the 1070s and 1080s, and even when active within the kingdom may have been primarily concerned with the business of the court: I. N. Soulsby, 'The fiefs in England of the counts of Mortain 1066-1106' (Univ. of Wales, Cardiff, M.A. thesis, 1974), 12-36 and tables and maps. In addition to lands held in twenty-one English counties the earl of Chester was also a great cross-Channel magnate and deeply involved in Norman affairs. In 1086 the value of the Yorkshire estates comprised only about 1% of the entire value of the honour and the tenancy-in-chief was soon to pass to his tenants the Percy family: E.J.R. Boston, 'The territorial interests of the Anglo-Norman aristocracy, c.1086-c.1135' (Univ. of Cambridge, Ph.D. thesis, 1979), Chapter 2, esp. 108 note 40; Orderic, iv, 129, 221; Cronne, *Reign of Stephen*, 137; below, p. 226.

⁴*DB*, i, 305a-308b.

⁵For the quality of agricultural land in eleventh century Pickeringdale, Doncaster and Cleveland see *Domesday Geography*, 161-2, 181, 115, and Fig. 28.

⁶Of the count's tenants Richard of Sourdeval and Nigel Fossard held between them 151 of the 153 tenant manors: *DB*, i, 305a-308b. The earl's tenants were William of Percy, who held Whitby and Catton, and Hugh son of Northmann who held Acklam and Flamborough: *DB*, i, 305a.

⁷*EYC*, vi, 58; *EYC*, xi, 334-5.

⁸Examples include Gilling and Catterick on the honour of Richmond; Kippax and Tanshelf on the honour of Ponte-

TABLE 13: THE RESOURCES RETAINED IN DEMESNE BY THE LAY TENANTS-IN-CHIEF OF YORKSHIRE: 1086 (1)

RESOURCES AND VALUES	TENANTS-IN-CHIEF						
	Hugh earl of Chester	Robert count of Mortain	Alan count of Brittany	Rob. & Ber. of Tosny	Ilbert I of Lacy	Roger I of Bully	Robert Malet
Carucates	42.25	304	410.5	162.4	468.4	228.11	119.8
Rank	21	5	2	10	1	9	12
Ploughlands	34	116	349.1	108.3	288.6	144.2	63.5
Rank	18	7	1	8	3	5	11
Demesne							
Plough-teams	0	12	28	17	45.5	55	13
Rank	25	11	4	8	2	1	10
Peasant							
Plough-teams	1	52	77	43.5	138.5	152	17.5
Rank	25	8	5	10	2	1	13
Villeins	1	116	150	116	260	333	65
Bordars	0	12	38	49	93	150	11
Sokemen	0	5	7	8	10	29	0
Other Pop.	0	8	2	17	88	34	2
Total Pop.	1	141	197	190	451	546	78
Rank	25	10	8	9	2	1	12
1066 Value £	48	49.9	97.1	19.2	170.5	122.1	29.6
Rank	9	8	4	15	2	3	10
1086 Value £	0	15.8	26.1	19.3	89.8	66.5	9.1
Rank	25	11	7	9	1	2	14
1086 Value as a % of 1066							
Value	0	31.6	26.8	100.5	52.69	54.47	30.81
Rank	25	17	21	2	9	7	18

RESOURCES AND VALUES	TENANTS-IN-CHIEF						
	William I of Warenne	William I of Percy	Drogo of la Beuvriere	Ralph Mortemer	Ralph Paynel	Geoffrey of La Guerche	Geoffrey Alsclin
Carucates	0	153.1	199.3	0	8	0	0
Rank	14	5	4	14	13	14	14
Ploughlands	0	91	189.3	0	4	0	0
Rank	14	6	4	14	13	14	14
Demesne							
Plough-teams	0	27.5	38	0	1	0	0
Rank	14	5	4	14	13	14	14
Peasant							
Plough-teams	0	55.5	44	0	2	0	0
Rank	14	5	6	14	12	14	14
Villeins	0	108	202	0	7	0	0
Bordars	0	39	76	0	0	0	0
Sokemen	0	0	9	0	0	0	0
Other Pop.	0	2	4	0	0	0	0
Total Pop.	0	149	291	0	7	0	0
Rank	14	6	4	14	13	14	14
1066 Value £	0	52.6	185.1	0	4	0	0
Rank	14	6	3	14	12	14	14
1086 Value £	0	26.1	40.2	0	2	0	0
Rank	14	5	4	14	12	14	14
1086 Value as a % of 1066							
Value	0	60.6	21.7	0	50	0	0
Rank	14	3	12	14	6	14	14

TABLE 13: THE RESOURCES RETAINED IN DEMESNE BY THE LAY TENANTS-IN-CHIEF OF YORKSHIRE: 1086 (2)

RESOURCES AND VALUES	TENANTS-IN-CHIEF					
	William of Aincurt	Gilbert I of Gant	Gilbert Tison	Richard fitz Arnfastr	Hugh fitz Baldric	Erneis of Burun
Carucates	8.3	48	104.1	24.8	293.1	65.6
Rank	24	20	14	23	6	19
Ploughlands	6.5	27.5	48	19.5	136.5	34
Rank	23	20	16	22	6	18
Demesne Plough-teams	1	3	11.5	1	34	6
Rank	22	19	12	22	3	16
Peasant Plough-teams	2	10	22	10	117.3	11
Rank	24	19	11	19	3	17
Villeins	4	29	79	14	296	30
Bordars	1	12	25	7	11	12
Sokemen	2	0	4	0	1	2
Other Pop.	0	1	3	0	9	
Total Pop.	7	42	111	21	317	44
Rank	24	17	11	22	3	15
1066 Value	6	12.2	22.4	5.53	70.3	18.05
Rank	22	20	12	23	6	17
1086 Value	2	3	16.7	5.1	53.5	7.8
Rank	23	21	10	17	4	15
1066 Value as a % of 1086 Value	33.8	24.6	74.5	91.7	76.1	43.1
Rank	16	22	5	3	4	13

RESOURCES AND VALUES	TENANTS-IN-CHIEF					
	Osbern of Arches	Odo the Crossbowman	Aubrey of Coucy	Gospatric	King's Thanes	Roger the Poitevin
Carucates	82.4	69.5	8	148	361.5	243.5
Rank	17	18	25	11	3	7
Ploughlands	62.5	58.3	5	71	164.8	0
Rank	12	15	24	10	4	26
Demesne Plough-teams	7	2	3	10	32.5	0
Rank	14	21	19	13	5	26
Peasant Plough-teams	12	8	4	18	57	0
Rank	16	21	22	12	7	26
Villeins	29	34	8	51	144	0
Bordars	13	0	15	14	88	0
Sokemen	0	0	2	0	20	0
Other	1	0	0	2	6	0
Total Pop.	43	34	25	67	258	0
Rank	16	19	21	13	6	26
1066 Value	22.1	11.3	5.5	21.6	85.3	0
Rank	13	21	24	14	5	26
1086 Value	7.7	4.9	3	9.7	23.6	0
Rank	16	18	21	13	8	26
1086 Value as a % of 1066 Value	35.1	43.6	54.6	44.9	27.7	0
Rank	15	11	6	10	20	26

**TABLE 14: RESOURCES OF THE TENANTS OF THE LAY
TENANTS-IN-CHIEF OF YORKSHIRE: 1086 (1)**

RESOURCES AND VALUES	TENANTS-IN-CHIEF						
	Hugh earl of Chester	Robert count of Mortain	Alan count of Brittany	Rob. & Ber. of Tosny	Ilbert I of Lacy	Roger I of Bully	Robert Malet
Carucates	135.3	712.7	788.8	18.5	316.1	21.6	0
Rank	6	2	1	12	3	11	14
Ploughlands	93	371	538.9	14	218.9	12.8	0
Rank	5	2	1	10	3	11	14
Demesne							
Plough-teams	9	48.5	72.5	6	73.5	6.5	0
Rank	7	3	2	10	1	9	14
Peasant							
Plough-teams	28	168	184.4	5	127.5	16.5	0
Rank	7	2	1	11	3	9	14
Villeins	84	370	441	29	282	40	0
Bordars	4	111	125.9	0	190	19	0
Sokemen	17	86	0	0	9	7	0
Other Pop.	1	19	6	1	14	0	0
Total Pop.	106	586	573	30	495	66.5	0
Rank	7	1	2	11	3	9	0
1066 Value £	212	190.9	118.1	1.6	151.8	12	0
Rank	1	2	5	13	4	10	14
1086 Value £	10.5	69.4	60.2	2	69.2	10	0
Rank	8	2	3	12	1	9	14
1086 Value as a % of 1066							
Value	4.9	36.3	50.9	129	45.6	83	0
Rank	13	11	5	1	9	2	14

RESOURCES AND VALUES	TENANTS-IN-CHIEF						
	William I of Warenne	William I of Percy	Drogo of la Beuvriere	Ralph Mortemer	Ralph Paynel	Geoffrey of la Guerche	Geoffrey Alselin
Carucates	0	153.1	199.3	0	8	0	0
Rank	14	5	4	14	13	14	14
Ploughlands	0	91	189.3	0	4	0	0
Rank	14	6	4	14	13	14	14
Demesne							
Plough-teams	0	27.5	38	0	1	0	0
Rank	14	5	4	14	13	14	14
Peasant							
Plough-teams	0	55.5	44	0	2	0	0
Rank	14	5	6	14	12	14	14
Villeins	0	108	202	0	7	0	0
Bordars	0	39	76	0	0	0	0
Sokemen	0	0	9	0	0	0	0
Other Pop.	0	2	4	0	0	0	0
Total Pop.	0	149	291	0	7	0	0
Rank	14	6	4	14	13	14	14
1066 Value £	0	52.6	185.1	0	4	0	0
Rank	14	6	3	14	12	14	14
1086 Value £	0	26.1	40.2	0	2	0	0
Rank	14	5	4	14	12	14	14
1086 Value as a % of 1066							
Value	0	60.6	21.7	0	50	0	0
Rank	14	3	12	14	6	14	14

**TABLE 14: RESOURCES OF THE TENANTS OF THE LAY
TENANTS-IN-CHIEF OF YORKSHIRE: 1086 (2)**

RESOURCES AND VALUES	TENANTS-IN-CHIEF					
	William of Aincurt	Gilbert I of Gant	Gilbert Tison	Richard fitz Arnfastr	Hugh fitz Baldric	Erneis of Burun
Carucates	0	0	46.5	0	120.8	23.6
Rank	14	14	9	14	7	10
Ploughlands	0	0	31	0	58	12.5
Rank	14	14	9	14	8	12
Demesne Plough-teams	0	0	4.5	0	18.5	3
Rank	14	14	11	14	6	12
Peasant Plough-teams	0	0	8	0	61	2
Rank	14	14	10	14	4	12
Villeins	0	0	33	0	163	12
Bordars	0	0	15	0	4	1
Sokemen	0	0	0	0	0	0
Other Pop.	0	0	2	0	5	0
Total Pop.	0	0	50	0	172	13
Rank	14	14	10	14	5	12
1066 Value	0	0	25	0	29.9	5.7
Rank	14	14	9	14	7	11
1086 Value	0	0	9.6	0	17.2	2.8
Rank	14	14	10	14	6	11
1066 Value as a % of 1086 Value	0	0	38.4	0	57.3	48.7
Rank	14	14	10	14	4	8

RESOURCES AND VALUES	TENANTS-IN-CHIEF					
	Osbern of Arches	Odo the Crossbowman	Aubrey of Coucy	Gospatric	King's Thanes	Roger the Poitevin
Carucates	89.1	0	0	0	0	0
Rank	8	14	14	14	14	14
Ploughlands	81.3	0	0	0	0	0
Rank	7	14	14	14	14	14
Demesne Plough-teams	7.5	0	0	0	0	0
Rank	8	14	14	14	14	14
Peasant Plough-teams	26	0	0	0	0	0
Rank	8	14	14	14	14	14
Villeins	61	0	0	0	0	0
Bordars	22	0	0	0	0	0
Sokemen	1	0	0	0	0	0
Other	1	0	0	0	0	0
Total Pop.	85	0	0	0	0	0
Rank	8	14	14	14	14	14
1066 Value	31.5	0	0	0	0	0
Rank	8	14	14	14	14	14
1086 Value	15.5	0	0	0	0	0
Rank	7	14	14	14	14	14
1086 Value as a % of 1066 Value	49.2	0	0	0	0	0
Rank	7	14	14	14	14	14

the lords were intent on retaining direct control of the administrative centres of their Yorkshire holdings. Contrary to normal expectations, however, it was common for the much of the remainder of the lordly demesne to be situated on the geographical peripheries of the honour rather than close to the administrative centres where the land was granted instead to tenants. This unusual pattern, which offers a contrast to that observed in other areas of England,⁹ was doubtless a reflection of the administratively under-developed nature of feudal lordship in Yorkshire in 1086, and of the special military considerations that governed the way the Normans secured what was essentially a frontier region.

An illustration of this is provided by the honours of Pontefract and Richmond. In the former, with only one exception, the estates held by Norman tenants were confined to the eastern portion of the honour, most of them situated within a five mile radius of the major demesne centres of either Kippax or Tanshelf (Map 8). There had been little enfeoffment of Norman tenants, and apparently little survival of Anglo-Saxon landholders, west of a north-south line drawn through East Ardsley, a region where the great majority of manors were waste.¹⁰ On the honour of Richmond in 1086 the outlying scattered portion of the fee close to York had all been retained in demesne (Map 4). Enfeoffment was confined to the castlery of Richmondshire,¹¹ and specifically to areas within a ten mile radius of the castle sites of Catterick, Killerby, Kirkby Fleetham and Ravensworth (Map 7).¹² Although some enfeoffment had taken place in the remote Pennine valleys in the western portion of the castlery it is significant that the estates here were waste and as yet outside Norman control, and that the tenants who held them were not professional knights of low status but Enisant Musard, Bodin, Ribald and Gospatric, four of the greatest tenants on the count of Brittany's English fee.¹³

fract; and Burstwick, Kilnsea, Withernsea, Mappleton, Hornsea, Cleeton and Easington on the honour of Holderness: *DB*, i, 309a, 310b, 315a, 316b, 323b-324a.

⁹King, *Peterborough Abbey*, 17-18; K. Thompson, 'The cross-Channel estates of the Montgomery-Belleme family c.1050-1112', (Univ. of Wales, Cardiff, M.A. thesis, 1983), 91-3, 118.

¹⁰Wightman, *Lacy Family*, 52-3.

¹¹Domesday makes a clear distinction between the count's estates that were inside his castlery and those which were beyond it: *DB*, i, 381a.

¹²For the probable existence of these castles at the Domesday survey see above pp. 22-3.

¹³Enisant's chief Yorkshire manors were Croft and Brompton-upon-Swale. After his death his fee passed to Roald son of Hascoit, constable of Richmond: *VCH, Yorkshire*, ii, 157; *EYC*, v, 81-4. With his brother Bardulf, Bodin was said to have been an illegitimate son of Eudo of Penthievre, the father of counts Alan the Red and Alan the Black: *VCH, Yorkshire*, ii, 157. Ribald was probably the 'Ribald the brother of Count Alan' who gave land to St. Mary's York before 1112. His wife was the daughter of the great Lincolnshire lord Ivo Taillebois. In addition to his Yorkshire estates he held a large fee of Count Alan in Norfolk: Skaife, *Domesday for Yorkshire*, 82-3; *EYC*, v, 1. Gospatric was the son of the leading Yorkshire thane Arnketill. He succeeded his father in a number of his estates in Richmondshire as well as retaining the bulk of his own pre-conquest holdings there: *VCH, Yorkshire*, ii, 157. The same pattern of

Like their lord these men were probably largely absent from Yorkshire. The Normans were clearly following the standard military procedure of establishing their resident knights in the protective shadow of their castles and major administrative and demesne centres.¹⁴

The military structure of the settlement pattern in 1086 suggests that lords were exercising a strong measure of control over the process of tenant enfeoffment. This receives confirmation when we examine tenant estates in detail. The survival of large numbers of Anglo-Scandinavian tenants on the honours of Richmond and Pontefract, and the comparatively well preserved character of their estates, indicates that Alan of Richmond and Ilbert of Lacy had not allowed their continental retainers to seize whatever they wished.¹⁵ Lordly control can also be discerned from the evidence that very few continental tenants were allowed to build up large or compact blocks of territory. Dr. English has noted that only four tenants of Drogo de la Beuvriere, lord of Holderness, held land in more than one vill. The average tenant estate incorporated only five carucates and was valued at less than £1. Out of the nine large manors with extensive sokes and berewicks on the honour worth over £5 at the depressed 1086 values, Drogo retained eight in his own hands.¹⁶ The same carefully controlled division of land and resources is discernible on several other Yorkshire lordships.¹⁷ The only exception appears to be the honour of Richmond where a number of continental tenants acquired extensive holdings. Despite their size, however, the Richmond tenancies were not the result of a

enfeoffment is to be found on the honours of Arches, Burun, Tison, Holderness and Percy.

¹⁴J.H. Round, 'The origins of Belvoir castle', *EHR*, 22 (1907), 508-10; J. Le Patourel, 'The Norman colonization of Britain', *I Normanni et la loro espansione in Europa nell' alto medioevo* (Settimane di Studio del Centro Italiano di Studi sull' Alto Medioevo xvi, Spoleto, 1969), 424-5; S.P.J. Harvey, 'The knight and the knight's fee in England', *Past and Present*, 49 (1970), 21-6.

¹⁵At least sixteen Anglo-Scandinavian tenants were holding over forty manors on the honour of Richmond in 1086; and on the honour of Lacy thirty Anglo-Scandinavians held nearly seventy manors: *DB*, i, 309a-313a, 315a-318a. The percentage of demesne plough-teams on the estates of the Anglo-Scandinavian tenants of the honour of Richmond was significantly greater than on those of their continental counterparts (32% compared with 26%) suggesting that administrative disruption of their estates had been more limited. On the honour of Pontefract the estates of the Anglo-Scandinavian tenants had preserved a much lower proportion of their 1066 values than those granted to continental tenants (37% compared with 60%), but still higher than the estates of continental tenants on the honours of several other Yorkshire honours: (Table 14)

¹⁶English, *Holderness*, 139-40, 143. Further evidence of lordly control over the settlement of tenants in Holderness is provided by the chronicle of the Cistercian abbey of Meaux which states that after the 'war of the Normans' a group of continental colonists newly arrived in the area were 'placed over the villas as lords': *Chronica de Melsa*, i, 78-9, cited by English, *ibid.*, 138, and C.T. Clay, 'The family of Meaux', *YAJ*, 43 (1971), 99-111.

¹⁷On the honour of Ilbert of Lacy, for example, the average size of estates belonging to continental tenants was just eighteen carucates and no tenant held more than nine manors: *DB*, i, 315a-318a. On the honour of Hugh fitz Baldric with the exception of Gerard, who held a total of nine, no tenant held more than two manors: *DB*, i, 327a-328a. The largest tenancy on the Percy honour was that of Ebuhard with eight manors valued at £4, 8s in 1086: *DB*, i, 321b-322a. On the honour of Arches the largest tenancy was the 11 manor holding of Fulco valued at only 57s in 1086: *DB*, i, 329a-b. The seven tenants of Erneis of Burun held between them seven manors of which two were waste and the remaining five had a combined 1086 value of only 55s. On the honour of Tison nine tenants shared seven manors valued at £9 12s in 1086: *DB*, i, 326b-327a.

disorderly scramble for lands. On closer analysis they still reflect the supervisory care with which the settlement was effected. Individual continental tenants were in fact succeeding to almost the entire estates held by one or more Anglo-Scandinavian lords in 1066.¹⁸ The principal of antecessorial succession, employed by the king in the early stages of the Norman settlement in his distribution of land to magnates, had clearly percolated on the honour of Richmond to the level of the feudal sub-tenant.

Perhaps the best example of lordly control emerges in the estates of the archbishop of York where the great majority of knights (*milites*) and clerics (*clerici*) were enfeoffed on the demesne estates of Patrington, Sherburn-in-Elmet, Weaverthorpe, Ripon and Beverley suggesting that as well as being employed in the administration of the demesne they were being kept under the archbishop's watchful eye.¹⁹ At Sherburn-in-Elmet, besides a thane and two clerics, an unspecified but obviously large number of knights held no less than fifty-two of the ninety-six carucates incorporated in the manor. At Patrington two knights and two clerics held nearly a quarter of the manorial carucage. This reflects the policy adopted by the Conqueror's new abbot of Peterborough, Thorold, who was accused of breaking up the compact demesne estate of his House and distributing it amongst his kinsmen and knights. In 1166 Roger archbishop of York declared that his predecessors 'had enfeoffed many more knights than they owed to the king, not on account of the obligation of service which they owed, but because they wanted to make provision for their kinsmen and those who served them'.²⁰ Outside the demesne estates in 1086 the archbishops had enfeoffed comparatively few tenants.²¹ The Norman lords were intent on rewarding their vassals but were clearly not going to allow the conquest to disintegrate into a free-for-all.²²

¹⁸ Almost the entire twenty-eight manors of Thorr passed to Enisant Musard. Bodin succeeded to twenty-four of the twenty-six manors of Thorfinnr as well as two manors of Ulketill. Ribald secured five of the six manors held by Gillepatric in addition to the fees of five more Anglo-Saxon lords. Gospatric retained twelve of the eighteen manors he had held in 1066, and secured eight of the fifteen formerly belonging to his father: *VCH, Yorkshire*, ii, 157.

¹⁹ *DB*, i, 302a-304a.

²⁰ *Red Book*, i, 413.

²¹ Geoffrey at Barnby, Godwin and one knight at Elloughton and Wauldby, two clerics and one knight at Everingham, Rainer at Helperby, Ilbert of Lacy at Warmfield, William of Verli at Ullerskelf, Rainald at Nunwick, Ketill holding of the canons of Beverley at Kipling Cotes, a cleric holding of the same canons at Brandesburton, and single knights holding of Beverley in each of the berewicks of Ottringham, Burton Constable, Great Cowden, and Catwick: *DB*, i, 302a - 304a.

²² For the orderliness of the conquest settlement generally see D. Bates, 'The land pleas of William I's reign: Pennenden Heath revisited', *BIHR*, 51 (1978), 1-19. Some disputes, however, were bound to arise. See R. Eales, 'Local loyalties in Norman England: Kent in Stephen's reign', *Anglo-Norman Studies*, 8 (1985), 95-6.

Tenant enfeoffment continued apace after the completion of the Domesday survey, even on those honours where a considerable proportion of land and resources had already been granted to tenants. Dr. Wightman has shown that in the honour of Lacy Anglo-Scandinavians continued to be either dispossessed or reduced to under-tenants after 1086, and their lands resumed into the lord's demesne or re-granted to Norman retainers. Gradually the Normans established their tenants in the wapentakes on the fringes of the Pennines, such as Agbrigg and Morley, where the vills had mostly been described as waste in 1086.²³ Within twelve years of the Domesday survey tenants whose descendants were recorded in possession of 27 1/2 of the Lacy honour's 84 1/2 knights' fees in the military returns of 1166 had been enfeoffed in Yorkshire.²⁴ The same returns can be employed to illustrate the evolution of the military settlement pattern and the scale and structure of enfeoffment achieved on other Yorkshire lordships by 1135. They record the number of knights' fees established by tenants-in-chief at the death of Henry I (knights' fees of the old enfeoffment). The large number of these fees, and the difficulties of reconstructing the constituent estates of many of them, calls for a measure of selection. I have therefore chosen to examine three honours of differing tenurial history, size and distribution, where the composition of the military tenancies has been established with some degree of clarity, in order to draw generally representative conclusions from the evidence. The sample honours to be examined are those of Mowbray, Percy and Skipton-on-Craven.

The Scale and Pattern of Tenant Settlement in 1135: Three Case Studies

The Honour of Mowbray

The Yorkshire portion of the honour of Mowbray was a vast tenurial complex extending over each of the three Ridings of the county. It was in effect a collection of four castleries centred on Burton in Lonsdale, Kirkby Malzeard, Thirsk, and Kirby Moorside, around each of which were clustered a compact body of estates. In addition there were a number of more amorphous holdings immediately to the west and south of York and in the East Riding.

²³Wightman, *Lacy Family*, 42; *VCH, Yorkshire*, ii, 157-8. Wightman illustrates the creation of new tenancies comprising six knights' fees and the augmentation of other military holdings with lands taken from Anglo-Scandinavian tenants or the Lacy demesne in the period 1087 x 1100.

²⁴Wightman, *Lacy Family*, 38-9.

The feudal structure of the honour has been examined in some detail by Dr. Greenway.²⁵ The *carta* returned by Roger of Mowbray in 1166 records that sixty knights' fees had been in existence when Nigel d'Aubigny received his lands, that he had created another twenty-eight fees, and that Roger himself had added another 11 3/4 fees out of the demesne. The individual old-enfeoffment returns give a total of 88 1/12 knights fees, a figure which requires adjustment in view of the inclusion here of the eight knights' fees of Robert of Stuteville created after 1154.

The tenancies of the individual Mowbray vassals ranged between 1/13 of a knight's fee and fifteen knights' fees. Greenway has noted that the earliest fees were chiefly situated in the midlands, and that they were also usually the largest. In the Leicester, Warwickshire and Northamptonshire portions of the honour the pattern of military enfeoffment was largely complete by c.1114. The same cannot be said, however, of the northern estates where military enfeoffment began later and was less extensive:

The Pennine lordships of Burton-in-Lonsdale and Kirkby Malzeard had scarcely any knights' fees established until c.1150. Hired knights, such as the one who commanded the garrison of ten hired serjeants at the castle of Burton in 1130, and household knights, such as those who appear in Roger de Mowbray's household in the 1140s and later, doubtless provided the honour's main force in the north in the first half of the twelfth century. Enfeoffment in Yorkshire... largely took the form of settling household knights on the land. Consequently, few military tenants in the northern estates owed more than one knight's service, and most of the fractional fees of the entire honour belonged to Yorkshire.²⁶

With the aid of Greenway's material establishing the location of military tenancies it is possible to calculate that between approximately twelve and twenty-one knights' fees had been established in Yorkshire by 1135. Even if we include the fifteen knights' fees of the Tison honour, and the 7 1/4 fees of the honour of Arches which came to be incorporated in the Mowbray honour in exceptional circumstances, the level of military enfeoffment on the Yorkshire portion of the honour, an estate

²⁵For what follows see *Mowbray Charters*, xxxiii-xliii.

²⁶*Ibid.*, xxxiv-xxxv.

comprising well in excess of 622 carucates,²⁷ is hardly impressive, especially when we consider the small size of the fee required to support a knight at this time.

The Honour of Percy

At the Domesday survey the honour of William I of Percy was confined to Yorkshire and Lincolnshire, with the majority of the estates, including the *caput*, in the former county.²⁸ In Yorkshire the bulk of the estates appear to have formed component parts of three compact castleries centred on Topcliffe, Spofforth and Tadcaster. The small number of estates outside the castlery were situated in the eastern area of Cravenshire, the East Riding, the Don valley, and on the east coast near Scarborough. In addition William I of Percy held a tenancy of the earl of Chester centred on the manors of Whitby and Catton over which either he or his immediate descendant Alan of Percy were able to establish feudal superiority (Map 2).

There had already been a considerable degree of tenant enfeoffment on the Yorkshire portion of the honour of Percy by 1086 (Tables 4-5). The tenant estates were well distributed throughout the honour, although in greatest concentration in the Don valley, East Riding, and around the demesne centres of Spofforth and Tadcaster (Map 2). They were notably absent from the Cravenshire estates on the foothills of the Pennines. Fifty years later the entire honour incorporated twenty-two military tenancies comprising twenty-eight knights' fees of the old-enfeoffment. Of these between 20 $\frac{5}{6}$ and 22 $\frac{5}{6}$ were situated in Yorkshire.²⁹ The villis incorporating the fees were widely distributed throughout the honour, located as far afield as Marske in Cleveland, Wigglesworth in Cravenshire, Carnaby in the East Riding, and Brinsworth in the Don valley (Map 30). On closer analysis, however, it emerges that the villis in some regions were more heavily encumbered with military tenancies than others. In order to illustrate the point the level of military enfeoffment compared with the amount of carucates available for the creation of knights' fees can be examined within the four distinct

²⁷The figure is my own and is broken down as follows: acquired from Stuteville and Hugh fitz Baldric 198.5 (*EYC*, ix, 75.); acquired from Gospatric 148 (*DB*, i, 330a); acquired from the royal demesne in Ellenthorpe, Thirsk and Harton 26; acquired from the honour of Mortain in Myton-upon-Swale 4.5; acquired from the honour of Malet 74 (*EYC*, iii, 454-5.); acquired from the honour of Arches 171.5 (*DB*, i, 329a-b). For the composite parts of the honour see *Mowbray Charters*, xxii-iv.








²⁸*EYC*, xi, 11-19.

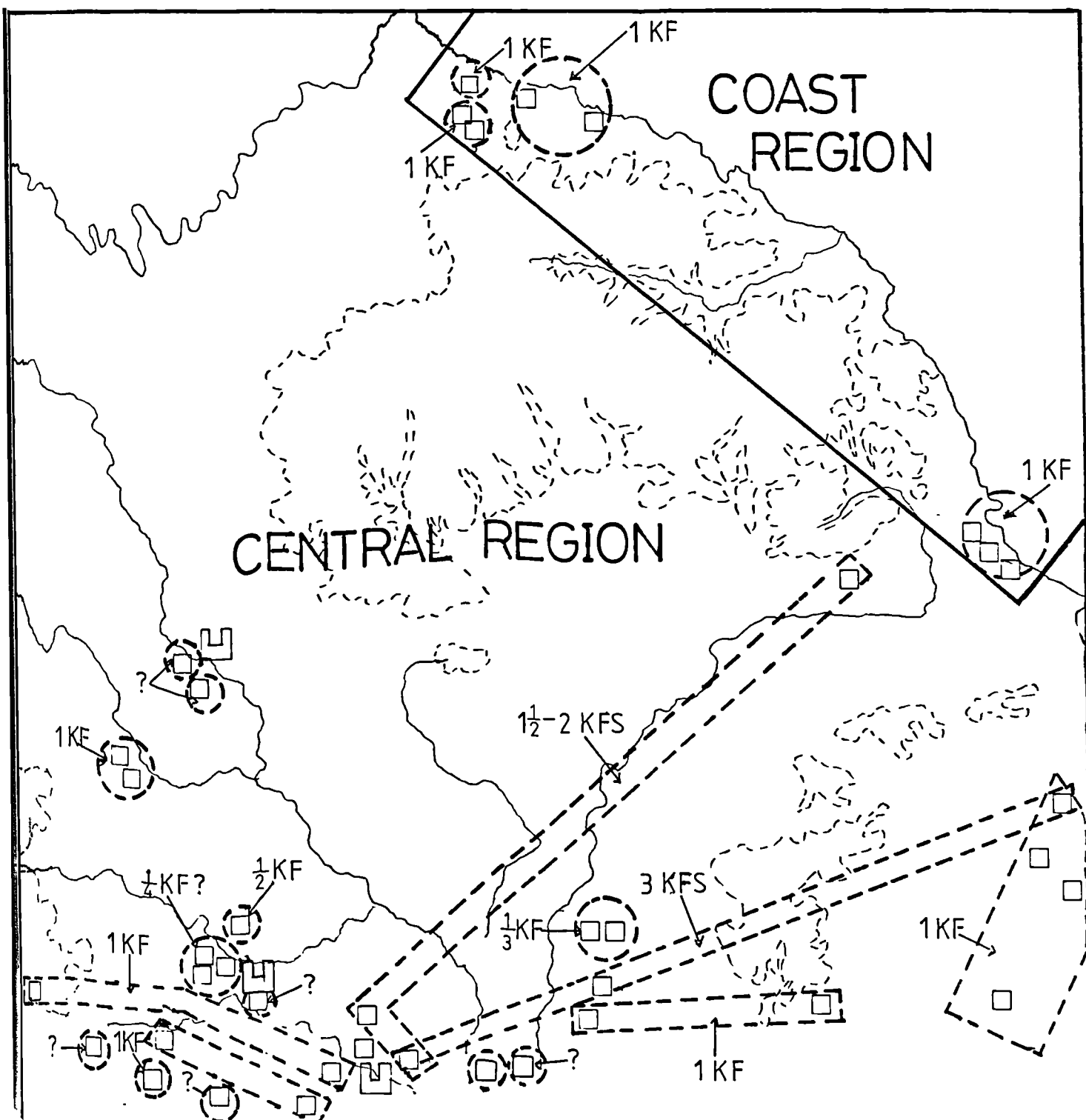
²⁹The figure has been calculated by employing Clay's material identifying the location of the knights' fees of the 1166 *carta*: *EYC*, xi, 194, 42, 50, 57, 64-5, 70-1, 84, 91, 99, 133, 162-5, 264-5, 281, 302-3, 313-14, 315 note, 316-17, 339, 349, 351, 47-8, 91, 228, 248, 342, 344, 330-1.

MAP 30

THE PATTERN OF MILITARY ENFEOFFMENT ON THE HONOUR OF PERCY IN 1135 (1)

KEY

-  YORK
-  PERCY CASTLE
-  ESTATE FORMING THE WHOLE OR PART OF A MILITARY TENANCY
-  LINES USED TO ILLUSTRATE ESTATES FORMING INDIVIDUAL MILITARY TENANCIES
-  BOUNDARY OF LAND OVER 500 ft.
-  SCALE: ONE INCH = 5 MILES
-  NUMBER OF KNIGHTS' FEES CONSTITUTED BY INDIVIDUAL MILITARY TENANCIES



regions of the honour in Yorkshire: the Don valley; the estates of the East Riding and wapentakes of Ainsty, Bolesford, Halikeld, Burgshire, Skyrack, Gereburg, and Birdforth, referred to hereafter as the Central region; the Coast region, incorporating the estates of the east coast plain in the North Riding; and finally Cravenshire.³⁰

The choice of regions may appear arbitrary but has been determined according to several criteria. Firstly, geographical definition. The regions of the Coast, Don valley and Cravenshire incorporated estates detached from the main body of Percy holdings and the major centres of Percy authority, and display a degree of internal geographical coherence. Secondly, the distribution of knights' fees. The component estates of some Percy military tenancies were dispersed over a wide geographical area and it is often impossible to discern what proportion of the service owed by the fee was attached to each part. In choosing the regions to be studied it was therefore essential to limit this problem as much as possible by ensuring that most, if not all, of the component estates comprising the knights' fees were confined to only one region in order that the level of enfeoffment within the region as a whole could be determined with some degree of accuracy. Thirdly, the tenorial history of the Percy honour. After 1086 the Percys acquired an extensive body of estates to augment their Domesday fee.³¹ The vast majority of these comprised the confiscated lands of Roger the Poitevin in Cravenshire which had almost certainly been acquired by 1135. Although William I of Percy held some estates in this area in 1086 these were small in comparison to those subsequently acquired. The peculiar history of this portion of the honour, an area for which Domesday contains little information, argues in favour of it being studied as a distinct region.

All the estates in the Don valley region had been alienated by 1135 to form component parts of two military tenancies, each held for the service of one knight. One of these was held in 1166 by William the Vavasour as part of a family estate of two knights' fees of the old-enfeoffment, and comprised the manors of Barnby-upon-Don and Edlington (including the berewicks of Braithwell

³⁰It must be admitted that a thoroughly detailed analysis of the apportionment of service owed by individual tenancies between the vills constituting the fees is impossible in many cases because of the limitations of the evidence. Here we have to rely on thirteenth century inquests and feodaries which are often incomplete or inconsistent, and which in many cases bear little relation to the circumstances of the twelfth century. To some extent, therefore, this study must remain impressionistic.

³¹*EYC*, xi, 14-16.

and Doncaster), which had been held in 1086 by William's grandfather, Malger.³² The lord of the second tenancy in 1166 was William of Neville, and his knight's fee was composed of the manors of Thrybergh, Brinsworth, Bolton-on-Deerne and Dalton, of which all except Bolton had been held in 1086 by the Percy tenant Rozelin whose relationship to William is uncertain.³³ The estates comprising the Vavasour knight's fee incorporated almost six carucates in 1086, while those within the Neville fee were assessed at almost thirteen carucates, suggesting that there was no standard size of knight's fee. When compared with the Percy honour as a whole the Don valley region accounted for approximately 10% of the fees of the old enfeoffment, and just 2% of the total number of carucates available for military enfeoffment.

The total number of knights' fees established in the Central region in 1135 was between 11 1/3 and 13 5/6. The uncertainty stems from the fact that the precise location of the old enfeoffment tenancies of the families of Steward, Arches and Foliot has not been ascertained.³⁴ Of the twelve tenants holding military fees in the region recorded in the *carta* of 1166 the direct male ancestors of four, and possibly five, held land of the Percys in 1086.³⁵ The tenure of the families of another five can be traced back to the early twelfth century.³⁶ The total number of carucates on the Percy estates within this region was approximately 326,³⁷ of which only 1 1/2 carucates are known to have been alienated to non-military tenants by 1135.³⁸ In theory this left approximately 324 1/2 carucates, accounting for 49.7% of those on the entire honour, available for military enfeoffment. The number of knights' fees within the region made up between 54.4% and 60.6% of the entire

³² *EYC*, xi, 118-21.

³³ The complex descent of this fee is examined in detail by Clay: *EYC*, xi, 286-9.

³⁴ Both the Steward and Arches families held fees of the new as well as of the old enfeoffment, and in establishing the location of the manors held by them it is impossible to distinguish between the two. Matters are complicated further in the case of the Arches fee where some of the component estates of the family holding lay in Cravenshire. The identity of the estates comprising the Foliot fee have not been determined. See here *EYC*, xi, 89-90, 146-7, 202.

³⁵ Robert the Steward, Robert fitz Picot, William the Vavasour, William fitz Hugh and possibly William fitz Robert: *EYC*, xi, 89-90, 104-8, 118-22, 137-9, 252-5.

³⁶ The direct male ancestors of Gilbert of Arches, Thomas Darel and William Arundel were in control of the fees recorded in 1166 by the early twelfth century. Geoffrey of Valognes acquired his fee by marriage, and his father-in-law had held the fees early in the reign of Henry I. Stephen fitz Herbert's father married the granddaughter of Osbern who held the tenancy in the late eleventh century. The two remaining fees were those of Richard of Weiton and Henry fitz Apolitus: *EYC*, xi, 146-54, 186-91, 196-201, 180-1, 213-18, 222, 248.

³⁷ This may not be completely accurate because it is based on Domesday assessments and takes no account of any possible changes in the period up to 1135 owing to the expansion of estates through land clearance and assarting. David Hall has argued, however, that such developments were unlikely to affect assessments: D. Hall, 'Fieldwork and fieldbooks: studies in early layout', in *Villages, Fields and Frontiers: Studies in European Rural Settlement in the Medieval and Early Modern Periods*, ed. K. Roberts and R. E. Glascock (BAR International Series, 185, 1983), 115-29. The total also includes the Domesday assessments of all the estates acquired by the Percy lords after 1086, some of which may not have been acquired before 1135. The acquired estates, however, were mainly situated in Cravenshire: *EYC*, xi, 14-16.

³⁸ See Appendix 2.

number established on the honour in 1135.

Four knights' fees had been established in the Coast region by 1135: one incorporating the manors of Osgodby, Killerby, Deepdale and Cayton, held in part in 1166 by Durand of Cayton whose father was possibly the tenant here in the early twelfth century; one at Lazenby, Wilton and West Coatham, held jointly in 1166 by William fitz Richard and Walter fitz Ralph whose predecessors are unknown; one based on the manor of Kirkleatham held in 1166 by Ilbert fitz Roeri the first known tenant;³⁹ and one centred on the manors of Upleatham, Marske, South Loftus and possibly Ugthorpe, under the control in 1166 of William of Argentam whose father Robert preceded him in the tenement.⁴⁰ The Percy estates in this region incorporated approximately 69 1/2 carucates in 1086. To these must be added the large estate constituted by the manor of Whitby and its outliers held in 1086 by William I of Percy of the earl of Chester. By the early twelfth century the tenancy-in-chief had effectively passed to William's son Alan, who probably acquired in addition another Chester estate of ten carucates in Upleatham which had been in the earl's demesne in 1086.⁴¹ In addition another sixteen carucates in the region were acquired by Alan I of Percy in marriage to Emma of Gant.⁴² This gives a total carucage of 136 1/4. From this, however, we need to subtract the gifts made by the Percys to Whitby abbey, amounting by 1135 to 58 1/4 carucates (see Appendix 2), before we can arrive at the number of carucates available for the creation of military fees. The figure obtained is seventy-eight carucates, which accounts for 11.9% of the total number of carucates available for military enfeoffment on the entire honour. The military tenancies here accounted for four of the honour's 20 5/6-22 5/6 knights' fees, that is, between 17.5% and 19.2%.

By 1135 the number of knights' fees established within the Cravenshire region was at least three and possibly 4 1/2.⁴³ The four tenancies certainly in existence included a knight's fee in the manors of Long Preston, Painley and Wigglesworth, under the lordship of Ralph of Amundeville in 1166 whose elder brother, Walter, held the tenancy before 1135; a knight's fee in Halton West, Hellifield,

³⁹ *EYC*, xi, 233-4, 232-3, 225-7.

⁴⁰ This fee also included land outside the region in Catton in the parish of Topcliffe, although it can not have been substantial: *EYC*, xi, 223-4.

⁴¹ *EYC*, xi, no. 1, a charter of William I of Percy dated 1091 x 1096, the only document in the Percy collection to mention the earl's overlordship. See also *EYC*, xi, 334-5.

⁴² *EYC*, xi, 353-6.

⁴³ See above p. 89 note 30 for an explanation of why this figure must remain uncertain. A portion of the Leathley fee lay in Stainton near Gargrave: *EYC*, xi, 137-8.

Long Preston, Paythorne and Swinden, held by William of Humez who held the tenancy in the early twelfth century; a half knight's fee in the manor of Rimington and its outliers, held in 1166 by Adam fitz Norman whose grandfather may have been the tenant in the reign of Henry I;⁴⁴ and finally a half knight's fee in Carleton held in 1166 by William fitz Robert whose grandfather may have been a Domesday tenant of Percy at Wetherby.⁴⁵ No grants of land in Cravenshire had been made by the Percys to religious foundations or non-military tenants by 1135. The entire 177 1/4 carucates within the region were therefore available for military enfeoffment and comprised approximately 27.1% of the number available for military enfeoffment on the entire honour. The number of knights' fees within the region accounted for between 13.1% and 21.6% of those established on the honour as a whole.

What emerges from this study of the Percy estates is that the level of military enfeoffment varied between the different geographical areas within the honour. In proportion to the number of carucates available for military enfeoffment the region most heavily encumbered with knights' fees was that of the Don valley, whereas the level of military enfeoffment in Cravenshire was comparatively low. To some extent it would appear that this pattern was influenced by the geographical location of the regions, in particular their distance from the major demesne centres of the honour. The more isolated regions of the Don valley and North Riding coast were comparatively well established with knights' fees. In addition there had been an extensive degree of non-military enfeoffment in the latter region, mainly involving the establishment of Whitby abbey. To some extent this indicates that the Percy lords were in control of the enfeoffment process, and attempting to rationalize the management of their estates by alienating holdings where problems of distance and administration made direct demesne cultivation more difficult and less profitable than the extraction of rents and services. The exception to this appears to be Cravenshire which, in spite of its relative isolation, had undergone very little tenant enfeoffment, military or otherwise, by 1135. Here the Percy honour closely resembles the Pennine portion of the honour of Mowbray, and the pattern of settlement

⁴⁴ *EYC*, xi, 172-6, 227-30, 243-9.

⁴⁵ In 1166 William fitz Robert and Peter fitz Grente held one knight's fee of the old enfeoffment in Wetherby, Carleton and Owmbly in Lincolnshire. Later evidence reveals a discrepancy in that the tenement in each vill amounted to a half knight's fee: *EYC*, xi, 252-5.

doubtless reflects the fact that the Normans were still in the process of colonizing the area in 1135 and viewed it as a military frontier region. The Mowbrays had castleries centred on Kirkby Malzeard and Burton-in-Lonsdale by 1130, and the Percys may either have constructed, or acquired from Roger the Poitevin, a castle at Gisburn commanding the Roman road running from the West Riding through the Pennines into Lancashire.⁴⁶ With only one exception the Percy vills burdened with knight service in Cravenshire in 1135 were situated within five miles of Gisburn (Map 30), suggesting that the lords relied on a ready-to-hand fighting force of knights to govern the area.

The military exigencies of the conquest period may also account for the variable structure of the individual knight's fees within the four regions considered. In the three outlying areas of Cravenshire, the Don valley and the Coast the military tenancies were either single or fractional knight's fees and often compact and situated within single or adjacent vills. This was especially so in Cravenshire and indicates the establishment of simple professional knights in an area where feudal settlement was still in its early stages. That the majority of the Cravenshire fees recorded in the 1166 *carta* had been established after 1135 provides additional support for this deduction.⁴⁷ In the Central region of the honour by contrast some military tenancies were composed of multiple knights' fees and distributed over a wide geographical areas. The holding of Robert fitz Picot, for example, constituted three knights' fees and was composed of estates in vills as far afield as Nesfield in the Wharfe valley and Carnaby near Bridlington in the East Riding. It is difficult to discern a strategic function in estates of this kind and, like the smaller and more compact knights' fees, their structure owed little to pre-conquest tenurial patterns. Their size and widespread distribution appears to have been due instead to the fact that military enfeoffment in this region had progressed beyond the establishment of simple professional household knights. The tenants who held them were of a higher social calibre and intent on constructing complex estates in the form of miniature honours where the lord held the demesne land in some vills and extracted rents and services from others. The history of the family of Robert fitz Picot lends weight to this argument. In 1086 Robert's father, Picot, held 2 1/2 carucates of William I of Percy in Bolton-upon-Deerne and six carucates in nearby Sutton-upon-Derwent.

⁴⁶ See above, pp. 55-6.

⁴⁷ *EYC*, xi, 89, 146, 255, 261.

Picot is known to have employed the surname of Percy which, if not necessarily implying a family connection with the lord, at least indicates a close relationship of some kind. His influential status is also reflected in the fact that he attested three of Alan of Percy's seven extant charters, his name appearing in a prominent place in the list of witnesses immediately after those of the lord's brothers and before that of the Percy steward, Fulk son of Reinfrid. By 1135 Picot, or his son Robert, had considerably augmented the family estate with the addition of lands in the vills of Bolton Percy, Carnaby and Nesfield.⁴⁸

The hereditary stewards of the honour of Percy were another family of influential knights to hold an extensive military tenancy in the Central region of the honour. The ancestor of the family, Fulk, held 2 1/2 carucates in Pallethorpe and 1 1/2 carucates in Snainton of William I of Percy in 1086.⁴⁹ His father was Reinfrid, prior of Whitby. In 1166 his grandson Robert held three knights' fees of the old enfeoffment and a 1/2 knight's fee of the new enfeoffment of William II of Percy. Although the estates composing the tenancy were widely distributed throughout Yorkshire and Lincolnshire it is possible that between 1 1/2 and two old fees were situated in the central portion of the Yorkshire honour in the vills of Bolton Percy, Ouston, Healaugh, Pallethorpe and Snainton,⁵⁰ indicating a considerable augmentation of the Domesday tenancy.

The Honour of Skipton-in-Craven

The honour of Skipton-in-Craven held by the Rumillys, which came into being after 1086, was constructed for the most part from a large portion of the former Domesday estates of Roger the Poitevin and a body of royal demesne lands centred chiefly on the manor of Bolton.⁵¹ The estates within the Yorkshire portion of the honour were situated mainly in a compact block of territory in Cravenshire, with a small outlying cluster of lands in the parish of Wath in south Yorkshire.

At the Domesday survey there were no tenants on the estates that eventually came to constitute the honour of Skipton. The *carta* of 1166 records twelve knights' fees on the honour in 1135. Clay

⁴⁸ *EYC*, xi, no. 2 and note (dated 1100 x c.1115), no. 4 (dated c.1109 x 1114), 104-18.

⁴⁹ *DB*, i, 321b, 323a.

⁵⁰ It is probable that the new enfeoffment land lay in Cravenshire where Norman feudal settlement took longer to be established. This leaves only the old fees to be considered, and later evidence indicates that between 1 1/2 and two lay in Yorkshire. For details of the family and fee see *EYC*, xi, 89-98.

⁵¹ *EYC*, vii, 44-9.

has shown that the correct number was probably thirteen.⁵² Of these, however, only 2 1/2 were situated in the Yorkshire portion of the honour, even though the estates here incorporated some 210 carucates.⁵³ The 2 1/2 fees were held by the Mauleverer (1), Bulmer (1), and Vavasour (1/2) families, all of whom could trace their ancestors back to the reign of Henry I, and in the case of the Vavasour family back to the Domesday survey.⁵⁴ The very limited extent of enfeoffment tends to support the evidence derived from the honour of Percy indicating that the feudal organization of tenure in Cravenshire was in a very primitive state even in 1135. The honorial estates here formed a castlery centred on Skipton, and it would appear that the Rumillys had only recently begun to establish their household knights on the land. As in the case of the lordships of Pontefract and Richmond the limitation of the establishment of military fees to the immediate vicinity of the honorial *caput* is an indication of feudal under-development. The military settlement of an outlying portion of Skipton estates in south Yorkshire between Pontefract and Conisbrough was delayed until after 1135.⁵⁵

Whereas in 1086 the settlement of resident Norman sub-tenants had been largely confined to the immediate vicinity of honorial *caputs* and castles, the case studies of the lordships of Mowbray, Percy and Skipton reveal that by 1135 Norman lords had extended military enfeoffment to the more peripheral areas of their honours. In proportion to the land available for military enfeoffment the greatest concentration of knights' fees on the Percy fee, for example, was in the Don valley in south Yorkshire, and in the estates along the east coast, well over fifty miles from the honorial castles of Spofforth and Topcliffe. Moreover, some of those who held knights' fees in 1135 were men of more influential status, the ancestors of Stenton's honorial barons, and they had already begun to construct tenancies of a larger and more complicated nature, responsible for the service of more than one knight and distributed over wide geographical areas. Many of these men had succeeded to the estates of their fathers and would pass them in time to their sons. In all this the pattern

⁵² *Red Book*, i, 430; *EYC*, vii, 90.

⁵³ *EYC*, vii, 47-9.

⁵⁴ *EYC*, vii, 118-9, 166-7. Malger, the ancestor of the Vavasour family, held an estate of William of Percy in 1086 and his descendant William held two knights' fees of the old enfeoffment of the Percys in 1166.

⁵⁵ *EYC*, vii, 193-4, 212-3.

of settlement in Yorkshire was coming to resemble that in more settled southern counties where military exigencies had a far less predominant influence on the way the Normans organized their estates. That the pattern on the Percy honour had undergone considerable development in the half century since the Domesday survey is also suggested by the scale of enfeoffment. Whereas in 1086 approximately 40% of the carucates and 48% of the value of the Yorkshire portion of the honour had been alienated to tenants (Table 4), by 1135 these figures had risen to approximately 80% and 70% respectively.⁵⁶

Despite these developments the case studies also reveal that the feudal settlement of Yorkshire was still incomplete in 1135. With its powerful belt of interconnecting castles defending the east coast, River Tees, and the eastern fringes of the Pennines, many of which had been created only after 1086,⁵⁷ the county remained a military frontier region, and the pattern of settlement clearly reflected the fact. Military enfeoffment in the Pennine portions of each of the three honours examined in this chapter was comparatively retarded. The tenancies which had been established were small, either single knight's fees or fractions of fees, and confined to the immediate vicinity of the honorial castles, and the men who held them were probably household knights of lower status, still expected to serve as garrison soldiers when the need arose. The pattern of settlement here resembled that in the more accessible lowland regions of Yorkshire in the days of the Conqueror. The times may have changed but one thing had remained the same. When the Norman settlement was in its initial stages knights, knights' fees and castles are always seen to go together. In the next section of the chapter it will be argued that this striking fact provides the key to the system of military quotas introduced by the Conqueror into England.

The Introduction of Knight Service into Yorkshire

J.H. Round thought that the responsibility for the creation of the post-conquest military system lay with the Conqueror who imposed artificial decimal service quotas on the baronies he had established. For Round the creation of the honour and the quota was a single act controlled by the king.⁵⁸ The

⁵⁶See Appendix 2.

⁵⁷See above, pp. 50-63.

⁵⁸Round, *Feudal England*, 225-314, esp. 246-62.

thesis has been criticized by several historians over the century since Round wrote, most recently by Professor Holt. While pointing out that many honours do not fit Round's hypothesis, either because their quotas were random or their lords seem unclear as to what the quota should be, Holt illustrates that although quotas could be established in a moment, many of the honours to which they were attached were not. Acknowledging that the Conqueror and William Rufus established some decimal quotas, he argues that quotas could be influenced thereafter by the tenurial restructuring which often accompanied the descent of honours. Depending on a host of influences, of which royal control was only one, the restructuring could result in quotas either remaining unchanged, becoming random, or being recast arbitrarily within the decimal system. Hence many of the quotas which can be established from the returns of 1166, or the payments for scutage in the pipe rolls of Henry II, may bear no relation to those imposed by the Conqueror, and may have emerged gradually in the century following the conquest. The trend was a change in assessments from artificial decimal to random, the result not of a deliberate royal policy but of the fact that after c.1110 estates available for redistribution were encumbered with sitting tenants. Complex territorial redistribution was bound to break up the neat pattern of decimal quotas. In this Holt finds the key to the whole system. Service in the field, he argues, was not precisely related to the quota or to the old or new enfeoffment. Military emergencies were too immediate for the strict accounting of such a cumbersome system which was ill-equipped to provide troops for service 'in the field' or overseas. Instead, in establishing quotas for his magnates, the Conqueror wanted only 'some guarantee that the recipients would contribute towards the successful maintenance of the conquest'.⁵⁹

Holt's general thesis that quotas might emerge over time, and that they were not intended to provide troops for service in itinerant armies appears convincing.⁶⁰ It may be possible, however, to introduce a degree of precision into his arguments concerning the rationale behind the military system, and to suggest that the contribution the quota recipients were expected to make towards the conquest was intentionally specific. Holt provides the key to the quota system when questioning how men could be expected to fight in the field and defend their castles at one and the same time.

⁵⁹ J.C. Holt, 'The introduction of knight service into England', *Anglo-Norman Studies*, 6 (1983), 89-106, quotation from p. 105.

⁶⁰ For more evidence in support of this view see Keefe, *Feudal Assessments*, 79-80.

If quotas were ill-suited for the provision of service in the field or abroad their original function must have been more local. Although later kings may have attempted to expand and develop the competence and scope of the system it is possible to argue that the Conqueror introduced his quotas for the specific purpose of guaranteeing the provision and maintenance of garrisons for the castles which were the linchpins of the conquest.

Castles like quotas were part of a Norman military system organized and controlled by the king. They were crucial to the Norman programme of conquest and colonization⁶¹ and it is clear that both before and after 1066 the Conqueror and his sons regarded their construction and control as an essential prerogative of rulership.⁶² It was natural therefore that castles regarded as royal property should be provided with garrisons by a royal system of military service. The importance of castles and the problems of providing and maintaining castle-ward made central regulation essential. Initially in most areas, and for longer periods in counties such as Yorkshire where tenant enfeoffment was slow, lords relied for their garrison forces upon their household knights.⁶³ By their nature, however, troops of this kind owed their livings to duties performed in the personal service of their lords and might normally be expected to travel with the honorial court. The castles of lords with extensive estates may therefore have found themselves bereft of a major part of their garrisons for considerable periods of time. Moreover, the maintenance of large standing garrisons was further jeopardized by the considerable cost and drain upon local resources involved,⁶⁴ particularly in the more remote and economically backward areas which invariably encompassed the sites of great strategic importance where castle control was crucial.⁶⁵ With the passage of time, the waning of the immediate military exigencies of the conquest period, the settlement of knights over a wide geographical area far from

⁶¹ See above Chapter 1.

⁶² According to the *Consuetudines et Iusticie* resulting from the inquisition into ducal customs conducted by Robert Curthose and William Rufus in 1091 castellation was controlled by the duke to whom existing castles had to be surrendered on demand: Haskins, *Norman Institutions*, 38, 60, 278, 282; Liebermann, *Gesetze*, i, 556, 558; *Leges Henrici Primi*, 108, 116; J. Yver, 'Les chateaux forts en Normandie jusqu'au milieu du XII siecle', in *Bulletin de la Societe des Antiquaires de Normandie*, liii (1955), 62-3; Orderic, iv, 113-15, 153. Curthose had allowed ducal control to slip: J. Green, 'King Henry I and the aristocracy of Normandy', in *La 'France Anglaise' Au Moyen Age: Actes Du III Congres National Des Societes Savantes, Poitiers, 1986* (Paris, 1988), 167. After Tinchebrai Henry I demolished the unlicensed castles of the duchy: Orderic, vi, 94, 98. The charters of King Stephen and Empress Matilda to Geoffrey of Mandeville reveal that a specific licence was required for castle building: *Regesta*, iii, nos. 273-6; S. Painter, 'English castles in the middle ages', *Speculum*, 10 (1935), 330.

⁶³ For the late enfeoffment of household knights on the honour of Mowbray see *Mowbray Charters*, xxxiv, lxi-ii.

⁶⁴ *Mowbray Charters*, lx-i; S. Painter, 'Castle-Guard', *AHR*, 40 (1935), 451, 458-9.

⁶⁵ For example the passes through the Pennines into Lancashire and Cumberland.

the castles, and the increasing costs of knight service,⁶⁶ the problems could only increase. Royal supervision of castle-ward was essential if the castles, as much a symbol of royal authority in the localities as a means of territorial control, were to continue to be maintained and defended.

A direct link between castle-guard and royal military service is discernible in the low level of military quotas imposed upon several Yorkshire honours. The lord of Holderness owed just ten knights from a fee worth over £560 in 1066, the archbishop of York twenty, or possibly only seven, from one valued at over £310, William of Percy thirty from one which even at depressed 1086 values was worth £275,⁶⁷ William of Warenne only two or two-and-a-half from one valued at £78 in 1066,⁶⁸ the Brus family twenty on an estate of some 500 carucates.⁶⁹ These figures can be compared with those of Corbett who revealed that for lay estates quotas of forty or more knights were imposed on most of the baronies having revenues of over £200 a year.⁷⁰ The low quotas of Yorkshire were doubtless a reflection of the slow progress of feudalization, itself a consequence of the persistent military insecurity of the region and a conscious policy on the part of its lords of retaining their troops within their households and castles in order to provide ready-to-hand fighting units suitable for local defence.⁷¹ The low quotas of the northern lordships of England appear to represent an allowance made against the natural expectation that marcher barons would find it as much in their own interests as in the king's to provide permanent garrisons from their households.

On the honour of Holderness in the twelfth century the ward of Skipsea castle appears to have been viewed as an obligation due to the king, even though there is no evidence that it was a royal castle. Between 1165 and 1179 William count of Aumale granted land in Holderness to one of his retainers to hold for the sixth part of the service of one knight 'ad custodiam castelli de Skipsea ad

⁶⁶Harvey, 'The knight and the knight's fee', 31-43.

⁶⁷Scutage was charged at thirty knights' fees in the twelfth century: Sanders, *Baronies*, 148 note 2.

⁶⁸*EYC*, viii, 137-8, 178-9, 139-40.

⁶⁹Scutage on the barony of Skelton was paid on fifteen knights' fees in the twelfth century: Sanders, *Baronies*, 77 note 4. In addition in the *carta* returns of 1166, besides fifteen knights in Yorkshire held by Adam of Brus II there is mention of another five knights held by Adam's uncle Robert of Brus II who paid scutage on five fees in Yorkshire in 1168: *Red Book*, i, 434-5; *Pipe Roll 14 Henry II*, 99. The Lacy family, by way of a contrast, owed sixty knights from an honour in which the Yorkshire estates, which supported most of the knights' fees, were valued in 1066 at £322: *Red Book*, i, 421-4. Henry of Lacy stated that this was the number of knights owed to the king from his honour. It is possible of course that he was lying or that the quota had emerged gradually. Scutage was paid on 43 3/4 knights' fees: Sanders, *Baronies*, 138 note 3.

⁷⁰W.J. Corbett, 'The development of the duchy of Normandy and the Norman conquest of England', in *Cambridge Medieval History*, 5 (1926), 5, 12.

⁷¹Such a policy appears to have been adopted by marcher barons in similar regions along the frontiers of Normandy: Orderic, iii, 255.

servitium regis'.⁷² No other military service is mentioned and it may therefore be possible that in the early period of Norman rule royal castle-guard was the only military obligation imposed upon the knights of the honour.⁷³ More evidence of the relationship between quotas and castle-guard can be found in some of the military returns made in 1166. The abbot of Bury St. Edmunds declared that of the service of forty knights owed by his church 'Earl Hugh retains and discharges a guard of three knights in the castle of Norwich'.⁷⁴ The remaining thirty-seven knights also appear to have been reserved for castle-guard and together with the quotas of the bishops of Norwich and Ely provided Norwich castle with a permanent garrison.⁷⁵ Professor Keefe has illustrated several examples in which the known castle-ward obligation of an honour was equal to either the known twelfth century host quota, the knights' fees assessed for scutage in 1168 x 1172, or the knights' fees assessable in 1190 x 1210. He cites the evidence of two independent chroniclers that the Conqueror was responsible for the introduction of specified quotas for the castle-ward in England, and concludes that 'Either the English *servicia debita* evolved from castle-ward quotas or else the two obligations were imposed simultaneously, which seems more likely'.⁷⁶

Here Keefe equates the *servicia debita* with host service which, in view of Holt's argument concerning the unsuitability of the quota system for the provision of field-armies, appears unlikely. This, however, is not to deny the existence of host service in the conquest period. The Domesday record for Berkshire is quite clear here:

If the king sent an army anywhere, one knight (*miles*) only went from five hides, and for his supplies or pay 4s were given to him for two months from each hide; they did not send this money to the king but gave it to the knights.⁷⁷

The system appears to have been employed in 1094 when, during his campaign against Robert Curthose in Normandy, William Rufus:

sent into this country and ordered twenty thousand Englishmen to be called out to

⁷² *EYC*, iii, no. 1400.

⁷³ English, *Holderness*, 173.

⁷⁴ *Red Book*, i, 392.

⁷⁵ Painter, 'Castle-Guard', 452.

⁷⁶ Keefe, *Feudal Assessments*, 63, 76-8.

⁷⁷ *DB*, i, 56b. See also the Worcestershire Domesday which records that 'When the king went on an expedition by land or sea, he had from the Borough either 20s to feed his boatmen (*buzecarles*), or he took with him one man (*hominem*) for each honour of five hides': *DB*, i, 64b.

his aid in Normandy; but when they reached the sea, they were ordered to turn back and give for the king's profit the money that they had received: that was half a pound (10s) for each man, and they did so.⁷⁸

This system, however, was not the quota system. It was directly related to honorial hidage whereas quotas were not. It also placed the burden of responsibility on the individual knight whereas quotas were to be provided on a honorial basis by lords.⁷⁹

The existence of a royal host-service system based upon a fixed five-hide fee and levied directly on professional knights is in accord with, and helps to enhance, our knowledge of the transformation of the military system in the twelfth century. Dr. Harvey has illustrated that as early as the 1090s professional knights were already having difficulties meeting their military obligations and were banding together in groups in order to provide one of their number who might serve. As time went by and more land was required to furnish knights a greater number of them began to opt out of the military system to concentrate on the direct cultivation of their estates. In 1100 Henry I felt compelled to help their finances and dealt with them directly in his coronation charter.⁸⁰ The host-service system was already failing, and within this failure we have the key to the later evolution of the *servicia debita*.

The disintegration of the host system helps to explain the twelfth century transformation of military service from a personal obligation to a monetary payment, assisted by what English has termed a territorialization process. Service became rooted in the soil, so that by c.1166 it was the 'land which owed the service rather than the knight'.⁸¹ The problem in all this for the king was that the professional knights with their limited estates were too poor to pay. The logical thing to do was to shift the burden of obligation to the lords. And here the king already had a system of assessment ready to hand in the *servicia debita*. Hence when payments for scutage appear in the pipe rolls of Henry II they are invariably levied on the basis of the number of knights' fees in the honorial

⁷⁸ ASC, s.a., 1094, 171. See also Florence, *Chronicon*, ii, 35. Professor Barlow's explanation for the discrepancy between the twenty shillings of Domesday and the ten shillings mentioned by the Anglo-Saxon chronicler is that the troops may have been paid half of their expenses on their return home: Barlow, *Rufus*, 334 note. It is equally possible, however, that the army of 1094 had only been expected to serve for one month rather than two and therefore required only half the normal amount of expenses.

⁷⁹ The only reference of the lord in the description of host service in Domesday is to his obligation to pay 50s should his knights, or knights' proxies, fail to go on campaign: *DB*, i, 56b.

⁸⁰ Harvey, 'The knight and the knight's fee', 3-43.

⁸¹ English, *Holderness*, 175.

servicium. In time, especially with the continued inflation of the late twelfth century, the lords themselves would prove unable to meet their obligations, and in the thirteenth century the quotas were slashed. The function of the *servicium debitum* therefore was altered in the twelfth century. Although primarily concerned with host service in the reign of Henry II this had not been so in the eleventh century. There was no question of an evolution of the *servicium* from the castle-ward quota because the two started out as one and the same obligation. If we are to speak of evolution it must be the evolution of the castle-ward *servicium debitum* into a monetary system designed to substitute the old conquest host-service system that was disintegrating in the face of economic, social and territorial change.⁸²

The size and distribution of the estates of the *milites* who appear in Domesday Book tends to support a relationship between castle-guard and quotas. Illustrating that they were usually enfeoffed on small plots of lordly demesne land, or manorial outliers, of an average value of approximately £2 and comprising an average of only two carucates, Harvey argues that the *milites* represent a class of professional household knights in the first stages of becoming landed.⁸³ Their rentier status, and possession of estates commonly situated within the immediate vicinity of castles, can only be significant in view of Professor Lyon's observation that the *fief-rente* was especially important in the provision of castle-guard.⁸⁴

The Domesday entries concerning *milites* in Yorkshire confirm Harvey's general conclusions and add weight to the argument that they represent garrison troops tailored for the royal quota obligation. The *milites* were either joint-holders of manors, enfeoffed on manorial outliers, or resident on the demesne. The tenancies held by the archbishop's *milites* ranged in size between one and nine carucates, with an average of approximately 3 1/2;⁸⁵ those of the *milites* of Holderness ranged between 2 1/2 and approximately 3 1/3 carucates, with an average of just under three (Table 15).⁸⁶

⁸²On the honour of Holderness the early limitation of royal military service to castle-guard at Skipsea had come to an end by the thirteenth century when all military tenants owed host-service: English, *Holderness*, 173.

⁸³See Harvey, 'The knight and the knight's fee', 3-43.

⁸⁴Lyon argues that this was the case everywhere except England. The evidence connected with the *milites*, however, indicates that the thesis is also applicable here: Lyon, *Fief to Indenture*, 96, 189, cited by Harvey, 'The knight and the knight's fee', 24-6.

⁸⁵The figure is derived from the tenancies of the twelve known *milites*. It is approximate because the proportion of the seventeen carucates at Everingham held by the *miles* there is uncertain. I have assumed that he held six carucates: *DB*, i, 302b.

⁸⁶The holdings of the *milites* at Aldbrough and Brandesburton of unknown size would appear to have been small: *DB*, i, 324a-b. The number of plough-teams and peasants controlled by the *milites* here bears close comparison to

TABLE 15: THE ESTATES OF THE *MILITES* OF THE ARCHBISHOP OF YORK AND HONOUR OF HOLDERNESS IN 1086

Name of Vill	Type of Estate	Demesne Estate	No. of <i>Milites</i>	No. of Carucates Held by the <i>Milites</i>
Archbishopric of York				
Patrington	manor	x	2	6
Elloughton	"		1	2
Everingham	"		1	5.66
North Grimston	soke	x	1	3.5
Skidby and Bishop Burton	berewick	x	3	3
Ottringham	"	x	1	6.5
Burton Constable	"	x	1	5
Great Cowden	"	x	1	9
Catwick	"	x	1	1
Sherburn-in-Elmet	soke	x	unspecified	52
Honour of Holderness				
Aldbrough	berewick and soke	x	4	?
Brandesburton	manor	x	1	?
Catwick	"		2	5
Preston	"		3	10.25

Not surprisingly the value of such tenancies, where known, was not high. In the archbishopric a single *miles* held just two of the seventeen carucates comprising the manor of Elloughton and Wauldby, valued in its entirety at £7 in 1066 and just under 100s in 1086. The manor of Everingham, shared between two *clerici* and one *miles*, had a value of £14 in 1066 and just £6 at the time of Domesday. Again evidence from other honours tends to confirm the picture and provides a useful comparison with Harvey's figures and those of other researchers.⁸⁷

The occurrence of some of the *milites* in groups of five or ten is particularly significant in view of the fact that the earliest service quotas imposed were decimal rather than random.⁸⁸ A group of ten had been enfeoffed on both the honours of Holderness and Richmond by 1086, mainly on the lordly manors encompassing, or close to, the honorial castles.⁸⁹ In the case of Holderness the number of *milites* corresponds to the probable twelfth century quota of the Yorkshire portion of the honour.⁹⁰ The absence of a similar correlation on the honour of Richmond, where the Yorkshire quota may have been fifty knights, need not undermine the relationship.⁹¹ As Keefe has noted, 'the *servicium debitum* of many large baronies appear to represent the total number of knights owed for ward in any given year; the knights serving a single term of ward - often in groups of five or ten - represent a

the *milites* of the archbishopric. At Aldbrough the four *milites* controlled three demesne and two peasant teams with sixteen villeins and two bordars. At Brandesburton the single *miles* controlled a single demesne team. At Catwick the two *milites* controlled two demesne and one peasant teams, two villeins and one bordar. At Preston three *milites* shared three peasant teams, eleven villeins and four bordars: *DB*, i, 324b-325a.

⁸⁷On the honour of Holderness the two manors of Catwick had a value of 60s in 1066 and 30s in 1086: *DB*, i, 324b. The eight manors of Preston had values of £12 and £6 at the respective dates: *DB*, i, 325a. On the honour of Richmond ten *milites* held thirty-one carucates in three villas valued respectively in 1086 at 28s, 15s and 38s: *DB*, i, 312b. The single *miles* on the honour of Percy held two carucates valued in 1086 at 20s: *DB*, i, 326b. The three on the Tison honour held the fifteen carucate manor of Sancton valued at 50s: *DB*, i, 322a. The value of the individual knight's fees on the honours of Peterborough abbey and the archbishop of Canterbury has been assessed at £2 10s and £5 - £6 respectively: King, *Peterborough Abbey*, 15.

⁸⁸Holt, 'Introduction of knight service', 99. For decimal castle quotas see Keefe, *Feudal Assessments*, 63.

⁸⁹In Holderness Aldbrough was the site of a castle by the early twelfth century at the latest; Preston was close to the important demesne manor of Burstwick which superseded Skipsea as the *caput* of the honour in the thirteenth century; and Brandesburton and Catwick, although not demesne manors, were close to the castle of Skipsea: *DB*, i, 324a-325a; English, *Holderness*, 9, 136, 36, 173, 7; *EYC*, iii, nos. 1304, 1307. In the case of the honour of Richmond the knights occur on the demesne manors of Newton le Willows, Hesselton and Patrick Brompton within ten miles of the castle sites of Catterick, and Killerby: *DB*, i, 312b.

⁹⁰There is no specific reference to a Holderness quota in the records. Fiscal assessments made on the honour began in 1168 and continued thereafter to be charged on the entire honour on the basis of twenty knights' fees: *Pipe Roll 14 Henry II*, 90; *Pipe Roll 18 Henry II*, 62; *Pipe Roll 8 Richard I*, 185; Sanders, *Baronies*, 24. In 1166 although no *carta* was returned for the honour the count of Aumale is recorded as having ten knights in Yorkshire: *Red Book*, i, 434. See also English, *Holderness*, 134-77.

⁹¹The lord of Richmond did not submit a *carta* in 1166, although it is recorded that he had fifty knights enfeoffed in Yorkshire. This figure corresponds with the returns for the aid of 1168, levied at the rate of one mark per fee, in which the sheriff of Yorkshire rendered account of '50 marks of the fee of Earl Conan': *Red Book*, i, 435; *Pipe Roll 14 Henry II*, 90. Sanders states that there were fifty knights' fees in Yorkshire of which the earl of Chester in John's reign was to receive all except 9 3/4. In 1210 x 1212 he answered for 40 1/2, and in 1224 the honour was charged for this number in Yorkshire: Sanders, *Baronies*, 140 note 7. It may be, therefore, that the quota of the Yorkshire portion of the honour was fifty knights.

single fraction of the overall quota'.⁹² Hence it could be that the Richmond knights were burdened with longer periods of ward than their counterparts at Holderness, and therefore that a relationship still exists between the number recorded in Domesday Book and the actual quota of the honour.⁹³ Alternatively it may be that the process of military enfeoffment was incomplete in 1086 and that the difference between the ten knights on the land and the fifty owed to the king was made up by household knights. Another possibility is that the Richmond quota may have increased over time as the Normans expanded and consolidated their control of the honour and the threat from Scotland continued. The absence of a similar evolution of the Holderness quota may have owed something to the notion, already discernible in Henry I's day, that the threat of invasion from Scandinavia had passed and that there was therefore no need to maintain heavily garrisoned fortresses on the east coast of England.⁹⁴

Although the remaining *milites* in the Yorkshire Domesday do not occur on individual honours in decimal numbers, and bear little or no relationship to the known twelfth century honorial quotas, they are to be found mainly on the demesne manors at, or close to, known castle sites. The three enfeoffed on the honour of Tickhill, which had a twelfth century quota of sixty knights, occur at the castle manors of Laughten-en-le-Morthern and Dadsley (Tickhill).⁹⁵ The single *miles* on the honour of Percy, the quota of which is unknown, was enfeoffed at Wetherby only six miles from the honorial castle of Tadcaster.⁹⁶ Finally the twelve on the archiepiscopal estates, which owed seven knights to the king, are to be found at the archbishop's demesne manors of Patrington, Elloughton and Wauldby, Everingham, Weavorthorpe and Beverley, with an additional unspecified number at Sherburn-in-Elmet which is known to have been an archiepiscopal residence and heavily fortified.⁹⁷

⁹²Keefe, *Feudal Assessments*, 79.

⁹³It has to be said that a quota of fifty knights fulfilled by the service performed by only ten would involve unusual terms of ward duty, which was usually set in periods of months or forty days, and it may be that after the conquest period the ten did not serve as a single body but were divided into smaller units which were each combined at different times with knights from other portions of the honour to provide the ward. A twelfth century list of fees owing castle guard duty at Richmond shows that the garrison was maintained by 186 knights who were divided into six groups each of which served for two months. These groups varied in strength from twenty-six to forty-two knights, the larger ones serving in the summer months when the risk of Scottish attack was greatest: Painter, 'Castle-Guard', 451; Sanders, *Baronies*, 140 note 6; *EYC*, v, 2-9, 11-12; Keefe, *Feudal Assessments*, 259 note 125.

⁹⁴English has attributed the commutation of castle-guard service on the honour in the reign of Henry I to the subsidence of the initial dangers of Viking attack and Anglo-Scandinavian rebellion: English, *Holderness*, 174. It has been noted that Henry I released the knights of the bishop of Ely from their service at Norwich castle which had hitherto housed a large permanent garrison: *Regesta*, ii, no. 1656; Painter, 'Castle-Guard', 452-3.

⁹⁵*DB*, i, 319a; Cathcart King, *Castellarium Anglicanum*, ii, 520, 527.

⁹⁶*DB*, i, 326b; Cathcart King, *ibid.*, 527.

⁹⁷*DB*, i, 302a - 304a; Cathcart King, *ibid.*, 532-3. In addition Gilbert Tison had enfeoffed three *milites* at Sancton

In the case of these lordships it may be either that castle ward quotas had not been fixed by 1086, that they were different from twelfth century quotas, or that the enfeoffed *milites* formed only a fraction of the force expected to provide ward - the remainder being made up of household knights. Whatever the case the absence of both decimal bodies of *milites* and a correlation between *milites* and twelfth century quotas on these honours need not preclude a relationship between castle-ward and quotas.⁹⁸ In the case of the honour of Tickhill the probable twelfth century quota of sixty knights was exactly equal to the number recorded in a pipe roll of Henry II as responsible for castle-ward.⁹⁹

The evidence of a much earlier pipe roll, that for the year 1129 x 1130, adds further weight to the argument for a relationship between decimal bodies of troops and castle-ward. The custodians of the honour of Mowbray were called to account for the various honorial castles, and the roll records that the guard at the Yorkshire castle of Burton-in-Lonsdale consisted of one knight (*miles*), ten serjeants (*servientes*), a porter (*janitor*) and a watchman (*vigilis*).¹⁰⁰ The situation at Burton in 1130, located as it was in an area where the progress of feudalization had been slow,¹⁰¹ may well equate with that of other more lowland areas at the time of the Domesday survey. Few, if any, military fees had been established in the region of the Pennine foothills,¹⁰² and the ten serjeants may well equate with the Domesday *milites* who were also troops of relatively low social and economic status.¹⁰³

J.H. Round sought to explain the decimal nature of quotas, and the lack of correlation between such quotas and honorial size and value,¹⁰⁴ in terms of Norman military tactics. For Round military

but is not known to have held a castle within the vicinity: *DB*, i, 322a.

⁹⁸It is possible in the case of the archbishopric that such a correlation can be established. The archbishop's quota appears to have been increased in the period 1161 x 1168 from seven knights to twenty: Keefe, *Feudal Assessments*, 245 note 13. The evidence for a seven-knight quota, in itself an unusual figure, comes from the seventh pipe roll of Henry II where, under a heading of 'new pleas and agreements', the archbishop renders account of fourteen marks for knights. It is assumed that this represents a scutage payment levied at a rate of two marks per knight's fee. This section of the pipe roll however is unusual. It includes only a handful of accounts, and of these only two besides those of the archbishopric, the bishop of Durham and honour of Tickhill concern payments for knights. Moreover, while the bishop of Durham renders twenty marks, corresponding to a levy of two marks per fee on his known quota of ten knights, the payment for the honour of Tickhill is accounted for in pounds and is equal to thirty marks, representing a payment on only fifteen of the sixty knights which made up the service quota of the honour. It could be, therefore, that for some reason the archbishop of York's payment on seven knights also represents only a fraction of his obligation, and that his quota was twenty knights. If so the Domesday *milites* may approximate to such a quota. The twelve specifically listed held forty-two carucates between them, while the unspecified body at Sherburn held fifty two, an amount apparently adequate enough to have supported the eight *milites* needed to make up the quota of twenty. See *Red Book*, ii, 676; *Pipe Roll 7 Henry II*, 37; *Pipe Roll 14 Henry II*, 88; *Pipe Roll 4 John*, 66; *Pipe Roll 16 John*, 70.

⁹⁹*Pipe Roll 13 Henry II*, 101; Keefe, *Feudal Assessments*, 261 note 136.

¹⁰⁰*Pipe Roll 31 Henry I*, 138.

¹⁰¹*Mowbray Charters*, xxi-ii.

¹⁰²*Mowbray Charters*, xxxiv.

¹⁰³The gradations of difference between the various types of soldiers of lower status were initially very small: Harvey, 'The knight and the knight's fee', 30, 36-7; M. Chibnall, 'Military service in Normandy before 1066', *Anglo-Norman Studies*, 5 (1982), 68.

¹⁰⁴For the lack of any correlation see Keefe, *Feudal Assessments*, 82-3.

obligations were 'fixed in relation to, and expressed in terms of, the *constabularia* of ten knights, the unit of the feudal host'.¹⁰⁵ Although several historians view the hypotheses as irrelevant, preferring to regard the decimal quotas either as a matter of simple utility¹⁰⁶ or as arbitrary creations,¹⁰⁷ Round is supported by Keefe who illustrates that arranging troops on a decimal basis in fives or tens, 'was the normal pattern of medieval military organization in England and elsewhere', and suggests that, 'It seems likely that quotas for knight service would follow the same pattern'.¹⁰⁸ Although taking issue with Round's argument that a general system of military quotas had been imposed from above in pre-conquest Normandy,¹⁰⁹ Dr. Chibnall illustrates that here too the basic fighting unit was the *conroi*, a body of knights 'trained as far as possible in small groups of five or ten, combined in larger units under their *magistri militum*'.¹¹⁰ She argues that the systematization of the Norman military system involving the imposition of a general quota system, 'was the result only of the intense military activity of the period of the conquest, and the very slow development of the common law in the century after it' and that in the light of the existence of the pre-conquest *conroi* the organization of knights in units of five or ten within this system was inevitable.¹¹¹

The castles were central to the intense military activity of which Chibnall speaks and, as Keefe notes, they 'required specific arrangements for their maintenance and defence on a yearly basis'.¹¹² It is therefore at least possible that the systematization of military obligations, the creation of quotas, was a direct response to the complex organization required to furnish and maintain castle garrisons rather than a means of providing host service which was of a much more short term duration. The statistics of the decimal quotas themselves support the argument. Rejecting the influence of honorial size and value Round explained decimal quotas in terms of Norman military organization, but left the question of why some decimal quotas were higher than others unanswered. The possibility of a personal bargain between king and lord cannot be overlooked.¹¹³ A closer analysis of the decimal quotas, however, reveals a statistical regularity which argues against the general influence of arbitrary

¹⁰⁵ Round, *Feudal England*, 260-1.

¹⁰⁶ Hollister, *Military Organization*, 32-7, 42, 86-7, and the authorities cited here.

¹⁰⁷ Holt, 'Introduction of knight service', 91.

¹⁰⁸ Keefe, *Feudal Assessments*, 67-71.

¹⁰⁹ Round, *Feudal England*, 260. Keefe offers support for this argument: Keefe, *Feudal Assessments*, 71-3.

¹¹⁰ Chibnall, 'Military service in Normandy', 66.

¹¹¹ Chibnall, 'Military service in Normandy', 72-3.

¹¹² Keefe, *Feudal Assessments*, 76.

¹¹³ Chibnall, 'Military service in Normandy', 75.

agreements of this kind.¹¹⁴ The highest known quota of any English honour was sixty knights, and of the ninety-six known decimal quotas of sixty knights or less eighty were exact divisibles of sixty (i.e. either 5, 10, 15, 20 or 30). This is an extremely high proportion given the fact that half of the decimal figures between zero and sixty are not exact divisibles of sixty (i.e. 25, 35, 40, 45, 50, 55).¹¹⁵ Arguably the strong emphasis on sixty and its divisibles within decimal quotas was a result of the mathematical compatibility of these figures with the twelve months of a calendar year. Thus a quota of sixty knights could be met by five knights serving for twelve months of ward, by ten knights for six periods of two months, by fifteen knights for four periods of three months, or by twenty knights for three periods of four months, and so on. This flexibility was ideally suited to the fluctuating garrison requirements of castles, which usually varied according to the prevailing military conditions.¹¹⁶

It is possible, then, that the level of military quotas depended upon the particular garrison requirements of the castles on the conquest honours, and that they were usually initially cast within the decimal system because this was the traditional way in which Norman military fighting units were organized. Castles and military tactics rather than honorial size and value were what mattered. Despite the fact that the Yorkshire honours of Tickhill, Pontefract and Mowbray varied greatly in terms of wealth, extent and tenurial history they were each burdened with a 'maximum' quota of sixty knights.¹¹⁷ The only discernible characteristic shared by the three honours which might explain their artificial, heavy and common service obligation was the location of the chief honorial castles on major highways running north-south through the heart of northern England. Tickhill

¹¹⁴The decimal quotas employed in what follows are derived from Keefe, *Feudal Assessments*, 157-88.

¹¹⁵It would be natural for more than half of the known decimal quotas of sixty and below to be divisibles of sixty because the divisibles are the lower figures in the range (i.e. 5, 10, 15, 20) and there are a greater overall number of quotas in this range than in the range 25-60. Nevertheless eighty out of ninety-six goes well beyond the proportion we might reasonably expect.

¹¹⁶Painter, 'Castle-Guard', 451, 458-9. At the Shropshire castlery of Clun in the thirteenth century castle-guard service was only demanded from the feudal tenants in times of warfare, and this service could be supplemented with mercenaries when required: F.C. Suppe, 'Castle guard and the castlery of Clun', in *The Haskins Society Journal*, 1 (1989), 123-4, 131. The fluctuation is also evident in the castles of the Mowbray honour in 1130. Burton was the only one to have a force of knights and serjeants in addition to the usual occupancy of porters and watchmen, a situation which may well reflect its location in an upland area where the establishment of Norman military control and settlement had been slow: *Pipe Roll 31 Henry I*, 138.

¹¹⁷For the respective quotas see *Pipe Roll 8 Henry II*, 34; *Pipe Roll 13 Henry II*, 101; *Red Book*, i, 421-4, 418-21; Keefe, *Feudal Assessments*, 261 note 136, 256 note 97; *Mowbray Charters*, xxxiii. The apparently artificial quality of this quota is most obvious in the case of the Mowbray honour which was constructed in the first two decades of the twelfth century from portions of several pre-existing lordships, the estates of which were probably already encumbered with the knights required to fulfil their individual quotas. That these quotas, let alone fractions of them, would naturally add up to exactly sixty is unlikely.

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¹¹⁶Painter, 'Castle-Guard', 451, 458-9. At the Shropshire castlery of Clun in the thirteenth century castle-guard service was only demanded from the feudal tenants in times of warfare, and this service could be supplemented with mercenaries when required: F.C. Suppe, 'Castle guard and the castlery of Clun', in *The Haskins Society Journal*, 1 (1989), 123-4, 131. The fluctuation is also evident in the castles of the Mowbray honour in 1130. Burton was the only one to have a force of knights and serjeants in addition to the usual occupancy of porters and watchmen, a situation which may well reflect its location in an upland area where the establishment of Norman military control and settlement had been slow: *Pipe Roll 31 Henry I*, 138.

¹¹⁷For the respective quotas see *Pipe Roll 8 Henry II*, 34; *Pipe Roll 19 Henry II*, 101; *Red Book*, i, 421-4, 418-21; Keefe, *Feudal Assessments*, 261 note 136, 256 note 97; *Mowbray Charters*, xxxiii. The apparently artificial quality of this quota is most obvious in the case of the Mowbray honour which was constructed in the first two decades of the twelfth century from portions of several pre-existing lordships, the estates of which were probably already encumbered with the knights required to fulfil their individual quotas. That these quotas, let alone fractions of them, would naturally add up to exactly sixty is unlikely.

and Pontefract controlled the Great North Road, and the Mowbray fortress of Thirsk dominated the road connecting York and Durham via Northallerton. In the case of Tickhill we know that the probable honorial quota was equal to the ward of the castle, and there can be little doubt that the sixty knights owed by the Lacy and Mowbray lords were designated for the same purpose. Major castles situated on the probable routes of Scottish invasion required major garrisons, whatever the size or value of the honours to which they happened to be attached.¹¹⁸ Once again castle ward and decimal quotas would seem to go together.

The relationship can also be witnessed in the case of the lordships on the frontiers of Scotland. Here again, even by the standards of Yorkshire, feudal settlement was limited and quotas were correspondingly low.¹¹⁹ In Northumberland few military fees had been created by 1166, and in Cumbria tenure by render of cornage was only gradually superseded by knight service in the reign of John.¹²⁰ It seems certain that the kings imposed only low quotas because they expected their frontier lords to perform their military service within the localities, in the castles facing the Scottish threat. This at least is the conclusion to be drawn from Richard of Hexham's description of the siege of the bishop of Durham's border fortress by Scottish forces early in 1138. When the garrison, which included only nine knights, appeared to surrender the castle unnecessarily, 'not only were they censured but their lord also because he had not garrisoned his fortress according to his means, and as the necessities of the period required'.¹²¹ That the marcher quotas were intended to supplement household castle guards is also suggested by the comparatively high frequency of demesne knights in the military returns made from the region in 1166.¹²² The kings may have been attempting in this way to encourage frontier lords to establish their garrison troops on the land close to the castles.

¹¹⁸Hollister argues that castle-guard arrangements do not follow a uniform pattern because they were created in response to particular local conditions: Hollister, *Military Organization*, 145. For further examples of the imposition of heavy quotas on honours expected to provide garrisons for castles in major strategic locations see Painter, 'Castle-Guard', 451-3.

¹¹⁹In Northumberland with the exception of the lordship of Bywell, which appears to have owed thirty knights for the ward of the castle of Newcastle-upon-Tyne, and that of Vescy which owed twelve knights, the largest service quota of a single barony was five knights: Keefe, *Feudal Assessments*, 163-88, 248 note 35; *Red Book*, i, 437-8; *Pipe Roll 8 Henry II*, 52; *Pipe Roll 14 Henry II*, 172; *Book of Fees*, 200-3. For the low service quotas of frontier lordships generally see Holt, *Northerners*, 20; C. Hunter Blair, 'Baronys and knights in Northumberland 1166-1266', *Archaeologia Aeliana*, 4th ser., 30 (1952), 1-56.

¹²⁰Holt, *Northerners*, 91-2; Kapelle, *Norman Conquest*, 212; *Book of Fees*, i, 197-9.

¹²¹*Chronicles of the Reigns*, iii, 157.

¹²²Demesne knights, who are usually a rare feature of the returns, are included in ten of the sixteen Northumberland *cartae* and in some cases comprise the entire body of military tenants recorded. This compares with a record of demesne knights in only four of the sixteen Yorkshire returns: *Red Book*, i, 412-44.

As in Yorkshire, so in Cumbria and Northumberland, the emergence and purpose of the quotas was interwoven with the need to guarantee the adequate garrisoning of castles. A system of fortresses intrinsic to Norman success and military security, and viewed as royal property, required a royal system of military service to support it. Herein lay the specific contribution the Conqueror expected his followers to make towards the maintenance of his conquest.

The Introduction of Reformed Monasticism into Yorkshire

The foundation of monasteries was a tried and tested method of consolidating power in areas of territorial dispute or doubtful political allegiance, and was employed by many secular rulers throughout Europe in the eleventh and twelfth centuries.¹²³ In Anglo-Norman Yorkshire the implementation of the policy lagged behind the secular military and territorial programme of conquest and colonization. When it did get under way, although the king and his officials were involved, the initiative and directive influence in the first thirty years was provided not by the central administration but by monastic colonists and the local baronage; and progress was slow. Thereafter, in the reign of Henry I, the king appears to have taken a direct interest in the promotion of a new wave of monasticism throughout England, dominated by the Augustinian canons. Although the ecclesiastical reforming stimulus behind this movement cannot be doubted, a conscious and carefully organized effort appears to have been made by the king to encourage or instruct both royal officials and local magnates to co-operate in the foundation of the monasteries, with the result that between 1100 and 1135 sixty new Augustinian houses were established throughout England, many of them in Yorkshire and throughout the north.¹²⁴ The choice of Augustinians is indicative of the deliberate secular influence involved. As Gerald of Wales put it, the Austin canons were, 'in the world, yet avoid the corruptions of the world', and were therefore well suited to the practical needs of consolidating and expanding Norman territorial control in the north.¹²⁵ By harnessing the authority of the reformed church to the process of take-over the Normans were also providing their actions with the force of legitimacy.

The first monastery to be established in Yorkshire in the reign of the Conqueror was Selby abbey,

¹²³M. Chibnall, 'The Empress Matilda and church reform', *TRHS*, 5th ser., 38 (1988), 108-9 and the sources cited there.

¹²⁴Dickinson, *Origins of the Austin Canons*, 138.

¹²⁵Gerald, *Opera*, vi, 46-7.

founded in 1069 x 1070. It owed its origins to Benedict, a monk of the Benedictine house of Auxerre, who established himself as a hermit at Selby in 1068. In the following year he was introduced to the Conqueror at York by the sheriff of Yorkshire, Hugh fitz Baldric, who was instrumental in obtaining for the nascent monastery a gift of royal lands in Selby and its neighbouring vills.¹²⁶ More assistance from the king and his ministers came in the following reign when William Rufus granted Selby the same customs and quittances held by St. Peter's York,¹²⁷ and the sheriff of Yorkshire, Erneis of Burun, offered the monks a loan of 100 marks.¹²⁸ In turn Henry I added a grant of the churches of the great royal demesne manor of Snaith,¹²⁹ and one of his principal northern administrators, Nigel d'Aubigny, gave further estates in Amecotes and elsewhere.¹³⁰ By 1135 a number of local magnates had also contributed towards the wealth and standing of Benedict's foundation.

The foundation of Whitby abbey, in or about 1078, followed similar lines to that of Selby. It was also a Benedictine house and, like Selby, owed its origins to the initiative of a pioneering monk, in this case Reinfrid of Evesham. Intent on re-founding the ruined monastery of St. Peter of Streonshalch at Whitby, Reinfrid approached the local lord, William I of Percy, who granted him the ruined buildings of St. Peter's together with two carucates of land within the neighbourhood.¹³¹ Royal assistance was limited under the Conqueror and Rufus to a grant of certain liberties and customs, and the church of All Saints Fishergate, York.¹³²

By 1086 a group of Whitby monks, objecting to the seizure of monastic estates by William of Percy, had removed themselves to York where, with the assistance of Alan lord of Richmond, who granted them St. Olave's church, they founded the Benedictine abbey of St. Mary's.¹³³ The foundation stone was laid by William Rufus during a visit to York in 1089 and it may be no coincidence that this was also the year in which the sheriff of Yorkshire, Ralph Paynel, founded the priory of Holy Trinity York as a dependency of the Benedictine abbey of Marmoutier.¹³⁴

¹²⁶ *Selby Coucher*, i, [14]-[17], 11; B. Dobson, 'The first Norman abbey in northern England. The origins of Selby: a ninth centenary article', *The Ampleforth Journal*, 74 (Summer, 1969), 161-76; *VCH, Yorkshire*, iii, 95-6.

¹²⁷ *Selby Coucher*, i, no. II.

¹²⁸ *Selby Coucher*, i, [17].

¹²⁹ *Regesta*, ii, no. 495.

¹³⁰ *Selby Coucher*, i, no. V.

¹³¹ *VCH, Yorkshire*, iii, 101-2.

¹³² *Cartularium de Whiteby*, xlvi-1, 147, 166, 331-2.

¹³³ *VCH, Yorkshire*, iii, 107-8.

¹³⁴ *EYC*, vi. viii-ix, 3-5, nos. 1-2.

Royal involvement in the establishment of the last monastic house to be founded in Yorkshire before the reign of Henry I was once again limited. The establishment of Pontefract priory as a cell of the Cluniac house of La Charite-sur-Loire in 1090 marks the first introduction of reformed monasticism into Yorkshire. The house appears to have owed its origins, and apparently its entire initial endowment, to the local magnate, Robert I of Lacy, lord of Pontefract. It remained the only Cluniac monastery in the county until the foundation of nearby Monk Bretton by the Lacy tenant, Adam fitz Swain, in 1153 x 1154.¹³⁵

By 1100 the Normans had established only five monasteries in Yorkshire. Although the Conqueror and his son had provided some support to the new houses their involvement in the process of foundation appears to have been both limited and comparatively unco-ordinated. The royal donations were largely confined to general grants of liberties, customs and quittances. Only one of the five houses, Holy Trinity York, owed its establishment to a magnate holding administrative office in Yorkshire. And only one, Pontefract, was a reformed house. In the case of Selby abbey the founding lord had actually jeopardized the survival of the house by seizing the lands he had formerly given to the monks. When Henry I came to power it had been ten years since the last foundation of a monastery in Yorkshire.

Under the new king the course and fortunes of northern monasticism were to alter markedly. In part this was due to the influence of the reforming movement which was rapidly gaining ground within the church. Before the seed of reformed monasticism could come to fruition, however, it required fertile secular ground in which to grow. Monasteries were largely dependant upon local secular magnates for their endowments. Henry I was determined to ensure that the reformers would get all the support they needed in England. In the period 1100 x 1135 fourteen new monasteries were established in Yorkshire, and of these eight were Augustinian houses.¹³⁶ In contrast to monasteries founded before 1100 the charters of those established in Henry I's reign reveal the close and persistent

¹³⁵ *HRH*, 120.

¹³⁶ The new Augustinian houses were: Bridlington, founded before 1114; Nostell, founded c.1122; Guisborough, founded 1119; Embsay, founded 1120 x 1121; Kirkham, founded c.1122; Warter, founded c.1132; Woodkirk, founded before 1135; and Drax, founded 1130 x 1139. The remaining monasteries founded in the period were the Benedictine houses of St. Mary's Richmond (1100 x 1137), St. Clement's York (c.1130), and the Cistercian houses of Rievaulx (1132), Fountains (1132), Handale (1133) and Byland (1135): *VCH, Yorkshire*, iii, 199, 231, 208-9, 195, 219, 235, 205, 112, 129, 149-50, 134-5, 165-6, 131; *HRH*, 154, 178, 164, 152, 168, 188, 190, 162, 95, 224, 140, 132, 212, 129. In England as a whole sixty new Augustinian houses were founded in the reign of Henry I: Dickinson, *Origins of the Austin Canons*, 108-28.

involvement of the king and his principal officials in the process of foundation.¹³⁷ They provide a strong impression of a king concerned to encourage and co-ordinate the endowment of the new houses, of a monastic programme that was organized, promoted and controlled from above.

The royal initiative and co-ordination is explicit in a charter granted to the first Augustinian house to be founded in Yorkshire, Bridlington priory, in which its founder, Walter of Gant, confirms his foundation endowment 'ex precepto et concensu regis Henrici'.¹³⁸ Royal support for Bridlington priory is reflected in charters granting land in Bridlington, and commanding that the canons were to enjoy specified judicial rights and acquittance from toll and customs.¹³⁹ In addition two of the king's principal northern administrators, Archbishop Thurstan of York and Eustace fitz John,¹⁴⁰ not only witnessed Walter of Gant's charter but also made gifts of their own to the new priory.¹⁴¹ The several other men of important local standing who witnessed Walter's charter with them were to do likewise,¹⁴² and by 1135 many more Yorkshire magnates had added their names to the list of Bridlington benefactors.¹⁴³ The whole process of endowment smacks of co-ordination from above.

The royal officials themselves were frequently the founders of the new monastic houses. The most prominent among them was Archbishop Thurstan of York.¹⁴⁴ As well as being directly responsible for the foundation of the Cistercian abbey of Fountains in 1132,¹⁴⁵ Thurstan was clearly involved in the promotion of Augustinian monasticism in Yorkshire. He may well have established the original body of hermits from which grew the great Augustinian house of Nostell; and he supported the new priory with a prebendal stall in York Minster and charters confirming the gifts of other benefactors.¹⁴⁶ He also gave advice and support to the founders of the Augustinian houses of Guisborough, Embsay,

¹³⁷For a study of this phenomenon generally in England see Dickinson, *Origins of the Austin Canons*, 108, 110-11, 113-26, 128.

¹³⁸*EYC*, ii, no. 1135; J.S. Purvis, 'A foundation charter of Bridlington priory', *YAJ*, 29 (1929), 395.

¹³⁹*Regesta*, ii, nos. 1333, 1429. The second charter was witnessed by Audoin bishop of Evreux the brother of Archbishop Thurstan of York. Henry I may also have issued his own confirmation charter for the house: *EYC*, ii, 441.

¹⁴⁰For the position of Eustace within the administration see above pp. 64-6, 72-4.

¹⁴¹In addition to the churches of Cowton and Scalby, Eustace granted a bovate of land in Flamborough. Archbishop Thurstan confirmed several churches granted by secular lords as well as Archbishop Thomas II's acquittance of episcopal customs: *EYC*, ii, nos. 1144, 1148, 1151-2.

¹⁴²*Ibid.* They included Alan of Percy I and Jordan Paynel, son of Ralph Paynel a former sheriff of Yorkshire.

¹⁴³Including the royal official Forne fitz Sigulf, William fitz Nigel constable of Chester, Robert I of Brus, Stephen count of Aumale and Everard of Ros steward of Holderness: *EYC*, ii, nos. 1144, 1148.

¹⁴⁴Archbishop Thurstan himself had served as a royal chaplain under both William Rufus and Henry I and may have had a special competence for legal problems coming before the court: Nicholl, *Thurstan*, 8-9.

¹⁴⁵Nicholl, *Thurstan*, 170-8, 251; *VCH, Yorkshire*, iii, 134-5; D. Bethell, 'The foundation of Fountains abbey and the state of St. Mary's York in 1132', *JEH*, 17 (1966), 11-27; L.G.D. Baker, 'The foundation of Fountains abbey', *Northern History*, 4 (1969), 29-43; *EYC*, i, no. 63.

¹⁴⁶The prebend included the churches of Bramham, Wharram le Street, Lythe and Tickhill: Nicholl, *Thurstan*, 128; *Episcopal Acta V*, nos. 53-5.

Worksop, Kirkham and Drax.¹⁴⁷

The second major ecclesiastical official of Henry I to be involved in the promotion of reformed monasticism in the north was his confessor Adelulf, a friend of Archbishop Thurstan, who founded Nostell in or about 1122. The record of the origins of the house surviving in a fourteenth century manuscript attributes the foundation to an act of personal piety on the part of Adelulf who, while detained at Pontefract during an expedition against the Scots, discovered and decided to help a hermitage of regular canons established by Robert I of Lacy at Nostell by 1114.¹⁴⁸ Whether personal piety, or administrative policy, the king soon became involved in the project. It was he who granted Adelulf permission to found Nostell on royal demesne land, insisted that his chaplain be the first prior, and made a series of grants and confirmations to the new house.¹⁴⁹ Throughout the remainder of his career Adelulf continued to act as an adviser of King Henry, to witness his charters, and to attract his generosity.¹⁵⁰

The secular officials of Henry I worked hand-in-hand with their ecclesiastical counterparts in fostering the emergence of the new monasteries in Yorkshire. They frequently appear in the witness clauses of the royal charters in favour of the houses. Two key figures in the administration of the north provided sites for the foundation of daughter houses of Nostell. Nigel d'Aubigny gave land on the isle of Axeholme in Lincolnshire,¹⁵¹ and in or about 1122 Walter Espec founded Kirkham priory in the East Riding of Yorkshire with the assistance of his uncle, William, a canon of Nostell, who became the first prior.¹⁵² Walter addressed his 'foundation' charter to Archbishop Thurstan of York and Geoffrey bishop of Durham.¹⁵³ The king also gave his support, and it is significant that Thurstan, Adelulf and Nigel d'Aubigny were among those who witnessed his charters granting

¹⁴⁷Nicholl, *Thurstan*, 128, 142; *Episcopal Acta V*, nos. 71-2; Dickinson, *Origins of the Austin Canons*, 124, 126-8; *Guisborough Chartulary*, i, nos. 1-2. Thurstan issued his own confirmation charters for Guisborough: *Episcopal Acta V*, nos. 48, 50-1; and may have granted the priory freedom from financial customs and exactions, *ibid.*, no. 49.

¹⁴⁸Nicholl, *Thurstan*, 148; Wightman, *Lacy Family*, 61-6; W.E. Wightman, 'Henry I and the foundation of Nostell priory', *YAJ*, 41 (1963), 57-60. A recently printed charter indicates the existence of a significant community at Nostell before 1122: *English Episcopal Acta V*, no. 17. See also J. Wilson, 'The foundation of the Austin priories of Nostell and Scone', *SHR*, 7 (1910), 141-59.

¹⁴⁹*VCH, Yorkshire*, iii, 231; *Regesta*, ii, 1207, 1241, 1285-7, 1312, 1319-20, 1432, 1450, 1494, 1532, 1662. The officials included Archbishop Thurstan, Nigel d'Aubigny, Eustace fitz John, Walter Espec, Forne fitz Sigulf and Geoffrey fitz Pain.

¹⁵⁰*Regesta*, ii, nos. 1459, 1463, 572, 1431; *Pipe Roll 31 Henry I*, 141.

¹⁵¹*VCH, Yorkshire*, iii, 232; Nicholl, *Thurstan*, 134-7.

¹⁵²*VCH, Yorkshire*, iii, 219; *HRH*, 168. For the position of Walter and Nigel in northern administration see above, pp. 66-7, 71-4.

¹⁵³The charter post-dates the foundation by several years but may be closely based on the original endowment: *Cartularium de Rievale*, 159-61, 108-9, 243-5, xx-xxii.

confirmations, privileges and protection.¹⁵⁴ Walter's close involvement with Nostell, moreover, went beyond the foundation of Kirkham. With Eustace fitz John, his partner in northern administration, Walter appears as the acting official in king's writs commanding that certain lands be granted and restored to Nostell.¹⁵⁵ Together with Nigel d'Aubigny and other royal administrators Walter and Eustace also witness other royal charters conferring confirmations and protection on the priory.¹⁵⁶ It is significant that two of the most important churches granted to Nostell in the early years were those of the royal fortress towns of Knaresborough and Bamburgh, both of which had been entrusted by Henry I to the custody of Eustace fitz John.¹⁵⁷ The personal involvement of so many of the officials of the north in the promotion of the interests of Nostell may be symptomatic of a co-ordinated effort on the part of the king to cultivate the emergence of the new reformed monasticism. The policy is discernible in the history of several more of the new houses.

Ten years after he founded Kirkham Walter Espec established the Cistercian abbey of Rievaulx, 'concessu Turstini Archiepiscopi Ebor concessu etiam et consilio Henrici Regis'.¹⁵⁸ The 'foundation' charter is attested by an impressive number of Walter's family, tenants and neighbours as well as important dignitaries such as Thomas provost of Beverley and Eustace fitz John.¹⁵⁹ In the meantime the establishment of Augustinian houses by magnates closely connected with the court of Henry I, and in receipt of his patronage, had continued apace with the foundation of Guisborough by Robert I of Brus in 1119;¹⁶⁰ Embsay by William Meschin and Cecily of Rumilly his wife 1120 x 1121,¹⁶¹ and Warter by Geoffrey fitz Pain c.1132.¹⁶²

¹⁵⁴ *Regesta*, ii, nos. 1334, 1459.

¹⁵⁵ *Regesta*, ii, nos. 1532, 1662.

¹⁵⁶ *Regesta*, ii, nos. 1241, 1312, 1319-20, 1494.

¹⁵⁷ *Regesta*, ii, nos. 1432, 1217. See above, pp. 65-6, 74.

¹⁵⁸ *Cartularium de Rievaille*, 16-21; D. Baker, 'Patronage in the early twelfth century church: Walter Espec, Kirkham and Rievaulx', in *Traditio - Krisis - Renovatio aus theologischer Sicht. Festschrift Winfried Zeller*, ed. B. Jaspert and R. Mohr (Marburg, 1976), 92-100; *VCH, Yorkshire*, iii, 149-50; *Episcopal Acta V*, no. 59 and note.

¹⁵⁹ The charter as it stands was probably drawn up after 1145 but probably contains an accurate record of the original gifts and witnesses: *Cartularium de Rievaille*, xx-xxii. Eustace fitz John is also to be found witnessing King Henry's charters confirming the foundation of both Rievaulx and Kirkham: *Regesta*, ii, nos. 1740, 1459; and in the early 1130s he saved the abbey of Fountains from early extinction by the timely provision of food: *Memorials of Fountains*, i, 55, 57.

¹⁶⁰ *VCH, Yorkshire*, iii, 208-9; *HRH*, 164; P. King, 'The return of the fee of Robert de Brus in Domesday', *YAJ*, 69 (1988), 28-9. Robert was a frequent witness of Henry I's *acta*: *Regesta*, ii, nos. 680, 715, 891, 918, 925-6, 995, 1062, 1241, 1279, 1319, 1335, 1451, 1586, 1638-9, 1654.

¹⁶¹ *VCH, Yorkshire*, iii, 195; *HRH*, 152. William was a younger brother of Ranulf Meschin to whom Henry I entrusted the lordship of Carlisle and later the earldom of Chester. William received the barony of Copeland in Cumberland, the Skipton heiress Cecily of Rumilly and estates in several other counties. He witnessed a number of Henry I's charters. See *Complete Peerage*, vii, 774, 667; *EYC*, vii, 4-6; *Regesta*, ii, nos. 1196, 1389, 1449.

¹⁶² *VCH, Yorkshire*, iii, 235; *HRH*, 188. Geoffrey fitz Pain came to prominence under Henry I. Together with the lands of Erneis of Burun in Lincolnshire he may have acquired from the king a portion of the former honour of Roger

The same body of royal officials and favourites was largely responsible for the expansion of reformed monasticism into the northern counties beyond Yorkshire. The Augustinian priory of Hexham owed its beginnings to Archbishop Thomas II of York who introduced canons from Huntingdon priory, from which the personnel of Embsay had also been drawn, into the newly restored church there.¹⁶³ With the help of Archbishop Thurstan, who gave the canons over 500 messuages in Hexham and nearby vills, 100s yearly from the archdeaconry of the West Riding and a prebendal stall in York Minster, the new priory grew into one of the principal religious communities in the north.¹⁶⁴ Thurstan was also an inspirational force behind the foundation of the Benedictine dependency of St. Mary's York at St. Bees,¹⁶⁵ the Cistercian house of Furness¹⁶⁶ and the Augustinian house of Carlisle.¹⁶⁷ His friend and fellow former royal chaplain Adelulf secured the office of prior at Carlisle, continuing to hold Nostell in plurality.¹⁶⁸ Henry I not only allowed another chaplain, Walter, to join and bring lands to the new house,¹⁶⁹ but in 1133 also made the community the focus of a new bishopric with Adelulf at its head.

The secular officials promoting monasticism in Cumbria and Northumberland included the king's nephew Stephen count of Mortain, the founder of Furness,¹⁷⁰ Ranulf Meschin the founder of Wetheral,¹⁷¹ William Meschin the founder of St. Bees,¹⁷² and Ranulf fitz William Meschin the founder of Calder abbey.¹⁷³ The importance attached to these monasteries in the extension of Norman power in the north, and the link between castle and monastery in the Norman scheme of things, is perhaps best illustrated in the grant of the churches of St. Michael and St. Laurence, Appleby, to Wetheral priory by its founder Ranulf Meschin in or about 1120. Appleby was a new fortress town established by the Normans c.1092 x 1106 to control the Roman highway across Stainmore linking Scotland

the Poitevin there in addition to the important royal demesne manors of Warter and Market Weighton in Yorkshire. He witnessed many important charters of Henry I, frequently in the company of Eustace fitz John, and was addressed in several others in an administrative capacity: *Regesta*, ii, 424; *Regesta*, iii, nos. 470-1; *EYC*, xi, 307; *EYC*, x, 107-12.

¹⁶³Nicholl, *Thurstan*, 116.

¹⁶⁴Episcopal Acta V, no. 51a; *Priory of Hexham*, i, 57; Dickinson, *Origins of the Austin Canons*, 116; Nicholl, *Thurstan*, 128; *Vita Ailredi*, xxxv.

¹⁶⁵Founded after 1120: Nicholl, *Thurstan*, 142-3; *HRH*, 95.

¹⁶⁶Founded 4th July 1124 at Tulketh and transferred 1127 to Furness: Nicholl, *Thurstan*, 141-5; *HRH*, 133.

¹⁶⁷Founded in 1122: *HRH*, 158; Dickinson, *Origins of the Austin Canons*, 126-8, 248-9.

¹⁶⁸Nicholl, *Thurstan*, 146-7.

¹⁶⁹*Regesta*, ii, no. 1491.

¹⁷⁰*Furness Coucher*, i, 8.

¹⁷¹Founded c.1106: *HRH*, 97; *Register of Wetheral*, xiii; Nicholl, *Thurstan*, 142.

¹⁷²Founded after 1120: *ibid.*, 95; *Register of St. Bees*, i-iv.

¹⁷³Founded 1135: *HRH*, 129; *Priory of Hexham*, i, 59; *Monasticon*, vi, 349; Nicholl, *Thurstan*, 141-5.

with Yorkshire.¹⁷⁴ Here too the establishment of monasteries lagged behind the building of castles. Ultimately, however, Norman military and ecclesiastical authority grew together.

The type of authority exercised over monastic houses by their secular founders reinforces the contention that the emergence of monasticism in the north formed an integral part of a deliberate and co-ordinated programme of Norman take-over, and that it was not a purely religious phenomenon. Before the reforming movement swept through the church during the late eleventh and early twelfth centuries churches and monasteries could be treated as private property by both secular and ecclesiastical magnates. The revenues of a proprietary church passed to the lord, laymen or cleric, who could alienate or dispose of them in any way he wished. Its priest was the lord's feudal man and subject to his jurisdiction.¹⁷⁵ In the case of monasteries, notions of lay proprietary control manifested themselves in rights of advocacy. Claiming the position of *advocatus* over their monastic foundations laymen enjoyed rights of custody during vacancies, licence to assent in abbatial elections, and even jurisdiction in internal monastic affairs. Proprietary rights of this kind were only gradually eroded by the reform movement, and in some areas of both England and the continent retained their force well into the twelfth century.¹⁷⁶ They are manifest in the number of heads of monastic houses who were drawn from the families of the secular founders. This was the case at Whitby in the 1090s, Kirkham in the 1120s, Guisborough in the 1130s, Holy Trinity York in the 1140s and Nun Monkton in the 1150s.¹⁷⁷ We may suspect that more relatives held other lesser positions of authority within these and many other religious houses.

The relationship between the emergence of monasteries and the political necessities of the conquest programme is also apparent in the nature of the endowments being made to the new houses. The earliest and most extensive grants, in which the king sometimes participated directly, often comprised groups of parish churches within the vicinity of the monasteries.¹⁷⁸ The gifts, often incorporating churches unrecorded in Domesday, tend to undermine Kapelle's argument that the absence

¹⁷⁴M.W. Beresford, 'Medieval town plantation in the Carlisle area', *Archaeological Journal*, 115 (1958), 215-17.

¹⁷⁵Barlow, *Jurisdictional Peculiars*, viii-xv, esp. viii-ix.

¹⁷⁶C. Stephenson, 'The origin and nature of the taille', *Revue Belge de Philologie et d'Histoire*, V, no. 4 (1926), 801-70; J. Yver, 'Autour de l'absence d'avouerie en Normandie', *Bull. de la Soc. des Antiquaires de Normandie*, 57 (1965), 189-283, esp. 189-94; *Vita Ailredi*, lxxiii.; *Mowbray Charters*, xlii.

¹⁷⁷*HRH*, 77-8, 168, 164, 113, 217-8; *EYC*, xi, 1; *Selby Coucher*, i, [33], [45]; *EYC*, vi, 38.

¹⁷⁸See for example the grants to Holy Trinity York, Kirkham, Embsay, Whitby and Guisborough: *EYC*, no. 1; *Regesta*, ii, nos. 1638, 1714-15; *Cartularium de Rievall*, 159-61; *EYC*, vii, 50-1; *EYC*, ii, no. 855; *Regesta*, ii, no. 1679; *Regesta*, ii, nos. 1582, 1568.

of functioning churches with resident priests from large areas of Yorkshire in the survey was the result of Norman destruction or the breakdown of the parish economy accompanying the supposed death or dispersal of the local population during the military campaigns.¹⁷⁹ As Blair has argued, Domesday provides no sure guide to either the number or form of the churches in existence in 1086. The accuracy and comprehensiveness of the record depends upon the type and variety of the parish churches in a given area, and the omission of humble churches may well be common.¹⁸⁰ It is likely that many parish churches had survived the conquest period; although less probable, in view of the long-term disintegration of minster churches and abrupt destruction of Anglo-Saxon lordly households providing personnel, that they continued to be served by priests.¹⁸¹ Because the priests were important figures in the administration of the localities,¹⁸² and their churches were the focus of a wide range of financial rights,¹⁸³ the Normans were confronted with an administrative problem of considerable magnitude, the solution of which would promote the percolation of their authority to the level of the vill and offer them a chance to tap the wealth of the localities. In these practical considerations lies the key to the extensive endowment of monasteries with parish churches. The new religious houses provided a natural reservoir of priests and an administrative institution capable of reconstructing, staffing and organizing the parish structure. In return the parish churches helped to supply the wealth necessary to guarantee the financial security of the monasteries.

The case of Bridlington priory provides an excellent example. Royal and private charters reveal that within a short time of its foundation the canons had been endowed with over fifteen churches and chapels situated mainly within the immediate vicinity of the priory.¹⁸⁴ With the exception

¹⁷⁹Kapelle, *Norman Conquest*, 170-1.

¹⁸⁰J. Blair, 'Local churches in Domesday Book and before', in *Domesday Studies*, 265-78.

¹⁸¹The minster parishes - large territories served by teams of priests operating from a central mother church - had been in gradual decline throughout the tenth and eleventh centuries as private independent priests and churches came to be established in the localities: Blair, *ibid.* The administrative disruption accompanying the conquest may well have accelerated the process.

¹⁸²Along with the reeves the priests sat on the panels representing individual vills before the Domesday commissioners: *Inquisitio Comitatus Cantabrigiensis* and *Inquisitio Eliensis*, ed. N.E.S.A. Hamilton (1876), 97. The importance of village reeves in local administration and geld collection has recently been highlighted by Campbell: J. Campbell, 'Some agents and agencies of the late Anglo-Saxon state', in *Domesday Studies*, 205-8. Domesday reveals that priests like reeves often held their own small estates.

¹⁸³Out of the income from tithes churches were liable to meet a wide variety of episcopal exactions (*episcopalia*) - including payments imposed for ordination, institution of incumbents, consecration, holy oil, synods, episcopal visits, and aids and fines in episcopal courts - and might also be encumbered with a series of financial obligations to secular authorities: Barlow, *Jurisdictional Peculiars*, xv. The importance of the rights is reflected in the disputes connected with possession of them. The conflict between the bishop and monks of Durham, for example, continued from the eleventh into the fourteenth century: Barlow, *ibid.*, 1-115.

¹⁸⁴Bridlington, Edenham, Wykeham, Filey, Grinton, Willerby, Ganton, Boynton, Flamborough, East Cowton, Atwick, Sproatley, Bessingby, Speeton, Buckton, Grindale and Auburn: *EYC*, ii, nos. 1135, 1151-2; *Regesta*, iii,

of the one at Bridlington Domesday contains no record of these churches, and it is probable that they were not functioning in 1086.¹⁸⁵ It is also significant that at this date the vills in which seven of the churches were located were recorded as sokeland of the manor of Bridlington.¹⁸⁶ The Normans appear to be combining monastic endowment and tenorial structure in a process of parish organization. A charter of Archbishop Thurstan granting Bridlington the church of Bessingby free from all episcopal customs specifically states that the church was within the parish of Bridlington.¹⁸⁷ The charter probably authorized the canons to collect and keep the financial dues of the archbishop for themselves. Thurstan, it seems, saw the promotion of monasteries and the re-emergence of ecclesiastical authority in the localities as related aspects of the same process.¹⁸⁸ In the final analysis the relationship between Norman monasticism and Norman conquest was symbiotic.

The symbiosis is also reflected in the geographical location of the monasteries. Most were established in those strategically important peripheral and frontier regions of the county which were largely outside Norman administrative control in 1086. Guisborough and Bridlington, for example, were built on the main coast road that skirted the North Yorkshire Moors and provided the eastern link between Cleveland and the East Riding.¹⁸⁹ The establishment of the Brus barony in Cleveland after 1100, the foundation of the family priory of Guisborough, and the construction of the honorial *caput* and castle at nearby Skelton were undoubtedly related stages in a co-ordinated programme designed to bring one of the most under-developed regions of Yorkshire in 1086 under control.¹⁹⁰ The relationship of road, castle and monastery is clear again in the East Riding where Bridlington priory lay only ten miles from the Gant castle of Hunmanby. The same strategic thinking may well have influenced the foundation of Rievaulx abbey within five miles of Helmsley castle controlling the mouth of one of the north-south passes through the North Yorkshire Moors, Embsay priory close

no. 119. Pope Eugenius III's confirmation charter reveals that the priory had also been endowed with churches in several other counties: *EYC*, ii, no. 1154.

¹⁸⁵ *DB*, i, 299a, 300a, 333a, 311a, 299b, 301a, 307a, 305a, 330b, 310a, 323b, 325a, 302b.

¹⁸⁶ Willerby, Ganton, Boynton, Bessingby, Speeton, Buckton and Grindale: *DB*, i, 299b.

¹⁸⁷ *EYC*, ii, no. 1151, dated c.1125 x 33.

¹⁸⁸ Thurstan also permitted the appropriation of the church of Skipton with its chapel of Carleton, to be held free from episcopal customs and synods, which formed the initial endowment of the Augustinian house of Embsay: *EYC*, vii, no. 3, dated 1135 x 1140. He authorized a similar appropriation in the case of the church of Kildwick, although in this case the episcopal customs were reserved: *EYC*, vii, no. 8, dated 1135 x 1140. See also *Episcopal Acta V*, nos. 29, 33-4, 40, 121.

¹⁸⁹ The road is depicted on the mid fourteenth century Gough map: Stenton, *Preparatory*, 239-44 and the sources cited there.

¹⁹⁰ See above, pp. 60-1.

to the Aire valley Roman road and castle of Skipton, and Drax priory near the site of the Paynel fortress controlling the entrance to the Humber.¹⁹¹

The rapid emergence of monasticism in the north in the period 1100 x 1135 was part of a broad ecclesiastical reform movement within the church that continued beyond the reign of Henry I and the disintegration of his administrative system in the 1140s.¹⁹² The close involvement of royal officials in the emergence of the new houses, the relationship established between the houses and local parish organization, and their construction in major strategic locations suggests, however, that Henry deliberately promoted and co-ordinated the movement in England and harnessed it to the on-going programme of Norman conquest and colonization. Although more subtle, and less imposing, the monastery as much as the castle was a powerful instrument of Norman domination.

The study of the pattern and scale of settlement is a useful index of the development of feudal organization in Yorkshire in 1135. It reveals a county in which estate organization, and the security and control that made it possible, was more advanced in some regions than others. The most striking contrast is that between the poorly settled Pennine areas and the lowlands. In the former, tenant estates were few and confined to the immediate vicinity of the castles. Enfeoffment here was largely a post-1135 phenomenon. The majority of knights appear to have been resident within the castles. Even on the eve of King Stephen's reign the Normans huddled inside the tiny motte and bailey fortress of Burton-in-Lonsdale were still living in fear of an invasion from the north.¹⁹³ In the lowland areas by contrast the considerable scale of enfeoffment, complex tenant estates distributed over wide areas, firmly established pattern of lineal land succession, and progress towards rationalization and subinfeudation indicate that they were more secure. The basic structure of tenant enfeoffment was virtually complete in the lowlands by 1135 and, at least in respect of the military fees, there was to be very little new enfeoffment here after this date. In the sphere of non-military tenancies the greatest impact can be seen in the foundation of nearly twenty new religious houses in Yorkshire. By 1135

¹⁹¹For the castles mentioned here see Cathcart King, *Castellarium Anglicanum*, ii, 525, 519, 526, 518, 530.

¹⁹²Monasteries founded in Yorkshire in the period 1135 x 1154 included Newburgh, Malton, Monk Bretton, Meaux, Watton and North Ferriby. In England as a whole fifty Augustinian houses were founded in the period 1135 x 1170 compared with sixty before 1135: Dickinson, *Origins of the Austin Canons*, 138.

¹⁹³A personal inspection of the site revealed the motte to be no more than twenty yards in diameter at the top.

own tenants.¹⁹⁴ In many of the more remote areas of the county they had brought the land under cultivation and, through the priests they were supplying to the old churches, the local vills within the Norman system of administration. Surviving as they did in many cases until the Dissolution they, better than anything perhaps, represent the permanence of the Norman settlement. At the level of the lords' immediate tenants the pattern of settlement that was to continue to dominate estate organization and tenurial relations in Yorkshire well into the thirteenth century had already been constructed by 1135. In the shaping of this pattern no force had a greater influence than the castles and monasteries. Without them there could have been no conquest.

¹⁹⁴ Whitby abbey already had subinfeudated estates at Hawsker and Normanby: *EYC*, ii, no. 883. See also Chapter 7 below.

Chapter 4

Yorkshire in Stephen's Reign: Government, Politics and the Career of William Earl of York

Although the debate as to whether or not Stephen's reign was a period of anarchy, initiated by Round nearly a century ago,¹ continues to occupy the attention of modern historians, in recent years the focus of research has shifted away from local destruction² and baronial attitudes to monarchical authority³ to questions concerning the nature and degree of royal control over its own administration. The work has concentrated upon the competition for the hundredal manors which were the key to local wealth and power in this period, the retrospective evidence for waste and exchequer activity in the early pipe rolls of Henry II, the regulation of the coinage, and the rationale behind the creation of the new earldoms.⁴ It is against this background that this chapter will examine the fate of royal administration and authority in Yorkshire during the nineteen long winters when Christ and his saints are supposed to have slept.

¹Round, *Geoffrey de Mandeville*, v. Round was followed by Petit-Dutaillis: Petit-Dutaillis, *La Monarchie*, 109.

²H.W.C. Davis, 'The anarchy of Stephen's reign', *EHR*, 18 (1903), 630-41.

³Stenton, *First Century*, Chapter VII; Cronne, *Reign of Stephen*, 382; E. King, 'King Stephen and the Anglo-Norman aristocracy', *History*, 59 (1974), 180-94; R.H.C. Davis, 'Geoffrey de Mandeville reconsidered', *EHR*, 79 (1964), 299-307; R.H.C. Davis, 'What happened in Stephen's reign?', *History*, 69 (1964), 1-12; C. Warren Hollister, 'The misfortunes of the Mandevilles', *History*, 58 (1973), 18-28. The debate concerning the motives of Geoffrey de Mandeville has recently been re-opened: J.O. Prestwich, 'The treason of Geoffrey de Mandeville', and his 'Geoffrey de Mandeville: a further comment', *EHR*, 103 (1988), 288-310, 960-6; R.H.C. Davis, 'Commentary on Prestwich, "Treason of de Mandeville"', and his 'Geoffrey de Mandeville: a final comment', *EHR*, 103 (1988), 313-17, 967-8.

⁴E. King, 'The anarchy of King Stephen's reign', *TRHS*, 5th ser., 34 (1984), 133-53; K. Yoshitake, 'The exchequer in the reign of Stephen', *EHR*, 103 (1988), 950-9; Warren, *Governance*, 89-103; P. Latimer, 'Grants of "totus comitatus" in twelfth century England: their origins and meaning', *BIHR.*, 59 (1986), 137-45; E. King, 'Waleran count of Meulan, earl of Worcester (1104 x 1166)', in *Tradition and Change. Essays in honour of Marjorie Chibnall*, ed. D. Greenway et al. (Cambridge, 1985), 165-81.

The thematic point of departure is provided by the debate concerning the considerable increase in the number of earldoms in Stephen's reign and the position of the men who held them. Whereas Round saw the earldoms simply as honorific titles,⁵ for Professor Davis the title incorporated a responsibility to govern and defend the counties to which they were attached.⁶ Taking the Davis interpretation a stage further Professor Warren argues that the new earldoms reflect a deliberate policy of decentralization, involving an upgrading in the power of earls and a transference of executive authority from the centre to the localities. This was not simply a practical response to the state of war but 'an alternative conception of government'.⁷ Yorkshire provides a useful local background against which to test these general ideas. In 1138 Stephen made William count of Aumale earl of York as a reward for conspicuous service at the battle of the Standard.⁸ The circumstances and timing of the promotion reveal the king's motives and are examined in the opening section of the chapter. They illustrate that for the first two years of the reign far from dismantling centralized royal government Stephen actually attempted to preserve the northern administrative system of Henry I. Only when faced with an imminent military and administrative crisis in 1138 did he place the secular government of the county in the hands of William of Aumale.

While it is beyond question that the administrative and military responsibilities of several of the men styled *comes* in Stephen's reign were of a greater scope and importance than those of the earls of the first three Norman kings,⁹ Dr. White has illustrated that the link between comital title and administrative function was neither defined nor consistent.¹⁰ It becomes even more tenuous in the light of the sharp distinction drawn by Dr. Latimer between grants of earldoms and grants of *comitatus*. Although accepting that some earls were able to advance their local authority in Stephen's reign Latimer argues that what was crucial was the alienation of the *comitatus* which incorporated the regalian rights within a specified administrative district, and which need not be attached to

⁵Round, *Geoffrey de Mandeville*, 266-77.

⁶Davis, *King Stephen*, 129-32.

⁷Warren, *Governance*, 89-103, esp. 92-4.

⁸Symeon, *Opera*, ii, 295; *Chronicles of the Reigns*, iii, 165.

⁹With the exception of those in the marches the official powers of the pre-1135 earls were confined to a role in the shire court, ad hoc judicial duties, and the third penny of the pleas of the shire and one or more boroughs: P. Latimer, 'Grants of totus comitatus', 141.

¹⁰Earls were often omitted from charters addressed by the king and empress to a particular county, and men who did not possess a comital style were often asked to perform the same duties required of earls: G.J. White, 'The restoration of order in England, 1153-1165' (Univ. of Cambridge, Ph.D. thesis, 1974), 160-3.

a comital title.¹¹ The next section of this chapter, therefore, sets out to consider the nature and extent of the administrative and territorial authority exercised by Earl William in Yorkshire. The evidence that he secured control of the county town and castle, the royal mints and forests, and a considerable proportion of the royal demesne hundreds of Yorkshire, and that he did so before the receipt of the earldom, leaves no doubt that he had been granted the *comitatus* and that it rather than the comital title provided the basis of his authority.

The alienation of the *comitatus* need not necessarily imply the disintegration of royal control. Theoretically at least, as long as the man holding the reins of power was capable and loyal there was no reason why the authority of the king should not be maintained. William earl of York has always been portrayed as just such a man, and it is this traditional picture which the next section of the chapter sets out to re-examine. In order to assess the manner in which William employed the power entrusted to him, and the impact of his actions upon royal control, the continuity and integrity of three institutions crucial to the local machinery of royal government are considered in turn: the royal demesne manors, the exchequer system and the coinage. In each case we are able to detect a fundamental failure of central control.

William's lack of concern for the preservation of royal authority is also reflected by his role in the internal political affairs of Yorkshire, and his relationship with aristocratic neighbours. His involvement in several local conflicts, including the York archiepiscopal election dispute, will therefore be examined in the next section of the chapter. It will be argued that, frequently in direct opposition to the interests of the king, he exploited his position in order to pursue an aggressive and acquisitive territorial policy directed chiefly towards the seizure of private hundredal manors. Far from preserving law and order as an agent of royal government William directly provoked many of the worst disorders in Yorkshire by his reckless pursuit of private ambitions.

The 'high' or 'county' politics dealt with up to this point give way in the next section of the chapter to the internal politics of the honour. Was there a similar breakdown in control exercised from above? Two examples are examined of tenants from the second rank of aristocratic society taking advantage of the opportunities provided by the competition for service in progress in Stephen's

¹¹Latimer, 'Grants of totus comitatus', 137-45.

reign to advance their social and political standing and independence from lordly control. They are seen to build their private castles and monasteries, and to form their own tenurial affiliations, without regard for the interests of their feudal superiors.

Finally the chapter, concerned so far with the disintegration of control, concludes with an attempt to redress the balance by illustrating some of the safety valves built into feudal society which prevented it from tearing itself apart. These were tenurial, familial and spiritual, and they are considered in turn. They were responsible for the peace treaty of 1153 and the restoration of royal authority under Henry II. In the final analysis the feudal society of Yorkshire emerges as always anarchic, and yet never completely anarchic.

The Administration of the North 1136 x 1138

King Stephen paid his first visit to York within two months of his coronation at London on the 25th December 1135. The expedition was almost certainly a response to the Scottish invasion of Northumberland and county Durham which had been in progress since his coronation. After a meeting with David of Scotland at Durham between the 5th and the 20th February, and a further conference at Newcastle, Stephen came to York where he received the homage of Henry of Scotland in return for a grant of Doncaster, Carlisle, the honour of Huntingdon and a promise that if he decided to bestow the earldom of Northumberland upon anyone he would first consider the claims of Henry.¹²

There is evidence that while at York Stephen attempted to secure the support of Archbishop Thurstan of York, Walter Espec and Eustace fitz John, the principal northern officials of Henry I, and that he did so with the aim of continuing Henry's northern administrative system. He confirmed the charters of the religious houses founded or endowed by these officials,¹³ each of whom came to his court either at York or shortly afterwards at the Easter festival held at Westminster.¹⁴ The officials, who had cut their administrative teeth at the court of Henry I, were doubtless already familiar with Stephen.¹⁵ In the case of Thurstan the relationship was probably even closer owing to the friendship

¹²Symeon, *Opera*, ii, 287; *Chronicles of the Reigns*, iii, 144-6.

¹³*Regesta*, iii, nos. 335, 716, 919, and possibly 990, 421-6.

¹⁴Archbishop Thurstan and Walter Espec attested royal charters at York: *Regesta*, iii, nos. 335, 99, 919, 716. All three officials were in attendance at Westminster: *Regesta*, iii, nos. 46, 341, 944-8.

¹⁵Stephen was in regular attendance at the court of Henry I, as were Espec and Eustace fitz John: *Regesta*, ii,

of the archbishop with Stephen's mother, Adela of Blois, who had offered him shelter during his exile from England in 1119.¹⁶ The two men had also worked together in the foundation of Furness abbey in 1127.¹⁷ During Stephen's absence from England in 1137 the archbishop appears to have been entrusted with joint control of the government. Together with Roger bishop of Salisbury he presided over a council at Northampton attended by many bishops and nobles,¹⁸ was responsible for organizing the military defence of the north against a threatened Scottish invasion, and conducted truce negotiations with King David at Roxburgh.¹⁹ In the following year Thurstan headed another council at Northampton that met in the wake of Stephen's unsuccessful campaign against the Scots in February,²⁰ and was also to be instrumental in organizing the northern army that defeated the Scots at the battle of the Standard in August.²¹

Initially at least Stephen was also able to count on the support of Walter Espec and Eustace fitz John. Walter's castle at Wark stoutly resisted Scottish sieges, and in 1138 he served as one of the commanders of the English force at the Standard.²² For his part Eustace fitz John held the royal castle of Bamburgh against the Scots in 1136,²³ and appears to have been employed in a judicial capacity.²⁴ The northern administrative continuity aimed at by Stephen is also reflected in the minting of royal coins. The traditional northern mints of Carlisle, Durham, Lincoln, Nottingham and York all produced coins of Stephen Type I, a regular issue of good workmanship and weight probably minted until c.1141,²⁵ and in many cases the coins were produced by the same moneyers at work under Henry I.²⁶

Although the indications are that Stephen had attempted to preserve the northern administration

passim.

¹⁶ Symeon, *Opera*, ii, 302-3; Nicholl, *Thurstan*, 195.

¹⁷ *Furness Coucher*, i, 8; Nicholl, *Thurstan*, 215.

¹⁸ Nicholl, *Thurstan*, 218.

¹⁹ Symeon, *Opera*, ii, 288.

²⁰ *Chronicle of Worcester*, 48; Nicholl, *Thurstan*, 218-9.

²¹ Symeon, *Opera*, ii, 292-3; *Chronicles of the Reigns*, iii, 160-1; Ailred, *Relatio*, 189.

²² Symeon, *Opera*, ii, 289-94; *Chronicles of the Reigns*, iii, 157.

²³ *Chronicles of the Reigns*, iii, 145. The statement of Davis that Eustace acquired the castle through his marriage to Beatrice the daughter of Ivo of Vescy must be erroneous: *Gesta Stephani*, xxviii. The castle was a royal fortress and Eustace held only the custody. Henry I granted him royal demesne land in Bamburgh held by 'the Arblaster': *Regesta*, ii, no. 1279. There is no thirteenth century evidence to indicate that the Vescy family had any claim to Bamburgh.

²⁴ In a royal charter dated Feb. 1136 or Jan. x Feb. 1138 Stephen commanded that if Rainald Muschamp and his sister did not restore certain estates to St. Cuthbert's Durham Eustace fitz John would do it: *Regesta*, iii, no. 257.

²⁵ Brooke, *English Coins*, i, pp. lxix, lxxv; R.P. Mack, 'Stephen and the anarchy 1135-1154', *BNJ*, 35 (1966), 39-46.

²⁶ The moneyers minting coins of Henry I and Stephen were Erebald at Carlisle; Arnwi, Gladwine, Godric and Uhtred at Lincoln; and Leising, Thurstan and Ulf at York. See Brooke, *English Coins*, i, pp. civ-ccv, ccviii-ccxxi, ccl-ccli; Mack, 'Anarchy', 45 and note.

of Henry I, by the end of 1138 he was in danger of losing control of the north and could no longer rely upon the officials who made the administration work. His campaign against the Scots in Northumberland and the Scottish lowlands in February 1138 had failed to establish any permanent security for the north against future Scottish attacks, and left Yorkshire in the position of a military frontier region. It was probably during this campaign that Stephen deprived Eustace fitz John of Bamburgh castle,²⁷ an action which Alan Young argues was responsible for the participation of Eustace on the Scots' side at the Standard later in the year.²⁸ According to Richard of Hexham, however, Eustace had long secretly favoured the Scots and his reasons for deserting Stephen may well have been far more complex.²⁹

Eustace was almost certainly concerned with Stephen's failure to provide security for his Northumberland barony, centred upon the castle of Alnwick, which stretched across the Scottish invasion route between the Cheviot hills and the sea (Map 31). King David had captured Alnwick in 1136 before surrendering it in the first treaty of Durham.³⁰ Eustace may have valued the honour more highly than his less extensive Yorkshire estates,³¹ and possibly offered his loyalty to the Scots, with whom he already had close relations, in order to provide for its safety.³² His allegiance to Stephen may also have been undermined by the arrangements made by the king for the descent of the West Country possessions of his brother, Payn fitz John, who died in 1137. In December 1137 Stephen gave Payn's estates, including all the *maritagium* Payn had bestowed upon his daughter Cecily from the land held of Hugh of Lacy of Wigmore, to Cecily's husband, Roger fitz Miles of Gloucester.³³ There is evidence that Payn's wife Sibyl, daughter of Hugh of Lacy, resisted the transfer of the Lacy estates,³⁴ and although Eustace fitz John had no legal title to any part of the inheritance he, like

²⁷ Symeon, *Opera*, ii, 292.

²⁸ A. Young, *William Cumin: Border Politics and the Bishopric of Durham 1141-1144* (Univ. of York, Borthwick Papers, no. 54), 13.

²⁹ *Chronicles of the Reigns*, iii, 158.

³⁰ *Chronicles of the Reigns*, iii, 145-6.

³¹ Although numerically Eustace held more estates in Yorkshire, a far greater proportion of them were held as under-tenancies: Green, *Government*, 182, 252. That the Northumberland holdings were the most important is also suggested by the fact that in this county Eustace was pardoned 72s danegeld in 1130 compared with 60s in Yorkshire: *Pipe Roll 31 Henry I*, 34-5. Eustace was careful to secure a confirmation of the Northumberland holdings from Henry son of King David: *Regesta Scottorum*, i, no. 11.

³² He may have grown up at Henry I's court with King David who was of the same generation. He witnessed a charter of David at Scone in 1124, another in 1128, and one of David's son Henry c.1136: *ESC*, nos. 54, 75, 115.





³³ *Regesta*, iii, no. 312.

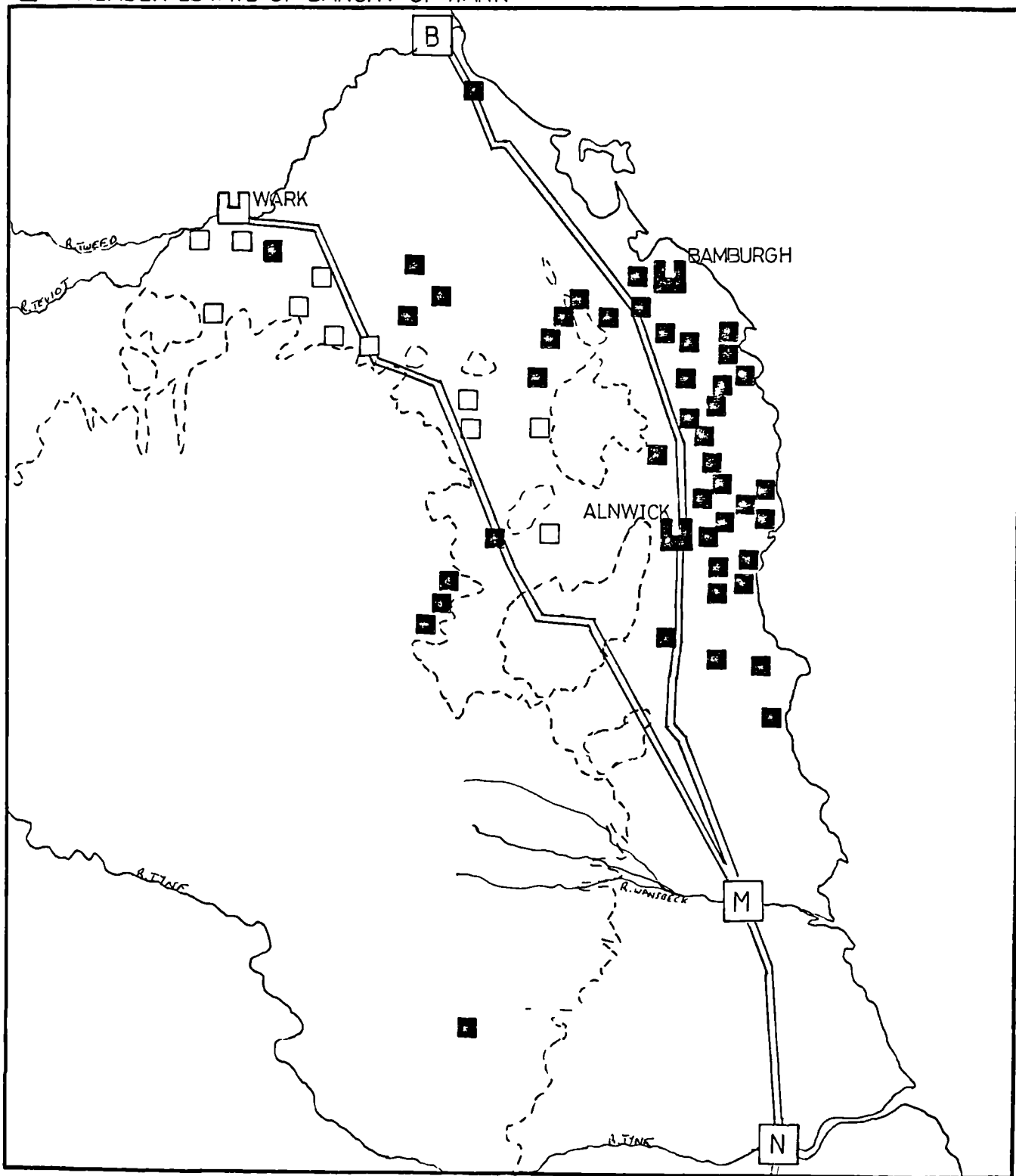
³⁴ *Regesta*, iii, no. 1313.

MAP 31

THE BARONIES OF ALNWICK AND WARK

KEY

- B** SCOTS CASTLE OF BERWICK
 - M** MERLAY " " MORPETH
 - N** ROYAL " " NEWCASTLE
 -  CASTLE HELD BY EUSTACE FITZ JOHN
 -  MEMBER ESTATE OF BARONY OF ALNWICK
 -  CASTLE HELD BY WALTER ESPEC
 -  MEMBER ESTATE OF BARONY OF WARK
- BOUNDARY OF LAND OVER 500 ft.
==== MAJOR ROAD
- SCALE: ONE INCH = 5 MILES
- 0 5



many paternal uncles of heiresses, might well have fostered a claim.³⁵

Although Walter Espec remained loyal to Stephen until 1138 and fought for the king at the Standard, there are indications that thereafter he too could no longer be relied upon. Walter died in the early 1150s but was never to attest a charter of Stephen after 1138. Like Eustace, Walter held an extensive barony in Northumberland in addition to his Yorkshire lordship of Helmsley. The *caput* was Wark which had been taken and restored by the Scots in 1136 and was captured again after a long and bitter siege in November 1138 (Map 31). Walter's communication allowing the garrison to surrender probably signified his abandonment of King Stephen.³⁶ He had good reason to resent Stephen's failure to capitalize on the defeat of the Scots at the Standard by coming to the aid of his valiant garrison which was under the command of his nephew Jordan of Bussey. Their efforts must have seemed wasted when Stephen concluded the treaty of Durham of 1139 which effectively abandoned Northumberland to the Scots.³⁷ There were now sound tenurial motives for Walter to offer his allegiance to the opponents of Stephen, especially since the authority of King David and his son Henry in Northumberland was to prove far more effective than that of Stephen in Yorkshire.³⁸ The transference of his loyalties must also have been encouraged by a friendship with Robert of Gloucester³⁹ and a long and close association with the Scottish court.⁴⁰

³⁵Henry II's charter commanding him that the monks of Gloucester should have right to certain properties of the gift of Ranulf earl of Chester and his sister, and his own grant of 20s in Saxlingham to St. Peter's abbey Gloucester reveals that he had an interest in the region. In 1130 the abbot of the house, Walter, was an uncle of Payn fitz John's wife Sibyl: Wightman, *Lacy Family*, 169, 173; *Cartularium Gloucestriae*, i, 114, 351; ii, 241. It may also be significant that in the description of the Scottish invasion culminating in the battle of the Standard the author of the *Gesta Stephani* associates Eustace fitz John with the lord of Harptree castle in Somerset, an unknown son of Robert of Bampton, which was held against Stephen in 1138 by William fitz John who was probably Eustace's younger brother. William is known to have held lands of, and been loyal to, Robert of Gloucester. When Stephen eventually captured Harptree the garrison sought exile in Scotland. See *Gesta Stephani*, 55, 66-7, 29; Sanders, *Baronies*, 5; *Red Book*, i, 219, 288. The descent of the Lacy estates held by Payn fitz John was probably responsible for the hostility of the cousin of Sibyl of Lacy, Gilbert, to Stephen in 1138. Gilbert regarded Miles of Gloucester as a man who had cheated him out of his inheritance: *Gesta Stephani*, 58-9 and note 2; Wightman, *Lacy Family*, 175-87. For the danger posed by paternal uncles to the succession of heiresses see, J.C. Holt, 'Feudal society and the family in early medieval England: III. Patronage and politics', *TRHS*, 5th ser., 34 (1984), 19.

³⁶It may be significant in the light of Walter's subsequent abandonment of Stephen that David of Scotland provided the garrison with horses and allowed them to go free: *Chronicles of the Reigns*, iii, 145-6, 157-60, 165-72; Symeon, *Opera*, ii, 291-2.

³⁷Symeon, *Opera*, ii, 300.

³⁸For the power of the Scots in Northumberland see below, pp. 175-6.

³⁹Walter borrowed a copy of Geoffrey of Monmouth's *Historia Regum* from Robert: *Vita Ailredi*, 88.

⁴⁰In a speech said to have been made before the battle of the Standard Robert I of Brus attempted to persuade King David not to fight by reminding him that Walter Espec was one of the English nobles who had recently assisted him against his enemies in Scotland: Anderson, *Scottish Annals*, 192. It is also significant that the prior of Walter's foundation of Kirkham in the 1130s, Waltheof, was a stepson of King David and had been brought up at the Scottish court: *Acta Sanctorum*, i, August 3rd, 256-7; *Vita Ailredi*, xlv, xliii, xxxii; Nicholl, 240. In view of Walter's presentation of the priors to the archbishop and position as *advocatus* of the house, Waltheof can only have held his post with Walter's approval: *EYC*, x, no. 105; *Vita Ailredi*, xxxii. The Scottish links are also clear from the fact that Ailred of Rievaulx, who held an administrative position at the court of King David, came to stay with Walter at Helmsley during a diplomatic visit to England c.1134.

The most serious blow to the continuity of northern administration came with the demise of Archbishop Thurstan who had occupied the archiepiscopal chair for over twenty years before Stephen's accession.⁴¹ Thurstan's importance as a focus of baronial loyalties and guardian of order and stability in the north can be witnessed in the events leading up to the battle of the Standard where he served to temporarily unify a northern magnate community rent by internal suspicions.⁴² By 1138, however, he was already old and failing and had to be carried around on a litter.⁴³ He died in February 1140 only eighteen months after the battle of the Standard, and for John of Hexham his passing immediately presaged the disintegration of order in northern society:

After his death sprang up the insolence and roving licence of unrestrained disputes, shameless contempt of the clergy, irreverence of the laity towards ecclesiastical laws and persons; the unity of the kingdom was destroyed, because each man's will was his law.⁴⁴

By 1138, therefore, the threat of Scottish invasion, together with the loss, or impending loss, of his principal northern officials, and his own personal preoccupation with events in the south, left Stephen with the problem of providing for the security of Yorkshire and filling an administrative vacuum. When viewed against this background William of Aumale's rise to prominence in Yorkshire and receipt of the comital title in 1138 emerges as a response to an immediate military and administrative crisis rather than a preconceived attempt to impose a new vision of decentralized government based upon the upgraded authority of earls.

The Position of William Earl of York: *Comitatus* and Comital Title

In the years following 1138 Earl William was left much to his own devices. The king appears to have paid only two visits to Yorkshire in the period 1138 x 1153.⁴⁵ Only six extant royal charters dealing

⁴¹Thurstan was appointed to the archbishopric by Henry I on the 15th August 1114 and enthroned in December of the same year: Hugh the Chantor, 33-4. His consecration was delayed until 1119: Nicholl, *Thurstan*, 57-66.

⁴²The magnates were anxious to obtain oaths of loyalty from each other and abandoned their horses in order to prevent desertions during the fighting: Ailred, *Relatio*, 189; *Chronicles of the Reigns*, iii, 160-5. The English army quickly disbanded after the victory: Symeon, *Opera*, ii, 294.

⁴³Both Hexham chroniclers refer to Thurstan's age and infirmity: *Chronicles of the Reigns*, iii, 161, 173; Symeon, *Opera*, ii, 288, 292, 299.

⁴⁴Symeon, *Opera*, ii, 305.

⁴⁵Even the certain visits in 1136, 1142, 1149 and 1154 were brief, in the first two cases lasting no longer than a month. There may have been an additional visit during the northern campaign of February 1138; and also in 1148, the only evidence for which is an entry in the Whitby cartulary: *Regesta*, iii. xxxix-xdiv.

with Yorkshire can definitely be ascribed to the same period.⁴⁶ Of these four were simply concerned to notify grants and confirmations rather than to provide instructions on specific issues,⁴⁷ and only three were addressed to a named official. In each case this was Earl William.⁴⁸ The absence of charters to a named archbishop is to be expected in view of the York election dispute in progress from 1140 until 1151, during which the rival candidates were usually absent from York,⁴⁹ but the lack of references to named sheriffs and justices suggests that Earl William had taken the place of these officials. The details of the charters addressed to him directly tend to confirm that impression.

Probably in 1146 Stephen addressed a charter to 'William count of Aumale and his foresters of Yorkshire' granting estovers in the royal forest to St. Peter's hospital York, and commanding that the brothers should not be disturbed.⁵⁰ The charter suggests that William had been given charge of the royal forests, and in the early years of Henry II's reign he was among a group of men, some of them described as foresters, who surrendered land within the royal forest of Pickering to Rievaulx abbey at the instigation of the king.⁵¹

Of even greater significance, however, is a charter indicating that he had been given control of the city and castle of York. In 1140 Stephen commanded 'William earl of York and all his barons and burgesses of York' that the master of St. Peter's hospital York, his men and possessions, should have the king's peace and not be impleaded concerning his lands until the consecration of a new archbishop, when he was to answer according to the laws and customs of St. Peter's church and the city of York.⁵² The implication is that the earl was exercising the jurisdictional authority normally in the hands of the sheriff within York. If so he probably also enjoyed custody of York castle, the centre

⁴⁶ *Regesta*, iii, nos. 109, 982-4, 991-2. It is possible, however, that another fourteen were issued in this period: *Regesta*, iii, nos. 100, 101, 121-4, 307a, 620, 625, 816, 981, 987-8, 994.

⁴⁷ The two incorporating instructions are *Regesta*, iii, nos. 124, 991. Of the fourteen other charters which may have been issued in the same period only one embodied instructions: *Regesta*, iii, no. 122.

⁴⁸ *Regesta*, iii, nos. 101, 991-2. Two of the fourteen charters which may have been issued in the period were also addressed to a named official, one to the earl of York, and one to Earl Alan (of Richmond): *Regesta*, iii, nos. 124, 122.

⁴⁹ William fitz Herbert, elected in 1141, appears to have spent 1142 and 1143 at Rome defending himself against the accusations of those opposed to his election. Although back in England in 1145 he set out for Rome again in 1146 in order to obtain the pallium. By the time he returned to England the following year he had already been deposed. His successor Henry Murdac was prevented by the populace of York from entering the city until the 25th January 1151. After a short stay Henry was at Rome by the 30th March. His date of return to York is unknown. In February 1153 he was expelled from the city by the populace, never to return. His successor William fitz Herbert was restored to the archbishopric in 1153, arrived at York in May 1154, and died on the 8th June. See Symeon, *Opera*, ii, 307, 311, 313, 317-20, 322, 325, 329; *Episcopal Acta V*, xxxi.

⁵⁰ *Regesta*, iii, no. 992.

⁵¹ *Cartularium de Rievaille*, 131-9; *EYC*, i, nos. 401-12 and notes.

⁵² *Regesta*, iii, no. 991.

of city and county administration, which was usually in the sheriff's charge.⁵³ Further evidence is provided by the Anglo-Saxon chronicler's statement that Stephen 'entrusted York' to William,⁵⁴ by the earl's powerful influence in the city during the York archiepiscopal election dispute when he sat 'as the representative of the king' in the chapter house and commanded the election of the royal candidate,⁵⁵ and by his implication in the exclusion of Henry Murdac from York in 1148.⁵⁶

William was probably also in control of the royal mints of York which were almost certainly situated in the castle.⁵⁷ He gave the vill of Bonwick in Holderness to Thomas fitz Ulvieth,⁵⁸ sometime alderman of the Merchant's Guild of York,⁵⁹ whose father was one of the hereditary lawmen of the city and can probably be identified with the moneyer Ulf who minted coins of both Henry I and Stephen Type I at York.⁶⁰ Thomas was almost certainly the 'Thomas filius Ulf' whose name appears on the reverse of a coin of Eustace fitz John dating from Stephen's reign which, along with a coin of Robert III of Stuteville of similar style, has been ascribed to a mint at York. Although it has been suggested that these coins may have been issued at St. Omer in Flanders by Eustace of Boulogne and Robert of Bethune⁶¹ the connection of Thomas fitz Ulvieth with York, and the EBORACI and IONIS inscriptions on the 'Eustace' coins, must place them firmly at York.⁶² It can be no coincidence that both Eustace fitz John and Robert III of Stuteville came to be closely associated with the earl of York in Stephen's reign,⁶³ and it is to his Flemish connections that we should attribute the unusual continental style of the coins.⁶⁴

⁵³For the position of the castle as a seat of government, and the administrative control of castle and city by the sheriff see *VCH, City of York*, 29-31, 522-3.

⁵⁴*ASC*, 200, s.a. 1138.

⁵⁵Symeon, *Opera*, ii, 307, 313.

⁵⁶Symeon, *Opera*, ii, 322.

⁵⁷*VCH, City of York*, 30, 522.

⁵⁸C.T. Clay, 'A Holderness charter of William count of Aumale', *YAJ*, 39 (1956-58), 339-42, dated 1130 x 1153.

⁵⁹*Pipe Roll 31 Henry I*, 34. This may be the Thomas de Ultra Usam who sought to make a commune in York in 1173: *Pipe Roll 21 Henry II*, 172, 179-80, 182-3.

⁶⁰The lawmen were probably a body of judges presiding over the borough court and appear to have enjoyed the powers of soke and sake over their men and possessions as well as a vague privilege described as custom: *VCH, City of York*, 21. Another son of Ulvieth, Ralph, is mentioned in a charter of Henry I as owning houses in York: *Regesta*, ii, no. 1621. For Ulf the moneyer see Brooke, *English Coins*, i, p. cclii; ii, 356; Mack, 'Anarchy', 45.

⁶¹P.J. Seaby, 'A new 'standard' type for the reign of Stephen', *BNJ*, 53 (1983), 14-18, and his 'Some coins of Stephen and Eustace and related issues of Western Flanders', in *Coinage of the Low Countries (880-1500)*, ed. N.J. Mayhew (Brit. Arch. Soc. int. ser., 54, 1979), 49-53.

⁶²Brooke, *English Coins*, i, 93-4, 158; Mack, 'Anarchy', 81, 83; North, *Hammered Coins*, nos. 929-33.

⁶³They witness a charter of the earl together dated 1150 x 1153: *EYC*, iii, no. 1381. Eustace witnessed another charter of the earl: B.A. English, 'The counts of Aumale and Holderness 1086-1260' (Univ. of St. Andrews, Ph.D. thesis, 1977), 287, no. 10. Robert of III Stuteville was among the few early benefactors of William's foundation of Meaux: *EYC*, iii, no. 1388.

⁶⁴Drogo de la Beuvriere, first lord of Holderness, was probably from the village of Beuvriere near Bethune. There is evidence that many Flemish settlers followed Drogo to England and remained in Holderness after it passed to the counts of Aumale. The Fauconbergs, for example, were probably originally lords of Fauquembergue and chatelains of

The evidence points to the conclusion that Earl William had been entrusted with supreme administrative authority in Yorkshire, but it also suggests that the basis of that authority was not possession of the earldom but possession of the *comitatus*, the keystone of which was control of the county town and royal mints and forests. The Anglo-Saxon chronicler indicates that William had already been entrusted with York before the battle of the Standard and the receipt of the earldom, and it is likely that this occurred when Stephen returned from his unsuccessful Scottish campaign in February 1138. Moreover, Stephen's charter illustrating William's administration of the forests addresses him as count of Aumale rather than earl of York. Indeed, in the royal writs addressed to or witnessed by William in the period 1138 x 1153, and in William's private charters, the style 'count of Aumale' was more frequently employed than 'earl of York'.⁶⁵

When the inevitable confrontation between Henry II and William over the extent of the earl's power eventually came it is clear that the point at issue was not the comital title but the possession of the attributes pertaining to the *comitatus*. Beside York and the royal forests the most important of these attributes were the royal hundredal manors and castles which Dr. Harvey and Professor Sawyer have illustrated were the key to local wealth and jurisdictional power in this period.⁶⁶ According to William of Newburgh, when Henry II went to Yorkshire in the early months of 1155 during a tour to recover the royal demesne alienated by Stephen, William of Aumale:

Hesitating a long while, and boiling with indignation, at last, though sorely hurt,
submitted to his power and very reluctantly resigned whatever of the royal domains

nearby St. Omer, and were one of the most important tenant families in Holderness from 1086 well into the thirteenth century. See English, *Holderness*, 6-7, 137. Peter of Fauconberg witnessed a charter of William of Aumale in 1150: *EYC*, iii, no. 1379.

⁶⁵Of the fifteen royal charters seven use the continental title, and six use the English title. One describes William simply as 'earl', and one simply as 'of Aumale' although listing him with other earls: *Regesta*, iii, nos. 981, 921, 437, 276, 402, 814, 992, 803, 638, 100, 16, 991, 124, 101, 272. For the private charters dating from Stephen's reign see *EYC*, iii, nos. 1305-6, 1313, 1314, 1379, 1380-1; Clay, 'A Holderness charter', 339-42. That William attached relatively little importance to his English title is also reflected by the fact that he was prepared to sanction the compromise of 1153 even though the treaty document appears to spell the end of the earldom of York: *Regesta*, iii, no. 272. Several of the witnesses are individually styled as earl of a particular county or county town. The names of others, including William, although not ascribed the individual style *comes* are linked with the county or county town from which they are known to have derived the comital title and listed collectively as earls. William is styled 'of Aumale' rather than 'of York', in itself evidence against G.H. White's argument that William derived his comital title from Yorkshire rather than Aumale. Both William and his father Stephen employed the title 'count of Aumale' in the reign of Henry I even though neither possessed an English earldom. See G.H. White, 'King Stephen's earldoms', *TRHS*, 4th ser., 13 (1930), 60 and note; *Complete Peerage*, i, 353; English, *Holderness*, 11, 14-16, 55 note 7; *Regesta*, ii, nos. 689, 1427; *EYC*, iii, nos. 1304, 1318, 1326.

⁶⁶S.P.J. Harvey, 'The extent and profitability of demesne agriculture in England in the later eleventh century', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston et al. (Cambridge, 1983), 45-72; P. Sawyer, 'The royal Tun in pre-conquest England', in *Idea and Reality in Frankish and Anglo-Saxon Society*, ed. P. Wormald et al. (Oxford, 1983), 280-3. See also King, 'Anarchy', 133-53.

he had possessed for many years, more especially that celebrated and noble castle of Scarborough.⁶⁷

Although Earl William built the castle,⁶⁸ Scarborough itself was almost certainly attached to the adjacent royal demesne manor of Falsgrave, one of the two major royal hundredal manors in the wapentake of Pickering-Lythe (Map 32).⁶⁹ The other was at Pickering itself, the site of a royal castle which appears to have fallen under William's control in Stephen's reign.⁷⁰ Pickering and Falsgrave were also the principal administrative centres of the great royal forest of Pickering that covered almost the entire wapentake.⁷¹ When viewed against the background of the royal charters addressed to Earl William, one of them concerning the royal forests, his possession of Pickering and Falsgrave can only confirm that he had been granted the *comitatus* and that it provided the basis of his authority.

With the exception of Pocklington, the history of which is obscure,⁷² Market Weighton, which Stephen appears to have granted to Hugh of Puiset the treasurer and one of the principal royal supporters at York,⁷³ and Tickhill,⁷⁴ which was in the hands of William of Clerfeith, William earl of

⁶⁷Newburgh, *Historia*, i, 103-4. Henry II issued an edict shortly after his accession ordering the recovery of alienated royal demesne: *Gesta Sancti Albani*, i, 123. Eyton stated that the king and earl met at York in 1155. He cites *Chronicon Johannis Bromton in Historiae Anglicanae Scriptores*, x (London, 1652). The chronicle, however, does not specify their meeting place.

⁶⁸*Curia Regis Rolls*, XVI, 49. I owe this reference to Dr. David Crouch.

⁶⁹Although not specifically referred to as a hundred seat in Domesday there is little doubt that Falsgrave served as such. It incorporated berewicks and sokelands in twenty-eight vills and had an extraordinarily high value of £56: *DB*, i, 299a, 305b, 323a. The twenty-first pipe roll of Henry II records accounts for assizes held at various royal demesne hundreds. Included are Pickering and the soke of Scalby, the latter being a vill situated only a mile from Scarborough and a constituent member of the manor of Falsgrave in 1086: *Pipe Roll 21 Henry II*, 172; *DB*, i, 299a-b. Scalby is described as a royal forest under Henry II: *Pipe Roll 14 Henry II*, 90. Henry II spent considerable sums of money improving the fortifications of Scarborough in the early years of his reign: *Pipe Roll 4 Henry II*, 146; *Pipe Roll 5 Henry II*, 29-31; *Pipe Roll 6 Henry II*, 14; *Pipe Roll 7 Henry II*, 36; *Pipe Roll 8 Henry II*, 50; *Pipe Roll 9 Henry II*, 57-8; *Pipe Roll 10 Henry II*, 12.

⁷⁰*DB*, i, 299a; English, *Holderness*, 23. Pickering had been held by Earl Tosti in 1066 and it is almost certain that it shared the jurisdiction of the wapentake of Pickering-Lythe with Falsgrave. Forty-six of the seventy vills within the wapentake incorporated estates belonging to one or the other manor, and in only two of the forty-six were estates attached to both manors. William's control is also indicated by the fact that both he and his vassal Robert of Ros held interests in the royal forests below Pickering: see above, p. 129; *Cartularium de Rievall*, 131. In 1260 one of the military tenants of the honour of Holderness had Pickering as a toponymic surname: English, *Holderness*, 147.

⁷¹M.L. Bazeley, 'The extent of the English forest in the thirteenth century', *TRHS*, 4th ser., 4 (1921), 140-72; Young, *Royal Forests*, 15, 20, 62. For Scarborough as a royal forest see *Pipe Roll 18 Henry II*, 56; *Pipe Roll 19 Henry II*, 167.

⁷²It may be significant that in 1241 William II of Forz count of Aumale held the manor of Pocklington at farm for £30 a year and, in addition to the manor of Driffield, received a release of payment as part of a deal by which he and his wife quitclaimed their rights to the earldom of Chester to the king: R. Stewart Brown, 'The end of the Norman earldom of Chester', *EHR*, 35 (1920), 54.

⁷³Nicholl, *Thurstan*, 116-17; *YMF*, i, 22. Henry II granted the manor to Hugh's son Henry: *EYC*, x, 14; *YMF*, ii, 80-2; *EYC*, xi, 307.

⁷⁴After the forfeiture of Robert of Belleme in 1102 the castle and honour of Tickhill remained in royal hands and in 1130 were in the custodianship of Eustace fitz John. Although King Stephen is said to have granted the honour to John count of Eu, who is supposed to have lost it sometime after his capture at Lincoln in 1141, John of Hexham states that at the time of the battle the castle of Tickhill was held by William of Clerfeith, an obscure figure. The

York secured possession of all royal hundredal manors in Yorkshire in Stephen's reign (Map 32).⁷⁵ In the East Riding his possession of Warter has been illustrated by Professor King,⁷⁶ and the pipe rolls indicate that the manor and castle of Driffeld remained in his possession until his death in 1179.⁷⁷ He almost certainly also held Knaresborough and Aldborough, the jurisdictional centres of Burgshire wapentake in the West Riding.⁷⁸ In 1130 these manors together with the forest and castle of Knaresborough were in the custody of Eustace fitz John,⁷⁹ but a charter of Henry II dating from just after 1157 indicates that they were probably subsequently under the control of Earl William.⁸⁰ That he had acquired all these manors by royal grant rather than encroachment is also suggested by the terms of royal charters which recognize the legitimacy of his title.⁸¹

royal charters granted to Ranulf earl of Chester tend to confirm the argument of Dr. Chibnall that the honour and castle of Tickhill were regarded as separate entities. In 1140, in addition to granting Ranulf all the lands of Roger II of Bully and all the honour of Blyth, Stephen had already promised to give the earl custody of one of the towers of Lincoln castle until he could give him Tickhill castle. In 1153 Duke Henry gave Ranulf all the honour of Blyth without mentioning the castle of Tickhill. That Ranulf secured some form of control over the honorial lands is indicated by the presence of one of the most important tenants of the honour, Richard of Lovetot, among his 'party' in his *conventio* with the earl of Leicester, and by his grant of a mediate tenancy in lands belonging to the honour in Nottinghamshire to Henry of Lacy. See J.C. Holt, 'Politics and property in early medieval England', *Past & Present*, 57 (1972), 52; *Pipe Roll 31 Henry I*, 9-10, 36; *Regesta*, iii, nos. 178, 180; Symeon, *Opera*, ii, 308; *Regesta*, iii, no. 180; *Chester Charters*, nos. 110, 121, 123, 126, 131-2, 147-8, 154-5, 161-2, 184-5, 188, 192; *VCH, Yorkshire*, ii, 166-7; *EYC*, iii, no. 1498; M. Chibnall, 'Robert of Belleme and the castle of Tickhill', in *Droit prive et institutions regionales: etudes historiques offertes a Jean Yver* (Paris, 1976), 151-6.

⁷⁵ Many of the manors in the king's hands in 1086 had been alienated by 1135 including Easingwold to the Bulmer family, Northallerton to the bishop of Durham, Bridlington to the Gants, Burton Agnes to the Brus family, and Wakefield to the earls of Warenne: *DB*, i, 299a-300a; *EYC*, ii, 114, nos. 927, 1135, 677 and notes; *EYC*, ix, 28; *VCH, East Riding*, ii, 106; *EYC*, viii, 178-9.

⁷⁶ E. King, 'The parish of Warter and the castle of Galchlin', *YAJ*, 52 (1980), 49-54. In 1066 Warter was held by Earl Morcar, valued at £40 and incorporated berewicks and sokelands in nine nearby vills: *DB*, i, 299a, 306b, 322b.

⁷⁷ The manor is included among the *terris datis* next to the name of the count of Aumale in the pipe rolls from 1155 until William's death in 1179. The blanch valuation indicates that William had also been given the hundredal court. See here Yoshitake, 'The exchequer in the reign of Stephen', 953. William's issuing of charters at Driffeld provides confirmation that he used it as an administrative centre: Dodsworth MS 100, f. 85, calendared in B.A. English, 'The counts of Aumale', 289 no. 21, dated 1130 x 1179. In the reign of John William's grandson received a grant of the manor, and judicial cases were heard there: Painter, *Reign of John*, 330-1; *Rolls of the Justices*, 59. In 1066 Driffeld was held by Earl Morcar, valued at £40, incorporated four outlying berewicks and sokeland in twelve neighbouring vills, and was the seat of a hundred: *DB*, i, 299b, 306b, 373a, 307a. For the existence of the castle in Stephen's day see *Historians of York*, i, 307.

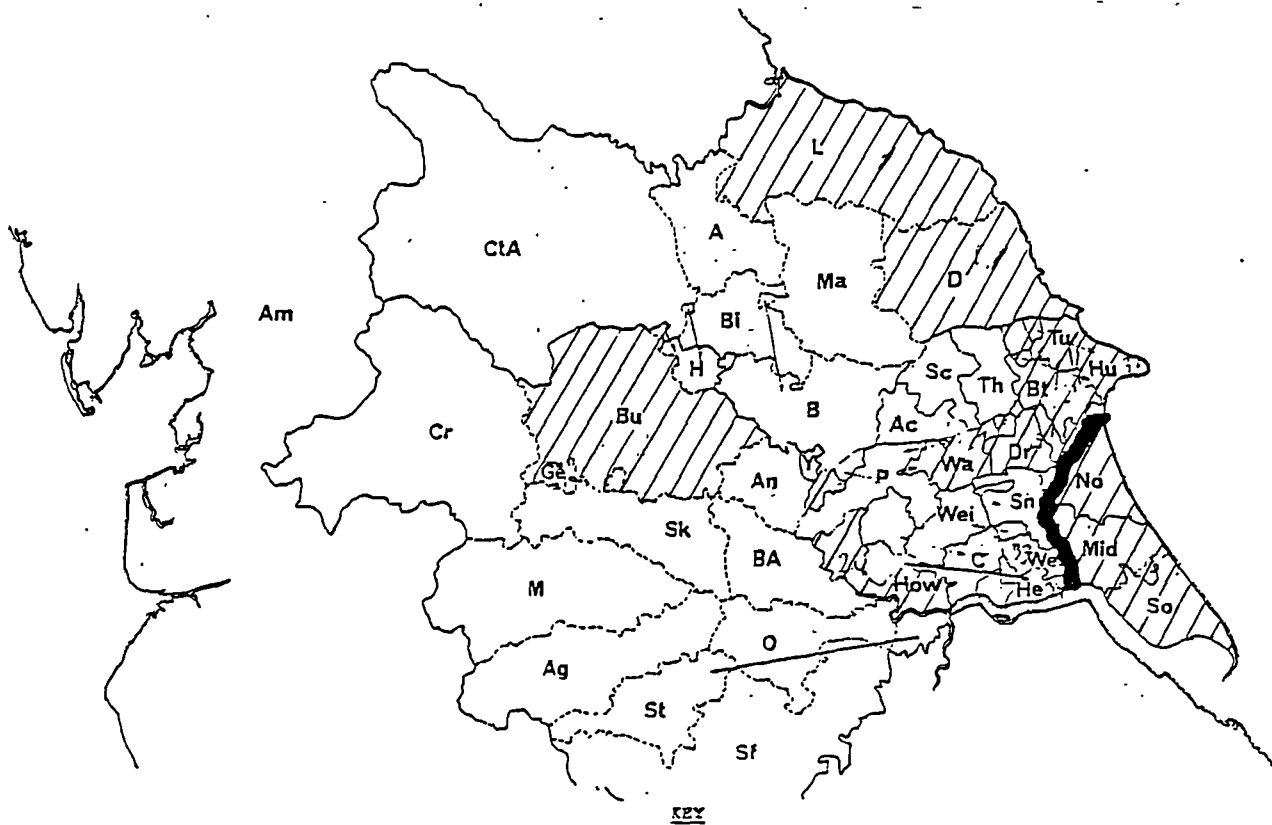
⁷⁸ The manors were held by King Edward in 1066, had a combined value of £16 and incorporated land and jurisdictional rights in thirty vills: *DB*, i, 299b, 300a, 301b, 326b, 332a, 328b, 330a.

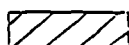
⁷⁹ *Pipe Roll 31 Henry I*, 31, 35.

⁸⁰ It confirms the estates of Eustace to his son William of Vesey and includes land in the vills of Nidd, Killinghall, Newton, Hewick and Westwick held of the count of Aumale: Public Record Office Chancery Miscellanea C 47/9/5, printed as an appendix to C.H. Hartshorne, *Memoirs illustrative of the history and antiquities of Northumberland*, Proceedings of the Archaeological Institute, Newcastle on Tyne, 1852 (London, 1858). All of the vills were situated within a few miles of Knaresborough or Aldborough and, with the exception of Newton, all were included in the purpresture list of Henry II's pipe rolls: *Pipe Roll 11 Henry II*, 51. It is significant that the vills of Ouseburn, Timble, Stainley and Cattal, which were attached to either Knaresborough or Aldborough, were also included in the list. Eustace fitz John was almost certainly deprived of the manors for supporting the Scots. For the forest of Knaresborough see *Pipe Roll 14 Henry II*, 90.

⁸¹ That he held the manor of Warter with royal assent is clear from the terms of two royal charters. The first is addressed to William and confirms the restoration of land attached to Warter in Bentley to Beverley Minster by William II of Roumare, the husband of William's sister, Agnes. The second confirms Agnes's grant of land in Warter to the abbey of Meaux: *Regesta*, iii, nos. 101, 583. The location of the lands granted by Agnes is revealed in the papal confirmations of Anastasius IV and Adrian IV: *EYC*, iii, nos. 1384, 1388. Henry II, however, regarded Warter as having been encroached upon, and the manor appears in the pipe rolls in the list of purprestures: *Pipe Roll 11 Henry II*, 51 *et seq.*

Map 32: William Earl of York and the Hundreds of Yorkshire




 Wapentakes and Hundreds under the control of Earl William.

List of Wapentakes and Hundreds Under the Control of Earl William

			<u>Abbreviations</u>
York (not a Hundred)	-		Y
Holderness	[North Middle South	-	No
		-	Mid
		-	So
Rowden	-		Row
Wartar	-		Wa
Driffield	-		Dr
Burton Agnes	-		Sc
Hunthow	-		Hu
Turbar	-		Tu
Dickering (Pickering-Lyche)	-		D
Langbargh	-		L
Burgsnire	-		Bu

List of Wapentakes and Hundreds where Earl William Aimed to Secure Control

		<u>Abbreviations</u>
Northallerton	-	A
Barkston Asn	-	BA

 - - - - Boundary of Holderness

William Earl of York and Royal Authority in Yorkshire: I. The Control of the Administration

King Stephen had clearly been forced by the administrative crisis of 1138 to place the major part of his regalian lands and rights in Yorkshire into a single pair of hands. The crucial question is how far this undermined royal control over the administration of Yorkshire, and royal authority within the county generally. One measure of this is to examine the continuity and integrity of three principal administrative institutions through which the king exercised authority within the localities: the royal demesne manors, the exchequer system and the coinage.

Initially there appear grounds for believing that the grant of the *comitatus* to Earl William did not represent a major surrender of royal control and had little impact upon the effectiveness of royal authority in Yorkshire. As the head of the senior line of the House of Blois, to the junior line of which Stephen belonged, Earl William was a relative of the king and, like Stephen, could also claim a family relationship with the Conqueror.⁸² Moreover, William has traditionally been seen as a consistent supporter of King Stephen throughout the succession crisis.⁸³ This supposed loyalty appears at first sight to be reflected in the evidence indicating a considerable degree of continuity in royal control over the administration of Yorkshire. The entries for waste and *terris datis* in the early pipe rolls of Henry II have been employed by Professor King as an index of the continuity of royal control over taxation and demesne manors respectively.⁸⁴ In Yorkshire the figures for waste are very low,⁸⁵ indicating that taxes were collected and accounts were kept. The list of *terris datis* comprises only the manors of Kilham and Driffield,⁸⁶ of which the former had been granted by Henry II to the archbishop of Rouen in 1155,⁸⁷ suggesting that Stephen retained control of the greater part of the demesne lands which were the foundations of royal power in the localities. The evidence of continuity and control is reinforced further by the research of Yoshitake who argues, on the basis of pipe roll evidence and political geography, that although retrograde exchequer practice probably

⁸²White, 'King Stephen's earldoms', 52.

⁸³English, *Holderness*, 17, 20-1; Davis, *King Stephen*, 135-6.

⁸⁴King, 'Anarchy', 143-7. His arguments are supported by White, 'Restoration of order', 267-73.

⁸⁵*Pipe Rolls 2-4 Henry II*, 27.

⁸⁶Kilham was valued at £40. Driffield, valued at £68, was held by William count of Aumale. From 1158 x 1159 Knaresborough is also accounted for under *terris datis* but does not appear in earlier pipe rolls and was apparently alienated by Henry II: *Pipe Roll 5 Henry II*, 29.

⁸⁷*EYC*, i, nos. 433-440.

continued in a group of counties in eastern England, including Yorkshire.⁸⁸

On closer analysis, however, the evidence for the continuity of royal control over the administration of Yorkshire is not as compelling as it would seem. In the case of the *terris datis* the pipe rolls do not reveal the true extent of demesne alienation.⁸⁹ Dr. White has illustrated that many royal manors granted out by Stephen were not entered as *terris datis* and remain hidden in the pipe rolls.⁹⁰ Others were recovered during the royal tour of 1155. In Yorkshire Henry II recovered Scarborough and Pickering before the production of exchequer accounts, and only one of the many royal demesne manors held by Earl William, Driffild, appears in the list of *terris datis*. If Henry II's exchequer regarded William's possession of royal manors as the result of encroachment rather than royal gift the absence of several others from the list might well be understandable. In 1164 Henry conducted another inquest into the recovery of royal estates encroached upon in Stephen's reign, and the resultant list of Yorkshire purprestures in the pipe rolls was one of the longest in England and included the manor of Warter which Earl William is known to have held with Stephen's approval.⁹¹

That Earl William regarded the royal manors he held as private possessions to be disposed of at will, rather than returnable custodies to be administered for the benefit of the king, is indicated by his permanent detachment of several demesne estates from royal control. In Henry II's reign William held lands in Newton, Preston, Burniston, Osgodby and Lebberton, formerly belonging to the soke of the royal manor of Falsgrave, and in Wilton, Roxby and Loft Marishes, formerly belonging to Pickering, as part of a fee of five knights' fees held of Hugh Bigod earl of Norfolk.⁹² The fee also included a cluster of estates within the vicinity of Pickering that had been detached from the Brus honour.⁹³ The origin of the fee is obscure and Farrer suggested that the Brus estates were seized by Hugh Bigod when he joined forces with Geoffrey of Mandeville against Stephen in 1144. Yorkshire, however, was beyond Hugh's territorial sphere of influence and he is not known to have been active in the county during Stephen's reign. In the light of Earl William's tenure of Scarborough and

⁸⁸ Yoshitake considers that Yorkshire was one of the counties where Stephen's authority was strongest: Yoshitake, 'The exchequer in the reign of Stephen', 950-9, esp. 952 note 2.

⁸⁹ This appears to be the case with Warter which is included in the 1165 list of purprestures even though the indications are that Stephen had granted the manor to Earl William: *Pipe Roll 11 Henry II*, 51; see above, p. 133.

⁹⁰ White, 'Restoration of order', 228-9.

⁹¹ *Pipe Roll 11 Henry II*, 51.

⁹² *EYC*, i, 467, 490-1; *DB*, i, 299a, 305b, 323a.

⁹³ Cayton, Thornton Dale, Potter Brompton, Firby, North Grimston and Crambe: *DB*, i, 300b, 299b, 332b - 333a.

Pickering in the 1140s, and his custody of Adam II of Brus, it seems more probable that he attached the royal and Brus estates to his interests at this time, and that Hugh Bigod only established his feudal superiority in the reign of Henry II.

The failure of central control over the administration of royal estates is also suggested by the series of encroachments made upon the demesne. In the early years of Henry II's reign Earl William was only one of a large group of men from all levels of the social scale who were forced to surrender land belonging to the royal forest of Pickering to Rievaulx abbey at the instigation of the king.⁹⁴ Despite the chronological problems of distinguishing the demesne seizures during the anarchy from the legitimate acquisitions made by royal grant before and after 1135, it is reasonably certain that landholders from all walks of life were busy carving up the great demesne sokes in Stephen's reign and that there was little or nothing to stop them. Men like the earl of York had simply to compete with the crowd.

The disintegration of royal control over its own demesne manors is matched by the breakdown of exchequer practice. Yorkshire was not one of the counties accounting by tale in the early pipe rolls of Henry II, which Yoshitake considers an index of exchequer activity in Stephen's reign. That exchequer practice had ceased, or was in disorder, is also suggested by the fact that the county was one of those to account for only three-quarters of the financial year 1154 x 1155.⁹⁵ Further evidence is provided by the figure for the sheriff's farm in the first full year account of 1156 which corresponds very closely to that recorded in the 1129 x 1130 pipe roll,⁹⁶ and suggests that whereas Henry II was able to raise the farms of several counties early in his reign,⁹⁷ in Yorkshire his exchequer was forced by the disintegration of accounting procedure to rely on the assessment figures of his grandfather.⁹⁸

⁹⁴ *Cartularium de Rievall*, 131-9; *EYC*, i, nos. 401-12 and notes.

⁹⁵ *Red Book*, ii, 652. Yoshitake argues, however, that a shorter term of account need not imply a breakdown of exchequer practice because the sums owed to the king for the remainder of the year could have been paid into the chamber, for which no accounts survive, at some point during the exchequer year. Alternatively the sheriff may have been changed at some point during the exchequer year and the part of the farm due from him paid then: Yoshitake, 'The exchequer', 951. The first of these propositions, however, is weakened by the fact that several such payments to the chamber, including one example from Yorkshire itself, were duly noted in the pipe rolls and included in the total sums; and the second is only a hypothesis. See *Pipe Roll 4 Henry II*, 146.

⁹⁶ The total farm in 1156 was £444 9s 3d compared with £444 16s 11d in 1130. The figure fluctuated after 1156 falling to a low of £402 7s 3d in 1160 and 1161 and finally stabilizing at £440 7s 3d in 1163. No adequate explanation for the fluctuations has yet been advanced: White, 'Restoration of order', 246, 220-3.

⁹⁷ The counties where the sheriff's farm was considerably higher under Henry II than Henry I were Cambridgeshire, Huntingdonshire, Surrey, Carlisle, Devon, Essex, Hertfordshire, Gloucestershire, Kent, Lincolnshire, Norfolk, Suffolk, Northumberland, Nottinghamshire, Derbyshire and Staffordshire. For convenient tables of the farms of all counties see White, 'Restoration of order', 237-46.

⁹⁸ White has illustrated that Henry II's exchequer appears to have employed Henry I's assessment figures for Da-

When Stephen came to Yorkshire in 1149 and taxed the citizens of Beverley and York we can be sure that he was exploiting a rare opportunity to tap the wealth of a region normally outside his financial control.⁹⁹

The termination of royal supervision of the administration of Yorkshire is perhaps most conspicuous in the coinage attributed to York in Stephen's reign. Although issuing coins of Stephen Type I until c.1141¹⁰⁰ the minting of regular royal coinage of good weight at York was only resumed with coins of Stephen Type VII between c.1153 and c.1158. No coins of the substantive Types II and VI, nor of the local variant Types III, IV and V, can be attributed to the city.¹⁰¹ The only other coins issued at York were those of low weight and unusual Flemish style bearing the names of King Stephen, Eustace fitz John, Robert III of Stuteville, Bishop Henry and the moneyer Thomas fitz Ulvieth. Although usually attributed, on the grounds of their similarity to coins of Stephen Type I, to the period 1135 x c.1141 or to that of Stephen's imprisonment,¹⁰² some of the coins were probably issued at the direction of Earl William who had close associations with Fitz John, Stuteville and Fitz Ulvieth,¹⁰³ and should be correctly dated c.1138 x c.1153. The only coin probably issued by someone other than William was that bearing the inscription HENRICUS EPS. North's suggestion that this was Henry bishop of Winchester¹⁰⁴ is supported by Henry's close relationship with both Archbishop William fitz Herbert¹⁰⁵ and the treasurer of York, Hugh of Puiset, who may have issued the coin from the archiepiscopal mint.¹⁰⁶ Whatever the origins of the coin there is no doubt that along with the 'Eustace' and 'Robert' coins it represents a serious deterioration of royal control over the administration of Yorkshire after 1138.

negeld: White, 'Restoration of order', 267-73.

⁹⁹Symeon, *Opera*, ii, 323-4.

¹⁰⁰North, *Hammered Coinage*, i, 164-6. R.J. Seaman's argument that Type I coins were issued until c.1150 was rejected by Miss M. Archibald in a paper read to the Royal Numismatic Society in January 1983. See R.J. Seaman, 'A re-examination of some hoards containing coins of Stephen', *BNJ*, 48 (1978), 58-72. I owe the reference to Archibald to Professor King.

¹⁰¹Mack, 'Anarchy', 48-58.

¹⁰²Mack, 'Anarchy', 78-81, 84.

¹⁰³See above, p. 130.

¹⁰⁴North, *Hammered Coinage*, i, no. 934.

¹⁰⁵As well as a family relationship with William, Henry supported his candidacy for the archbishopric, consecrated him in 1143 and offered him shelter after his deposition in 1147: Symeon, *Opera*, ii, 315, 320.

¹⁰⁶Hugh of Puiset was a nephew of Bishop Henry and had been promoted by Archbishop William to the treasurership c.1143. In 1148 he was excommunicated by Archbishop Henry Murdac but allowed none of the ecclesiastical services of York to be neglected. At the request of Henry bishop of Winchester the pope wrote to Murdac desiring him to deal more gently with Puiset. While Henry was away at the papal curia Hugh defended his castle of Winchester and ecclesiastical properties: Symeon, *Opera*, ii, 321-2. For Puiset's family see J.L. La Monte, 'The lords of Le Puiset in the crusades', *Speculum*, 17 (1942), 100-18.

William Earl of York and Royal Authority in Yorkshire: II. Politics and Warfare

If the evidence relating to the royal demesne manors, exchequer system and coinage illustrates that Earl William exploited his possession of the *comitatus* to serve his own interests rather than those of the king, this is also reflected in his role in the internal politics of the county. His ambitions extended far beyond the confines of Holderness and the royal manors under his charge. They were largely directed towards the construction of a vast network of territorial and jurisdictional influence, based largely upon the acquisition of yet more hundreds, and were often pursued against the interests of the king. They provoked a series of local wars throughout the 1140s that reduced large sections of the county to a state of disorder. And they reveal William not as an advocate of royal justice enforcing the king's peace but as an acquisitive and aggressive magnate whose primary concern was the pursuit of his own ends. In the face of his policy and its results royal authority could only atrophy.

The independent line adopted by the earl can be seen in his efforts to secure control of the East Riding hundreds of Turbar and Hunthow which were in the possession of the Gant family (Map 32). The policy lies behind, and makes sense of, a series of hostilities in progress in the region in the early 1140s. John of Hexham informs us that in 1140 Alan of Richmond, 'in a stealthy night attack, scaling the wall, stormed with his men the fortress of Galclint and seized the castle, having driven out William de Albany with his men'. In the following year Alan himself was forced to surrender the castle after being captured, imprisoned and forced to do homage by Ranulf earl of Chester. In 1142 Alan's hostilities were directed against the earl of York, and Stephen was forced to come to York to put an end to a war that had broken out between them. Finally, in 1143 the earl of York, 'troubled by the hostility of Ranulf earl of Chester and Gilbert of Gant converted the monastery of St. Mary of Bridlington into a castle'.¹⁰⁷ The key to understanding this series of events, and Earl William's involvement, is provided by the identity of the mysterious castle of Galclint, which has long remained in doubt, and of the William 'de Albany' who held it.

¹⁰⁷Symeon, *Opera*, ii, 306, 308-9, 312, 315; *Gesta Stephani*, 117.

Galclint has been variously identified as Lincoln,¹⁰⁸ Gilling-in-Ryedale in the North Riding of Yorkshire,¹⁰⁹ Gaultney Wood in Rushton Northamptonshire,¹¹⁰ Belvoir,¹¹¹ and Gildersdale in Warter in the East Riding of Yorkshire.¹¹² The arguments in each case are far from conclusive and are outweighed by the evidence of a charter of 1172 linking Galclint with the parish of Willerby in the East Riding of Yorkshire.¹¹³ William d'Aubigny Brito, who is always assumed to be the 'de Albany' of John of Hexham, held no estates within the vicinity. It seems certain that John wrote 'de Albany' in error for 'de Albamarla',¹¹⁴ the continental toponymic surname of William earl of York, and that the struggle for control of Galclint in 1140 and 1141 was closely connected with William's war with Alan of Richmond in 1142 and his fortification of Bridlington a year later.

In terms of both feudal geography and genealogy Willerby ties in neatly with the series of hostilities described by John of Hexham. The vill belonged to the Gant family and was situated only five miles west of their castle of Hunmanby, the administrative centre of Turbar hundred (Map 33).¹¹⁵ Bordering Turbar to the east was Hunthow hundred centred upon the borough of Bridlington, the major portion of which was held of the Gant family by the canons of the Augustinian priory founded there by Walter of Gant in or before 1114.¹¹⁶ The earl of York also held important estates in the area. As well as his family lands in Holderness, to which the Gants may have fostered a claim,¹¹⁷ and an interest in Bridlington,¹¹⁸ he had secured control of the royal demesne manors and castles of

¹⁰⁸ *Priory of Hexham*, i, 132 note h.

¹⁰⁹ Symeon, *Opera*, ii, 306 note a.

¹¹⁰ *EYC*, iv, 90 note 1.

¹¹¹ Davis, *King Stephen*, 50.

¹¹² King, 'The parish of Warter', 57.

¹¹³ *EYC*, ii, no. 1228.

¹¹⁴ The same error was made by a copyist of Stephen's Oxford charter of liberties for the church. Two of the three extant manuscripts of the charter include W(illelmo) de Albam(arla) among the witnesses, while the third renders W(illelmo) de Albini: *Regesta*, iii, no. 271 and note. In charters issued by William I of Forz and Baldwin of Bethune, who succeeded the earl of York as count of Aumale, the continental title is rendered as 'Aubemara': *EYC*, vii, nos. 45-6.

¹¹⁵ Hunmanby was by far the most valuable manor in 1066 and had berewicks or sokelands in six neighbouring vills: *DB*, i, 326a.

¹¹⁶ Bridlington was held by Earl Morcar in 1066 and valued at £32. Of the nineteen vills in the hundred Bridlington had sokeland in eleven: *DB*, i, 299b, 301a. The borough had been largely under royal control in 1086 but had passed to the Gants by 1114 at the latest: *EYC*, ii, no. 1135 and note.

¹¹⁷ Ellis discovered an early twelfth century Theoderic de Beuere, lord of Beuera and castellan of Dixmue, whom he believed might have been heir to Drogo de la Beuvriere lord of Holderness. Theoderic married the daughter of Baldwin of Gant, nephew of the Domesday lord of Hunmanby Gilbert of Gant: A.S. Ellis, 'Biographical notes on the Yorkshire tenants named in Domesday Book', *YAJ*, 4 (1876), 216, cited by English, 'The counts of Aumale', 37, 361 note 7.

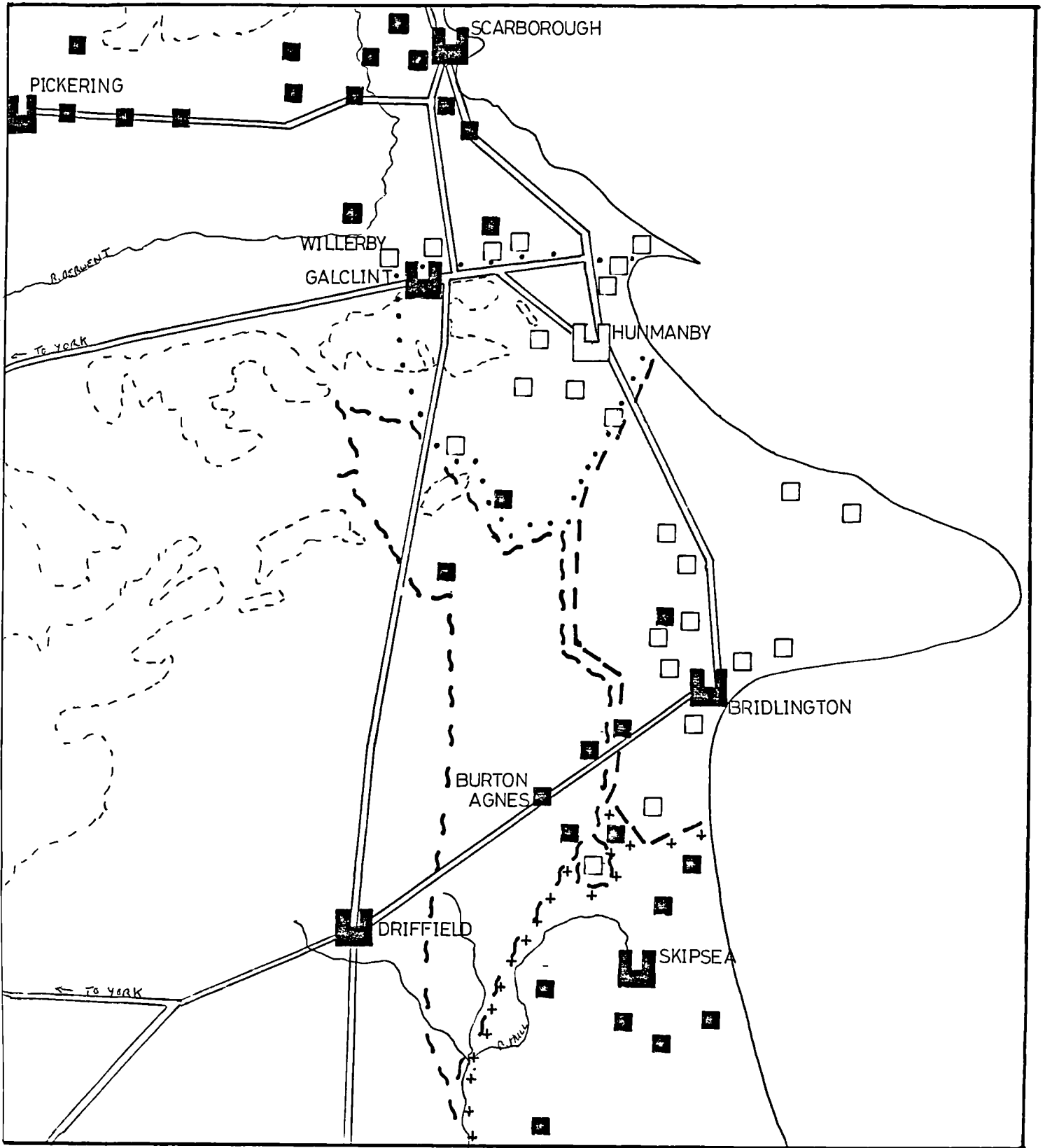
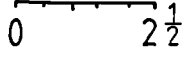
¹¹⁸ William's father, Stephen, appears to have acquired overlordship over a manor of five carucates in the borough which had been held by Richard of Sourdeval of the count of Mortain in 1086. Clay thought that the manor passed from Richard to Ralph Paynel who enfeoffed Robert of Meinil who granted it in turn to his wife, Gertrude Fossard, in dower: *Regesta*, ii, no. 1333; *DB*, i, 307a; *EYC*, vi, 185-7; *EYC*, ii, 136, no. 805.

MAP 33

THE CASTLE OF GALCLINT

KEY

- | | | | |
|--|---------------------------------|--|-------------------------------|
| | CASTLE HELD BY THE EARL OF YORK | | BOUNDARY OF LAND OVER 500 ft. |
| | ESTATE " " " " " " | | " " TURBAR HUNDRED |
| | CASTLE " " GILBERT OF GANT | | " " HUNTHOW |
| | ESTATE " " " " " " | | " " BURTON |
| | SCALE: ONE INCH = 2 1/2 MILES | | " " HOLDERNESS WAP |
| | | | MAJOR ROAD |



Driffield, Pickering and Scarborough. The lord of Richmond's interest derived from the fact that he was Gilbert of Gant's uncle and was doubtless concerned with the descent and security of the Gant honour after the death of Walter of Gant, Gilbert's father, in 1139. Through the marriage of Walter to Alan's sister the Gants had acquired important estates in Swaledale at the heart of the lordship of Richmondshire,¹¹⁹ and the lords of Richmond may have secured part of Hunmanby in return.¹²⁰ Gilbert of Gant was a minor when his father died and is still referred to as a youth when fighting for King Stephen at the battle of Lincoln in 1141. When the young man was captured in battle by Ranulf earl of Chester and forced to marry the earl's niece, Rohese of Clare,¹²¹ William earl of York and Alan of Richmond had good cause for concern.

When set against this background there is little doubt that the series of wars described by John of Hexham reflect the earls of York, Richmond and Chester competing for custody of the Gant honour during Gilbert's minority. All three must have been crucially aware that the key to success was control of the hundredal centres of Bridlington and Hunmanby. Topographical evidence indicates that Galclint castle was constructed for the purpose of controlling the communication routes to Hunmanby and that it may therefore have been a siege castle.¹²² In the case of Bridlington the earl of York was more successful and built his castle in the Gant hundredal seat itself. What is significant above all is that the earl's actions did not have the support of the king. A royal writ addressed to William commands him to let the canons of Bridlington have the port in peace.¹²³

The hostilities in progress in the Willerby region may also have involved a struggle for control of the Brus hundred of Burton Agnes which bordered those of Turbar and Hunthow (Map 32).¹²⁴ The

¹¹⁹The estates were at Reeth, Fremington and Grinton only a few miles from Richmond: *EYC*, ii, 432; *EYC*, iv, 89; *EYC*, v, 340-7.

¹²⁰In 1215 land in Hunmanby committed to Robert Marmion in custody with the heir of Hugh Gernegen was to pass to Gilbert of Gant if it was of his fee and not parcel of the honour of Richmond: *R. Litt. Claus.*, i, 215b.

¹²¹Symeon, *Opera*, ii, 308.

¹²²Earthworks illustrated on Ordnance Survey six-inch maps indicate two possible sites for the castle. The first is close to the junction of the B1249 with the A1039 from Malton to Filey along a ridge of high ground extending west-east parallel to the A road. Philologically the word 'clint' can be equated with a rocky promontory, and therefore the location seems appropriate. The only problem is that it lies at some distance from the parish boundary of Wold Newton encompassing the vill of Fordun towards the 'outer bounds' of which Galclint is stated to have been situated. The second possible site is 'castle hill' at the junction of the A1039 and the road branching off into Hunmanby in high ground known as 'White-Gate-Hill'. The difficulty here is that the site lies in the parish of Folkton and is at some distance from what might be construed as the 'outer bounds' of Fordun.

¹²³*Regesta*, iii, no. 124. The earl was later to issue a charter making recompense to the priory for the damage he had done to it: *EYC*, iii, no. 1306.

¹²⁴In 1066 the manor of Burton was held by Earl Morcar, valued at £24, and incorporated berewicks and sokelands in eight neighbouring vills. Although royal demesne in 1086 by the early twelfth century it had passed to the Brus family, possibly as a result of a marriage of Robert I of Brus to a daughter of Geoffrey Bainard, sheriff of Yorkshire, who held it in the reign of Rufus: *DB*, i, 299b, 322b, 382a; *EYC*, ii, 12, no. 676.

death of Adam I of Brus and succession of his infant son Adam II coincided with the earl of York's fortification of Bridlington in 1143.¹²⁵ William secured custody of the young heir¹²⁶ and exploited his position by marrying Adam to his sister, Agnes,¹²⁷ and detaching a number of Brus possessions from the young man's interest. These included the castle of Danby, one of the forest and jurisdictional centres of Langbargh wapentake,¹²⁸ the churches and possibly manors of Skelton, Kirklevington and Yarm,¹²⁹ the manor of Lofthus,¹³⁰ and the manor and hundred of Burton Agnes¹³¹ which he appears to have granted to a minor branch of the Stuteville family as if it were of his own possession.¹³² His actions can only have alarmed Alan of Richmond and Gilbert of Gant who held lands within or close to many of the areas dominated by Brus,¹³³ and affronted the earl of Chester who held lordship over Adam II of Brus in certain Cleveland estates and may have fostered a claim to the custodianship.¹³⁴

The competition between the earl of York and Alan of Richmond is most apparent in the case

¹²⁵ *EYC*, 12.

¹²⁶ Adam witnessed several charters of the earl dating from Stephen's reign: *EYC*, iii, nos. 1334, 1373, 1379.

¹²⁷ It is not completely certain that the marriage took place: King, 'Parish of Warter', 53 and notes 42, 45.

¹²⁸ The importance of Danby is indicated by the fact that in 1200 King John restored Danby and the attached forest to Peter of Brus for a fine of £1000 in exchange for Bardsey: *Kirkstall Coucher*, 217 note 3. See also *EYC*, ii, 12-13, 34-5; *Pipe Roll 26 Henry II*, 74.

¹²⁹ Richard I's confirmation charter to the Lincolnshire abbey of Thornton, founded by Earl William in 1139, records the gift of Adam II of Brus of the churches of Kirklevington, Yarm and Skelton: *Monasticon*, vi, 327. Adam's grant of the churches of Kirklevington and Yarm to the Brus foundation of Guisborough between 1155 and 1165 may well have been a reaction against the manipulative influence of the earl: *EYC*, ii, no. 654. The earl, however, appears to have preserved his rights in Skelton church. Between 1170 and 1178 Adam II of Brus revoked his right to a payment of ten marks per annum which he had extracted from the canons of Guisborough and paid to Adam the rightful chaplain of Skelton church which belonged to Guisborough. Brus had clearly excluded the chaplain in favour of Ralph of Aunay, a nephew of the archbishop of York. Accepting that his charters were illegal he promised to present Adam the chaplain to the church at the next vacancy. During the conflict between the canons of Guisborough and Ralph of Aunay, Archbishop Roger made a proposal for a settlement but only after obtaining the sanction of William of Aumale. See *EYC*, ii, no. 660 and note.

¹³⁰ William of Aumale confirmed land in Lofthus belonging the Brus fee to Guisborough priory: *Cartularium de Gyseburne*, 151.

¹³¹ King, 'Parish of Warter', 53-4 and notes 42, 45, 46.

¹³² In 1172 Roger of Stuteville, a nephew of Robert III of Stuteville, paid scutage on 1 7/8 fees of Adam II of Brus in Yorkshire, which evidently included Burton Agnes and the soke: *Pipe Roll 18 Henry II*, 62. The origins of Roger's tenancy are obscure and it is possible that he acquired the land by marriage. Clay suggested, however, that Roger may have inherited Burton from his father and that his father was enfeoffed by Brus: *EYC*, ix, 28. In view of William of Aumale's control of Burton, and his close relations with Robert III of Stuteville, for whom he may have minted coins, it is equally possible that Roger's tenancy was due to an Aumale enfeoffment. The close relations between Roger's own branch of the Stuteville family with William supports the same proposition. His father, Osmund, was associated with William II of Roumare and his wife Agnes of Aumale in the grant of land in Warter to Meaux abbey: *Chronica de Melsa*, i, 172. Roger held land in Mappleton of Brus as a sub-tenure of the honour of Holderness, his son Anselm gave or confirmed the advowson of Mappleton to the abbey of Aumale and land in Bridlington to Meaux, and his daughters Agnes and Beatrice married two of the most important tenants of William of Aumale, Herbert of St. Quintin and William of Coleville respectively. In John's reign Agnes was engaged in a series of legal disputes with her sisters and their husbands over the division of Anselm's inheritance, including Burton Agnes. The family also acquired interests in the Brus estates of Brantingham and North Cave, and in the manor of Warter formerly held by the earl of York. See *EYC*, ix, 27-34; *EYC*, x, 134 note 6. It is also possible that the Monceaux and Foliot families, tenants of Holderness, secured their interests in lands held of St. Mary's abbey York by Brus in Sunderlandwick near Burton Agnes through Earl William's patronage: *EYC*, ii, 37, nos. 680, 682.

¹³³ As well as extensive lands in Cleveland only a few miles east of Richmondshire, the Brus family held several estates within the vicinity of Bridlington at Foxholes, Thwing, Barnaby, Amotherby and Ganton: *EYC*, ii, 13-14.

¹³⁴ *Pipe Roll 14 Henry II*, 99.

of the hundreds of Howden, Welton and Northallerton belonging to the bishopric of Durham, and it was clearly pursued without regard for the interests of the king (Map 32). As well as important centres of secular jurisdiction the episcopal hundreds were also the focus of lucrative ecclesiastical liberties.¹³⁵ Both magnates had a claim to them by virtue of the temporary tenure granted to their predecessors by William Rufus during his quarrel with Bishop William of St. Calais in 1088, and both were intent on making the claim a reality in Stephen's reign.¹³⁶ William's seizure of Howden is recorded by John of Hexham,¹³⁷ and Alan's control of Welton is clear from a charter in which he disposed of land and churches belonging to the soke of the manor.¹³⁸ In addition the two lords were also receptive to the overtures of William Cumin who had secured control of Durham after the death of Bishop Geoffrey at Easter 1141, and who looked towards Stephen's enemies the Angevins and Scots for help in obtaining episcopal election and complete control of the temporalities of the see.¹³⁹ Earl William married his niece to the nephew of William Cumin who held Northallerton and had built a castle there,¹⁴⁰ and Alan of Richmond was bribed by Cumin to assist in the defence of Durham against the forces of Bishop William of St. Barbe in 1143.¹⁴¹ Alan had good cause to fear the earl of York's interest in Northallerton which was close to Richmondshire and incorporated estates in many of the same vills encompassing his lands,¹⁴² and responded by encroaching upon and fortifying episcopal property.¹⁴³ In the face of aggressive competition of this nature royal authority

¹³⁵The financial and jurisdictional rights within the manors were detached from the *beneficium* of the archbishop of York and held directly by the bishop of Durham and the canons of St. Cuthbert's. The churches on the estates were the bishop of Durham's private property and the men who held them were his feudal men. He had the power to summon their priests to synods, ordain and institute incumbents, dispense justice, visit churches, and take aids from the clergy. Control of the manors would therefore have brought Earl William and Alan of Richmond control of these important financial rights. See Barlow, *Jurisdictional Peculiars*, xiii-xvi, 4, 53-61, 147, 151-2.

¹³⁶Although Rufus later restored the estates to the bishop Earl William appears to have preserved a claim: Symeon, *Opera*, ii, 173.

¹³⁷Symeon, *Opera*, ii, 320. The place referred to by John of Hexham was clearly Howden even though Dr. Stevenson's translation is Ovenden near Halifax. Dr. English appears confused stating that William seized both Ovenden and Howden from the bishopric: English, *Holderness*, 19, 20. See also Scammel, *Hugh du Puiset*, 9 and note; Anderson, *Early Sources*, ii, 150 and note; *Acta Sanctorum*, August 1st, 256. Howden was held by King Edward in 1066, valued at £40 and incorporated berewicks and sokeland in twenty-four neighbouring vills: *DB*, i, 304b, 306b, 373a. It was given to Durham by the Conqueror: *Monasticon*, i, 238; *EYC*, ii, 302, 315.

¹³⁸*EYC*, iv, no. 17. In 1066 Welton was held by Earl Morcar, valued at £20, and incorporated berewicks and sokeland in sixteen neighbouring vills: *DB*, i, 304b, 306b, 307a, 320b. It was given to Durham by the Conqueror: *EYC*, ii, 302, 315; *Monasticon*, i, 238.

¹³⁹Young, *William Cumin*, 10-20; Symeon, *Opera*, ii, 309.

¹⁴⁰In 1066 Northallerton was held by Earl Edwin and valued at £80. Of the sixty-two vills in Allerton wapentake Northallerton had berewicks or sokelands in twenty-eight. It was in royal hands in 1086 but was subsequently given to Durham by William Rufus: *DB*, i, 299a; *EYC*, ii, 266; Symeon, *Opera*, i, 127.

¹⁴¹Young, *William Cumin*, 21-2.

¹⁴²Great Smeaton, Kirby Wiske, East Cowton, Yafforth, Maunby, Warlaby, Ainderby Steeple, Over Dinsdale: *DB*, i, 299a, 309a-310a.

¹⁴³A charter of King Stephen commanding him to let the canons of Bridlington have the church of East Cowton in peace reveals that Alan had begun to seize episcopal lands bordering his own estates. In addition to a manor

had little chance.

The earl of York's pursuit of territorial ambitions at the expense of public order and royal authority can even be traced in the course of the York archiepiscopal election dispute.¹⁴⁴ Although promoting the election of Stephen's candidate, William fitz Herbert, in the king's name in 1141¹⁴⁵ and preventing, at the expense of his own excommunication, the entry of Fitz Herbert's rival, Henry Murdac, into York in 1148,¹⁴⁶ Earl William's policy in the dispute was not as 'royalist' as it might at first appear. He had initially offered his support to his kinsman Waltheof, prior of Kirkham, who was opposed by Stephen on the grounds that he was a stepson of King David of Scotland and had been brought up at the Scottish court.¹⁴⁷ In spite of the royal veto, however, Waltheof was offered the archbishopric by William on the condition that the earl would be allowed to obtain the archiepiscopal hundredal manor of Sherburn-in-Elmet in the West Riding (Map 32).¹⁴⁸ Only after Waltheof refused the proposition did William switch his allegiance to William fitz Herbert.

There were sound practical motives for securing the favour of an incumbent archbishop. As well as holding an extensive honour in Yorkshire encompassing several private hundreds (Map 34),¹⁴⁹ jurisdictional liberties¹⁵⁰ and royal demesne churches,¹⁵¹ the archbishop of York was a powerful

belonging to Alan East Cowton incorporated a berewick of the episcopal manor of Northallerton. That the church belonged to the latter holding is suggested by the fact that it had been granted to Bridlington priory before 1135 by Eustace fitz John who is known to have held lands of the bishop of Durham. Although East Cowton was not included in the episcopal fee confirmed by Henry II to Eustace's son, William of Vescy, the fee did incorporate other estates in the North Riding. Moreover, Vescy held land in Chilton County Durham which had probably formerly been in the possession of Anschetin of Worcester who was certainly a tenant of the bishopric in East Cowton. See *Regesta*, iii, no. 122; *DB*, i, 299a, 310a; *EYC*, ii, nos. 1152, 1144; *EYC*, v, no. 339 and note; *Durham Charters*, 79; PRO Chancery Miscellanea C 47/9/5; *Regesta*, ii, nos. 1722, 1730. That there was a struggle in progress for control of Northallerton is also illustrated by the policy of Hugh fitz Pinceon, steward of Bishop William of St. Barbe. In 1144 Hugh deserted the bishop and attempted to betray two of the bishop's supporters, Anschetin of Worcester and Ralph of Amundeville, into Cumin's hands. Hugh held land of the bishopric at Little Smeaton, a berewick of Northallerton, and Cumin may have promised to marry his nephew controlling Northallerton to Hugh's daughter. See Young, *William Cumin*, 23; *Durham Charters*, 135-7, 173-4. Alan of Richmond is also known to have secured and fortified the estates belonging to the bishopric of Durham at Hutton, only a few miles from the castle of Knaresborough which was probably under the control of the earl of York. The earthworks of an early fortification still survive in the vill: Symeon, *Opera*, ii, 306; Cathcart King, *Castellarium Anglicanum*, ii, 519.

¹⁴⁴The election dispute has been studied in some detail in the following articles: R.L. Poole, 'The appointment and deposition of St. William, archbishop of York', *EHR*, 45 (1930), 273-81; M.D. Knowles, 'The case of St. William of York', *CHJ*, 5 (1936), 162-77, 212-14, reprinted in *The Historian and Character* (Cambridge, 1963), Chapter 5; C.H. Talbot, 'New documents in the case of St. William of York', *CHJ*, 10 (1950-52), 1-15; A. Morey, 'Canonist evidence in the case of St. William of York', *CHJ*, 10 (1950-52), 352-3.

¹⁴⁵Symeon, *Opera*, ii, 307, 313.

¹⁴⁶Symeon, *Opera*, ii, 322.

¹⁴⁷*Acta Sanctorum*, i, August 3rd, 256-7; *Vita Ailredi*, xlv, xiii, xxxii; Nicholl, *Thurstan*, 240.

¹⁴⁸Sherburn was the most valuable archiepiscopal estate. It was almost certainly the jurisdictional focus of Barkston Ash wapentake and incorporated the vill of Barkston in addition to estates in over twenty other settlements: *DB*, i, 302b; A.J. Robertson, *Anglo-Saxon Charters* (2nd edn. Cambridge, 1956), 164-8; *VCH, Yorkshire*, ii, 210.

¹⁴⁹*DB*, i, 302b-304b. The hundreds were those of Barkston Ash and Thoreshowe.

¹⁵⁰Such as Ripon and Beverley which were jurisdictional enclaves where the king's writ did not run and which were exempt from royal taxation. See *DB*, i, 303b-304a; *Regesta*, iii, nos. 99, 717; G.R.J. Jones, 'The portrayal of land settlement in Domesday Book', in *Domesday Studies*, 189.

¹⁵¹*Regesta*, ii, no. 837.

MAP 34

THE HONOUR OF THE ARCHBISHOP OF YORK

KEY

- ROYAL CASTLE
- ARCHBISHOP'S DEMESNE MANOR
- " " BEREWICK
- ◩ MANOR OF ST. PETER'S YORK
- ◪ MANOR OF ST. JOHN'S BEVERLEY
- TENANT MANOR
- TENANT BEREWICK

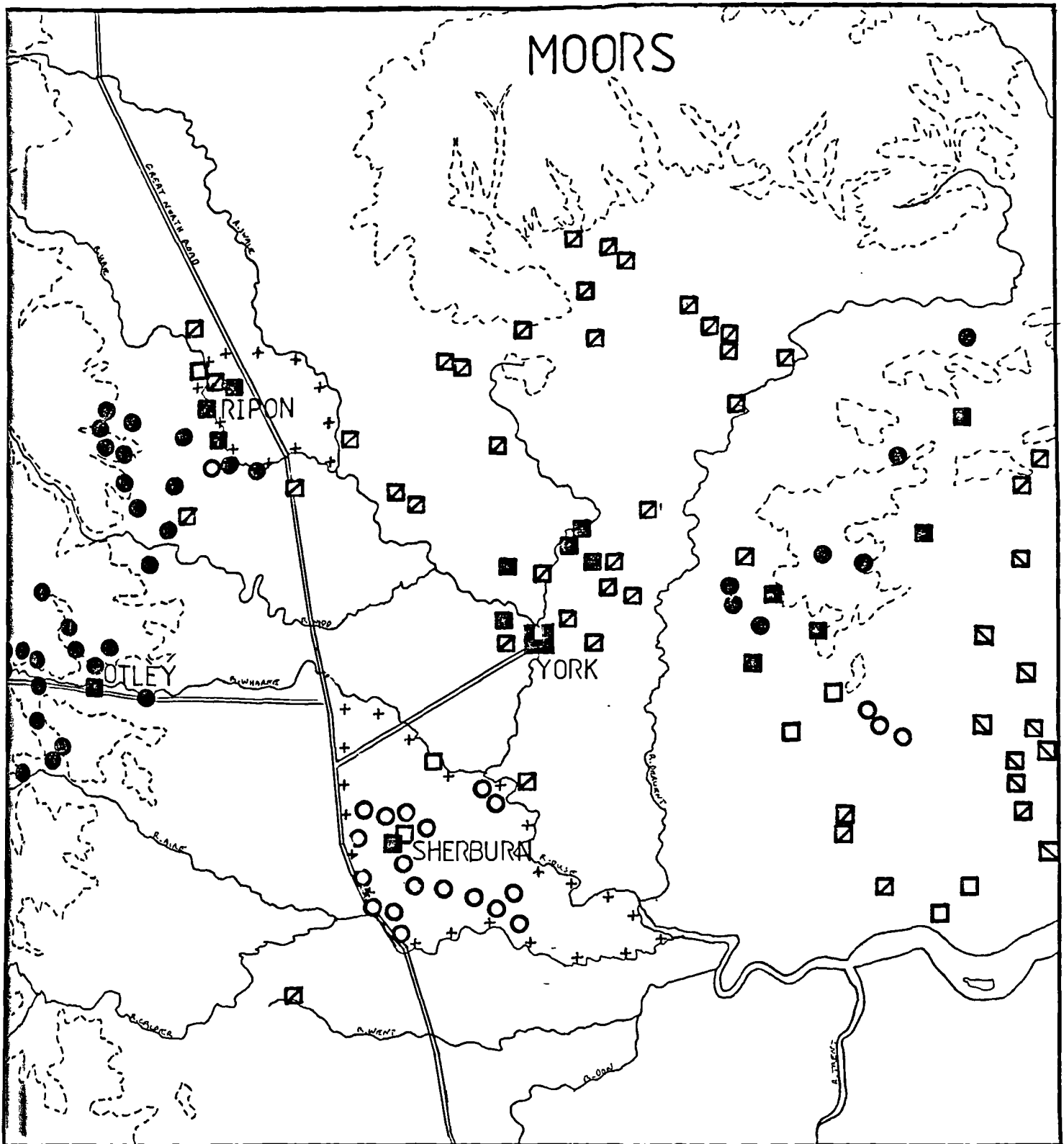
--- BOUNDARY OF LAND OVER 500 ft.

+++ " " HUNDREDS

== MAJOR ROAD

SCALE: ONE INCH = 5 MILES

0 5



MAP 34

THE HONOUR OF THE ARCHBISHOP OF YORK (2)

KEY

- ARCHBISHOP'S DEMESNE MANOR
- " " BEREWICK
- ⊠ MANOR OF ST. PETER'S YORK
- ⊡ MANOR OF ST. JOHN'S BEVERLEY
- ⊙ BEREWICK OF ST JOHN'S BEVERLEY
- TENANT MANOR
- " BEREWICK

- BOUNDARY OF LAND OVER 500ft.
 - +++ " " HUNDREDS
 - === MAJOR ROAD
- SCALE: ONE INCH = 5 MILES
- 0 5

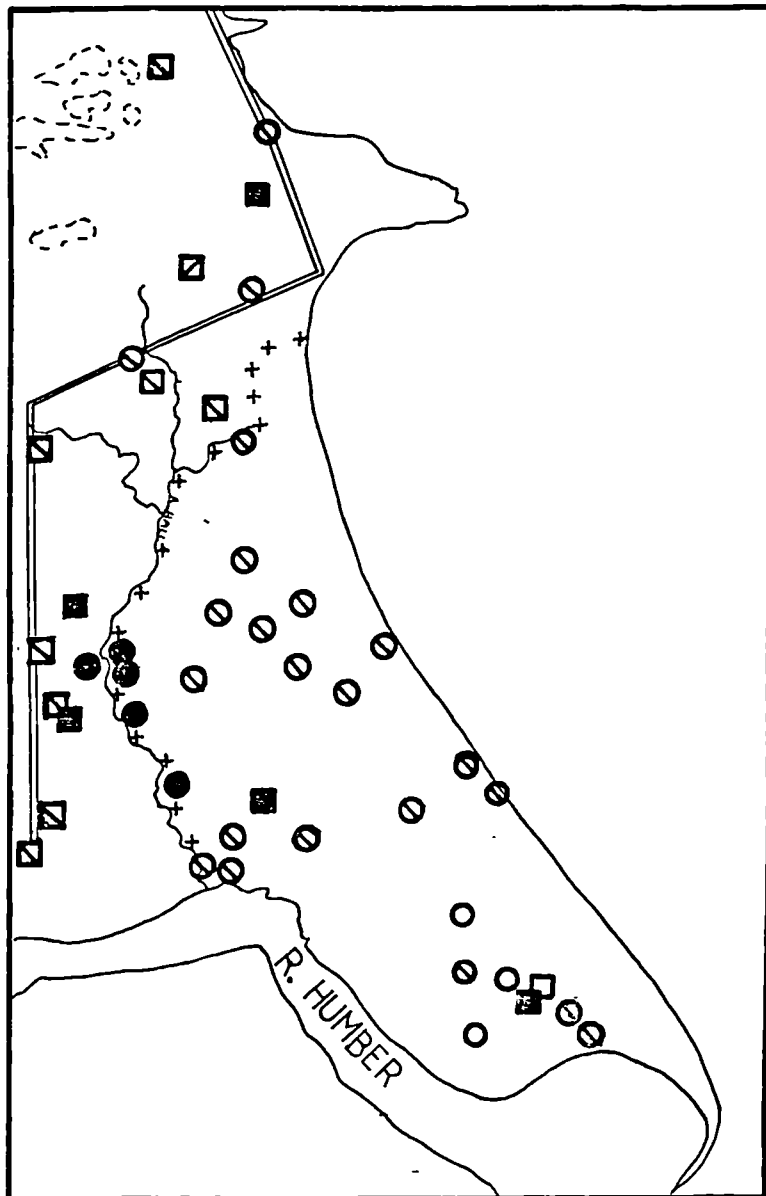


figure within the county town where he occupied a palace, controlled his own mint¹⁵² and brought influence to bear in the chapter of St. Peter's which administered one of the city's seven shires and the revenues of a third of another.¹⁵³ For a magnate like Earl William, seeking to extend his jurisdictional and territorial influence, the candidacy of William fitz Herbert must have seemed particularly attractive, especially after the failure of Prior Waltheof. In addition to being a kinsman of the earl,¹⁵⁴ William fitz Herbert held the archdeaconry and two important prebends in the East Riding, the principal focus of Earl William's power. The first prebend incorporated land in York and the vill of Goodmanham and Fridaythorpe close to the earl's manor of Warter.¹⁵⁵ The second comprised the important archiepiscopal manor of Weaverthorpe, the administrative centre of Thorshowe hundred,¹⁵⁶ and appears to have been retained by his family throughout the twelfth century.¹⁵⁷ Fitz Herbert had also secured from Henry I control of the prebendary church of Weighton, the jurisdictional centre of the hundred of the same name.¹⁵⁸ Most significantly, however, he also held the prebend of Sherburn-in-Elmet¹⁵⁹ and may have been induced to transfer control of the estate to Earl William as the price for obtaining his support in the election of 1141.¹⁶⁰ The earl was certainly active within the Sherburn area at some point in the 1140s and his territorial ambitions there may provide the explanation for the outbreak of a war at nearby Selby.

According to the author of the *Historia Selbiensis* in 1143 a kinsman of Henry of Lacy and former soldier, Elias Paynel, was elected abbot of Selby and went on to distinguish himself by defending the

¹⁵² *VCH, City of York*, 29; *Regesta*, ii, no. 518.

¹⁵³ *VCH, City of York*, 19-24, 38-9; F. Libermann, 'An English document of about 1080', *YAJ*, 18 (1904-5), 412-16; A.G. Dickens, 'The shire and privileges of the archbishop in eleventh century York', *YAJ*, 38 (1952-55), 138-47; *Visitations of Southwell*, 190-6.

¹⁵⁴ The two men were connected by a relationship with King Stephen. That of the earl has already been reviewed: see above, p. 134. Fitz Herbert was the son of Herbert of Winchester and Emma daughter of Stephen count of Blois, a half-sister of King Stephen: *Episcopal Acta V*, xxx.

¹⁵⁵ *Episcopal Acta V*, no. 8 and note.

¹⁵⁶ In 1066 Weaverthorpe was held by Archbishop Ealdred, valued at £14 and incorporated berewicks and sokelands in eight neighbouring vills. The majority of these vills, comprising over 50% of the settlements in Thorshowe hundred, were incorporated in the prebend granted to William fitz Herbert's father. See *DB*, i, 303a.

¹⁵⁷ William fitz Herbert held the manor from his brother Herbert fitz Herbert. The prebend appears to have been created for their father by Archbishop Thomas II and also included Londesborough, Towthorpe, Helperthorpe, Lutton Ambo, Thirkleby, Sherburn in Harford Lythe, Birdsall, Mowthorpe, 'Ulkillorp', Croom, the church of Cowlam and other property held by the service of three knights: *Episcopal Acta V*, nos. 15, 54-5; *EYC*, i, nos. 26-9, 32.

¹⁵⁸ *Regesta*, ii, no. 1759. The manor itself was granted by Henry to Geoffrey fitz Pain: *EYC*, x, 14; *YMF*, ii, 80-2. It is significant that Henry II gave the manor and church to a son of Hugh of Puiset who succeeded William as treasurer: *EYC*, xi, 307. Market Weighton was held in 1066 by Earl Morcar, valued at £30 and incorporated berewicks and sokelands in seven neighbouring vills: *DB*, i, 299a, 320b.

¹⁵⁹ *Episcopal Acta V*, no. 8 and note.

¹⁶⁰ The earl's tenure is suggested by the fact that the toponymic surname of one of the military tenants of Holderness in 1260 was Sherburn: English, *Holderness*, 147.

estates of his abbey during a disastrous war that overran the region.¹⁶¹ The fighting began when Henry of Lacy, who held an extensive lordship centred on Pontefract immediately to the north and west of the abbey, 'after communicating his idea to Elias, began to build a castle at Selby (Map 35). A week had not passed before Earl William, who was hostile to Henry, learnt of this and hurried to lay siege to the castle which was in the course of construction'.¹⁶² After a siege of several days William's forces captured the castle and proceeded to plunder the surrounding countryside.¹⁶³ The war is most likely to have taken place shortly after Henry of Lacy's succession to the honour of Pontefract after the death of his father c.1142,¹⁶⁴ and the earl of York's involvement is probably to be explained by his territorial ambitions. Situated as it was on the Ouse, Selby castle threatened not only the trading ships on their way to York but also the earl's hundredal manor of Howden and the archiepiscopal hundredal manor of Sherburn which he aimed to control.¹⁶⁵ Several estates belonging to Sherburn, including land in Selby itself, were already held of the archbishop by the abbot of Selby¹⁶⁶ and therefore under the *de facto* control of Henry Lacy. Although the abbey was

¹⁶¹ *Selby Coucher*, i, 33; *HRH*, 69. It is possible that his relationship with Henry of Lacy stemmed from a marriage between Ralph Paynel and a daughter or sister of Ilbert of Lacy, Henry's great grandfather. Elias was Ralph's son by a second wife. See *EYC*, xi, 4-5, 38. A family relationship is also suggested by the fact that the Paynels held an under-tenancy of the Lacys in 1086: *EYC*, vi, 59.

¹⁶² *Selby Coucher*, i, 33

¹⁶³ *Selby Coucher*, i, 37-9. Labbe's text of the *Historia*, employed by Wightman, has a blank space where the toponymic surname of the earl should be. Unable to identify the 'Earl William' mentioned in the text, and to ascribe a date to the war, Wightman could only suggest that the fighting was the outcome of local rivalry between Henry of Lacy and the Laval family for control of the honour of Pontefract. After the forfeiture of Robert I of Lacy in 1114 the honour of Pontefract passed to Hugh of Laval who was in possession of the Lincolnshire estates by 1115 x 1116. After Hugh's death, in or before 1129, it was purchased along with his wife by the financier William Maltravers who held it until his murder by one of the knights of Pontefract in 1135. It was then restored by King Stephen to Ilbert II of Lacy. Hugh of Laval, however, had heirs who preserved a family claim to the honour and in Henry II's reign succeeded in securing control of twenty knights' fees. See Wightman, *Lacy Family*, 76-7, 88-9; *Red Book*, i, 421; Stenton, *First Century*, Appendix no. 4; *Ancient Charters*, 8-9, 35-8; *Pipe Roll 31 Henry I*, 34. 'Earl William', however, has subsequently been identified from an alternative manuscript source as the earl of York: P. Janin, 'Note sur le manuscrit 10940 de la Bibliothèque Nationale de Paris', *Bibliothèque de l'école des Chartes*, 27 (1969), 233 note 2.

¹⁶⁴ At this time the honour was probably under attack by Roger of Mowbray and Gilbert of Gant who may have fostered rival claims to some of its component estates. Ilbert II of Lacy had been captured by Ranulf of Chester at the battle of Lincoln in 1141 and probably died in the earl's captivity. Ranulf also captured Gilbert of Gant and Roger of Mowbray. Both men were forced to marry at the earl's direction, the former to Ranulf's niece, Rohese of Clare, the latter to the widow of Ilbert II of Lacy, who happened to be Gilbert of Gant's sister, Alice. Gilbert of Gant refers to a war fought against Henry of Lacy in a charter granting recompense to Pontefract priory for the damage he had caused it. Roger of Mowbray's hostility is evident from a charter of recompense granted to Selby abbey. See Wightman, *Lacy Family*, 77, 87; *Mowbray Charters*, xxvii-viii and notes, nos. 229, 255; Symeon, *Opera*, ii, 308; *Complete Peerage*, vii, 672-3; English, 'The counts of Aumale', 381, no. 126.

¹⁶⁵ Selby was also well situated for securing control of the manor of Snaith, five miles to the south, the probable centre of Osgoldcross wapentake, portions of the sokeland of which were held by the Lacys in 1086: *DB*, i, 315b, 330b, 331b. The church of Snaith belonged to the abbey of Selby and the archbishops of York may have had grounds for a rival claim: *Monasticon*, vi, 1178; *Historians of York*, ii, 111; *Regesta*, ii, no. 495; *EYC*, i, 472-3; *Episcopal Acta V*, no. 10. Roger of Mowbray is known to have seized an outlying portion of the manor belonging to St. Mary's abbey York at Ousefleet: *Mowbray Charters*, no. 318; *EYC*, i, no. 470 and note. For the component parts of the manor of Snaith see *VCH, Yorkshire*, ii, 298n, 301n. Selby abbey also controlled the Lincolnshire hundred of Crowle: *Mowbray Charters*, no. 1; *Regesta*, ii, nos. 888-9, 978, 1868.

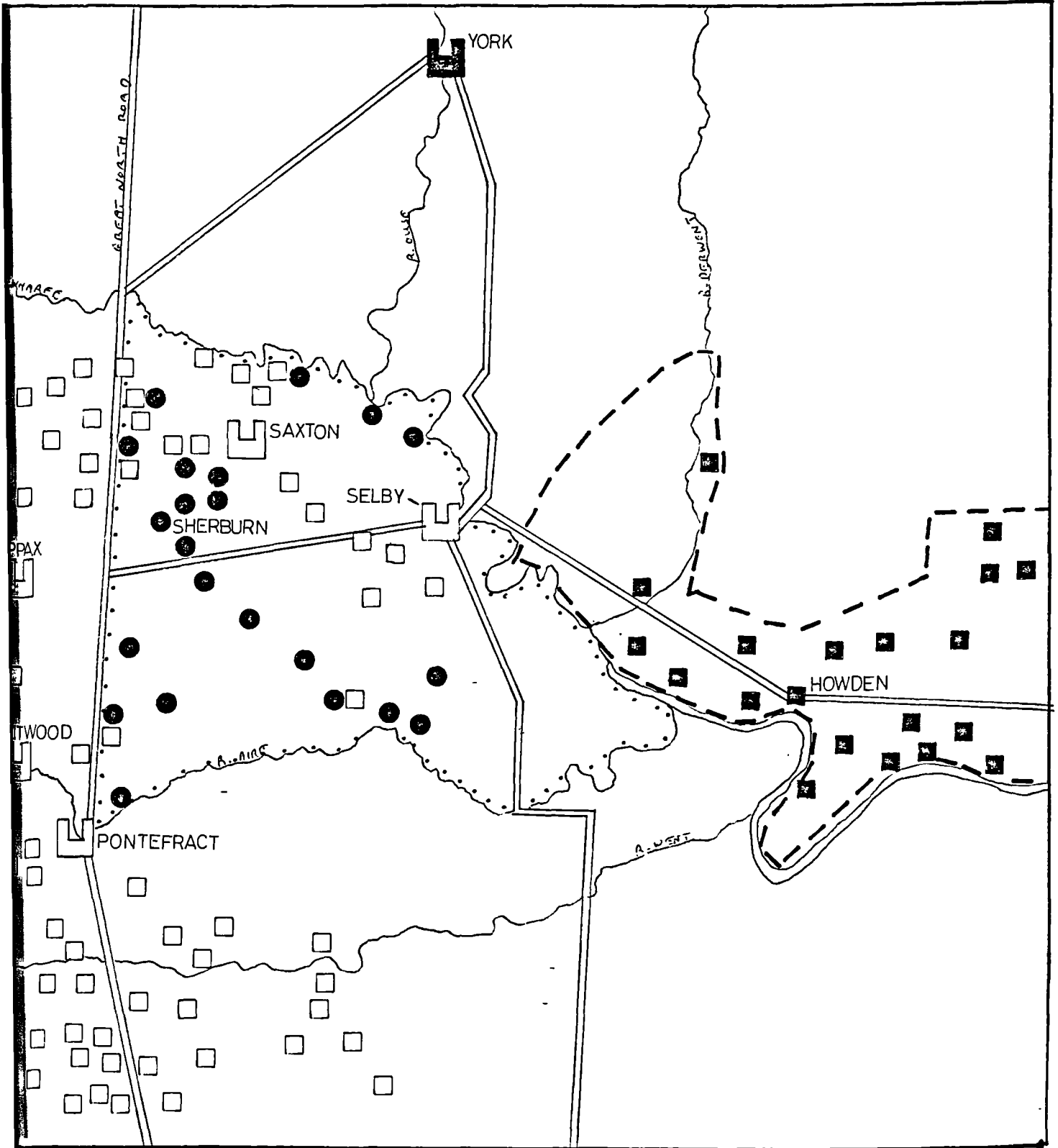
¹⁶⁶ The estates also included lands in Hillam, Monk Fryston, Thorpe Willoughby and Wistow: *DB*, i, 302b; *VCH, Yorkshire*, ii, 210 note 5; *Episcopal Acta V*, nos. 4, 5, 21.

MAP 35

THE SELBY WAR

KEY

- | | |
|--|--|
| <ul style="list-style-type: none"> CASTLE HELD BY THE EARL OF YORK ESTATE " " " " " " CASTLE " " HENRY OF LACY ESTATE " " " " " " " BELONGING TO ARCHBISHOPRIC | <ul style="list-style-type: none"> BOUNDARY OF BARKSTON ASH WAPENTAKE " " HOWDEN HUNDRED <p style="text-align: right;">SCALE ONE INCH = 2½ MILES.</p> <div style="text-align: center;"> <p>0 5</p> </div> |
|--|--|



directly subject to the archbishop¹⁶⁷ the election of Abbot Elias, who was deposed by Archbishop Henry Murdac in 1152,¹⁶⁸ had been conducted without reference to archiepiscopal authority and probably at the direction of Henry of Lacy. Here again Earl William had a convenient excuse with which to cloak his private ambitions.

A further example of Earl William's readiness to exploit the York archiepiscopal election dispute for private advantage against the wishes of the king is seen in the case of St. Peter's hospital York whose master, Robert, was one of the group of heads of religious houses in Yorkshire opposed to the election of William fitz Herbert. In 1140, as we have seen, Stephen commanded Earl William that Robert and his men should have the king's peace and not be impleaded concerning their lands until the consecration of a new archbishop.¹⁶⁹ The order implies that William was manipulating his judicial position at York in order to deprive St. Peter's of its property, and it appears that it went unheeded. A letter of Alberic, cardinal bishop of Ostia, dated 1142 and addressed to the reforming party opposing Fitz Herbert,¹⁷⁰ reveals that their houses and property were about to be confiscated, their Orders under threat of expulsion, and their lives in danger. The following year St. Bernard himself wrote a letter to the pope warning him that the destruction of the monasteries was imminent and that the abbots and monks were prepared to go into exile rather than submit to a symoniacal archbishop.¹⁷¹ Bernard's warnings are given substance by a long series of papal, royal and archiepiscopal charters granting protection to the houses opposing the election of Fitz Herbert.¹⁷² In one document Archbishop Theobald of Canterbury offered a release of twenty days penance to all who, for the provision of lodgings and repair of buildings, would make grants to St. Peter's hospital which was now unable to house and support the sick because of the destruction of

¹⁶⁷The abbey appears to have been granted by William Rufus to Archbishop Thomas I in compensation for losing his claim to jurisdiction over Lincoln, Lindsey, Stow, Louth and Newark which the king adjudged to the bishop of Lincoln. A charter of Archbishop Thomas II refers to the abbey as 'subject to the see of York' (*ecclesia de Selby Eboracensis ecclesie potestati subdita est*). The powers implicit in this statement are obscure but appear to have included the right to intervene in abbatial elections. In 1136 Archbishop Thurstan proposed the election of Walter, prior of Pontefract, and in 1152 Archbishop Henry Murdac deposed Abbot Elias Paynel and replaced him by his own candidate. See *Episcopal Acta V*, xii, no. 21 and note; Hugh the Chantor, 8-9; Henry of Huntingdon, 216; *Selby Coucher*, i, [44]-[45]; *Registrum Antiquissimum*, i, no. 4; *EYC*, i, no. 126; *Historians of York*, iii, 66; *Selby Coucher*, 44-5.

¹⁶⁸*Selby Coucher*, 44.

¹⁶⁹*Regesta*, iii, no. 991.

¹⁷⁰Symeon, *Opera*, ii, 311, 313.

¹⁷¹Talbot, 'New documents', 4-5.

¹⁷²*Regesta*, iii, no. 983; *EYC*, i, nos. 173-4, 177, 179-82, 184-8.

its buildings, plunder of its animals, depopulation of its towns and devastation of its lands.¹⁷³

By 1149 there are indications that Earl William had withdrawn his allegiance to the ecclesiastical party supporting William fitz Herbert at York,¹⁷⁴ and he is known to have engaged in open military conflict against the king at this time. In 1148, superficially at least, he was still toeing the royal line. He was implicated with the treasurer of York, Hugh of Puiset a nephew of the king,¹⁷⁵ in organizing opposition to the new archbishop, Henry Murdac, who had been consecrated at Treves in 1147 by Pope Eugenius III after the deposition of Archbishop William fitz Herbert who had been promoted by the king. When Archbishop Henry arrived in Yorkshire in 1148 to take up his appointment the city of York refused to acknowledge him, and he was forced to retire to Ripon from where he excommunicated the citizens of York, Hugh of Puiset and the earl of York. In defiance of the anathema Hugh maintained the performance of ecclesiastical services in York and pronounced his own excommunication on the archbishop.¹⁷⁶ Before the end of the year, however, the situation was already changing. Hugh of Puiset left York to look after the bishopric of Winchester during the absence of the bishop in Rome, and 'on his removal to this distance, his associates became more moderate in their opposition to Archbishop Henry'.¹⁷⁷ There are indications that the drift of support away from the king continued in the following year. In 1149 Stephen came to York to oppose the allied forces of King David of Scotland, Henry of Anjou and Ranulf earl of Chester who, probably at the instigation of Archbishop Henry,¹⁷⁸ planned to capture the city.¹⁷⁹ At some point

¹⁷³ *EYC*, i, no. 183. The responsibility for the demise of the house was not Earl William's alone. Alan of Richmond, Roger of Mowbray and certain tenants of William Fossard had also encroached upon its property: Symeon, *Opera*, ii, 306; *EYC*, iii, nos. 1823, 1825-6; *Mowbray Charters*, no. 103; *EYC*, ii, no. 1125.

¹⁷⁴ The party was headed by the dean of York and royal chancellor, Robert of Gant, who was the supreme ecclesiastical official in York next to the archbishop and acted in his place during vacancies and absences. In the 1140s he issued charters normally issued by the archbishop, confirmed the election of heads of monastic houses and supervised the establishment of a bishop in the Isle of Man. See C.T. Clay, 'Notes on the chronology of the early deans of York', *YAJ*, 34 (1938-39), 366-70; *YMF*, i, 51-4; *Furness Coucher*, ii, 709; *Regesta*, iii, x.

¹⁷⁵ For Hugh see C.T. Clay, 'The early treasurers at York', *YAJ*, 35 (1940-43), 10-11.

¹⁷⁶ Symeon, *Opera*, ii, 322.

¹⁷⁷ Symeon, *Opera*, ii, 322

¹⁷⁸ Archbishop Henry is known to have been in close contact with the Scottish court. In 1147 Bishop Adelulf of Carlisle, who was loyal to King David throughout the 1140s, was one of those present at Henry's consecration at Richmond. In 1148 and 1153 the archbishop visited Adelulf and David at Carlisle. 1148 was also the year St. Malachy made his second excursion to Yorkshire after visiting King David at Carlisle. He stayed for a time at the Austin house of Guisborough founded by the Brus family who had close connections with Scotland. Cuthbert prior of Guisborough was one of the party of reformers who had opposed the election of William fitz Herbert. Close links with Archbishop Henry and Scotland are also suggested by his choice of the prior of Tynemouth to succeed the deposed Abbot Elias of Selby in 1152, and by charters issued by David's nephew, William fitz Duncan, recognizing his authority and making gifts to his former abbey of Fountains. See Symeon, *Opera*, ii, 298-9, 313, 320-2, 326, 328; *Chronicles of the Reigns*, iii, 167-76; J. Wilson, 'The passages of St. Malachy', *SHR*, 18 (1921), 69-82; *Selby Coucher*, i, 44-5; *EYC*, vii, nos. 14-15.

¹⁷⁹ Symeon, *Opera*, ii, 323; Henry of Huntingdon, 287.

the allies abandoned the campaign¹⁸⁰ and Stephen stayed on for a time in Yorkshire to 'suppress the hostilities that were on the increase around York', a programme involving the destruction of hostile castles and construction of others in more suitable places, before going on to Lincolnshire in order to campaign against Ranulf earl of Chester.¹⁸¹ After his departure his son Eustace came to York to find 'the sacred offices discontinued',¹⁸² implying that the supporters of Archbishop Henry, who had placed the city under an interdict, were gaining the upper hand there. It may have been at this time, and in response to the archiepiscopal excommunication, that coins of Stephen Type I minted at York were defaced.¹⁸³ If Earl William was still supporting William fitz Herbert all this is difficult to explain. That he had switched his allegiance to Archbishop Henry is also suggested by his establishment at Meaux of a Cistercian daughter house of Fountains abbey where Henry had been abbot. The foundation arrangements were almost certainly underway before the archbishop's reconciliation with the king in 1151.¹⁸⁴

It is possible that the earl had become involved in the 1149 alliance. His close family connections with the Scots court and aristocracy may have encouraged him to transfer his allegiance to King David.¹⁸⁵ At some point in the 1140s he had also married his sister, Agnes, to the eldest son of William I of Roumare earl of Lincoln, a half-brother of Ranulf of Chester, and had endowed the young

¹⁸⁰The allies had planned to assemble their forces at Lancaster and there is some evidence that this took place. William fitz Gilbert of Lancaster, an important Cumberland magnate and retainer of the king of Scotland, witnessed a charter of Earl Ranulf issued at Lancaster which probably dates from 1149: *Chester Charters*, no. 88.

¹⁸¹*Gesta Stephani*, 216, 220, 222.

¹⁸²Symeon, *Opera*, ii, 324.

¹⁸³It has been argued that the defaced pennies which include coins of several mints in eastern England reflect certain moneyers responding to the interdict placed upon the church in 1148 by Archbishop Theobald of Canterbury. The defacement often takes the form of a crucifix mark hammered across the king's sceptre, shoulder or face. See P.J. Seaby, 'King Stephen and the Interdict of 1148', *BNJ*, 50 (1980), 51-60; P.J. Seaby, 'The defaced pennies of Stephen from Sussex mints', *BNJ*, 56 (1986), 104-7. It must be said, however, that only two coins of this type from York are known and the defacement takes the form of two parallel lines struck across the obverse from face to face. For an alternative interpretation of the coins see Mack, 'Anarchy', 59-63.

¹⁸⁴The official foundation date of Meaux is 1 January 1151. John of Hexham states that in 1150 Archbishop Henry lifted his ban of excommunication on the treasurer, Hugh of Puiset, and engaged in negotiations with the king's son Eustace who laid aside his hostility. The formal reconciliation with the king came in 1151 and Archbishop Henry did not obtain entry into York until the 25th January. The arrangements for establishing Meaux must have preceded even the reconciliation with the king's son. The chronicle of Meaux relates that the monks of Fountains had recourse to St. Bernard for assistance in procuring the necessary dispensation from Pope Eugenius III, and after obtaining his help surveyed the earl's estates for a suitable site. All this must have taken a considerable amount of time. See Symeon, *Opera*, ii, 325; *Chronica de Melsa*, i, 76-83; Poole, 'Appointment and deprivation of St. William', 280; Gleber, *Papst Eugen III*, 163-5. Archbishop Henry gave land in Wawne to Meaux together with a ferry over the river Hull: *Chronica de Melsa*, i, 93. Friendly relations between Henry and Earl William are also suggested by the archbishop's confirmation c.1151 of the gifts made by William II of Roumare and his wife Agnes of Aumale to the canons of Warter priory and of their proposal to transfer the site of the house to Seaton Ros: *EYC*, x, no. 67; *Episcopal Acta V*, no. 128.

¹⁸⁵His grandmother, Adelaide, was the grandmother by another marriage of David's wife, Matilda. His kinsman, Waltheof, had been brought up at the Scots court. And his niece, Eufemia, married Robert II of Brus lord of Annandale. See White, 'King Stephen's earldoms', 52; *EYC*, iii, no. 1352.

couple with the royal hundredal manor of Warter.¹⁸⁶ It was doubtless this close family relationship that motivated the earl of York to support his relatives in a war fought in the period c.1149 x c.1151 against King Stephen and his new earl of Lincoln, Gilbert of Gant, who had been set up in opposition to Roumare.¹⁸⁷ In response to Gilbert's capture of his Lincolnshire *caput* and castle of Bytham the earl of York, assisted by Eustace fitz John constable of Chester,¹⁸⁸ destroyed the Gant castle of Hunmanby the administrative centre of Turbar hundred in the East Riding (Map 32).¹⁸⁹ Whether William was fighting simply out of family loyalty or because he had become involved in the great alliance of 1149 is unclear. What is certain is his continuous pursuit of territorial and jurisdictional ambitions in opposition to the king, and the detrimental impact of this opposition on royal authority. Even before the outbreak of open war against the king, Stephen's presence in Yorkshire in 1149, the disturbed state of the countryside, the proximity of adulterine castles to York¹⁹⁰ and the royal castle construction programme reflect a king struggling to maintain control.

The evidence suggests that Stephen came close to losing control of Yorkshire in the period 1149 x 1151, and that his reconciliation with Archbishop Henry Murdac early in 1151 was forced upon him by a growing crisis. Although he retained control of York the city was almost certainly a tiny royal island amidst a hostile sea, and the extent of the emergency is demonstrated by Stephen's decision to leave his son in charge there.¹⁹¹ Even in better days the territorial extent of royal influence in Yorkshire was limited. For all his power the earl of York had been unable to prevent the election of Archbishop Henry at Richmond in 1147, and the new incumbent was able to take shelter within

¹⁸⁶ Professor King has tentatively dated the marriage to c.1145: King, 'Parish of Warter', 51.

¹⁸⁷ *Chronicle of Langtoft*, i, 485; *Gesta Stephani*, 220, 222. Gilbert of Gant was made earl of Lincoln in or shortly after 1149: M.R. Abbot, 'The family of Gant and its estates in the eleventh and twelfth centuries' (Univ. of Cambridge, Ph.D. thesis, 1973), 45, 312, no. 59. Dr. English confuses the war with the earlier hostilities of the earl of York, Gilbert of Gant and Ranulf of Chester in 1143, and argued that 'By 1149 the civil war was over' and earl William had already come to terms with Gilbert of Gant. The war referred to by the Langtoft chronicle, however, was fought for the 'shrievalty', that is the earldom, of Lincoln which must place it after the creation of Gilbert of Gant as earl. The dating is also supported by the fact that the earl of York's brother was killed in the fighting, and this can only have been his brother-in-law, William II of Roumare, who is known from independent sources to have died c.1151. That the Bridlington and Langtoft wars are distinct is also suggested by the fact that in the former Earl William was the enemy of Ranulf of Chester whereas in the latter he was his ally. See English, *Holderness*, 22; *Complete Peerage*, vii, 670; *Danelaw Documents*, no. 516.

¹⁸⁸ Eustace witnessed a charter of Ranulf of Chester either shortly before or shortly after Ranulf met King David and Duke Henry at Carlisle in 1149: *Chester Charters*, no. 90.

¹⁸⁹ *Chronicle of Langtoft*, i, 485. Hunmanby was by far the most valuable manor in Turbar hundred in 1066 and had berewicks or sokelands in six neighbouring vills: *DB*, i, 326a.

¹⁹⁰ Such as Wheldrake which was situated only ten miles to the south-east of York and which had been harassing the city: Symeon, *Opera*, ii, 323.

¹⁹¹ Eustace was at York in 1149 and presumably based there in 1150 when he had a private interview with Archbishop Henry at Beverley: Symeon, *Opera*, ii, 324-5.

the ecclesiastical jurisdictional enclaves of Beverley and Ripon.¹⁹² It was at Beverley that the king himself tried and failed to build a castle in 1149.¹⁹³ Thereafter it appears that, with the exception of the royal chancellor and dean of York, Robert of Gant, and his nephew, Hugh of Puiset, who remained in control of York, the king could count on little aristocratic support in Yorkshire.¹⁹⁴ The chroniclers are silent but the royal charters indicate that the northern magnates stayed away from Stephen's court. Gilbert of Gant and his brother Robert, who obtained a grant of the Paynel heiress and honour from Stephen, appear to have been the only magnates in Yorkshire loyal to Stephen at this time.¹⁹⁵ His opponents were probably many. Roger of Mowbray supported the great alliance of 1149¹⁹⁶ while William of Percy,¹⁹⁷ Henry of Lacy¹⁹⁸ and William Fossard¹⁹⁹ may have been at least sympathetic towards it. The nadir came in 1151 when King David of Scotland re-established his nephew William fitz Duncan in the lordship of Skipton-in-Craven.²⁰⁰ The wolves were closing

¹⁹²Symeon, *Opera*, ii, 320, 322, 323, 329.

¹⁹³Symeon, *Opera*, ii, 323.

¹⁹⁴Robert was chancellor from 1140 to 1154 and dean of York 1147 x c.1157. Hugh was treasurer from c.1143, in succession to William fitz Herbert, until his election as Bishop of Durham in 1153. Both men were stated to have been promoted in the church of York by William fitz Herbert and both opposed the election of Archbishop Henry. See Clay, 'Deans', 366-70; Clay, 'Treasurers', 10-11; Symeon, *Opera*, ii, 320-2; *Regesta*, iii, x; Newburgh, *Historia*, 56.

¹⁹⁵*ECY*, vi, 33.

¹⁹⁶*Mowbray Charters*, xxvi vii.

¹⁹⁷William II of Percy was lord of Wheldrake, the site of the castle that had been harassing York and had been seized by Stephen in 1149: Symeon, *Opera*, ii, 323; *DB*, i, 322b. The seriousness of the threat posed by the castle is reflected by the fact that in the reign of John the tenant of Wheldrake, Richard Malebisse, had his permission to fortify Wheldrake withdrawn after complaints from the sheriff of Yorkshire and citizens of York: *ECY*, xi, 192. The Percys also had close links with the Scots and Ranulf of Chester. Several brothers of William II of Percy pursued careers in Scotland, and one, Alan, fought with King David at the battle of the Standard. Between 1145 and 1153 another brother, Walter, married Avice Meschin, a daughter of the earl of Chester's cousin, William Meschin, and a sister-in-law of William fitz Duncan nephew of King David: *ECY*, xi, 2-3; *ECY*, vi, 33; *ECY*, vii, 4-8. It may be significant that Thomas Darel who held Wheldrake of the Percys in the reign of Stephen, and who witnessed a charter of William II of Percy c.1147 x 1154, named one of his sons Duncan. See *ECY*, xi, 187-9, no. 14. William II of Percy married Alice of Tonbridge a niece of Ranulf of Chester and witnessed two of the earl's charters: *ECY*, xi, 3; *Chester Charters*, nos. 35, 73, dated 1130 x 1140 and 1144 x 1145 respectively. He may also have supported the election of Archbishop Henry. In 1147 or 1148 he founded the Cistercian abbey of Sallay in Cravenshire as a daughter house of Newminster which was itself a daughter of Murdac's former house of Fountains. The foundation grant was witnessed by the important Mowbray tenants William of Arches and Bertram Haget: *Sallay Chartulary*, i, 1, *ECY*, xi, no. 12; *Mowbray Charters*, xxv, xxxv and note, xxxix. Ailward a canon of Beverley who witnessed charters of Archbishop Henry also witnessed a charter of William II of Percy to Whitby abbey in the period 1145 x 1153. The gift was confirmed by the archbishop himself: *ECY*, xi, no. 9 and note; *ECY*, ii, no. 878. The exalted marriages arranged by Henry II for the daughters of William II of Percy also suggest a reward for past loyalty: *ECY*, xi, 5-6.

¹⁹⁸Like Roger of Mowbray, Henry of Lacy had close links with the allies of 1149. His estates centred on Clitheroe to the west of the Pennines were at the mercy of the Scots who had beaten his forces there in 1138 and who controlled Cumberland: *VCH, Lancashire*, i, 286, 313-14. Henry married the daughter of Eustace fitz John constable of Chester. A charter of Ranulf of Chester issued c.1143 x 1144 bestowing lands on Henry in Nottinghamshire close to estates held by Eustace fitz John, suggests that the marriage may have occurred towards the end of Stephen's reign. As well as founding a daughter house of Fountains at Barnoldswick in 1147 Henry was one of the earliest benefactors of the Percy house of Sallay. His brother Jordan witnessed a charter of William fitz Duncan issued at Skipton 1146 x 1153. See Wightman, *Lacy Family*, 178, 245-6; *Memorials of Fountains*, i, 90-3; *Sallay Chartulary*, i, 34-5; *Regesta*, iii, no. 797; *ECY*, vii, no. 14.

¹⁹⁹Fossard witnessed a charter of Earl William c.1150 and was among the few early benefactors of Meaux abbey: *ECY*, iii, no. 1379; *Regesta*, iii, no. 583.

²⁰⁰Symeon, *Opera*, ii, 326. That John of Hexham is not confusing this with the events of 1138, when William fitz Duncan devastated Cravenshire and first secured control there, is indicated by the charters granted by William towards the end of Stephen's reign disposing of property belonging to the honour of Skipton, one of which was issued at Skipton: *ECY*, vii, nos. 14-15.

in and there was no choice but to turn to Archbishop Henry and the church for help.²⁰¹

Although the reconciliation with Archbishop Henry appears to have eased the tension in the north, and Stephen was able to recover the loyalty of Mowbray²⁰² and Lacy,²⁰³ his problems were far from over. The chapter of St. Peter's remained divided, as it had been for most of the reign, between those supporting and those opposing the election of royal candidates to the episcopal offices in the north. In 1153 the election of Hugh of Puiset as bishop of Durham provoked a fresh crisis. It was opposed by Archbishop Henry who was expelled from York by the citizens on the grounds of contempt of the royal prerogative. Despite the efforts of Stephen's son Eustace, who came to him at Beverley to persuade him to return, Henry remained in exile until his death later in the year. Moreover, Stephen's rift with the earl of York may well have been permanent. With the exception of the treaty of Westminster in 1153 it is impossible to date any royal charter addressed to the earl or witnessed by him with certainty to the period 1149 x 1154. William is conspicuously absent from the records of 1153, and it is significant that Henry of Anjou did not campaign against him. The earl appears to have balanced his willingness to sanction the resurgence of monarchical authority with a determination to preserve the local power he had built up in Yorkshire. In 1155 this determination brought Henry II on the first of very few excursions to the north.²⁰⁴ Although securing William's submission the new king was forced to compromise. William was allowed to retain the royal hundredal manor of Driffield and the Brus estate of Danby for the rest of life, secured control of the custody of the Fossard heir²⁰⁵ and lordship of the important barony of Copeland in Cumberland,

²⁰¹ Although John of Hexham describes Stephen's reconciliation with Archbishop Henry before the restoration of William fitz Duncan to Cravenshire, the king may have been expecting the Scottish campaign. The importance of the archbishop in maintaining control is reflected again in 1153 when the King's son, Eustace, travelled to Beverley and attempted to persuade Archbishop Henry to return to York after his expulsion from the city: Symeon, *Opera*, ii, 329.

²⁰² On the 17th of August 1153 Roger issued a recompense charter for St. Peter's York in the chapter house in which Stephen's title as king was recognized: *EYC*, iii, no. 1823. His support for Stephen is also suggested by his exclusion under Henry II from the royal circle of patronage and the fact that a portion of his Norman estates were not confirmed to him until August 1154: *Mowbray Charters*, xxix-xxx, no. 19. Roger may also have been alarmed by the gifts made by Duke Henry to Ranulf earl of Chester in the early months of 1153 which gave the earl considerable powers in the regions of Normandy close to Mowbray holdings. Henry raised the earl's status from *vicecomes* to *comes* which, together with the gift of whatever he had in the Avranchin except the land of the bishop and the abbey of Mont St. Michael, gave Ranulf the same extensive authority as he held in the county of Chester. In addition Ranulf received the castle of Vire which was situated only a few miles from the *caput* of the Mowbray honour at Montbray. Roger may also have seen the hostility of the earl of York and King Stephen as an opportunity to secure custody of York castle which had probably been held by his father in the reign of Henry I, and which had almost certainly passed to the earl in 1138: *Mowbray Charters*, xxv.

²⁰³ Henry felt it necessary to obtain two separate pardons from Henry II: *EYC*, iii, nos. 1449-50.

²⁰⁴ Henry appears to have visited York only six times in his long reign - 1155, 1158, 1163, 1175, 1180, 1181: Eyton, *Itinerary*, 5, 33, 62, 230, 242.

²⁰⁵ William appears to have been able to exploit the custody, which began c.1169, for his own advantage: *Chronica*

and received many other privileges from Henry II throughout his long reign.²⁰⁶ The new king's concern for Yorkshire in 1155, and his concessions there, provide an additional measure of both the power of Earl William and the relative vulnerability of royal authority in the county during the reign of Stephen.

The disintegration of royal authority in Yorkshire began in 1138 when Stephen was forced to place the *comitatus* in the hands of William count of Aumale. In the decade that followed royal authority took second place to William's private ambitions. The institutions of government were either allowed to decay, as in the case of exchequer practice, or were exploited for the earl's own purposes, as with the royal demesne manors and coinage. A close analysis of William's involvement in the internal politics of the county betrays the same priority of self-interest. That so many royal hundreds, with their associated castles and forests, fell into his hands in a county where the king was a distant, almost anonymous, figure and everything depended upon a personal relationship was a recipe for disaster (Map 32). When the relationship was amicable, as it was for part of Stephen's reign, the king could afford to leave Yorkshire to itself, but when the relationship disintegrated, as it did in 1142 and 1149, Stephen was forced to campaign in the north in order to re-assert his authority. His presence, however, could never be more than short-lived, and consequently his success was limited. Exercised at second hand through the agency of William earl of York royal authority could not compete with the plethora of territorial and family rivalries stimulating war and disorder

de Melsa, i, 104. He detached the important manors of Egton and Lythe in Langbargh wapentake from William's possession: *EYC*, ii, 12-13, 328-9. He may also have granted portions of the honour formerly belonging to the sokeland of the manor of Driffeld to several of his tenants. The Ros family, for example, held a tenancy of one knight's fee of the new enfeoffment of Fossard in 1166 situated in the vills of Middleton-on-the-Wolds, Kiplingcotes and Etton: *Red Book*, i, 407; *EYC*, ii, 332; *Yorks. Inq.*, i, 196. In 1086 a portion of the land in Middleton held by Nigel Fossard was sokeland of Driffeld: *DB*, i, 306b. There may have been a deliberate policy designed to build up influence in and around the manor of Driffeld. The Ros family also secured a tenancy of the portion of Middleton belonging to the Paynel family: *DB*, i, 306b; *EYC*, ii, 399; *Yorks. Inq.*, iii, 118. It is significant that the Fossards held land in or close to many of the hundredal manors secured by William in Stephen's reign, including Howden: *Regesta*, ii, no. 546.

²⁰⁶ Although forced to surrender Scarborough the continued presence of William's steward, Robert of Ros, and the fact that the farm of the manor does not appear in the royal accounts until 1163 x 1164 may indicate that he continued to collect and pocket it himself: *Pipe Roll 7 Henry II*, 36; *Pipe Roll 10 Henry II*, 12. In addition a large debt of 400 marks owed to the king in 1160, and still unpaid in 1162, is not recorded in the roll of 1164 and may have been waived: *Pipe Roll 6 Henry II*, 14; *Pipe Roll 7 Henry II*, 36; *Pipe Roll 8 Henry II*, 50; *Pipe Roll 9 Henry II*, 57. In fact with the exception of the 1168 aid for the marriage of the king's daughter and scutage in 1172 William appears to have been exempt from royal financial exactions throughout the reign of Henry II: *Pipe Roll 14 Henry II*, 90; *Pipe Roll 18 Henry II*, 62. Henry also appears to have allowed William to mint coins of Stephen Type VII at his trading borough of Hedon in Holderness: Mack, 'Anarchy', 55-8. The borough was granted privileges equal to those of Lincoln and York: *Recueil des Actes*, i, no. 334. That relations between Henry and William were harmonious is also suggested by charters issued by the latter which display good Angevin sentiments: *EYC*, iii, nos. 1308-9.

in Yorkshire, especially when the hundredal manors that formed the basis of royal power were the prizes at stake. All this does not square easily with Professor Warren's thesis that Stephen aimed to introduce a new decentralized style of government based upon the upgraded authority of earls. If Stephen alienated governmental authority to the powerful men of the localities he did by grants of *comitatus* rather than earldoms, and out of necessity rather than choice. In Yorkshire the policy created more problems than it solved. The most critical assessment of the extent of the failure is that of William of Newburgh. For him William earl of York was 'more truly the king beyond the Humber than King Stephen'.²⁰⁷

The Internal Politics of the Honour and the Question of Anarchy

The discussion of government and politics so far has been primarily concerned with the institutions of central administration and the policies of the most influential magnates. Although valuable in itself the shortcomings of such an approach are patent. Feudal society, like any other society, was multi-dimensional, and its politics embodied a complex interplay of mutable influences acting and reacting upon one another depending upon particular circumstances and the strength or weakness of individual relationships. One of the most important of these relationships was that between lord and man. As Duby revealed in his study of the Maconnais in the eleventh and twelfth centuries, such relationships could be formed and transformed by the breakdown of central authority and, in turn, influence the way in which central authority was exercised. A discussion of control in Stephen's reign must therefore take account of the internal politics of the honour.

The picture portrayed by Duby was necessarily complex. In the late twelfth century the counts of the Maconnais began to lose control over their *pagus*. The institutions of central government began to disintegrate in the face of the growing power of the local castellans and immunist churches. In order to retain a vestige of control the counts were forced to alienate their demesne estates, forests and seignorial rights. As the castellans competed for the spoils rival claims were often abandoned in return for fealty, resulting in the formation of chains of vassalage. In the absence of central control society came to be regulated by homage and the fief alone. The regulation only worked, however,

²⁰⁷Newburgh, *Historia*, 103.

where a powerful man enfeoffed or took the homage of a weak one. Between men of more equal rank it was less effective. The relationships that did work ensured the organization of the lower nobility, who attached themselves to the lord of the local castle, became his *militēs castri* providing castle-guard and suit of court, and so brought about the emergence of territorial lordships. The knights, however, were rarely the tenants of a single lord, and along the frontiers of the military districts neighbouring lords had to compete for service through the offer of protection and easier terms of tenure. The frontiers therefore became blurred and, although some knights remained particularly attached to one lord through family ties or long tenure, by 1100 the general situation was that 'The enfeoffed knight belonging to several bands of vassals, protected by each of his patrons against all others, was virtually free of the strictest of military and judicial obligations. He was, in fact, not subject to distraint...For the upper class feudalism was a step toward anarchy'.²⁰⁸

In terms of the failure of central control, and the concomitant growing power of a competitive higher nobility, there are clear comparisons to be drawn between Duby's picture of eleventh century Maconnais and Yorkshire in Stephen's reign. But does the comparison extend to the nobility below the tenants-in-chief? Did they exploit their ties with several lords to secure freedom from the regulative constraints of lordship? In order to answer these questions the careers of two magnates from the second rank of noble society, Peter of Goxhill and Adam fitz Swain, will be examined. They illustrate that although seignorial regulation was limited in Stephen's reign, and lesser nobles were prepared to exploit the situation in order to advance their local status and authority, in the final analysis the situation might not necessarily disintegrate into complete anarchy.

Peter of Goxhill held important estates of three tenants-in-chief in both Yorkshire and Lincolnshire. His Yorkshire holdings were incorporated within the earl of York's honour of Holderness, and it is clear that Peter was among his most important tenants. In his conjectural list of knights' fees held of the honour of Holderness, Farrer ranked Peter of Goxhill as the holder of the fifth largest tenancy, with a fee of half a knight.²⁰⁹ Each of the four men with larger estates held no more than

²⁰⁸G. Duby, 'The nobility in eleventh and twelfth century Maconnais', in *Lordship and Community in Medieval Europe*, ed. F.L. Cheyette (New York, 1975), 137-55, quotation from p. 145.

²⁰⁹EYC, iii, 34. Peter's estates were probably centred on Sproatley where Ralph of Goxhill, whose exact relationship with Peter is uncertain, granted the church and land to Bridlington priory: EYC, iii, no. 1340, dated c.1147 x 1168. A Henry of Goxhill also held land in Sproatley in Stephen's reign: EYC, iii, no. 1342. Peter's importance within the honour of Holderness is also clear from his prominent position in the long witness list of Earl William's charter

one knight's fee.²¹⁰ It is almost certain that Peter also held land of Earl William in the vill of Goxhill in Lincolnshire, a portion of which was sokeland of the earl's neighbouring manor of Barrow.²¹¹ It was also in Lincolnshire that Peter's lands held of other lords were situated. In addition to an estate of five knights' fees of the old enfeoffment held of Ralph of Bayeux in Goxhill, Newhouse, Brocklesby, Habrough and elsewhere²¹² Peter also held a half knight's fee of the old enfeoffment of William I of Roumare earl of Lincoln, situated partly in Killingholme.²¹³

In the reign of Stephen Peter may have been able to take advantage of the problems and mutual rivalries of his lords in order to advance his position at their expense. Ralph of Bayeux's estates were a matter of dispute. They had been held at the Domesday survey by Alan of Lincoln and had passed to Ralph in marriage to Alan's daughter and heiress Margaret.²¹⁴ In Stephen's reign, however, a rival claim to Alan of Lincoln's honour was advanced by Ranulf earl of Chester on the basis that Alan was his mother's uncle, and it was bestowed upon the earl by Duke Henry of Normandy in the early months of 1153.²¹⁵ Ranulf's mother was also the mother of William I of Roumare who was close to his half-brother and had a natural interest in supporting Ranulf's territorial claims.²¹⁶

Very much in the thick of things Peter of Goxhill was not a man to miss his opportunities. Evidence of his aspirations can be found in the castle he built at Newhouse, where he held a court, and the abbey he founded alongside his fortress.²¹⁷ The charter recording the original endowment to Newhouse indicates that Peter had granted land in Killingholme, belonging to the tenancy-in-chief of William I of Roumare, as if it belonged to that of Ralph of Bayeux.²¹⁸ The irregularity is reflected in the confirmation charter issued by the bishop of Lincoln which lists Peter's gifts with no attempt to distinguish between those held of Roumare and those held of Bayeux. The charter simply records that both magnates had given their concession, and may well reflect an attempt to keep the church's

granting an exchange to John of Meaux in order that he might found an abbey at Meaux: *EYC*, iii, no. 1379, dated 1149 x 1150.

²¹⁰ Knight's fees on the honour of Holderness were unusually large.

²¹¹ Ralph of Goxhill and his brother Robert son of Erneis held land here: *EYC*, iii, nos. 1339, 1341.

²¹² *Red Book*, i, 387; *Monasticon*, vi, 866.

²¹³ *Red Book*, i, 376; *Monasticon*, vi, 865.

²¹⁴ Sanders, *Baronies*, 88. In one of his charters Hugh referred to Alan as his grandfather: *Monasticon*, vi, 866.

²¹⁵ *Regesta*, iii, no. 180. The relationship cannot be substantiated, and even if genuine was no basis for a viable claim in view of the fact that Alan had surviving heirs.

²¹⁶ *Complete Peerage*, vii, 667-8, 743-6; iii, 166.

²¹⁷ *Monasticon*, vi, 865; *Red Book*, i, 387.

²¹⁸ *Monasticon*, vi, 865.

options open in a bid to guarantee the gift against future disputes.²¹⁹

There is at least a suggestion here that Peter of Goxhill was exploiting, perhaps even provoking, the rivalry of his feudal overlords. Both appear to be competing for his service. Ralph of Bayeux permitted Peter's possession of a private castle, court and monastery and the concomitant elevation in his social and political status; and for his part William I of Roumare provided confirmation of Peter's gifts to Newhouse,²²⁰ granted him a valuable knight's fee composed partly of lands within the soke of his *caput* of Bolingbroke,²²¹ and tolerated Peter's profitable exploitation of tenurial disputes within his honour.

The document recording the latter concession records an agreement made in the presence of William I of Roumare at Bolingbroke between Roger of Benniworth and Peter of Goxhill. It concerns lands, including East Halton near Grimsby and Halton-le-Moor near Caistor, held in 1086 by Odo of Benniworth of Ivo Taillebois, and in Stephen's reign by Gervase of Halton of William I of Roumare. Roger and Peter made mutual promises to share the expense of recovering the estate, after which Peter was to hold half of Roger, Roger was to hold half in demesne, and Gervase was to hold the whole estate of them both for the rest of his life. In the event Roger was put in seisin of Gervase's service by the marshal of William I of Roumare, took the homage of Peter and put him in possession of his half. The document was used by Stenton, who dated it to the closing years of Stephen's reign, to illustrate the supremacy of feudal lordship.²²² In one sense he is correct, both parties to the agreement were concerned to have their scheme ratified by William I of Roumare, and in his charters to Newhouse Peter of Goxhill sought the consent of Ralph of Bayeux and referred to him as his lord.²²³ Viewed from another perspective, however, the document reveals that the supremacy was merely nominal. Peter had no justifiable claim to the estates of Odo of Benniworth, and his interference can only have been the product of his local power.²²⁴ With his castle, monastery and abundant supply of money there is no doubt that he, rather than his distant feudal overlord, was

²¹⁹ *Danelaw Documents*, no. 235, dated 1143 x 1147.

²²⁰ *Monasticon*, vi, 865.

²²¹ *Danelaw Documents*, no. 490.

²²² Stenton, *First Century*, 47-51.

²²³ *Monasticon*, vi, 866.

²²⁴ Stenton shows that Peter's overlordship of Gervase may have been effective for a time: Stenton, *First Century*, 50 and note 2.

the force to be reckoned with in the region of Newhouse in Stephen's reign.²²⁵

The career of Adam fitz Swain closely resembles that of Peter of Goxhill. At the outset of Stephen's reign Adam was one of the most important tenants of Henry of Lacy's honour of Pontefract. In 1086 his grandfather, Ailric, held twelve manors of Ilbert of Lacy in ten vills in the West Riding, and his father, Swain, an additional five.²²⁶ In 1166 William of Neville held almost eight knights' fees of Henry of Lacy in right of his wife Amabel, Adam's eldest daughter and co-heiress.²²⁷ Like Peter of Goxhill, Adam appears to have exploited the political weakness of his lord for his own tenurial advantage.

The estates of Henry of Lacy were under threat from Scottish attack throughout Stephen's reign. In 1138 a Scottish force commanded by William fitz Duncan, nephew of King David, attacked and defeated an English force at Clitheroe in Lancashire and laid waste to the surrounding area.²²⁸ Clitheroe was the site of the *caput* and castle of an extensive conglomeration of estates in Blackburnshire and Bowland belonging to the Lacys.²²⁹ Together with Cumberland and Cravenshire it may well have been subject to Scottish control for at least the remainder of Stephen's reign.²³⁰ If so the Lacy estates in the West Riding of Yorkshire were also vulnerable to attack, and this may account for the licence secured by Henry of Lacy from Stephen to hold a castle at Almondbury on the eastern fringes of the Pennines, controlling the Calder pass connecting Lancashire with Yorkshire.²³¹

For Adam fitz Swain the hostility of the Scots and Lacys posed problems. Together with his brother, Henry, he had been enfeoffed by Henry I in a number of important estates in the Vale of Eden dominating the Roman road linking Carlisle with the south.²³² Situated as they were in Scottish controlled Cumbria, continued possession of these estates depended on loyalty to King David, and this in turn could only threaten the security of Adam's Lacy estates. In spite of this

²²⁵It is significant that the knight's fee of the new enfeoffment granted to Peter by William I of Roumare does not appear in the *carta* return for the honour of Bolingbroke where he is recorded in possession of only a half knight's fee of the old enfeoffment. It may therefore have been recovered in Henry II's reign. Peter's claims to the estates of Gervase of Halton may also have been subsequently ignored. Gervase appears in the same *carta* as the tenant of four knights' fees of the old enfeoffment. See *Red Book*, i, 376-7.

²²⁶Ailric's manors were Kellington, North Elmsall, Brierley and South Hiendley, Cawthorne, Penistone, Shafton and Carlton, Hunshel Hall, Upper and Lower Danby, Upper Hopton and Lower Whitley. Swain's manors were in Dalton, East Ardsley, Dodworth and Kexborough. See *DB*, i, 316a-317b.

²²⁷*Red Book*, i, 423.

²²⁸Symeon, *Opera*, ii, 291; *Chronicles of the Reigns*, iii, 156.

²²⁹*VCH, Lancashire*, i, 312-14.

²³⁰See below, p. 195.

²³¹*EYC*, iii, no. 1446.

²³²*EYC*, iii, 317-18.

dilemma Adam not only maintained control of all his lands, but was able to considerably augment his possessions and authority within both the Scottish and Lacy spheres of lordship.

That Adam was able to maintain friendly relations with the Scots is clear from King David's confirmation in the 1140s of his grants of Cumberland estates to religious houses.²³³ Adam and his brother also witnessed several of David's charters concerning Cumberland, and obtained from him the right to farm the valuable manor of Doncaster which had been granted to David's son in the treaty of Durham in 1136.²³⁴ His close relationship with David also brought him rewards in Cravenshire which was under the control of the king's nephew, William fitz Duncan, from 1138. Adam was granted one of the eight knight's fees of the new enfeoffment in the honour of Skipton-in-Craven, and the balance of probability suggests that he owed his enfeoffment to William.²³⁵ In addition Adam secured an important under-tenancy in another new enfeoffment made to the Fleming family in an outlying portion of the honour of Skipton close to the estates he held of the Lacys in south Yorkshire.²³⁶ Adam's Skipton interests here may reflect an attempt by William fitz Duncan to guarantee the security of isolated portions of his honour vulnerable to seizure by the Lacys, by placing them in the hands of Lacy tenants who dominated the area. Adam fitz Swain's private castle at Mirfield,²³⁷ construction of a monastery at Monkbretton in c.1153 x 1154,²³⁸ and retention of his Lacy estates despite his Scottish connections, is a reflection of his power in the region.²³⁹ As with Peter of Goxhill in the region of Newhouse, so with Adam son of Swain in that of Pontefract, local authority had come to rest with the local lord of second rank.

It would appear then that Duby's study of the Maconnais has some relevance to an understanding of honorial politics in Yorkshire in Stephen's reign. The anarchy of which Duby speaks, moreover, may not have been confined to the higher aristocracy. Although the construction of private castles and monasteries by nobles of lower rank was more likely to be inhibited by a lack of resources and

²³³ *ESC*, nos. 140, 180; *Register of Wetheral*, nos. 196, 198.

²³⁴ *ESC*, nos. 187, 141, 182, 244; *Pipe Roll 4 Henry II*, 179.

²³⁵ See below, p. 184.

²³⁶ See below, 185.

²³⁷ *West Yorkshire*, ii, 455-6; iii, 736, 740-1; Cathcart King, *Castellarium Anglicanum*, ii, 522.

²³⁸ *Chartularies of Monkbretton*, v; *EYC*, iii, no. 1475. The charter founding Monkbretton, witnessed as it is by Rainald prior of Wetheral and Gospatric son of Orm, provides another illustration of Adam's links with Cumbria and the Scots.

²³⁹ The Skipton estates in which Adam had acquired an interest included Newhall, and it is significant that despite his position below William fitz Duncan and Reiner the Fleming in the feudal chain, at least one of the tenants below Adam viewed him as 'domino Newhalla' rather than simply 'domini mei': *EYC*, vii, nos. 126, 131-2 and notes.

a greater material dependency on lords, independent and disobedient behaviour was not unknown. Peter of Goxhill himself was disseised of possessions in Roxholme near Sleaford by his knight, Joce of Brun, who gave them to St. Mary's Lincoln,²⁴⁰ and many other examples of similar actions undertaken by lesser tenants may have gone unrecorded. Despite this, however, it is necessary to qualify the picture of anarchy in two important respects. Firstly, to speak of anarchy implies that Stephen's reign was somehow unusual, and this is not necessarily the case. The final chapter of this thesis will reveal that the limitation of lordship was not confined to the period 1135 x 1153. Both before and after Stephen's reign, in the face of diminishing landed resources and the emerging social aspirations of the lower orders, feudal lords from all levels in society were struggling to maintain control of their tenants and estates, and the struggle was accompanied by a considerable degree of competition and conflict. The only difference with Stephen's reign was that with the disintegration of the central judicial system, and removal of the ultimate courts of appeal and arbitration, there were greater opportunities for the strong and ambitious to exploit their position and pursue their goals. It was not that the ambitions or the conflict which they provoked had changed, it was simply that they were no longer pursued within, and limited by, a royal judicial framework, with the result that they became more numerous, resulted in more violence and hence were brought into sharper focus in the historical records.

In an important sense, however, the judicial disintegration was never complete, and this leads to the second qualification of the picture of anarchy. Although there was a failure of royal control other forces came into play to limit the level of aristocratic conflict. Professor Davis has traced a network of baronial treaties made in the latter years of Stephen's reign designed to promote peace and limit destruction,²⁴¹ and Professor King has illustrated that the leading ecclesiastical figures were having some success in bringing spiritual pressures to bear to achieve the same goals.²⁴² The same territorial, tenurial, familial and ecclesiastical influences that produced division and conflict within society could also serve to unify and pacify. So it was in Yorkshire.

A charter of Roger of Mowbray issued between 1142 and c.1154 enables us to see both sides of

²⁴⁰LRO Goxhill Leger, f. 47d-48. For Joce's tenure of Peter see 1166: *Red Book*, i, 387.

²⁴¹Davis, *King Stephen*, 113.

²⁴²King, 'Anarchy', 133-54.

the coin.²⁴³ It reveals that Roger had seized property and extracted castle works and illegal taxes from the abbey of St. Mary's York, but also that he was prepared to admit and make reparation for his wrongs. In addition the charter confirms a tenurial settlement made between the abbey and one of Roger's principal tenants, William of Arches, before 'a jury of twelve lawful men...in the presence of Augustine prior of Newburgh and the men of William of Arches to whose fee the [land] pertains'. Although the implication is that William of Arches had made a private settlement without reference to the court of his overlord, he had done so through legal procedure rather than force of arms. Seigneurial justice had given way to the justice of the local abbot and lawful men of the neighbourhood. Roger of Mowbray, for his part, stated that the assembly which met to arrange the settlement had been convoked, 'by my order' (*qui ex precepto meo*), and saw his charter as a 'conventionem et pactionem' to which he was able to bind his retainers Robert of Daiville and Hugh Malebisse in guaranteeing its terms by the provision of affidavit. The charter reveals that although limited, lordship was not entirely defunct, at least in this particular area of Yorkshire. Moreover, even when limited, lordship could be substituted by other forces, such as those of religion and neighbourhood, promoting regulation and order within society.

Just as he had made his peace with St. Mary's, Roger of Mowbray provided similar recompense to several other religious houses he had offended. Selby abbey obtained a grant of Middlethorpe near York 'pro malefactis et dampnis que intuli predictae ecclesie ita ut monachi prefati suam voluntatem de predicto manerio quod cunque maluerint faciant',²⁴⁴ and on the 17th August 1153 Roger gave lands in South Cave to St. Peter's York as recompense for damage.²⁴⁵ The gift was made in the chapter house of St. Peter's and reflects a concern to make a public point. The church was to have similar successes with Roger's neighbours, including the Earl of York, many of whom came in turn to repent their sins and to accept the settlement of the succession crisis.²⁴⁶

If the churchmen were responsible in part for bringing the secular magnates to terms, they also appear to have been intent on healing the divisions within their own ranks. When William fitz

²⁴³ *Mowbray Charters*, no. 318.

²⁴⁴ *Mowbray Charters*, no. 255.

²⁴⁵ *EYC*, iii, no. no. 1823.

²⁴⁶ Those issuing similar charters included Earl William and Gilbert of Gant: *EYC*, iii, no. 1306; Abbot, 'Gant family', 377, no. 123, 381, no. 126.

Herbert returned to Yorkshire as archbishop in 1154 he did so after calling at the abbey of Meaux and its mother house, Fountains, which had opposed his election in 1141. That the purpose of the visit was reconciliation is clear from his promise of compensation to Fountains for the damage done to the abbey by his supporters during the election dispute, and from the charter he issued for Meaux confirming land in Wawne which belonged to the archbishop's fee.²⁴⁷ At about the same time he made gifts to the canons of Nostell priory whose daughter house of Kirkham had also firmly rejected his authority.²⁴⁸ It is significant to find the prior of Nostell, together with several other former opponents of William, in the witness lists of charters issued by him at York in 1154.²⁴⁹ Churchmen as well as laymen were prepared in the long run to lay aside their differences in the interests of peace.

Conclusion

Viewed from one perspective the history of Yorkshire embodies all the elements in the traditional interpretation of Stephen's reign as a period of unrestrained anarchy. It was home to a body of aggressive and expansionist magnates who competed for wealth and power at the expense of the church and king. The result was the limitation and, ultimately in 1149, the failure of central control. And yet if we attempt to penetrate behind the actions of the barons, and to explore the motives that gave rise to them, we obtain a rather different impression of aristocratic society and feudal politics in Stephen's reign generally. In one sense Earl William and his neighbours were typical of the nobility of their era, responding to pressures and pursuing ambitions common to their class. These were above all tenurial and familial, and as such had little to do with attitudes to monarchical authority. It was natural for magnates under constant pressure to alienate their resources and provide for their families to seek to replenish their reserves through the acquisition of lands and rights. They had done so in the reign of Henry I and, as in Stephen's reign, the competition had frequently brought them into conflict. Even though the conflicts could no longer be resolved in the central or county courts between 1135 and 1154 they could still be pursued within, and restrained by, the legal, social and moral conventions pervading the notions of the nobility.²⁵⁰ This is reflected most clearly perhaps in

²⁴⁷ Knowles, 'The case of St. William', 174; *Chronica de Melsa*, i, 94, 116.

²⁴⁸ *Episcopal Acta V*, no. 97.

²⁴⁹ *Episcopal Acta V*, nos. 91, 104.

²⁵⁰ See Duby, 'The diffusion of cultural patterns in feudal society', *Past & Present*, 39 (1968), 3-10.

the career of the prominent figure in the politics of Yorkshire in Stephen's reign, William earl of York. Although prepared to undermine royal authority William sanctioned the treaty of Westminster in 1153 which initiated its restoration. It was not that he had changed, that an anarchist had suddenly seen the error of his ways and become a monarchist, but rather that the political environment had changed and William, along with many of his fellow magnates, had altered his policy accordingly. There was to be no place for independent local potentates in the reign of Henry II.

Chapter 5

The Scots in the North

The previous chapter examined the weakness of royal authority in Yorkshire in the reign of Stephen. It was argued that the grant of the *comitatus* to William earl of York in 1138 was forced upon the king by an administrative and military crisis. Stephen faced the loss, or impending loss, of his principal northern officials. He had been unable to prevent Scottish incursions into Cumbria, Northumberland and Durham in January 1136 and January 1138, and his retaliatory campaign of February 1138 had done nothing to provide security against further attacks.¹ The decision thereafter to place royal administrative and military power in Yorkshire into the hands of a single magnate resembles the strategy of previous English kings for the defence of the Welsh marches, and suggests that Yorkshire had resumed its eleventh century role as a military frontier region. The Scots secured control of Cumbria in 1136 and Northumberland in the second treaty of Durham in 1139, and in subsequent years there is evidence that they continued to extend their authority and influence within Yorkshire itself. This chapter will elucidate and explain the growth of Scottish power in the far north of England and Yorkshire in Stephen's reign, and King David's ultimate aims within the region. Its premise is that by 1135 there was a tradition of close political, tenorial and religious ties between northern England and Scotland, and that although these were re-defined after the Norman conquest and colonization of the north the tradition was maintained into the twelfth century and exploited by the Scots in Stephen's reign to establish effective control of Cumbria and Northumberland. Once

¹See above, p. 126.

King David had charge of the two border counties, the close familial and tenurial ties which they had with Yorkshire allowed him to extend his influence there. He was able to strengthen relationships with the magnates and monastic houses of Yorkshire which he had already begun to construct in the reign of Henry I. By 1149 these relationships were close enough for David to attempt his second armed invasion of Yorkshire. If the campaign had been successful, and if David had been able to come to terms with the powerful earl of York, it might have resulted in the incorporation of Yorkshire, and possibly the archbishopric, within the kingdom of Scotland.

The Anglo-Scottish Border Before 1135

Before the arrival of the Normans and, indeed, for many years after 1066 the boundaries of Scottish influence and authority in northern England were situated considerably further south than the much later 'border' that followed the lines of the Tweed in the east and the Solway and Sark in the west. In the seventh and eighth centuries the region between the rivers Tyne and Forth formed a cultural and, frequently, political unity, and it was only after the decline of Northumbria in the ninth century that the Scots of the Scoto-Pictish kingdom north of the Forth began to move south and the line of the Tweed became important.² It was not, however, in any sense a fixed border. During the eleventh century successive Scottish kings attempted to secure control of Northumbria below the Tweed by military force,³ and although ultimately unsuccessful were able to forge and maintain links with the Anglo-Scandinavian nobility of the region, some of whom were employed in the administration of the Scottish lowlands.⁴ The priory of Durham, although having to fight hard, was also able to preserve and, in time, increase its landed property held to the north of the Tweed.⁵

Scottish influence in what was to become English Cumbria was even more powerful than in Northumbria. Its origins lay in the eighth and ninth centuries when the British kingdom of Cumbria began to expand southwards from the Clyde valley, stretching eventually from Glen Falloch to the Rere Cross on Stainmore. In 945 Edmund king of Wessex overran Strathclyde and committed the

²G.W.S. Barrow, 'The Anglo-Scottish border', *Northern History*, 1 (1966), 21-42, reprinted in Barrow, *Kingdom of the Scots*, 149-54.

³There were Scottish invasions in 1006, 1018, 1040, 1091 and 1093: Kapelle, *Norman Conquest*, 16, 25, 38, 147-54, 240.

⁴G.W.S. Barrow, 'The pattern of lordship and feudal settlement in Cumbria', *JMH*, 1 (1975), 132.

⁵Barrow, 'Anglo-Scottish border', 33 For David I's grants and confirmations of land in the Scottish lowlands to St. Cuthbert's Durham before and after he became king see *ESC*, nos. 29, 32, 34, 65, 72, 89, 99, 129, 131, 177, 257.

Cumbrian kingdom to Malcolm I king of the Scots on some condition of vassalage. Although the Britons threw off Malcolm's overlordship Scottish control was restored on the death of the last Briton king in 1018 and, with the possible exception of 1055, was to remain in force for the next three-quarters of a century.⁶

The coming of the Normans resulted in the termination of Scottish control over Cumberland and Westmorland and the extension of the direct authority of the English kings to the lines of the Solway and Sark in the west and the Tweed in the east.⁷ Although the Conqueror made some progress towards integrating Northumbria beyond the Tees into his kingdom with a brutal campaign against the Northumbrian nobility, the appointment of Normans to the bishopric of Durham and earldom of Northumberland, and the construction of castles at Durham and Newcastle,⁸ the major task of conquest and colonization was left to his sons. In the east Rufus constructed Guy of Balliol's baronies in upper Teesdale and Bywell in the Tyne valley, and probably granted the Northumberland lordships of Redesdale/Prudhoe, Mitford and Callerton to the Umfravilles, Bertrams and la Vals respectively.⁹ In the west Rufus established Ivo of Taillebois in an estate later constituting the baronies of Burton-in-Lonsdale, Kendale and Copeland, constructed castles and towns at Brough, Appleby and Carlisle, brought in knights and peasants from the south to occupy them,¹⁰ and placed the region under the ecclesiastical jurisdiction of the bishop of Durham.¹¹ His efforts were consolidated by Henry I who, in addition to establishing Eustace fitz John, Walter Espec, Ranulf of Merlay¹² and several other Norman magnates¹³ in important Northumberland lordships, constructed the powerful baronies of

⁶Barrow, 'Anglo-Scottish border', 24-30.

⁷Barrow, 'Anglo-Scottish border', 26-8, 37-9.

⁸Kapelle, *Norman Conquest*, 142; Colvin, *King's Works*, ii, 745.

⁹D. Austin, 'Barnard castle co. Durham', *JBAA*, 132 (1979), 50-6; Percy Hedley, *Northumbrian Families*, i, 207-8; Kapelle, *Norman Conquest*, 147-54; L. Keen, 'The Umfravilles: the castle and barony of Prudhoe', *Anglo-Norman Studies*, 5 (1982), 171; Sanders, *Baronies*, 131, 109.

¹⁰Farrer, *Kendale*, i, p. viii-x, 1; F.M. Stenton, 'Pre-Conquest Westmorland', in *Historical Monuments Commission, Westmorland* (1936), liv; M.W. Beresford, 'Medieval town plantation in the Carlisle area', *Archaeological Journal*, 115 (1958), 215-17; *ASC*, s.a. 1092, 169; Barrow, 'Pattern of lordship', 121.

¹¹H.H.E. Craster, 'A contemporary record of the pontificate of Ranulf Flambard', *Archaeologia Aeliana*, 4th ser., 7 (1930), 37-9, nos. iii, v; *Regesta*, i, nos. 463, 478; *Episcopal Acta V*, no. 2 and note. The right of the bishop of Durham over the region came to an end when Bishop Ranulf Flambard left England to support the cause of Robert Curthose in 1101.

¹²Eustace held the barony of Alnwick and also appears to have secured custody of the old administrative centre of Northumberland at Bamburgh where the Normans had built a castle and which had been taken back into royal hands after the rebellion of Robert of Mowbray in 1095. Eustace held Bamburgh castle in the early years of Stephen's reign, and his custody under Henry I is also suggested by a royal charter granting him the land of the Arblaster (probably Hamo Balistarius the reeve) in Bamburgh, and by an allowance made to Eustace in the 1129 x 1130 pipe roll for repairs carried out on the castle gate there. Walter Espec held the barony of Wark, and the Merlays were lords of Morpeth: Sanders, *Baronies*, 103, 149, 65; Symeon, *Opera*, ii, 291; *Regesta*, ii, nos. 1279, 572, 1760; *Pipe Roll 31 Henry I*, 35.

¹³Henry created the barony of Hedstone for the Worcester family: Sanders, *Baronies*, 119.

Cumberland and Copeland for the Meschin brothers, Ranulf and William,¹⁴ fortified the walls of Carlisle,¹⁵ directed the foundation of a new priory¹⁶ and bishopric¹⁷ centred upon the city, and through his sheriffs and itinerant justices brought the region within the royal financial and judicial system.¹⁸

Although the Normans had made great strides towards the integration of Northumberland and Cumbria into the English kingdom by 1135 the process was far from complete. The feudal settlement of Northumberland and creation of new baronies was still in progress in the reign of Henry II when the barony of Langley in south Tynedale, west of Corbridge, was first organized.¹⁹ Moreover the region retained some of its old ties with Scotland. Although the northern boundaries of the new Norman baronies extended as far as the Solway, Sark and Tweed they never constituted a sharp barrier between Scottish and English political, territorial and familial influence. King David's court was something of a magnet for the sons of important Northumbrian nobles who were sent there to acquire an upbringing, education and career. Among the more famous young men who served their apprenticeships there before going on to greater things were Ailred, son of Eilaf treasurer of Durham and hereditary priest of Hexham, and King David's step-son Waltheof, grandson of Waltheof earl of Northumbria.²⁰ In Cumbria the ties were even stronger. The kings of Scotland retained control of the barony of Gilsland and estates of Scotby, Penrith, Langwathby, Salkeld,

¹⁴ *VCH, Cumberland*, i, 306; Sanders, *Baronies*, 115; Barrow, 'Pattern of lordship', 121. Ivo Taillebois' estates probably passed to Robert of Stuteville and eventually, upon his forfeiture in 1106, to Nigel d'Aubigny: *Mowbray Charters*, xxiii: Barrow, 'Pattern of lordship', 121.

¹⁵ Symeon, *Opera*, ii, 267; *Pipe Roll 31 Henry I*, 140-1.

¹⁶ The foundation of the Augustinian priory of Carlisle almost certainly followed Henry's visit to the city in 1122 and was probably a consequence of it. According to the Book of Fees Henry granted his former chaplain, Walter, lands near Carlisle at Linstoc and Karleton and allowed him to join the community at Carlisle and carry his lands with him: *Book of Fees*, i, 199; *VCH, Cumberland*, i, 422. The nucleus of the original endowment was perhaps the lands and churches granted by Walter and confirmed by the king between 1126 and 1129. When Walter died it was Henry's former confessor, Adelulf, prior of Nostell, who completed his design and brought Augustinian canons to Carlisle. Henry I made important gifts to Carlisle including tracts of forest, a string of important churches in Cumberland and Northumberland and £10 with which to build their church: *Regesta*, ii, nos. 1491, 572, 1431; *Pipe Roll 31 Henry I*, 141. For the foundation generally see J.C. Dickinson, 'The origins of Carlisle cathedral', *TCWAAS*, 45 (1945), 134-43; H.S. Offler, 'A note on the early history of the priory of Carlisle', *TCWAAS*, 65 (1965), 174-81.

¹⁷ The formation of the diocese in 1133 appears to have been an attempt to block the ecclesiastical influence of John bishop of Glasgow, who refused to acknowledge obedience to the archbishop of York, in Cumberland: Fordun, *Schoticronicon*, viii, 3; Dickinson, *Origins of the Austin Canons*, 246-50; Nicholl, *Thurstan*, 79-107, 140-2.

¹⁸ Accounts were made for the county of Northumberland and districts of Carlisle and Westmorland in the pipe roll of 1129 x 1130. The royal farm was accounted for by Odard the sheriff, Hildret and Gerard respectively: *Pipe Roll 31 Henry I*, 35-6, 140-2. Eustace fitz John and Walter Espec had heard pleas (not entered under new pleas) in Yorkshire, Northumberland, Carlisle and Westmorland. Eustace alone had heard pleas in Durham: *Pipe Roll 31 Henry I*, 31, 36, 33, 24, 131, 27, 35, 142-3, 132.

¹⁹ Kapelle, *Norman Conquest*, 130; Sanders, *Baronies*, 124; *ESC*, 359-61.

²⁰ *Vita Ailredi*, xiii, xxxii, xxxiv-xxxv, citing *Acta Sanctorum*, i, 257. Ailred held an official position in David's household the exact nature and importance of which is a matter of some debate: Ritchie, *Normans in Scotland*, 250; *Vita Ailredi*, xl-xli, 3-4; F.M. Powicke, 'The dispensator of King David I', *SHR*, 23 (1926), 34-41.

Great Carlton and Soureby in Cumberland until 1156, and their religious houses were acquiring English estates throughout the twelfth century.²¹ The kings also maintained close links with the Anglo-Scandinavian families of the area who witnessed their charters and even served on their juries of inquest. When David re-established Scottish control of Cumberland in 1136 he merely brought back under Scottish rule landowners who can hardly have had time to accept the Solway and Tweed as the fixed and immemorial border between the northern and southern kingdoms.²²

The Reinforcement of Cross-Border Relationships 1100 x 1135

The first three decades of the twelfth century witnessed the establishment of important new 'cross-border' connections. By far the most important of these was the marriage in 1113 or 1114 of David of Scotland to the daughter and heiress of Countess Judith, widow of Waltheof earl of Northumbria. This marriage brought David control of the honour and earldom of Huntingdon and lordship of the important soke of Hallam in Yorkshire.²³ It was arranged by King Henry I at whose court David had been brought up, educated and knighted.²⁴ Henry I cultivated further tenurial and family ties between the northern shires of England and the Scottish lowlands through his generosity to David's magnates, some of whom were granted lordships in Cumberland and Northumberland. Particularly favoured were Gospatric earl of Dunbar and his brother Waltheof, sons of Gospatric the former earl of Northumbria,²⁵ who obtained the Northumberland barony of Beanley²⁶ and Cumberland barony of Allerdale respectively.²⁷ Waltheof was also granted a tenancy in the barony of Copeland by William Meschin consisting of the land 'between the Cocker and the Derwent' and in several adjacent villis.²⁸ One of his sisters, Gunnilda, married the powerful Copeland tenant, Orm fitz Ketel,²⁹ whose estates were centred chiefly on Workington,³⁰ and another sister, Ethelreda, married King Duncan

²¹ See K. Stringer, 'Dryburgh abbey and Bozeat, Northants.', *The Innes Review*, 24 (1973), 133-47; K. Stringer, 'A Cistercian archive: the earliest charters of Sawtry abbey', *JSA*, 6 (October 1980), 325-34.

²² Barrow, 'Anglo-Scottish border', 25-30.

²³ *ASC*, s.a. 1114, 183; G.W.S. Barrow, 'The royal house and the religious orders', *TRHS*, 5th ser., 3 (1953), 85, reprinted in Barrow, *Kingdom of the Scots*, 173; *Complete Peerage*, vi, 63, 640-2; ix, 662-4; Freeman, *Norman Conquest*, iv, 301, 524, 601; *VCH, Yorkshire*, ii, 166.

²⁴ For the relationship between David and Henry see, Barrow, *David I*, 17-18; Orderic, iv, 273-5.

²⁵ For the pedigree of the House of Gospatric earl of Northumbria see *VCH, Northumberland*, vii, facing p. 104.

²⁶ Sanders, *Baronies*, 106; Sanders, *Baronies*

²⁷ Kapelle, *Norman Conquest*, 147-54; *Register of St. Bees*, 528; *VCH, Cumberland*, i, 421.

²⁸ *EYC*, vii, 5; *Register of St. Bees*, nos. 19, 22, 308.

²⁹ *Register of Holm Cultram*, 34.

³⁰ It appears that Orm shared an interest in the lands of his father with his brother Gilbert of Lancaster. Gospatric fitz Orm obtained Workington and Lamplugh to be held of William fitz Gilbert of Lancaster in exchange for Middleton-

of Scotland and by him was the mother of William fitz Duncan.³¹ Waltheof's two daughters also married important Scottish nobles and carried Cumberland estates to their husbands.³² On occasion it was Henry I himself who took the initiative in providing well connected Scottish nobles with favourable marriages to English heiresses. He gave the granddaughter and heiress of Osbert the sheriff, Milicent, together with her lands in Yorkshire and Lincolnshire in marriage to Herbert, lord of Kinneil, who became King David's chamberlain c.1136.³³ In some cases Henry may even have deliberately poached the services of talented Scottish nobles. Forne fitz Sigulf, for example, who was related to Queen Sybil of Scotland³⁴ and who first appears in a charter of King Alexander I,³⁵ acquired the Cumberland lordship of Greystoke,³⁶ several estates in the East Riding of Yorkshire, and was employed by Henry as one of his chief administrative officials in northern England.³⁷

The traffic in 'cross-border' patronage was far from all one way. From 1107, when he first assumed control of Scotland south of the Forth and Clyde as 'sub-king', David of Scotland began to import Anglo-Norman magnates to colonize and administer the area.³⁸ The majority of the Norman immigrants were either drawn from the tenantry of the honour of Huntingdon, or from families who had been rewarded by Henry I for loyalty in Normandy with the grant of lordships in

in-Lonsdale: *ESC*, 406; *Register of St. Bees*, nos. 4, 32, p. 339, 465. Gospatric's Copeland estates included Salterge, Halfrington, Morland, Flimby, Seton, Camerton, Kelton and Flemingby: *Register of St. Bees*, no. 32, p. 384, 465; *Register of Holm Cultram*, nos. 49, 49d, 210. He was also the lord of Seaton in Derwentward. His cousin William fitz Gilbert of Lancaster held land in Hensingham and Walton of the honour of Copeland: *Register of St. Bees*, nos. 3, 223, 232.

³¹ *EYC*, vii, 10.

³² Gunnilda married Uhtred fitz Fergus, lord of Galloway, and brought him the vill of Torpenhow: *Register of St. Bees*, ix. Ethelreda married King David's courtier Ranulf of Lindsey and brought him Blenerhasset and Ukmanby: *Register of St. Bees*, no. 52 and note.

³³ Osbert was sheriff of Lincolnshire from 1093 and of Yorkshire also from 1100, holding both counties until his death in or about 1115. As well as a small tenancy-in-chief he held sub-tenancies of approximately ten honours. See *Regesta*, i, no. 374; ii, nos. 495, 505; W. Farrer, 'The sheriffs of Lincolnshire and Yorkshire, 1066-1130', *EHR*, 30 (1915), 277-85; Green, *Government*, 195-6, 199-200, 189, 171. In 1166 Hebert the Chamberlain returned a *carta* in Yorkshire recording 1 1/6 knights' fees of the old enfeoffment and 1/13 of the new, consisting of lands in Acklam, Wharram Percy and Leavening. His son, Stephen, is recorded in the Percy *carta* holding two knights' fees of the old enfeoffment, incorporating lands in both Yorkshire and Lincolnshire: *EYC*, xi, 213-17. Nothing is known of Herbert's parentage and it is possible that his elevation to the chamberlainship of Scotland and acquisition of the honour of Kinneil in West Lothian occurred after, rather than before, his marriage to Milicent.

³⁴ *Complete Peerage*, xi, Appendix D, 108 and note h.

³⁵ *ESC*, no. 30, dated 1115 x 1120.

³⁶ It is possible that Greystoke was granted to Forne by Ranulf Meschin before he surrendered Carlisle in 1120 x 1121.

³⁷ *Register of St. Bees*, 528-9; *EYC*, ii, 506, no. 1236 and note. Forne's East Riding estates included land in Nunburnholme, Huggate, Hawold and Millington: *Cal. Chart. Rolls*, iii, 114. Many royal charters were either addressed to or witnessed by Forne in conjunction with Henry I's other northern officials, Eustace fitz John, Walter Espec and Nigel d'Aubigny: *Regesta*, ii, nos. 1264, 1279, 1326, 1494, 1557. His daughter married the powerful Oxfordshire lord, Robert of Oilli, who was also the farmer of the royal manor of Scalby in the East Riding of Yorkshire: Lennard, *Rural England*, 43.

³⁸ For the Norman settlement of Scotland generally see Barrow, *Anglo-Norman Era*, Chapters I-IV.

northern England.³⁹ The latter group included several men whose relatives held extensive estates in Yorkshire. Robert I of Brus, lord of Skelton, and his youngest son, Robert II, lord of Castle Eden co. Durham, who held between them twenty knights' fees in Yorkshire,⁴⁰ performed homage to King David for various Scottish estates including the barony of Annandale granted in 1124, and appear frequently in the witness lists of David's charters and those of his son Henry.⁴¹ Alan of Percy, illegitimate son of Alan I of Percy lord of Topcliffe, received lands in Roxburghshire, and fought for King David at the battle of the Standard in 1138.⁴² Hugh of Moreville was a relative of the Morevilles who held considerable estates in Huntingdon, Yorkshire, Cumberland, Westmorland and elsewhere, and obtained from King David a grant of Cunningham and Lauderdale in Scotland.⁴³ And William of Sommersville, a tenant of the Lacy family in the West Riding of Yorkshire, secured the baronies of Linton in Roxburghshire and Carnwath in Lanarkshire and became one of King David's closest companions.⁴⁴

If David made some of the Norman magnates of northern England his vassals, he was able to

³⁹For what follows I am indebted to G.W.S. Barrow, 'Scotland's "Norman" families', in Barrow, *Kingdom of the Scots*, 315-36.

⁴⁰In 1166 Adam II of Brus, Robert I's grandson by his eldest son Adam I, held fifteen knights' fees in Yorkshire and Robert II of Brus held a further five knights' fees for which he rendered scutage in 1168: *Red Book*, i, 434-5; *Pipe Roll 14 Henry II*, 99.

⁴¹*ESC*, nos. 54, 52, 58, 65, 84, 86, 89-90, 104, 112, 115, 172, 176, 187; *Regesta Scottorum*, i, nos. 11, 12, 22, 30, 32-4, 36, 41. Annandale incorporated the castle of Annan and was held for the service of ten knights, with liberties falling only just short of regalian: Barrow, 'Pattern of lordship', 130-1. In the period 1147 x 1152 David granted forest rights in Annandale to Robert II of Brus: *ESC*, no. 199. Robert I of Brus withdrew his homage to David before the battle of the Standard: *Chronicles of the Reigns*, iii, 192-5.

⁴²*EYC*, xi, 3. Alan of Percy witnessed a charter of David issued at Scone in 1124: *ESC*, no. 54.

⁴³The exact relationship between the various branches of the Moreville family remains in some doubt. The family originated from the Contentin, only a few miles from the home of the Brus family at Brix: Barrow, 'Scotland's families', 323. Their prominence amongst the tenants of the honour of Huntingdon was illustrated by Farrer: Farrer, *HKF*, ii, 356-8. The Morevilles of Yorkshire held a considerable fee of the Mowbrays constituting five knights' fees of the old enfeoffment in 1168 and incorporating estates in Leicestershire and Warwickshire besides Yorkshire: *Mowbray Charters*, xxxiv, 264. Herbert of Moreville and his son, Richard, were frequent witnesses of the charters of Roger of Mowbray: *Mowbray Charters*, nos. 43-4, 48, 77, 159, 191, 304, 335, 347, 359, 369, 400. A different Richard of Moreville, styled constable of the king of Scotland, married Avice of Lancaster and acquired through her tenure of the Mowbray estates in Lonsdale: *Mowbray Charters*, no. 154; *Furness Coucher*, II, ii, 334-5, 338. In Cumberland Ranulf Meschin is known to have granted the barony of Burgh-by-Sands to a Hugh of Moreville: *Register of Holm Cultram*, 120, nos. 1, 26. It is possible that this was the same, or at least a close relation of, the Hugh of Moreville who assisted William Cumin during the Durham election dispute in 1141, held Lauderdale and Cunningham in Scotland, and witnessed many charters of King David and his son Henry: Young, *William Cumin*, 12; Symeon, *Opera*, i, 144; *ESC*, nos. 50, 123, 172; *Regesta Scottorum*, i, nos. 11, 24, 28-9, 31, 34, 36, 41. A Richard of Moreville witnessed two charters of King David, one of them issued at Scone, during Stephen's reign: *Regesta Scottorum*, i, nos. 42, 44. A Simon of Moreville married a daughter of William Engaine, lord of Teviotdale, and it has been suggested that he was a nephew of the Hugh of Moreville who witnessed King David's charters: *ESC*, 274; *Register of Holm Cultram*, 120.

⁴⁴Barrow, *Anglo-Norman Era*, 107-9, 193-4. The Sommersville tenancy of Lacy dates back to 1086. It is possible that the Robert of Sommersville who gave lands in Seacroft to St. Clement's chapel, Pontefract, in the period c.1093 x 1114, was the father of the William of Sommersville who witnessed charters of King David: *EYC*, iii, 307. In 1158 when a debt was due to the crown from William of Sommersville in Yorkshire it was recorded that, 'he resides in the land of the king of Scotland in Lothian': *Pipe Roll 4 Henry II*, 146. In 1166 a Walter of Sommersville, William's elder brother, held Lacy estates in Seacroft, Coldcotes, Birkby-in-Thorner and Wheatcroft in Barwick-in-Elmet: *Red Book*, i, 423; *EYC*, iii, 307. For the charters of King David and Earl Henry witnessed by William of Sommersville see *ESC*, nos. 54, 87, 94, 121-2, 131, 137, 141, 145, 163, 172, 177, 179, 182, 187, 195, 236, 244; *Regesta Scottorum*, i, nos. 11-12, 17, 25, 28, 35, 41.

establish less formal ties with a wider group among them. Long before Stephen's reign some of the most powerful of them, such as Eustace fitz John, Walter Espec and Bernard of Balliol, men with whom David had become acquainted at Henry I's court and all of whom held important lordships in both Yorkshire and Northumberland,⁴⁵ either pledged their fealty to the king of Scotland or visited his court and witnessed his charters.⁴⁶ This was also true of Norman lords of lower status such as Hervey fitz Warin lord of Dalston near Carlisle and a tenant of the honour of Richmond in Yorkshire.⁴⁷ It was with the help of Norman forces that David defeated the invasion of lowland Scotland by Angus of Moray in 1130. And when David summoned their assistance to deal with a second invasion four years later, Walter Espec was one of a group of magnates from the north of England who assembled at Carlisle and went on to help David to secure control of Moray, and so expand his authority beyond that of any of his predecessors.⁴⁸

Finally, the last fifteen years of Henry I's reign witnessed the beginnings of important new religious links between northern England, especially Yorkshire, and Scotland. As well as importing Norman feudalism King Alexander and King David were intent on introducing reformed Norman monasticism into Scotland. The first moves were made in 1120 when Alexander invited the Yorkshire Augustinian priory of Nostell to provide canons for the establishment of a priory at Scone. Four years later the prior of Nostell, Robert, was elected bishop of St. Andrew's in succession to Turgot (1107 x 1115) who had been prior of the Benedictine house of Durham.⁴⁹ Robert's successor at Nostell, Adelulf, also became prior of the Augustinian house founded at Carlisle in 1122, before becoming bishop of the new diocese created there in 1133.⁵⁰ Scottish links with Nostell were further reinforced when Waltheof, step-son and courtier of King David, entered the house as a novice c.1130.⁵¹ Approximately four years later he became prior of the Augustinian house of Kirkham in the East Riding, and may have owed his election to the founder, Walter Espec,⁵² who probably

⁴⁵ Eustace was lord of Alnwick in Northumberland and Malton in Yorkshire. Walter Espec held Wark in Northumberland and Helmsley in Yorkshire. Bernard of Balliol held Bywell in Northumberland and Barnard Castle in Yorkshire: Sanders, *Baronies*, 25.

⁴⁶ *ESC*, nos. 54, 98. Shortly before the battle of the Standard Bernard of Balliol withdrew the fealty he had pledged: *Chronicles of the Reigns*, iii, 192-5. For David and Walter Espec see Ritchie, *Normans in Scotland*, 325.

⁴⁷ Barrow, 'Anglo-Scottish border', 29; *ESC*, no. 54.

⁴⁸ *Chronicles of the Reigns*, 193.

⁴⁹ Nicholl, *Thurstan*, 136.

⁵⁰ *HRH*, 178, 158; *Vita Ailredi*, xiii, xxxii.

⁵¹ *Vita Ailredi*, *ibid.*; *HRH*, 168.

⁵² Walter founded Kirkham c.1122: *HRH*, 168; Dickinson, *Origins of the Austin Canons*, 123 note 3.

exercised something akin to proprietary control of the house⁵³ and who, as we have seen, had close personal ties with the Scottish king. That David sent Ailred on a diplomatic mission to Yorkshire at about this time, and that during his stay he visited Walter Espec at his castle of Helmsley and decided to join his new Cistercian abbey of Rievaulx, smacks of something more than coincidence.⁵⁴ To what extent Walter Espec was acting under the influence of the Scottish king is difficult to say, but what is certain is David's determination to employ his secular contacts in Yorkshire to promote monastic ties between Scotland and northern England. In the years that followed this determination grew in strength and the ties that were formed assumed a new and powerful political significance.

Although the establishment of Norman families and monasteries north of the Tweed in the early twelfth century is described by Ritchie as a Norman conquest of Scotland,⁵⁵ it also increased the pre-existing influence of the Scots kings in the north of England and elsewhere, and strengthened the foundations upon which they might establish their direct control of these areas if the political opportunity to do so arose. The opportunity came with the death of Henry I in 1135 and accession of Stephen, and King David wasted little time in seizing it. The seeds of Scottish influence that had been planted throughout northern England were to grow and develop rapidly during the next fifteen years, and come to a dangerous fruition which fell only a little way short of radically changing the course of the history of the region.

Northumberland and Cumbria In King Stephen's Reign: The Rise of Scottish Domination

The news of the accession of Stephen in 1135 can only have been unwelcome at the Scottish court. As Professor Barrow has stated, 'there can be no question that David and the Scots had a vested interest in the Angevin succession'.⁵⁶ As well as one of the most privileged recipients of Henry I's

⁵³ Walter is referred to as the *advocatus* of the house which, in the first half of the twelfth century at least, could imply rights to custody of monastic property during vacancies and to licence and assent in elections. Around 1180 Walter's nephew, Nicholas of Trailli, was asked by royal officials to describe the method of electing the last prior of Kirkham, and replied that although no secular person took part in the election the incumbent had been presented to the *advocatus*, Walter Espec, and on Walter's behalf to the archbishop: *EYC*, x, 105. The implication is that the *advocatus* had the power to refuse to accept an incumbent. Roger of Lacy successfully claimed such rights in the priories of Nostell and Pontefract early in the thirteenth century: *Duchy of Lancaster Great Couche*, I, 403b-404, nos. 26-8. For Roger of Mowbray's powers as *advocatus* of Newburgh priory see *Mowbray Charters*, xlii.

⁵⁴ *Vita Ailredi*, xxxix, xliii, 34.

⁵⁵ Ritchie, *Normans in Scotland*, xi.

⁵⁶ Barrow, *David I*, 17.

patronage David was almost certainly a close personal friend of the dead king and, at Windsor in 1126, and again at Northampton in 1131, had been the first of his barons to take the oath to uphold the succession claim of the Empress Matilda and her heirs. Although David had been forced to accept the extension of Norman territorial and military control into Northumberland and Cumbria, he found compensation in the acquisition of English estates, the formation of close ties with the Norman colonists and, with their assistance, the strengthening and expansion of his own authority within Scotland. In King Stephen he faced an unknown and potentially dangerous prospect who threatened to exclude him from the rich and large community of Norman England.⁵⁷ And yet if Stephen's accession created new problems it also offered new opportunities. Here at last was a chance to throw off the English overlordship of Scotland first established at Abernethy in 1072, and to recover Cumbria and establish control of Northumberland to which David had a claim by virtue of his marriage to the daughter of Earl Waltheof. David pursued both these ambitions during the next two decades, and Barrow has argued that the ultimate goal was the creation of a new Scoto-Northumbrian kingdom whose southern boundary was taken in the region to the north of the Westmorland fells or Tees in the west, and the Ribble in the east.⁵⁸ It will be argued here that this thesis if anything underestimates King David's ambition, and that the Scoto-Northumbrian kingdom was intended to incorporate Yorkshire as well as Northumberland and Cumbria.

The Scottish claim to the northern shires, and the English claim to the homage of the kings of Scotland, were the issues that dominated Anglo-Scottish relations from the outset of Stephen's reign.⁵⁹ David was quick to respond to the death of Henry I by invading England in January 1136, seizing all the fortresses of Northumberland and Cumberland except Bamburgh, and securing promises from the nobles of the area that they would preserve fealty with the empress. In a peace conference with Stephen, held at Durham early in February, David secured for Henry his son a grant of Carlisle and Doncaster, a confirmation of the earldom of Huntingdon and a promise that if Stephen decided to create an earl of Northumberland he would first consider Henry's claim. In return David restored all the other English castles he had seized and allowed his son to perform homage to

⁵⁷Barrow, *David I*, 18.

⁵⁸Barrow, *ibid.*; Young, *William Cumin*, 10.

⁵⁹For the events described in this paragraph see Symeon, *Opera*, ii, 287-301; *Chronicles of the Reigns*, iii, 146, 150-76.

Stephen at York. Good relations, however, were only to continue until 1137 when, taking advantage of Stephen's absence in Normandy, David laid claim to Northumberland and was only prevented from invading it by the assembly of an English force at Newcastle and the negotiation of Archbishop Thurstan. When Stephen returned to England and refused to grant Northumberland to Henry of Scotland the fragile peace came to an end and, in January 1138, David's forces poured south across the Tweed, besieged Wark and ravaged the countryside as far south as county Durham. Although a retaliatory English campaign forced David temporarily back across the Tweed, Stephen was unable to consolidate his success, and the Scots launched another invasion of Northumberland after Easter and campaigned as far south as the river Tees and Cravenshire. Despite David's subsequent defeat at the battle of the Standard in August 1138 peace was only established nine months later through the agency of Stephen's queen, acting under the influence of the papal legate, Alberic, who had recently visited England.⁶⁰ In the second treaty of Durham of April 1139 Henry of Scotland was granted the earldom of Northumberland and the hand in marriage of Ada the sister of the earl of Warenne.

The treaty of Durham 'provoked bitter antagonism amongst elements of the English baronage'⁶¹ who had suffered at Scottish hands and were determined that Stephen should follow up the victory they had secured at the battle of the Standard.⁶² In addition to contemporaries the treaty has also been criticized by historians on the grounds that it gave the Scots everything they had sought in 1137, in return for only a handful of hostages and a renewal of the homage Henry (rather than King David) had pledged in 1136.⁶³ Implicit in this homage, however, was a recognition of Stephen's title, and until his capture in 1141 there is every indication that the Scots were prepared to uphold the terms of the treaty.⁶⁴ It is also difficult to see what else Stephen could have done in 1139. He was preoccupied in the south of England with a series of revolts, and it was clear that as well as enjoying

⁶⁰ Queen Matilda was a daughter of Eustace III count of Boulogne and King David's sister, Mary of Scotland. She was therefore David's niece and a cousin of Henry of Scotland, and closely attached to her uncle: *Chronicles of the Reigns*, iii, 173.

⁶¹ D. Baker, 'Ailred of Rievaulx and Walter Espec', *The Haskins Society Journal*, 1 (1989), 92.

⁶² *Chronicles of the Reigns*, iii, 176.

⁶³ Davis, *King Stephen*, 146-51; Baker, 'Ailred of Rievaulx', 92.

⁶⁴ After the treaty was agreed Earl Henry attended Stephen throughout the summer of 1139 and again at the Christmas court of 1140: Symeon, *Opera*, ii, 300, 306. It was apparently intended that Henry was to visit the king, and perhaps renew his homage, at the great crown-wearing festivals. In 1136 Henry had attended Stephen at the Easter festival: Symeon, *Opera*, ii, 287.

a military advantage in Northumberland and Cumbria⁶⁵ King David had been able to exploit and develop his old ties with the baronage of the region to reinforce Scottish authority there.

That David's pre-existing influence in Cumbria was of considerable help in the establishment of his control there in Stephen's reign is suggested by the ease and speed with which he was able to take the castles of the region in 1136, the oaths he obtained from the magnates to support the empress, and the apparent lack of opposition to his authority thereafter. In Northumberland his influence was not as strong and consequently the resistance he faced was more intense and enduring. Even here, however, David could employ a combination of old attachments and military threats to win a measure of support and reinforce his authority. Eustace fitz John, for example, whose extensive barony of Alnwick covered the Scottish invasion route (Map 32), and which was more extensive than his lordship in Yorkshire,⁶⁶ was almost certainly acting for David at an early date. This is suggested by King Stephen's termination of his custody of Bamburgh castle during the campaign against the Scots in January 1138.⁶⁷ A few months later, and before the battle of the Standard, we are told that Eustace, who 'had long secretly favoured the king of Scotland, now openly showing his treachery, threw off his allegiance to his lawful sovereign, the king of England, and with his whole strength gave his aid to the Scots against the realm of England.'⁶⁸ Eustace went on to fight for King David at the battle of the Standard⁶⁹ and was rewarded with important estates in the honour of Huntingdon and elsewhere granted by Henry of Scotland, whose charters Eustace continued to witness for the rest of the anarchy.⁷⁰

⁶⁵In the sense that the bases of David's power were either within or close to these areas.

⁶⁶Although Eustace held a large number of under-tenancies in Yorkshire, his estates held in chief were less numerous. That they were not as extensive as those he held in Northumberland is indicated by the fact that Eustace was pardoned danegeld of 60 shillings in Yorkshire in 1129 x 1130, compared with 72 shillings in Northumberland: *Pipe Roll 31 Henry I*, 34-5, 95, 121. For the under-tenancies held by Eustace in Yorkshire see Green, *Government*, 182.

⁶⁷Symeon, *Opera*, ii, 291. Eustace witnessed a charter of Henry of Scotland issued c.1136: *ESC*, no. 115.

⁶⁸*Chronicles of the Reigns*, iii, 158; Symeon, *Opera*, ii, 292.

⁶⁹Eustace was wounded and escaped to one of his castles - probably Malton which was besieged by English forces after the battle: *Chronicle of Worcester*, 52; *Chronicles of the Reigns*, iii, 165. For

⁷⁰Between 1139 and 1142 Henry granted, conceded and restored (*dedisse et concessisse et reddidisse*) to Eustace all his lands which he held in chief of Henry I and Stephen, and granted in addition the important demesne manors of Earls Barton, Potton, Paxton, Stakely and Tottenham, together with the fee and service of Robert of Muntut consisting of five knights' fees, to be held for no additional service: *Regesta Scottorum*, i, nos. 11-12. Barrow's suggestion in the note to no. 11 that Eustace had been restored to Stephen's favour by 1142, on the grounds of his attestation of a charter of Stephen granted in favour of William of Roumare, is mistaken. The charter was almost certainly issued in 1146 at the time of Stephen's temporary reconciliation with Roumare's half-brother, Ranulf earl of Chester, who also witnessed the charter. By this time Eustace had secured the constablership of Chester, and it was probably in his capacity as a retainer of the earl that he witnessed the charter. See *Regesta*, iii, no. 494. Eustace witnessed several charters issued by King David and Henry of Scotland issued after 1139 at Carlisle, Durham, Huntingdon, and Corbridge: *ESC*, nos. 123, 133, 177, 247.

David may have been able to combine old influence with a military threat to win the submission, and possibly the support, of Walter Espec, lord of Wark (Map 32). Although Walter initially offered his allegiance to King Stephen, witnessed his charters and fought for him at the battle of the Standard,⁷¹ there are indications that by the end of 1138 his determination to oppose the Scots was waning. He appears to have despatched William abbot of Rievaulx to negotiate with David when a truce between the kings of England and Scotland, arranged by the papal legate Alberic, was about to expire in November.⁷² Through the agency of the abbot he commanded his garrison of Wark, which had been holding out against a Scottish siege since shortly after Easter, to surrender. In the light of David's close association with Rievaulx, where his former dispenser Ailred was rapidly rising to a position of authority,⁷³ Walter's choice of emissary seems particularly appropriate. Although Wark was destroyed after falling to the Scots, and Walter is not known to have ever actively supported King David, it is significant that after 1138 he was never again to attend Stephen's court.

It is clear that King David and his son Henry transformed the nominal control of the 'border' counties granted to them in the treaties with King Stephen into a practical reality. In Northumberland they had the support, and doubtless the advice, of Eustace fitz John who had served as one of Henry I's principal administrative officials in the northern shires.⁷⁴ The charters issued by Earl Henry, however, suggest that his authority was far greater than that of a royal justice, that he had been granted the *comitatus* in addition to the comital title, and that he was exercising the regalian rights intrinsic to it. He frequently issued charters addressed to his justice, constable, sheriff and barons of Northumberland,⁷⁵ defined not in honorial terms but as the *comitatus* or the region *inter Tinam et Twedam*.⁷⁶ He granted Tynemouth priory freedom from works on the castle of Newcastle and all other castles in Northumberland, excused its demesne peasants from army and escort service, and confirmed Henry I's grant to the priory of the right to hold a court.⁷⁷ Together with other

⁷¹ See above, p. 125.

⁷² *Chronicles of the Reigns*, iii, 170-2; Symeon, *Opera*, ii, 291-2.

⁷³ In 1142 Ailred went to Rome in place of Abbot William to oppose the election of William fitz Herbert: *Vita Ailredi*, 23.

⁷⁴ The 1129 x 1130 pipe roll reveals that Eustace had heard pleas in Yorkshire, Northumberland, Carlisle, Westmorland and Durham: *Pipe Roll 31 Henry I*, 33, 24, 131, 27, 35, 142-3, 31, 132.

⁷⁵ *Regesta Scottorum*, i, nos. 11, 22, 24-8, 31-2, 43; *ESC*, nos. 129, 271.

⁷⁶ *Regesta Scottorum*, i, nos. 25, 43; *ESC*, nos. 129, 137.

⁷⁷ *Regesta Scottorum*, i, nos. 24, 28, 30, 43.

charters illustrating Earl Henry granting land in, and issuing charters from, Newcastle⁷⁸ those issued in favour of Tynemouth reveal that Henry was in control of Newcastle, despite its specific exclusion from the 1139 treaty.⁷⁹ The borough was clearly one of the earl's administrative centres, and it was here in 1152 after Henry's death that King David brought the future Malcolm IV, took the pledges of the magnates of Northumberland, and 'subjected them to the young man's government'.⁸⁰ This was also true of Bamburgh, which had also been excluded from Stephen's grant of Northumberland, where Henry issued charters and may have minted his own coins.⁸¹ And behind Henry there was the shadow of King David himself. As if to underline the fact Henry was styled son of the king of Scotland in nearly all of his comital charters, and David himself, despite receiving no direct authority over Northumberland in the 1139 treaty, issued his own charters from Newcastle confirming Henry I's gifts to Tynemouth priory and granting it his peace.⁸²

The effectiveness of the authority of King David and Earl Henry in Northumberland is also indicated by the fact that many of the magnates of the area attended their court, whether in England or Scotland, and frequently attested their charters. They included Eustace fitz John,⁸³ Robert of Umfraville and his sons Gilbert and Odinell,⁸⁴ Walter of Bolebec,⁸⁵ William and Robert Bertram,⁸⁶ and Ralph Merlay and his son Roger.⁸⁷ Some of them even served in Earl Henry's administration. Robert Bertram and a man named Adam appear as sheriffs of Northumberland,⁸⁸ and in one comital charter Earl Henry commands his constable, Gilbert of Umfraville, to protect the

⁷⁸ Henry granted demesne land in Newcastle together with the property of Aslac, 'burgensem meum de Novo Castello', to St. Bartholomew's priory Newcastle: *Regesta Scottorum*, i, no. 32. Charters issued by Henry at Newcastle include *Regesta Scottorum*, i, nos. 23, 27, 43.

⁷⁹ Bishop William of St. Barbe is said to have promised to surrender the castle at Newcastle to King David in 1144: *Church Historians*, iii, 729.

⁸⁰ Symeon, *Opera*, ii, 327.

⁸¹ *Regesta Scottorum*, i, no. 28; R.P. Mack, 'Stephen and the anarchy 1135-1154', *BNJ*, 35 (1966), 99. Henry also issued coins as earl at Corbridge: G.C. Boon, 'Earl Henry of Northumberland's coins', *Spinks Numismatic Circular*, 91 (1983), 226. Henry also appears to have controlled the succession of tenants-in-chief. He granted and restored to William fitz Alfric of Corbridge the land of Dilston, formerly held by William's brother Richard, to be held of him in chief as Richard had held it of Henry I: *Regesta Scottorum*, i, no. 22.

⁸² *Regesta Scottorum*, i, nos. 30-1.

⁸³ *ESC*, nos. 123, 133, 177, 247.

⁸⁴ *ESC*, nos. 35, 104, 129, 131-3, 137, 172, 177, 184, 199, 271; *Regesta Scottorum*, i, nos. 11, 12, 21, 23, 30, 32-3, 41. The Umfravilles were lords of Prudhoe and Redesdale: Keen, 'The Umfravilles', 166-82. They also held two knights' fees in Northumberland of Eustace fitz John's barony of Alnwick: *Red Book*, i, 427.

⁸⁵ *ESC*, nos. 133, 184; *Regesta Scottorum*, i, no. 13. Walter was lord of Styford: Sanders, *Baronies*, 84-5.

⁸⁶ *Regesta Scottorum*, i, nos. 11, 52. The Bertrams were lords of Mitford: Sanders, *Baronies*, 131. William's gifts to Brinkburn priory were confirmed by Earl Henry in the period 1150 x 1152: *ESC*, no. 247.

⁸⁷ *ESC*, nos. 247, 271; *Regesta Scottorum*, i, nos. 11, 23, 32. The Merlays were lords of Morpeth: Sanders, *Baronies*, 65.

⁸⁸ *Regesta Scottorum*, i, no. 27; *ESC*, no. 130.

lands and property of the monks of Durham.⁸⁹ Gilbert's nephew, Odinell, is known to have been held dear by Henry and brought up and educated at his court.⁹⁰

In Cumbria Scottish authority was even greater, and King David clearly regarded the area as an integral part of his kingdom. He made Carlisle the principal seat of his court,⁹¹ minted coins there,⁹² and issued charters from the city addressed to his ministers, sheriffs and justices of Cumberland, Cumbria, Westmorland and Copeland in which he exercised regalian rights.⁹³ In one charter David granted the third penny of the pleas of Cumbria to the church of Glasgow.⁹⁴ In 1138 he also came to terms with the bishop of Carlisle, whom he had hitherto excluded from his see,⁹⁵ and thereafter Adelulf was to add his episcopal support to David's power.⁹⁶ Scottish control is also indicated by Earl Henry's establishment of Holm Cultram abbey in 1150⁹⁷ and the support received by the new foundation from the local nobility of Cumberland.⁹⁸ The breadth of local support for the Scots in Cumberland is also clear from the number of important Cumbrian magnates who witnessed King David's charters after 1136. Among them were men who already had close ties with the Scots, such as Alan fitz Waltheof and Gospatric fitz Orm,⁹⁹ cousins of King David's nephew William fitz Duncan¹⁰⁰ and lords of Allerdale and Workington respectively, and men who owed their estates in Cumbria to Henry I, such as Adam fitz Swain and his brother Henry who held between them most of the Eden valley.¹⁰¹ Whether attached in the past to the patronage circles of the Scottish or English kings, all these men now came together to reinforce King David's rule in the region.

⁸⁹ *ESC*, no. 257, dated c.1152 and issued at Jedburgh.

⁹⁰ *Fantome's Chronicle*, i, 595.

⁹¹ David issued more charters from Carlisle than anywhere else and nearly always chose to meet papal legates, archbishops of York and other dignitaries in the city: *ESC*, *passim*; *Regesta Scottorum*, i, *passim*; *Chronicles of the Reigns*, iii, 170; Symeon, *Opera*, ii, 322-3, 326, 328.

⁹² B.H.I.H. Stewart, 'An uncertain mint of David I', *BNJ*, 29 (1960), 293-6.

⁹³ *ESC*, nos. 123, 126, 140, 187.

⁹⁴ *ESC*, no. 126.

⁹⁵ Adelulf was re-admitted to his see through the negotiation of the papal legate, Alberic bishop of Ostia, who was visiting England at the time: Symeon, *Opera*, ii, 298; *Chronicles of the Reigns*, iii, 170.

⁹⁶ The bishop witnessed several charters issued by David and his son, Henry, between 1142 and 1153: *ESC*, nos. 146-7, 244-5, 257; *Regesta Scottorum*, i, nos. 28, 39. In the last charter David granted money from his silver mines at Carlisle to Adelulf's priory of Nostell.

⁹⁷ *Monasticon*, v, 594; *ESC*, no. 244.

⁹⁸ Among the early beneficiaries of the abbey were Alan fitz Waltheof and his sister Gunnilda, and Gospatric fitz Orm: *Register of Holm Cultram*, nos. 49, 120, 210; *ESC*, no. 244; *Register of St. Bees*, 465.

⁹⁹ *ESC*, nos. 187, 244.

¹⁰⁰ See *Register of Holm Cultram*, 34; *Register of St. Bees*, 61, 317 and notes to nos. 22, 223, 232, 52; *VCH, Northumberland*, vii, pedigree facing p. 104.

¹⁰¹ *ESC*, nos. 187, 138, 141, 244, 182. King David confirmed Adam's gifts of Wetheral to St. Mary's abbey, York, c.1141, and the hermitage of Kirkandreas to Wetheral before 1147: *ESC*, nos. 140, 187; *Register of Wetheral*, nos. 196, 198. For Henry I's enfeoffment of Adam in the parishes of Kirkland, Melmerby and Ainsleth, and of Henry fitz Swain in Edenhall and Langwathby see *EYC*, iii, 317-18.

The power of King David in Northumberland and Cumberland stands in marked contrast to the weakness of King Stephen who effectively abandoned the region after 1139. Even for the local nobles who were naturally inclined towards loyalty to Stephen there was little choice but to support the Scots if they were to keep their lands. Not all of these lands, however, lay inside the sphere of Scottish power and herein lay the potential for David to employ and develop his pre-existing influence, and so establish his authority, beyond the southern boundaries of Northumberland and Cumbria. His attempt to develop this potential can be witnessed in County Durham where, although never achieving administrative control,¹⁰² he exercised considerable influence during the course of the Durham election dispute.¹⁰³ In the period 1141 x 1142 at least, David supported the attempt of his chancellor, William Cumin, to secure control of the bishopric after the death of Bishop Geoffrey in 1141. In 1141 he came to Durham and ordered that everything be reserved for the decision of the empress, and went on to secure her acceptance of Cumin's candidature at Winchester. He also doubtless encouraged the support initially offered to Cumin by Eustace fitz John, Robert II of Brus, Herbert Moreville and Bernard of Balliol who, in addition to their position as tenants of the bishopric, held extensive baronies either in Scotland or Scottish controlled Northumberland and Cumberland.¹⁰⁴ When it became clear in 1142 that the clergy of Durham would never elect Cumin, David abandoned his support for his former chancellor and was probably behind an attempt by the abbot of Roxburgh to secure election to the see in the same year. It is significant that the same barons who had initially offered their help to Cumin also turned against him at this time. Eustace fitz John, Bernard of Balliol and the bishop of Carlisle were instrumental in negotiating the truces with Cumin which paved the way towards the settlement of 1144 and installation of the new bishop,

¹⁰² Alan Young argues that Scottish control extended as far as the Tees in Stephen's reign: Young, *William Cumin*, 8-29, esp. 24, 27. 'Control', however, is perhaps too strong a word to use in County Durham. The Scots certainly had a military superiority over King Stephen in northern England and could intervene in county Durham at will, as they illustrated in 1138 and 1144. At no point, however, did their armies either permanently occupy the bishopric or establish enduring control of episcopal estates. After Cumin's submission in 1144 control of the castle of Durham appears to have reverted to the episcopal custodian, Roger of Conyers. Young states (p. 27) that Earl Henry issued charters at Newcastle and Durham, but provides a reference for only one document issued at Durham which probably belongs to the year 1141 when King David made his only visit to the city whilst on his way to see the empress at Winchester: *ESC*, no. 133. Only one charter issued by David and Henry dealing with county Durham resembles those illustrating their administrative control of Northumberland and Cumbria, and probably concerns only the lands belonging to the earl of Northumberland: *Regesta Scottorum*, i, no. 23.

¹⁰³ For a detailed discussion of the dispute see Young, *William Cumin*.

¹⁰⁴ This group of magnates accompanied Cumin to see King David when it was discovered that Bishop Geoffrey was dying: Young, *William Cumin*, 8. It is possible, however, that as barons of the bishopric they were acting according to purely local motives.

William of St. Barbe, who, although not David's candidate, was neither strictly the candidate of King Stephen.¹⁰⁵

In Yorkshire the familial and tenurial ties with Scotland, Northumberland and Cumberland were as strong as those in county Durham. In contrast with Durham, however, the county was not subject to the 'palatine' authority of the local bishop who held overlordship over every tenancy, and on whose appointment everything depended. Yorkshire therefore provided a more receptive theatre for David's ambition to advance his authority southwards.

The Scots in Yorkshire 1138 x 1151

The Yorkshire magnates who found their estates in Northumberland and/or Cumbria subject to Scottish overlordship after the Durham treaties of 1136 and 1139 included Eustace fitz John, Walter Espec, Cecily of Rumilly, Roger of Mowbray and Bernard of Balliol. Some, like Eustace fitz John, had old-established ties with Scotland and offered their support to King David at an early date. The others faced the prospect of coming to terms with the Scots or losing their far northern estates.¹⁰⁶ The situation provided King David with an opening to establish his control in Yorkshire, and he was not a ruler to let an opportunity pass. While Stephen was busy with the Angevin party in the south David set about using his new authority in the 'border' counties, in conjunction with his old connections with Yorkshire, as a spring-board towards achieving this goal.

One of the most powerful Cumbrian honours to fall under the overlordship of the king of Scotland after 1136 was that of Copeland. The honour was created during the reign of Henry I and granted by the king to William Meschin, the younger brother of Ranulf Meschin who was entrusted with lordship of Carlisle and Cumberland.¹⁰⁷ William Meschin married Cecily of Rumilly, daughter and co-heiress of Robert of Rumilly, lord of Skipton-in-Craven, and by her had two sons and three

¹⁰⁵ Although William was elected by the clergy of Durham at York, and consecrated by Henry bishop of Winchester with the approval of King Stephen, he is known to have opposed the royal candidate in the York election dispute and in 1145 wrote to the papal legate, Imar of Tusculum, declaring that the election of William fitz Herbert had been uncanonical. He supported the election of Henry Murdac against the new royal candidate after the deposition of William fitz Herbert in 1147. He witnessed neither the extant charters of Stephen, nor those of David. See Symeon, *Opera*, ii, 313-15, 320-1; D. Knowles, 'The case of St. William of York', *CHJ*, 5 (1936), 168-72, reprinted in *The Historian and Character*, Chapter 5.

¹⁰⁶ This is clear from the attempts of Robert I of Brus and Bernard of Balliol to persuade David to retreat before the battle of the Standard. When they failed to do so they withdrew the homage and fealty they had pledged to him for lands held in Scotland. There was no possibility of serving two mutually hostile lords. See *Chronicles of the Reigns*, iii, 192-5.

¹⁰⁷ Barrow, 'Pattern of lordship', 121; *EYC*, vii, 4-6.

daughters. William was dead by 1135, and his son and heir Ranulf by 1140 at the latest, leaving both Copeland and Skipton in the charge of his wife Cecily.¹⁰⁸ The death of both her husband and son left Cecily in a vulnerable position, and King David was quick to exploit his opportunity.

If Cecily was to preserve the honour of Copeland for her children she faced the prospect of coming to terms with Scottish authority in Cumbria. When King David had survived Stephen's attack on Scotland in 1138, and felt that he had the upper hand, he forced her to do so. During his second invasion of Northumberland in 1138, and while he was besieging Norham castle on the Tweed, David dispatched his nephew William fitz Duncan with a body of troops to northern Lancashire. After burning the possessions of the abbey of Furness, and defeating an English force at Clitheroe, William crossed the Pennines, devastated Cravenshire and committed many atrocities there.¹⁰⁹ William married one of Cecily of Rumilly's three daughters, Alice, and Clay suggested that the two were probably already man and wife when William made his attack on Cravenshire.¹¹⁰ If the suggestion is correct, and more importantly if Alice's brother Ranulf was still alive in 1138, then little significance need be attached to the marriage or William fitz Duncan's appearance in Cravenshire. All that William could hope to gain through his wife was a small marriage portion. There are grounds for believing, however, that not only was Ranulf Meschin dead in 1138 but also that William fitz Duncan's marriage to Alice of Rumilly occurred either during, or shortly after, his Cravenshire campaign, that it was probably forced upon Cecily of Rumilly, and that it was part of a calculated and ultimately successful Scottish plan to secure control of the honour of Skipton-in-Craven.

The longevity of her mother meant that Alice of Rumilly did not become heiress to the honour of Skipton until the early 1150s, and while her brothers lived she had no claims to her father's honour of Copeland either.¹¹¹ It is therefore difficult to imagine why a magnate of the stature of William fitz Duncan, the son of one Scottish king and the nephew of another, would have married Alice unless her brothers were dead and he stood to gain something of importance from the union. Ranulf Meschin, the only brother known to have succeeded to the honour of Copeland, was alive 1134 x

¹⁰⁸ *EYC*, vii, 6-7, no. 7 and note.

¹⁰⁹ Symeon, *Opera*, ii, 291; *Chronicles of the Reigns*, iii, 156-7.

¹¹⁰ *EYC*, vii, 11.

¹¹¹ In addition to Ranulf Meschin Alice had a second brother named Matthew: *EYC*, vii, no. 7.

1135 when he founded Calder abbey,¹¹² but may have died shortly afterwards. It is thus possible that the marriage of William fitz Duncan and Alice of Rumilly took place 1136 x 1137, but if so it would be difficult to explain why William invaded Cravenshire in 1138 and devastated the lands of his mother-in-law, to which he also harboured designs. It is far more likely that his campaign there was an attempt to bring Cecily and the honour of Skipton under his control, and to force her to allow him to marry her daughter, Alice, thereby providing him with a legitimate interest in the honour of Copeland which, under the overlordship of King David of Scotland, he probably already controlled.

William fitz Duncan's administration of the honour of Ranulf Meschin is illustrated in a series of charters, addressed to the men of Copeland, in which he disposed of lands belonging to the honour and confirmed the gifts of the Meschin lords and their tenants to the abbeys of St. Bees and Furness.¹¹³ What is unusual is that, despite the claims of Alice's two elder sisters to equal shares,¹¹⁴ William appears to have secured control of the entire honour, indicating that in his dealings with Cecily of Rumilly he was the dominant partner. This is also clear from the authority he began to exercise over the honour of Skipton, despite the fact that his wife had no claim to the lordship while Cecily lived.

William's authority in the honour of Skipton is illustrated in his charters disposing of property belonging to it. Although in some of those issued in conjunction with either Cecily or Alice of Rumilly William assumed a merely supporting role,¹¹⁵ in others it was he who took the lead,¹¹⁶ and in a few cases he actually issued charters without reference to the authority of his wife and mother-in-law.¹¹⁷ Clay suggested that a charter issued by Cecily of Rumilly in favour of Embsay

¹¹² *Monasticon*, v, 25; vi, 349; *Furness Coucher*, I, 593-4.

¹¹³ *Register of St. Bees*, nos. 16, 40; *Furness Coucher*, I, 593; cited in *EYC*, vii, 11.

¹¹⁴ Alice had two sisters: Avice and Maud. Their seniority is suggested by the fact that Avice was married c.1125 x 1130, and Maud by 1135 at the latest. The estates they inherited from their parents pale in comparison to those which passed to Alice. Avice acquired Harewood and a group of manors in Wharfedale, which may have belonged either to her father or mother, the Rumilly estates in Spitchwick and Warkleigh in Devon, and seven knights' fees in Lincolnshire. In 1166 her son William III of Courcy returned a *carta* recording seventeen knights' fees of his mother's share of what is described as the barony of William Meschin. In Maud's case the inherited lands appear to represent little more than a marriage portion: see *EYC*, vii, 7-10. J.C. Holt argues that in the period 1130 x 1135 the rule governing succession in the female line was changed. Instead of descending to a single heiress inheritances were henceforward to be divided amongst all heiresses: J.C. Holt, 'Feudal society and the family in early medieval England: IV. The heiress and the alien', *TRHS*, 5th ser., 35 (1985), 6-10.

¹¹⁵ *EYC*, vii, nos. 9, 13.

¹¹⁶ *Ibid.*, no. 14.

¹¹⁷ *Ibid.*, nos. 12, 15. Even in the charters where William assumes only a supporting role his directing influence is suggested by the prominence of men new to the honour of Skipton, such as Adam fitz Swain, in the witness lists.

priory indicates that Alice of Rumilly had been designated as heir to the honour of Skipton during the lifetime of her mother. The charter grants the vill of Kildwick and land in Stirton, and states that Cecily of Rumilly and William fitz Duncan, her 'gener', had offered the gifts on the altar of the priory.¹¹⁸ In a separate charter William made his own confirmation of the grant of Kildwick.¹¹⁹ Clay thought it unlikely that William 'was in a position to take part in the present transaction between the battle of the standard in 1138 and his probable return to Craven in 1151',¹²⁰ and tentatively suggested that the charter was issued after 1151 and before the latest probable date of Cecily of Rumilly's death in 1153. On the same grounds he was inclined to place other charters issued by William fitz Duncan and his wife, illustrating their administration of the honour of Skipton, within the same limits of date.¹²¹ There is evidence, however, that although in Cravenshire only briefly in 1138, William established effective and lasting control of the honour of Skipton at this time, that the charters printed by Clay are symptomatic of this control, and that they could have been issued at any point in the period 1138 x 1149 and during the lifetime of Cecily of Rumilly.

William fitz Duncan is not known to have returned to Cravenshire after 1138 until 1151 when, according to John of Hexham, King David 'with his army confirmed (*confirmavit*) his nephew, William fitz Duncan, in the lordship of Skipton-in-Craven, and stormed a fortress which had been constructed by the enemy'.¹²² The use of the term 'confirmed' suggests that William fitz Duncan had enjoyed control of the honour of Skipton at some previous date. Neighbouring north Lancashire was almost certainly still under Scottish authority in 1149 when King David promised Ranulf earl of Chester the lordship of the honour of Lancaster during their meeting with Henry of Anjou at Carlisle.¹²³ Scottish control of Cravenshire at this date is also suggested by the plan hatched by David, Ranulf and Henry at Carlisle to join forces and capture York. Instead of marching through Northumberland, county Durham and along the great north road, as in the ill-fated campaign of 1138, the allies planned to rendezvous at Lancaster and enter Yorkshire from the west.¹²⁴ Their

¹¹⁸ *EYC*, vii, no. 9.

¹¹⁹ *Ibid.*, no. 12.

¹²⁰ *Ibid.*, 59; Clay is followed by Nicholl: Nicholl, *Thurstan*, 220-1.

¹²¹ *EYC*, vii, nos. 14-15.

¹²² Symeon, *Opera*, ii, 326.

¹²³ Symeon, *Opera*, ii, 323; Barrow, 'King David I and the honour of Lancaster', *EHR*, 70 (1955), 85-9.

¹²⁴ Symeon, *Opera*, ii, 323.

choice of route is significant. It would naturally have taken them through Lonsdale and the valley of the Ribble into Cravenshire, and from there along Wharfedale to York (Map 36). Lonsdale was under Scottish control in 1149, and Roger of Mowbray, lord of the castle of Burton-in-Lonsdale and several estates within Cravenshire, appears to have supported the invasion.¹²⁵ The Scots could probably also count on the assistance of another important Cravenshire tenant-in-chief, William II of Percy,¹²⁶ who had close links with both Scotland and the earl of Chester, and who appears to have been attacking York from the nearby castle of Wheldrake in 1149.¹²⁷ King David had clearly chosen the easiest line of march into Yorkshire, along which he could expect to receive help and reinforcements from the local nobility. Against this background it is difficult to envisage that he expected the honour of Skipton to stand against him.

Although the campaign was abandoned, there is evidence that the allies assembled at Lancaster¹²⁸ and came close enough to York to force Stephen, who had arrived at the instigation of the citizens to defend the city, to take action against them. When Stephen came upon them they withdrew 'to safer positions', and eventually dispersed and returned to their homes.¹²⁹ Stephen stayed on for a time in Yorkshire, 'suppressing the hostilities that were on the increase round York',¹³⁰ a programme involving the destruction of the castles of his enemies, and the construction of others in more suitable places. The enemies described by the *Gesta Stephani* are anonymous, but some of them may have occupied the castle of Skipton; and one of the castles built by Stephen at this time may have been the same fortress captured by King David when he re-established William fitz Duncan in Cravenshire in 1151.

It should not be assumed from the silence of the chroniclers that William fitz Duncan never visited Skipton and held no power here in the period 1139 x 1150. Even if William spent most of his time outside Cravenshire what mattered was the conception of his authority held by those who remained within the district. If his wife, Alice, and mother-in-law, Cecily, considered themselves to be under

¹²⁵ *Mowbray Charters*, xxvi-xxvii.

¹²⁶ For the extensive Percy holdings in Cravenshire see *EYC*, xi, 11-16, and above Map 22.

¹²⁷ See above, p. 150 note 197.

¹²⁸ Symeon, *Opera*, ii, 323. John of Hexham implies that Ranulf of Chester did not fulfil his promises. It is significant, however, that about two months after the Carlisle conference Ranulf issued a charter at Lancaster witnessed by the Cumberland magnate, William son of Gilbert of Lancaster, an associate of the Scots: *Chester Charters*, no. 88.

¹²⁹ *Gesta Stephani*, 217.

¹³⁰ *Gesta Stephani*, 219.

MAP 36

THE SCOTS IN THE NORTH (1)

KEY

C CARLISLE

L CASTLE AND CAPUT OF HONOUR OF COPELAND

■ ESTATE BELONGING TO " " "

□ " " " KING OF SCOTS

● " " " ADAM FITZ SWAIN

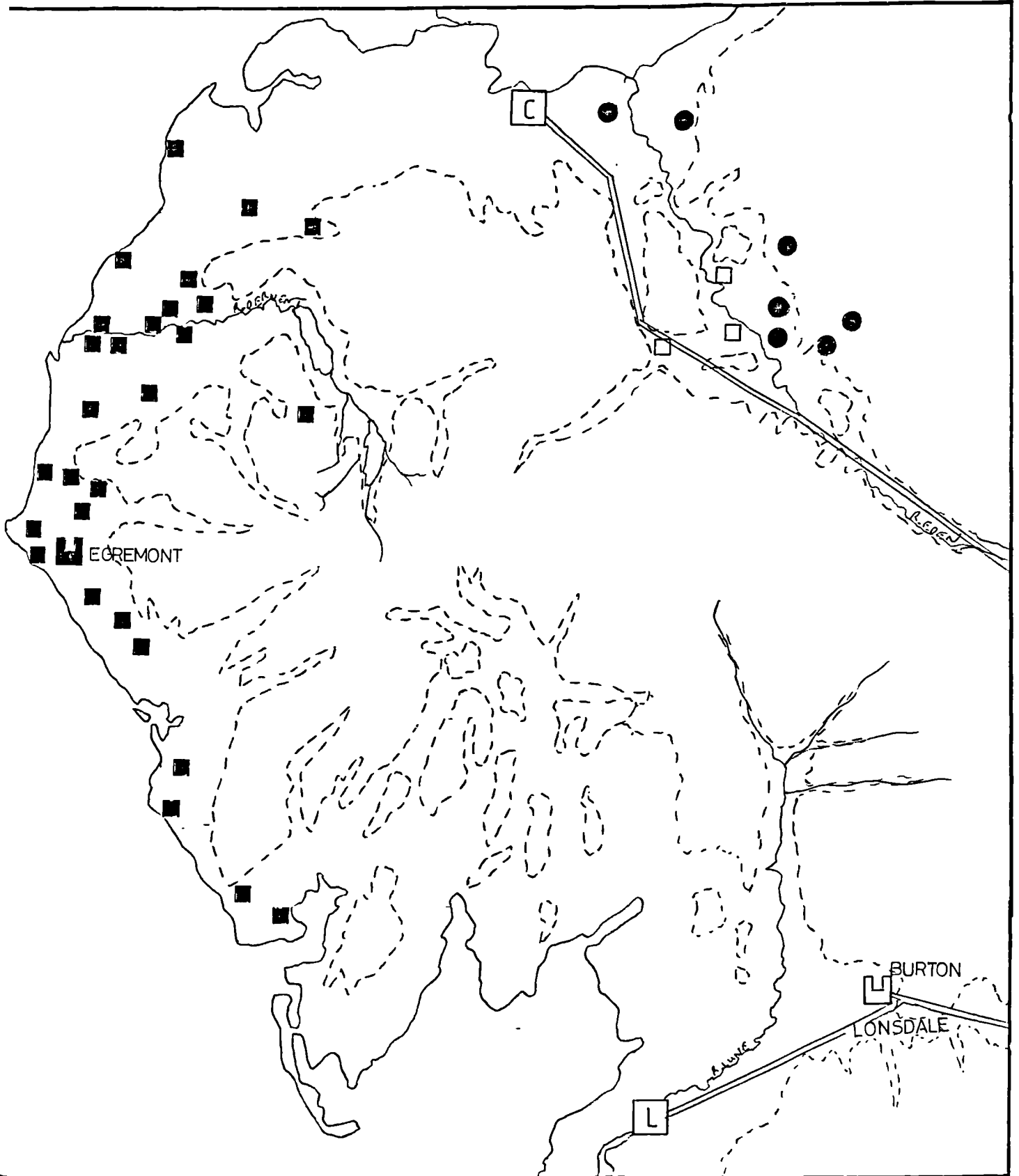
L LANCASTER

L MOWBRAY CASTLE

-- BOUNDARY OF LAND OVER 500f.

SCALE ONE INCH = 5 MILES

0 5

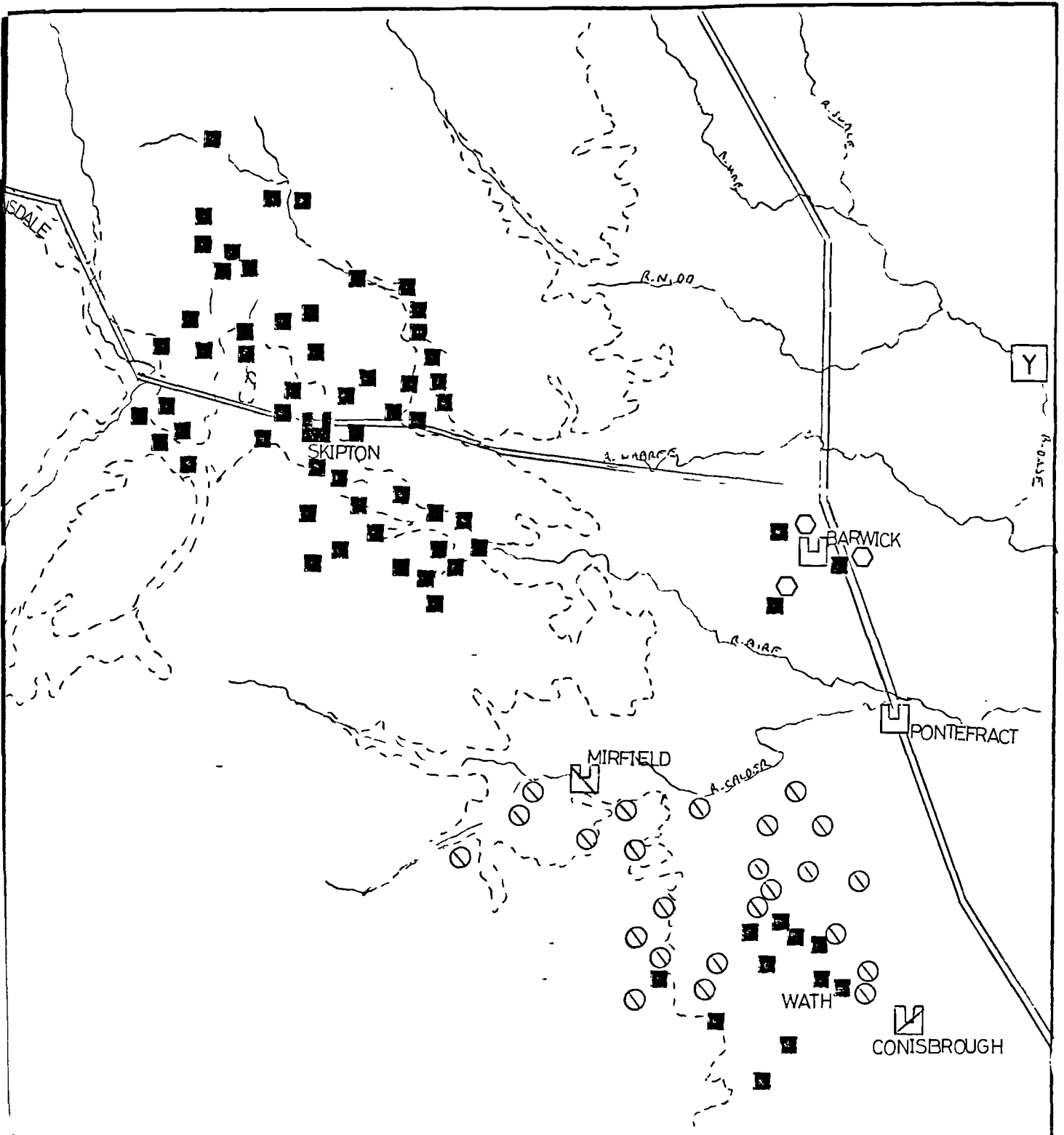


MAP 36

THE SCOTS IN THE NORTH (2)

KEY

- | | |
|---|---|
| <p> Y YORK
 CASTLE AND CAPUT OF THE HONOUR OF SKIPTON
 ESTATE BELONGING TO " " " "
 L CASTLE HELD BY LACY LORDS
 / " " OF " BY ADAM FITZ SWAIN
 O ESTATE " " " " " " "
 O " " " " " SOMMERVILLES </p> | <p> / CASTLE HELD BY WARENNE
 --- BOUNDARY OF LAND OVER 500 ft.
 == MAJOR ROAD
 SCALE ONE INCH = 5 MILES
 <div style="text-align: center;"> </div> <div style="text-align: center; margin-top: 5px;"> 0 5 </div> </p> |
|---|---|



his sway, and were prepared to act for him, then his authority was real. This much is suggested by the charters issued by both women recognizing William's rights in the honour of Skipton, and by the confidence of the Scottish king to march through Cravenshire during the campaign of 1149.¹³¹

It must be stressed that the guiding influence behind William fitz Duncan's involvement in Cravenshire was King David. It was he who despatched William to the region in 1138, and who re-established him there in 1151. In the charters issued by William dealing with the honour of Skipton he was careful to style himself 'nephew of the king of Scots',¹³² as if to underline the fact that this was a royal venture rather than a piece of private opportunism. William fitz Duncan was David's man and his mission was to extend David's authority. In this sense control of Skipton castle was not enough, the Scots were also determined to colonize.

The attempt by the Scots to tighten their grip on Cravenshire by introducing their own tenants can be traced in the *carta* return made for the honour of Skipton in 1166.¹³³ In terms of the high proportion of knights' fees of the new enfeoffment the return is one of the most unusual in the entire inquest. The *carta* lists twelve fees of the old enfeoffment and eight of the new. Almost all of the old fees lay outside Yorkshire, whereas almost all of the new fees were inside.¹³⁴ The bulk of tenant enfeoffment on the honour had therefore taken place after 1135, and almost certainly during the Scots period of domination. This is reflected in the identity of some of the new enfeoffment tenants. The holders of the second largest new enfeoffment tenancy were the heirs of the important Cumberland tenant-in-chief Adam fitz Swain who, with his brother Henry, was closely associated with the Scots court in Stephen's reign.¹³⁵ Adam is not known to have been connected with either the honours of Skipton or Copeland before 1135, and makes his first appearances in the honorial records as the first witness of several charters issued by William fitz Duncan and Alice of Rumilly.¹³⁶ It was almost certainly to their patronage that he owed his Skipton estates.¹³⁷

The establishment of Adam fitz Swain as the principal Skipton tenant in Cravenshire by William

¹³¹ *EYC*, vii, nos. 9, 13-14.

¹³² *EYC*, vii, nos. 9, 14-15. It is interesting that the emphasis on William's links with the Scottish royal house is not to be found in the charters issued by Alice of Rumilly after his death: *EYC*, vii, no. 16.

¹³³ *Red Book*, i, 430-1.

¹³⁴ *EYC*, vii, 90.

¹³⁵ See above, pp. 157-8.

¹³⁶ *EYC*, vii, nos. 9, 12-14, 17-18.

¹³⁷ Adam enfeoffed other Cumberland tenants, such as Godard fitz Boiville lord of Millom in Copeland, on his new enfeoffment tenancy: *EYC*, vii, 182, 187-8.

fitz Duncan becomes all the more understandable when his close connections with the honour of Lacy are considered. In 1166 Adam's heirs held nearly eight knights' fees of the honour of Lacy in the West Riding of Yorkshire.¹³⁸ A large number of the estates constituting the tenancy surrounded an outlying section of the honour of Skipton, situated in the parish of Wath-upon-Dearne to the south-west of the castle of Pontefract, deep inside territory dominated by the Lacy family (Map 36).¹³⁹ Ilbert of Lacy and his son Henry had good cause to hate William fitz Duncan who had attacked their forces at Clitheroe in 1138, and whose uncle King David may have annexed their estates in Blackburnshire shortly afterwards.¹⁴⁰ It was probably partly with a mind to preserving the security of the Skipton outlier against the Lacy threat that William fitz Duncan decided to bestow Cravenshire estates upon Adam fitz Swain. In effect he was competing for his loyalty and service, and if Adam proved unfaithful in the region of Wath, William could always deprive him of his estates near Skipton and probably those in Cumberland too.¹⁴¹ Probably in order to provide even more security the outlier itself was granted almost in its entirety, as the largest Skipton new enfeoffment tenancy,¹⁴² to the Fleming family who were old-established tenants in Copeland, and who witnessed charters of William fitz Duncan and Alice of Rumilly in the reign of Stephen.¹⁴³ It is little surprise to find Adam fitz Swain among their under-tenants in the region of Wath,¹⁴⁴ and that he, rather than they, exercised effective lordship within the Skipton outlier.¹⁴⁵

The policy of providing for the security of Skipton estates remote from Cravenshire probably also explains the new enfeoffment tenancies granted to Hervey of Reineville, Helto fitz William of

¹³⁸The Neville fee: *Red Book*, i, 423.

¹³⁹For the estates held of the honour of Lacy by Adam's father in 1086 see *DB*, i, 316b-318a. Adam witnessed charters of Henry of Lacy in the 1150s: *EYC*, iii, nos. 1500, 1503. Adam's simultaneous links with both the Lacys and Cumbria are well illustrated in his charter founding Monk Bretton. The document conveyed land held of the Lacys, but was witnessed by the Cumbrian magnates, Rainald prior of Wetheral and Gospatric fitz Orm: *EYC*, iii, no. 1668.

¹⁴⁰It is extremely difficult to determine the policy adopted by the Lacys in Stephen's reign. Although it is possible that they may have supported the Scottish invasion of Yorkshire in 1149, and that the enfeoffment of their tenants in the honour of Skipton is another reflection of an alliance with David, it appears that at the close of Stephen's reign they were supporting the English king and therefore hostile to the Scots: see above, p. 151.

¹⁴¹Adam's Skipton estates situated in Farnhill, Cononley, Hetton, Bordley, Newsholme, Oakworth and Kilnsea which were all Cravenshire villis: *EYC*, vii, 178, 189.

¹⁴²1 1/2 knights' fees: *Red Book*, i, 431.

¹⁴³*Red Book*, i, 431; *EYC*, vii, 193-7. A Reiner the Fleming witnessed charters issued by William Meschin before 1130, and by Cecily of Rumilly in the period 1131 x 1140. In some of these he is styled *dapifer*: *EYC*, vii, 195-7, 199-200. His son witnessed charters of William fitz Duncan and Alice of Rumilly: *EYC*, vii, nos. 9, 13, 15, 17-18. It is uncertain whether the Meschin fee was created by Meschin, Cecily of Rumilly or the Scots.

¹⁴⁴Adam's under-tenancy consisted of lands in Wentworth, Brampton Bierlow and Thorpe Hesley: *EYC*, vii, 207-8. The Flemings, in turn, were his sub-tenants in Cononley and Newsholme in Cravenshire: *EYC*, vii, 194.

¹⁴⁵See above, pp. 157-8.

Arches, Osbert the archdeacon, Peter of Marton and Simon of Mohaut. Like Adam fitz Swain, the first three were members of important Lacy tenant families, and held their Lacy land not only in the region of Wath but also in that of Barwick-in-Elmet, wherein lay another cluster of Skipton estates (Map 36).¹⁴⁶ Marton and Mohaut on the other hand were tenants of Alice of Rumilly's sister, Avice, in lands immediately to the north-west of Barwick.¹⁴⁷ Avice herself cultivated ties with retainers of the Lacys and was well placed to protect her sister's estates near Barwick.¹⁴⁸ It is possible that she could also expect some support from Walter of Sommerville who held estates of Lacy close to and within Barwick, and whose younger brother, William, witnessed charters of King David and Henry of Scotland in Stephen's reign.¹⁴⁹ Growing Scottish influence in the region may provide at least part of the explanation for Henry of Lacy's decision, with the approval of King Stephen, to construct a castle at Barwick.¹⁵⁰

As well as undertaking their own new enfeoffments in Yorkshire the Scots appear to have been able to exploit their control of Cumbria and northern Lancashire to influence other magnates in Cravenshire and its environs to establish tenants favourable to them. Roger of Mowbray who held Kendale, Lonsdale and most of Ribblesdale granted his entire interest here to William fitz Gilbert of Lancaster for the service of four knights.¹⁵¹ Dr. Greenway suggested that the charter seems to illustrate Roger's recovery of his lands in these areas from the Scots as a result of his participation in the alliance of King David, Ranulf of Chester and Henry of Anjou in 1149, and dated it c.1149

¹⁴⁶The half knights' fee held by Reineville was one of the largest new enfeoffment tenancies: *Red Book*, i, 431. The constituent estates were situated in Gargrave and Eshton in Cravenshire: *EYC*, vii, 213. Hervey's elder brother, William held four knights' fees of Henry of Lacy in 1166 situated in Campsall, Bramley, Badsworth and elsewhere: *Red Book*, i, 422; *EYC*, iii, 249-53. Between 1170 and 1180 a Hervey of Reineville granted Nostell priory 22 pence which Robert fitz Asketill had once rendered for his land in Wentshill and Badsworth: *EYC*, iii, no. 1582. The several branches of the Arches family were closely connected with the honours of Copeland, Skipton, Percy and Lacy: see below pp. 211-12. Osbert the archdeacon held military tenancies of both the honours of Skipton and Lacy in 1166: *Red Book*, i, 424, 431. He appears for the first time in the records of the honour of Skipton in charters of William fitz Duncan and Alice of Rumilly: *EYC*, vii, nos. 13-14, 17-18. His Lacy estates were centred on Middle Haddlesey and he appears as a witness to charters either issued or witnessed by Henry of Lacy, Adam fitz Swain and members of the Reineville family, in the second half of the twelfth century: *EYC*, iii, nos. 1502-4, 1527, 1529, 1667, 1729.

¹⁴⁷In the *carta return* made by Avice's son, William of Courcy, Peter of Marton held a half knight's fee in Yorkshire: *Red Book*, i, 224-5. His estates were situated in Brandon, Wigton, Weeton and Helthwaite, and those of Simon of Mohaut in East Keswick and Wike: *EYC*, iii, 474. The first charters of the lords of Skipton to be witnessed by Peter and Simon were those issued by Alice of Rumilly in the period 1152 x 1154: *EYC*, vii, nos. 16-17.

¹⁴⁸A charter issued by Avice in the period 1147 x c.1152 was witnessed by Adam fitz Peter of Birkin who, as well as holding lands of her in Horsforth, was a Lacy tenant in the region of Wath. Witnessing also was Adam of Munbegun the husband of the heiress of Adam fitz Swain: *EYC*, iii, no. 1871.

¹⁴⁹The Sommervilles held land in Barwick, Seacroft and Birkby of the Lacys: *EYC*, iii, 307. See above p. 169 note 44.

¹⁵⁰PRO, Duchy of Lancaster 41/1/35, and Duchy of Lancaster 41/1/37; Wightman, *Lacy Family*, 115.

¹⁵¹*Mowbray Charters*, no. 370.

accordingly.¹⁵² It is more likely, however, that when Roger issued the charter the estates which it conveyed were still under Scottish control, that he was forced by King David to alienate them as the only way of retaining a vestige of his interest, and that he never recovered direct control over the lands until the reign of Henry II. William fitz Gilbert was a tenant of the honour of Copeland,¹⁵³ a second-cousin of William fitz Duncan,¹⁵⁴ and David's man not Roger's.

It is possible that David was using his connections with Yorkshire magnates to establish his retainers in tenancies in the more central regions of Yorkshire. In the late twelfth century Duncan earl of Fife, an important noble of King David,¹⁵⁵ held two carucates in the vill of Plumpton in the West Riding of the Vescy descendants of Eustace fitz John. The land had been held in 1086 by the Gilbert Tison and it is unclear how the Vescys and Duncan acquired their interests. Plumpton, however, was close to Knaresborough castle which was in the custody of Eustace in 1129 x 1130 and probably later, and he may have secured control of his part of the vill at this time and granted the estate to Duncan at the behest of King David.¹⁵⁶

In addition to his control of Northumberland and Cumbria King David made use of other concessions wrung from King Stephen in the treaties of Durham to expand his influence and authority in Yorkshire. In 1136 Stephen granted Henry of Scotland the strategically important fortified town and port of Doncaster,¹⁵⁷ situated in the south of Yorkshire at the point where the great Roman road to the north crossed the river Don, and there is evidence that the Scots were able to exercise some control over it. This is suggested by a charter of Henry of Scotland, issued at some point in the period 1138 x 1152, addressed to his burgesses and ministers of Doncaster, notifying them of his gift to St. Peter's hospital York of a toft by the river in Doncaster.¹⁵⁸ The charter was witnessed

¹⁵² *Mowbray Charters*, xxvi and note 8; no. 370.

¹⁵³ William appears to have held a joint interest in a tenancy in the honour of Copeland with his cousin, Gospatric fitz Orm, who exchanged Middleton-in-Lonsdale with William in exchange for Lamplugh and Workington: *ESC*, 406; *Register of St. Bees*, note to no. 32, 339, 465. William's grandfather, Ketel, witnessed charters of William Meschin, lord of Copeland, and granted land in Workington and Preston to St. Bees: *Register of St. Bees*, nos. 1-4, 7, 9. William Meschin confirmed a gift by William fitz Gilbert of Lancaster of land between Whitehaven and Hensingham in Copeland: *Register of St. Bees*, no. 3. William also granted land in Suarthow and confirmed his brother Roger's gift of land in Hensingham and Walton: *Register of St. Bees*, nos. 11, 223, 232.

¹⁵⁴ William's uncle, Orm fitz Ketel, married Gunnilda, sister of Ethelreda, the mother of William fitz Duncan: *Register of Holm Cultram*, 34; *VCH, Northumberland*, vii, pedigree facing p. 104.

¹⁵⁵ For Duncan's importance see Barrow, *David I*, 16.

¹⁵⁶ *AYC*, vii, no. 53, 19-20.

¹⁵⁷ *Chronicles of the Reigns*, iii, 146; Symeon, *Opera*, ii, 287. The town was fortified in 1193 and may have been so earlier: Cathcart King, *Castellarium Anglicanum*, ii, 534, 530.

¹⁵⁸ *Regesta Scottorum*, i, no. 17, dated 1136 x 1152, also printed as *AYC*, ii, no. 1004.

by Eustace fitz John and Eudo of Skinthorpe and may have been issued in Yorkshire.¹⁵⁹ Although Barrow suggested that Henry lost Doncaster after 1141,¹⁶⁰ continued Scottish control throughout the 1140s and beyond is indicated by fact that the man who rendered account for the farm of the town in 1158 was the ubiquitous Adam fitz Swain.¹⁶¹

King David's desire to control Doncaster may have been part of a plan to establish Scottish influence in a solid block of territory in the south of Yorkshire. Situated only a few miles from Doncaster was the great manor of Hallam to which was attached sokeland in sixteen vills,¹⁶² which may have incorporated a castle,¹⁶³ and which belonged to King David in right of his wife.¹⁶⁴ Whether the manor was under Scottish control in Stephen's reign cannot be certain, but it may be significant that after the conclusion of the Durham election dispute, when David and William Cumin were not on the best of terms, the former Scottish chancellor was taken prisoner and tortured by Richard of Lovetot who was David's tenant in the soke of Hallam.¹⁶⁵ Nearby also was the castle and soke of Conisbrough held by William III of Warenne. A desire to secure an interest in this important fee might explain the marriage, under the terms of the second treaty of Durham, of Henry of Scotland to Ada the sister of Warenne in 1139.¹⁶⁶ Although Warenne was a loyal adherent of Stephen, and after his death while on crusade in 1148 his estates passed with his daughter in marriage to Stephen's second son, William,¹⁶⁷ it is not without significance that David established several tenants of the lordship of Conisbrough in lands in Scotland.¹⁶⁸

David may have employed the grant of Scottish estates to increase his influence within, and perhaps to win favour with the lord of, another important Yorkshire honour in Stephen's reign. Between 1139 and 1153 he granted a knight's fee in Roxburghshire to Walter of Ryedale, a tenant of

¹⁵⁹ Eudo may have been a relative of the Roger of Skinthorpe who held land in Skinthorpe of the honour of Fossard in Yorkshire in 1166: *EYC*, ii, 332.

¹⁶⁰ *Regesta Scottorum*, i, 142.

¹⁶¹ The farm of £60 illustrates the importance of Doncaster: *Pipe Rolls 2-4 Henry II*, 179.

¹⁶² *DB*, i, 320a. The vills are identified in *VCH, Yorkshire*, ii, 256.

¹⁶³ The castle may have been at Sheffield which was one of the outliers of Hallam: Cathcart King, *Castellarium Anglicanum*, ii, 530.

¹⁶⁴ David's wife was a daughter and co-heiress of Judith the wife of Waltheof earl of Northumbria, to whom the manor and soke of Hallam had once belonged. She appears to have carried control of the manor to her husband: Freeman, *Norman Conquest*, iv, 301, 524, 601.

¹⁶⁵ Symeon, *Opera*, ii, 317; *VCH, Yorkshire*, ii, 166; *EYC*, iii, 4-5.

¹⁶⁶ Symeon, *Opera*, ii, 300.

¹⁶⁷ *EYC*, viii, 14-15.

¹⁶⁸ Barrow, 'Pattern of lordship', 132; *Regesta Scottorum*, i, 226, 265; ii, 125, 314, 363; Barrow, 'Scotland's families', 328.

the honour of Bertram of Bulmer,¹⁶⁹ who went on to witness many of his charters and those of his son Henry.¹⁷⁰ As a former sheriff of Yorkshire under Henry I,¹⁷¹ Bulmer may have had good reason both to resent the decline of royal authority in Yorkshire after 1135 and support the Angevin party or their associates the Scots. He also held an important tenancy of the bishop of Durham in county Durham which was vulnerable to Scottish attack,¹⁷² and in order to preserve his estates may have supported the policy adopted by King David during the Durham election dispute.¹⁷³ That Bertram may have been loyal to the Scots is also suggested by Henry II's decision to restore him to his former position as sheriff of Yorkshire when he re-established royal authority in the county after 1154.¹⁷⁴

In addition to the secular lordships King David was intent on reinforcing the close ties he had formed in the reign of Henry I with the church in Yorkshire, and especially with the reformed monasteries. His motives were political as well as religious, and his ultimate aim was almost certainly to establish control of the archbishopric of York. In order to understand the policy it is necessary to place it within the context of the history of Anglo-Scottish ecclesiastical relations.

King David was determined to pursue the ambition of his predecessor Alexander to secure the independence of the Scottish bishoprics from the metropolitan authority of the archbishops of York. Everything depended upon the decision of the papacy, and after failing to persuade successive popes to reverse Celestine II's declarations of 1119 and 1121 that the Scottish bishops were to be suffragans of York, and to grant the pallium to the bishop of St. Andrew's, David eventually reached a compromise with Archbishop Thurstan in 1127. Although David permitted Robert bishop

¹⁶⁹ *Regesta Scottorum*, i, no. 42, also printed as *ESC*, no. 222. In or before 1156 Walter bequeathed his Scottish estates together with those held of Bulmer to his brother Anchetill. In 1166 Anchetill held a knights' fee of the honour of Bulmer situated in Great and Little Habton and Ryton: *EYC*, ii, nos. 777-8 and notes. Anchetill's wife was a member of the Stonegrave family who were tenants of the honours of Helmsley and Paynel: *EYC*, vi, 11, 14, 119-21, 143-4, nos. 13, 38-9, 44-5, 21.

¹⁷⁰ The charters may all have been issued in Scotland or at Carlisle: *ESC*, nos. 146, 179, 186, 195, 224, 234, 244, 248, 250.

¹⁷¹ *Pipe Roll 31 Henry I*, 24.

¹⁷² In 1166 Bertram's son, William, held five knights' fees of the bishopric: *Red Book*, i, 417-20.

¹⁷³ In 1144, after King David had abandoned his support for William Cumin, Bertram was one of a group of barons to attack Cumin's forces: Young, *William Cumin*, 24. It is possible, however, that Bertram's motives were purely local.

¹⁷⁴ Bertram was sheriff from January to Michaelmas 1155, and from 1155 until 1163: *Red Book*, ii, 652; *Pipe Rolls 2-4 Henry II*, 26, 85, 145; *Pipe Roll 5 Henry II*, 29; *Pipe Roll 6 Henry II*, 57; J.H. Round, 'Neville and Bulmer', in Round, *Family Origins*, 54-9.

of St. Andrew's to be consecrated by Thurstan at York, the new bishop withheld the usual oath of obedience sworn to the metropolitan. The issue was left to rest until 1130 when a schism occurred in the papacy between Innocent II, who had the support St. Bernard and the reformers within the church, and Anacletus II. David's decision to support Anacletus left the Scottish church in isolation and invited the hostility of Innocent who, as well as being on good terms with King Stephen, issued letters in 1131 and 1136 commanding John bishop Glasgow to acknowledge his subjection to the church of York and urging Stephen to develop the see of Carlisle to which both John and King David were vehemently opposed. When the schism ended with the death of Anacletus in 1138 David took the opportunity provided by the visit of the legate Alberic bishop of Ostia to make his reconciliation with Innocent.¹⁷⁵ When Alberic came to Carlisle David, who had excluded Adelulf bishop of Carlisle from his see, agreed to restore the bishop to his rightful place, and in return the legate recalled John bishop of Glasgow from the monastery of Tiron where he was sheltering after resigning his see in the face of Innocent II's threats of excommunication.¹⁷⁶

1138 marks an important turning point in the ecclesiastical policy of King David. Whereas before he had been an opponent of the reformed papacy, thereafter he was to be one of its closest allies, and sought to use the alliance to establish the independence of the Scottish church. An opportunity came with Stephen's attempt to secure the archbishopric of York for his nephew, William fitz Herbert, in the early 1140s. William's election in 1141 appeared to be uncanonical and incited the hostility of the reformed Augustinian and Cistercian houses in Yorkshire which, with the backing of St. Bernard, appealed to Rome against the election and eventually secured his deposition by the Cistercian pope Eugenius III in 1147.¹⁷⁷ King David, who had already established ties with several of these houses, was well aware that in terms of their landed wealth, patronage contacts and moral influence they were natural allies for a king seeking to secure the independence of the Scottish church and the expansion of Scottish authority in Yorkshire at the expense of King Stephen. There is evidence that he was closely involved with their programme of opposition and sought to use them to establish

¹⁷⁵The information up to this point in the paragraph is derived from Nicholl, *Thurstan*, 79-107.

¹⁷⁶Symeon, *Opera*, ii, 298; *Chronicles of the Reigns*, iii, 167-70. Alberic was accompanied by Richard, abbot of the Cistercian house of Fountains, who later became Archbishop Thurstan's ambassador at the papal court.

¹⁷⁷The houses involved were Rievaulx, Fountains, Kirkham and Guisborough: Symeon, *Opera*, ii, 311, 313; Knowles, 'The case of St. William', 162-77, 212-14; C.H. Talbot, 'New documents in the case of St. William of York', *CHJ*, 10 (1958), 1-15; A. Morey, 'Canonist evidence in the case of St. William of York', *CHJ*, 10 (1950-2), 352-3.

either his own candidate at York, or at least a reformer sympathetic to his ecclesiastical policy.

One of the principal opponents of Archbishop William fitz Herbert was Waltheof, prior of Kirkham, a step-son of King David. In 1141 Waltheof himself stood as a candidate in the York election but was vetoed by Stephen because of his Scottish connections.¹⁷⁸ There were good grounds for fearing Waltheof's links with David. The prior's candidacy for the election and slightly later decision, at the instigation of David's former courtier Ailred, to leave Kirkham and join the Cistercians,¹⁷⁹ occurred only shortly after a visit to Yorkshire in 1140 by the Irish saint, Malachy, on his way from Ireland to see Bernard of Clairvaux. Before reaching Yorkshire Malachy had visited King David at Carlisle, and on arriving in the county was received by Prior Waltheof.¹⁸⁰ It is possible that Waltheof's Cistercian conversion was made under the influence of King David and deliberately calculated to win his candidacy the support of St. Bernard and his connections at Rome. There is little else that might explain the opposition to the conversion of Waltheof's half-brother, Simon II of Senlis, a magnate loyal to King Stephen whose hostility was so great that Waltheof was forced to leave the Bedfordshire house of Warden, where he had begun his Cistercian novitiate, and take refuge at Rievaulx.¹⁸¹ The continued strength of Waltheof's relations with Scotland are illustrated in 1148 when he returned to become abbot of the Cistercian house of Melrose.¹⁸²

It is possible that Malachy provided a vital communications link between Bernard, who took a great interest in the York election dispute and was vehemently opposed to William fitz Herbert, the party of reformed houses in Yorkshire, and the Scottish court. It is significant that his second journey to Clairvaux by the same route was made in 1148 at the pope's command,¹⁸³ a year after the election to the archbishopric of the reformers' candidate, Henry Murdac, and a year before King David's second invasion of Yorkshire which was probably undertaken partly with the intention of establishing the new archbishop in York. Malachy stayed for a time at the Augustinian priory of

¹⁷⁸ *Acta Sanctorum*, i, August 3rd, 256-7; *Vita Ailredi*, xlv, xliii, xxxii; Nicholl, *Thurstan*, 240.

¹⁷⁹ *Vita Ailredi*, lxxi-lxxv.

¹⁸⁰ J. Wilson, 'The passages of St. Malachy', *SHR*, 18 (1921), 69-82.

¹⁸¹ *Vita Ailredi*, lxxi-lxxv. It is significant that the founder of Kirkham, Walter Espec, who had close ties with King David, did not oppose Waltheof's decision to become a Cistercian despite the split it caused in the ranks of the canons of Kirkham. Instead Walter made arrangements for those who wished to join the Cistercians to submit themselves and Kirkham to Rievaulx abbey, and those who wished to remain Augustinians to be re-settled at Linton: *Vita Ailredi*, lxxiii.

¹⁸² *Vita Ailredi*, lxxi-lxxv.

¹⁸³ Symeon, *Opera*, ii, 321.

Guisborough which was one of the reformed houses leading the opposition to the election of William fitz Herbert, and which had been founded by the Brus family who were close adherents of King David. That Malachy was suspected of doing harm to Stephen's cause is suggested by the fact that the king prohibited him from leaving England.¹⁸⁴

King David's connections with Rievaulx abbey, another member of the party of religious houses opposed to the election of William fitz Herbert, were as close as those with Kirkham. After the arrival at Rievaulx in the early 1130s of David's dispenser, Ailred, the ties between the house and Scotland had strengthened. In 1136 King David himself founded a daughter house of Rievaulx at Melrose, and in 1142 was to establish another at Dundrennan.¹⁸⁵ In 1138 it was Abbot William of Rievaulx, a former secretary of St. Bernard, who came north to negotiate peace with David and arrange the surrender of Wark to him.¹⁸⁶ Meanwhile at Rievaulx itself Ailred was rising within the ranks of the abbey hierarchy and in 1142 represented the house in complaining about the election of William fitz Herbert before the pope in Rome.¹⁸⁷ That he maintained his ties with Scotland is clear from his later writings which reveal both a powerful devotion to King David¹⁸⁸ and a political attitude reflecting ideas almost certainly prevalent at the Scottish court.¹⁸⁹ Ailred believed that the kings of Scotland were the true successors of the English kings and that King David was the chief representative of the West Saxon house.¹⁹⁰ He saw the inhabitants of Old Northumbria, incorporating both southern Scotland and northern England, as a united people of one race, nationality and culture whether they looked to King David or King Stephen for lordship. With its close ties with Northumberland, Cumbria and Scotland, Yorkshire provided ideas of this kind with fertile ground in which to grow.¹⁹¹

King David also appears to have been cultivating links with the Cistercian abbey of Fountains. In 1147 the Percy family founded a daughter house of the Northumberland priory of Newminster, itself a daughter of Fountains, at Sallay in Cravenshire.¹⁹² The location of the house and its unusual

¹⁸⁴ Wilson, 'St. Malachy', 69-82.

¹⁸⁵ *Vita Ailredi*, lxviii; Symeon, *Opera*, ii, 330; *Regesta Scottorum*, i, no. 21.

¹⁸⁶ Symeon, *Opera*, ii, 291-2; *Vita Ailredi*, 23; *Chronicles of the Reigns*, iii, 171; Nicholl, *Thurstan*, 231.

¹⁸⁷ Knowles, 'The case of St. William', 167; Talbot, 'New documents', 2.

¹⁸⁸ *Vita Ailredi*, xci-xcii, xcvi.

¹⁸⁹ *Ibid.*, i, xlii, xlvi.

¹⁹⁰ For the family links between King David and the West Saxon dynasty see Barrow, *David I*, 17.

¹⁹¹ Ailred's ideas were echoed by other northern chroniclers, such as Jocelin of Furness and William of Newburgh: *Acta Sanctorum*, August 1st, 248, d, c; *Chronicles of the Reigns*, i, 105-6.

¹⁹² *Sallay Chartulary*, i, no. 1, reprinted as *EYC*, xi, no. 12.

dedication to St. Andrew¹⁹³ may be significant in the light of the close connections of the Percys with Scotland.¹⁹⁴ At about the same time another daughter house of Fountains was founded by Henry of Lacy at nearby Barnoldswick, before being removed to Kirkstall.¹⁹⁵ The abbots of both Sallay and Kirkstall witnessed a charter of William fitz Duncan notifying Archbishop Henry Murdac and Archdeacon Osbert of a gift to Embsay priory issued before 1153.¹⁹⁶ Henry Murdac had been abbot of Fountains and his relations with the Scots appear to have been particularly close. King David supported Murdac's candidature for the archbishopric of York and in 1147 permitted Adelulf bishop of Carlisle to attend and promote his election at Richmond.¹⁹⁷ In the following year, not long after Malachy's visit to Yorkshire, and at about the same time David's step-son Waltheof became abbot of the Cistercian abbey of Melrose, Murdac came north to meet David at Carlisle where it is almost certain that they negotiated the plans for the Scottish invasion of Yorkshire launched in 1149.¹⁹⁸ David's nephew, William fitz Duncan, whose Cravenshire estates were to provide the point of entry into Yorkshire for the invading army, was also well disposed to Murdac and, in addition to granting land to Fountains abbey,¹⁹⁹ was probably responsible for bestowing one of the largest new enfeoffment tenancies on the honour of Skipton to Archdeacon Osbert, one of Murdac's principal supporters during the election dispute.²⁰⁰

The strength of King David's influence in the ecclesiastical politics of Yorkshire almost certainly provides part of the explanation for Stephen's concern to construct his own ecclesiastical party at York to act as a counterbalance to the reformers. Consisting of relatives like William fitz Herbert and Hugh of Puiset, and officials like Robert of Gant, Stephen's party drew its support from the old Benedictine houses ill-disposed towards the new reformed monasticism. When the case of William fitz Herbert was heard at Winchester in 1143 the men who stood up to support his candidature were Severinus and Benedict, the respective heads of the Yorkshire Benedictine houses of St. Mary's

¹⁹³Nearly all the Cistercian houses were dedicated to St. Mary.

¹⁹⁴For these connections see above, p. 169.

¹⁹⁵*Kirkstall Coucher*, ix-xiii.

¹⁹⁶*EYC*, vii, no. 15.

¹⁹⁷Symeon, *Opera*, ii, 320-1.

¹⁹⁸Symeon, *Opera*, ii, 322. Murdac's involvement in masterminding the invasion is suggested by Stephen's attempt to build a castle at Beverley, where Murdac had taken refuge, after forcing the Scots to retreat in 1149: Symeon, *Opera*, ii, 323.

¹⁹⁹*EYC*, vii, no. 14.

²⁰⁰*Red Book*, i, 431; *EYC*, vii, 216-17. Osbert was accused of murdering Archbishop William fitz Herbert in 1154: Nicholl, *Thurstan*, 244-5; C.T. Clay, 'Early archdeacons of the church of York', *YAJ*, 36 (1944-47), 279; Morey, 'Canonist evidence', 352-3; *EYC*, vi, 158-9.

York and St. Hilda's Whitby, and Ralph bishop of Orkney, a man who had fathered children.²⁰¹ It was William, in turn, who promoted Robert of Gant, Stephen's chancellor, and Hugh of Puiset, his nephew, to their respective offices of dean and treasurer within the church of York.²⁰² When William was deposed in 1147 Gant and Puiset took the lead in opposing the election of the reforming candidate, Henry Murdac, and after his appointment refused to admit him to York until his reconciliation with the king in 1151.²⁰³

We can only speculate what might have happened had Henry Murdac gained entry to York with the help of King David in 1149. It is just possible that Murdac had agreed during the negotiations with David in 1148 either to promote the independence of the Scottish church at Rome or, like the bishop of Carlisle, to govern his see under the overlordship of the king of Scotland. If this were to have been the case David's ambitions would have received a set-back when Stephen and the archbishop were reconciled in January 1151. But David never abandoned his ambitions, and a few months later when the papal legate, John Paparo, arrived at Tynemouth David hurried north from Cravenshire to meet him, win his favour and persuade him to request the pope to grant the pallium to St. Andrew's.²⁰⁴ In the following year David permitted Henry Murdac to conduct his archiepiscopal duties in the region to the north of Yorkshire and heard his complaints at Carlisle.²⁰⁵ The Scottish king and archbishop of York were cooperating, and that they could do so after Murdac's reconciliation with King Stephen, is no small tribute to the relationship David had established with the reformed papacy and the influence he had built up within the reformed monastic houses of Yorkshire.²⁰⁶

²⁰¹Symeon, *Opera*, ii, 315. The heads of Benedictine houses are also to be found among those who witnessed a charter issued by William as archbishop: *Episcopal Acta V*, no. 100, dated c.1143 x 1144.

²⁰²Symeon, *ibid.*, ii, 320.

²⁰³*Ibid.*, 320-2, 325. In 1153 Puiset was elected bishop of Durham by the clergy of the diocese headed by the prior of the Benedictine monastery of St. Cuthbert's Durham. The election was opposed by Archbishop Henry Murdac who excommunicated the prior and archdeacons of Durham: Symeon, *Opera*, ii, 329.

²⁰⁴Symeon, *Opera*, ii, 326-7; *Historia Pontificalis*, 70-2. In the previous year the legate had requested Stephen to convey him to Ireland. Stephen accepted, but only on the condition that the legate would do nothing to the injury of the kingdom of England.

²⁰⁵Symeon, *Opera*, ii, 328.

²⁰⁶This influence was not confined to Yorkshire. David also cultivated close ties with the Augustinian house of Hexham whose prior, Robert Biseth, resigned his office and joined the Cistercians at Clairvaux when he heard that William fitz Herbert had been elected to York. David was careful to offer protection to Hexham during his invasions of England and Prior Richard witnessed at least one of his charters. The esteem in which David was held at the house is reflected in the striking eulogy written for him by the later Prior John. See Symeon, *Opera*, ii, 311, 289-90, 330-1; *ESC*, no. 257.

Conclusion

David of Scotland took advantage of the weakness of royal authority in northern England during Stephen's reign to expand the Scottish influence in the region which had its origins far back in the Anglo-Scandinavian past and which, in a modified form, had survived the arrival of the Normans. Before 1135 David himself formed close links with the Norman secular and ecclesiastical aristocracy of the northern shires, by granting its members baronies and ecclesiastical offices in Scotland and establishing his own courtiers in the reformed monastic houses of England. After Henry I's death he used these links, in conjunction with his military campaigns, to secure control of Northumberland and Cumbria, with the result that they were strengthened and multiplied. The nobility of the border counties had to come to terms with the Scots or face losing their lands, and herein lay the opportunity for David to expand his influence further south into Lancashire, Durham and Yorkshire where many Northumbrian and Cumbrian magnates and their relatives also held lands. The homogeneity of the Anglo-Norman aristocratic community might be a source of strength against external threats but could also be a serious weakness, and David was determined to exploit it.

In 1138 David's nephew, William fitz Duncan, invaded Cravenshire, and the control he was able to establish there probably indicates that the Scottish annexation of northern Lancashire and Lonsdale occurred at the same time, and three years earlier than has hitherto been supposed.²⁰⁷ The Scottish victory at the battle of Clitheroe in 1138, ignored by most historians, must now assume a new and crucial significance. It paved the way towards Scottish control of not only Lancashire but also Cravenshire where William fitz Duncan consolidated his military success by enfeoffing Cumbrian magnates already subject to his authority. Scottish power, however, was not confined to Cravenshire. By a variety of methods the tentacles of David's influence were extended to several other regions within Yorkshire, from Richmondshire in the north to Wath and Doncaster, and possibly Hallam and Conisbrough, in the south. Nor was the influence confined to the secular world. It can be also traced within the party of reformed monastic houses who were firmly opposed to Stephen's attempts to manipulate the York election, and who eventually brought about the promotion of Archbishop

²⁰⁷Barrow dates the annexation to 1141 on the basis of charter evidence: Barrow, 'Honour of Lancaster'. It is possible, however, that David secured military control of the region before issuing his charters.

Henry Murdac.

When viewed against this background King David's invasion of Yorkshire in 1149 begins to look like the logical progression of a preconceived programme designed to increase Scottish power in the county. It was stimulated by the monastic reformers, directed through Cravenshire, supported by a number of local magnates with Scottish ties,²⁰⁸ and aimed at establishing Henry Murdac in York. What King David's plans for York and Yorkshire were had the invasion been successful is open to question, but it is not inconceivable that he would have demanded permission from Henry of Anjou, who had already taken an oath to allow him to control Northumberland and Cumbria,²⁰⁹ to add them to his kingdom. As a descendant of the House of Wessex, the husband of a grandniece of the Conqueror, the brother of one English queen and the uncle of another, David had no shortage of family connections with which to manufacture a claim to govern at least a portion of England.²¹⁰ If Ailred's writings accurately reflect the attitudes of the Scottish court this portion was to incorporate the whole of Northumbria. Only an attempt to make this claim a reality can explain David's first expedition to Yorkshire in 1138 and his willingness to fight a pitched battle at the Standard. He had no intention of stopping the extension of his authority over northern England at the line of the Tees.

The extent of King David's success in building up his influence and establishing his control within the northern shires is reflected most clearly perhaps in the urgency and thoroughness of Henry II's policy to re-establish English authority there. Only three years after his succession Henry forced King Malcolm IV to surrender Northumberland and Cumbria into his hands,²¹¹ and his determination to cut out the cancer of Scottish influence in the north extended even to the level of family politics. After the death of William fitz Duncan (1153 x 1154) Henry was particularly careful to prevent the formation of any further family links between the Rumillys and the Scots, and to ensure that the lordships of Copeland and Skipton descended to trusted administrators.²¹² Alice

²⁰⁸ Those certainly supporting the invasion were Alice of Rumilly and William fitz Duncan, Roger of Mowbray and William II of Percy. Those whose support David could probably count on included Eustace fitz John and Walter Espec. Those who may have been disposed in some way to help were William earl of York and Henry of Lacy, although this is far less certain: see above, pp. 148-50.

²⁰⁹ *Regesta Scottorum*, i, 5.

²¹⁰ For David's pedigree see Barrow, *David I*, 17.

²¹¹ Warren, *Henry II*, 178, 182-3; *Chronicles of the Reigns*, i, 105-6.

²¹² For what follows see *EYC*, vii, 12-20.

of Rumilly was married by 1156 to Alexander fitz Gerold a near relation and tenant of one of the king's chamberlains of the exchequer, Henry fitz Gerold, and Henry II took charge of the custody of her four children by William fitz Duncan, despite the fact that Alice lived until 1187 and Henry I's coronation charter had laid down that wards were to be in the custody of their mother or near relative.²¹³ The only son, William, died sometime after 1163 x 1166 while still in the wardship of the king. His three sisters were all betrothed at Henry II's direction. Amabel married Reginald of Lucy who was probably a close relative of the justiciar, Richard of Lucy, and succeeded to interests in Copeland and Allerdale. Alice married Gilbert Pipard, a sheriff and justice in several counties and a baron of the exchequer in Normandy, and succeeded to most of Allerdale, a portion of Copeland, Radston in Northamptonshire and a small interest in Skipton. And Cecily married William count of Aumale the former earl of York, who was greatly favoured by Henry II, and with her husband administered the honour of Copeland during her mother's lifetime. Nothing more clearly than these marriages, perhaps, highlights the contrast between the weakness of King Stephen and the power of King Henry II in Yorkshire. 1154 saw the succession of a new English king and the return of the old English domination of the north. Had King David secured control of York in 1149, come to terms with the earl of York, and lived a little longer, things might have been very different. As it was his dreams were left for his grandson, William the Lion, to pursue.

²¹³ *Select Charters*, 118.

Chapter 6

The New Enfeoffments

In 1166 Henry II conducted a great inquest into military enfeoffment on the honours of his magnates, both laymen and clerics. He asked his tenants-in-chief to provide answers to three questions. Firstly, how many knights were enfeoffed on their honours at the death of Henry I (the old enfeoffment). Secondly, how many knights had been enfeoffed since the death of Henry I (the new enfeoffment). And thirdly, how many knights had been enfeoffed on their demesne estates in order to fulfil the service quota or *servitium debitum* owed to the king. As Professor Holt has stated, the answers they provided, known as the *cartae* returns because they were sent to the king in sealed letters, 'are a curiously neglected source in English history'.¹ Their main interest for this study lies not so much in the lists of military tenants and fees but in the details which were either additional to or omitted from the information sought by the king. These additions and omissions betray an anxious magnate community deeply concerned about making the revelations required of them, particularly the number of knights' fees of the new enfeoffment. This chapter will first illustrate these concerns and then attempt to elucidate and explain them. It will reveal that the magnates suspected that the king intended to use the 1166 inquest as the basis for moving away from artificial quotas toward a more realistic and burdensome assessment based upon the actual number of knights enfeoffed. Although prepared to accept quotas of the old enfeoffment, some magnates refused to countenance the incorporation of those of the new enfeoffment. Their reasons reflect a distinction drawn between

¹J.C. Holt, 'The introduction of knight service into England', *Anglo-Norman Studies* 6 (1983), 89.

fees of the old and new enfeoffments which was financial, political and legal. This distinction is examined in detail and, as well as helping to explain the questions asked by Henry II in the 1166 inquest, throws a good deal of light on the causes and consequences of the crisis of tenurial resources confronting twelfth century tenants-in-chief which will be examined more comprehensively in the final chapter of the thesis.

In a recent work Professor Keefe offered a convincing challenge to the traditional interpretation of Henry II's scutage policy as a failure. Although acknowledging the fact that in 1187 Henry II relaxed the assessment of both ecclesiastical knights' fees in excess of the old service quotas and lay fees of the new enfeoffment, Keefe argues that the combined reductions were greatly outweighed by the increased service Henry demanded from the lay knights' fees of the old enfeoffment surplus to the old quotas. The result was that Henry II increased the military service due from the tenants-in-chief by some 1211 knights' fees.² Although this thesis appears unobjectionable Keefe is less than convincing in his assessment of the baronial response to the increased burden of service. Despite acknowledging that the ecclesiastical tenants-in-chief refused to make payments on knights' fees, both of the old and the new enfeoffment, in excess of their traditional *servicia debita*, he states that, 'a similar resistance attributed by many scholars to the lay baronage cannot be documented',³ and does not attempt to explain why Henry II abandoned the attempt to assess lay fees of the new enfeoffment in 1187. It will be argued here that there is, in fact, a considerable body of evidence to indicate that Henry II's scutage policy faced a considerable degree of opposition from both ecclesiastical and lay magnates in Yorkshire and elsewhere.

The reluctance of magnates to provide Henry II with the information he required is reflected in the large number of Yorkshire honours which made no *carta* return (Table 16).⁴ They were eleven in number, and although one or two may have been exempt either because they were in the king's hands⁵ or enjoyed a special privilege,⁶ it seems likely that the remainder returned no information

²Keefe, *Feudal Assessments*, 41-89, esp. 41-2, 59, 87-9.

³*Ibid.*, 41.

⁴*Red Book*, i, 434-5.

⁵Such as Tickhill, Warter and the forest serjeanty tenure of Richard of Sproxton.

⁶Such as the honour of Holderness held by William count of Aumale who was in receipt of many privileges from Henry II: see above, pp. 151-2. Keefe notes that many of those who failed to return *cartae* were *curiales* or royal

TABLE 16: THE MILITARY RETURNS OF YORKSHIRE IN 1166

Name of Tenant-in-Chief	Number of Knights' Fees of the Old Enfeoffment	Number of Knights Fees of the New Enfeoffment	Number of Knights Enfeoffed On the Demesne
Archbishop of York	43.5	3.87	0
Bishop of Durham	64.66	5.13	0
Roger of Mowbray	88.25	11.66	0
Stephen fitz Herbert the Chamberlain	1.2	0.8	0
Henry of Lacy	66.5	18.06	0
William II of Percy	28	8.43	0
Amphrey II of Chauncy	4	0	1
William of Vescy	24.33	2.14	0
William of Bulmer	3.06	0.2	0
Robert III of Stuteville	8	0.13	0
William Paynel	14	1	0
Alexander fitz Gerold	12	8	0
Everard of Ros	6.08	2.33	0
Robert of Gant	10.5	3.5	0
Ranulf fitz Walter	1	0	2.33

**LIST OF MILITARY FEES INCLUDED IN THE RECORDS OF 1166
FOR WHICH NO RETURNS WERE MADE**

Name of Tenant-in-Chief	Number of Knights' Fees Stated to be in Yorkshire
William count of Aumale	10
Adam II of Brus	15
William Trussebut	10
Earl Conan of Brittany	50
Robert II of Brus	5
Jocelin of Louvain	5.5
Honour of Tickhill	60.3
William of Fougeres	1
Knights of Warter	4.4
R. Constable of Chester	1
Richard of Sproxton	1

because their lords were refusing to co-operate.

Even when magnates were prepared to submit returns the information they provided was often incomplete, imprecise or inaccurate, and probably deliberately so. Particularly common were attempts to deny or disguise the existence of knights' fees of the new enfeoffment. It is difficult to believe the returns of tenants-in-chief of the status of the bishop of Winchester and the abbot of Abingdon which either fail to record new enfeoffments or specifically deny that any had been made.⁷ In Yorkshire the majority of magnates, equally anxious to avoid declaring their new enfeoffments, usually either adopted the same approach as the bishop and abbot or admitted to only small numbers or fractions of knights' fees (Table 16). More ingenious, if no more convincing, were the returns of Henry of Lacy, the archbishop of York and William of Vescy which record certain fees under a heading of 'de veteri' and others without specifically referring to them as either old or new fees.⁸ Henry of Lacy, for example, states that the additional fees were those which 'ipse et antecessores sui feodaverunt, et cum dominio suo serviunt'. He was clearly anxious to avoid them being added to the sixty knights 'de veteri' which he declared he owed the king. Several more magnates display a similar concern and are careful to state the quotas they thought they owed before listing the knights' fees on their honours, which were usually in excess of these obligations.⁹

Some magnates were even more obstructive when it came to providing the information required of them, and almost certainly falsified their returns in a deliberate attempt to conceal the number of fees on their estates, particularly those of the new enfeoffment. Roger of Mowbray, for example, listed Robert III of Stuteville as holding eight knights' fees of the old enfeoffment and one of the new, despite the fact that he had enfeoffed him with ten knights' fees in the period 1154 x 1166.¹⁰ Although it is possible that the grant of one fee had not been effective for some reason it is difficult to explain why Roger designated the bulk of the Stuteville tenancy as 'de veteri' when it was clearly 'de novo'.¹¹ Roger also appears to have been less than honest when it came to the tenancy of William

relatives: Keefe, *Feudal Assessments*, 47-8.

⁷For the knights' fees of the bishop the *carta* return simply records the name of the tenant in Henry I's day, and the name of the tenant in 1166: *Red Book*, i, 204-7, 305-6.

⁸*Red Book*, i, 412-15, 427-8, 421-4.

⁹They include William of Vescy, Robert of Gant, Ranulf fitz Walter and, outside Yorkshire, the bishop of Lincoln: *Red Book*, i, 427-8, 433-4, 376.

¹⁰*Red Book*, i, 419-20; *EYC*, ix, no. 42.

¹¹One possibility is that it was an attempt to legitimize an enfeoffment which the king is known to have vetoed: *EYC*, ix, no. 42.

fitz Gilbert of Lancaster who is listed with two fees of the new enfeoffment even though Roger had bestowed four upon him.¹² No more scrupulous than Roger was the bishop of Durham who, in addition to avoiding specific references to 'de veteri' and 'de novo' fees, appears to have omitted a knight's fee held by William of Vescy. Although the bishop's *carta* records William holding fees only in county Durham¹³ a confirmation charter of Henry II granted to William shortly after 1157 reveals that he held a fee of the bishop in Landmoth and High Worsall in Yorkshire.¹⁴ That the estate had not been recovered by the bishop before 1166 is confirmed by a tenorial survey of the early thirteenth century recording the tenure of Eustace of Vescy, son and heir of William, of a knight's fee in the same vill.¹⁵

The survival of relatively few enfeoffment charters to secular tenants makes it difficult to determine the scale of deception undertaken by the magnates in 1166. In the case of the Percy honour, however, a good impression can be gained by comparing the *carta* return of 1166 with a tenorial record, drawn up at the king's court at the Easter exchequer in April 1175, describing the partition of the lordship of William II of Percy between the husbands of his two daughters and co-heiresses.¹⁶ Although it makes no distinction between fees of the old and new enfeoffments, the concern for detail in the later document makes it a reasonably comprehensive record of military enfeoffment on the Percy honour. As Clay noted a comparison of the 1166 and 1175 records 'shows considerable continuity among the more important tenants, both in name and amount of service...But among the smaller tenants and the tenancies held jointly the same continuity cannot be traced, and there are numerous changes of grouping'.¹⁷ In total approximately 53 1/2 knights' fees are recorded on the Percy honour in 1175,¹⁸ compared with approximately 41 in 1166.¹⁹ Although it is possible that

¹² *Red Book*, i, 420; *Mowbray Charters*, no. 370. Roger appears to have left the Westmorland portion of the estate out of the reckoning.

¹³ *Red Book*, i, 415.

¹⁴ PRO Chancery Miscellanea C 47/9/5 printed as an appendix to C.H. Hartshorne, *Memoirs illustrative of the history and antiquities of Northumberland*, Proceedings of the Archaeological Institute, Newcastle on Tyne, 1852 (London, 1858).

¹⁵ *Book of Fees*, i, 24; *EYC*, ii, 279.

¹⁶ *EYC*, xi, no. 89 and note.

¹⁷ *EYC*, xi, 88.

¹⁸ The figure is my own. Clay has 43 knights' fees in 1175: *EYC*, xi, 89.

¹⁹ The figure includes the 36 1/3 or so knights' fees recorded in the actual *carta* and an additional 4 1/2 knights' fees which the Percys probably held as sub-tenancies of the bishop of Durham, the earl of Richmond, Hugh of Port and Simon III of Senlis: *EYC*, xi, 338-9, 351-2, 353-6. By 1166 the Percys had acquired the tenancy-in-chief of the lands held of the earl of Chester at the time of Domesday: *EYC*, xi, 334-5. The 1175 holdings which do not appear to correspond with any in the 1166 *carta* include two knights' fees held by William of Auketon, two knights' fees held by William of Morers, and one knight's fee held by Richard of Gaumeton: *EYC*, xi, 89.

some of the difference could be accounted for by new enfeoffments made in the intervening period, the proportion is unlikely to have been great given the shortage of alienable resources in the second half of the twelfth century.²⁰ That fees had been omitted in considerable numbers from the 1166 return is also suggested by the possibility that there were far more than 53 1/2 knights' fees on the honour in 1175. In addition to the knights' fees listed the partition document records a large number of other tenancies described in general terms, some of which may have been military fees. The unspecified service of Thomas of Arcy, for example, was assigned to the earl of Warwick's share of the Percy honour.²¹ Although Thomas is not listed in the 1166 *carta*, a document of 1184 x 1185 records that his son held five knight's fees of William II of Percy in Lincolnshire,²² and it is more than possible that this tenancy had been in existence in 1166.²³

Financial reasons were in part responsible for the reluctance of the magnates to admit to all the knights' fees on their honours in 1166. As Professor Warren has pointed out, the information gave the crown an indication of the feudal resources of an honour, so enabling a realistic price to be set when charging relief to an heir, putting it out to wardship or marketing an heiress. Moreover, if by escheat, forfeiture or wardship an honour came into the hands of the crown, all the tenants became liable to the exchequer for the feudal services which they would have previously rendered to the lord.²⁴ Because many tenants-in-chief were also sub-tenants they, as much as their retainers, were set to lose out.

Potentially far more damaging to magnate finances, however, was Henry II's intention to use the *cartae* returns to re-assess their military quotas, many of which had remained at the arbitrary decimal figures established by the Conqueror or his sons.²⁵ The pipe rolls reveal that in the assessment of scutages and aids after 1166 he ignored the old quotas and included surplus fees of both the old and the new enfeoffments.²⁶ Although the magnates were prepared to pay on the former, even when these

²⁰By 1135 the Percy lords had already alienated over 80% of the carucates on their Yorkshire estates. See Appendix 2.

²¹*EYC*, xi, 86.

²²*EYC*, xi, 84, citing *Rot. de Dominabus*, 16.

²³A Robert of Arcy is mentioned in the Lindsey Survey as a tenant of Alan I of Percy in a small holding in Cuxwold; and a charter of King Stephen, issued between December 1148 and August 1153, confirms a grant of land by Robert of Arcy in 'Aneharda' to Kirkstead abbey (Lincolnshire): *Lindsey Survey*, 247; *Regesta*, iii, no. 427.

²⁴Warren, *Governance*, 100-101.

²⁵Holt, 'Introduction of knight service', 91-2, 96, 99, 102-3.

²⁶Although William of Vescy stated that he owed the king twenty knights his *carta* return recorded twenty knights' fees of the old enfeoffment, 2 1/3 enfeoffed on the demesne by his grandfather, Ivo of Vescy, two enfeoffed by his

were higher than their old quotas, some were solidly opposed to payment on the latter, and their recalcitrance may have been one of the reasons why Henry II despatched his great justice Glanville to replace Robert III of Stuteville as sheriff of Yorkshire in 1175 x 1176.²⁷ Glanville had made his reputation as sheriff of Yorkshire in the previous decade,²⁸ and it was doubtless a combination of this reputation and his local connections which brought about a rapid settlement of most of the long outstanding scutage debts in the county. Nevertheless by the reign of Richard I, in the face of continued resistance, the crown was already abandoning the attempt to extract payments for scutage and aids on knights' fees of the new enfeoffment, and after the late 1180s assessment on some honours was confined exclusively to those of the old enfeoffment.²⁹

It was not simply the raising of assessments that threatened the magnates but the prospect that the new quotas would be employed to tax them more frequently and for a greater range of purposes. In the year 1160 x 1161 Henry II collected taxes assessed at a rate of one or two marks per knight's fee irrespective of the fact that no military campaigns were in progress.³⁰ In 1163 an *assisa militum* was raised from the Welsh border counties to pay for a brief campaign in south Wales, and only two years later another expedition was supported by a general levy of a mark per knight's fee.³¹ The 1166 inquest itself may have been undertaken with the purpose of assisting the raising of the 1168 aid for the marriage of the king's daughter when the new assessment was first brought into use.³²

That the magnates were aware of Henry II's intentions in 1166, and opposed them, is clear from the remarks included by some of them in their *cartae* returns. The archbishop of York, for example,

father, Eustace fitz John, and 2 1/7 enfeoffed by himself. He paid scutage on 24 1/3 knights' fees: Sanders, *Baronies*, 103 note 2. Henry of Lacy's claim that he and Guy of Laval owed the king sixty knights between them was also ignored. Although his portion came to forty knights in 1168 Lacy was assessed for the aid for the marriage of the king's daughter on 43 3/4 knights of the old enfeoffment and 20 1/16 of the new enfeoffment: *Pipe Roll 14 Henry II*, 88. Roger of Mowbray's *servitium debitum* of sixty knights was also increased in 1168 to 100 knights before returning to eighty-eight or eighty-nine in later assessments, representing the number of fees reckoned to have existed on the honour at the death of Roger's father, Nigel d'Aubigny, in 1129: *Mowbray Charters*, xxv, xxix, xxxi, xxxiii; *Pipe Roll 14 Henry II*, 87; *Pipe Roll 17 Henry II*, 65-6; Sanders, *Baronies*, 146 note 7.

²⁷The magnates refusing to pay on knights' fees of the new enfeoffment included William of Vescy, Robert III of Stuteville, William Paynel, Alexander fitz Gerald, Robert of Gant, Henry of Lacy and Roger of Mowbray: Sanders, *Baronies*, 103 note 2, 137 note 3, 55 note 5, 142 note 4, 55 note 4, 146 note 7; *Pipe Roll 18 Henry II*, 61; *Pipe Roll 6 Richard I*, 162; *Pipe Roll 19 John*, 31; Wightman, *Lacy Family*, 80-1; *Mowbray Charters*, xxix, xxxi and notes.

²⁸West, *Justiciarship*, 54-5.

²⁹Richard I only charged the son of Henry of Lacy on knights' fees of the old enfeoffment: *Pipe Roll 2 Richard I*, 73. The Mowbray payments were eventually fixed at eighty-eight or eighty-nine knights, representing the number enfeoffed on the honour at the death of Roger's father, Nigel d'Aubigny, in 1129: Sanders, *Baronies*, 146 note 7; Painter, *Feudal Barony*, 25; S.P.J. Harvey, 'The knight and the knight's fee in England', *Past & Present*, 49 (1970), 41.

³⁰For the scutages of Henry II's early years generally see Ramsey, *Revenues*, i, 66-85; C.W. Hollister, 'The significance of scutage rates in eleventh and twelfth century England', *EHR*, 75 (1960), 577-88.

³¹*Pipe Roll 9 Henry II*, 9; *Pipe Roll 11 Henry II*, 7-8, 13-14, 33, 52, 61, 70, 79-80, 87-8, 92-3, 96-7.

³²Keefe, *Feudal Assessments*, 41, 46-7, 59.

appears particularly anxious about the fact that the number of knights' fees on his estates was far in excess of his *servitium debitum*:

We have indeed more knights enfeoffed than are necessary for the [royal] service as you may learn from what follows. For our predecessors enfeoffed more knights than they owed to the king, and they did this, not for the necessities of the royal service, but because they wished to provide for their relatives and servants.³³

For good measure the archbishop attempted to minimize the significance of the excess knights' fees by declaring that he was claiming more service from some of his military tenants than they were currently performing, and that others were 'keeping back the services which are said to be due, not to themselves, but to the table and demesne of the archbishop'.³⁴

Many more magnates were to complain that their tenants were not performing the services required of them³⁵ and there may often have been some truth in their claims. The worst feature for the tenants-in-chief of the royal attempt to re-assess service quotas was that it occurred at a time when the ability of some of them to shoulder the additional burden of obligation was being rapidly undermined by economic conditions. Dr. Harvey has recently argued that as the twelfth century progressed the basic landed minimum needed to furnish those called knights increased. As a consequence, first the small professional knights, the *milites* of Domesday Book, and then the knights of more influential status, found difficulty in fulfilling the military service required of them and began to drop out of the military system. Much of the responsibility for service devolved upon their lords whose capacity to profit from the system by extracting more services from their lands than they owed to the king was reduced.³⁶ The difference between the old quotas and the actual number of knights on the tenancy-in-chief, therefore, was actually smaller in reality than it appeared on parchment, and by setting the new quotas at the total number of knights' fees on the honour the king was demanding more from his magnates than they could provide.

The inability of those holding military tenancies of the tenants-in-chief to provide their services

³³ *Red Book*, i, 412.

³⁴ *Red Book*, i, 415.

³⁵ Including the Lincolnshire tenant-in-chief Lambert of Scoteni: *Red Book*, i, 385.

³⁶ Harvey, 'The knight and the knight's fee', 3-43.

is well documented, and the problems it posed in their meeting royal service quotas are clear. Sub-tenants who were in difficulty can be identified as those restoring their lands to the lord or selling it to other more prosperous men of their own status. Between 1154 and 1179, for example, Roger of Mowbray gave notification that for fifty marks of silver Ralph de la Hai had sold to Robert fitz Arden all the land and wood in Hampton-in-Arden which Roger had previously given to Ralph, to be held for half the service of one knight.³⁷ A similar case occurs on the honour of Gant where, between 1140 and 1150, the tenant-in-chief, Gilbert of Gant, gave notification that one of his sub-tenants, Reingot, who held six bovates in the Lincolnshire vill of Hagworthingham of the monks of Bardney for the sixth part of the service of one knight, was unable to perform his service and had given the monks two bovates and the service of Godric fitz Wite in order that he might hold the rest of his fee free from service for the remainder of his life.³⁸ After Reingot's death his estate would have escheated to Bardney Abbey whose chapter would then have been faced with the problem of finding a replacement tenant in order to provide service. As the economic situation worsened and more land was required to fulfil military obligations this would have become more difficult, and might explain why the service attached to some of the military sub-tenancies appears to have been reduced in the twelfth century.³⁹

The situation for tenants-in-chief was made even worse by the fact that some of the sub-tenants sought to extricate themselves from their financial difficulties by alienating their lands to religious houses quit of service in return for sums of money. An illustration of the process is provided by a charter of Rohese of Clare, widow of Gilbert of Gant earl of Lincoln, informing the bishop of Lincoln that after her husband's death in 1156 she had confirmed to Ralph fitz Gilbert the land in Scampton which Gilbert had granted him. The charter goes on to state that she had now remitted the service of half a knight owed by Ralph to Gilbert and herself when he gave the land to Kirkstead abbey free from all secular service.⁴⁰ Although in theory sub-tenants like Ralph fitz Gilbert were still liable

³⁷ *Mowbray Charters*, no. 330. Similar financial difficulties might explain Rainald of Mildeby's restoration and quitclaim to Roger of Mowbray of his one carucate in Brimham held for the service of 1/15 of one knight, between c.1160 and 1176: *op. cit.*, no. 375.

³⁸ Reingot's difficulties appear to have been due to the heavy burden of his service which was equivalent to one knight from 4 1/2 carucates: BL Cotton Vespasian E xx, f. 66, printed by M.R. Abbot, 'The family of Gant and its estates in the eleventh and twelfth centuries' (Univ. of Cambridge, Ph.D. thesis, 1973), 272, no. 18.

³⁹ For example the service owed by the Mowbray tenant, Robert Dapifer, for his estates in Catterton and Toulston was reduced from one knight to a half knight: *EYC*, i, 415.

⁴⁰ BL Cotton Vespasian E xviii, f. 99v, printed by Abbot, 'Gant family', 367, no. 113, dated 1156 x 1166.

for the service and had to petition their lords for remittance, in practice when grants of this nature were made to the church there was little a lord could do to prevent the loss of his services. On the one hand the religious house had a justifiable claim to hold the land quit of obligations, and on the other the sub-tenant could evade his responsibilities by claiming poverty even if the lord refused his petition for remittance of service. It was impossible to get blood out of a stone.

Political rather than financial necessity sometimes forced sub-tenants into the alienation of lands on terms which limited their capacity to provide the services due to the lord. This was especially true during the troubles of Stephen's reign when concessions were often the best, or only, way of preserving the security of estates. William of Arches, for example, granted eight carucates in Kirk Hammerton, Kirkby Ouseburn, Hebden and Appletreewick to his kinsman Ellis of Hou to hold by the same acquittance as Robert fitz Fulk held until the return of peace, when he was to perform the service of the fourth part of one knight.⁴¹ Although in this case the acquittance of service was temporary we are left to wonder whether William of Arches was successful in re-imposing service after the troubles were over. Many more alienations made by sub-tenants in Stephen's reign probably left the grantors with little chance of recovering their rights.

Grants of land quit of service were not confined to sub-tenants of low status in financial or political difficulties. They were also made by those who were tenants-in-chief in their own right. In c.1150, for example, Eustace fitz John employed two knights' fees held of William II Fossard to found the priory of Watton in the East Riding of Yorkshire. At the request of Eustace, William granted Watton acquittance from the service due for the estate.⁴² A similar case is provided by the grant made by Agnes of Arches in the period 1143 x 1154 to the nuns of Nunkeeling of her half-carucate in the vill, with a promise to petition her lord, William count of Aumale, to acquit the service.⁴³ Grants of this nature probably represent an attempt to save on the amount of demesne land alienated and were almost certainly less expensive. The sub-tenant lost only his service profit-margin, that is the difference between the knights he rendered to the lord and the actual service he

⁴¹ *EYC*, i, no. 534.

⁴² *EYC*, ii, no. 1108, dated 1150 x 1153.

⁴³ Agnes of Arches had some success with her petition: *EYC*, iii, nos. 1332, 1334. In some cases the petitioning process could extend along the feudal chain. The Cistercian house of Cambe in Warwickshire, founded in July 1150 on a knight's fee held of Roger of Mowbray by Richard of Camville, secured quit-claims of service from Richard, Roger and the tenant-in-chief, Robert earl of Leicester: *Mowbray Charters*, nos. 77 and note, 350.

extracted from the land, which was already being eroded by the twelfth century rise in service costs. The lord, on the other hand, lost all the service due from the land.

In addition to the sub-tenants who could not provide services, or had quit-claimed them in grants to religious establishments, were those who could pay but deliberately chose not to: for example, the men described by the archbishop of York as those who were keeping the services due to his table and demesne. To some extent the two groups may have overlapped. We may suspect that part of the willingness of the lords of Eustace fitz John and Agnes of Arches to quit-claim the services due from the lands granted to Watton and Nunkeeling priories was that they were finding it difficult to force Eustace and Agnes to perform them. The greater the power of the sub-tenant the more chance there was that service obligations would be ignored, especially when the estates held were at considerable distance from the honorial *caput*.⁴⁴

When set against this background the financial threat posed by Henry II's plan to employ the 1166 inquest to increase service quotas, and the anxiety and opposition it stimulated amongst the ranks of the tenants-in-chief, is clearly understandable. The inquest took no account of the increasing costs of military service and the possibility that for one reason or another the tenants-in-chief were not obtaining the full service attached to their military fees. Moreover, because the 1166 inquest was taken at one point in time and gave a fossilized picture of military enfeoffment, it made no allowance for the fact that the military system was organic and changing, and that as the twelfth century progressed the economic circumstances were undermining the ability of some military tenants to provide services.⁴⁵ As time wore on the new quotas imposed after 1166 were bound to become more and more burdensome. It is not surprising, then, that in their *cartae* returns some tenants were anxious to bring their service difficulties to the king's attention,⁴⁶ and that others were careful to list certain knights' fees under a separate heading of 'Relaxatio militum in eodem feodo'.⁴⁷

The economic threat posed by the 1166 survey provides a general explanation for the reluctance

⁴⁴ See below, p. 225.

⁴⁵ This was especially so when the great inflation of the late twelfth century beginning c.1180 pushed up the cost of military equipment and wages dramatically: Harvey, 'The knight and the knight's fee', 39-42.

⁴⁶ Such as the Archbishop of York: *Red Book*, i, 412-15.

⁴⁷ Such as William I of Roumare: *Red Book*, i, 378. Against this it might be argued that Henry II's substantial increase of military service obligations was maintained in the thirteenth century and illustrates that some magnates were capable of supporting the increased service obligations: Keefe, *Feudal Assessments*, 87-9.

of magnates to accept Henry II's re-assessment of quotas, but does not explain why they were particularly opposed to the assessment of knights' fees of the new enfeoffment. Because lords were having to alienate more land in order to attract service of consequence by the mid twelfth century, it would have been logical to expect that new enfeoffment tenants would be more capable than those enfeoffed before 1135 of fulfilling their service obligations.⁴⁸ In order to understand the opposition to the declaration and payment of scutage on new enfeoffments it becomes necessary to examine the political circumstances in which they were granted in closer detail. It emerges that many grants of new enfeoffments had been made by, or forced upon, magnates during the political troubles of Stephen's reign and that for a variety of reasons they were either irregular, illegal or unfavourable to the grantors, who had good reason not to recognize them in the reign of Henry II.

An excellent example is provided by Roger of Mowbray's enfeoffment of Eustace fitz John, constable of Chester, in fourteen knights' fees for the service of eleven knights.⁴⁹ The grant 'represented a serious loss of status',⁵⁰ and may well have been forced upon Roger by Ranulf earl of Chester who captured him at the battle of Lincoln in 1141. In effect Eustace had been granted feudal superiority over a number of existing Mowbray military tenancies including one knight's fee held by Rolland Hacet, six knights' fees held by William Tison, and two knights' fees in the Lincolnshire vill of Gainsborough and elsewhere almost certainly held by a different branch of the Tison family.⁵¹ Roger had probably already lost control of Gainsborough with its important bridge and castle to the earl of Chester's half-brother, William I of Roumare, by 1141.⁵² With the earl of Chester's death in 1153, and the accession of Henry II a year later, Roger of Mowbray had good reason to renege upon the enfeoffment to Eustace fitz John. Not only was it a threat to his control of his own estates and castles, but it also prevented him from obtaining the full service of fourteen knights attached to the grant and jeopardized his relationship with his old-established tenants who would not have relished their demotion in the feudal order.⁵³ Moreover, because the enfeoffment included three knights' fees

⁴⁸Harvey argues that an attempt to prevent disputes resulting from non-performance of service by tenants led to the sudden rash of larger ten-librate knights' fees noted by Stenton: Harvey, 'The knight and the knight's fee', 39.

⁴⁹*Cal. Close Rolls 1313-18*, 286, calendared in *Mowbray Charters*, no. 397.

⁵⁰*Mowbray Charters*, xxvii.

⁵¹*EYC*, xii, 11-13.

⁵²I hope to pursue this in detail elsewhere. In 1146 King Stephen confirmed Gainsborough to William I of Roumare in a charter witnessed by Earl Ranulf and Eustace fitz John: *Regesta*, iii, no. 494.

⁵³For the unpopularity of the creation of mesne tenancies among the tenants already entrenched in estates see below, pp. 250-3.

held by William and Peter Mauleverer, which belonged by right to the Brus tenancy-in-chief,⁵⁴ it could only bring Roger into conflict with the Brus family and trouble with the king. This indeed appears to have happened. Roger's difficulty in fulfilling the grant of the Mauleverer fees was almost certainly responsible for a charter issued by Henry II commanding him that if William of Vescy, son and heir of Eustace fitz John, had been unjustly disseised of the tenancies and service of William and Peter Mauleverer then he was to be immediately resealed.⁵⁵ When placed within this context it is easy to understand why in his 1166 *carta* return Mowbray was willing to admit to William of Vescy's tenure of only two of the fourteen knights' fees granted to his father, probably representing those estates which Roger had bestowed out of his own demesne,⁵⁶ despite the fact that the Vescys are known to have retained an interest in some of the Tison estates into the thirteenth century.⁵⁷

The magnates had cause to fear that their new enfeoffment grants might bring them into trouble with the king for a different reason. According to the return submitted by the archbishop of York Henry II requested them to divulge the names of the holders of the military fees in order to discover 'if there are any who have not yet done allegiance and whose names are not written on the roll, so that they may do allegiance'.⁵⁸ This appears to be a re-affirmation of the principle established by William I in the oath taken at Salisbury in 1086 that homage to a lord could not override allegiance to the crown; and it is possible that under Rufus and Henry I all those entering upon homage to a lord had to swear allegiance to the king and have their names enrolled.⁵⁹ In 1166 the king was about to leave England for a considerable period of time, and may have wished to assure himself of the loyalty of his military tenants before his departure. But the magnates may have feared a more sinister purpose behind the inquest. When it came to those who opposed him Henry II had a long memory. Henry of Lacy, for example, felt it necessary to obtain two separate pardons from Henry II for action undertaken against him in Stephen's reign,⁶⁰ and a royal charter granted

⁵⁴ *Mowbray Charters*, no. 397 note; *EYC*, ii, 13.

⁵⁵ PRO Chancery Miscellanea Bundle 9, no. 5, m. 2d.

⁵⁶ The fees held by Hachet, Tison, Mauleverer and the Tisons of Gainsborough amount to twelve. The Mowbray *carta* records the holdings of these tenants as immediate tenancies of the old enfeoffment: *Red Book*, i, 418-21. For the equation of William of Gainsborough recorded in possession of two knights' fees in the *carta* with William Tison of Gainsborough and Thrussington see *EYC*, xii, 11-13.

⁵⁷ Including estates in the East Riding vills of Plumpton, Brackenholme, Bubwith and Kirk Ella: *EYC*, ii, 323; *EYC*, xii, 32, 35-6, 38; *Selby Coucher*, i, no. 754.

⁵⁸ *Red Book*, i, 412.

⁵⁹ Warren, *Governance*, 100. See *Regesta*, ii, no. 531. In 1115 Henry I forced his Norman nobles to do homage and swear oaths of allegiance to his son William: *ASC*, s.a. 1115, 184.

⁶⁰ *EYC*, iii, 1449-50.

to Robert Botevilein, dean of York, implies that those who had never made oath of fealty to the king's mother, or to the king himself (*nunquam fecit juramentum domine matri mee vel michi*), were normally outside his affections and liable to have their property confiscated.⁶¹ Thus, for the sake of their tenants, and possibly themselves, the magnates were liable to be reluctant to declare the tenancies of known opponents of the empress and Henry II, particularly when the opponents held new enfeoffments which could only have been granted to them in the period when they were making their opposition felt.

Many new enfeoffment grants were probably forced upon lords by the intense competition for service which was such a marked feature of Stephen's reign. Wealthy tenants from the second rank of magnate society, who occupied a powerful position in the localities, were able to exploit the political difficulties and conflicts of their rival lords in order to secure new enfeoffments from each of them. This is clearly illustrated by an examination of the tenancies and ties of allegiance of military sub-tenants in the region of Cravenshire where new enfeoffments appear to be heavily concentrated.

New enfeoffment tenancies in Cravenshire were created by each of the three major magnate families holding lands within the region: the Mowbrays, Percys and Rumillys. The predominant tenurial interest was held by the Rumilly ladies and their husbands, and it was on their estates that the new enfeoffments were most numerous. Indeed it is significant that, although 9 1/2 of the twelve knights' fees of the old enfeoffment recorded on the honour in 1166 lay outside Yorkshire, almost the entire eight knights' fees of the new enfeoffment were situated in Cravenshire.⁶² To some degree this was doubtless a reflection of the fact that the feudal settlement of the north lagged behind that in other areas of the country,⁶³ but it was also due in part to the unusual political circumstances of Stephen's reign. Several of the new enfeoffments resulted from an attempt by the Scottish noble William fitz Duncan to try and consolidate his control of the honour, and to prevent its outlying estates from falling into the hands of magnates who were hostile to him, by introducing tenants who were already subject to him in Cumberland. The examples of Adam fitz Swain, Reiner the Fleming and William fitz Gilbert of Lancaster have already been examined in some detail in the

⁶¹ *EYC*, i, no. 140, dated 1155 x 1162. The charter states that although Robert had not made an oath he still had the king's affection, and together with his property was in the king's protection and keeping.

⁶² *Red Book*, i, 432; *EYC*, vii, 42, 90.

⁶³ See above, p. 87; *Mowbray Charters*, xxxiii-xxxv.

previous chapter.⁶⁴ Many more appear to have been created by William in order to compete for, and win the support of, the established Skipton tenantry who had already forged a complex network of family and neighbourhood ties with other honours, including those of Lacy and Mowbray whose lords were potentially hostile to Scottish ambitions in Yorkshire. By contrast, rarely if ever were new enfeoffments created for families in the process of becoming landed for the first time and drawn from the local lordly households.

One of the families whose support William fitz Duncan and his allies may have been competing for was that of Arches. William of Arches witnessed charters of William fitz Duncan and his mother-in-law Cecily of Rumilly in Stephen's reign,⁶⁵ and his son Helto held three carucates of the new enfeoffment of the honour of Skipton in 1166.⁶⁶ William may have been connected with the Arches family who were tenants of the honour of Copeland, which William fitz Duncan controlled in Stephen's reign.⁶⁷ He was almost certainly related to Gilbert of Arches who held one knight's fee of the old enfeoffment, and three-quarters of the new, in Cravenshire and elsewhere of William II of Percy,⁶⁸ a magnate who probably supported Scottish control of Cravenshire.⁶⁹ The antiquity and strength of the connections of Gilbert's family with the honour of Percy are indicated by his tenure of an additional knight's fee of the old enfeoffment, his father's appearance in the witness lists of several charters issued by Alan I of Percy before 1135, and his own attestation of William II of Percy's charters thereafter.⁷⁰ Through his family he probably also had close links with the honour of Lacy. The Peter and Thurstan of Arches who held lands of Percy in the same villas as Gilbert were likely to have been his relatives, and both had ties with the honours of Skipton and Lacy.⁷¹ In addition to a sub-tenancy of Skipton Thurstan held directly of Lacy in Habton in Lancashire,⁷² and Peter was almost certainly a younger brother of Herbert I of Arches another

⁶⁴ See above, pp. 184-7.

⁶⁵ *EYC*, vii, nos. 9, 10, 12.

⁶⁶ *Red Book*, i, 432.

⁶⁷ He may be the William of Arches who witnessed charters of the previous lord of Copeland, Ranulf Meschin, issued in favour of the priory of St. Bees in the period c.1131 x 1135: *Register of St. Bees*, nos. 4, 8, 9, 10. For William fitz Duncan's control of Copeland see above, pp. 180-1.

⁶⁸ *Red Book*, i, 424. The land was situated partly in the villas of Kettlewell, Hubberholme, Starbottom, Arncliffe, Linton, Threshfield and Addingham: *EYC*, xi, 146.

⁶⁹ See above, p. 150.

⁷⁰ *EYC*, xi, 150, nos. 5-7, 10, 12, 14, 16-17, 20.

⁷¹ Peter of Arches held of Percy in Arnford and Kettlewell, and Thurstan held in Starbottom, Langstrothdale, Arncliffe, Kettlewell, Hayton and Rathmell: *EYC*, xi, 152-4, nos. 133, 136, 128-9.

⁷² *EYC*, xi, 152-3. Part of his holding in Arncliffe was held of the Reineville family who were new enfeoffment tenants of the honour of Skipton: *EYC*, xi, no. 128.

Skipton sub-tenant who, in addition to two knights' fees centred on Shadwell in Yorkshire, held estates of the Lacys in Blackburnshire which was under Scottish control in Stephen's reign.⁷³ When set against the background of the probable Lacy hostility to Scottish control of northern Lancashire and the expansion of Scottish influence in Cravenshire, the grant of new enfeoffments to members of the Arches family by the lords of Percy and Skipton is no longer as innocent as it might at first seem. This is particularly clear when we consider the Arches tenancies in Scottish-controlled Lancashire, and the close proximity of Arches lands held of the honour of Pontefract in Yorkshire to vulnerable Skipton estates situated deep inside territory dominated by the Lacys.⁷⁴ It is probable that William fitz Duncan and William II of Percy were using, or being forced to use, the grant of new enfeoffments to win or reinforce the loyalty of powerful local families who might be inclined to support their political opponents and who were well placed to either defend or threaten the security of their more vulnerable estates.⁷⁵

The Scots may also have been employing the grant of new enfeoffment tenancies to poach the support of Mowbray tenants. A case in point is that of Uctred of Conistone who, in addition to a possible kinship link with the Arches family and a sub-tenancy in Burnsall, held six carucates of the new enfeoffment of the honour of Skipton in 1166 in Conistone-in-Kettlewelldale.⁷⁶ His family ties with the Mowbray honour were of long standing. Between 1138 and 1145 Roger of Mowbray granted him the land of his grandfather in Ilton in the parish of Masham, to be held of Turgis fitz Malger for the fourth part of the service of one knight;⁷⁷ and he was to receive other Mowbray endowments which may date from Stephen's reign, including the manor of Hebden in Cravenshire.⁷⁸

⁷³ *EYC*, xi, 152. Herbert's sub-tenancy of Skipton was held of Adam fitz Swain in Bordley and of Uctred of Conistone in Conistone-in-Kettlewelldale: *EYC*, iii, 257, no. 1634; *EYC*, vii, 183, nos. 16, 161. For his Lacy tenancy see *Red Book*, i, 422; *EYC*, iii, 256-79. King David of Scotland annexed northern Lancashire by 1142 at the latest: G.W.S. Barrow, 'King David I and the honour of Lancaster', *EHR*, 70 (1955), 85-9.

⁷⁴ See above, p. 185.

⁷⁵ See above, pp. 184-5. It is possible that two mid twelfth century charters issued by the Percy tenant Peter of Arches may reflect a deliberate attempt by the Scots to tighten their grip on the Arches estates in Cravenshire. They grant land in Arnford and Kettlewelldale to members of the Hartlington family, tenants of the honour of Skipton in Hartlington and Appletreewick, and sub-tenants in Hanlith and Rilston. One is witnessed by Gamello and Orm sons of Gospatric who were probably grandsons of Orm ancestor of the Curwens of Workington, a cousin of William fitz Gilbert of Lancaster. The latter was almost certainly an important vassal of King David of Scotland, and it appears to have been at David's direction that he was enfeoffed in four knights' fees in Lonsdale, Kendale and Horton in Ribblesdale by Roger of Mowbray: *EYC*, xi, nos. 133, 136; *EYC*, vii, 282; *Mowbray Charters*, no. 370.

⁷⁶ *Red Book*, i, 431; *EYC*, vii, 248.

⁷⁷ *Mowbray Charters*, no. 392.

⁷⁸ *Mowbray Charters*, no. 395. The charter was issued sometime between 1138 and 1186. Uctred was to hold the manor by the service of eight shillings per annum. Within the same limits of date Roger also granted him pannage for his pigs and pasture for his cattle in his forests: *Mowbray Charters*, nos. 393-4. It is possible that Uctred had a daughter named Ingonilda who married Herbert I of Arches who is described as the brother-in-law of Simon fitz

Although the lords of Skipton were willing to admit to the new enfeoffments created in the environment of heightened competition in Stephen's reign, many others may have had good reason to erase the consequences of their family's political expediency. This appears to have been the case with William III of Roumare whose grandfather's political rivalries in Stephen's reign had been exploited by one of his powerful tenants, Peter of Goxhill. William I of Roumare appears to have been competing for the allegiance of Peter against another tenant-in-chief of whom Peter held lands, Ralph of Bayeux.⁷⁹ In addition to granting Peter a valuable knight's fee, composed partly of lands within the soke of his important Lincolnshire *caput* of Bolingbroke,⁸⁰ Roumare allowed him to obtain a mediate tenancy in another two knights' fees to which he had no justifiable claim.⁸¹ Unsurprisingly, with the return of comparatively stable conditions under Henry II, William III of Roumare was unwilling to accept the alienations forced upon his grandfather, and in his *carta* return ignored both of the new enfeoffment tenancies awarded to Peter of Goxhill who is recorded in possession of only a half knight's fee of the old enfeoffment.⁸²

The nature of some of the new enfeoffments and the circumstances in which they were created reveal that the reluctance of magnates to admit to them in the 1166 returns was based partly upon financial anxiety. Roger of Mowbray had good cause to fear that the king would demand scutage on the full fourteen knights' fees granted to Eustace fitz John, despite the fact that Eustace owed him the service of only eleven knights. But there was far more to it than this. The new enfeoffments of Roger and many of his contemporaries had often been made, or forced upon them, in adverse or unusual political circumstances, and as such were either unacceptable from the moment they were created or became so in the reign of Henry II when the conditions that gave rise to them had passed away. Many undermined the authority and finances of lords, placed them in danger of legal repercussions under Henry II, jeopardized their relationship with existing tenants, and left them with less resources at their disposal to meet the many conventional pressures on them to alienate

Uctred: *EYC*, vii, no. 161 and note; *EYC*, iii, 256-7.

⁷⁹ See above, pp. 154-6.

⁸⁰ *Danelaw Documents*, no. 490.

⁸¹ Stenton, *First Century*, 47-51.

⁸² *Red Book*, i, 374-7.

lands at a time when such resources were rapidly running out.⁸³ That they were thought to be unacceptable and not legally binding of their own account, rather than because of the financial use the king wished to make of them, is clear from a series of legal cases undertaken by the abbot of Waltham in 1199 designed to recover estates from his tenants. Although remitting the claims against old enfeoffment tenants the abbot persevered with those touching tenants of the new enfeoffment.⁸⁴

Recording the new enfeoffments in the 1166 returns could only serve to exacerbate these problems. In effect the magnates were committing themselves to what was potentially a legal record, providing the new enfeoffments with legitimacy, and so limiting their capacity to renege upon them at a later date. This is implied by the *carta* submitted by the archbishop of York in which, after declaring that some tenants were providing less services than were required of them whereas others were keeping back services which belonged by right to the archiepiscopal demesne, he asked the king that his return 'may not be allowed to do harm to me or to my successors by preventing the church from recovering or preserving its legal rights'.⁸⁵ Indications that some unwanted new enfeoffment tenants employed the *cartae* returns as the basis of title in legal disputes suggests that his request may have gone unheeded. In 1205 during an attempt to recover fifteen acres from one of their tenants the Templars resisted the tenant's attempt to seek the grand assize with special mise on the grounds that he relied for warranty upon 'new enfeoffment', and that they never granted land except by charter.⁸⁶ The implication is that the tenant had been unable to produce a charter of enfeoffment and was basing his title upon the 1166 returns.

The potential use of the returns in this way by recipients of new enfeoffments was particularly dangerous when the lord had ousted or feudally demoted existing tenants in order to establish them. There was always the danger under Henry II that the man displaced would begin proceedings in order to recover his rights, and that the lord would be confronted by two tenants each of whom called him to warrant them in the disputed property, one on the basis of a charter of enfeoffment and lineage, the other on the basis of the 1166 *carta*. There would be little option for the lord but

⁸³The subject will be examined in greater detail in the following chapter.

⁸⁴The case is cited in Milsom, *Legal Framework*, 92.

⁸⁵*Red Book*, i, 415.

⁸⁶The case is cited in Milsom, *Legal Framework*, 92.

to grant an exchange to one of the parties, thus reducing further his stock of alienable resources.⁸⁷

The reasons behind the unwillingness of the magnates to record and pay scutage on knights' fees of the new enfeoffment helps to explain the distinction drawn by Henry II between new and old fees in the questions he asked them in 1166. It was a distinction drawn partly with political intent. It would reveal the names of the magnates who had granted lands to those who had opposed Angevin rule of England since the death of Henry I. That this opposition had not necessarily come to an end with the death of King Stephen explains the lack of distinction drawn in the 1166 inquest between fees created 1135 x 1154 and those created 1154 x 1166. It is also probable that Henry II and his advisers were aware of the irregular nature of many of the new enfeoffments, and anticipated the problems that would confront the magnates in declaring them and paying the additional scutage. Had he simply asked them to record the total number of knights' fees on their honours, irrespective of whether they had been created before or after 1135, his unyielding lack of regard for these problems might have jeopardized the whole attempt to raise quotas. The king needed a bargaining scale and had to be flexible, and it was this that the 1135 division was designed to provide. Although prepared to leave the recording and payment of scutage on fees of the new enfeoffment open to the discretion of his magnates, whose debts were often allowed to run on for several years, when it came to the old enfeoffments Henry was less willing to tolerate excuses and could afford to be more severe. Tenants enfeoffed before 1135 were more likely to be acceptable to their lords who would usually aim to protect their interests. Henry had made tenure on the day his grandfather was alive and dead the touchstone of the settlement of land suits, and what was at stake in the recording of old enfeoffment tenancies, therefore, was title. By failing to record the fees of their tenants the magnates were undermining the security of their tenure, and might be forced to accept unwanted newcomers if this tenure was ever challenged. Henry II, therefore, could be more confident of comprehensive admissions of old enfeoffment fees and, because the bulk of enfeoffment had taken place before 1135 and was far in excess of quota totals, could still expect to raise the level of military assessments

⁸⁷For warranty and exchange see Milsom, *Legal Framework*, 85, 88-90.

considerably. With far fewer excuses at their disposal magnates appear to have faced more difficulty in evading both declaration and payment, and the pipe rolls reveal that scutage on old enfeoffment fees was usually collected promptly.

Conclusion

This chapter illustrates that the reluctance of Henry II's magnates to declare new enfeoffments in the 1166 inquest, and to pay scutage upon them, was symptomatic of economic changes within society which were undermining their capacity to shoulder the burden of increased service quotas, and which were exacerbated by political circumstances after 1135. The basic cost of military service was increasing and undermining the ability of tenants from all levels within the feudal hierarchy to meet their obligations, with the result that the margin between the service the tenants-in-chief could extract from their lands and that which they owed to the king was being eroded. When Henry II proposed to increase the quotas to the total number of knights' fees on the honour many magnates may have been facing a financial disaster. The troubles of Stephen's reign only served to exacerbate their difficulties. Many alienations made on terms of service favourable to grantees were forced upon magnates by political weakness, or by the necessity of competing for the allegiance and service of powerful local tenants who were more than ready to exploit the rivalry of their different lords.

That the economic and political developments had such a marked effect was a reflection of a more fundamental problem confronting magnates. There are strong indications that they were running out of the resources necessary to relieve the constant pressure upon them to alienate land.⁸⁸ Had these resources been abundant Henry II's re-assessment of military quotas would not have aroused the opposition that it did. The magnates would have been able to meet the increased burden of obligation and maintain their service profit-margins by creating the appropriate number of new knights' fees. The nature of some of the new enfeoffments created, however, suggests that this was impossible because the necessary landed resources were unavailable. Even if the new enfeoffments concealed by the magnates were added to those recorded in the 1166 inquest their numbers would probably remain small, and fractions of knights' fees would still be common.⁸⁹ Moreover, many of

⁸⁸This pressure will be examined in the following chapter.

⁸⁹It might be argued that because the numbers of knights' fees of the new enfeoffment were so small the attempt to

the new enfeoffments were not really new in the sense that they were established using lands drawn from the demesne. Some turn out on closer analysis to be mesne fees, and others were created from the lands of either dispossessed tenants or other tenants-in-chief. That they were liable to involve lords in legal disputes with the potential of producing further enforced alienations partly explains the readiness of several of them to renege upon their new enfeoffments in the reign of Henry II. They simply lacked the landed resources necessary to deal with an unfavourable decision of the royal court.

In addition to the causes of the tenurial and economic problems confronting lords in the twelfth century the study of new enfeoffments tells us something about its consequences. The most important of these seems to be the weakening of lordship. Lords were clearly unable to control grants of land by tenants in financial difficulties, and the terms on which they were made. In many cases they appear capable of doing little more than issuing token confirmations of alienations made quit of service to monastic houses. With the negation of service the vital link between lord and land, the *raison d'être* of lordship, disintegrated. Tenants became increasingly independent as lordship became nominal. In some cases the lords themselves were reducing the services of tenants who could not pay. Here again the influence of politics exacerbated the process. Through weakness lords like Roger of Mowbray were making grants on favourable terms to unwanted retainers, which could only serve to undermine their authority and weaken their ties with their established tenants. In other cases the competition of rival magnates for the service of the same men suggests that tenants rather than lords were the force to be reckoned with in the localities. In one sense, however, the political conflicts of Stephen's reign themselves were only a manifestation of the much more fundamental dynamic in twelfth century society produced by the tenurial crisis of resources. The explanation of the limitation of lordship discernible in the records lies precisely at this point. This limitation, and the crisis from which it arose, will be examined more comprehensively in the final chapter of the thesis.

incorporate them into the service obligations could not represent a financial threat. However, it should be remembered that the lands required to constitute a knight's fee in the mid twelfth century and later were far greater than in the early Norman period.

Chapter 7

The First Century of English Feudalism

The classic political view of feudal society in England in the hundred years after 1066 was put forward as long ago as 1929 by Sir Frank Stenton in his magisterial series of Ford lectures collected under the title 'The First Century of English Feudalism'¹. The society portrayed by Stenton has been interpreted by several historians as a seignorial world dominated by baronial lordship rather than royal justice. Although this interpretation greatly over-simplifies a typically shrewd and finely balanced assessment of the complex relationship between royal and baronial authority,² some of Stenton's remarks might seem to tip the scales in favour of the advocates of the seignorial world. Referring to a document recording an agreement made in the 1140s between two Lincolnshire tenants in the presence of their lord, William I of Roumare earl of Lincoln, Stenton states that the king,

[could not] intervene in the internal affairs of a great honour. The supreme authority here is not the king, but William de Roumara, earl of Lincoln. The present agreement was made at Bolingbroke, the head of his fief, and witnessed by a group of his leading tenants; the heir to the land at issue was put in seisin by his marshal. The feudal

¹Stenton, *First Century*. For a recent summary of the various definitions of feudalism see M.M. Postan, 'Feudalism and its decline: a semantic exercise', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston *et al.* (Cambridge, 1983), 73-87.

²Although pointing out that 'No decision affecting, for example, the rules of succession to lands held by military tenure could not have been reached in the king's court without the consent of the baronage as a whole, nor could it have been carried out unless barons had been prepared to apply it to concrete cases in the courts of their respective honours', Stenton qualified the statement by observing that 'a particular case might at any time produce a judgement from the king which cut across the best-established rules of feudal law': Stenton, *First Century*, 37. He also went on to illustrate that long before the reign of Henry II the king might issue legislative acts settling general questions concerning his aristocracy, and to suggest that the difficulty in tracing the influence of the royal court upon the development of feudal law in the Norman period is because of the paucity of jurisdictional records: *ibid.*, 38-42.

order illustrated here was independent of the king's direction or control. The honour of Bolingbroke was a feudal estate in miniature. Within it the peers of the fee were the tenants in chief, and any arrangements on which they were agreed needed no sanction except that which the lord could give. A few years later the process had begun which was to open all but the greatest honours to the king's justices.³

For Professor Milsom this passage encapsulates the essence of what he termed the seignorial world,⁴ and he employed the distinction between this world and the society of the thirteenth century, in which royal justice had come to predominate, as the cornerstone of a thesis adopting a new approach to the origins of the English common law. The task he set himself was to explain the transformation from the seignorial world to a thirteenth century society in which tenant property right had become a reality. He saw the legal reforms of Henry II, and the tenurial disturbances and political settlement of Stephen's reign which he supposed had given rise to them, as the fundamental dynamic of change. Although Henry intended only 'to make the seignorial structure work according to its own assumptions', the reforms led to the intrusion of central courts into local feudal jurisdiction and, as an accidental by-product, brought down the seignorial world.⁵ Although Professor Hyams offered some valuable criticisms of Milsom's emphasis on legal enforcement in the emergence of property right and his acceptance of the concept of the seignorial world, he remained convinced that the settlement of 1153 and legal reforms of Henry II mark a clear watershed in the origins of the English common law.⁶ More recently the interpretive fine-tuning of Professor Palmer has provided the Milsomian thesis with its most powerful support to date.⁷

Employing a mass of local evidence drawn mainly, though not exclusively, from Yorkshire I hope to re-examine the first century of English feudalism in this chapter and to offer a challenge to the

³Stenton, *First Century*, 51. Stenton went on to state that 'it is easy to antedate the extension of the king's justice over feudal society', and that Henry II 'never made any direct attack on the baronial franchises, and his reign was well advanced before the activities of his court can have seriously affected their solidarity': *ibid.* He also illustrated further examples of baronial courts acting as 'self contained units of feudal organization' capable of cutting across 'all the customs of inheritance accepted by feudal society', and dominated by lords who '[did] not need to feel the king's authority behind [them]': *ibid.*, 52-4.

⁴Milsom, *Legal Framework*, 8, 105, 176-86, esp. 183.

⁵Milsom, *Legal Framework*, esp. 28-39, 42, 63, 176-86.

⁶P.R. Hyams, review of Milsom, *Legal Framework*, *EHR*, 93 (1978), 856-61; P.R. Hyams, *Warranty and Good Lordship in Twelfth Century England* (California Institute of Technology Humanities Working Paper, 116, January 1986), esp. 3-7, 17-19, 21, 23-4, 33-49, 51-8, 128, 132, 135.

⁷R.C. Palmer, 'The origins of English property', *LHR*, 3 (Spring 1985), 1-50, esp. 1-22.

thesis put forward by Milsom and his followers. I will begin by illustrating that Milsom's portrayal of feudal society gave it a neatness and order it often did not possess. Although feudalism was to remain important well into the thirteenth century there was already in the first half of the twelfth century a fundamental discordance between the idealized picture of a society dominated by feudal lordship and actual tenurial and social reality. In the second part of the chapter I will go on to explain this discordance against the background of certain dynamic tenurial and social processes in progress within society throughout this period, in particular the pressure on lords to alienate their lands. It will be argued that the legal reforms of Henry II, on which so much emphasis has been placed, and the tenurial disturbances and settlement of the Anarchy which are supposed to have given rise to them, were merely reflections of these processes, of a society that was already changing.

Early Twelfth Century Society: A Seignorial World ?

There is little doubt that feudalism and its corollary lordship remained important in the functioning of social, political and economic relationships throughout the twelfth and well into the thirteenth centuries. Many honorial courts, the key to Milsom's seignorial world, continued as self-contained units of feudal organization throughout the reign of Henry II and beyond.⁸ The survival of the personal feudal element in the relationship between lord and man is illustrated by the importance attached to homage in the late twelfth and early thirteenth centuries,⁹ and in some of the ceremonial services which remained important in the functioning of the lordly court.¹⁰ The feudal incidents and other rights attached to lordship continued to be extracted throughout the twelfth century and, in the reign of John, became a major source of friction between the king and his magnates.¹¹ A careful

⁸ *Mowbray Charters*, lvii. For tenants of Earl Simon of Senlis III acknowledging and providing warranty for their gifts in the court of their lord at Hunmanby between 1166 and 1180 see *EYC*, ii, no. 1226. The same earl involved himself in the tenurial agreements made by his tenants and undertook to force them to abide by their terms, see BL, MS Cotton Vespasian E xx, f. 73v; printed by M.R. Abbot, 'The family of Gant and its estates in the eleventh and twelfth centuries' (Univ. of Cambridge, Ph.D. thesis, 1973), 290, no. 36.

⁹ *Glanville*, 92-3; Plucknett, *History of the Common Law*, 546; BL, MS Cotton Vespasian E xx, f. 56 (printed by Abbot, 'Gant family', 298, no. 47); *Rolls of the Justices*, 398-9; *EYC*, xi, 186-90; *EYC*, iii, no. 1400; *Mowbray Charters*, no. 364; English, *Holderness*, 168.

¹⁰ In the early thirteenth century Peter I of Brus renewed the grant of his father Adam II to Henry de Percy and Isabel his wife, the daughter of Adam, in free marriage of the town of Kirklevington. In return Henry and his heirs, on Christmas day at Skelton castle, were to lead the lady of the castle from the chamber to the chapel for mass, and after mass back to the chamber to take meat there with her and then to withdraw: Dodsworth, MS clix, f. 191; cited in *EYC*, ii, 25. Between c.1160 and 1179 William count of Aumale made a grant to William of Cauz for his homage and the service of the keeping of the earl's falcons during his life: *EYC*, iii, no. 1406.

¹¹ For a lord taking reliefs from his tenants and controlling the marriages of their daughters in the late twelfth century see *Mowbray Charters*, xxxviii-ix, nos. 333-4.

analysis of the charters and chronicles of early twelfth century Yorkshire, however, reveals that the importance of the feudal relationship in society may well have been over-estimated and that the concept of a seignorial world dominated by lordship is in need of revision. Feudal conventions were frequently either ignored, exceeded or actively undermined. Many lords were struggling to maintain effective control of both their estates and tenants. The lordly charters which appear at first sight to boast of the efficacy of the feudal relationship, on closer analysis often reveal that there was little substance behind the show. In many cases forthright expressions of lordly control were simply attempts to shore up a feudal relationship that was disintegrating.

It is probable that the same pressures that produced the abundant land disputes of the thirteenth century were at work as soon as the Normans arrived in England and that from the outset feudal society was pressurized and competitive. The claims section of the Yorkshire Domesday appears to catalogue a long series of encroachments committed by individual Norman lords against their neighbours. Particularly common targets, and remaining so throughout the Anglo-Norman period, were the estates of the church and king. We are told, for example, that 'Ralph Paynel claims 6 bovates of land in Stonegrave from Ulfr's land, but the men who have sworn say that it is St. Peter's of York';¹² and that 'Nigel Fossard wrongfully held the land of Thorulfr, Thorketill and Thorsteinn in Hutton...but has given them up and they are now in the king's hand'.¹³ The estates of magnates who had died also appear to have been considered fair game and Domesday reveals several lords in control of lands formerly held by the sheriff of Yorkshire, William Malet, who was almost certainly dead by 1071.¹⁴ There was also frequent tenurial conflict between the living, and several estates appear to have been the focus for the ambitions of rival claimants.¹⁵

¹²William I of Percy, Nigel Fossard and Gilbert Tison had also encroached upon church property: *DB*, i, 373a.

¹³*Ibid.* The sokelands of the royal demesne manor of Great Driffeld had been encroached upon by Nigel Fossard and Hamelin who were retaining them by force. Further seizure of royal land had also taken place at North Dalton, Croom House, South Duffield, Lowthorpe, Skirpenbeck, and Clifton: *DB*, i, 373a-b. For the extensive seizure of royal and church estates outside Yorkshire in the reign of the Conqueror see I.N. Soulsby, 'The fiefs in England of the counts of Mortain' (Univ. College Cardiff, M.A. thesis, 1974), 67-70, 126, 224-30. The description of some of these acts in terms such as '*invasi*' adds to the impression that they were illegal.

¹⁴Nigel Fossard at Brantingham, North Duffield, South Duffield, and Cliffe; the bishop of Durham at Belby House; William I of Percy at Elvington, Wheldrake, Clifton, Haggenby and Hornington; Osbern of Arches at Steeton Hall, Colton, Catterton, Askham Richard, Scagglethorpe, Upper Poppleton and Nether Poppleton; and possibly Ilbert I of Lacy at Hazlewood and many other villis: *DB*, i, 373a-374a; Freeman, *Norman Conquest*, iv, 473 and note.

¹⁵Nigel Fossard and Earnwine the priest at Aughton; the bishop of Durham and the canons of Beverley at Welton and Newton Gardham; Nigel Fossard, Earnwine the priest and William I of Percy at Grimston; the archbishop of York and Gilbert Tison at Thorpe-le-Street; Osbern of Arches and Ilbert I of Lacy at Thorner; William I of Warenne and Roger I of Bully at Clifton; and Geoffrey Alselin and Roger I of Bully at Wadworth: *DB*, i, 373a-b.

Tenurial conflict between lords and tenants was also not unknown, both before and after the troubles of Stephen's reign. According to feudal custom the lord had a number of valid excuses for ejecting tenants. These included disloyalty, the marrying of heiresses without lordly consent, conviction of felony, the disinheritance of or doing of violence to the lord, non-performance of due services, and encroachments made on the lordly demesne.¹⁶ However, many disseisins undertaken by lords appear unrelated to these customs and reveal them ignoring the normal conventions of the feudal relationship. The relations of William I of Percy with his Benedictine abbey of Whitby, founded in or about 1078, are a case in point and illustrate the dispossession of tenants by lords at an early date without recourse to the honorial courts which were the key to Milsom's seignorial world. According to the version of the foundation of Whitby given by Stephen the first abbot of St. Mary's York, William I of Percy observing how the monks were improving the wasted lands he had recently given them began with the aid of his men and certain pirates and robbers to do them injury so that he might drive them away. Under pressure the monks removed to the nearby vill of Lastingham, from where they eventually transferred to York to found St. Mary's. Stephen also relates that hostility was subsequently to develop between William I of Percy and his brother Serlo, the first abbot of the newly relocated foundation of Whitby, on the grounds that William had bestowed lands formerly granted to the monks in Stakesby and Everley on one of his retainers.¹⁷

Nigel d'Aubigny's famous charters, issued when he thought he was dying between 1109 and 1114, reveal that in less than eight years he had either dispossessed or feudally demoted several of his tenants, and that he considered these actions to be offences.¹⁸ As Professor Holt has noted, Nigel used one word to describe what he had done. His tenants had been 'disinherited'.¹⁹ That he had to ask his brother William to supervise his restorations suggests in itself that a new lord might not always respect the grants made by his predecessor. A series of royal writs issued before 1135 reveal that Robert Fossard had not only granted property in Bramham to Nostell priory which his father had already given to Ramsey abbey, but also that he had apparently subsequently reneged

¹⁶ *Curia Regis Rolls*, viii, 357; ix, 332; Warren, *Henry II*, 32, 101, 110, 233, 242, 247, 367; *Glanville*, 85, 90, 104-5, 113-14.

¹⁷ *Cartularium de Whiteby*, li et seq. Farrer thought the latter story unlikely: *EYC*, ii, 199.

¹⁸ *Mowbray Charters*, nos. 2-8.

¹⁹ J.C. Holt, 'Feudal society and the family in early medieval England: I. The revolution of 1066', *TRHS*, 5th series, 32 (1982), 212.

on his grant and taken the property back within his demesne.²⁰ Lords were always ready to take advantage of the incapacity of their tenants. When Bishop Ranulf Flambard escaped from the tower of London in 1101 and crossed to Normandy to aid the cause of Robert Curthose against Henry I the bishop of Lincoln resumed the estates held of him by Ranulf into his demesne.²¹

In frequently securing confirmations from cadet baronial lines the church appears wary of the possibility that donations might be revoked by junior members of a baronial family, either upon their succession to the honour or during periods of inter-family strife which were common.²² The king himself might also break the customary terms of the feudal contract by interfering with the natural descent of estates in order to reward his followers.²³ The Anglo-Saxon chronicler complained that in Henry I's reign men who had property were often deprived of it by severe taxes or severe courts.²⁴

Although it was a marked feature of Stephen's reign the unjustifiable seizure of tenant estates²⁵ was common from the moment the Normans arrived in England and continued long after the Anarchy was over. In a charter issued in the late 1170s Henry II gave confirmation of a fine made at York in 1165 or 1166 between William II of Percy and one of his tenants, William fitz Robert, concerning the tenure of Percy estates. The terms of the fine had been broken by one of Percy's co-heiresses, Maud of Percy, and her husband William earl of Warwick, who had seized William fitz Robert's lands. The existence of the fine itself suggests that William II of Percy had already attempted to disseise his tenant and that William fitz Robert had appealed to the royal justices and secured an exchange.²⁶ Another magnate busy in the late twelfth century with the recovery of lands alienated to tenants by his predecessors, this time with the help of the king, was a favourite of Richard I, Robert of Turneham, who had been granted the hand of the heiress Joan Fossard.²⁷

On the obverse side tenants themselves were frequently ready to undermine the feudal relationship and deny lordly authority. This is implicit in the wide ranging provisions made by Glanville

²⁰ *Regesta*, ii, nos. 1627, 1630, 1662.

²¹ *ASC*, s.a. 1101, 177; *Regesta*, ii, no. 560. Ranulf himself had seized estates held of his bishopric by the monks of Durham in order to bestow them on his relatives: *Durham Charters*, nos. 24 (= *EYC*, ii, no. 934), 11 (= *Regesta*, ii, no. 1564), 23a (= *Regesta*, ii, no. 1603), 13, 23; *Regesta*, ii, nos. 1574, 1586, 1604; Green, *Government*, 171.

²² See *EYC*, vi, 37-41, 56-60, 64-5, no. 86.

²³ *Regesta*, ii, nos. 1722, 1730. For examples outside Yorkshire see *Op cit.*, nos. 1719, 1778; *Book of Fees*, ii, 1158.

²⁴ *ASC*, s.a. 1124, 191.

²⁵ See for example the encroachments made by Henry of Lacy on land granted to Nostell priory by his predecessors: Wightman, *Lacy Family*, 75.

²⁶ *EYC*, xi, no. 36 and note.

²⁷ *EYC*, ii, 328-9.

stipulating justifiable reasons for ejecting sitting tenants. Just as lords might unjustifiably recover estates granted to tenants, so might tenants often encroach upon the demesne of their lords. The constant erosion of royal lands has already been discussed. Seizure of lordly demesne frequently took place during periods of lordly absence or incapacity. During his famous quarrel with Bishop William of Durham in 1088 William Rufus appears to have instructed the sheriff of Yorkshire, Ralph Paynel, to seize the bishop's manors within his jurisdiction. The king also granted the confiscated wealthy episcopal demesne manors of Howden and Welton to the counts Odo of Champagne and Alan of Brittany respectively.²⁸ William I of Percy, a tenant of the bishop of Durham in Scarborough and 'Persene' at the Domesday survey, appears to have employed the opportunity provided by the quarrel to encroach on several of his lord's lands in the East Riding. Despite Rufus ordering their restoration the Percy family retained the estates throughout the twelfth century as part of a fee of four knights' fees held of the bishopric.²⁹ Many more tenants of the bishopric and monks of Durham were to encroach upon ecclesiastical property during the exile of Bishop Ranulf Flambard from England in 1101, and appear to have persistently ignored royal directives ordering restoration.³⁰ Estates granted by lords to religious foundations were also a target for the encroachment of their secular tenants. That the tenants of the honour of Richmond appear to have taken advantage of their lord in this way is implicit in the mandate issued by Henry I to Geoffrey the steward of Count Stephen of Brittany and his officials commanding them to reseise the bishop of Lincoln of the church of Hough-on-the-Hill as count Stephen had given it, in order that the bishop might hold it in peace until the count's return.³¹

The performance of service for land was an essential part of the feudal contract and one which tenants might frequently evade. A charter of Henry I addressed to all his ministers and sheriffs where Ranulf bishop of Durham held lands commands that the bishop is to have all his men who went out of his land since the death of William Rufus with their *pecunia*.³² The bishop's tenants

²⁸ Symeon, *Opera*, ii, 173.

²⁹ *EYC*, xi, 335.

³⁰ See *Regesta*, ii, nos. 540-1, 545-6, 560-1, 575, 589-90, 642-3, 660, 684, 767, 1124, 1181. The Fossard family who had been granted control of the sokelands of the bishop's manor of Howden were still in possession of a knight's fee held of the bishop here in 1166: *Red Book*, i. 415. Nigel d'Aubigny had not surrendered the estates he had seized from the bishopric when he fell ill between 1109 and 1114: *Mowbray Charters*, nos. 2-5.

³¹ *Regesta*, ii, no. 1115.

³² The translation of *pecunia* provided by the editors of the charter is cattle, but surely what is intended is taxes or payments.

had taken advantage of his exile to cease paying their due renders.³³ Many cases emerge from the military returns of 1166 of tenants-in-chief, including the archbishop of York, complaining to the king that their tenants were not performing the required service.³⁴ It was particularly difficult to secure the services from estates at some distance from the honorial *caput*. In the reign of Henry II, Hugh Bigod, earl of Norfolk, brought a suit for the recovery of the vill of Barnoldswick in Yorkshire which had been granted by Hugh's tenant, Henry of Lacy, to Fountains abbey for the foundation of a new Cistercian house. It had been many years since Henry had rendered the rent he owed for the tenement and his gift to Fountains appears to have been in free alms. Although Hugh Bigod won his case the abbot of Kirkstall not only secured a regrant from him but also continued to regard the land as a Lacy benefaction in all subsequent confirmations.³⁵

In some charters lords are seen to abandon their services and other rights in estates in return for single large payments from the tenantry. Between 1136 and 1145 Count Alan of Brittany, lord of Richmond, issued a charter confirming to Roger of Mowbray the vill of Masham with its appurtenances to hold as Roger's father had held of Alan's, for the service of one knight. The charter included a quit-claim of any other rights in Masham after payment of 100 marks of silver.³⁶ Roger was subsequently to alienate land in Mashamshire without reference to the count's overlordship.³⁷ His acceptance of 350 marks from the monks of Fountains in return for land in Brimham, to be held in perpetual alms and quit of services and customs, reveals that Roger may well have been under as much pressure as Count Alan to concede the erosion of his control over the services due from tenant estates.³⁸

The question of service was closely bound up with lordly control over the alienation of land by tenants, one of the touchstones of the efficacy of the feudal relationship. It was common for tenants to make grants to both lay and ecclesiastical sub-tenants quit of service without reference to the

³³ *Regesta*, ii, no. 541.

³⁴ *Red Book*, i, 250, 415.

³⁵ *Kirkstalloucher*, ix-x, 188-9; Wightman, *Lacy Family*, 109-10. English has noted that in many charters of the counts of Aumale the service of the tenements granted is either left unspecified or not mentioned at all. As many charters were probably drafted by donees this may well reflect an important mental attitude held by many tenants against the performance of service: English, *Holderness*, 159.

³⁶ *EYC*, iv, no. 19. The payment may represent a relief.

³⁷ *Mowbray Charters*, no. 392 and note. Between 1156 and 1171, however, Alan gave land within the area to Jervaulx abbey with his lord (*cum dominus meus*) Count Conan of Brittany: *Mowbray Charters*, no. 173.

³⁸ *Mowbray Charters*, no. 120.

rights of the tenant-in-chief. Even where the control of the lord is mentioned the tenant may have been paying nothing more than lip-service to the feudal relationship. The Percy family, tenants of the earls of Chester in Yorkshire, appear to have secured control of the tenancy-in-chief of their Chester estates by the early years of the reign of Henry I. Friction between William I of Percy and Hugh earl of Chester over rights of possession is already evident in the Domesday survey which records the earl claiming land in Fyling against Percy on behalf of Whitby abbey.³⁹ In addition to a manor of one carucate in the vill held in his own right, William I of Percy had tenure of a sokeland carucate attached to the manor of Whitby, which was held of earl Hugh.⁴⁰ It was presumably the latter holding that had become the focus of conflict. It may be that the sokeland carucate had been one of those 'wastelands' granted by William I of Percy to the first colony of monks at Whitby and seized back when the monks had improved them,⁴¹ and that Earl Hugh in his capacity as overlord was attempting to force William to restore it.⁴² Whatever the case, William I of Percy was clearly prepared to oppose the interference of his lord. A charter issued by him to Whitby abbey before 1097 is the last Percy document dealing with the Chester estates to mention the lordship of the earls,⁴³ and in 1166 his grandson, William II of Percy, returned as tenant-in-chief details of knights' fees incorporating estates held of the earls of Chester eighty years earlier.⁴⁴

A more convincing insight into the process by which the earls of Chester lost control of their Yorkshire estates can possibly be gained from a more documented study of similar tenurial developments within another outlying region of their English honour. In May 1106 Richard earl of Chester issued a charter confirming Drogo of Andely's gift to the abbey of Abingdon of one hide of land in Woodmundslea in Oxfordshire and acquitting Roger fitz Ralph of all service due from the land.⁴⁵ The document provides an excellent example of the way in which the terse phrases of the charters

³⁹ *DB*, i, 373a.

⁴⁰ *DB*, i, 322b, 305a.

⁴¹ Above, 4-5.

⁴² The vill is included in neither the charters issued by earl Hugh or the Percys to Whitby abbey: *Cartularium de Whiteby*, i, 28; *EYC*, xi, nos. 1-4, 9-11.

⁴³ *EYC*, ii, no. 855; calendared as *EYC*, xi, no. 1. A charter of Alan of Percy I, William's son and heir, in favour of Whitby, dated 1100 x c.1115, was issued partly for the soul of Hugh earl of Chester: *EYC*, ii, no. 857. Here, however, there is no mention of Hugh as 'domino meo' as there had been in the charter of Alan's father.

⁴⁴ *Red Book*, i, 424; *EYC*, xi, 223-5, 213-4. By this date it is also probable that the tenancy-in-chief of other Chester estates in Yorkshire had passed to the Brus and Aumale families. In the 1160s Adam II of Brus paid scutage directly for two knights' fees held of the earls of Chester: *Pipe Roll 14 Henry II*, 99. For the Aumale tenure see *EYC*, ii, no. 861.

⁴⁵ *Chester Charters*, no. 6.

often hide complex tenurial relationships and arrangements. Fortunately in this case the Abingdon chronicler allows us to penetrate behind the veil. Drogo of Andely was in fact the father-in-law of Roger fitz Ralph and only a sub-tenant in Woodmundslea, holding it of Nigel d'Oilly who held in turn of the earl. He had granted the hide to Abingdon after falling sick there, and the abbey obtained the confirmation of both Nigel d'Oilly and the king. The earl, however, reserved his confirmation until persuaded to grant it by his mother and the abbot during a visit to Abingdon in 1106. It would appear, therefore, that Drogo had made his gift to the abbey without the knowledge or the consent of his ultimate feudal overlord who had been powerless to prevent the alienation. The implication from the arrangements concerning Roger fitz Ralph is that Drogo had also made the gift quit of all services and that neither he, nor his successors, had any intention of providing them. In granting the land to the abbey, Drogo ignored the authority of the ultimate lord and the conventions of the feudal relationship. In seeking the confirmations of Drogo's lords the abbey appears to be paying nothing more than lip-service to this relationship. As in Yorkshire, so probably in Oxfordshire, the earls of Chester were losing control of estates remote from the centres of lordly authority.⁴⁶

Loss of control over tenements and of the alienation of land by their tenants appears to have been a continuing problem for lords. In the reign of Stephen a charter issued by Agnes of Arches reveals that she had granted the nuns of Nunkeeling a half carucate in the vill there without the prior consent of her lord, William count of Aumale.⁴⁷ Agnes promised that she would pay the services due from the land until she could petition William to acquit them. The grant was made in the presence of Archbishop William of York, indicating that although prepared to negotiate with her lord Agnes was deliberately making contingency for guaranteeing her gift should he disapprove. Such arrangements were clearly external to lordship and the feudal relationship.⁴⁸

The existence of the seignorial world appears to depend partly upon the willingness of its advocates to accept charters containing forthright expressions of lordly authority at their face value.

⁴⁶This was probably a common problem confronting tenants with honours dispersed over a wide area. By the early years of the reign of Henry II the bishops of Durham had lost control over their estates of Waltham in Essex: *Durham Charters*, 23.

⁴⁷*EYC*, iii, no. 1332, dated 1143 x 1154. It appears that Agnes had some success in persuading William to issue his confirmation: *EYC*, iii, no. 1334.

⁴⁸Milsom, *Legal Framework*, 34-5.

It is clear, however, that charters were as much propaganda tools as land deeds, often intended for the consumption of a wide audience.⁴⁹ The lords had a natural interest in propagating the rights pertaining to their lordship, thereby helping to preserve and reinforce their authority. As such they may often have portrayed in their charters a very distorted picture of the world, describing as a perquisite of lordship only what they wanted to see as a perquisite of lordship. A charter issued between 1138 and 1154 by Roger of Mowbray to one of his tenants, Ralph fitz Aldelin, appears at first sight to reveal the supremacy of a lordship being exercised according to the expectations of Milsom. Roger restores, gives and concedes to Ralph the land of his father, Aldelin, for the fourth part of the service of one knight.⁵⁰ It appears that Roger had already granted a portion of Aldelin's lands in Winterburn to a certain William Graindorge, and these were not included in the restoration made to Ralph. The language of Roger's charter with its emphasis on restoration, and the descent of Winterburn, indicate that Roger was exercising the lord's right to interfere at the point of each tenant succession in order to choose a new man of his liking and that his tenants, therefore, as Milsom would argue, had only a life interest in their tenements. A series of related documents, however, indicate that all is not quite as it would seem.

The tenure of William Graindorge may well have come under threat. At some date before 1166, probably in order to enlist their support in securing his control, Graindorge granted his land in Winterburn to the monks of Furness abbey. Between c.1149 and 1166 Roger of Mowbray himself gave Winterburn to Furness, declaring that the monks were to retain the vill in alms 'if William Graindorge forfeits anything'. It would appear that despite the grant of Winterburn to Graindorge, Ralph fitz Aldelin had preserved a claim to the vill which his father had held by hereditary right in 1135. This is clearly witnessed in Ralph's issue of his own quitclaim to Furness in respect of Winterburn after 1154.⁵¹ Roger of Mowbray appears either unwilling or unable to guarantee the tenure of Graindorge and to control the actions of Ralph fitz Aldelin. His charter to Ralph itself has all the elements of a compromise, revealing a lord on the defensive. Ralph's lands are specifically

⁴⁹In 1190 Peter of Ros archdeacon of Carlisle gave notification that while attending the assizes at York in the first year of the reign of Richard I as a justiciar, a charter of the Yorkshire priory of Watton which he was holding in his hand was torn when he went into the crowd to quell a disturbance: *EYC*, ii, no. 1105.

⁵⁰*Mowbray Charters*, no. 383.

⁵¹*Furness Coucher*, ii, 372-3, 375; calendared in *Mowbray Charters*, nos. 152-3, 150.

stated to have been 'terram patris sui', and he was to hold them 'in feodo et hereditate et heredibus suis', suggesting a renunciation on the part of the lord of his right to interfere with the descent of Ralph's estate on his death. Here again we come back to the mentality of tenants. Ralph fitz Aldelin saw the tenure of all his father's lands as his right, no matter what his lord might think or do.⁵²

The best touchstone with which to judge the applicability of the seignorial model is the authority and inviolability of the honorial courts. For Milsom these were at the very core of the seignorial world. It was here that rights 'are created, exist, and can be ended'.⁵³ Honorial courts held the balance between the tenant's right to the tenement and the lord's right to his dues which, in the seignorial world, were interdependent. Only when the provision of new legal remedies in the late twelfth century accidentally deprived the seignorial courts of the power of final decision did these rights become independent and property emerge: 'Until a generation before 1200, [the lord's] own was indeed the only relevant legal system, and there was no outside authority to which the tenant could regularly look for help'.⁵⁴

Dr. Greenway has presented evidence which might appear to support the Milsomian view of lordly jurisdiction, citing charters of the Mowbray family that illustrate seignorial courts dealing with all manner of tenurial business, even the activities of sub-tenants, well into the second half of the twelfth century. She points out, however, that as the century progressed feudal jurisdiction became increasingly vulnerable. As early as the 1160s royal officials were involving themselves in the proceedings of the Mowbray court, and some Mowbray tenants were already pursuing their suits and making their affidations in the courts of the sheriff or the chapter of St. Peter's York, with apparent disregard for the court of their feudal lord.⁵⁵ From 1169 onwards the pipe rolls reveal an increasing number of land suits against the Mowbray lords. All this suggests increasing tenurial conflict within

⁵² It may be possible to discern behind a charter of Roger of Mowbray granted to another tenant Walter de Meinil a case very similar to that of Ralph fitz Aldelin. Between 1138 and 1148 Roger restored, conceded and confirmed to Walter the vill of Thirkleby, together with two carucates in Little Thirkleby which his father had held and another carucate from Roger's demesne there. Later evidence indicates that Thirkleby came to form part of the knight's fee of the new enfeoffment held by Robert of Buscy in 1166, and that the Meinil family held a sub-tenure. It may be that on the death of Walter of Meinil's father, Roger of Mowbray had stepped in to replace the Meinil family with the Buscys, and had later been forced to restore Walter of Meinil and compensate him for the demotion to feudal sub-tenant. Again the restoration charter stresses it was land which 'pater eius tenuit', and that the tenure was heritable: *Mowbray Charters*, no. 374 and note. A similar fate may well have befallen other Mowbray tenant families: *ibid.*, nos. 390, 392.

⁵³ Milsom, *Legal Framework*, 183.

⁵⁴ *Ibid.*, 34-9, 11-20.

⁵⁵ *Mowbray Charters*, lvii-viii.

the honour, a drive to attain security of tenure, and a growing lack of respect for seignorial courts.

It is clear that the origins of these developments precede the legal reforms of Henry II and that the authority of the lordly courts could already be ignored in the early twelfth century. That Henry I was prepared to intervene in legal cases in order to insist that suits should be settled in the local lordly courts rather than the *curia regis*, is perhaps an indication of their vulnerability rather than their strength.⁵⁶ Henry's own writs of right and the payments for the king's support in warranty cases recorded in the pipe roll of 1129 x 1130 are testimony of further inroads into the supposed supremacy and autonomy of seignorial justice.⁵⁷ Between 1112 and 1121 the abbey of St. Mary's York may have secured the king's support in order to prevent its tenants from taking their cases to the court of the shire, wapentake or hundred, and to force sheriffs and their officials who were in dispute with these tenants to pursue their suits in the abbey court.⁵⁸ In 1130 Countess Lucy of Bolingbroke paid a large sum to the king in order that she might 'hold right in her *curia* between her men'. The king, however, was equally prepared to assist tenants to undermine the lordly courts if the price was right. The sons of Osbert the sheriff paid Henry I to secure their succession to the estates of their father against the wishes of their lord, Stephen count of Aumale, who wanted to resume them into his demesne after Osbert's death.⁵⁹

Rather than a deliberate attempt to undermine seignorial authority the royal intervention was doubtless simply a response to the search for justice by tenants who were evading the courts of their lords. Roger de Mowbray appears concerned as early as 1145 that his tenants might take their suits elsewhere. In his concession to Uctred fitz Dolfin of the land of Uctred's grandfather, Roger, seems to anticipate possible disputes, and commands that 'predictus Uctred hanc terram teneat in pace, quod pro nullo calumpniatore in placito ponatur nisi in presencia mea, quia inde homo meus est et ego ei presidium'.⁶⁰ Mowbray himself was prepared to settle his own disputes outside the

⁵⁶ *Regesta*, ii, nos. 529-30, 1116.

⁵⁷ *Regesta*, ii, nos. 1627, 1630, 1662, 1604, 1541, 1672 (an example from outside Yorkshire). For an example of a royal justice being present in a seignorial court when a lord proved his title in a portion of land which another man claimed to hold of him see *Regesta*, ii, no. 1751. For the pipe roll evidence see *Pipe Roll 31 Henry I*, 20, 32, 71, 74, 145; cited by Hyams, *Warranty and Good Lordship*, 38.

⁵⁸ *Regesta*, ii, no. 1276. Although it has been suggested that this charter may either be interpolated or a forgery, the witnesses are consistent with the date assigned.

⁵⁹ *Chronica de Melsa*, i, 86; cited by Green, *Government of England*, 189. The attempt ultimately proved unsuccessful after the brothers failed to provide sureties for the money they owed.

⁶⁰ *Mowbray Charters*, no. 392.

feudal court when need arose.⁶¹ Many more cases of lords and tenants undermining the authority of seignorial courts before Henry II's reforms had time to take effect could be cited.⁶²

Milsom's view that property and ownership in the seignorial world resided solely in the lord because his was the only relevant legal system to which tenants could regularly look for help seems in need of some revision. Long before the legal reforms of Henry II many tenants were already taking their cases to the superior courts of the church or king. Just as they were prepared to look beyond the honorial structure for justice, so also they came increasingly to rely on their own resources to provide it. Within as well as outside this structure seignorial courts came under an increasing threat from an alternative system of justice, which on many estates came to replace them.

As long ago as 1959 Lennard stated that when Anglo-Saxon kings conferred jurisdictional privileges upon their thanes they were 'not appointing an official, but conferring a piece of property'. He argued that under the Normans property in land implied jurisdictional rights because all Norman lords had the right to hold a court.⁶³ It is possible to stand the argument on its head and to posit that jurisdictional rights implied property in land, and that they were not confined to tenants-in-chief (lords). Along with the devolution of land went the devolution of the jurisdictional rights attached to it. The efforts of tenants to secure private jurisdictions are clearly discernible within the charters of the twelfth century. They were assisted by the practical administrative problems confronting seignorial jurisdiction. Lennard noted that honorial courts soon languished because they were difficult to organize.⁶⁴ In theory they were to meet every three weeks and all honorial tenants owed suit. Difficulties of time and space, however, made this impossible.⁶⁵ The only solution to the problem was delegation. On many estates, therefore, jurisdictional control, and the ownership that

⁶¹ *Mowbray Charters*, no. 318, dated 1138 x c.1154. In the early years of Henry II's reign Mowbray made another private agreement with Robert III of Stuteville in order to settle a tenorial dispute. This did not receive the sanction of the royal court.

⁶² A series of charters issued in Stephen's reign by Osbert Silvain, a tenant of Adam Tison, reveal that while Osbert was prepared to write and inform his immediate lord of his tenorial alienations, and to appeal to all his feudal overlords to confirm and maintain certain gifts he had made to Nostell priory, he was also ready to look to the dean and chapter of York for guarantees. His alienations also appear to have preceded the request for the confirmation of his lord: *EYC*, xii, nos. 74-6; for a commentary see Hyams, *Warranty and Good Lordship*, 18. Between 1156 and 1162 Alan de Meering, a Percy tenant, pledged a portion of his estates to Warter in a notification made to Archbishop Roger of York and confirmed in the presence of the chapter of Ripon and on the altar of St. Mary's Fountains: *EYC*, xi, no. 249. For a similar case of a honorial tenant making alienations in the church courts without reference to the seignorial court of his lord see *EYC*, xii, no.106, dated *ante* 1161.

⁶³ Lennard, *Rural England*, 23-4.

⁶⁴ A difficulty also recognised by Milsom, *Legal Framework*, 11-20.

⁶⁵ Lennard *Rural England*, 35.

went with it, came to reside with the tenants.⁶⁶

The devolution of jurisdictional control is evident within grants to tenants of the old Anglo-Scandinavian rights of soc, sac, toll, team and infangentheof. Although in some cases these privileges were 'evidence of a man's standing in the lord's court rather than the delegation of a lord's rights of justice',⁶⁷ they usually allowed the recipient the right to hold a court and to take its profits, to extract payments for the sale of livestock and goods, to deal in his court with pleas involving wrongful possession of cattle, and to do justice on thieves caught red-handed on his land.⁶⁸ Such grants date from very early within the Norman period of rule⁶⁹ and had become commonplace by the reign of Stephen when both grantors and grantees might be men well down the feudal chain of command.⁷⁰

An example of how this jurisdictional delegation might undermine the power of the court of the tenant-in-chief is clearly illustrated in two charters granted in the reign of Henry I by Richard earl of Chester and his successor, Ranulf Meshin, to the abbey of St. Werburgh's Chester, founded by Richard's father. In the former, Richard bestowed the right to hold a court for all pleas and wrongdoings, exactly as the earl had his court, so that the abbot would not have to plead against anyone in any matter outside his own court. In the latter, Earl Ranulf confirmed the exclusive jurisdiction of the abbey court and, in order to illustrate the practical significance, recorded that he had appeared in the abbey court himself and received judgement from the abbot's doorman.⁷¹ In a similar case from Yorkshire, probably in the reign of Stephen, the despoiling by a secular tenant of the Fossard honour of the suit of a mill in South Cave, held by St. Peter's York of William I

⁶⁶In another context Holt has illustrated that fragmentation of jurisdictional control was a natural feature of honours apportioned between co-heiresses: J.C. Holt, 'Feudal society and the family in early medieval England: IV. The heiress and the alien', *TRHS*, 5th series, 35 (1985), 1-28, esp. 9-20.

⁶⁷Stenton, *First Century*, 106.

⁶⁸Stenton, *First Century*, 101-2.

⁶⁹*Selby Coucher*, i, 18.

⁷⁰Stenton, *First Century*, 104-11. A good proportion of the extant military enfeoffment charters in Yorkshire after 1135 convey these rights: *Cal. Close Rolls 1313-18*, 286; *Cal. Patent Rolls 1354-58*, 315 (calendared in *Mowbray Charters*, no. 356); *Mowbray Charters*, nos. 353, 359, 370-1, 377, 383; *EYC*, vii, no. 25. Barrow recognised that the conferment of such rights in Scottish charters was recognised as a mark of distinction even by those with no clear conception of the jurisdiction conferred: *Regesta Scottorum*, ii, 49.

⁷¹*Chester Charters*, nos. 8 (dated 1119), 13 (dated 1121 x 1129). Of the first charter Barraclough noted that it has some unusual features suggesting interpolation, but that the witnesses cited are consistent with a date of 1119. He suggested that the second charter may also have been interpolated, most probably in Stephen's reign, which would not detract from the significance assigned to it here. Even if both charters post-date Stephen's reign the mental attitude of the churchmen towards the possession of private courts, and the restrictions they were prepared to place on those of the lord, remains important.

Fossard, was dealt with not as we might expect in the court of Fossard, but in that of St. Peter's.⁷²

Closely linked to the devolution of jurisdictional rights was the mid twelfth century explosion in the use of private seals by tenants from the lower ranks of the feudal hierarchy. The phenomenon caught the attention of many contemporaries, among them the justiciar Richard of Lucy who declared that 'It was not the custom in the past for every petty knight (*militulum*) to have a seal. They are appropriate for kings and great men only'.⁷³ The more substantial honorial tenants often had their own seal before the reign of Henry II.⁷⁴ And by c.1200, 'for almost anyone above the level of peasant, it had become a necessity'.⁷⁵ What did it mean to have a seal ?

Charters frequently refer to the affixation of seals in terms such as 'confirmavi', 'corroboravi', 'testatur' and 'securitatem', and it seems clear that they were used to authenticate documents and guarantee their contents.⁷⁶ Sometimes reference to seals in charters is linked directly to the warranty or affidavit clause. An agreement between two Percy tenants in the 1180s concluded: 'Hanc convencionem ad tenendam ego predictus Ricardus affidavi predicto Alano et heredibus suis et sigillo meo confirmavi'.⁷⁷ Because both grantors and grantees could draw up charters it was necessary for the lord to have his seal in order to sanction documents. Seals, therefore, imply that their owners were men important enough to alienate lands and to have tenants who might come to them with charters requiring validation. You had to be of a certain status to have a seal: Walter of Uppesale, whose grant of a single acre to the hospital of Upsall between c.1170 and 1195 suggests that he was a man of low status, sealed his charter with the seal of the prior of Guisborough because he had no seal himself.⁷⁸ You also had to be of a certain age: Richard earl of Chester's charter to Abingdon abbey confirming the gift of Drogo of Andely in 1106 was sealed with his mother's seal because he was still a minor and not yet knighted.⁷⁹ Thus seals were a symbol of lordship and

⁷² *EYC*, ii, no. 1125, dated 1148 x c.1158.

⁷³ *Chronicle of Battle*, 215.

⁷⁴ *EYC*, i, nos. 534, 567; *EYC*, ii, nos. 692, 800, 814, 817, 823, 1073; *EYC*, iii, nos. 1302, 1529, 1663, 1668; *EYC*, xi, nos. 93, 96-7, 108-9, 181, 183, 193, 285; Duchy of Lancaster Ancient Deeds LS 131 (printed in, *Furness Coucher*, ii, 522).

⁷⁵ T.A. Heslop, 'Seals', in *English Romanesque Art*, 298. For the apparent rarity of seals before 1100 see T.A. Heslop, 'English seals from the mid ninth century to 1100', *JBAA*, 133 (1980), 1-16.

⁷⁶ *EYC*, i, no. 534, dated 1140 x 1147; *EYC*, ii, no. 1073, dated c.1122 x c.1137; *EYC*, iii, nos. 1339 (dated c.1147 x 1168), 1771 (dated 1144 x 1159); *Mowbray Charters*, no. 31, dated c.1166 x 1186. See also Heslop, 'Seals', 298.

⁷⁷ *EYC*, xi, no. 148.

⁷⁸ *EYC*, ii, no. 758.

⁷⁹ *Chester Charters*, no. 6, dated 13th May 1106. Glanville stated that twenty-one was the full age of an English military tenant in his day. But the coming of age could be associated with knighthood which could take place before twenty-one: *Glanville*, 82-3; *EYC*, iv, xxxii; Stenton, *First Century*, 34.

nobilitas. This is explicit in their design, often in secular examples announcing the owner's title and portraying a mounted warrior, the knight, fully equipped in military regalia, and bearing on his shield, surcoat, saddle cloth and banner the emblem of his family, his lineage.⁸⁰ Possession of a seal, therefore, implies that the owner viewed himself as his own man, as a lord in his own right rather than as a tenant, someone who could alienate lands to tenants, who had the jurisdictional authority to guarantee his grants without reference to the court of the ultimate feudal overlord, and who not only held the land but also had the right to hold it.⁸¹ That the possession of private seals by tenants might undermine lordship is clear from the action of Abbot Samson of Bury St. Edmunds who, around 1182, forced his monks to surrender their seals in order to prevent them alienating monastic estates in pledges to moneylenders.⁸²

When Gilbert of Gant, lord of Hunmanby, lay on his death-bed in 1156 it appears that he sought to designate his brother, Robert, either as custodian of his honour during the minority of his daughter, Alice, or more probably as his heir. In either case his actions constituted a breach of normal feudal conventions. The monks of Bridlington had requested Gilbert to issue certain confirmations to them before departing the world, and Gilbert summoned Robert to be present at the writing and sealing of these charters. The documents were read out and John, the chamberlain of the honour, received the seal from Robert's hand and sealed them. The proceedings were carried out 'per consilium et assensum eorundem hominum suorum'. The witnesses to the document included many of Gilbert's most important tenants and officials, and it is clear the assembly of men at his bedside constituted the honorial court. There is a direct link here between the seignorial court and the seal. Arguably the essence of the jurisdictional authority of the lord, which is sanctioned by his court, was embodied within the seal. When the chamberlain took the seal from Robert's hand he received the power to authenticate the charters issued by the lord and approved by the court, and

⁸⁰For examples, both royal and baronial, from Stephen's reign see Heslop, 'Seals', nos. 331-2, 371. Heslop notes that the equestrian image evolved slowly up to the reign of Stephen where it found its first classic statement on the royal seal. See also E. King, 'Waleran count of Meulan, earl of Worcester (1104-1166)', in *Tradition and Change. Essays in honour of Marjorie Chidnall*, ed. D. Greenway et al. (Cambridge, 1985), 164-8 and plates 3 and 4; *Mowbray Charters*, Frontispiece, and lxxxii-iv. Alternatively the lord could be depicted holding a hawk, a hunting bird, another symbol of *nobilitas*: Heslop, 'Seals', 306.

⁸¹Between c.1154 and 1155 Omnisius abbot of Begard issued a charter recording that after the death of Earl Alan of Richmond he had placed all right in a death-bed gift made by Alan to his abbey in the hand of Alan's successor, Earl Conan, who thereupon gave it to Kirkstead abbey in the presence of specified witnesses. Omnisius stated that he would undertake to procure the charter and seal of Earl Conan in confirmation when the earl should be of an age to hold the land and have the seal: *EYC*, iv, no. 28.

⁸²*Jocelin of Brakelond*, 30, 38; cited by Heslop, 'Seals', 299.

in so doing at the same moment legitimated Robert's succession and authority as lord. You could not give what you did not have.

If seals imply lordship, jurisdictional authority, and ultimately the right of the holder to have a court, the multiplicity of honorial tenants and sub-tenants in possession of them before 1150 tends to further undermine Milsom's view that lords were the only owners in the seignorial world because theirs was the only relevant legal system. Many tenants were lords in their own right. Seals also have an important bearing on the question of the nature of seisin which Milsom considered fundamental in the transformation from the seignorial to the common law world. He argued that in the former seisin denoted not a condition, a relationship between person and land that could be discussed without reference to the lord, but a simple event, the transfer of tenure from lord to man and the seignorial acceptance which was all the title there could be. In contrast in the common law property world seisin came to describe a condition which was protected when *novel disseisin* was used against anyone, lord or tenant. As such the active use of the word seisin as a transference vanished.⁸³ By 1200 the answer to the nature of seisin was that anyone who had some colourable installation could be seised for the purposes of the assize.⁸⁴ This resolution of the scope of seisin, argues Milsom, 'was momentous in that it separated title from lordly acceptance'.⁸⁵ The rapid popularisation of seals in the early and mid twelfth century, however, indicates that title and lordly acceptance could already be independent and that seisin was already a condition.

The events at the death-bed of Gilbert of Gant have all the appearance of the ceremony of 'Livery of Seisin' in which a tenant was put in possession of a tenement by the lord using the symbol of an object, in the presence of an assembly of men whose collective memory would secure the recipient in his possessions.⁸⁶ Arguably charters with their texts, seals and witness clauses were simply the literary equivalent of such ceremonies. If Robert of Gant did consider himself to be seised of the honour the seisin was the result of a transfer, a transfer however that had taken place within the confines of the family and the honorial court, and without reference to his brother's lord the king.

⁸³ Milsom, *Legal Framework*, 40.

⁸⁴ Palmer, 'Origins of property', 22.

⁸⁵ Palmer, 'Origins of property', 21-5, 46-7.

⁸⁶ Frequently the object was a rod or knife and it was placed upon a religious altar. For the ceremony and examples before 1154 see Clanchy, *Memory to Written Record*, 203-8; *EYC*, iii, no. 1379; *EYC*, vii, no. 9.

Although Henry II ultimately intervened to direct the descent of the honour to Gilbert of Gant's son-in-law, Simon III of Senlis, Gilbert, his brother Robert and their tenants may well have viewed the seisin as a condition independent of lordly acceptance, and the symbol of this condition as the seal.

In a remarkable charter issued in 1174 Simon fitz Edulf of Kilnsey and his brother, tenants of the honour of Skipton, confirmed land in Kilnsey to Fountains abbey. Their charter bestows warranty, acquits the land of all services except forinsec service, and states that they and their heirs 'exuimus nos de omne jure quod ad nos pertinet in terra illa et ecclesiam de Fontibus indesaisavimus et hereditavimus'.⁸⁷ The brothers had no seal but were nevertheless careful to overcome this difficulty. Instead of going to their lord, however, they persuaded the chapter of Ripon to affix their seal to the document. Once again seisin and seals are seen to go together and to be independent of lordly authority. As Hyams noted, Livery of Seisin carried with it the same meaning as the positive and negative aspects of warranty.⁸⁸ Arguably, then, the possession of a seal implied the right of the holder to warrant his tenants thus restricting his right of reversion and weakening the control of his ultimate feudal overlord, which is exactly what Simon fitz Edulf and his brother were doing.

The insulation of tenants from their lords apparent in the possession of private courts, seals and seisin, is also reflected in their relationship with their own retainers. That such tenants saw themselves primarily as their own men, as lords rather than tenants, is implicit in their homage relationships. Long before the reforms of Henry II tenants were already taking homage from retainers to whom they had alienated lands. As with Livery of Seisin homage implied an obligation to warrant which undermined the grantor's power of reversion and allowed his tenants to subinfeudate the land further.⁸⁹ Warranty was already common in the early twelfth century.⁹⁰ The consequences for the control of the ultimate feudal overlord could only have been harmful. He no longer had a direct personal relationship with the man in actual residence on the land; and the number of mesne tenants

⁸⁷ *EYC*, vii, no. 121.

⁸⁸ Hyams, *Warranty and Good Lordship*, 13-14.

⁸⁹ *Ibid.*; Plucknett, *History of the Common Law*, 546.

⁹⁰ Hyams, *Warranty and Good Lordship*, 19 and note 71; *DB*, i, 301b, 373a, 374a; *EYC*, ii, nos. 783, 860; *EYC*, iii, nos. 1303, 1725, 1501, 1833; *EYC*, vii, nos. 17, 113; *EYC*, xi, no. 182; *Regesta*, iii, 816; *Mowbray Charters*, nos. 7, 35, 37-8, 42-3, 49, 240, 255, 298; *Chester Charters*, no. 20; BL, MS Cotton Vespasian Exx, f. 69v (printed by Abbot, 'Gant family', 268 no. 14); *Danelaw Documents*, no. 348.

between the two was growing. Land and lordship were becoming independent.

That lordship and ownership might come to rest in mesne tenants rather than tenants-in-chief by the mid-twelfth century is clear in the feudal structure of the vill of Wentworth near Wath-upon-Dearne. Before 1159 a portion of the vill was held of the lord of Skipton by Reiner the Fleming as part of 1 1/2 knights' fees of the new enfeoffment.⁹¹ Reiner's tenant in Wentworth, and several nearby vills, was Adam fitz Swain who enfeoffed in turn John fitz Assulf. Between 1170 and 1200 the latter made a gift of land in Wentworth which Hugh fitz Henry had held of him, together with the service of the land which John had done to Adam fitz Swain namely, homage, suit of court every three weeks, a boon-plough in Lent, and a boon-reaper in autumn.⁹² Thus despite his position as the third tenant in the feudal chain Adam fitz Swain had the right to hold a court and to take the homage of John fitz Assulf. John makes no mention of either Reiner the Fleming or the lord of Skipton in his charter. For him Adam fitz Swain was the lord and owner of the estate, and rather than 'domini mei' John refers to Adam as 'domino Newhalla', a nearby vill also forming part of the estate held by Adam of Reiner the Fleming, and probably the site of Adam's court. Here again the attachment of tenant to tenement, at least in the eyes of one contemporary, had become more important than the attachment of tenant to lord. For men of the calibre of John fitz Assulf and Hugh fitz Henry, the lord of Skipton and Reiner the Fleming were distant, possibly anonymous figures, of only minor local significance.

Concern over the breakdown of the personal relationship between feudal overlords and sitting tenants is evident in the provisions in the Assize of Northampton drawn up in the 1170s which declared that under-age heirs were to do homage to all the lords in the feudal chain, and to render to them all that was due.⁹³ In practice the official line met with resistance, and by the late twelfth century it appears to have been accepted that sub-tenants should not perform homage to tenants-in-chief.⁹⁴

⁹¹ *Red Book*, i, 430; *EYC*, vii, 193-6.

⁹² *EYC*, vii, nos. 126, 131-2, and notes.

⁹³ *Select Charters*, 179 cap. 4.

⁹⁴ This is clear from a land dispute on the honour of Percy. In 1166 Thomas Darel held a knight's fee of Percy in Wheldrake. Between c.1180 and 1200 Maud of Percy gave the service of this land to Richard Malebisse. In 1207 Geoffrey of Fitling, the grandson of Thomas Darel, was engaged in a dispute with Malebisse. The latter complained that Geoffrey had done homage to William III of Percy for Wheldrake to his disherison because Geoffrey had already done homage and service of a half knight to him. A similar case was pursued by Malebisse against a certain Hugh of Bolton: *EYC*, xi, 186-90.

The importance of the right to perform homage is also illustrated in the attempts of many men who farmed the demesne of their lords to convert their leaseholds into hereditary fee-farms for which they did homage. Cases of this occur as early as Stephen's reign. The *Leges Henrici Primi* distinguished between the two types of tenure. In the latter the tenant became the lord's feudal man. Although this strengthened his relationship with the lord, more importantly his homage strengthened his attachment to the tenement. Many leaseholders were able in this way to entrench themselves in their holdings and to secure the inheritance of their sons. When the *curia regis* rolls begin in the late twelfth century they reveal many lords in litigation with farmers who claimed to hold their estates in fee.⁹⁵

The co-existence of lordship and proprietary right in the early twelfth century is also reflected in the use of advocacy language in some of the charters. The term probably originated in warranty cases concerning churches. A clerical incumbent of a church sued by a would-be patron would not vouch a warrantor, as a secular counterpart might, rather he 'subordinated his own interest in the church to that of his patron, the *advocatus*, who sometimes still in the late twelfth century thought of himself as its lord and owner'.⁹⁶ Those who claimed to be the *advocatus* of religious houses often exercised stringent control of their foundations.⁹⁷ The proprietary connotations of the term are implicit in a charter of the Percy tenant, Hugh fitz Everard, granting the vill of Stainton to Selby abbey between c.1140 and 1150. Hugh issued the charter for the souls of the line of the Percy lords and states that the service of the vill, 15s, was to be rendered to the chief lord. This was doubtless a reference to William II of Percy, and implies that Hugh saw himself not as a tenant but as a lord in his own right. The charter goes on to state that 'nam heres Hugonis advocatus erit terre post ipsum...Quod si contra hunc advocatum rex terre vel aliquis ecclesie Dei vim inferre temptaverit ipsi monachi prout possunt rem suam expediunt pacem querentes', and concludes with an assurance that Hugh and his heirs would maintain and defend the gift. There is a curious blend here, both in language and attitude, between feudal and proprietary conceptions. Hugh feels a sense of obligation and attachment to his feudal lord, but clearly regards the land as the possession of his family. *He is*

⁹⁵ *Rolls of the Justices*, 398-9; Chibnall, *Anglo-Norman England*, 146-7.

⁹⁶ Hyams, *Warranty and Good Lordship*, 19-20; citing S.J. Bailey, 'Warranties of land in the thirteenth century', *CLJ*, 9 (1945-47), 203.

⁹⁷ *Mowbray Charters*, xlii.

the *advocatus* and the land will pass to *his* heirs and be protected by them.⁹⁸

As early as 1086 the Domesday commissioners appear to acknowledge the co-existence of lordship and property right when they declared that although Ebuhard the man of William I of Percy cultivated the royal manor of Castley 'non advocat eam'.⁹⁹ What we observe here is the existence within the seignorial world of property notions which are supposed to have been antithetical to it.¹⁰⁰ In fact, although lordship endured throughout the twelfth century and beyond, it did not preclude the emergence of property. Several late twelfth century charters refer to men as both lord and advocate.¹⁰¹ In the notions and attitudes of men such as Hugh fitz Everard lordship and property existed side by side. In the minds of other tenants with a lesser sense of obligation to their lords property came to dominate. Lordship and property were antithetical only in the minds of those tenants who chose to see them as such.

The cornerstone of Milsom's view of the seignorial world was the lord's right to interfere in the succession to his tenements in order to choose a new man. The acid-test of the supremacy of lordship lies precisely at this point. In reality it appears that lordly interference in the succession to estates was infrequent and that tenant families secured continuity of tenure in estates over several generations. Of the twenty-two military tenancies of the old enfeoffment on the honour of William II of Percy in 1166, five were held by the direct descendants of the Domesday tenant, and another ten had descended in the same family from the reign of Henry I.¹⁰² The same continuity is discernible on many other honours both within and outside Yorkshire.¹⁰³ That it owed more to the difficulties facing lords wishing to interfere in succession than to the normal operation of feudal relations is illustrated by the actions of William fitz Nigel, constable of Chester, as early as the reign of Henry I. When, in 1130, William heard that one of his tenants, Hugh fitz Odard, lay dying at Keckwick he

⁹⁸ *EYC*, xi, no. 123. For further examples of magnates exercising the rights of *advocatus* see *Cartularium de Rievall*, 108, cited in *Vita Ailredi*, lxxiii; *EYC*, x, no. 67.

⁹⁹ *DB*, i, 301b.

¹⁰⁰ Palmer, 'Origins of property', 4.

¹⁰¹ *EYC*, ii, no. 693.

¹⁰² *EYC*, xi, 90-9, 104-12, 118-22, 137-9, 207-12, 146-54, 172-6, 180-1, 186-91, 196-201, 213-18, 223-4, 227-30, 233-4, 243-9.

¹⁰³ In the reign of Rufus Barlow has noted a 'massive biological continuity' in the succession of the estates of the middle and lower baronage: Barlow, *Rufus*, 171. Holt estimated that in the period 1066 x 1135 53 % of the Anglo-Norman baronies descended undisturbed in the male line and 10% through heiresses. In only 13% did he detect traces of deprivation or disinheritance: J.C. Holt, 'Politics and property in early medieval England', *Past & Present*, 57 (1972), 30-7. The continuity of tenure of the honorial tenants of the Domesday fee of the counts of Mortain, in spite of the dismemberment of the honour after the forfeiture of count William in 1104, is remarkable: Soulsby, 'Counts of Mortain', 235-65.

rushed to the bed-side in order to enfeoff Hugh's son in the lands of his father. We may reasonably suspect that had he not done so the succession would have occurred automatically without regard for his lordship or the performance of the necessary homage.¹⁰⁴

Even within family succession feudal custom could be ignored or altered before the reforms of Henry II. Before his death c.1145 x 1147 William Paynel, lord of Drax, had been planning to divide his Norman lands between his two sons, and to bestow the English estates in their entirety upon the eldest.¹⁰⁵ Had the plan been carried into effect it would have violated the early twelfth century custom that acquired land was freely alienable whereas patrimony was subject to primogeniture.¹⁰⁶ Professor Holt argues that the process, which gradually nullified the distinction between inheritance and acquisition and replaced it with the custom described by Glanville in which the whole property was alienable, began with elder sons taking part in the alienation of acquired land to younger sons in the lifetime of their father, and that it was already under way in the reign of Henry I. The alienations were made by the father with the consent of his eldest son indicating that already tenants were associating their sons in lordship in their own lifetime, and in so doing effectively designating their successors with apparent disregard for the right of their lord to intervene at each succession.¹⁰⁷ In Stephen's reign both Alice of Rumilly and her husband, William fitz Duncan, made grants of land belonging to the honour of Skipton as if they were the lords during the lifetime of Cecily of Rumilly, Alice's mother, whose rightful position this was.¹⁰⁸ Similarly Robert I of Ros who succeeded to the major part of the lordship of his uncle, Walter Espec, issued a charter confirming Walter's gifts to Rievaulx abbey while Walter was still alive.¹⁰⁹

In the absence of male children magnates might even resort to the expedient of designating their brothers, or some other male relative, as their successors in order to secure the descent of their

¹⁰⁴ Ormerod, *History of Chester*, 690.

¹⁰⁵ *EYC*, vi, nos. 15 and note, 19.

¹⁰⁶ The custom was in practice by the second decade of the twelfth century: *Hatton's Book of Seals*, no. 301. Glanville stated the custom, which varied according to the type of land held by the lord, in his description of the descent of knightly property: *Glanville*, 70-1. Although the custom did not compel the alienation of acquisitions, which could pass with the patrimony to a single heir, it was frequently the case that acquisitions were granted to younger sons. The patrimony, meanwhile, always passed to the eldest son, except in the rare conquest-period cases where the eldest son chose the acquisition instead. Contraventions of the customary descent of patrimony by primogeniture thereafter were rare. The Paynel case, therefore, was exceptional. On this see Holt, 'Politics and property', 9-19.

¹⁰⁷ Holt, 'Politics and property', 42-4, 15-16. There are several cases of fathers associating their sons in lordship in Yorkshire before 1160: *EYC*, ii, nos. 727, 970, 1209; *EYC*, x, no. 67; *EYC*, xi, nos. 5, 14. For late twelfth century examples see *EYC*, ii, nos. 682, 1224-5; *EYC*, xi, nos. 85-6.

¹⁰⁸ *EYC*, vii, 10-11, nos. 9, 12-16.

¹⁰⁹ *Cartularium de Rievaille*, 21-2.

estates within the family. When, in the second decade of Henry I's reign, Nigel d'Aubigny thought he was dying he designated his brother, William, as his heir (*honoris mei et rerum mearum constitui heredem*), and asked him to supervise the restorations he had made to the church.¹¹⁰ The same intention probably lay behind the ceremony at the death-bed of Gilbert of Gant in 1156. Gilbert's only child was a daughter, Alice, who appears to have been under-age and in a vulnerable position at his death. Gilbert, therefore, had good reason to establish his brother, Robert, as his successor in order to ensure that the honour did not pass into the hands of a royally appointed custodian or husband of Alice. His efforts, however, were to prove unsuccessful. Alice of Gant was soon married to Simon III of Senlis, the former lord of Huntingdon, who assumed effective lordship of his wife's honour. Although Simon was later to claim in one of his charters that the marriage was the result of a private agreement with Gilbert of Gant, it seems clear that it had actually been arranged by Henry II who was anxious to compensate Senlis for the loss of Huntingdon which had been granted to Malcolm of Scotland in the peace agreement of 1157.¹¹¹ Here the exercise of feudal lordly control over succession had been effective. Forty years earlier, had Nigel d'Aubigny died, it might not have been. But what matters more, and what was the same in both cases, was the attitude of the tenant family to its estates. Simon of Senlis was anxious to publicise the claim that his tenure was based on an agreement with the previous head of the Gant family. For his part Robert of Gant proved to be no friend of Simon, and upon eventually succeeding to the honour himself in 1185 made strenuous and costly efforts to recover the estates Simon had alienated from the Gant patrimony.¹¹² The policy of both lords leaves no doubt that land and family were seen as inseparable. Neither direct lineal failure nor lordly interference was going to change that.

It is clear that the concept of the supremacy of lordship in the early twelfth century must be heavily qualified. Although lordship dominated some estates, on others Milsom's interpretation of the seignorial world is incompatible with the evidence of both lords and tenants undermining or

¹¹⁰ *Mowbray Charters*, no. 3. Presumably Roger of Mowbray had not been born when Nigel made this provision. That this practice undermined the normal conventions of the feudal relationship is confirmed by the rule set down in Glanville forbidding barons to 'make' heirs other than sons or daughters of their own bodies: *Glanville*, 70-1.

¹¹¹ Abbot, 'Gant family', 53-8.

¹¹² *Pipe Roll 32 Henry II*, 76; *Pipe Roll 3 and 4 Richard I*, 4; cited by Abbot, 'Gant family', 107-8.

exceeding the normal conventions of the feudal relationship. Indeed it is already possible to discern that independence of service and tenure, that limitation of active lordship, and that insulation of tenants from lords which Milsom and his followers considered essential to property but could only accept as the outcome of a late twelfth century bureaucratic regulation of a supposedly pre-property seignorial world.¹¹³ If this re-examination of the nature of society in the first century of Norman rule is correct we are left with the problem of explaining the limitation of lordship and the emergence of property. It is to this question that the remainder of this chapter will be devoted.

The Limitation of Lordship and Concept of Property in Twelfth Century Yorkshire: A Tenorial, Economic and Social Approach

The inhibition of lordship was partly due to the frequently vacillating nature of the personal relationship on which it was based. A great deal could depend upon the fluctuating power, determination and ability of the lord; and the relative weakness, loyalty and co-operation of his tenants. The powerful lordship apparently exercised by Nigel d'Aubigny, lord of Thirsk, in Henry I's reign may reflect his ability as an administrator and his powerful links with the king's government.¹¹⁴ On the obverse side an example of what could happen to lordship when placed in the wrong hands is illustrated in the history of the chequered career of Abbot Herbert of Selby in the second decade of the twelfth century. He 'did nothing about, nor gave thought to, the property and wealth of the monastery', with the result that the abbey's fields, barns and messuages were ruined. On the advice of the papal legate, John of Crema, who informed him that his personal qualities were incompatible with lordship, he resigned. His successor Abbot Durand enjoyed a far more successful term of office restoring the abbey's estates and wealth, and was suitably credited by the author of the history of the abbey with the qualities of jurisdictional skill, shrewdness, eloquence and nobility.¹¹⁵ Lordship could only exist when it was accepted. There could be no feudal relationship if one of the parties

¹¹³Milsom, *Legal Framework*, 33-5, 37-9. Palmer stated that 'such insulation of the tenant from his lord was a bond established between the tenant and his tenement: property' and that the 'regulation of feudal courts...eliminated lordly discretion, created property right, and thus severed the dependency of tenants on their lords': R.C. Palmer, 'The economic and cultural impact of the origins of property: 1180-1220', *LHR*, 3 (Fall 1985), 375, 389, 395.

¹¹⁴He had interfered in the succession of many of his tenant estates: *Mowbray Charters*, xvii-viii, xxxvii, nos. 2-7.

¹¹⁵*Selby Coucher*, 26-8.

withdrew from or refused to acknowledge the contract.¹¹⁶ Linked to this were the problems of feudal tenurial geography. Because of its essentially personal nature lordship had to be seen to be exercised to be effective. This required the occasional presence of the lord or his representative on the tenant holding. In a land with only a rudimentary communications network, where forty miles was probably the best a man could hope to travel in a day,¹¹⁷ lords with many estates strewn across several counties had no hope of achieving the regular presence necessary to maintain their authority. Delegation was unavoidable, and it was only a short step from there to independence.

Lordship might also be undermined by the influence of politics. As Hyams correctly observed the proper functioning of lordship, and therefore the location of ownership in an estate, depended upon the 'rough balance of power between lord and man' which could shift according to political circumstances.¹¹⁸ Holt saw the intrusion of politics and patronage into 'custom and law' as the basis of a tenurial crisis in the Anglo-Norman period, in which title and succession came to be at odds with the demands of political allegiance when England and Normandy were separated and under the control of mutually hostile rulers.¹¹⁹ His view that law and politics 'may be and were at times opposed' was criticized by King on the grounds that the law 'existed within, and not outside, the framework of lordship'.¹²⁰ Here King appears to equate politics and patronage with lordship, a view which in the purely seignorial world is all well and good. In reality, however, politics could serve to undermine lordship.

The opposition of politics and lordship in individual situations was a feature of English society both before and after the reign of Stephen. The seizure of tenant estates by Bishop Ranulf of Durham was motivated by a desire to provide for his sons and nephews, and in so doing to increase his political control of the bishopric. When Ranulf supported Robert Curthose against Henry I the king encouraged the same tenants to break the bonds of the feudal contract and to encroach upon

¹¹⁶This more flexible interpretation of the nature of lordship is in line with evidence indicating that on some estates the supremacy of feudal lordship was still intact in John's reign, and on others had already disintegrated by 1135. Hyams has drawn attention to some charters indicating, for example, that the principles and practice of heritable warranty and land tenure had not been accepted in John's reign, and others which show that warranty agreements were binding the parties' heirs before the legal reforms of Henry II: Hyams, *Warranty and Good Lordship*, 42-5.

¹¹⁷F.M. Stenton, 'The road system of medieval England', *EcHR*, 7 (1936), 16-17.

¹¹⁸Hyams, *Warranty and Good Lordship*, 4.

¹¹⁹Holt, 'Politics and property', 17-22.

¹²⁰J.C. Holt, 'Politics and property in early medieval England: a rejoinder', *Past & Present*, 65 (1974), 129; E. King, 'The tenurial crisis of the early twelfth century', *Past & Present*, 65 (1974), 112; reprinted in *Landlords and Politics*, 132-41, 115-23.

the estates of their lord.¹²¹ Some of them refused to render the feudal services. In both instances the influence of politics interrupted the normal exercise of lordship, and lord and tenants are seen to treat their land as property. During the reign of Stephen the potential for antagonism between politics and lordship can be witnessed in the case of the Mowbray tenant Ralph fitz Aldelin. As we have seen ¹²²Ralph had been deprived by Roger of Mowbray of a portion of his family inheritance in favour of a new tenant William Graindorge. That Ralph was nevertheless able to preserve a claim to the lost portion, and that Roger was forced to admit that Graindorge's tenure was insecure, was doubtless a result of Ralph's powerful political connexions. His brother William was a *dapifer* of Henry II and had apparently brought Ralph's case to the king's attention. Henry II himself issued a confirmation of Roger of Mowbray's restoration charter to Ralph probably in January 1156.¹²³

The marriages of the Rumilly heiresses provide a classic illustration of the argument that the effectiveness of lordship could depend heavily upon political circumstances. In the early years of Stephen's reign a Scots army marched south into Lancashire and defeated an English force at Clitheroe before devastating Cravenshire.¹²⁴ King Stephen was powerless to prevent the invasion. His political and military weakness undermined his lordship. William fitz Duncan, the leader of the invasion, was able to marry Alice of Rumilly, the daughter of Cecily of Rumilly lady of Skipton, and to exercise temporarily with his wife effective lordship of the honour despite the claims of her sisters and the fact that her mother, Cecily, was still alive.¹²⁵ In contrast Henry II, in a far more powerful position, exercised a close lordly control over the marriages of Alice's three daughters and co-heiresses, two of whom married royal officials.¹²⁶

In extreme circumstances the balance of political power could force tenants to throw off one lordship for another. This appears to have been the course adopted by the monks of Warter in order to preserve their tenure in the reign of Henry II. Their house had probably been re-founded by William I of Roumare in the reign of Stephen. Warter, a former royal demesne manor, had been held

¹²¹ See above, pp. 224-5; *Regesta*, ii, no. 562.

¹²² See above, pp. 228-9.

¹²³ *Fountains Chartulary*, i, 23; *Itinerary*, 15-16; cited by Greenway no. 383 and note; *EYC*, iii, 299-300; *Recueil des Actes*, Introduction, 478.

¹²⁴ Symeon, *Opera*, ii, 291; *Chronicles of the Reigns*, iii, 156.

¹²⁵ *EYC*, vii, 9-12. After a royal *Statutum*, issued 1130 x 1135, the practice with regard to the descent of estates to daughters appears to have changed from inheritance by a single heiress to a divided inheritance shared by all the daughters: Holt, 'The heiress and the alien', 8-20.

¹²⁶ Holt, 'The heiress and the alien', 14-20.

in the reign of Henry I by the royal administrator, Geoffrey fitz Pain, who was probably the original founder of the priory. In Stephen's reign it had apparently been seized by William earl of York, and bestowed upon William I of Roumare as a free gift forming part of a marriage contract between Roumare's son and Aumale's sister. In Henry II's reign, as part of his programme to re-establish the tenants of 1135, the king 'restored' Warter to Geoffrey Trussebut who was probably a relative of Geoffrey fitz Pain. Trussebut promptly seized some of the estates of the priory, and it appears that under pressure to maintain their tenure the monks threw off the lordship of the Roumare family, re-wrote their history in order to make a Trussebut their founder, and even changed their religious order.¹²⁷

The personal relationship elemental to lordship, and the geographical and political environment within which it functioned, only partly explain its limitation. A complete understanding of both this and the nature of property can only be achieved against the background of certain fundamental tenurial, economic and social dynamics transforming society in the century following the Norman invasion.

Holt considered that the opposition of politics and existing law, particularly the law of inheritance, had 'serious and permanent effects on the development of English law'.¹²⁸ He placed emphasis here on the influence of cross-Channel politics. When England and Normandy were separated and under the control of mutually hostile overlords 'Rules of succession were applied in political circumstances quite unsuited to them'.¹²⁹ The effect, among other things, was to impose 'essential limitations upon the law of succession', to undermine the security of tenants-in-chief and to encourage security lower down.¹³⁰ The actual course of legal development, however, encourages a shift of emphasis to the localities. For most of Stephen's reign Normandy and England were separate and governed by hostile rulers, and yet it is generally accepted that the legal reforms of Henry II focus on the defence of tenant-right.¹³¹ It may be, therefore, that what was really crucial in the development of English law was the opposition of law not with cross-Channel politics, but rather with the internal

¹²⁷E. King, 'The parish of Warter and the castle of Galchlin', *YAJ*, 52 (1980), 49-54.

¹²⁸Holt, 'Politics and property', 21.

¹²⁹*Ibid.*, 19.

¹³⁰*Ibid.*, 21, 36-7.

¹³¹Hyams, *Warranty and Good Lordship*, 53-4; Palmer, 'Origins of property', 3-4.

tenurial politics of the honour. Honorial politics in this period were crucially influenced by a fundamental tenurial process discernible in England, a process that was both omnipresent and enduring enough to have had a serious and permanent impact. The process was the constant alienation of lands by lords to tenants, and it is perhaps here rather than cross-Channel politics that we might find the dynamic behind a crisis in the early twelfth century; a crisis that because of the interaction and inseparability of land, power and law, had to be at one and the same time tenurial, political and legal.

The origins of the pressure on lords to alienate lands were many and varied: the extension of Norman settlement and military control,¹³² the interference of the king and opportunism of his officials,¹³³ the demands of family and good lordship,¹³⁴ the obligations of piety,¹³⁵ the problems of debt,¹³⁶ the increasing costs of military service,¹³⁷ the necessities of administrative delegation,¹³⁸ the greater profitability of rents and services over direct demesne cultivation,¹³⁹ the benefits of securing

¹³²See above, Chapter 3.

¹³³The history of the bishopric of Durham offers a good example of this. During the quarrel of William Rufus and Bishop William of St. Calais the estates of the bishopric were seized by magnates acting under the king's orders and later retained as under-tenancies: Symeon, *Opera*, i, 171-4, 179-80; *EYC*, ii, no. 965 (calendared as *Regesta*, i, no. 427); see above, p. 224. Bishop Ranulf of Durham had similar difficulties recovering the estates seized by the Henry I's officials after he had offered his support to Robert Curthose during the crisis of 1101: see above, p. 224; *Mowbray Charters*, nos. 2-5. Eustace fitz John, the royal custodian entrusted with the bishopric during the vacancy after the death of Bishop Ranulf in 1129, secured the alienation of more episcopal estates: *Pipe Roll 31 Henry I*, 131-2; Public Record Office Chancery Miscellanea C 47 /9/5, printed in *Percy Chartulary*, 291-4 and as an appendix to C.H. Hartshorne, *Memoirs illustrative of the history and antiquities of Northumberland*, Proceedings of the Archaeological Institute, Newcastle on Tyne, 1852 (London, 1858), and calendared by Green, *Government*, 252; *Red Book*, i, 415; *Regesta*, ii, no. 1604. The scale of the opportunism of Eustace fitz John and other officials is evident in the extensive networks of under-tenancies they built up: Green, *Government*, 181-3. In some cases the king interfered directly to endow an administrator: *Regesta*, ii, 1722, 1730. See also the comments of the author of the *Gesta Stephani*, 22-4, and J.A. Green, 'The sheriffs of William the Conqueror', *Anglo-Norman Studies*, 5 (1982), 129, 143-4.

¹³⁴In attempting to explain in 1166 why his predecessors had enfeoffed more knights than they owed to the king, the archbishop of York declared that 'they did this, not for the necessities of royal service but because they wished to provide for their relatives and servants': *Red Book*, i, 412. On episcopal family patronage see also Round, *Feudal England*, 301-3; *Durham Charters*, nos. 11, 13, 23, 23a, 24 and notes. For the political requirements of providing for family see J.C. Holt, 'Feudal society and the family in early medieval England: III. Patronage and politics', *TRHS*, 5th series, 34 (1984), 15-16, 23. For the Percy lords endowing younger relatives see *EYC*, xi, 1-3, 7-8. Grants of this kind, especially to females, tended to become independent from the control of the senior branch of the family: *Glanville*, 92-3 and notes; Plucknett, *History of the Common Law*, 546-53; Holt, 'The heiress and the alien', 1-28, esp. 10-19. Many charters illustrate that successive lords felt an individual obligation to reward their vassals: *Mowbray Charters*, no. 374; *EYC*, ii, no. 857; *EYC*, xi, nos. 2, 4, 12; *Cartularium de Whiteby*, i, no. 26 (calendared as *EYC*, xi, no. 11).

¹³⁵For Nigel d'Aubigny's concern for his soul when he was dying see *Mowbray Charters*, nos. 2-7. Tenants often made alienations in order to secure entry into religious communities in their old age: *EYC*, i, no. 300; *EYC*, ii, nos. 1047, 1055, 1064-5, 1084, 1167.

¹³⁶Lands or the revenues attached to them were often alienated to provide security or as an incentive to monastic houses to take on the burden of repayment: H. Jenkinson, 'A money-lender's bonds of the twelfth century', in *Essays in History Presented to R.L. Poole*, ed. H.W.C. Davis (Oxford, 1927), 202-4; H. Jenkinson, 'William Cade, a financier of the twelfth century', *EHR*, 28 (1913), 221-2, 224-5; Richardson, *English Jewry*, 84-108; *EYC*, ii, nos. 696, 1088; *EYC*, xi, nos. 158-9, 170, 249, 274; *Monasticon*, vi, 958. Wardrop, *Fountains Abbey*, 75-6.

¹³⁷See below, 254-5.

¹³⁸Lords with extensive estates spread over several counties could not hope to govern them all directly.

¹³⁹This was true of the eleventh century: S.P.J. Harvey, 'The extent and profitability of demesne agriculture in England in the later eleventh century', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston et al. (Cambridge, 1983), 45-87.

personal and political influence,¹⁴⁰ the strengthening and protection of tenuous tenurial claims,¹⁴¹ and the pressure of political circumstances.¹⁴² Whereas these forces were both enduring and in some cases cumulative throughout the period under review the landed resources at the disposal of lords were more or less finite. As time went by, therefore, there was a natural and growing tension between the pressure to alienate lands and the lords' capacity to give. This was the essence of the crisis.

As early as 1135 there is ample evidence to indicate that some lords were running out of the estates necessary to satisfy the demands for tenurial resources placed upon them. By this date the Percys had alienated over 80% of their demesne carucates.¹⁴³ The erosion of resources is also reflected in the down-turn in the amount of land alienated by the successive lords of many honours. The gifts of the late twelfth century lords often pale into insignificance when set aside those of their predecessors. One index of this is the ratio of fees of the old enfeoffment to fees of the new enfeoffment recorded in the Yorkshire *carta* returns of 1166 (Table 16). On the honour of Skipton, for example, 12 or 13 knights' fees were created in the period 1086 x 1135, 8 knights' fees in the period 1135 x 1166, and only 2 or 2 1/2 in the period from 1166 to the late thirteenth century.¹⁴⁴ The difficulties confronting lords is also reflected in the complex tenurial arrangements and exchanges they were having to make from the 1140s onwards in order to find the lands with which to found new religious houses.¹⁴⁵

The series of measures employed by lords in order to combat the crisis of resources help to provide

¹⁴⁰S. Harvey, 'The knight and the knight's fee in England', *Past and Present*, 49 (1970), 8.

¹⁴¹Recipient tenants would naturally support the claim of the grantor.

¹⁴²This was most in evidence in Stephen's reign. See above, pp. 154-8.

¹⁴³See Appendix 2. A similar depletion of the demesne resources of the Lacy family of Herefordshire over the period 1086 x 1186 has been noted: Wightman, *Lacy Family*, 210-11.

¹⁴⁴*EYC*, vii, 90-3. Although more land was required to make up a knight's fee as time went by, the disparity between the level of enfeoffment before and after 1135 remains striking. The fall cannot be attributed to tenants-in-chief having satisfied their quotas. Some, like the archbishop of York, had already greatly exceeded their quotas by 1135. Several scholars have noted that the enfeoffments of lords to both secular and religious tenants dwindled as the twelfth century progressed: Abbot, 'Gant family', 192, 202, 208-9; Wightman, *Lacy Family*, 67, 70, 75, 109-12; Wardrop, *Fountains Abbey*, 140-3, 146, 150-1, 166, 169, 183; *Mowbray Charters*, xxxiii-iv. Holt has suggested that the change in practice in the military system from decimal or demi-decimal quotas to random quotas was due to the encumbering of lands with enfeoffed knights as early as the second decade of the reign of Henry I: Holt, 'The revolution of 1066', 210. A shortage of alienable resources would also explain the transformation from the early twelfth century custom that acquired land was freely alienable whereas patrimony descended by primogeniture, to the custom described by Glanville in which the whole property was alienable. As early as the 1150s cases emerge of lords being forced to delay providing for their tenants because the lands with which to do so were unavailable.

¹⁴⁵Such as Eustace fitz John's foundation of Watton, *EYC*, ii, nos. 1107 x 1110; William of Roumare's foundation of Revesby, *Facsimiles of Early Charters*, 1-7; and the Aumale foundation of Meaux, *EYC*, iii, nos. 1379, 1381. I hope to publish separately a paper dealing with the tenurial arrangements and disturbances connected with Gilbert II of Gant's foundation of Bardney abbey in the 1140s.

the explanation for the tenurial conflict that was already coming to involve the royal and church courts in private feudal relations on a regular basis by 1130. They fall into three principal categories: the recovery of estates from tenants into the demesne; the prevention of further alienations; and the accommodation of new tenants within the existing body of alienated lands. Each of these will now be examined in turn.

Examples of demesne resumption occur as early as the reigns of Rufus and Henry I. In that of the latter Stephen count of Aumale, lord of Holderness, had an eye to recover the estates of his tenant, Osbert the Sheriff, rather than allowing them to pass naturally to Osbert's sons. Although the sons were able to obstruct him for a while by offering bribes to the king to intervene on their behalf, when they eventually failed to provide sureties for the sums offered Stephen 'redeemed the lands of his heritage, out of the hand of King Henry, and all the gifts made thereof by Osbert the sheriff or his tenants were made void'.¹⁴⁶

The same lordly policy is reflected in the pipe rolls and charters. The roll of 1129 x 1130 has many cases of fines paid by lords for the recovery of estates they considered to be unjustly held by tenants, and fines paid by tenants to force their lords to release to them the lands of their fathers. William count of Aumale, the future earl of York, paid '100 marks that he may not plead against his own men about the land that his father had held in demesne'.¹⁴⁷ One of his tenants, Turbert fitz Gamel, paid 40 marks to have seisin of his land from William.¹⁴⁸ The same concerns are reflected in the provisions that lords began to make within their charters governing the alienation of property by tenants.¹⁴⁹ Between 1142 and 1154 Walter of Percy gave land in Wold Newton to Erneis fitz Besing stipulating that after his death Erneis was to hold it of the monks of Whitby who were prohibited from alienating the service of Erneis and his heirs. The licence to acquire lands from his tenants

¹⁴⁶ *Chronica de Melsa*, i, 86. The chronicle is a late source but the information is corroborated by the pipe roll of 1129 x 1130: Green, *Government*, 189. It should be noted that this may have been a special case. Osbert was a sheriff and may have been imposed upon Count Stephen by royal patronage. As Green illustrates Stephen was not the only feudal lord to deprive Osbert's sons.

¹⁴⁷ *Pipe Roll 31 Henry I*, 29. For other examples see *ibid.*, 10, 11, 38, 54, for the cases of Ernewius of Minstertona, Willelmus Harparius, Hugo de Filtham, Richard prior of Winchester, Hugo of Monte Virun; cited by Barlow, *Rufus*, 250-1. Barlow provides an excellent example from the chronicle of Abingdon as early as the reign of Rufus. The abbot enfeoffed a tenant and then tried to recover the estate. The tenant refused and the case went before the king whose support the two sides proceeded to try and purchase with progressively higher counter-bids: citing *Chronicon de Abingdon*, ii, 35-6.

¹⁴⁸ *Pipe Roll 31 Henry I*, 33.

¹⁴⁹ J.C. Holt, 'Feudal society and the family in early medieval England: II. Notions of patrimony', *TRHS*, 5th series, 32 (1982), 202-3.

issued by Earl Simon III of Senlis to Rievaulx abbey marks another attempt at regulation.¹⁵⁰ The abbot of Whitby early in Henry II's reign was even prepared to excommunicate those who alienated land from the abbey demesne without authorisation. The warning was conveyed in a charter of one of the abbot's tenants, Robert fitz William of Aketon, making restoration to the abbey of land close to Whitby.¹⁵¹ It is significant that Robert originally abjured his right to the vill before the court of the archbishop of York rather than that of the abbot, suggesting that he had been ignoring the feudal authority of the lord.¹⁵²

In each of these cases there is a discernible struggle in progress between lord and tenant for control of alienated estates, and in each case the struggle results in the intervention of the royal or church courts. What matters was not whether this intervention was readily available and automatic but that the conflict should have arisen in the first place, and that both lords and tenants were prepared to ignore the arbitration of the feudal honorial court. All concerned seem crucially aware that what was important above all else was rights of occupancy, and within this we can surely detect the concept of property.

As we might expect, given the tendency of the tenurial crisis of resources to worsen with time, there is a remarkable degree of congruence between the early and late twelfth century evidence on this point. The same concern for alienation, and the same conflicts resulting from attempts to curb or reverse it, can be witnessed in the period following the reforms of Henry II. The Cistercian priory of Swine, for example, may have been stirring up a hornets' nest of legal disputes by attempting to recover tenant estates into the demesne. In 1181 Henry II gave notification that he had taken the house into protection and ordered his ministers to defend the nuns, 'that they shall not be impleaded touching their demesne tenements save before the king's court or his chief justice'. This suggests that the tenants of Swine may well have been responding to the lordly effort to resume demesne by taking their cases out of the jurisdiction of their prioress and into a rival feudal court. The crisis of resources and the breakdown of lordship were directly linked.¹⁵³

¹⁵⁰ *EYC*, ii, no. 1232, dated c.1170 x 1184.

¹⁵¹ *EYC*, ii, nos. 887-8. Abbot Richard's concern over alienation is also to be witnessed in his grant of Sowerby to William count of Aumale to be held only for the term of his life. Between 1170 and 1179, and probably only shortly before his death in 1179, William quit-claimed his rights to the vill in terms which explicitly precluded the possibility of any claims being made by his heirs: *EYC*, ii, no. 861.

¹⁵² *EYC*, ii, no. 880.

¹⁵³ *EYC*, iii, no. 1363. Many more examples emerge in the late twelfth century. In the 1170s Roger of Mowbray

Potentially even more inflammatory were the attempts of lords to accommodate new tenants within the existing body of alienated lands. This could take two forms, each of which is clearly discernible in the early twelfth century. Firstly, the granting of the same estates to more than one tenant - 'double grants'. Secondly, the creation of mesne tenancies in which a retainer of the lord was established in an estate in a position of feudal superiority over the sitting resident tenant, from whom he was entitled to receive certain specified services.

A grant made by Robert Fossard to Nostell priory of the church and land in Bramham without regard for his father's charter bestowing them upon Ramsey abbey resulted in the direct intervention of Henry I.¹⁵⁴ The king confirmed the church to Nostell and issued a writ of right commanding Robert to do right to the abbot of Ramsey.¹⁵⁵ In a further writ Henry ordered his ministers to cause the canons of Nostell to have hold of their twelve bovates in Bramham given by the Fossard tenant, Anschetil of Bulmer, who had secured an interest in the Fossard land, and to restore to them any land that either Robert Fossard or Anschetil had unjustly seized.¹⁵⁶

The history of the churches of the Paynel family in Roxby and Irnham in Lincolnshire provides an even more striking example of what could happen. Between 1090 and 1100 the churches were granted by Ralph Paynel to Holy Trinity priory, his new foundation at York.¹⁵⁷ At some point in the 1130s Ralph's son and heir, William I Paynel, gave them to his new Augustinian priory at Drax. Roxby church was also given to Roche abbey by the Paynel tenant Walter of Scoteny. Later, Robert of Gant, who married Alice Paynel daughter and heiress of William I Paynel, was also to make a conflicting grant of Irnham church to Drax priory and Bardney abbey. He made a similar mistake with the church of Swinstead, granting it to a certain Guy 'rogatu Eustachi filii regis Stephani' in violation of a previous grant by William Paynel to Drax priory. In a letter to the abbots of Vaudey and Fountains, Robert declared that he had been unaware of his predecessor's gift. Naturally these

made elaborate financial arrangements in order to finance a crusade without having to alienate his demesne: *Mowbray Charters*, nos. 388-9 and notes. Robert of Gant as we have seen made strenuous efforts to recover family estates alienated by Simon III of Senlis: see above, 24-5. For Robert purchasing back alienated estates for the purpose of re-grant in order to avoid further depletion of his demesne reserves see *EYC*, ii, no. 1213. For a lord using the method of seizure against the attempts of a tenant family to establish hereditary control of estates see *EYC*, xi, 252-3 and no. 36. Well connected lords might employ royal assistance in order to recover demesne estates: *EYC*, ii, 328-9.

¹⁵⁴ *EYC*, ii, no. 1002.

¹⁵⁵ *Regesta*, ii, nos. 1627, 1630.

¹⁵⁶ *Regesta*, ii, no. 1662.

¹⁵⁷ For this and what follows see *EYC*, vi, 167 and nos. 1, 13, 74-5, 80.

discordant grants were apt to result in conflicts between the rival grantees and their lords. In an assize of *darrein presentment* in 1201 conflicting claims to Roxby church were made by three religious houses. Many more examples of double grants being made throughout the twelfth century could be cited.¹⁵⁸

It is possible of course, as in the case of Walter of Scoteny above, that the direct responsibility for many double grants lay with tenants rather than lords.¹⁵⁹ As early as 1106 tenants well down the feudal chain were already making alienations to religious foundations without the knowledge or the consent of their lords.¹⁶⁰ The securing of lordly confirmation in such cases appears to have been no more than an afterthought designed only to add an extra element of security to the grant, and as a mark of respect. Double grants, then, are a major symptom of the tensions emerging from the alienation of lands resulting in the disintegration of lordship and feudal control.¹⁶¹

The grant of mediate tenancies was part of the same development. The process, which continued progressively throughout the twelfth century and into the thirteenth when the feodaries record extensive feudal chains, had already developed rapidly on some estates by 1154. Drogo of Andely, as we have seen, was the third tenant in the feudal chain at Woodmundslea in 1106 and had further sub-infeudated the estate to Abingdon Abbey. By 1159 there were at least three, and possibly four, tenants in the feudal hierarchy under the lords of Skipton in the vill of Wentworth near Wath-upon-Dearne.¹⁶² The trend towards multiple mesne tenancies was quickly and generally established.¹⁶³

¹⁵⁸ *EYC*, vi, xii. Between 1138 and 1169 Roger of Mowbray gave land in Sleningford to a certain Noel. Sleningford was part of a fee which Roger held of the archbishop of York and had sub-infeudated to Hugh of Cramaville c.1154. The grants appear to have produced a dispute. Roger also granted the same churches to more than one monastic body: *Mowbray Charters*, nos. 377, 359, 210; Wardrop, *Fountains Abbey*, 57. See also Hyams, *Warranty and Good Lordship*, 114; *EYC*, i, no. 555; and *EYC*, x, xvii-iii.

¹⁵⁹ I owe this observation to Edmund King.

¹⁶⁰ See above, pp. 226-7.

¹⁶¹ An example which probably pre-dates the reforms of Henry II emerges from the honour of Gant. Before his death in 1156 Gilbert of Gant gave land in his Lincolnshire vill of Scampton to Holy Trinity priory Norwich. The land was quit-claimed by the Gant tenant Ralf fitz Gilbert. Between 1156 and 1166, however, Rohese of Clare, Gilbert's wife, remitted to Ralf the service he owed to her and Gilbert for Scampton when Ralf gave the land to Kirkstead abbey free from secular service. The monks of Norwich, having difficulties asserting their claims, purchased Rohese's rights for a heavy sum and secured confirmation and warranty from Gilbert's successor Simon III of Senlis. Kirkstead sought similar confirmations. Rohese had clearly obstructed her husband's grants and the case serves to illustrate the way in which double-grants might arise, stimulate tenurial conflict and so promote measures to strengthen security of tenure, without the intervention of the central courts: BL, Cotton Vespasian E xviii, f. 99v; BL, Cotton charter xvi. 37; Norwich Dean and Chapter, *Scampton Charters*, 1254-6; calendared in Abbot, 'Gant family', 367-8, 377-9, nos. 13-15, 123-5.

¹⁶² *EYC*, vii, nos. 126, 131-3 and notes.

¹⁶³ A considerable number of examples could be cited. By 1099 there were already two tenants under the Tosny family in Kirkby Misperton: *EYC*, i, no. 601 and note. By c.1145 there were four tenants in the feudal chain under the lord of Richmond in the vill of Ilton: *Mowbray Charters*, no. 392 and note. On the earl of Chester's Yorkshire manor of Buckton there were at least three tenants in the feudal hierarchy by 1153: *EYC*, ii, no. 916 and note.

It was Milsom himself who pointed out that progressive sub-infeudation could lead to a breakdown of the feudal relationship. He illustrated that the process might eventually introduce tenants without courts into the feudal chain, and argued that because such tenants would look to the royal officials to enforce their rights the process would open the way for the intervention of central justice into private feudal relations. Because the public courts lacked the ultimate sanction of lordly courts and allowed tenants to deny holding of a lord the result was that tenement and dues, formerly interdependent and kept in balance by the lord's court, came to be independent properties each passing from hand to hand without reference to the other: a situation which Milsom equates with the existence of property right.¹⁶⁴

The independence of tenement and dues would help to explain why many lords were having difficulties obtaining the feudal services due from their tenants, and why competition for these services was common. There is no need, however, to regard the intrusion of central justice into private feudal relations as integral to this development; alienation itself provided the primary stimulus. There is evidence that tenement and dues, occupancy and lordship, were already becoming independent before the legal reforms of Henry II had time to take effect.¹⁶⁵ In the 1160s in return for eight marks of silver William fitz Theobald, a tenant of the honour of Greystoke in Yorkshire, granted land in Folkton to Rievaulx Abbey quit of all services except the provision of 'cumin' each year.¹⁶⁶ The danger inherent within this grant that the lord, Ranulf of Greystoke, might lose his services is implicit in the terms of his own confirmation charter which provide that should William omit these services Ranulf would claim them directly from him rather than troubling the monks.¹⁶⁷ The potential for limiting lordship is also evident within William's provision of warranty in the court of the dean of York. At one end of the scale we have the lord who feared the loss of his rights and who had been unable to confine the business of alienation to his own court. At the other we have the monks of Rievaulx securely entrenched at Folkton with their two charters, warranty promise, support of a

¹⁶⁴Milsom thought the problem of lords without courts to be the stimulus for Glanville's writ of customs and services, a justices writ commanding the sheriff to enforce customs and services due in cases where the lord was not empowered to judge his tenant: Milsom, *Legal Framework*, 33-5.

¹⁶⁵In the programme of restoration after the Anarchy Henry II did not turn his attention to the royal courts until 1163: G.J. White, 'The restoration of order in England, 1153 x 1165' (Univ. of Cambridge, Ph.D. thesis, 1974), 62-3.

¹⁶⁶*EYC*, ii, no. 1250.

¹⁶⁷*EYC*, ii, no. 1251.

powerful church court, and nominal service obligation. On many estates vertical alienation was more advanced than at Folkton and four or five mesne tenants were commonly interposed between lord and sitting tenant. If, as the legal historians recognise, the fundamental basis of feudal lordship was a personal relationship¹⁶⁸ it is easy to understand the vulnerability of that relationship on estates of this kind.¹⁶⁹

The establishment of long feudal chains was often the result of the creation of mesne tenancies by lords. Relations between mesne and sitting tenants, however, tended to be uneasy and the process was a recipe for tenurial conflict that could only contribute further to the erosion of lordship. The trouble often began with an attempt by the mesne tenant to convert their rights to services into actual occupancy of the land. An example of what might happen is illustrated on the Mowbray estate of Acaster Selby in the reign of Stephen. In a charter issued in the period 1143 x 1153 Roger of Mowbray established the abbey of Selby in the feudal chain of Acaster Selby. He notified Leising and Chetell and his men of Acaster that the land there had been given to the monks. The possibility for conflict is implicit in the phrase 'Et si aliquis eos disseisiaverit ego ipse resaisio eos per hoc breve meum et latorem brevis'.¹⁷⁰ The monks may well have been expelled by the resident Mowbray tenants, and in a separate charter Roger restored (*reddidisse*) Acaster to them.¹⁷¹ In another case from the Mowbray honour Roger not only expected that the creation of a mesne fee might cause disputes, but also that these disputes would be removed from his court and settled elsewhere. In the period 1138 x 1145 he conceded to Uctred fitz Dolfin the land of Uctred's grandfather in Ilton to be held of Turgis fitz Malger for the fourth part of the service of one knight. Turgis himself held of Walter Buher. Roger's charter concludes with a firm order that Uctred should hold his land in peace and that 'pro nullo calumpniatore in placito ponatur nisi in presencia mea, quia inde homo meus est et ego ei presidium'.¹⁷² The feudal chain, like any other chain, was only as strong as its weakest link.

¹⁶⁸Milsom, *Legal Framework*, 39, 42, 63; Palmer, 'Origins of property', 4-6.

¹⁶⁹For an example from Stephen's reign involving the commutation of service and provision of warranty by a mesne tenant in an estate with a long feudal chain see *EYC*, ii, no. 1201.

¹⁷⁰*Mowbray Charters*, no. 254.

¹⁷¹*Mowbray Charters*, no. 256, dated September 1143 x 1147, or October 1153 x June 1154.

¹⁷²*Mowbray Charters*, no. 392. For more examples see *EYC*, ii, nos. 1036-8, dated 1186 x 1187, c.1148 x 1154, and c.1150 x 1165 respectively. Before 1165 the monks of Rievaulx were clearly concerned about the the creation of mesne fees in the vill of Stainton where the feudal chain was already long: *EYC*, iii, nos. 1842-5. See also *EYC*, xi, 186-90.

When viewed against the background of the tenurial crisis of resources, with its concomitant growing independence of tenement and dues and heightened competition for land and services, the limitation of lordship in the early twelfth century begins to make sense. The crisis lies behind many of the legal cases flooding into the royal courts in the reigns of Richard and John when the first extant judicial rolls begin.¹⁷³ Had similar records been drawn up in the reigns of Henry I and Stephen, and come down to us, they would doubtless illustrate tenurial conflict of the same nature, if not perhaps the same volume, in progress between lords and their tenants on a wide scale within the localities. It was the tenurial crisis of resources with all that entailed, rather than the politico-tenurial competition between tenants-in-chief in Stephen's reign, that stimulated the need for extra feudal guarantees of tenure, and promoted the legal reforms of Henry II and the growing standardization of warranty charter language.¹⁷⁴ The crisis was older than Stephen's reign and its impact a far more important and enduring dynamic of change within society. In order to illustrate this fully it is necessary to understand the economic, social and mental environment within which it occurred. It is to this environment that we now turn.

Harvey argued that owing to the increasing costs of providing military service, by the mid twelfth century military tenants were already insisting that their lands were insufficient to provide the service required.¹⁷⁵ In order to attract support of consequence lords were under pressure to increase the amount of land constituting knights' fees, leading to a sudden proliferation of 10 librate fees. The increasing level of alienation cut into the profits both lords and mesne tenants could expect to derive from exploitation of the system of military service. It was common for the number of knights enfeoffed to exceed the quota demanded by the crown. The surplus, which lords and mesne tenants would normally hope to pocket, was being eroded by the increasing amount of lands required to furnish the quota. Lords wanted to maintain their services whereas their tenants were

¹⁷³The monks of Fountains were frequently engaged in litigation from c.1190 against the children or grandchildren of original benefactors who were attempting to recover the lands granted to the abbey by their predecessors. As time went by the litigation involved tenants of a progressively lower social status: Wardrop, *Fountains Abbey*, 121, 157-63, 171-212. Between 1205 and 1214 Maurice of Gant was engaged simultaneously in eleven separate legal cases against his relatives, tenants and the church: *EYC*, vi, 35-7. For more examples see *Rolls of the Justices*, 198, 287, 353, 1115.

¹⁷⁴Palmer's attempt to illustrate a link between the settlement of 1153, the tenurial suits arising from the disputes of Stephen's reign, and the legal reforms of Henry II is unconvincing. Of the twenty four or so cases he cites only ten can definitely be associated with the troubles of the Anarchy, and only one of the ten involved the type of conflict Henry II's reforms were principally designed to deal with: that between a dispossessed tenant and his lord. The remaining cases concern rival claims to tenancies-in-chief: Palmer, 'Origins of property', 10 and note 35.

¹⁷⁵For what follows see Harvey, 'The knight and the knight's fee', 31-43.

demanding more lands with which to provide them. The difficulties confronting lords are evident in their attempts in their enfeoffment charters to reiterate the old eleventh century size of fees, and in their complaints in the returns made to the king in 1166 that their mesne tenants were withholding the service required. The archbishop of York, worried himself that the king would increase his quota and deprive him of his surplus service, summed up the situation exactly:

‘And since, my lord, I claim from some of these men more service than they are now performing, whereas others are keeping back the services which are said to be due, not to themselves, but to the table and demesne of the archbishop, I humbly beg that this my return may not be allowed to do harm to me or to my successors by preventing the church from recovering or preserving its legal rights’.¹⁷⁶

If the increasing military costs of the twelfth century help to explain the competition for services they were also partly responsible for the competition for land. There was now more profit, for both professional knights and their lords alike, in the direct management of the land whose services were principally military.¹⁷⁷ Moreover, when the professional knights opted out of the military system and became resident on the land increased reliance came to be placed on scutage which, according to Harvey, ‘disturbed further the nice balance between lord’s support and vassal’s service on which the successful operation of feudal relations depended’.¹⁷⁸ All this could only serve to promote the breakdown of lordship.

For Milsom property came into existence when the domination of feudal lordship was undermined by the provision of legal remedies external to it. It is clear, however, that not only are the availability,¹⁷⁹ effectiveness and impartiality¹⁸⁰ of the Angevin courts open to doubt, but also that lordship was already limited before the first Angevin king came to power. Moreover, it is not necessary to regard this limitation as essential to the emergence of property. It was a symptom rather than a cause of property. Although important, the explanation of the breakdown of lordship in terms

¹⁷⁶ *Red Book*, i, 415.

¹⁷⁷ For the knights’ attempt to merge with the local tenantry see Harvey, ‘The knight and the knight’s fee’, 31-3.

¹⁷⁸ This was because when scutage was taken lords, mesne tenants and knights laid claim to the profits to be had from surplus enfeoffment: *ibid.*, 35-6.

¹⁷⁹ The pipe rolls illustrate that litigation was an expensive game and frequently led to indebtedness. The question of how many tenants were able to afford the new remedies is not raised by Milsom or his followers.

¹⁸⁰ Hyams illustrated that even in the thirteenth century the decisions of some courts could have more to do with political manipulation than legal rules: ‘Review of Milsom’, 861; *Warranty and Good Lordship*, 58.

of the problems of personal relationships, honorial geography, politics and tenurial resources must remain superficial. Ultimately what made these problems critical was that they occurred within, and were partly the result of, a pre-existing property environment. Property existed in the minds of men long before it came to be protected by the courts.¹⁸¹ Even in the thirteenth century there is evidence that men with a genuine claim to land looked to the courts not to provide title, but as one method of securing or preserving the rights attached to a title that already existed.¹⁸² If they failed to do so their decisions were either ignored or contradicted, and the claim continued.¹⁸³ What then was the basis of the title? For J.C. Holt there is no doubt: 'title...derived not from jurisdiction but from the social conventions within which the jurisdiction was set to work'.¹⁸⁴

Integral to these social conventions was the concept and practice of inheritance. For Milsom the canons of inheritance were merely the criteria for making a choice rather than rules of law. They began as a seignorial concession, a right existing only in the lord's court availing against the lord, a simple claim to be put in rather than an abstract property interest in the land availing against the world. The emergence of heritable ownership only occurred when royal legal enforcement took away the seignorial court's power of final decision.¹⁸⁵ Holt argued, however, that the practice and principal of inheritance was well established in Normandy before 1066, and that it was more of a 'primordial right' than a seignorial concession. When it re-emerged in fully developed form in England in the early twelfth century inheritance did not depend upon lordly acceptance, rather was the interplay between them 'a rich confusion of individual encounters any of which might impose its own legal requirements on the common [inheritance] language'.¹⁸⁶ The contribution to property, moreover, owed little to royal legal enforcement. Far more significant were 'notions of patrimony', the family attachment to its lands. For Holt 'a fundamental principle of title and succession' with

¹⁸¹ Hyams although recognising this does not regard the phenomenon as property in the full sense of the word, and continues to regard the political settlement of 1153 and the Angevin legal developments as important in its complete development. For him the process involved 'an existing, tenuous, customary ownership [being brought] under royal protection to be strengthened, defined, and formalized': *Warranty and Good Lordship*, esp. 37-9, 40-1, 48-9.

¹⁸² The parties in suits frequently made reference to their lineage as the basis of their case.

¹⁸³ Rather than applying the strict letter of the law the courts were often only able to effect compromise settlements which were commonly broken at a subsequent date. See for example *EYC*, xi, 251-4 and no. 36. See the persistent attempts of William II of Forz to recover the vill of Bytham, alienated by his predecessor William of Mandeville, despite a decision of the central courts against him: English, *Holderness*, 30, 39-46.

¹⁸⁴ Holt, 'Notions of patrimony', 218.

¹⁸⁵ Milsom, *Legal Framework*, 180-2, 41. He is vague about the precise chronology of the process, although his ideas appear to be in line with those of Thorne who proposed a slow development in the twelfth century culminating in automatic heritability c.1200: S.E. Thorne, 'English feudalism and estates in land', *CLJ*, 6 (1959), 193-209.

¹⁸⁶ Holt, 'Notions of patrimony', 218, 207-8.

which lordship had to contend was that, 'property law was family law...the family retained an interest [in land] until the relationship between the collateral branches became so tenuous that it ceased to have any relevance, and this only occurred after a lapse of several generations. The family always sought to ensure reversion. Possession always left a residual claim, strong or weak, depending on the length and terms of tenure and the distance of the relationship'.¹⁸⁷ A lord might override it but the family claim was there nevertheless. Symptomatic of these proprietary notions is the toponymic family surname common in Normandy before 1066 and re-emerging rapidly in England before the legal reforms of Henry II. This was 'not just a name but a title'.¹⁸⁸

Holt's thesis would explain the apparent difficulty lords encountered in intervening in the descent of tenements, the efforts of leaseholders to entrench their family's in hereditary control of their estates, and the regularity of family succession to land which is such a marked feature of the tenurial history of England after the arrival of the Normans.¹⁸⁹ His conception of family property receives support from the extant sources of eleventh and twelfth century Yorkshire. That the Normans arrived in England with a well developed conception of inheritance is implicit in the terms of Domesday,¹⁹⁰ and explicit in the language of the early charters.¹⁹¹ The importance in title of the family attachment to the land and the tenacity of the family tenurial claim is evident at all levels. When a family claim to lands acquired without justification did not exist it was sometimes invented.¹⁹² When a

¹⁸⁷Holt, 'Politics and property', 20-1; 'Notions of patrimony', 193-222, esp. 207-11.

¹⁸⁸Holt, 'The revolution of 1066', 200; J.C. Holt *What's in a Name? Family Nomenclature and the Norman Conquest* (The Stenton Lecture 1980: Univ. of Reading, 1981).

¹⁸⁹Holt, 'Politics and property', 30-7. Sons were already being associated with tenurial government during the lifetime of their fathers in Normandy in the 1080s. Several of Robert count of Mortain's charters, for example, were witnessed by his son: *Regesta*, i, nos. 145-6; *CDF*, no. 1201; I.N. Soulsby, 'The fiefs of the counts of Mortain', 41 and note 195.

¹⁹⁰The six carucates in Elvington which William I of Percy was holding were testified to the use of Robert Malet 'because his father had them'. Other entries reveal, moreover, that the recognition of Robert's rights had more to do with the testimony of local men rather than lordly acceptance: *DB*, i, 373a-b. Some of the dispossessed Anglo-Saxon tenants are referred to as 'antecessors' of their Norman successors, as in the case of Wulfbert and Osbern de Arches at Thorner: *DB*, i, 373b. For the antecessorial succession of the Normans in Domesday generally see Fleming, *King's and Lords*, Chapters IV-V.

¹⁹¹*Mowbray Charters*, no. 3, dated June 1109 x February 1114; *EYC*, ii, nos. 883, 1012, dated before 1129, 1071, dated c.1120 x 1135, 970, dated c.1125 x 1135 (calendared as *EYC*, xi, no. 5); *EYC*, iv, no. 9, dated 1130. For a concise list of charters, both royal and baronial, employing the language of inheritance before the accession of Henry II see White, 'Restoration of order', 70-2. White argues that Henry II acknowledged the trend towards heritable tenure and legislated to protect it.

¹⁹²When William I of Roumare obtained the valuable manor of Warter in the East Riding in Stephen's reign, probably as a result of a gift from William count of Aumale who appears to have encroached upon the estate, he manufactured a claim that his father had held the manor in the reign of Rufus: King, 'The parish of Warter', 49-54. William's brother, Ranulf earl of Chester may well have invented the claim that his mother Lucy was a niece of Robert Malet and Alan of Lincoln in order to justify his claim to estates bestowed upon him by Duke Henry of Normandy in 1153: *Regesta*, iii, no. 180; *Complete Peerage*, vii, 743-6. Orderic when describing Robert de Belleme's acquisition of the castle and honour of Tickhill in the reign of Rufus states that Robert was a kinsman (*cognatus*) of the rightful lord Roger II of Bully: Orderic, v, 224-6. Orderic was no friend of Belleme and had little reason to provide him with

family had secured a legitimate attachment to land neither royal directives,¹⁹³ lordly interference in succession,¹⁹⁴ descent to heiresses,¹⁹⁵ sales¹⁹⁶ or exchanges¹⁹⁷ were necessarily regarded as a bar to the preservation of the family claim.¹⁹⁸ Lords granting or confirming exchanges to tenants had frequently to weave into their charters carefully worded clauses designed to prevent reversion of the lost estates by the tenant and his family at a future date. In his charter granting John of Meaux the vill of Bewick in exchange for that of Meaux, in order that he might found a Cistercian house in the latter, William count of Aumale stipulated that 'hanc redditionem juravit tenendam sic quod ecclesia fundata in Melsa sicut elemosina erit quieta et sine omni calumpnia tam de Johanne de Melsa quam de heredibus suis imperpetuum'.¹⁹⁹ The count's awareness of the strength of the family tenurial attachment is also clear from the fact that the charter, which begins by applying the toponymic 'de Melsa' to John, concludes by referring to him as 'de Bewic'.

justification for another opportunistic extension of his power. If he can be trusted he was possibly recording a claim to kinship advanced by Robert himself, or alternatively putting forward his own explanation. There is no evidence of any family relationship between the Montgomery-Bellemes and the Bullys: M. Chibnall, 'Robert of Belleme and the castle of Tickhill', in *Droit prive et institutions regionales: etudes historiques offertes a Jean Yver* (Paris, 1976), 151-6. Chibnall illustrated that Orderic was wrong to state that Belleme acquired the Bully lands. His tenure of the castle is all that can be established.

¹⁹³ See above, p. 224. In the reign of John William II of Forz count of Aumale was still claiming the royal demesne manor of Driffild even though Henry II had granted his predecessor only a life tenure: Painter, *Reign of John*, 330. The Stutevilles pursued their territorial claims against the Mowbrays from the 1140s into the reign of John despite having been dispossessed by Henry I: *Monasticon*, v, 351-5; *Mowbray Charters*, xxviii-xxx; *EYC*, xi, nos. 41-4 and notes.

¹⁹⁴ See the case of Ralph fitz Aldelin, above, 10-11.

¹⁹⁵ See the attempts of Robert of Mowbray to recover the estates alienated from the Gant honour by Simon III of Senlis husband of the Gant heiress, Alice of Gant, above p. 241. In some cases women show a determination to preserve their family name and its attachment to the inherited estates despite their marriages. This was particularly true of Cecily of Rumilly, lady of Skipton, and her daughters and granddaughters who continued to use the Rumilly name and issued charters jointly with their husbands which display a concern to preserve their rights: *EYC*, vii, 3-20, nos. 2-3, 10-11. The same attitudes were displayed by the daughters and co-heiresses of William II of Percy: *EYC*, xi, 5-7, 45 and note 2. Hawisa, daughter and heiress of William count of Aumale, provides an example of a woman who fought hard against successive kings in order to secure freedom from the compulsion of having to marry against her wishes. Although she had to endure three unwanted husbands her determination to secure independence is clear in the use of her own seal inscribed with the legend HAWIS DE ALBEMARLA COMITISSE ESSEX. The comital title derived from her marriage to William of Mandeville earl of Essex. It is clear, however, that for Hawisa being an Aumale was more important than being a countess: English, *Holderness*, 28-37. Cases also emerge as early as the first decade of the reign of Henry I of the descendants of married heiresses adopting the name of their mother rather than their father in order to maintain the link between family name and the land: Abbot, 'Gant family', 23-5, for Hugh of Montfort; *EYC*, xi, 6, for Henry and Richard of Percy; *Complete Peerage*, 272-5, for William of Vescy; English, *Holderness*, 9-16, for the descendants of Adelaide countess of Aumale. The importance of toponyms is also reflected in the case of Roger the son of Henry I's great northern administrator Nigel d'Aubigny. Roger adopted neither the surnames of his father nor mother but chose instead Mowbray after the *caput* of the barony acquired by his father from the king in Normandy. As Dr. Greenway has commented, although considerably smaller than his English possessions the Norman lands were regarded as the more important. They were the basis on which the family fortunes rested: *Mowbray Charters*, xvii.

¹⁹⁶ For Nigel d'Aubigny preserving a claim to lands sold by his 'quartus antecessor' see *Mowbray Charters*, no. 1.

¹⁹⁷ Despite the exchange granted by Roger of Mowbray to William fitz Ucce of land in Ampleforth for William's patrimony in Bagby, William retained Bagby and subsequently granted land there to Byland abbey: *Mowbray Charters*, nos. 399, 59, 73. A similar example occurs on the honour of Gant: BL, MS Cotton Vespasian E xx, fos. 65v, 73v; printed by Abbot, 'Gant family', 273 no. 19, 276 no. 23, 287 no. 32.

¹⁹⁸ For more examples of the tenacity of tenure see *EYC*, i, no. 637; *EYC*, ii, no. 1236; *EYC*, vii, 14-27; *EYC*, ix, 65-7; *EYC*, x, 12-19; *EYC*, xi, no. 36 and note, and 253-4; Wightman, *Lacy Family*, 66-70, 88-93. For a comparable situation on the estates of a great religious house outside Yorkshire see King, *Peterborough Abbey*, 28-30.

¹⁹⁹ *EYC*, iii, no. 1379. Farrer dates the charter 1149 x 1150. Meaux was founded 1st January 1151: *HRH*, 137-8.

Closely related to notions of patrimony, and symptomatic of the limitation of feudal lordship they helped to promote, was a process of aristocratic cultural popularization involving the gradual devolution through the social hierarchy of the cultural patterns of those in the upper ranks. At the core of this culture, and basic to the concept of *nobilitas*, was family dynastic feeling, the veneration of ancestors, a sense of lineage. The process is discernible on the continent in the tenth and eleventh centuries,²⁰⁰ and in England from the mid twelfth. By then the notions and practices of heritable tenure were already percolating downwards through the social scale.²⁰¹ Along with the notions elemental to *nobilitas* devolved its attributes. Here we come back to the exercise of independent jurisdiction²⁰² and the widespread use of private seals discernible in Yorkshire among the more influential knights from the mid twelfth century.²⁰³ It was then too that they were adopting their family toponymic surnames,²⁰⁴ building their castles,²⁰⁵ founding their religious houses,²⁰⁶ and demanding more lands to perform their military services; all of which served to elevate the status of knighthood.²⁰⁷ As the century wore on knights of a progressively lower social status began to follow similar practices.²⁰⁸ These were the attributes of men who saw themselves principally not as

²⁰⁰G. Duby, 'The diffusion of cultural patterns in feudal society', *Past & Present*, 39 (1968), 3-10.

²⁰¹Holt, 'The revolution of 1066', 209.

²⁰²Stenton recognised that a connexion existed between possession of the rights of soc, sac, toll, team and infangen-theof and baronial status, but gave contradictory accounts of the relationship. In one breath he tells us that these rights were not the criterion but the result of baronial status, in another that that they 'caused a lord to be regarded as a baron and his fee a barony'. He saw the mesne tenants in possession of the rights as a body of very important men: the honorial barons, 'a class' in their own right: Stenton, *First Century*, 103 note 2, 109-11.

²⁰³There were of course occasional early examples such as the Fossard tenant Durand of Butterwick: *EYC*, ii, no. 1073.

²⁰⁴Holt, 'The revolution of 1066', 209.

²⁰⁵Adam fitz Swain who held almost eight knights' fees of the Lacy family, and who was dead by 1159, had a castle at Mirfield, the construction of which has been dated to the period 1086 x 1159: *West Yorkshire*, iii, 736. A Lacy tenancy was held in 1166 by his son-in-law William of Neville: *Red Book*, i, 423. Peter of Goxhill, a tenant of five knights' fees held of the Bayeux family, and an important vassal of both the count of Aumale and William I of Roumare, had a castle at Newhouse close to the southern shore of the Humber in the 1140s: *Red Book*, i, 387, 376; *EYC*, iii, 34; *Danclaw Documents*, nos. 235, 490. For Adam and Peter's independent policy in Stephen's reign see above pp. 154-8.

²⁰⁶The majority of the foundations by men of this rank in Yorkshire occurred in the period 1140 x 1165. They include the Benedictine houses of Arden (*ante* 1147 ?), Nunkeeling (1152), Nun Monkton (*ante* 1153), Marrick (1154 x 1158), and Yeddingham (*ante* 1163); the Cistercian houses of Roche (1147), Jervaulx (1143), Nun Appleton (c.1150), Swine (*ante* 1153), Wykeham (c.1153), Basedale (c.1162), Ellerton (*temp.* Henry II), Kirklees (*temp.* Henry II); the Premonstratensian house of Easby (1151); the Augustinian house of Healaugh Park (1161 x 1184); the Cluniac house of Monk Bretton (c.1153 x 1154); and the Templars' preceptory of Temple Hirst (1152): *VCH, Yorkshire*, iii, 112, 119-20, 122, 117, 127, 153, 138-40, 170, 178, 182, 158, 160, 170, 245, 216; *HRH*, 207, 217, 215, 224, 141, 135, 221, 224, 208, 195, 120. For a Lincolnshire example Peter of Goxhill's Premonstratensian monastery of Newhouse was founded in 1143: *Monasticon*, vi, 865-6; *HRH*, 197. In many cases the social aspirations of these founders outstripped their resources. For the poverty of some of their houses see *EYC*, i, no. 535, 541, 546, 612, 614, 480-1; *Cal. Chart. Rolls*, iv, 291; *EYC*, ii, 125 and nos. 787, 784, 897, 1133; *EYC*, xi, 7-8; *Monasticon*, v, 568-71; Wardrop, *Fountains Abbey*, 20 and n. 68; and *VCH, Yorkshire*, iii, 245, 248-9, 251.

²⁰⁷Harvey, 'The knight and the knight's fee', 31-43. A view compatible with the thesis that men of middling rank were growing in strength in the twelfth century: E. Miller, 'The background of Magna Carta', *Past & Present*, 23 (1962), 79-80; Painter, *English Feudal Barony*, 21-30.

²⁰⁸The Premonstratensian house of Egglestone was founded before 1198 by the Lenhams, a family of under-tenants on the honour of Richmond: *VCH, Yorkshire*, iii, 249-50. For the same trend in a wider context see Abbot, 'Gant family', 210-11, and Cheney, *Hubert Walter*, 28. By the late twelfth century, and possibly before, even peasants were

tenants but as lords in their own right. They are the physical manifestation of a concept of nobility that is central to the definition of property in this period, and that had already come to infect the ranks of the tenantry before the Angevin legal reforms.

The dynamics promoting the emergence of property, however, were not confined to the secular world. The church may also have had a significant influence. Its edifices served as the mausoleums and historical repositories that gave tangible substance to the concepts of lineage and family title.²⁰⁹ In the establishment of these edifices, moreover, it encouraged the donation of land by tenants, often without the knowledge or consent of their lords, on terms specifically designed to limit secular control and guarantee tenure.²¹⁰ It has been suggested that the percolation of these ideas into the secular world may have contributed to the development of the standard charter language important in the emergence of common law warranty.²¹¹ The monks of Byland were well aware of the benefits that could accrue from implanting the idea of *nobilitas* into the minds of the local tenantry. We are told that when certain veteran knights of Roger of Mowbray retired to their house and brought them lands:

straightaway after their entry they spread abroad throughout the province that the new habitation was wonderfully supported by noble men and generous people (*nobilibus viris et personis generosis*), whereby the devotion of those who heard this was inclined towards the place.²¹²

establishing dynasties: BL, MS Cotton Vespasian E xx, fos. 68v, 73, 69; printed by Abbot, 'Gant family', 279 no. 25, 288 no. 33, 304 no.49. See also King, *Peterborough Abbey*, 37-53, 168-71, 58-61, 99-125; Dickinson, *Origins of the Austin Canons*, 142.

²⁰⁹The surviving thirteenth century gate-house of Kirkham priory in the East Riding still bears the coats of arms of several of the families who made grants to it including Ros, the successors of the founder Walter Espec. The coats of arms were probably intended to convey the same message as the charter seals. They were a visible insignia of ownership.

²¹⁰As in the cases of Roger of Mowbray and Drogo of Andely, above, 8-10; Hyams, *Warranty and Good Lordship*, 7. See also *EYC*, ii, nos. 762, 739, for examples of the church receiving grants of land free from secular services.

²¹¹Hyams, *Warranty and Good Lordship*, 46-7. Some religious institutions were concerned not only to limit the control of secular lords but also the authority of bishops. In the late twelfth century the monks of the monastery of Durham produced a series of forged charters, purporting to be the original documents of their founder Bishop William of St. Calais, granting a series of jurisdictional and financial liberties designed to insulate their house from the lordship of the bishop: *Durham Charters*, nos. 1-7. The method of casting title back as far back into the past as possible in support of tenuous claims was a method frequently employed by the lay baronage, both before and after the Angevin legal reforms, and may have owed its origins to church policy: see for example King, 'The parish of Warter', 49-54.

²¹²*Monasticon*, v, 350. The account is given by Philip the third abbot of Byland who succeeded to office in 1196: *HRH*, 129. Although it must be acknowledged that his account may portray the social notions of the late twelfth century rather than those prevalent in the early 1140s, the evidence put forward in this article suggests that these notions were the same; the only difference being that they had percolated deeper into the social hierarchy by Abbot Philip's day.

Conclusion

This chapter has attempted to illustrate that Milsom's interpretation of the seignorial world and its transformation into the common law society of property rights is in need of substantial revision. Far from dominating early twelfth century society lordship is often seen to be limited. The efficacy of the feudal relationship could vary over distance and time depending upon a complex interaction of mutable factors. The seignorial world, in the Milsomian sense, never existed and on *a priori* grounds alone his attribution of the 'bringing down' of this world to the legal reforms of Henry II, and the troubles of Stephen's reign which are supposed to have given rise to them, is therefore misconceived. Rather than the cause of the breakdown of lordship the reforms, specifically designed as they were to protect the tenure of the weak,²¹³ were merely the reflection of a lordship that was already vulnerable to abuse. Competition for land and services was endemic within society before and during the reign of Stephen.²¹⁴ Henry I had already made some progress towards the provision of the legal remedies of his grandson.²¹⁵ Central government had continued to function in some areas in Stephen's reign and some of the men employed there had worked for Henry I and/or were to go on to work for Henry II.²¹⁶ The thread of continuity in administration and personnel may have been strong enough to have maintained a continuity of legal ideas. The 'Angevin leap forward'²¹⁷ may have been more of a logical next step.²¹⁸

Rather than the response to the specific troubles of the Anarchy which set the wheels of property

²¹³Palmer, 'Origins of property', 3-4; Hyams, *Warranty and Good Lordship*, 53-4, 58, 99-105.

²¹⁴For a recent assessment of the anarchy in these terms see E. King, 'The Anarchy of King Stephen's reign', *TRHS*, 5th series, 34 (1984), 137-9.

²¹⁵The pipe roll of 1129 x 1130 reveals the king intervening in many legal suits in order to enforce the warranty and exchange provisions that were already being incorporated in land transactions: *Pipe Roll 31 Henry I*, 20, 32, 71, 74, 145; cited by Hyams, *Warranty and Good Lordship*, 38 and note 121, 48 and note 155. Henry I had also developed the writ of right to deal with rival claims to tenure resulting from double grants: *Regesta*, ii, nos. 1627, 1630, 1672. One royal charter issued between 1100 and 1154 appears to foreshadow the rule that no man need answer without a royal writ: *Regesta*, no. 1819, dated 1131 x 1133, a precept commanding that the abbot of Cirencester need not plead as to any of his lands or men unless the king named him in a writ. Others reflect at least the procedural points of what later became the writ of *novel disseisin*: *Glanville*, 167-8; *Regesta*, ii, nos. 611, 1080, 1825; *Regesta*, iii, nos. 228, 286, 354, 525, 545-49, 620, 766, 866. The use of a jury of twelve free and lawful men of the neighbourhood, which has been termed 'the heart of the action of *novel disseisin*', occurs in the local settlement of a tenurial dispute in Yorkshire in Stephen's reign: *Mowbray Charters*, no. 318; Warren, *Henry II*, 338. See also Van Caenegem, *Royal Writs*, 84, 277. It may even be that a writ in *precipe* form commanding that a named person should warrant a beneficiary which first appears in 1156 x 1157, and presaged the common law writ *De Warantia Carte*, had already been developed before Henry II came to power: Hyams, *Warranty and Good Lordship*, 54.

²¹⁶K. Yoshitake, 'The exchequer in the reign of Stephen', *EHR*, 103 (1988), 950-9; White, 'Restoration of order', 142-55, 164-6; J.O. Prestwich, 'The treason of Geoffrey de Mandeville', *EHR*, 103 (1988), 302; *Regesta*, ii, pp. ix-xix; *Regesta*, iii, pp. x, xii, xvii-xxvi, xxix-xxxii, xxxvi-viii.

²¹⁷Stenton, *English Justice*, 22-53.

²¹⁸Van Caenegem has argued for a progressive evolutionary 'judicialisation' of royal executive writs from the early twelfth century: Van Caenegem, *Royal Writs*, 177-335.

development in progress, the reforms of Henry II were simply the natural progression of a royal policy initiated before the Anarchy and designed to deal with the problems associated with far more fundamental changes within society. The tenurial crisis of resources and the economic, social and religious dynamics that exacerbated it, were already undermining lordship, promoting ownership and stimulating the need for extra feudal judicial guarantees long before the Angevin legal statutes. Legal change reflected social change, and it is within that change rather than bureaucratic regulation that we should seek the origins of property in the first century of English feudalism.

Appendix 1

Did the Normans Manorialize Yorkshire?

William Kapelle argues that the overstocked manors recorded in Domesday Book - that is manors with a greater number of plough-teams than ploughlands - provide evidence that the Normans undertook a deliberate policy designed to increase the area of demesne cultivation in estates in areas which had not been devastated during the harrying of the north in 1069 x 1070, or where the devastation had not been so severe that the continuity of agricultural life had been broken. The policy involved not only the expansion of manors but also the expansion of demesne cultivation within the complex soke estates at the expense of soke custom. Sokemen, who were traditionally primarily rent-payers, found themselves having to bear the burden of additional services involving direct cultivation of the lord's demesne. The result was that they became poorer as their lords became richer; and the whole process is viewed by Kapelle as 'an exceptional act of economic brigandage'.¹

Although Kapelle's thesis appears to be supported by the 'disappearance' of sokemen from Yorkshire in the period 1066 x 1086 and the Domesday evidence illustrating the Normans attaching some sokemen to demesne manors, it is possible to question the premiss on which it is based. The logical foundation of Kapelle's interpretation is that overstocked manors incorporated an excess of plough-teams and represent a Norman attempt to expand demesne cultivation. This is undermined, however, by the work of Dr. Hall whose study of field books has led him to the conclusion that the excess number of teams is an administrative illusion resulting from the fact that as agricultural communities expanded the area under cultivation and increased the number of plough-teams in use, rather than increasing the number of ploughlands accordingly the central administration found it more convenient to increase the size of those already in existence.² These changes are just as likely to have taken place before as after 1066 and therefore do not necessarily provide evidence of Norman agricultural policy. Moreover in many cases the 'excess' plough-teams belonged to the peasants

¹Kapelle, *Norman Conquest*, 169-80, quotation from p. 180.

²See above, pp. 5-6.

rather than to the demesne of the lords.³

Kapelle's failure to appreciate that the dismemberment of the great soke estates, attachment of sokemen to the demesne and formation of manors was in progress long before the Normans arrived in England⁴ leads him to misinterpret both the reasons for and the scale of the manorialization that occurred after 1066. The attachment of sokemen to manors was not simply the result of lordly pressure but also of the rising numbers of sokemen, which increased the number of land divisions between sons and weakened the economic strength of the individual.⁵ Moreover, the lordly pressure brought to bear was not necessarily directed towards the expansion of demesne agriculture. The majority of Norman tenants-in-chief in Yorkshire held considerable estates elsewhere in England and across the Channel in Normandy, and are unlikely to have spent much time in the county. There was therefore little need for them to maintain extensive demesne cultivation in Yorkshire, and more advantage to be gained from the exploitation of peasant rents which were a far more convenient and, at least in the late eleventh century, more profitable source of income.⁶ A more likely explanation for the lordly pressure to attach sokemen to manors is that in the difficult and confused period of conquest the Normans were merely attempting to simplify the administration of the complex soke estates and to bring the sokemen under closer supervision.⁷

Kapelle made much of the apparent absence of sokemen in Yorkshire in 1086, particularly from the great royal demesne sokes such as Northallerton and Falsgrave where they had been present in large numbers twenty years earlier. It is clear, however, that the many missing royal sokemen had not been transformed into villeins because they also were either missing or few in number on

³Kapelle states that of the 220 overstocked manors in Yorkshire in 1086 179 contained demesne agriculture. In sixty of these the ploughs belonging to the lord exactly accounted for the excess teams on the estate, and these were the old soke estates which had been manorialized by the Normans: Kapelle, *Norman Conquest*, 175. There were many estates, however, where peasant rather than demesne teams were responsible for the 'overstocking' and these included some of the great sokes. The fifty-four ploughlands of Conisbrough, for example, incorporated ninety-two peasant plough-teams but only sixteen belonging to the lord. Similarly the twenty-two ploughlands of Hexthorpe incorporated thirty peasant plough-teams but only two engaged in the cultivation of the demesne: *DB*, i, 307b.

⁴He states that 'the creation of manors was a phenomenon associated with the years shortly after the conquest': Kapelle, *Norman Conquest*, 188. For the view that the process was underway long before 100 see T.H. Aston, 'The origins of the manor in England', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston *et al.* (Cambridge, 1983), 3-42, esp. 8-23; S. Harvey, 'Domesday England', in *The Agrarian History of England and Wales II*, ed. H.E. Hallam (Cambridge, 1988), 73-8.

⁵Harvey, 'Domesday England', 73-4, citing J. Scammall, 'Freedom and marriage in medieval England', *EcHR*, 2nd ser., 27 (1974), 528-31.

⁶S.P.J. Harvey, 'The extent and profitability of demesne agriculture in the later eleventh century', in *Social Relations and Ideas. Essays in honour of R.H. Hilton*, ed. T.H. Aston *et al.* (Cambridge, 1983), 45-72. Kapelle could find little evidence of villeins performing week-work in the late eleventh century: Kapelle, *Norman Conquest*, 179.

⁷Harvey, 'Domesday England', 78.

these estates in 1086. As in most other counties the king's plough-teams accounted for only a small proportion of the total plough work-force on the royal demesne of Yorkshire⁸ indicating that direct demesne cultivation was not a priority.⁹ The 'absence' of the sokemen was almost certainly a result of the lack of Norman administration on the royal demesne estates resulting in the Domesday commissioners having no information on their existence.¹⁰ It is significant that in some of the soke manors of the tenants-in-chief displaying a high degree of administrative organization, sokemen appear in abundance despite the fact that it is precisely here that we might expect a Norman programme of manorialization to be most advanced.¹¹ That the Normans were content to leave the great soke estates largely intact and to profit from them is even clearer in other counties such as Lincolnshire where nearly 11000 sokemen are recorded in Domesday Book in 1086.¹²

⁸ Less than 5%

⁹ *DB*, i, 299b-300a; J.D. Hamshere, 'Domesday Book: estate structures in the West Midlands', in *Domesday Studies*, 163.

¹⁰ See above, p. 6.

¹¹ Examples include the Warenne manor of Conisbrough which was more valuable in 1086 than 1066, and which supported 120 sokemen; and the Fossard manor of Hexthorpe which had preserved a high proportion of its 1066 value and which supported forty sokemen: *DB*, i, 307b.

¹² *Domesday Geography of Eastern England*, 51.

Appendix 2

Alienation on the Honour of Percy 1066 x 1135

In this appendix a detailed study of lordly grants on the honour of Percy is undertaken in order to obtain an impression of the scale of tenant enfeoffment by 1135, both military and non-military.¹ The honour of Percy was chosen for study because it was widely distributed throughout the uplands and lowlands of Yorkshire, and because of the three sample lordships examined in Chapter 3 it underwent the least degree of tenurial restructuring in the period concerned.

In 1086 approximately 40% of the carucates, 50% of the ploughlands and 48% of the value of the estates comprising the Yorkshire portion of the Percy honour had already been granted to tenants (Tables 4 and 12). A useful method of approach for calculating comparable figures for 1135 is to combine the evidence of charters recording land-grants before 1135 with the record of thirteenth century feodaries and inquisitions describing the composition of old-enfeoffment tenancies. Absolute accuracy is unattainable. The location and extent of the knights' fees of three tenants, and portions of the estates of many more, have not been determined.² Some of the lands recorded in the feodaries may have come to tenants only after 1135. Another difficulty is that assarting, and other forms of land improvement, could increase the available tenurial resources of both lord and tenant, and the scale and chronology of such schemes has gone largely unrecorded. In addition the Percy lords acquired extensive estates from other Domesday honours after 1086, and although the great majority were in their hands by 1135 this may not be true of all their acquisitions.³ The total number of carucates on the honour, a figure required to calculate the percentage of land alienated, must therefore remain uncertain. In many calculations it is assumed that the number of carucates in unidentified knights' fees is twelve, and that all the territorial acquisitions of the Percys had been made by 1135.

It is probable that the bias of inaccuracy will tend towards conservatism rather than over-

¹Non-military forms of tenure were many and varied, ranging from temporary guages, leases and serjeanty holdings to more secure and independent socage estates and hereditary fee-farms: Lennard, *Rural England*, Chapters v-vii. For fee-farms see B. Harvey, 'Abbot Gervase de Blois and the fee-farms of Westminster abbey', *BIHR*, x (1967), 127-42; *EYC*, ii, no. 970.

²For example the fees of Hugh Foliot, Richard of Weiton, William son of Richard and the Darel family: *EYC*, xi, 202, 222, 232-3, 186-9.

³The majority of the estates acquired had formerly been under the lordship of Roger the Poitevin: *EYC*, xi, 14-17.

estimation. The charters of enfeoffment issued in the period 1086 x 1135 may represent only a fraction of the land transactions that occurred within the period, firstly because the verbal tradition of endowment was only slowly superseded,⁴ and secondly because only a fraction of the original number of charters may now be extant. Alienation by vassals to their own tenants after 1135 was likely to exceed the acquisition of new lands from their lords or from land clearance schemes. As a result the estates held directly by the lord's immediate tenants recorded in the thirteenth century feodaries were probably only a fraction of their original size in 1135. The precise details of the provisions made from the demesne by William I of Percy and his son, Alan, for many younger members of the family are also impossible to determine and can not be included in the figure for total alienation.⁵

The details of the Percy estates alienated in the period 1086 x 1135 appear in Table 17. Together with the name of the recipient, and the number of carucates received, Table 17 shows the number of carucates known to have been held by the Percy lords in the vills where the lands comprising the grants were situated. The next column provides the source of information from which the grants have been re-constituted, either the relevant charters, the research of Sir Charles Clay or the date of the relevant thirteenth century feodary.⁶ In the final column the actual or estimated value of the estates comprising the alienations are given. In many cases this is uncertain because Domesday often fails to provide valuation information. When alienations formed only a fraction of the Domesday estate, estimates are based on the average value of a carucate within the manor. 1066 values are preferred because those of 1086 are often either not provided or very depressed. In some cases, however, where the records describe alienations of land from more than one vill collectively, it is often impossible to determine how the alienated estates were apportioned between the several vill.⁷

In Table 18 the estimated value of the Percy honour in 1135 and the number of carucates consti-

⁴Clanchy, *Memory to Written Record*, Chapters 1 and 2.

⁵William I of Percy's daughter, Alice, married, probably by 1115, Reginald Buscel and must have carried some Percy estates to him as a *maritagium*. A younger son of William I of Percy, Richard, acquired an interest in the Percy vill of Dunsley. Another son, Walter, also appears to have been provided for out of the family estate with land in Wold Newton: *EYC*, xi, 7-8, no. 10; *EYC*, i, no. 371.

⁶The relevant sources for the various returns are as follows: 1284 x 1285 - *Feudal Aids*, vi; 1266 x 1267 - *Cal. Inq. P. M.*, i, no. 653, *Yorks. Inq.*, i, no. 58; 1314 - *Cal. Inq. P. M.*, v, no. 536; 1312 x 1313 - *Cal. Inq. P. M.*, v, no. 395; 1242 x 1243 - *Book of Fees*, ii, 1012, 1070, 1097. The record of the legal case of 1220 can be found in *Yorkshire Fines 1218 x 1291*, 39.

⁷At Marske and Upleatham where a total of six carucates were alienated it is impossible to determine what proportion of the carucates in each vill, assessed at ten and eight carucates respectively in 1086, comprised the six carucates.

tuting it are set against the estimated value and carucage of the alienations made since 1066. The results, which tend towards the conservative side, are striking. Approximately 80% of the carucates and 70% of the value of the honour had passed out of the direct control of the lords to their tenants in the first seventy years of Norman rule. Although indicating that Norman settlement was far advanced the figures also reveal that the tenants-in-chief were bowing before the constant pressure to alienate lands which was such a marked feature of the tenurial history of this period.⁸

⁸For a detailed consideration of this see above, Chapter 7.

TABLE 17: LANDS ALIENATED TO TENANTS ON THE HONOUR
OF PERCY: 1086 X 1135 (1)

Name of Vill in which Estate is Located	Name of Tenant to Whom Estate is Alienated	No. of Carucates Alienated	No. of Carucates Held in Vill by Lord	Source of Information for Alienation	Actual or Estimated 1066 Value £
Whitby	Whitby Abbey	15	15	<i>EYC</i> , ii, no. 855 (c.1096)	38.4
Stainsacre	"	?	?	"	?
Newholme	"	4	4	"	10.23
Stakesby	"	2.75	2.75	"	7
Hackness Southfield Everley Broxa	"	8	8	"	7
Hawsker	"	?	?	<i>EYC</i> , ii, no. 857 (1100 x c.1115)	?
Normanby	"	0.5	0.5	"	?
Fylingdales	"	5	5	"	12.8
Fyling Hall	"	2	2	"	3.2
Sneaton	"	?	?	"	?
Ugglebarnby	"	3	3	"	7.7
Dunsley	"	4	4	"	1.6
Breck	"	1	1	"	2.55
Flowergate	"	2	2	"	5.1
Northfield	"	5	5	<i>EYC</i> , ii, no. 855 (c.1096)	2.83
Thirley Cotes	"	3	3	"	1.7
Baldebi	"	1	1	<i>EYC</i> , ii, no. 872 (1145 x 1148)	2.55
Hutton	"	1	1	"	0.56
Oxenham	"	1	?	"	?
Dalton	St. Peter's York	0.25	7	<i>EYC</i> , xi, no. 6 (c.1130 x 1135)	0.04
Dalton	Theobald	0.25	7	"	0.04
Wold Newton	Bridlington Priory	1	?	<i>EYC</i> , xi, no. 8 (1135 x c.1139)	0.25
Coniston Cold	Robert the Steward	3	5	1284 x 1285	?
Oulston	"	3	3	"	0.25
Thornton Earby Kelbrook	"	11.38	9 5.75 2.5	"	? ? ?
Ilkley	"	3			
Carnaby	Picot of Percy	8	12	1266 x 1267	?
Nesfield	"	?	3	"	1
Sicklinghall	Robert Vavasour	5	4	1314	0.8
Askwith	"	3	4	<i>EYC</i> , xi, 118-19	0.5
Bolton by Bowland	"	1	6	1314	?
Dalton	"	1.25	7	<i>EYC</i> , xi, 118-19	0.2
Thurnscoe	"	0.75	0.75	"	0.5
Yeadon	"	1.5	2	1284 x 1285	0.38
Rawdon	"	1	1	"	0.15

TABLE 17: LANDS ALIENATED TO TENANTS ON THE HONOUR
OF PERCY: 1086 X 1135 (2)

Name of Vill in which Estate is Located	Name of Tenant to Whom Estate is Alienated	No. of Carucates Alienated	No. of Carucates Held in Vill by Lord	Source of Information for Alienation	Actual or Estimated 1066 Value £
Addingham	Robert Vavasour	0.5	2	1312 x 1313	?
Castley	Hugh fitz Everard	1	1	<i>EYC</i> , xi, 137-9	?
Stainton	"	6	6	<i>EYC</i> , xi, no. 123	?
Kearby	Gilbert of Arches	3	4	<i>EYC</i> , xi, 146-7	0.75
Kirkby Overblow	"	1	3	"	0.33
Kettlewell	"	8	10	1284 x 1285	?
Starbottom	"			"	?
Buckden	"	1	?	"	?
Arncliffe	"	1.25	4	<i>EYC</i> , xi, 147-8	?
Follifoot	"	0.5	?	"	?
Painley	Walter of Amundeville	2	6	1302 x 1303	?
Long Preston	"	5	3	1284 x 1285	?
Wigglesworth	"	4	4.25	1284 x 1285	?
Aismunderby	Bertram of Bulmer	2	2	<i>EYC</i> , xi, 180-1	1
Markingfield	"	5	5	"	1
Foston-on-the-Wolds	Arundel	5	5	"	2
Nafferton	"	14.25	23.25	"	4
Auburn	"	2	1.5	"	?
Marske	Robert of Argentom	6	8	"	?
Upleatham	"		10	"	?
Catton	"		6	<i>EYC</i> , xi, 223-4	?
North Loftus	"	6	8 (?)	"	?
South Loftus	"			"	?
Kirkleatham	Ilger fitz Roeri	6	6	1302 x 1303	0.8
Kilton	"	5	5.5	"	?
Swinden	Richard of Humez	6	7	Mid 13th Cent. Surv.	?
Halton West	"	3	3	"	?
Paythorne	"	3	3	"	?
Hellifield	"	2	2	"	?
Killerby	Walter of Clyve	2	2	<i>EYC</i> , xi, 233-5	?
Deepdale	"	8	8	"	3.4
Osgodby	"	4	4	"	2.26
Middleton	Apolitus	4	3	<i>EYC</i> , xi, 249	?
Stubham	"		2	"	?
Follifoot	"	2.5	?	1242 x 1243	?
Aketon	"			"	?
Rimmington	Uctred	8	8	1284 x 1285	?
Wetherby	William	1	3	1220 legal case	0.33
Carleton	?	6	6	1302 x 1303	?

**TABLE 18: THE EXTENT AND VALUE OF ESTATES ALIENATED
BY THE PERCY LORDS: 1066 X 1135**

LANDS AT LORD'S DISPOSAL IN 1135			LANDS ALIENATED BY LORD 1066 x 1135		
Details	No. of carucates	1066 value £	Details	No. of carucates	1066 value £
Lands held in chief in 1086	386.25	95.9	Lands granted to tenants by 1086	150.5	67.9
Lands acquired from earl of Chester	83.75	140	Lands granted to tenants 1086 x 1135	385.6	
Lands in Clay's list acquired post 1086	206.25		Additional land to make up Darel fee	7.25	
Lands acquired post 1086 not in Clay's list:		34.1	H. Foliot's 1 fee	12	124.24
Upleatham			R. of Weiton's 1 fee	12	
Kirkleatham	12		W. fitz Richard's 1 fee	12	
Northfield	5				
Hutton	1				
Thirleycotes	3				
lands acquired Gant marriage:					
Wold Newton	7				
Ganton	3	5.57			
Staxton	6				
Total	713.25	275.56	Total	579.375	192.16

Percentage of carucates alienated = $\frac{579.375}{713.25} \% = 81.23 .$

Percentage of value alienated = $\frac{£192.16}{275.56} \% = 69.73 .$

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