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## *The knightly families of Northumberland: a crisis in the early fourteenth century*

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## **ABSTRACT**

The way Northumbrian society was created and how it developed during the twelfth and thirteenth centuries, is crucial to the crisis the families faced when war broke out between the kingdoms of England and Scotland. Eighty years of peace and prosperity in the North saw the consolidation of the Norman presence along the border. The Anglo/Norman and Scottish/Norman families formed a single aristocracy, holding estates on both sides of the border and being vassals to both kings. United by language, customs and manners, they formed a homogeneous society. The peace that prevailed for the last eighty years of the thirteenth century brought prosperity to the region and were 'the golden years' in the history of the North. This peace was shattered in 1296 when, following the events of the Scottish succession, Edward I declared war on Scotland. The northern nobility were at once thrown into a crisis of allegiance. Any choice, inevitably, meant a loss of lands on the other side of the Border. A boundary had suddenly become a frontier, and friends and relatives had become 'the enemy'. All the families of the knightly class, the barons, the lesser nobility and the gentry were involved in, and affected by the war, albeit in different ways.

The outbreak of war was followed in 1315 by flooding and bad weather causing a series of bad harvests, leading to famine and high food prices. Coupled with this there was a sheep and cattle murrain, which killed many of the plough oxen thus making recovery difficult. The Black Death in 1348 depleted the population, adding to the economic decline.

The inactivity of Edward II to the suffering in the north during the Scottish raids of Robert the Bruce led to a rebellion of the lesser landowners under the leadership of Gilbert de Middleton in 1317. This rebellion was to have repercussions forty years later in the form of a collection of escheats known as the Nessfield escheats, named after William de Nessfield, escheator north of Trent.

For some, a war, could be the making of their fortunes. Such a person was John de Coupland. By capturing David II, King of Scots in 1346 at the Battle of Neville's Cross, he was lavishly rewarded. However, he did not enjoy his good fortune for long, for in 1363 he was murdered by a group of Northumberland knights.

The question of whether the knightly families of Northumberland faced a crisis in the early fourteenth century has similarities to the debate over the fate of the knightly class in the thirteenth century. Some historians have suggested that the high cost of knighthood in that period caused a crisis, while an alternative view is that there was no general crisis, but that some families faced difficulties as a result of the mismanagement of their affairs. The question of whether the knightly families of Northumberland faced a crisis in the fourteenth century is explored from the perspectives of the Scottish war, the economy and the political situation.

**The Knightly Families of Northumberland: A Crisis in the Early Fourteenth Century**

by

**Marie C. Dixon**

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A Thesis submitted in completion of a Masters Degree  
in Medieval History at the University of Durham  
Easter, 2000



17 JAN 2001

**To my husband**

As always, it is pleasure to thank those whose assistance  
in the preparation of this thesis has been invaluable.

To the staff of the Palace Green Library,  
the Dean and Chapter Library, the  
Main Library at Durham and, the  
Reference Library at Darlington,  
for their help and information,  
always given willingly and pleasantly.

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## **ABBREVIATIONS**

The following abbreviations are used in the footnotes. For many works, the full title is given only for the first reference, and thereafter short titles are used. These are fully extended in the bibliography.

|   |   |
|---|---|
| <i>AA</i>                               | <i>Archaeologia Aeliana</i> . Publications of the Society of Antiquaries of Newcastle-upon-Tyne). The number following denotes the series.  |
| <i>Anonimalle Chronicle</i>             | <i>The Anonimalle Chronicle 1307-1334</i> , ed. W.Childs and J. Taylor (Yorkshire Archaeological Society,1991)  |
| Bain, <i>CDS</i>                        | <i>Calendar of Documents relating to Scotland</i> , vols.i-iv ed.J.Bain (Edinburgh,1881-8), vol.v (Supplementary) ed.G.G. Simpson and J.D. Galbraith (Scottish Record Office, 1988) |
| <i>CCR</i>                              | <i>Calendar of Close Rolls</i>  |
| <i>CFR</i>                              | <i>Calendar of Fine Rolls</i>   |
| <i>CIM</i>                              | <i>Calendar of Inquisitions Miscellaneous</i>   |
| <i>C Inq.P.M.</i>                       | <i>Calendar of Inquisitions Post Mortem</i>   |
| <i>C Inq. ad quod Damnum</i>            | <i>Calendar of Inquisitions ad quod Damnum</i>  |
| <i>CPR</i>                              | <i>Calendar of Patent Rolls</i>   |
| <i>Durham Account Rolls</i>             | <i>Durham Account Rolls</i> , ed. J.T. Fowler (Surtees Society, 99, 100 and 103, 1898 and 1900)   |
| <i>E.H.R</i>                            | <i>English Historical Review</i> .  |
| <i>Fraser, Northern Petitions</i>       | <i>Northern Petitions</i> , ed. C.M. Fraser (Surtees Society 194, 1981)   |
| <i>Fraser, Northumberland Petitions</i> | <i>Ancient Petitions relating to Northumberland</i> . ed. C.M. Fraser (Surtees Society 176, 1966).  |



- Fraser, *Subsidy Roll* *The Northumberland Lay Subsidy Roll of 1296*, ed. C.M. Fraser, Record Series No.1 (Newcastle, 1968)
- Hedley, *Families* W.P. Hedley, *Northumberland Families*, 2.vols. (Newcastle-upon-Tyne, 1968-70)
- Hodgson, *Northumberland* J. Hodgson, *A History of Northumberland*, 7 vols.(Newcastle-upon-Tyne, 1827-58)
- Lanercost* *Chronicon de Lanercost*, ed. J. Stevenson (Bannatyne Club, Edinburgh, 1839).
- NCH *A History of Northumberland*, (Northumberland County History Committee) 15 vols. (Newcastle-upon-Tyne, 1893-1940).  
(These volumes are generally referred to as the *Northumberland County History*, to distinguish them from J. Hodgson's work of the same title. See above)
- Raine, *North Durham* James Raine, *The History and Antiquities of North Durham: Norhamshire, Islandshire and Bedlingtonshire* (London, 1852)
- Raine, *Northern Registers* *Historical Papers and Letters from the Northern Registers*, ed. James Raine, Rolls Series, 61 (London, 1873)
- RS *Rolls Series*. Chronicles and Memorials of Great Britain and Ireland during the Middle Ages, published under the Direction of the Master of the Rolls (London, 1858-)
- Sanders, *Baronies* I. J. Sanders, *English Baronies: A Study of Their Origins and Descent 1086-1327* (Oxford, 1960)
- Scalacronica* *The Scalacronica: The Reigns of Edward I, Edward II and Edward III*, by Sir Thomas Gray, trans. Sir Herbert Maxwell (Glasgow, 1907)
- SS *Surtees Society*. Publications of the Surtees Society (Durham, 1838 - )
- VCH *Victoria History of the Counties of England: Yorkshire*, General vols. i - iii (London, 1907-1913, Index 1925); *North Riding of Yorkshire*, vols. i -ii (London, 1914-23, Index 1925)
- Vita Edwardi* *Vita Edwardi Secundi* ed. N. Denholm-Young (Nelson Medieval Texts, Edinburgh, 1957)

## **Chapter 1**

### **The Families - Before and After 1296**

‘Twelve hundred and ninety-six was a momentous year for the Anglo-Scottish Border. It marked the end of eighty years of tolerance on the Border. Thereafter there were to be nearly three centuries of raids, invasions, bloodfeuds, cattle lifting and near anarchy.’<sup>1</sup>

Edward I’s decision to use the confusion over the Scottish succession to further his own ambitions to make Scotland a fief of England, was to unleash the anger and determination of the Scots to remain an independent kingdom. The ensuing war was to bring destruction and devastation by sword and torch to the northern counties of Northumberland, Cumberland and Westmorland. The Border had existed since 1237, when Alexander II of Scotland abandoned his claim to the counties of Cumberland and Northumberland, and in return, had been granted by Henry II the honour of Tynedale (North and South Tyne) with lands and forests in Inglewood in Cumberland.

While peace existed between England and Scotland, the Border had no significance in social terms. Its main use was to serve as a dividing line for the political purpose of administration and trading. Landowners owned land on both sides of the Border, and they travelled between them at will. In 1296 this changed and the border became a frontier, to be defended against the people on the other side, who now became the enemy. The counties of Northumberland, Cumberland and Westmorland, at once became of crucial importance to the defence of the country. It was this importance that made them so vulnerable to raids, invasions and destruction by the Scots. During the reign of Edward I, the people of these northern counties had some expectation of

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<sup>1</sup> *The Northumberland Lay Subsidy Roll of 1296*, ed. C.M. Fraser, Record Series 1 (Newcastle, 1968), vii



defence against the inroads of the Scots, but under the disastrous reign of Edward II, they were left defenceless and entirely at the mercy of Robert Bruce, whose raids penetrated into Northumberland, Cumberland, Westmorland, Durham, Yorkshire and even Lancashire.

The onset of hostilities, coming as it did, at the end of a lengthy period of peace and prosperity, shattered the society of north Northumberland. By its language and customs, the society of southern Scotland was more English than Scottish, and in its character it differed from the rest of Scotland. Many of the barons on both sides of the Border were descendants of Norman baronial families and had estates in both kingdoms.<sup>2</sup> Many were also related to both the Scottish royal house and the English nobility. To this society, with its close familial and landowning ties, the Border was not relevant, as access and egress to and from their lands presented no problems, until 1296, when crossing the border became an act of aggression.

Recent studies of regional histories and perspectives have added much valuable information on the families of the nobility, the lesser nobility and the gentry; the families which formed the social, economic and political structure of the society of each region. Their political alliances, marriages and social relationships, together with their economic status as owners of lands and property, both large and small, are vital to the history and understanding of a region. Most notable in respect of the history of Northumberland is the study of these families and their cross-border ties and property ownership, in an article by K. Stringer in 1994.<sup>3</sup> In his opinion, the peaceful policies pursued by both the English and Scottish kings from 1217 to 1297, 'made the politically consolidated border, more permeable socially and increased cross-border contacts'.<sup>4</sup> The extent of the cross-border ownership of land and property by the Anglo-Norman

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<sup>2</sup> K. Stringer, 'Identities in the far North of England', *Social and Political Identities in Western History*, ed. Claus Bjorn, Alexander Grant and Keith Stringer (Copenhagen, 1994), passim

<sup>3</sup> Stringer, *Identities in the far North*, 28-29

<sup>4</sup> *Ibid.*, 32-33

families in Scotland and those of the Norman-Scottish families in England, are illustrated in the informative and detailed maps he had provided.<sup>5</sup>

The social development that was to become of the greatest importance to the history of Northumberland in the fourteenth century, were the marriages made by the Anglo-Norman baronial families of Balliol and Brus with the royal house of Scotland. These marriages became central to Anglo-Scottish politics from 1290 onwards. The legal claims of these families to the throne of Scotland made their allegiance to the English King questionable, and could not be relied upon as Robert Bruce was to demonstrate in 1306. The marriages of other Anglo-Norman families with the Scottish nobility were also of importance, as these marriages brought them titles, estates and castles in Scotland which could have made their loyalty to the English crown equivocal. This division of allegiance could be seen in the Ros and Umframville families.

As a group the baronial families were the first to feel the effects of the war, and were hit the hardest economically. Because of their position in society, they were politically active, and that being so, were immediately faced with the decision of choosing sides. The political decision had an economic dimension, for whichever side was taken, they stood to lose their lands on the other side.

To appreciate the suffering of the people of Northumberland, it is necessary to look at the type of warfare conducted by both sides. Edward I assumed that he had conquered Scotland when he captured and possessed its castles, placing English garrisons in them. His war consisted of summoning the host, gathering his armies together and laying siege to the Scottish castles, or fighting pitched battles. The Scots, however, realised early in the power struggle that they were no match for the English armies, seasoned as they had been by the Welsh wars, so they avoided a confrontation whenever possible. Their *modus operandi* was to conduct a guerilla war, making repeated and frequent raids into

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<sup>5</sup> *Ibid.*, 61-66

England lasting not more than two weeks, except on one occasion when the raid lasted four weeks. Their raids had three aims; firstly, to take back with them as much booty as they could lay their hands on. Not only did they take money and valuables, they took cattle and sheep. What they could not take, like crops, barns, mills and dwelling houses, they trampled upon or put to the torch. This greatly reduced the resources of food and shelter for the English garrisons and the English armies on the occasions when they mustered in Northumberland. The Scots were very pleased when on a raid to Furness, they found iron which was scarce in Scotland.<sup>6</sup> Also their booty went a long way to helping their own economy in food and supplies. It made the logistics for the English when mounting a campaign against Scotland more difficult, as food and other supplies had to be brought from the southern counties by land or sea, a long and sometimes hazardous route.

Secondly, they used blackmail to impoverish the people even further, and to finance their own war expenses. The people were reduced to such straits that both Edward II and Edward III exempted the county of Northumberland from paying taxes from 1309 to 1336. Thirdly, and more importantly, the Scots used destruction and devastation as a weapon of warfare. Destruction has always been an integral part of war, but the Scots avoided battles with the English, fighting instead a war of attrition. In this way they hoped to wear down the resistance of the people of the northern counties, and to force the English king to accept their terms of independence.

The Scottish raids of 1296-7 were haphazard and undisciplined, and were an exercise in violence and pillage, but under Robert Bruce they were organised and calculated to inflict the maximum destruction to the land, while subjecting the people to blackmail and fear. The type of war that Robert Bruce was pursuing is best expressed by H.J. Hewitt, 'for medieval war did not consist wholly or mainly in battles and sieges with marches necessary to effect encounters. It consisted very largely in the exertion of

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<sup>6</sup> *Lanercost Chronicle*, 233; G.W.S. Barrow, *Robert Bruce*, 3<sup>rd</sup> Edition (Edinburgh, 1988), 237

pressure on the civil population, and this pressure took the form of destruction, or working havoc. The ends sought in twentieth century warfare by blockade and aerial bombardment are to be sought in the fourteenth century, by operations on the ground. That in recent periods civilians suffered in mind, body and estate, and were intended to suffer, is universally allowed. The circumstances of the fourteenth century, though not wholly parallel, are sufficiently similar to enable us to infer the purpose and the effect of the devastation carried out in that period.<sup>7</sup>

Hewitt also points out the difficulty in assessing the amount or the scope of devastation, 'city walls, castles, armour and weapons remain as evidence of the apparatus of war. Devastation by its nature has left no material evidence.'<sup>8</sup> Without any sure way of assessing the damage caused by the war in the fourteenth century, there is a grave danger of over-assessment by those appealing for compensation and an under-estimation by those who were paying the compensation. Although the chronicles sometimes mention the extent of damage supposed to have been inflicted their accounts were often biased and exaggerated, depending on where and by whom the chronicle was written. For information of this kind it is proposed to examine the official records that exist, such as the *Inquisitiones Post Mortem*, *Inquisitiones ad quod damnum*, and *petitions*, to try to assess the effect of the Scottish war on the community in Northumberland.

The first group to suffer confiscation was the baronial families who had married into the Scottish royal family. Understandably, the first person to lose his English lands was John Balliol, king of Scots. The great Balliol lordship of Bywell was confiscated in 1295 by Edward I and given to his nephew, John of Brittany, earl of Richmond, in 1299.<sup>9</sup> In 1294, John Balliol confiscated all the lands held by Englishmen in Scotland. To this Edward I retaliated on 16 October, 1295, by ordering his sheriffs in all the

<sup>7</sup> H.J. Hewitt, *The Organisation of War under Edward III 1338-62* (Manchester, 1965), 112-3

<sup>8</sup> *Ibid.*, 112-3

English counties, to take into their hands the lands, goods and chattels of John, the King of Scotland and those of Scotsmen who held lands or other possessions in their several counties. In 1300-1301, an account was made of the value of all Scottish estates in Northumberland.<sup>10</sup> Thus, by 1295, the great baronial family of Balliol ceased to exist in England in the male line. The English nobles who lost their Scottish estates, the *disinherited* as they were called, were Henry Beaumont, Henry Percy, Thomas Wake, Gilbert de Umframville and David Strathbogie. They made an abortive attempt to recover their lands in Scotland in 1332. Of the Northumberland barons who went over to the Scottish side were John Balliol, Robert de Ros and Ingelram de Umframville cousin of Gilbert de Umframville.<sup>11</sup>

As mentioned, the Balliol barony of Bywell was given by Edward I to John of Brittany, who died in 1334. The barony does not appear to have been much good to him, as in an inquisition taken in 1335, it is stated 'that the manor of Bywell had not been rebuilt since it was pillaged by the Scots in the time of John of Brittany, late earl of Richmond (1299-1334). As to the waste and distribution of the woods and the banishment of the inhabitants, it was found by the jury, that during the preceding sixty years between five and six thousand oaks had been felled and disposed of, but no man banished by the lord or his ministers, except through the war and by reason of the burning of the Scots.'<sup>12</sup> In 1331 the barony was granted to the Countess of Pembroke, and in 1336 the reversion was granted to John Neville.<sup>13</sup> This was confirmed to him in 1376, on the death of the Countess.<sup>14</sup> The Scots seemed to have lain at Bywell before the Battle of Neville's Cross in 1346.<sup>15</sup> Bywell was again plundered in 1347.<sup>16</sup> By 1388, Bywell had not regained its prosperity as an inquisition taken on the death of John Neville says it was

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<sup>9</sup> *NCH*, VI, 71

<sup>10</sup> *Ibid.*, 63

<sup>11</sup> M. C. Prestwich, *The Three Edwards: war and state in England 1272-1377* (London, 1990), 58-9

<sup>12</sup> *Inq. ad quod Damnum*, 9 Ed. III, nos. 4 and 5 (as cited in *NCH*, VI, 74)

<sup>13</sup> *NCH*, VI, 75

<sup>14</sup> *Ibid.* 75

<sup>15</sup> *Froissart's Cronycles* trans. by Sir J. Bouchier, Lord Berners, vol. I, Cap. CXXXVIII, 281

<sup>16</sup> Raine, *Northern Registers*, 390

worth 'no more than £26 13s. 4d. a year beyond reprises on account of the burning and destruction by the Scots'.<sup>17</sup>

The barony of Bolbec was destroyed at the same time as Bywell in 1346 by David Bruce, before the Battle of Neville's Cross. An inquiry found that it was 'totally destroyed, the houses being burnt and the tenants plundered of 70 oxen, 83 cows, 142 bullocks and queys, 32 overs and 316 sheep'.<sup>18</sup>

Another of the Anglo-Norman barons, Robert de Ros, lord of the barony of Wark-on-Tweed went over to the Scots, it is said, for the love of a Scottish lady. His lands were confiscated and given to his cousin William de Ros, of Helmsley.<sup>19</sup> However, Robert de Ros left two daughters as his co-heiresses and from 1305, Margaret and Isabel tried to gain restoration of their father's lands. In 1312 they were successful in receiving a pardon and a division of the estate between them<sup>20</sup> but, as the sub-escheator was travelling towards Wark, he was taken, robbed of the king's writs, the extent, the partition and other warrants, and put across the Tweed into Scotland.<sup>21</sup> When new orders were issued in 1314, no attempt was made to carry them out because of the state of the border.<sup>22</sup>

In 1316 William de Ros died, and in 1317, his son William exchanged his lands at Wark for 300 marks worth of land elsewhere.<sup>23</sup> In 1329, the king granted the castle and barony of Wark to Sir William Montague, whose family held it till 1398.<sup>24</sup> In 1365 he leased the castle and barony of Wark to Joan de Coupland at an annual rent of 200

<sup>17</sup> *Inq. P.M.*, Sir John Neville 12 Rich.II No.40 as cited in *NCH*, VI, 75 n.5

<sup>18</sup> *Bain. CDS*, III, 274; *NCH*, VI, 227

<sup>19</sup> *NCH*, XI, 35

<sup>20</sup> *CPR 1364-1367*, 411; *CCR 1307-1313*, 470; *NCH*, XI, 36

<sup>21</sup> *Inq. P. M. V*, 218, *NCH XI* 36

<sup>22</sup> *CCR 1313-1318*, 40

<sup>23</sup> *Bain, CDS*, III, 199, 282, 577, 764

<sup>24</sup> *NCH*, XI, 40



marks for seven years.<sup>25</sup> It appears possible that Joan was confirmed in a lease originally held by her husband as he certainly lived at Wark and made his will there in 1359.<sup>26</sup> In 1398, Richard II gave the barony of Wark-on-Tweed to Ralph Neville, first earl of Westmorland,<sup>27</sup> from whom it passed to Sir Thomas Grey of Heton.

The barony of Warkworth belonged to the Clavering family at the beginning of the fourteenth century. John fitz Robert had married Ada, daughter of Hugh Balliol, and his descendants took the name of Clavering. The first John de Clavering was summoned to Parliament in 1299, and did homage for his father's lands in 1310.<sup>28</sup> On 20 November, 1311, John made a pact with Edward II, that in consideration of his being granted for life lands elsewhere in Norfolk, Suffolk and Northamptonshire, his castle of Warkworth and the manors of Rothbury in Northumberland and Eure in Buckinghamshire, should on his death become the property of the king or his heirs; as should also his manors of Newburn and Corbridge, in the event of his leaving no legitimate heirs.<sup>29</sup> In the same year he obtained a licence to grant in fee his manor of Walton to Geoffrey le Scrope.<sup>30</sup>

In 1327 John de Clavering petitioned Edward III on three accounts, (a) for the non-provision by Edward II of a suitable match for his sister which was part of the arrangement whereby John granted to the Crown the reversion of his estates in Northumberland and elsewhere, (b) for expenses incurred on an embassy to Scotland, amounting to over £100, this to be balanced against the £220 arrears owed by him for the farm of Corbridge, (c) which he petitions to be granted to him for life quit-rent in view of his ransom and losses at the hands of the Scots.<sup>31</sup> Pardon was granted for the

<sup>25</sup> CCR 1364-1368, 183; NCH XI 41

<sup>26</sup> *Wills and Inventories of the History, Manners, Language, Statistics, etc., of the Northern Counties of England from the Eleventh Century Downwards*, Pt. I, ed J. Raine, SS 2 (1835) 29-30

<sup>27</sup> CPR 1396-1399, 183

<sup>28</sup> NCH, V, 29

<sup>29</sup> CPR 1307-1313, 401

<sup>30</sup> *Ibid.*, 401

<sup>31</sup> Fraser, *Northumberland Petitions*, 91; CPR 1307-1313, 401

arrears of the farm of Corbridge and it was given to Clavering for life.<sup>32</sup> The petition by John de Clavering would appear to indicate that he was in debt because of 'his ransom and losses at the hands of the Scots'. As we do not know when or where Clavering was captured, or how much ransom he had to pay, we cannot be certain if this was the cause of his debt. His manor of Corbridge might not have brought in much income as Corbridge was badly burnt by the Scots in 1296-7.

On the 2 March, 1328, Edward III granted his reversionary interest in Warkworth and the other Northumberland estates of John de Clavering to Henry Percy of Alnwick, in lieu of the hereditary custody of Berwick, and an annuity of 500 marks out of the customs of that port, which had been granted to Percy during peace and war providing he served the king for life with a certain number of men-at-arms; but if the issues of the castle and lands exceeded the 500 marks, Percy was to account for the excess.<sup>33</sup>

John de Clavering died in 1332, childless,<sup>34</sup> and Warkworth and its castle and dependencies came into the Percy family. In 1341 the Scots appear to have burnt and sacked the town of Warkworth just before the relief of Wark.<sup>35</sup> The castle appears to have been in a poor condition for an inquest taken on the death of the first Percy, lord of Warkworth in February, 1352, when 'the jury of inquest empanelled at Alnwick on the 21 March, 1352, before John de Coupland, escheator of Northumberland, returned the buildings in the castle of Warkworth as of no value beyond the cost of repairing them. The herbage of the moat was worth 18d. a year, and was let at that sum'.<sup>36</sup> When the second Percy, lord of Warkworth, died in 1368, the inquisition taken at Newcastle, detailing the lands he left, again states that the castle of Warkworth was worth nothing over and above keeping it in repair; the annual rent of the herbage had dropped to

<sup>32</sup> Fraser, *Northumberland Petitions*, 92; *CPR 1327-1330*, 15

<sup>33</sup> Hodgson, *Northumberland*, pt.ii, vol. III, 366

<sup>34</sup> *NCH*, V, 30

<sup>35</sup> *Froissart's Cronycles*, vol. I, Cap. LXXV, 164-5

<sup>36</sup> *NCH*, V, 32

12d.<sup>37</sup> With the death of John de Clavering in 1332, the Clavering lords of Warkworth ceased to exist in Northumberland. The family, however, did not become extinct but existed in the Claverings of Callaly, founded by John's younger brother, Sir Alan Clavering, as well as in the branch of the family that had adopted the name of Eure. The Scottish war had forced John de Clavering, as it had the lord of Wark-on-Tweed, to opt for lands in the south because of the devastations to their estates on the border.

Another important Anglo-Norman baronial family which played a part in the Scottish wars, was the Umframvilles, lords of the barony of Prudhoe and of the liberty of Redesdale. They remained loyal to the English king which resulted in the loss of their Scottish possessions. The Scottish raids in Prudhoe and Redesdale were disastrous. In 1326-7, Roger Mauduit, guardian of Gilbert de Umframville III, rendered an account for Prudhoe after the death of Robert de Umframville IV in 1325. In it he states that it had been impossible to collect rents at the old rates 'since the war', and continues, 'the said Roger has now given the king to understand that because of the war between the late king and the Scots, he could not raise such issues as he had done in time of peace, yet nevertheless the treasurer and barons intended to charge him in his account according to the value of the lands in time of peace, to his great loss'. The king gave permission that he should be charged according to the return made by the escheator after the death of Robert de Umframville in 1325. Roger's account included 5s. rent from the free tenants of Prudhoe, who used to pay 13s.4d., and 3s. rent from 6 cottages 'because 12 cottages, each of which used to pay 6d. yearly in time of peace, have paid nothing for the whole year, because they lie waste and uncultivated for want of tenants'.<sup>38</sup>

The same return gives a similar account for Ingoe, which was held in demesne by the lords of Prudhoe. Roger Mauduit in 1326-7 states that 'he does not answer for the site of the manor of Ingoe, because it was burnt by the Scots and nothing can be raised from

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<sup>37</sup> *Ibid.*, 32

<sup>38</sup> Fraser, *Northumberland Petitions*, 123-4; *NCH*, XII, 254-5

it, as is testified by the same extent. Nor for 50 acres of demesne land, because 40 acres are let, and the remainder lie waste; nor for 20 acres of meadow, because 15 acres are let and the remaining 5 acres have no tenants; nor for 6 tenements, each containing one toft and 24 acres; nor for 6 cottages, because they lie waste and uncultivated by the destruction aforesaid'.<sup>39</sup> Roger Mauduit was relieved of custody of the Umframville estates on 11 February, 1327.<sup>40</sup>

Garrisoning and maintaining their castles was a financial burden suffered by the baronial families. Between 1315 and 1325, Robert de Umframville petitioned the king for help in maintaining his castle at Prudhoe and for £316 13s. 4d. owed him by the Wardrobe for arrears of the wages of the men-at-arms as agreed.<sup>41</sup> In 1335-6, his son, Gilbert de Umframville petitioned the king to be allowed to hold prisoners at this castle at Prudhoe until such time as his castle at Harbottle is repaired, as it has been razed by the Scots. In March 1336, Edward III gave him permission to use Prudhoe castle for ten years pending repairs to Harbottle castle.<sup>42</sup> Robert de Umframville was taken prisoner at Bannockburn in 1314, and was held for ransom, but it is not known for how much, and when it was paid.<sup>43</sup>

When the last of the Umframville, lords of Prudhoe, Gilbert III, came into his inheritance in 1331, he found that 'the lands near the castle of Prudhoe are assigned to the said Eleanor (his step-mother) and the bare body of the castle for the two parts of the inheritance of the heir'.<sup>44</sup> In 1332 Gilbert III, with the other 'disinherited' English lords made an attempt to recover their Scottish possessions, but were unsuccessful. He died in 1381 and his widow inherited the barony of Prudhoe.<sup>45</sup> She married Henry

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<sup>39</sup> *NCH*, XII, 254-5

<sup>40</sup> Fraser, *Northumberland Petitions*, 124; *CFR 1327-1333*, vol. IV, 12

<sup>41</sup> Fraser, *op. cit.*, 163-4

<sup>42</sup> Fraser, *op. cit.*, 124-5; *CPR 1334-1338*, 238

<sup>43</sup> Hodgson, *Northumberland*, Pt. ii, vol. II, 29

<sup>44</sup> *NCH*, XII, 100-2

<sup>45</sup> *Inq.P.M.* 4 Rich.II, file 17 as cited in the *NCH*, XII, 103

Percy and on her death in 1398 the barony passed into the Percy family.<sup>46</sup> The liberty of Redesdale was inherited by Thomas de Umframville, the half-brother of Gilbert III.

If life on the Border was harsh for the barons during the Scottish war, it was much worse for those who did not have the political influence to exchange their lands in the north for others in the peaceful south. The Ros and Clavering families took the soft option and withdrew to safer areas in the south. The Umframvilles suffered devastation of their lands, and the important barony of Alnwick was without a legitimate heir in 1300. The Percies, who bought the barony of Alnwick from Anthony Bek in 1309-10, were already established in Yorkshire, but Alnwick was their first possession in Northumberland. The war plus the very advantageous marriages they made, helped the Percies to acquire more lands and estates until by the end of the fourteenth century, they were pre-eminent. It was the families of the lesser nobility and the gentry, the knightly families who had to live and fight in Northumberland that bore the brunt of the war.

The gentry were men who were closely involved with the households of the aristocracy adopting the military ethos, outdoor pursuits, customs and lifestyle of the lords they served. They were called upon to serve in war as well as in times of peace. They often married into the aristocracy, thus ennobling themselves. That they were part of the knightly families is emphasised by K. Stringer when writing on the structure of northern society. Stringer stresses that intermarriage between the nobility, the lesser nobles and the gentry, 'tied the traditional elites into an unusually cohesive kinship, and continually re-affirmed their regional connections'. And, that their 'strong culture of identity was based on ties of residence, neighbourhood and mutual co-operation'.<sup>47</sup> As the gentry were integrated with the noble families through marriage and a common identity, sharing with them the same functions of military and administrative service, and the same chivalric code and values, they can not be excluded from the group of 'knightly'

<sup>46</sup> Inq.P.M. 14 Hen IV No.3 m.26 as cited in the *NCH*, XII, 104

<sup>47</sup> K. Stringer, *Identities in the far North*, 39-40

families. As many of the gentry were substantial landowners in their own right, and held considerable power in their own localities, they enjoyed the same lifestyle and status, albeit, without the title, of many of the baronial families.

The barony of Hadston was created by Henry II for Aschantinus de Wirecestre (Worcester).<sup>48</sup> 'There seems little doubt that the baronial family of Wirecestre, who held lands in Yorkshire, Northumberland and Durham in the twelfth century was later represented in the male line by the Swinburnes of West Swinburne and in the female line by the Herons of Hadston and Ford'.<sup>49</sup> It is not known when Aschantinus de Wirecestre died, but in 1166 his son Radulf in his 'carta' informed Henry II that he held in Northumberland *in capite* one knight's fee of the old feoffment, and of the same fee Jordan Hairun held a quarter of a knight's fee of the new feoffment, and Pagan de Wirecestre a similar quarter of the new feoffment.<sup>50</sup> Radulf in 1153-1157 witnessed two deeds of Hugh, Bishop of Durham. Radulf de Wirecestre died between 1173 and 1199, for in 1199 his heirs rendered an account for the first scutage of king John, of two marks for the knight's fee which Radulf had held. This was paid by Jordan Hairun, heir of the said Radulf. In a law suit of 1203 it seems certain that Jordan Hairun must have married the daughter and heiress of Radulf de Wirecestre, and held the barony in her right. The barony consisted of the manors of Little Benton, West Swinburne, Colwell, Hadston, West Chirton and Flatworth.<sup>51</sup>

Jordan Hairun as a young man was in the service of David, king of Scots, and it is suggested that he was of Flemish extraction. In 1144 he witnessed a charter of king David's and in 1150 a grant made by the bishop of St Andrews. Later, about 1153-57 he witnessed a confirmation by Malcolm IV, king of Scots, of a grant of land. He witnessed many deeds of gifts of land, mainly to the church in Northumberland,

<sup>48</sup> W.E.Kapelle, *The Norman Conquest of the North: The Region and Its Transformation, 1000-1135* (University of N. Carolina, 1979), 199; I.J. Sanders, *Baronies*, 119; Hedley, *Families*, vol. I, 96

<sup>49</sup> W.P.Hedley, 'The Origin of the Families of Heron and Swinburne', *AA*, 4<sup>th</sup> Series, vol. 36 (1959), 291

<sup>50</sup> Hodgson, *Northumberland*, pt. iii, vol. III, 304

Durham and Yorkshire. By 1191, Jordan Hairun was dead, for his son Radulf, in that year paid 40s. for relief of his lands. The following year Radulf was also dead and his heir was his brother Jordan. In 1212 Jordan Hairun testified to the king that he held his barony in Northumberland by the service of one knight's fee, as his ancestors had done.<sup>52</sup> A later return in 1235 reported that Jordan Hayrun held *in capite* by the same knight's fee, Hadston, Colwell, West Swinburn, Little Benton, West Chirton and Flatwood.<sup>53</sup> From this Jordan Hairun (Heron) were descended all the later Herons of Northumberland.

From the pedigree of the Herons of Ford,<sup>54</sup> it appears that William Heron (d.1296), had provided for his younger sons. The barony of Hadston passed from his eldest son to his granddaughter Emeline. To his second son, Gilbert, he had given in 1292, the manor of Ford, which included the vills of Crookham and Kimmerston. There is some confusion as to how or when the Herons acquired the manor of Ford, but it must have been through marriage with a Ford heiress, as there is no record of the Herons having purchased Ford. Gilbert Heron, lord of Ford, died in 1300, leaving the manor to his younger brother, Roger Heron, who lived to enjoy his property for thirty years, dying in 1330.<sup>55</sup>

The descendants of Aschantinus de Wirecestre on the male side were the successors of Pagan de Wirecestre, who in 1166 had held a quarter of the knight's fee of the lands held by Radulf de Wirecestre, son of Aschantinus. Pagan de Wirecestre was probably the younger brother of Radulf, and in 1184 there was a dispute over land, between William, son of Pagan, and Jordan Hairun. The land held by Pagan de Wirecestre was identified as the manor of West Swinburn.<sup>56</sup> In 1240, West Swinburn was held by John

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<sup>51</sup> *NCH*, XIII, 414; IV, 272; V, 406; VIII, 336

<sup>52</sup> Hedley, *Heron and Swinburne*, 298; *NCH*, V, 407n; Hodgson, *Northumberland*, pt. iii, Vol. I, 234

<sup>53</sup> Hedley, *Heron and Swinburne*, 291-299.

<sup>54</sup> *NCH*, XI, 378

<sup>55</sup> *Ibid.*, 368-370

<sup>56</sup> Hedley, *Heron and Swinburne*, 299

de Wirecestre.<sup>57</sup> Sometime between 1240 and 1257, the family changed its name to the territorial name of Swynburne, for in 1257 at the death of William Heron, the manor of West Swinburn was held by John de Swynburne.<sup>58</sup> John de Swynburne had four sons. It is not known when John de Swynburne died, but by 1278, his eldest son Robert was dead and his second son, Nicholas founded a chapel in the church at West Swinburn. The other two brothers, Alan and William, had joined the Church and were parsons in Scotland.

Alan purchased Capheaton in 1274, while William had been treasurer to Queen Margaret of Scotland, wife of Alexander III, and daughter of Henry III of England. Before 1266, Gilbert de Umframville had granted to William de Swynburne, the manor of Chollerton.<sup>59</sup> From Reginald Prath, an impecunious knight, William acquired a third of the manor of Haughton, all Prath's lands in Huntland and the whole of the manor of Williamston. This was confirmed to him by Alexander III, in 1257.<sup>60</sup> From Queen Margaret's brother, Edmund, he was given Ottercaps and Snaridelf.<sup>61</sup> William also acquired the manor of Staworth (Staward Pele). Alan de Swynburne, who had purchased Capheaton, entered into a transaction with his brother, William, whereby the manor of Capheaton passed to William on his death. William died leaving a son Alexander, who gave Capheaton to his son, another William. It was this William de Swynburne who founded the cadet line of the Swynburnes of Capheaton.<sup>62</sup>

Nicholas de Swynburne, lord of the manor of Swinburn, in the main line, died before 1279, leaving three daughters, Christiana wife of Thomas de Fisseburne, Juliana wife of Gilbert de Middleton and Avicia who later married John Swayn. Christiana and Thomas de Fisseburne inherited West and East Swinburn and Colwell. Their son

<sup>57</sup> Hodgson, *Northumberland*, pt.iii, vol. I, 203

<sup>58</sup> *Ibid.*, pt.iii, vol. I, 65

<sup>59</sup> *Swinburne Charters*: Hodgson, *Northumberland*, pt.iii, vol. II, 12

<sup>60</sup> *Ibid.*, pt.iii, vol. I, 12-3

<sup>61</sup> Hodgson, *Northumberland*, pt.iii, vol. I, 105-6

<sup>62</sup> Hodgson, *Northumberland*, pt.ii, vol. I, 231 and pt.iii, vol. II, 7



Thomas inherited the estate in 1312. It is not known how the manor descended thereafter, but in two generations, the manor of West Swinburn had passed into the possession of Roger de Widderington in 1368.<sup>63</sup>

The Swinburnes of East Swinburn were not related to those of West Swinburn, but like them they took their name from the township in which they lived. They were tenants of the lords of Gunwarton, who, in turn, were the feudal tenants of the Balliols. Also like the family at West Swinburn, that of East Swinburn rose in wealth and influence locally in the thirteenth century. Ufchill de Swinburne was the earliest known tenant at East Swinburn,<sup>64</sup> and was a person of considerable standing. His son was Adam de Swinburne, who in 1236 renounced all claim to Felton. His son Richard was also involved in this action of his father's. Richard's son, John de Swinburne, granted lands in Stamfordham to Balliol College, Oxford, in about 1270, which is an indication of his loyalty or his leanings towards the Balliols. He acquired Bewcastle in Cumberland, and in 1277 was granted free warren here and at East Swinburn.<sup>65</sup> In 1278 he was sheriff of Cumberland, and in 1294 was assessor and collector for the tenth granted by Parliament.<sup>66</sup> In 1309, John and his two sons, Adam and Robert, were commanded to stay on their estates in Northumberland to defend the Marches.<sup>67</sup> Of his two sons, Gunnerton, passed to Robert the younger son, and the ancestral estate of East Swinburn passed to Adam. Adam married Idonea, sister of Henry de Graham, and was given the manor of Simonburn. This was a family with divided loyalties when the war with Scotland began in 1296, for Adam appears to have 'run with the fox, and hunted with the hounds', joining the Scottish raid on Hexham in 1296-7. He then came over to the English side, but this did not prevent his imprisonment and forfeiture.<sup>68</sup>

<sup>63</sup> *NCH*, IV, 272-278; Hedley, *Families*, vol. I, 96-100

<sup>64</sup> Hodgson, *Northumberland*, pt. ii, vol. II, 224, 230, 248

<sup>65</sup> *Ibid.*, pt.ii, vol. II, 231 and pt.iii, vol. II, 392

<sup>66</sup> Fraser, *Subsidy Roll 1296*, 21

<sup>67</sup> Hodgson, *Northumberland*, pt. ii, vol. II, 250

<sup>68</sup> *NCH*, IV, 302-306

The barony of Wooler was first granted to Robert de Muschamp by Henry I. There was a dispute with Ranulf Flambard, bishop of Durham, for in 1107-8, the king issued a writ to Robert de Muschamp concerning his possession of the manor of Ross in Islandshire. This Robert was probably the father of Thomas, Reginald and Cicely de Muschamp. Thomas entered the monastery of Durham, and in 1138, king Stephen ordered Reginald and Cicely to give Hetherslaw to the monks of Durham, which Thomas had given them.<sup>69</sup> Reginald succeeded to the barony before 1131, for in that year, he made a payment of 20s. for a hunting hound. He must have died before 1158 for Stephen de Bulemer and another paid 10 marks for Wooler. Stephen de Bulemer (Bulmer) had married Cicely de Muschamp, heiress to the barony.<sup>70</sup> Their son, Thomas, adopted his mother's family name. In 1173, he joined the rebellion of Henry II's eldest son, and William, king of Scots. After the defeat and capture of William at Alnwick in 1174, he fled to Scotland where he remained until his death. His forfeited lands were given to Odinel de Umframville in compensation for the damage he had suffered at the hands of William, king of Scots.

The son of Thomas, was Robert de Muschamp II, who in 1191 had his father's lands restored to him. He died in 1208 and was succeeded by his son Robert de Muschamp III, who died in 1250 and was buried at Melrose.<sup>71</sup> With his death, the male line came to an end once more, for he left three daughters. The eldest, Cicely had married Odinel de Ford, but as both were dead, their daughter Isabel was their heir. The second daughter, Margery had married Malise, earl of Strathearn, and the third daughter, Isabel had married William de Huntercombe, who was appointed guardian of his wife's niece, Isabel Ford.<sup>72</sup> Margery the second daughter, died leaving two daughters, Muriel and Marjorie. Muriel was the wife of William, earl of Mar, and Marjorie had married Nicholas de Graham. Muriel died without issue, and her nephew, John de Graham,

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<sup>69</sup> J. Raine, *North Durham*, app. Dcclxxx, Dcclxxxix

<sup>70</sup> Hodgson, *Northumberland*, pt. iii, vol. II, 153

<sup>71</sup> *Chronicle of Melrose*, trans. J. Stevenson (Reprint, Lanerch, 1991), 88

<sup>72</sup> Bain, *CDS*, vol. I, 332 and 372

inherited her share. He died unmarried between 1304-1315.

Isabel Ford, daughter of the eldest heiress Cicely, died in 1254, and her third of the barony was divided in half between her surviving aunt, Isabel de Huntercombe, who inherited one half, and her cousins, Muriel and Marjorie, who inherited the other half. The barony was now divided into two, the Huntercombe moiety and the Graham moiety. The death of Muriel without heirs, put Marjorie in possession of the Graham moiety, and she in 1315 left her half to Nicholas Meinell of Yorkshire, in her will. The Huntercombe moiety was sold to John de Lilburn who immediately sold it to John de Coupland in 1351. In this way the barony of Wooler passed out of the Muschamp family.<sup>73</sup>

Although the Muschamp family failed in the main line, the family name continued in a cadet branch, founded by the grandson of Stephen de Bulemer and Cicely de Muschamp. Thomas, son of Stephen and Cicely, lord of Wooler, gave his younger son, Stephen, the manor of Barmoor. In 1190, the brothers Robert who inherited Wooler, and Stephen who was given Barmoor, witnessed a grant of land to the canons of Guisborough. Stephen gave land in Barmoor to the monks of Holy Island for the privilege of being buried in the Priory.<sup>74</sup> He died in 1221, leaving a son William, who was a minor. William came of age in 1231, when he was in dispute with Robert Manners of Etal, over land boundaries. William was one of the coroners, north of Coquet, and he died sometime between 1259 and 1279.

His son was Stephen de Muschamp, who was an attorney for his kinsman Nicholas Graham, and for Mary his wife, in 1279. He was distrained for knighthood in 1278, and was one of the county coroners, but was replaced in 1291, as he was of the household of the bishop of St. Andrews. He was MP for Northumberland in the Parliament of 1294,

<sup>73</sup> *NCH*, IX, 306-320; Hedley, *Families*, vol. I, 37-39

<sup>74</sup> Raine, *North Durham*, app. Dclxxx, 118

and one of the assessors for the Subsidy of 1294. He was probably dead in 1296, for in the Subsidy Roll of 1296, his son William, who was a juror for Glendale ward, was assessed at £2.3s.<sup>75</sup> William de Muschamp fought for Edward I on the Scottish borders in 1302.

Another family of the lesser nobility involved in the war with Scotland, was the Cliffords of Ellingham and Newstead. The barony was given to Nicholas de Grenville by Henry I. The barony was in two parts, the northern part comprising of Ellingham, Doxford and Newstead, and the southern part of Cramlington, Heaton, Hartley, Jesmond and Whitelaws (Whitehill). Nicholas died without issue, and his heir was his nephew, William de Grenville. William's heirs were his two sisters, Mabilia wife of Ralph de Gaugy, and Alice wife of Hugh de Ellington. Hugh had no children by Alice, but by a second marriage he had two daughters. However, when he died, Alice's share of the barony reverted to her sister Mabilia. Thus the whole of the barony came into the possession of the Gaugy family, and Mabilia and her son, Ralph Gaugy II paid 5s for having seisin in 1180. He died in 1185 when his son Ralph III was a minor. He came of age in 1194, and was charged 60 marks for relief of his lands. Ralph de Gaugy III died in 1243 and his son Ralph IV, died in 1278,<sup>76</sup> leaving his brother, Adam, as his heir.<sup>77</sup> Adam was a leper, and by the end of the year, he too, was dead. His kinsman, Robert de Clifford was his heir. It is not known what the relationship was, but in a subsequent lawsuit with Ralph de Meryng in 1304, it was stated that the Cliffords and the Meryngs had married two Gaugy sisters, but when, was not certain. The case confirmed and concluded nothing, but the Cliffords were left in possession of Ellingham and Newstead. Robert de Clifford was assessed for the Subsidy of 1296 at Newstead.<sup>78</sup>

A moiety of the southern half of the barony was held by the Jesmond family as in 1237,

<sup>75</sup> Hedley, *Families*, 39-40; Fraser, *Subsidy Roll*, 129, 132

<sup>76</sup> Hodgson, *Northumberland*, pt.iii, vol. I, 93-4

<sup>77</sup> *Ibid.*, pt. iii, vol. II, 284

<sup>78</sup> *NCH*, II, 225-236; Hedley, *Families*, vol. I, 34-35; Fraser, *Subsidy Roll 1296*, 41

it was recorded that Adam de Jesmond held Jesmond and Hartley. It appears that the barony was separated in the lifetime of Ralph Gaugy III, when a moiety of Hartley and Jesmond was transferred to Adam de Jesmond, Ralph retaining a half of Hartley for himself. It is certain that Adam de Jesmond was of Grenville and Gaugy stock, but at what date he changed his name to Jesmond is not known.<sup>79</sup> In 1240, Adam de Jesmond held of Ralph Gaugy III, the vills of Jesmond and Hartley.<sup>80</sup> In 1219 there was a lawsuit with Gilbert Delaval, whose son Eustace held a moiety of Hartley of Adam de Jesmond. It was probably at this time that Adam de Jesmond transferred the moiety to Eustace de Delaval. Eustace died in 1258 and was succeeded by his son Robert Delaval. Robert died in 1297, leaving his half of Hartley to his sister, Margery. When Margery died childless in 1311, the moiety passed to her kinsman, Sir Robert Delaval. Sir Robert's eldest son, William, inherited from his father in 1353.

The moiety that Ralph de Gaugy III had kept was assigned to his widow as her dower. Her son Ralph de Gaugy IV, sold this moiety of Hartley together with the rest of the townships in the southern half of the barony of Ellingham, to William de Middleton.<sup>81</sup> William conferred the whole moiety to his brother, Gilbert de Middleton. Gilbert fought in the Welsh campaign of 1277, and died in 1290, leaving a widow, Juliana and a son of eleven years, another Gilbert de Middleton. The wardship of the young Gilbert was first entrusted to bishop Bek, and then to William de Felton. Gilbert de Middleton came of age in 1300, and served as a squire to William de Felton in Scotland in the same year. In 1313 he was one of the captains of the garrison of Berwick-on-Tweed,<sup>82</sup> and was later entrusted with Mitford castle by Aymar de Valence.<sup>83</sup>

There were many other families of the lesser nobility and gentry who rose to prominence in the fourteenth century due mainly to the war. They were better able to

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<sup>79</sup> *NCH*, IX, 99

<sup>80</sup> Hodgson, *Northumberland*, pt. iii, vol. I, 206

<sup>81</sup> *Ibid.*, pt.iii, vol. I, 94 and pt.ii, vol. I, 353-354

<sup>82</sup> Bain, *CDS*, vol. III, 65

survive the Scottish wars, because not having married Scottish heiresses, they did not have the divided loyalties of the baronage. Most of them were tenants of the barons and forfeiture of lands did not affect them as they continued to hold them, even if they had a different overlord. However, by being loyal to the Crown they stood to gain by being granted some of the lands forfeited by those landowners who joined the Scots. Also, the loss of male heirs due to the war and the natural failure in the male line resulted in many wealthy heiresses. By judicial marriages, many of the gentry rose to the baronage. Military service and civil officialdom were two other avenues of success open to the gentry. The war of 1296, was to change the society of Northumberland at the end of the thirteenth century, irrevocably.

It was the great misfortune of Robert de Raymes that he arrived in Northumberland in the same year as the start of the Scottish war. The barony of Bolam had failed in the male line, and had been split between two co-heiresses. Having bought a moiety of the barony, he took up residence in 1296 at Shortflatt, a manor house within the barony, while he repaired Aydon Hall (or Aydon castle).<sup>84</sup> The Scots invaded Northumberland in 1296 and 1297, burning, plundering and killing. Corbridge was destroyed and Hexham Abbey was burnt. Aydon Hall was also damaged. It appears that again he attempted to repair his possessions for in 1305 he was given permission to crenellate his houses at Shortflatt and Aydon, and was granted by royal charter, a market at Bolam and free warren on his demesnes at Bolam, Aydon, Greenleighton and South Middleton.<sup>85</sup>

Raymes served in the Scottish war since 1299, first in the company of Henry Percy, and then from 1309 in the service of Robert de Umframville, earl of Angus.<sup>86</sup> For the feudal levy in February 1310, he sent three sergeants with armoured horses. In April

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<sup>83</sup> *NCH*, IX, 103-106

<sup>84</sup> Fraser, *Subsidy Roll 1296*, 18

<sup>85</sup> *CPR 1302-1307*, 325; *CCh.R.*, vol. viii, 52

<sup>86</sup> Bain, *CDS*, III, 38

1311 Raymes was still with the earl of Angus in Scotland. The Scots again invaded Northumberland in September 1311, advancing down Redesdale, 'burning the whole countryside as far as Corbridge'. In the following August, both Hexham and Corbridge were burnt.<sup>87</sup> It is very likely that both Shortflatt and Aydon were also affected. At the battle of Bannockburn in 1314, the earl of Angus was taken prisoner, and it seems probable that Raymes was also captured.<sup>88</sup>

In the spring of 1315, Aydon Hall was plundered and burnt by the Scots. Raymes had provisioned Aydon with arrows, timber, irons, lead, corn, bread and flour, and had built a battlement of stone and lime for its protection, placing it in the custody of Hugh de Gales. But, Gales delivered it to the Scots, who occupied it and then set fire to the building causing £300 worth of damage.<sup>89</sup>

By 1326, Raymes was petitioning the king for a grant of the herbage of Plumpton Park in Inglewood Forest for the term of ten years. He claimed that he had been in all the Scottish wars and had lost horses, armour, and other goods to the value of 100 marks; that his houses and lands in Northumberland had been burnt and pillaged and the damage done by the Scots amounted to £1,000; that he no longer derived any income from his property which had formerly produced £50 a year; and that he himself had been forced to pay a ransom of 500 marks, for which his son was still a hostage in Scotland.<sup>90</sup> There would seem to have been some justification for his claims, for in the following year, his petition was granted and the king granted him an annuity of £10 for life from the customs of Newcastle.

However, the Scots were not the only problem. In the state of near anarchy that existed in Northumberland in the reign of Edward II, many of the inhabitants allied themselves

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<sup>87</sup> *NCH*, X, 84

<sup>88</sup> *Ibid.*, X, 346

<sup>89</sup> *Ibid.*, X, 345

<sup>90</sup> Hedley. *Families*, vol. II, 232

to the Scots and robbed their neighbours. In September, 1317, Gilbert de Middleton rebelled by capturing the new bishop of Durham, his brother and two cardinals on their way to Durham. Hugh de Gales of previous notoriety, with three other freebooters, seized Aydon Hall and held it in the name of Gilbert de Middleton. During this time they ravaged and plundered the countryside, and when the rebellion collapsed, they destroyed or carried away the furniture and household goods to the value of £200.<sup>91</sup>

Raymes was appointed collector of customs in Newcastle and Hartlepool in 1321<sup>92</sup> and in 1322 he was returned to Parliament as one of two knights of the shire for Northumberland. Robert de Raymes died in 1323 and his *inquisition post mortem* dated 28 December, 1324, is a good indication of the destruction created by the Scots and Hugh de Gales, 'at Bolam he owned a manor house, burnt by the Scots, 100 acres of arable left untilled, 12 acres of meadows and 6 acres of pasture with no animals on them, and 10 farmsteads and cottages with no tenants'. At Aydon the acreage was 122 acres of arable and 6 acres of meadow. The bondsmen's lands were stated to be all lying waste and uncultivated from lack of tenants and farm-stock, because of the destruction by the Scots. The only income from Aydon that year had been from 25 acres which had been let at 7d. an acre.

The state of his property at Shortflatt was in an even more desperate condition.. The description taken from the above inquisition is as follows, 'they (the jurors) say that the same Robert was seized in his (demesne) as of fee, the day he died, of the manor of Shortflatt with appurtenances in the same county. And there is there the site of a capital messuage which was worth yearly in time of peace 12d, and now nothing because it was burnt, nor is the pasture thereof because of the lack of cattle. And there are there in demesne 200 acres of land in the demesne by the short hundred, of which each acre was worth yearly, tilled, in time of peace 6d, and now nothing because it lies waste and

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<sup>91</sup> *NCH*, X, 345 and IX, 109 n.3

<sup>92</sup> *CFR*, vol. III, 81



untilled because of the lack of tenants and the destruction of the Scots. And the pastures of the same are worth nothing yearly for lack of cattle. And there are there in the demesne 24 acres of meadow of which each acre was worth yearly in time of peace 12d. and now nothing because of the lack---(sic) and cattle'. The inquisition shows that his total income from land was 14s. 7d. for the year.<sup>93</sup>

His son and heir Robert de Raymes II, was a commissioner for keeping the truce with Scotland in 1343, and in 1346 as knight of the shire and sheriff of the county in 1347.<sup>94</sup>

In October, 1346, king David of Scotland occupied Hexham. Aydon Hall was delivered to him on condition that the lives of the garrison were spared.<sup>95</sup> Robert died on the 10 October, 1349, a victim of the Black Death. The inquisition at the time of his death states that the cottages upon his estate were lying waste from want of tenants and lack of pasture. Robert de Raymes died in debt to the Crown, and it was a long time before the debt was discharged. His wife Agnes was assigned the manor of Shortflatt as dower, in lieu of her thirds, in February and May, 1350.<sup>96</sup> In August 1350, she was granted custody of the residue of her husband's lands, to hold at a yearly rent of 10 marks to be paid to the Crown in satisfaction of a debt incurred by her husband as sheriff.<sup>97</sup> The size of the debt is not known, nor when it was fully paid, but in 1354 Agnes assigned the custody of her moiety of the barony to Sir Robert de Herle.

Upon the death of Sir Robert Herle, Nicholas de Raymes, the third son of Robert Raymes II, became entitled to Aydon, but his claim was not admitted by the Crown. At an inquisition taken at Newcastle in 1369, it was found that the escheators had answered for the profits of the Bolam barony to the Exchequer since 1362.<sup>98</sup> It was not until 1376 that Nicholas de Raymes was granted custody of Aydon Hall and a moiety of

<sup>93</sup> NCH, X, 246; A. L. Raimes, 'Shortflatt Tower and Its Owners', AA, 4<sup>th</sup> Series, 32 (1954), p

<sup>94</sup> Hedley, *Families*, vol. II, 25

<sup>95</sup> Raine, *Northern Registers*, 387

<sup>96</sup> CCR 1349-1354, 161, 175

<sup>97</sup> NCH, X, 348

<sup>98</sup> *Ibid*, 348

the vill of Aydon, pending settlement of the dispute. Finally he had the premises awarded by decree of the Court of the Exchequer on the 18<sup>th</sup> February 1376-7.<sup>99</sup> As the Exchequer was involved, it would appear that the dispute was about money, and it is possible that the debt incurred by his father was not settled until 1376-7. Given the condition of his lands when Robert de Raymes inherited them in 1323, it is not surprising he died in debt.

Debt seems to have dogged the life of Nicholas de Raymes, as he was constantly in financial trouble. He was an accessory after the murder of John de Coupland, which resulted in his being imprisoned in Corfe Castle in November 1364.<sup>100</sup> He was released probably in 1366, on payment of a fine.<sup>101</sup> In 1367-7 he was guilty of contempt for not taking up knighthood and had to pay a fine of 40s.<sup>102</sup> Sir Henry Delaval tried, in 1378, to compel him to render an account 'of the time he was bailiff at Seaton and receiver of the money of the said Henry'.<sup>103</sup> He was in debt again when the Warden of the College of King's Free Chapel at Windsor sued him and Walter Heron for 145 marks each.<sup>104</sup>

In October 1378, he attended Parliament at Gloucester as one of the knights of the shire, and was appointed escheator for Northumberland, Cumberland and Westmorland in 1380. Again in debt he was sued by the Prior of Carlisle for £50 in 1383. However, his luck appears to have changed, for in April 1383, he was appointed Chancellor and Chamberlain of Berwick and the king's other dominions in Scotland at a salary of 50 marks a year. Also in 1383 he and John Clavering were joint wardens of Roxburgh Castle. In the December of the same year he, with John Mitford and others, were authorised to accept and keep for the king's use, 24,000 marks being part payment of the ransom of King David II of Scotland.

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<sup>99</sup> *CCR 1374-1377*, 398

<sup>100</sup> *Raimes, Shortflatt*, 136

<sup>101</sup> *Bain, CDS, IV*, 1213

<sup>102</sup> *Raimes, Shortflatt*, 136

<sup>103</sup> *Ibid.*, 137

<sup>104</sup> *Ibid.*, 137

Nicholas de Raymes refused to account for certain sums of money collected by him when he was escheator, and in January, 1385, the earl of Northumberland, as sheriff, was ordered to arrest him and take him to London to appear before the Barons of the Exchequer. He was also ordered to seize all his lands and goods. The earl said he could not find him, but that he had sequestrated a cow worth 5s. and 20 acres of land at Shortflatt worth 40p yearly, but unable to let 'because the country there is so wasted and destroyed by the frequent incursions of the Scots, that none dares to dwell there'.<sup>105</sup>

While Nicholas de Raymes was at Westminster in 1385, as one of the knights of the shire for Northumberland, he was arrested and taken before the Barons of the Exchequer, and was immediately sent to Fleet Prison, but was able to obtain sureties and was released the same day. He appeared again on 13 January and 14 September, 1386, when he rendered his account, showing a debt to the Exchequer of £35 5s. 9d. On the 26 November, he made his final appearance when he was fined half a mark for his contempt. Two days later the earl of Northumberland, Nicholas de Raymes and John Mitford, entered into a recognizance of 80 marks to be reduced to 40 marks if paid by a certain date.<sup>106</sup> It was a long time later that the debt was fully discharged.

In spite of his little trouble with the Exchequer, Nicholas de Raymes continued to hold high office, for in December 1385, he and others were appointed to inspect the garrison and fortifications of the town and castle of Berwick, and in the following February, he was appointed with the earl of Northumberland and others to provision Roxburgh castle.<sup>107</sup>

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<sup>105</sup> *Ibid.*, 137

<sup>106</sup> *Ibid.*, 138

<sup>107</sup> *Ibid.*, 138

The rumour of a Scottish invasion in 1386 caused a Commission of array to be set up with the Sheriff and others, including Nicholas de Raymes. In 1389 he was one of the commissioners to treat with the Scots about the infringement of the truce made that year, and on 1392 he was paid 100 marks for the construction of a moat and securing the defences of Roxburgh castle.<sup>108</sup> He was in trouble with the law again when he and John Heron failed to appear to warrant Margaret, wife of Sir Roger Heron, and the sheriff seized his manors of Shortflatt and Aydon Hall which were valued at £5 and £4 respectively.<sup>109</sup> Nicholas de Raymes died in October, 1394.

Nicholas de Raymes was the last of his family to take an active political role in the North. In spite of the number of times he held high office, it is evident that his income was not equal to the needs of his position in society. His debts tell their own story. In three generations, this family declined in influence, position and was financially reduced to straitened circumstances, all of which could be directly attributed to the Scottish wars.

Not all the Anglo-Norman baronial families survived till the end of the thirteenth century, due mainly to failure in the male line. Those that had died out before the end of the thirteenth century were the Burums of Bolam, the Morwicks of Chevington, the Bolbecs of Styford, the Bertrams of Mitford, the Viscounts of Embleton, the Dyvelistons of Dilston, the Merlays of Morpeth and the Tinsdales of Langley. However, some of the families continued in the female line or by descendants of a cadet branch, and formed the lesser nobility and the gentry.

What made the war so difficult for these families was two-fold. Firstly, it came after a long period of peace and prosperity when the English and Scottish families along the border had become integrated into a cohesive and homogeneous society. In some

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<sup>108</sup> Raimes, *Shortflatt*, 139

<sup>109</sup> Hodgson, *Northumberland*, pt.ii, vol. I, 240: *De Banco Rolls* 534 m.90 and 535 M. 428

situations war could unite warring factions against a common enemy, but for the knightly families of Northumberland in 1296, where cross-border marriages and landholding were common, war between England and Scotland could only be divisive. Secondly, the abruptness with which the war erupted caught these families in a dilemma of loyalties. They did not have time to prepare, consider or deliberate their position. They were caught up in a situation which, suddenly, turned peace into war, prosperity into potential poverty and a future full of uncertainty. Their society, fragmented by war, would never be the same.

## Chapter 2

### John de Coupland

Had John de Coupland died peacefully in his bed of natural causes, his epitaph may well have been the words written by the Leicestershire chronicler, Henry Knighton, 'a valiant man of the North, an esquire skilful and brave'.<sup>1</sup> His murder on Bolton Moor on the 20 December, 1363, and its aftermath, involving as it did, many of the high-ranking gentry families of the county of Northumberland, make the circumstances of and the motives for his death, less than innocent and begs further investigation.

It was during the Scottish wars that John de Coupland shot to fame when he captured David II, King of Scots, at the Battle of Neville's Cross on the 16 October, 1346. The *Lanercost Chronicle* lauded him eulogising 'John de Coupland dealt such blows among the enemy that it was said that those who felt the weight of his buffets were not fit to fight any longer'.<sup>2</sup> Refusing to yield his prisoner to anyone other than the King of England, he was rewarded with an annuity of £500 for life and raised to the status of banneret. In addition, he was granted a further annuity of £100 for life for remaining with the king with his twenty man-at-arms. Of the annuities, £400 was to be paid from the customs from the port of London, £100 from the port of Berwick-upon-Tweed, and the remaining £100 from the port of Newcastle-upon-Tyne.<sup>3</sup>

The family of Coupland took its name from the township in which it lived, and by 1274 it was the lord of Coupland. John de Coupland was the son of the younger brother, the elder Simon, was lord of Coupland in 1301, owning three parts of the manor of Coupland together with Yeavering and Akeld., and was still living in 1323. He also had

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<sup>1</sup> *Chronicon Henrici Knighton vel Cnithon, monachi Leycestrensis*, ed. J. R. Lumby (RS 92. 2 vols. 1889-95), ii, 116-7

<sup>2</sup> *Chronicon de Lanercost*, ed. J. Stevenson (Edinburgh, 1839), 351

<sup>3</sup> *CPR 1345-1348*, p.226; Bain, *CDS*, III, 269

an aunt, Agnes, who had married Walter Howtel. Simon de Coupland had an illegitimate daughter, Joan, and sometime between 1323 and 1328 he died leaving all his property to 'Alice, daughter of Simon, son of Margaret of Lanton, and Joan, daughter of the said Alice, and the heirs of the latter's body'. The preciseness of the maternal descent of Joan his heiress, makes it almost certain that she was his illegitimate daughter. However, the *Northumberland County History*, XI, indicates that Joan the heiress and Joan the daughter were different persons. The reason given is the assumption that the only way John de Coupland came into possession of his uncle's estate was by marrying the heiress, who could not have been the illegitimate daughter as she was married to Walter Mautalent. This was not the case.<sup>4</sup>

In 1337, Agnes, widow of William Mautalent, brought an action of *novel disseisin* against John de Coupland.<sup>5</sup> In the following year another action of *novel disseisin* was brought against him by his cousin Joan Mautalent who by this time was a widow, in respect of 2 messuages and 14 acres of land in Coupland.<sup>6</sup> Having the same surname, it seems very likely that the two women were related through marriage. In 1339, the king ordered that the two actions of *novel disseisin* against John de Coupland be suspended as he was with the King in Flanders.<sup>7</sup> In 1340 John de Coupland brought a case against Joan Mautalent in defence of her charge of *novel disseisin*, asserting that due to the irregularity of her birth, she could not inherit the estate of Simon de Coupland, and that he was the true heir of his uncle. The court of the bishop of Durham found that Joan was, indeed, illegitimate and confirmed John as his uncle's heir.<sup>8</sup> That John was successful in disinheriting his cousin was confirmed by the Feudal Aids of 1346, as he paid 30s. for three parts of a knight's fee for three parts of the vill of

<sup>4</sup> NCH, XI, 214-218. See Pedigree of 'Coupland of Coupland' given therein.

<sup>5</sup> Bain, CDS, III, 227

<sup>6</sup> Bain, CDS, III, 234

<sup>7</sup> Bain, CDS, III, 238

<sup>8</sup> *Registrum Palatinum Dunelmense: The Register of Richard de Kellawe, Lord Palatine and Bishop of Durham*, ed. T.D. Hardy (RS 62; 4 vols., London, 1873-8) III, 339-40

Yeavinger, Akeld and Coupland.<sup>9</sup>

As John de Coupland did not acquire his uncle's estate by marrying the heiress but by disinheriting his cousin, the identity of his wife became a matter of confusion and misunderstanding. By drawing a distinction between Joan the illegitimate daughter and Joan the heiress, Kenneth Vickers, author of the *Northumberland County History*,<sup>10</sup> confused the identity of the wife of John de Coupland. He surmised that the heiress was either a Strother or a Gray, but does not offer an explanation why Simon should leave Joan Strother or Joan Gray his estate. By showing that Joan the daughter and Joan the heiress was the same person, the identity of Joan de Coupland becomes a mystery. Madeleine Hope Dodds, also writing in the *Northumberland County History*,<sup>11</sup> states that Joan de Coupland was a Strother. She got the family right, but the wrong parents. To confuse the matter further, Robert Surtees, in his *The History and Antiquities of the County Palatine of Durham* identifies her as the sister of Agnes, but does not hazard a surname.<sup>12</sup> The identity of Joan de Coupland is confirmed by the receipt given by her to her brother, Henry de Strother for 80 marks paid to her for the farm of the manor and barony of Wark-on-Tweed. It was issued in London on 27 April, 49 Ed.III, and bears her seal.<sup>13</sup> A look at the pedigree of the Strothers of Kirknewton, shows Joan as the daughter of Henry Strother of Kirknewton and Moneylaws, and sister of Henry Strother. No other details of her are given, except that she was living in 1372, which was the year Joan de Coupland disposed of all her lands in Northumberland to the earl of Arundel.<sup>14</sup>

<sup>9</sup> *Inquisitions and Assessments Relating to Feudal Aids: with other Analogous Documents Preserved in the Public Record Office, 1284-1431* (6 vols., London, 1899-1920), IV, 65

<sup>10</sup> *NCH*, XI, 218.n.

<sup>11</sup> *NCH*, XIV, 247

<sup>12</sup> R. Surtees, *The History and Antiquities of the County Palatine of Durham* (4 vols., Durham, 1816-40) IV, 137 n.(e)

<sup>13</sup> *NRO Catalogue A-16 Swinburne*, 97, No.4/41, Northumberland Record Office, Gosforth

<sup>14</sup> *NCH*, XI, 132



John de Coupland must have entered the king's service sometime before 1339, for in that year as mentioned above, he was with the king in Flanders. In the same year, the king granted 'his valet', John de Coupland, an annuity of £20 for 'his long and faithful' service.<sup>15</sup> In 1340, he was at the castle of Wark-on-Tweed, when with Sir Thomas Gray and Sir Robert Manners, they discomfited the earls of Mar and Sutherland returning to Dunbar with 2,000 beasts and many prisoners, relieving them of their plunder and sending them home empty-handed.<sup>16</sup> In 1344, and again in 1347 he was termed the 'king's yeoman'.<sup>17</sup> After Neville's Cross he was constantly in the king's service, going overseas again in 1347.<sup>18</sup> From 1347 until his death he was Constable of Roxburgh Castle and Sheriff of Roxburghshire, although he was relieved of his command suddenly and frequently during his career.<sup>19</sup> He was custodian of Berwick-on-Tweed from 1357 to 1363, but again his tenure was interrupted, for he was dismissed from his post in June, 1362.<sup>20</sup>

On many occasions he served as conservator of truces and on other border commissions. He was escheator for the county of Northumberland in 1354 and 1356<sup>21</sup> and sheriff in 1350, 1351, 1353, 1354 and 1356.<sup>22</sup> As Sheriff in 1351, 1352, 1353 and 1356, he had custody of David Bruce, who had been allowed to visit Scotland to negotiate a peace,<sup>23</sup> but on the last occasion in 1356, peremptory orders were given to have him removed and another put in his place.<sup>24</sup> These sudden dismissals were a frequent feature of his career, but he was never openly disgraced. Although created a banneret after Neville's Cross, most remarkably he never took up knighthood, and in

<sup>15</sup> Bain, *CDS*, III, 238

<sup>16</sup> Bain, *CDS*, V, 269; *Scalacronica*, 112

<sup>17</sup> *CCR 1343-1346*, 354; *CPR 1345-48*, 425, 561

<sup>18</sup> *NCH*, XI, 219 n.6

<sup>19</sup> *Calendar of Fine Rolls Preserved in the Public Record Office* (22 vols. London, 1911-62), V, 494;

*Rot. Scot.* I, 692, 693, 714, 718, 740, 748, 756, 761, 777, 781, 858, 861 and 880

<sup>20</sup> *Rot. Scot.*, I, 801, 807, 841, 847 and 864

<sup>21</sup> *CPR 1354-1358*, 52, 358

<sup>22</sup> *PRO Lists and Indexes IX*, Lists of Sheriffs, 97 (There is a note on page 96 stating that subsequent additions and amendments to the Northumberland list are based on the list of C.H. Hunter-Blair, 'The Sheriffs of Northumberland', *AA*, 4<sup>th</sup> series, 20 (1942) pp.24-89 and 21(1943), pp. 3-46)

<sup>23</sup> *Rot. Scot.* I, 750-73

1358, the king granted him exemption from knighthood for life.<sup>25</sup> In 1359 he was appointed Deputy Warden of the East March jointly with Richard Tempest.<sup>26</sup> In the same year he made a nuncupative will at Wark-on-Tweed, when he was about to set out for some distant destination on the king's service.<sup>27</sup> It was while on the king's service, on the 20 December, 1363, as he was crossing Bolton Moor, that he was attacked and killed.<sup>28</sup> Also killed with him were Nicholas Bagot, an attorney of Newcastle,<sup>29</sup> and William Kendale.<sup>30</sup>

It took three commissions of enquiry to arrive at the circumstances of the murder of John de Coupland. On 12 December, 1363, Henry Percy, Henry del Strother, Alan del Strother and Richard Horsley were appointed to enquire and arrest the murderers.<sup>31</sup> It was ascertained that the murderers were John de Clifford, his brother Thomas, his servant Thomas Forster and others who were named, together with five unnamed pages. Nine were armed with lances and there were eleven archers. They had waited for John de Coupland and had killed him in a premeditated attack, but as far as the jurors knew, no one had hired them and no one had received them afterwards, as they had at once fled to Scotland.<sup>32</sup> Among those named were Alan, Richard and William Vaux, kinsmen of John de Clifford whose mother had been Elizabeth Vaux. Henry de Lucker, another kinsman, was also named. Constance de Lucker was the aunt of John de Clifford.<sup>33</sup>

The king was not satisfied with the findings of this enquiry, and on the 20 January 1364

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<sup>24</sup> *CPR 1354-1358*, 326

<sup>25</sup> *CPR 1358-1361*, 121. This appears to be a unique example of a non-knight becoming a Banneret.

<sup>26</sup> *Rot. Scot.*, I, 843

<sup>27</sup> *Wills and Inventories* (SS 2; 1835), pp. 29-30

<sup>28</sup> *CPR 1361-1364*, 453-4

<sup>29</sup> A. Macdonald, 'Calendar of Deeds in the Laing Charters Relating to Northumberland', *AA*, 4<sup>th</sup> series, 18 (1950), 117

<sup>30</sup> *CPR 1364-1367*, 200, 217,

<sup>31</sup> *CPR 1361-1364*, 453; *Calendar of Inquisitions, Miscellaneous, Chancery, 1348-1377* (London, 1916-), 195

<sup>32</sup> *Calendar of Inquisitions Miscellaneous, 1348-1377*, 195

<sup>33</sup> Public Record Office, Just 1/661

commissioned Aymer de Athol, William de Nessfield, Henry de Bellerby and Thomas de Brotby, to arrest the murderers and imprison them at Newcastle-upon-Tyne.<sup>34</sup> This enquiry revealed that John de Clifford and some of the others had fled to Ford, where William Heron had sheltered them in his castle. The record states that William Heron, his sons, Richard Tempest, Nicholas Raymes and others were aiders and abettors of the felons.<sup>35</sup> The sheriff unable to arrest the murderers, was then ordered to arrest those who had aided and abetted them, and they were ordered to appear before the king and his council at Westminster. At this point, thirty-five knights and squires appeared at the court in Newcastle and agreed to act as sureties for their appearance.<sup>36</sup> As a result of the proceedings at Westminster, William Heron was imprisoned in Bristol Castle, William Lilburn in Old Sarum Castle, William Heron (son) in Winchester Castle, John Heron in Oxford Castle and Roger Heron in Gloucester Castle. Joan, widow of Thomas Heton, was imprisoned in the Tower of London, as an aider and abettor.<sup>37</sup> They were released in 1366 after payments were made to the king.<sup>38</sup>

The third enquiry on 3 May 1364, had a different purpose. Gilbert de Umfraville and Aymer de Athol with others were to enquire into all felonies, trespasses, conspiracies etc., in the County of Northumberland.<sup>39</sup> The outcome of this enquiry was a pardon from the king together with a fine of 1,000 marks to be levied on the men of Northumberland for all trespasses, felonies etc., excepting the death of John de Coupland and all other treasonable offences. The men of Newcastle were likewise pardoned for a fine of £200.<sup>40</sup>

The murderers were not caught, for they had fled the country. John de Clifford went to France where he joined the English army. Of the others there is no record of their

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<sup>34</sup> *CPR 1361-1364*, 454; Just 1/661

<sup>35</sup> Just 1/661

<sup>36</sup> *Ibid.*

<sup>37</sup> *CCR 1364-1368*, 84, 152

<sup>38</sup> *CPR 1364-1367*, 338; *CCR 1364-1368*, 265, 291; *CDS*, IV, 123

<sup>39</sup> *CPR 1361-1364*, 539; Just 1/661

activities. In 1366 Clifford's escheated lands were granted to Joan de Coupland.<sup>41</sup> In 1367 there was panic because of a rumour that Clifford was allegedly planning to capture Bamburgh Castle, but this appears to have been unfounded and sounds too far-fetched to be true. On 2 March 1377, at the special request of the nobles, magnates and commonalty of the realm, John de Clifford was granted a pardon for the death of John de Coupland by the king in Parliament.<sup>42</sup> Henry de Lucker was outlawed for his part in the murder, but in 1381, at the request of the earl of Northumberland, he was pardoned.<sup>43</sup> The only unlucky person appears to have been Thomas Brewster, who was arrested and indicted, but insisted that he was not the Thomas Brewster involved in the murder. While his case was pending, he escaped, was re-captured, and there is reason to believe that he was eventually hanged.<sup>44</sup>

Two accounts of the murder are given by two authors writing at different times. In the first, A.L. Raimes, wrote about the murder of John de Coupland because his ancestor, Nicholas Raymes was imprisoned in Corfe Castle in 1364 as an aider and abettor of his murderers.<sup>45</sup> However, his article is primarily a family history, and apart from relating the circumstances of the murder, he does not attempt an interpretation. Without stating it, he appears to believe that the motive was robbery. He states the murderers got away with, and here he quotes in Latin from the original, 'ix equis v males cum rotalibus' to the value of 200 marks, interpreting this as 9 horses and 5 wheeled carts.<sup>46</sup> Raimes was mistaken, for what was actually written was 'ix equis v males cum iocalibus', which interprets as 9 horses and 5 mail bags of jewels to the value of 200 marks.<sup>47</sup>

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<sup>40</sup> CPR, 1364-1367, 260

<sup>41</sup> CPR 1364-1367, 200, 217

<sup>42</sup> CPR 1374-1377, 435

<sup>43</sup> CPR 1377-1381, 591

<sup>44</sup> Public Record Office, KB 27/447 m.25d.

<sup>45</sup> A.L. Raimes, 'Shortflatt Tower and its Owners', *AA*, 4<sup>th</sup> Series, 32 (1954), 127-159

<sup>46</sup> *Ibid.*, 135

<sup>47</sup> Just. 1/661 m.13. R. E. Latham, *The Revised Medieval Latin Word-List from British and Irish Sources With Supplement*, (Oxford, 1989), 286, gives *Malis* (1335) and *Malo* (1480) for this.

J.A. Tuck, writing in 1971, about society in Northumberland in the fourteenth century, mentions the murder of John de Coupland and offers his analysis of the motive, which he gives as 'resentment of office'.<sup>48</sup> He insists, 'even more indicative of the resentment of such new men, was the murder of John de Coupland on Bolton Moor on 20 December, 1363', and ends the paragraph with 'his career illustrates more clearly than anyone else's how wealth and prosperity on the Border now depended upon the holding of office under the Crown and the pursuit of a distinguished military career which might be appropriately rewarded.'<sup>49</sup> He clearly feels very strongly that 'resentment of office' was the reason for the murder, for he returns to this later in his article, stressing persistently that, 'The murder perhaps reveals the extent of the resentment against a man who took advantage of the militarization of Northumbrian society and administration to enhance his own power, resentment that the source of wealth and social status was now office and military success, rather than land'.<sup>50</sup>

A look at the two motives that have been put forward, 'robbery' and 'resentment of office', is clearly indicated. Murder for the sum of 200 marks, is unlikely, and the commission must have thought so for this aspect was not pursued. Resentment against John de Coupland's annuities must have been strong, especially by those who faced debts and poverty as a result of the destruction of their lands, but killing him would not have improved their state. They could not have hoped to gain financially by his death. In fact, they stood to lose everything, lands, possessions, and even their lives, if caught. Money, therefore, is unlikely to have been the motive.

If, as Tuck is insistent that, 'resentment of office' was the reason, it was unlikely that those who murdered him would have been given the offices he held. When found responsible, the murderers would have been disinherited and their lands forfeited to their overlords. Then they could not conceivably have gained his offices. By

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<sup>48</sup> J.A. Tuck, 'Northumbrian Society in the Fourteenth Century' *Northern History*, 6 (Leeds, 1971), 22-39

<sup>49</sup> *Ibid.*, 36

committing the murder, they had effectively deprived themselves of holding office, for as mentioned, they were forced to flee the country. It has also been suggested by Tuck that 'the Herons and the Tempests were the instigators of the crime'.<sup>51</sup> This seems very unlikely in view of the status of the murderers. John de Clifford was a landowner in his own right, holding Ellingham and Newstead of the king. Henry de Lucker also held lands in Northumberland of Henry Percy. The loss of lands, livelihood, status and position, was a high price for doing someone else's dirty work. This was not a contract killing by faceless assassins.

Tuck's opinion that, 'the source of wealth and social status was now office and military success, rather than land', does not apply to John de Coupland, for his wealth did not come from office or from a distinguished military career. His wealth came from two annuities granted for one very, very lucky incident. He had the good fortune to capture the king of the Scots, not by any extraordinary act of bravery, leadership or any brilliant personal or military endeavour, but by a whim of fortune.

There are many advantages to both the holding of office and the possession of land, but the greatest advantage of land over office, was the fact that land was inheritable whereas office was not. Although holding office was, perhaps, the best way impoverished landowners were able to augment an income diminished by the Scottish raids on their lands, they needed their estates to qualify for office. Tenure of office might be for a term of one or two years, and the Scottish raids, although frequent and devastating, were not permanent, but land was a lasting, tangible, inheritable asset. The families who were able to hold on to their estates retained the hope of recovering their fortunes in the future when conditions improved. At a time when land conferred wealth, power, status and all the trappings that went with ownership, land did not become secondary to office; land was always of paramount importance. Moreover,

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<sup>50</sup> *Ibid.*, 38

<sup>51</sup> *Ibid.*, 37

land is as desirable and relevant to-day as it was in the fourteenth century, for it still gives its owner, social status and a position in local society. In later centuries merchants, and in more recent times popular singers and entertainers, have made and still make their wealth from their professional activities, which they often use to buy landed estates. This is because trade is subject to fluctuations, and popularity to the fickle nature of fashion, but land and property are stable and secure assets to pass on to their children.

Military office also had its own hazards and risks. Apart from the risk of being killed, which does not seem to have been very great, the greater danger was being captured and having to pay a ransom. Some unlucky knights were captured more than once, leading to their financial ruin. For this reason they were more lucrative to the enemy alive, than dead. There were numerous petitions to the king, from landowners to the burgesses of towns begging for help to pay the ransoms demanded by the Scots. Another great disadvantage of holding high military office, as many found to their cost, was getting paid. Holding office was one thing, getting remunerated was quite another. The many petitions made by constables, captains and knights requesting payment of arrears are proof of this.

The military office most important in terms of power and most prestigious in terms of status and patronage in Northumberland, was that of the Warden of the Marches towards Scotland. R.R. Reid tracing the origins of the office explains 'The office first came into being through the Scottish war of 1296 and the chief concern of the Warden was to defend the border. The office, however, grew with time and did not reach its final form until November, 1399.'<sup>52</sup> The Warden became not just a military power in the area, he also became a civil administrator with special responsibilities along the border which grew as a natural extension of his duties as Warden. From 1327 the office of Warden of the East March became an almost hereditary right of the Percies of

Alnwick. They sometimes shared this office with the Neville, lord of Raby and the Umfraville, lord of Redesdale. According to Reid, it was the 'great estates of the Percies in Northumberland that marked them out as the proper Wardens of its Marches'.<sup>53</sup>

If resentment of office was the reason for John de Coupland's murder, his appointment as Joint Warden with Richard Tempest in 1359, could have been resented by the Nevilles, Umfravilles and Percies. The Nevilles and Umfravilles were not involved either directly or by association with the murder of John de Coupland. The Percies had the most reason to resent his appointment, as they would not have wanted to share this office with another person, particularly not one of their rank. If they had wished him dead, they were too astute to be involved directly, but they were indirectly through Richard Tempest. Richard Tempest was a Percy man. He was not of Northumbrian stock, but was a Yorkshireman brought to Northumberland by the Percies; a Percy retainer. He was a knight 'whose main interest lay in Yorkshire and had little to do with Northumberland. Sir Richard Tempest.....had lands in the West Riding and was keeper of Scarborough Castle. He had been granted for good service, the manor of Hetton in Northumberland in 1351.....he had served from 1357 to 1361 as sheriff of Roxburgh and then as keeper of Berwick, but his main interests lay in Yorkshire'.<sup>54</sup> It seems unlikely that Tempest regarded John de Coupland as a rival and was an instigator of his murder, although he was charged with being an aider and abettor.

Before leaving the subject of the importance of office in the fourteenth century, it appears that historians are divided on this issue. To take only two, namely, C. Given-Wilson and W.M. Ormrod, it is interesting to note that whilst they agree that 'the enhanced political role of the gentry is one of the key themes of fourteenth century

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<sup>52</sup> R.R. Reid, 'Office of the Warden of the March: Its Origin and Early History', *E.H.R.*, 32 (1917), 483

<sup>53</sup> *Ibid.*, 482 n. 19

<sup>54</sup> J.A. Tuck, 'The Percies and the Community of Northumberland in the Later Fourteenth Century' in *War and Border Societies in the Middle Ages*, ed. A. Goodman and J.A. Tuck (London, 1992), 180



English history,'<sup>55</sup> they differ widely on the degree of political influence the gentry were able to exert. According to Given-Wilson, 'their power stemmed from both their wealth and their control of local institutions, and is reflected not only in the growth of retaining, but also in the striking development in the influence wielded by the knights of the shire in Parliament'.<sup>56</sup> However, the direct opposite is the opinion of W.M. Ormrod, who states 'the knights and burgesses were encouraged to believe that they could influence government policy, but the direction of that policy remained firmly in the hands of the experts. It is, therefore, possible to argue that a great deal of the political initiative enjoyed by the Commons during Edward's reign was an illusion'.<sup>57</sup>

The inheritability of land has always made it a desirable asset: land was long-term wealth whereas office was very short-term and did not even last the lifetime of the holder. Hence when men did achieve a position of power, influence and wealth, they used all three to acquire vast estates. Military commanders like John of Brittany, Aymer de Valence, Henry Beaumont and the Percies, were all rewarded with land in Northumberland and Scotland. In most cases these were forfeited lands. Another advantage to owning land was that, in times of inflation the value of land increased but that of money declined. For these reasons, land has always maintained its allure as a source of wealth.

Having debated the advantages of land over office, and by this, hoped to show that 'resentment of office' was unlikely to have been the motive for the murder of John de Coupland, a look at the acquisitions of land and property made by him, should now be considered. Tuck readily admits Coupland's penchant for land by conceding that 'at the same time he accumulated property'.<sup>58</sup>

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<sup>55</sup> C. Given-Wilson, *The English Nobility in the Late Middle Ages* (London, 1987), 83

<sup>56</sup> *Op.cit.*, 83

<sup>57</sup> W.M. Ormrod, *The Reign of Edward III: Crown and Political Society in England 1327-1377* (London, 1990), 168

<sup>58</sup> Tuck, *Northumbrian Society*, 36

The acquisition of land is not reprehensible; it is a normal business transaction, much the same as any other commodity but, the methods used by John de Coupland reveal some very interesting facts about the character of the man, and go a long way to explaining his unpopularity in the county. Before Neville's Cross, as mentioned above, in 1339, John de Coupland had evicted two widows, Agnes Mautalent and his cousin Joan Mautalent from their homes, which can only be described as small-holdings. In 1340 he had his cousin declared illegitimate, so that he could inherit his uncle's estate, contrary to his uncle's will. In 1344, he petitioned the king and was granted the lands of John Herring, William Rodom and Richard Edmanston, in Alnwick, Little Haughton, Prendwyk, Reaveley, Ryal and Hetherslaw, which had been escheated to the king because of their treason in the reign of Edward II.<sup>59</sup>

It is not known when John and Joan de Coupland leased the castle of Wark-on-Tweed from William Montague, who had been granted it in 1329 in lieu of an annuity of 200 marks, but they were certainly living there in 1359 when John de Coupland made his will. Once established there, it did not take them long to start buying up land in and around the barony of Wark. In 1348, John de Coupland bought from Robert Archer a moiety of the manor of Mindrum. By 1362 he had acquired the rest of the manor from Sir John Strivelyn.<sup>60</sup> Also, in 1348, William, son of Sampson of West Newton, sold his lands in the town together with his wood 'Ruttock' and half the lordship of the town to Coupland.<sup>61</sup> It is not known how or when the Couplands acquired Presson, but in 1365, it belonged to Joan de Coupland.

About this time, in 1347-8, the King granted to John and Joan de Coupland, for their lives, the lands of William de Courcy in the counties of Cumberland, Westmorland,

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<sup>59</sup> *CCR 1343-1346*, 354

<sup>60</sup> F.W. Dendy, 'Extracts from the De Banco Rolls Relating to Northumberland', *AA*, 3<sup>rd</sup> Series, 6 (1910), 52 and 56

<sup>61</sup> Macdonald, 'Laing' Charters', 115

York and Lancaster, which had come into the king's hands by the death of William. This grant was in part satisfaction of the £500 annuity granted to him in 1346 for the capture of David Bruce. The difference was to be paid by the port of London, with the port of Newcastle paying the remaining £100.<sup>62</sup> This grant of lands, in addition to those he already held in Northumberland, made John and Joan de Coupland major landowners in the north of England.

Notwithstanding this, they continued to buy more lands, particularly along the border with Scotland. In 1353, John Archer (son of Robert Archer) sold the manor of Kilham, which included the manor of Preston, to Coupland.<sup>63</sup> At the same time they bought a small-holding of 40 acres of land and 6 acres of meadow from Peter and Agnes Crabbe, these lands being Agnes's inheritance.<sup>64</sup> The above transactions suggest that the Archers, but certainly the Crabbes, were in financial difficulties. The purchase of the Crabbes' lands demonstrate all too clearly the plight and poverty to which the small landowners had been reduced. Also, in Paston and Shotton, the Couplands requested and were granted, the lands of John Trollop, escheated because he had joined the Middleton rebellion in 1317.<sup>65</sup>

In 1351/2, John de Coupland was involved in an acrimonious law suit with the Lilburns, the large Heron family, Thomas Heton, Henry de Lucker and Thomas Gray over the Huntercombe moiety of the Muschamp barony. Nicholas Huntercombe sold his half of the Muschamp barony to John Lilburn, who in turn sold it to John de Coupland. This included tenements in Ford, Scremaston, Crookham, Barmoor, Ditchend, Ulcestre, Unthank, a moiety of the manor of Wooler, Hethpool and Heddon. With the lands, John Lilburn sold the services of his tenants. For some time before the Black Death, but certainly after, services due through land tenure had either lapsed or been

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<sup>62</sup> *CPR 1345-1348*, 370

<sup>63</sup> Dendy, 'Extracts from De Banco Rolls', 54

<sup>64</sup> *Ibid.*, 53

<sup>65</sup> *CPR 1358-1361*, 133-4

commuted to a cash rent. In this case they must have lapsed, for when John de Coupland tried to enforce them, the tenants refused and he was forced to file a case in the Court of Common Pleas. The tenants were summoned to Westminster to state by what services they held their lands.<sup>66</sup> The Herons was the largest group of tenants, and in 1350, Sir William Heron had divested himself of the demesne of Ford to his son Roger, who was under age. Roger enfeoffed his younger brothers, Thomas and Robert, also under age. In the ensuing court case, Coupland maintained that the Herons were out to defraud him, and asked the court to force the brothers to assign the services due to him. Thomas and Robert said they would, if as minors they could legally do so. The court said they could, so they did, but when Coupland demanded that Roger should attorn also, the judges said they needed time to consider their decision.<sup>67</sup> This suggests that the judges were not entirely on the side of John de Coupland. Perhaps this was the cause of the ill-feeling between the Herons and John de Coupland, and why they sheltered his murderers in 1363.

John de Coupland also owned property in Durham, for in 1360 Thomas Gray granted him half the manor of Crookhall. He immediately sold his moiety to William and Agnes Coxhow, who granted him a rent for Crookhall and Clifton in Tindale-gill. It seems likely from the above, that Crookhall must have been the security for a loan that Thomas Gray could not repay and thus he forfeited half the manor. The sale to William and Agnes must have been in the form of a mortgage, hence the payment of rent.<sup>68</sup> As in most cases when land was acquired by John de Coupland, there were no documents referring to the actual sale. For instance, it is not known how much money was given for how much land, and one can only assume that the land must have been used as surety for a private loan, which when it could not be repaid, was taken in lieu of payment. Thus, the words, 'sold', 'alienated' or 'granted to' John de Coupland could be euphemisms for this kind of transaction.

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<sup>66</sup> *CDS*, III, 284-5

<sup>67</sup> Public Record Office, CP 40/367, m. 78, 228d

That John de Coupland did lend money to landowners in financial difficulties is revealed in a marriage settlement made in 1357. Sir William de Tyndale contracted to marry his infant grandson to one of two of Sir William Heron's granddaughters, Joan Heron or Isabella Lilburn, the choice to lie with William Heron when the boy reached the age of fourteen. Sir William Tyndale agreed to settle immediately upon his grandson, the mill at Dilston, and subject to his own life-interest, the manor of Dilston. Sir William Heron on his part, promised to pay William Tyndale's debts to the sum of £106 13s. 4d. The marriage settlement is quoted in full, showing the main creditor to be John de Coupland who was owed £20 13s. 4d.<sup>69</sup> Thus, the only way that Sir William Tyndale's debt to John de Coupland became known was through the marriage settlement.

John de Coupland's acquisition of half the vill of Byker in 1350 was not in pursuit of landed wealth, but the power which was inherent in the service by which the tenancy was held from the king. The manor of Byker was held by Robert Byker, who settled half the manor on himself and his heirs, and the other half on his wife and their heirs. Robert died in 1349, whereon Hugh, his brother and heir, sold his half to John de Coupland in 1350. John Byker, another brother of Robert and heir to the other half, had been involved in the Middleton rebellion, for which he had been pardoned and his property restored. He inherited the other half, but two-thirds was held by Robert's widow, Juliana, as her dower. John sold his one-third, plus the reversion of Juliana's two-thirds, to John de Coupland in 1357.<sup>70</sup> John de Coupland was probably very interested in acquiring the manor of Byker because of the services by which it was held. Byker was held by serjeanty which involved, besides a rent of 40s. the service (a) carrying the king's writs to barons between the Tyne and the Coquet, (b) guarding the

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<sup>68</sup> Surtees, *Durham*, IV, 137-8

<sup>69</sup> *Durham Dean and Chapter Muniments, Miscellaneous Charters*, 1464 (published in full in *NCH*, X, 248-250)

<sup>70</sup> *CPR 1354-1358*, 122, 541

beasts and chattels taken in distraint for debts owing to the king, and which could only be sold with his permission and (c) performing the office of coroner, if he was absent. The service was considered so important that the heir of Byker was never in the wardship of anyone 'except the sheriff of the king's castle'.<sup>71</sup> This service gave its owner a great deal of influence and power. It also gave him the opportunity for making a great deal of money by its openness to extortion and peculation. Certain services by their nature, lend themselves to abuse, and without actually accusing John de Coupland of corruption, his 'sudden and frequent dismissals' from office are suggestive of this interpretation.

With the ownership of the serjeanty of Byker came the responsibility for the chantry of St. Lawrence. It had been founded by John Byker in 1278, who had endowed it with lands for its foundation. In 1378/9, a jury found that the ancestors of the lords of Byker had given lands and tenements to the value of £4 yearly for the up-keep of the chantry, but that Joan de Coupland 'had done away' with the chantry.<sup>72</sup> As Joan de Coupland died in 1375, the chantry must have been 'done away with' after the death of John de Coupland in 1363, and before her own, and the £4 yearly income must have been appropriated by her.

It is really from 1358 that the true character of John de Coupland emerges, following the arrival in Northumberland of William de Nessfield, a royal official, who had been appointed escheator north of Trent. It was the job of the escheator to take into the king's hands the lands and property belonging to those who had been charged with treason. In this case the treason was purported to have been committed during the reign of Edward II, when most landowners in the northern counties only survived by co-operating with the Scots. The ill-fated rebellion of Gilbert de Middleton in 1317 had involved most of the knightly families in Northumberland. Now forty years later, those

<sup>71</sup> *Cal.Inq.P.M.*, I, 129 (inquisition of 44 Henry III)

<sup>72</sup> *Calendar of Inquisitions Miscellaneous 1377-1388*, IV, 49-51; J. Hodgson, *Northumberland*, pt.ii, II,

who had taken part were either dead or very old.

The first instance of John de Coupland using William de Nessfield and the charge of treason to benefit himself was to secure a stronger title to the moiety of the manor of Wooler which he had purchased from John Lilburn. Sir Ralph Neville had been granted a lease for life of this moiety of Wooler by Nicholas Huntercombe<sup>73</sup> on condition that it would revert on his (Ralph Neville's) death to John Lilburn and his wife Constance, who had purchased it from Nicholas Huntercombe, as part of the Muschamp moiety. It is not known whether John de Coupland was aware of this entail when he purchased the moiety of the Muschamp barony from John Lilburn, but it must have come to light when John Lilburn died in 1355. However John de Coupland must have felt that his title was not strong enough, for in 1358 he petitioned the king that although he had bought the moiety of Wooler from John Lilburn, it had been found by an inquisition taken by William de Nessfield that John Lilburn had been an adherent of Gilbert de Middleton, and therefore the land should belong to the king, and requested a re-grant. The king re-granted him the three knight's fees together with the reversion of the moiety after the death of Ralph Neville.<sup>74</sup> This re-grant broke the entail to the Lilburns, and explains why Katherine Lilburn (his second wife) brought a case against Joan de Coupland for dower in Wooler.<sup>75</sup> In her defence, Joan de Coupland produced a quit-claim, which she alleged Katherine had made in 1355. The case was postponed and nothing more is known.

This accusation of treason against John Lilburn, while enabling John de Coupland to benefit, brought trouble to the Lilburn family and caused the lands of William Lilburn, son and heir of John, and Katherine, widow of John, to be escheated in December, 1359. Their lands were restored to them when it was confirmed that the loyalty of John

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<sup>73</sup> *Cal.Inq. P.M.*, XII, 136; *Percy Charters* ed. M.T. Martin (SS 117, 1909), 433; Hodgson, *Northumberland*, pt.iii, I, 82

<sup>74</sup> *CPR 1358-1361*, 121

Lilburn had never wavered.<sup>76</sup> It is not surprising that William Lilburn, who had married Elizabeth, daughter of Sir William Heron, was involved with the Herons in aiding and abetting the murderers of John de Coupland.

In the following year, John de Coupland petitioned for, and was granted, the lands taken into the king's hands by William de Nessfield of those charged with being enemies of the king, and rebels. These lands were in Hebburn, Howtel, Shotton and Paston and belonged to William Bentley, Nicholas de Hebburn and Roger Howtel. Also requested were the lands of Ellen Panbury in Howtel, Roger Wyderyngton in Shotton, John Trollop in Shotton and Paston, because they were traitors to the Crown and adherents of the Scots

John de Coupland was not above taking lands from the Church. In the second half of the twelfth century, the monks of Kelso had been granted the 'grange called Colphinhope', which included the rights of pasture for 20 oxen, 20 cows and their calves, with 200 sheep of the second year. During the Anglo-Scottish wars, this property had been escheated to the Crown and in 1359 it was petitioned for and granted to John de Coupland.<sup>77</sup>

The manipulations of the next case are rather convoluted, but they demonstrate that there was a degree of collusion between John de Coupland and William de Nessfield. Henry Prendergast, a Scot with lands in Northumberland, joined the Scots before 1316, but in 1329, the lands which he had forfeited were restore to him under the terms of 'The Shameful Peace' of 1328. His lands included the fourth part of the manor of Akeld, which included Yeavering.<sup>78</sup> In 1335 another member of the Prendergast family, Adam, also joined the Scots, and his forfeited lands were granted to Thomas Heton. By

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<sup>75</sup> Dendy, 'Extracts from De Banco Rolls', 60

<sup>76</sup> *CPR 1358-1361*, 141

<sup>77</sup> *CPR 1358-1361*, 233-4

<sup>78</sup> *CPR 1327-1330*, 522



the end of the year he was received into the king's peace and all his lands were restored. This cancelled the previous grant to Thomas Heton.

In 1359, the escheator, William de Nessfield, reported that he had not taken into the king's hands the lands belonging to Adam Prendergast (previously granted to Thomas Heton), but that he had taken the lands of Henry Prendergast, which included the fourth part of Akeld. His reason for doing so was that Henry had lately (before 1316 and this was 1359) adhered to the Scots. He also claimed that the fourth part of Akeld had, at an earlier date, been the property of John de Coupland.<sup>79</sup> Hence, Adam continued to hold his lands while Henry suffered forfeiture. The claim that John de Coupland had once held the fourth part of Akeld was not substantiated. In spite of this, John de Coupland was granted the lands of Henry Prendergast, together with the fourth part of the manor of Akeld.<sup>80</sup> As mentioned above, Coupland had acquired the three parts of Akeld, Yeavering and Coupland by disinheritng his cousin in 1340; now he had acquired the fourth part by escheat, giving him the whole manor of Akeld with Yeavering and Coupland. Clearly, John de Coupland had found another way of acquiring land. The losers in this case were Henry Prendergast and Thomas Heton.

From the number of escheated lands that John de Coupland petitioned for and was granted, it soon becomes obvious that he must have been the one making the accusations. He had discovered a way to obtain the lands he wanted without paying for them, and it did not matter whether the owners wanted to sell. All he paid was the fine levied by the king for the grant. Nessfield was not a Northumbrian, and therefore, would not have known which families had been involved with Gilbert de Middleton in 1317. The real losers were the landowners whose lands were escheated. They were paid nothing, and they had no redress at law as they could not sue the king, and had the added humiliation of seeing their lands granted to someone who clearly did not need

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<sup>79</sup> *Bain, CDS, IV, 9*

<sup>80</sup> *CPR 1358-1361, 233-4*

them. William de Nessfield made a considerable number of escheats, and in most cases, the lands were restored to their owners on payment of a fine, but from the number and location of the lands granted to Coupland, it was clear that he was using the Nessfield escheats to build and consolidate his position along the Anglo-Scottish border. (Map)

There are two main reasons why John de Coupland chose to consolidate his estates around the barony of Wark-on-Tweed. Firstly, his position would have been one of great strategic importance to the defence of the county. It had a defensible castle, only one of three along the northernmost boundary of Northumberland. Of the other two, Berwick-on-Tweed, when in English hands, was a royal castle; the other was an ecclesiastical castle, in the hands of the bishop of Durham. Wark castle, on the other hand, was in the possession of a lay person, which granted its owner power, influence and control in a very sensitive and strategic position along the border. Secondly, the land in Glendale was among the most fertile in Northumberland. In the *Lay Subsidy Roll of 1296 for Northumberland*, it was observed that 'taking the average per township, the wealthiest wards were Glendale and Coquetdale'.<sup>81</sup>

To return to the murder of John de Coupland and his murderers, the ring-leaders were John de Clifford, his brother Thomas, and his cousins, the Vaux brothers and Henry de Lucker. It is curious that John de Clifford was the only one to be charged with treason as well as murder. He was accused of (a) being an enemy of the king and a rebel, (b) riding at war in the realm, (c) killing John de Coupland, and (d) adhering to the Scots.<sup>82</sup> Apart from the charge of murder, the accusations read exactly like a Nessfield escheat. However, at the time of this escheat, Nessfield was no longer escheator, having been replaced in May, 1363.<sup>83</sup> So why, in 1367 was a felony (the murder of John de Coupland was a felony at law) made into a treason charge? Also, as John de Clifford

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<sup>81</sup> *Lay Subsidy Roll of 1296*, ed. Fraser, p. xxii

<sup>82</sup> *CPR 1364-1367*, 200

held his lands *in capite*, because he had committed a felony his lands would have been forfeited to his overlord, the king, without the charge of treason. The charges of treason against John de Clifford were not only unusual, they were also unnecessary. This raises the question, was John de Clifford aware that John de Coupland wanted his lands, and did he kill him to prevent him getting them, or was it in revenge because John de Coupland had already pointed the finger at him? It would appear from the wording of the escheat that the charges of treason had been prepared prior to Coupland's death, and the charge of murder was later added to the other accusations. Killing John de Coupland was the only way the local landowners had of stopping him taking their lands. It is not surprising that the lands of John de Clifford were granted to Joan de Coupland. Had they already been requested? It is significant that this type of escheat, based on treason charges, stopped after the death of John de Coupland.

The author of the *Northumberland County History*, vol. II, Edward Bateson, hints that there may have been some reason why John de Clifford's grandfather made a will in May, 1330, disinheriting his eldest son and leaving his inheritance to his grandson, Robert, with reversions to his other grandsons, John and Thomas. It would seem that Robert, his son, had incurred the displeasure of Edward II, and the will was made to avoid the risk of forfeiture.<sup>84</sup> If this were so, John de Coupland would certainly have known about it and used it for his own ends, but there is no evidence of this, and his murder cannot be attributed to it.

Perhaps the most damning evidence of the greed and ruthlessness of John de Coupland

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<sup>83</sup> *List of Escheators for England and Wales*, List and Index Society, 72 (London, 1971)

<sup>84</sup> He offers as proof of this an undated letter from Edward II to Bishop Kellawe, rebuking him for being on friendly terms with Robert de Clifford. This letter is printed in *Registrum Palatinum Dunelmense* vol. IV, Appendix iv, 493, which gives the date circa 1316. The letter does not state to which family of de Clifford it refers i.e. The Northumberland family at Ellingham, or the Westmorland family at Brougham. The ambiguity of the letter, makes it unwise to assign its contents to either family. It would be speculation rather than proof. Cf. Fraser, *Northumberland Petitions*, p.162. The uncertain date also presents a problem, for Robert de Clifford of Westmorland was killed in 1314 at Bannockburn, and Robert de Clifford of Northumberland was retained by Edward II, with two squires from 30 Sept.1319, to 21 January, 1320.

was demonstrated in connection with the nuns of St. Bartholomew in Byker. A dispute over a piece of land revealed the following:

The jury find that at the feast of St. Michael in 1361, the convent was almost desolate, by reason of the pestilence and the death of Isabel the prioress and the other nuns so that there were only two nuns left, Anne and Emma, who were about fourteen years of age, and to them came a certain nun of Lambley Priory called Margery, whom William calls prioress. By the consent of the two nuns and the convent of Lambley, she took charge of the house. In 1362/3 John de Coupland, then lord of the vill of Byker exacted from the nuns a lease for 100 years at 40s. a year, and because he was a man of great power in the county, they dared not refuse him. The land was really worth 60s.<sup>85</sup>

A lease for 100 years was only useful to John de Coupland as something to sell. At a reduced rent of 40s., he could have obtained a good price for it. The convent was the loser. They stood to lose 20s. a year for 100 years, a sum which represented a third of their income. The Couplands were childless. The £600 annuity was granted to both for life, so Joan was well provided for and did not need the 20s., which, because of their extreme poverty, the nuns so desperately needed.

It was the greed for land, and the methods he used to satisfy his greed that led to the murder of John de Coupland. His rapacity and the ruthlessness with which he pursued his own ends, made his murder inevitable. Although Tuck was mistaken by insisting that the motive was 'resentment of office', two observations he made lie at the heart of the matter. One was about the character of John de Coupland, that 'Coupland, like John of Denton, was not over scrupulous in the methods he used to acquire some of his property',<sup>86</sup> and the other was that 'the ringleaders all held land in north

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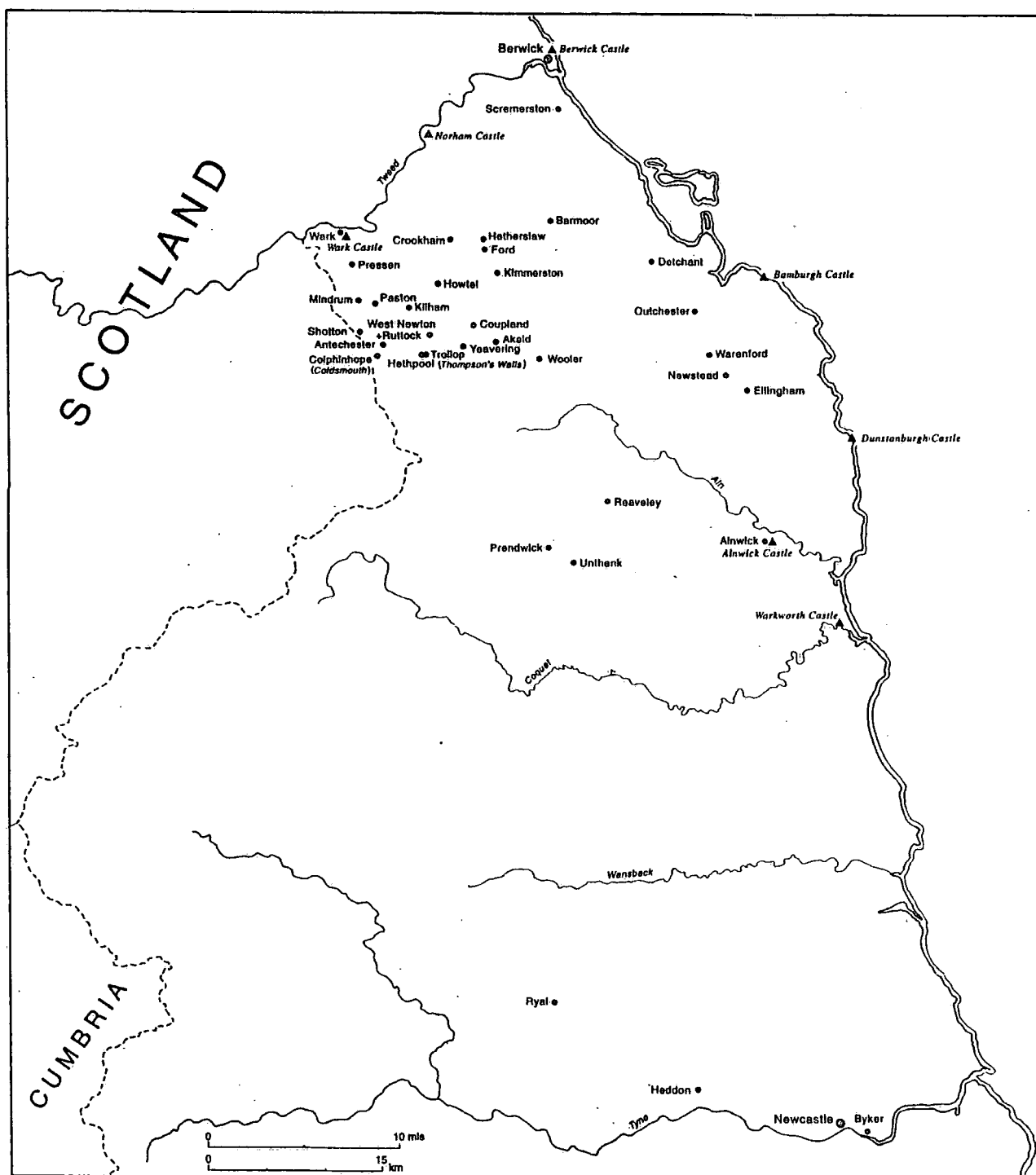
<sup>85</sup> *NCH*, XIII, 273

<sup>86</sup> Tuck, 'Northumbrian Society', 36

Northumberland'.<sup>87</sup> When put together, these two statements made for a potentially explosive situation. That situation exploded on the 20 December, 1363 with the murder of John de Coupland. The centuries-old, and universally basic right of man to his inheritance, however large or small, had been violated.

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<sup>87</sup> *Ibid.*, 37



Map - Showing the lands acquired by John de Coupland in Northumberland

### **Chapter 3**

#### **The Nessfield Escheats**

As far back as 1838, John Hodgson the historian who produced *A History of Northumberland*, requested the Society of Antiquaries of Newcastle-Upon-Tyne, to print a set of escheats copied for him by Thomas Hudson Turner of London from the original Rolls in the Tower of London, which he had considered to be 'important evidence' concerning the Rebellion of Gilbert de Middleton in 1317. These were published by the Society in the third volume of their first series in 1844, where they have been since then, sometimes referred to, sometimes commented upon marginally, but mostly ignored. They are called the *Nessfield Escheats* after the escheator north of Trent from 1357-1363, William Nessfield. These escheats draw attention to themselves because of the charge of treason contained within them, made some forty years after the event to which they refer. The incident took place in the county of Durham in 1317, when Sir Gilbert de Middleton and his free-booters kidnapped the Bishop-elect of Durham, Lewis de Beaumont and his brother Henry: an incident that became known as the Gilbert de Middleton Rebellion. A detailed and well-researched account was published earlier this century by his descendant, Sir Arthur Middleton.<sup>1</sup>

Although the rebellion is referred to by contemporary chroniclers and sometimes by modern historians of the fourteenth century, yet almost nothing is written about the Nessfield escheats which are based on the events of the Middleton rebellion. W.M. Ormrod writing as recently as 1990 on the reign of Edward III, makes no mention of

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<sup>1</sup> A. E. Middleton, *Sir Gilbert de Middleton: and the Part he took in the Rebellion in the North of England in 1317* (Newcastle-Upon-Tyne, 1918)

these escheats, which were made during his reign in 1358-1363.<sup>2</sup> The lack of interest by historians in this collection of escheats is puzzling, especially as it is of judicial importance and political significance when considering the history of the four northern counties of Yorkshire, Northumberland, Westmorland and Cumberland during the fourteenth century. What makes the Nessfield escheats so intriguing is their apparent lack of a motive. The charge of treason is in two parts; the first is for being an adherent of the traitor Gilbert de Middleton and others known to have been associated with him and, secondly, for riding with the Scots with banners unfurled, which was construed as an open declaration of war against the king. In respect of the first charge of being an adherent of Gilbert de Middleton and his associates, after forty years those who had been implicated in the rebellion were long dead and their lands had passed on to others who could not have been connected with the rebellion. Concerning the second part of the accusation, of riding with the Scots, Michael Prestwich has stated quite clearly in his article that, 'there is no evidence of a major Scottish raid in the Durham region in 1317', and furthermore, denies any link between Middleton and the Scots.<sup>3</sup>

Those modern historians who do write about the rebellion are divided about its cause. The possible reason for the rebellion is important because it directly concerned those who were implicated in 1317, and later indirectly involved those who were charged with treason in 1358-63. In his *Scalacronica* written in 1355, Sir Thomas Gray suggests that the catalyst for the rebellion was the imprisonment of Sir Adam Swinburne for expressing adverse criticism of Edward II regarding the state of the

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<sup>2</sup> W.M. Ormrod, *The Reign of Edward III: Crown and Political Society in England 1327-1377* (London, 1990)

<sup>3</sup> M.C. Prestwich, 'Gilbert de Middleton and the Attack on the Cardinals, 1317', *Warriors and Churchmen in the High Middle Ages: Essays Presented to Karl Leyser*, ed. T. Reuter (London, 1992)



English Marches.<sup>4</sup> Sir Gilbert de Middleton, being a cousin of Sir Adam, was so incensed by this injustice that he rose in rebellion. The fact that once in rebellion he appears to have forgotten about his cousin, as he did not request or petition for his release, appears to have been overlooked.

Sir Arthur Middleton gives the cause as the 'illegal appointment of Lewis de Beaumont to the bishopric (of Durham) and the rejection of Henry de Stamford, whom the chapter had chosen'.<sup>5</sup> He tries to portray his ancestor as the champion of the monks of Durham and refers to the rebellion as a 'chivalrous enterprise' undertaken on their behalf.<sup>6</sup> That Sir Gilbert exacted a ransom from them for the freedom of the Bishop-elect is glossed over. He also insinuates that Thomas, Earl of Lancaster was the one who initiated the rebellion and later when the rebellion collapsed, Sir Gilbert was made the scape-goat for Lancaster's failed political ambitions, and was left to his fate.<sup>7</sup>

Prestwich suggests that whilst the rebellion may have been triggered by the installation of a bishop of Durham who was in direct opposition to the candidate chosen by the prior and monks of the Convent, the main reason was of a deeper nature. As all those involved in the rebellion were men who had at one time or another served in the king's household, the rebellion was a reflection of the malaise at the king's court in London, and the lawlessness was the result of the frustration felt by the local landowners at the king's unwillingness to protect or defend them against the Scots.<sup>8</sup>

Yet another aspect of this uprising is given by J.R. Maddicott, who sees the Middleton

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<sup>4</sup> *Scalacronica*, Maxwell, 60

<sup>5</sup> Middleton, *Sir Gilbert*, 108

<sup>6</sup> *Ibid.*, 108

<sup>7</sup> *Ibid.*, 106

rebellion as part of the struggle for power between the earl of Lancaster and the king, and concludes that from the earl's point of view, the incident 'would serve the dual purpose of striking at the Beaumonts and pricking the king's authority in the north'.<sup>9</sup>

Whatever the cause, the rebels were dealt with rather leniently and, apart from Sir Gilbert and his brother John who were executed as traitors, the others only suffered a brief forfeiture of their lands, which were later restored to them.

The motive for resurrecting the accusation of treason forty years later is baffling, as the charge of treason against those holding the lands in 1358-1363 is clearly false. It has been suggested that the rebels were not punished enough at the time and, as Edward III was short of money to finance his continental wars, had decided upon escheating the estates of the landowners involved in 1317, and charging a fine to the present holders for restoration. The various motives for the escheats will be discussed below, but firstly, as the accusation of treason raises the question of the legality of the Nessfield escheats, a look at them in the light of the Great Statute of Treason of 1352, is clearly important.

Modern historians of the fourteenth century are divided in their views of the intention and interpretation of the Statute of Treason of 1352. The question over which they are divided is, whether Edward III's reason for this Statute was legal/judicial or whether it was political? In the context of a discussion of the Nessfield escheats, it is neither necessary nor useful to record the whole debate on this question, but two conflicting opinions will suffice to demonstrate the arguments of both sides. M. McKisack's opinion is that the reason was legal and states that 'the primary object of the Statute

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<sup>8</sup> Prestwich, *Middleton*, 186-194 passim.

<sup>9</sup> J.R. Maddicott, *Thomas of Lancaster 1307-1322* (Oxford, 1970), 204

was probably legal rather than political; to establish a clear distinction between high and petty treason, and so to settle the rules about forfeitures'.<sup>10</sup> M. V. Clarke, however, championed the opposite view, that it was political and suggested that 'the main purpose of the Statute was, by means of statutory definition, to prevent the recurrence of the reckless charges and arbitrary punishments which had ruined so many of the noble families in the reign of Edward II'.<sup>11</sup>

What is so extraordinary is that the above historians of the fourteenth century, when writing about treason and the reign of Edward III, fail to notice the Nessfield escheats which are based on the charge of treason. McKisack asserts 'and, though events were to show that the definitions of the Statute had been too narrowly drawn, the cry of treason was never raised again under Edward III'.<sup>12</sup> and, Clarke observes that 'for over thirty years the cry of treason was never raised in political controversy'.<sup>13</sup> Ormrod, also fails to notice the Nessfield escheats, but comments on the Statute of Treason of 1352 thus 'in 1352 he (Edward III) made what was arguably one of the most significant political concessions of his reign by defining the various crimes which could be treated as high or petty treason'.<sup>14</sup>

As recently as the last decade of the last century, C. J. Neville has written about the origins, development and refinement of March Law in the northern counties of Northumberland, Cumberland and Westmorland, during the fourteenth and fifteenth centuries. Beginning with the Code of 1249, she traces the changes to the March Law, how it was administered and enforced from the time of its inception right through to

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<sup>10</sup> M. McKisack, *The Fourteenth Century 1307-1399* (Oxford, 1958) 257

<sup>11</sup> M. V. Clarke, *Fourteenth Century Studies*, ed. L. S. Sutherland and M. McKisack (Oxford, 1968), 132

<sup>12</sup> McKisack, *op.cit.*, 257

<sup>13</sup> Clarke, *op.cit.*, 132

Tudor times, examining and explaining these changes.<sup>15</sup> In an earlier article she considers the local sentiment of the inhabitants of the same northern counties to their neighbours, the Scots, and the position of the Scots as national enemies. The position of Scotsmen living in the north of England was not an enviable one, and the Common Law courts treated those suspected of 'opportunistic changes of allegiance' with great severity.<sup>16</sup> Another article dealt specifically with the Law of Treason in the northern Border counties in the Middle Ages and how the special war conditions made it necessary for Edward III to define what exactly was to be construed as treason.<sup>17</sup> In 1352, Edward III formulated his Statute of Treason.

However, in her thorough and in-depth research and her analyses of Border/March Law, the use of Common Law in the border lands and the interpretation of the Statute of Treason in the north, she does not mention the rebellion of Gilbert de Middleton in 1317, or the Nessfield Escheats based on the treason of that rebellion. This omission is all the more surprising because the escheats were contrary to the Law of Treason, as those who suffered forfeiture forty years after the event, were not involved in the rebellion, and it appears for the first time that it was not the present owners, but the lands that were tainted.

Although the existence of the Nessfield escheats with their significance and implications are ignored by most historians, they are mentioned and commented upon by J.G. Bellamy. In his chapter on the Statute of Treason 1352, he writes 'after 1352

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<sup>14</sup> Ormrod, *Edward III*, 48, *Statutes at Large*, 1 (London, 1769) 261-2

<sup>15</sup> C.J. Neville, *Violence, Custom and Law: The Anglo-Scottish Border Lands in the Later Middle Ages* (Edinburgh, 1998)

<sup>16</sup> C.J. Neville, 'Local Sentiment and the National Enemy in Northern England in the Later Middle Ages', *Journal of British Studies*, 35 (1996), 419-437

<sup>17</sup> C.J. Neville, 'The Law of Treason in the English Border Counties in the Later Middle Ages', *Law and*

the Crown, no doubt in deference to the treason statute, commonly used as its title to these (escheated) lands, the findings of the escheator's inquest, which stood a proven attainder by men of like condition'.<sup>18</sup> This legal requirement was missing when the lands of William de Dacre were escheated in December 1358, by William Nessfield, and Dacre petitioned the king that his lands had been taken into the king's hands without the necessary inquisition. The king restored his lands as an act of grace asserting that 'he could retain the premises as forfeit if he wished'.<sup>19</sup> From this it would appear that the legal aspect of this escheat was not the important factor, as the king was willing to disregard the requirements of his own statute. Posthumous escheats like the Nessfield escheats, was the subject of a complaint made by the Commons in parliament in 1360, when it was stated that the escheators were seizing land as forfeit to the king for treason surmised in persons who had never been attainted for treason in their lives.<sup>20</sup> The king conceded that only those suspected of treason after the accession of Edward II would suffer forfeiture and that their guilt would be based on an escheator's inquest and not on the royal record or royal word.<sup>21</sup>

As a result of the Statute of Treason in 1352, two important legal factors were established. One was the legal requirement that a charge of treason could only be made against a person if it were based on the findings of an inquest, and not as previously, on the royal record or word. The second was the definition of what could, and what could not be, construed as 'high treason' or '*lese majeste*'. Maurice Keen sums up the Statute thus 'the Great Statute of Treason of 1352 was significant by defining high treason. It must be an 'open act', aimed to compass the death of the king, his chancellor or his

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<sup>18</sup> J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages* (Cambridge, 1970), 59-60

<sup>19</sup> *Ibid.*, 89-90; *CPR 1358-61*, 130

<sup>20</sup> Bellamy, *Law of Treason*, 90 ; *Statutes at Large* 1, 302-3

judges; or the violation of his wife or eldest daughter; or else an act of war done against the king in his kingdom. The Statute specifically added that armed robbery, slaughter and kidnapping were not treason but felonies or trespass. This last point was also important to the magnates. The goods of a convicted felon were forfeit to his lord, those of a convicted traitor to the king, as were his estates, if he possessed any'.<sup>22</sup>

Bellamy draws attention to the Nessfield escheats by stating that 'Edward III, by means of his own royal record or through inquisitions taken by his escheators, had been finding scores of men of the northern shires guilty of adhering to the Scots and levying war against the English crown as far back as the reign of Edward I'.<sup>23</sup> His foot-note in connection with the above statement is both apposite and revealing, 'the chief agent of the crown in this operation was William Nessfield, escheator in Yorkshire, Westmorland, Northumberland and Cumberland. The new policy seems to have begun in February 1358 and continued until circa 1360. The subject is worthy of close study; the volume (*CPR.1358-61*) is full of examples of this hitherto unnoticed aspect of the reign of Edward III'.<sup>24</sup>

A closer look at the Nessfield escheats should, perhaps, begin with a look at the man, William Nessfield, described by Bellamy as 'the chief agent of the crown in this operation'. Was he an 'agent' of the crown? Or, to re-phrase the question, was he appointed by the crown to do a specific task? Not all escheators are 'agents', but an 'agent' could be an escheator. So, who and what was William Nessfield and from where did he originate? He was not a landowner in either Northumberland or Westmorland,

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<sup>21</sup> Ibid., 90

<sup>22</sup> M.H. Keen, *England in the Later Middle Ages* (London, 1976), 153-4

<sup>23</sup> Bellamy, *Law of Treason*, 90

<sup>24</sup> Ibid., 90 n.3

and there is no record of his holding land in Cumberland. He may have been a Yorkshireman as there is an entry in the records of St.Mary's Abbey, York, which says the following 'there was a distribution made daily to three poor people at the time of High Mass, for the soul of William Nesfield [sic] and his foundation'.<sup>25</sup> The date of the foundation is not known. Also in Yorkshire, there is an entry in 1368 of William de Nesfield [sic] by right of his wife Christiana, conveyed the manor of Amotherby to William de Newport and Katherine his wife, and the heirs of Katherine.<sup>26</sup> This may not be the same William Nessfield, escheator north of Trent, as his wife's name is given in the Calendar of Patent Rolls of an earlier date as Ismania;<sup>27</sup> however, Christiana might have been a second wife. Again in Yorkshire, in 1359/60, William Nessfield supervised the transport of 168 pigs of lead from Nidderdale to Hull at a cost of £10 as part of the collection of materials for the king's building works at Windsor.<sup>28</sup>

That William Nessfield was a benefactor of the Church is shown by his connection with the Trinitarian Friars of Knaresborough. It also shows his connection with Queen Philippa. 'In 1348, the minister, William de Daryington, and the friars assigned to William Nessfield and his heirs, a rent of £10,<sup>29</sup> and in 1349-52 they arranged to assign a rent of £6 for wax-lights, bread and wine for the chapel of St Mary of Scotton, where William Nessfield had endowed a chaplain to celebrate mass for the good estate of Queen Philippa and the grantor.<sup>30</sup> In return, the Queen obtained licence for the friars to appropriate the church of Fewston.'<sup>31</sup> According to Simon Walker, William Nessfield

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<sup>25</sup> *Victoria County History - Yorkshire*, General Volumes, iii, 110

<sup>26</sup> *VCH -North Riding of Yorkshire*, I, 446

<sup>27</sup> *CPR. 1358-61*, 388-9

<sup>28</sup> *VCH - Yorkshire*, General Volumes, ii, 353

<sup>29</sup> *VCH- Yorkshire*, General Volumes, iii, 298; *CPR. 1348-50*, 96

<sup>30</sup> *Ibid.*, 298; *CPR 1348-50*, 256

<sup>31</sup> *Ibid.*, 298; *CPR 1348-50*, 254

was a Yorkshireman, although he does not give any evidence for this.<sup>32</sup>

William Nessfield appears to have been in the service of Queen Philippa before he entered the service of the king, for in 1355, the Queen with the king's express will and the consent of her council, and for his long labour for her in England and Ireland, releases him from all debts etc., that could be put upon him because of his constablenesship of the castle of Knaresborough; or of any offices in those parts and elsewhere in England and Ireland; all trespasses etc., and for £50 rent which he had granted to her by way of security to have his body day by day before the council.<sup>33</sup>

From the above, it appears that he held the castle of Knaresborough from the Queen, that he had been in her service not only in England but also in Ireland and that he was an important member of her day-to-day council. He was, therefore, a trusted member of her household, but in what capacity he served her in England and Ireland is not given. Also, what is not known is how he advised her i.e. as a lawyer, an administrator of her personal finances or as a member of the staff responsible for the organisation and running of her household.

The degree of trust placed in him by both the king and the queen can be deduced from his appointment in August 1359, when he was made steward, keeper and surveyor of all the lands of the king's son, Edmund of Langley, who was a minor. His duties were of a supervisory nature as he was not expected to 'take the issues and profits nor to make payments', and was not required to render any account.<sup>34</sup> That he was not involved with the receipt/expenditure of money is shown by an earlier appointment in 1356, when he was made steward, keeper and surveyor of all the lands endowed by the king

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<sup>32</sup> S. Walker, *The Lancastrian Affinity 1361-139* (Oxford, 1996), 31 n.98

<sup>33</sup> *CPR 1354-1358*, 287-8



for the nuns at Dertford. He was to be paid £40 for his office, but he was not to receive or pay out any money, nor was he expected to render an account for such issues and emoluments.<sup>35</sup>

As well as being escheator north of Trent in 1357, he was appointed to various commissions, such as oyer and terminer, on commissions to look into evasions of customs duty on wools, fleeces and hides, to look into fraudulent practices in the woollen cloth trade, to protect the king's interest in respect of ship wrecks etc. On his release from the office of escheator beyond the Trent in January 1364, he was given 'protection, during pleasure, for William de Nessfield, appointed to sue and expedite divers business of the king lying very near his heart, and for his men, horses and goods'.<sup>36</sup> One can only surmise the 'divers business lying very near the king's heart', was the building of the Chapel at Windsor for the Order of the Garter. Whatever it may have been, the appointment shows the trust and favour in which Nessfield was held by both the King and the Queen. His greatest appointment came after his release from escheator in the north, when he was appointed the king's attorney for the four northern counties on the 4 May, 1364, presumably as a reward for his long and faithful service. It is reproduced in full below.<sup>37</sup>

'Appointment for life of William de Nessfield as the king's attorney, in all courts and places in the counties of York, Northumberland, Cumberland and Westmorland, in which the king's business is brought, the king willing that he and his deputies have view and copies of inquisitions taken before sheriffs and full power to enquire of lands and goods of felons and fugitives, traitors and outlaws, wreck of sea, wayl and stray and royal fish, wools and other merchandise, and gold

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<sup>34</sup> *CPR 1358-1361*, 268

<sup>35</sup> *CPR 1354-1358*, 428

<sup>36</sup> *CPR 1361-1364*, 456

and silver, money, plate, vessels and other jewels, taken from the realm without cocket and payment of custom and subsidy due, as well as of forestalleries, and all other things, for the king's advantage; and that he may be the more incited to use diligence in the business, the king has granted him a third part of all forfeitures pertaining to the king at the suit of him or his deputies. By K.'

It would appear from the above, that as the king's attorney his powers were greater than the sheriffs, escheators and judges, and it seems almost certain that he must have been a lawyer, well-versed in civil, criminal and mercantile law. In keeping with his powers and responsibility, his reward was equally great, namely, one third of all forfeitures pertaining to the king. From what is known of William Nessfield, it is obvious that he was a close, trusted servant of both the king and queen and was entrusted with the business lying very near the king's heart. So, why did the king, at the time he did, appoint Nessfield his escheator north of Trent for a period of seven years? The appointment of Nessfield differed in two aspects from the usual appointment of escheators. The usual term for the office of escheator was one to two years, and secondly, escheators were mainly drawn from the ranks of the local landowners. Nessfield's appointment for seven years and his lack of residency in the local communities of the north, suggests his appointment was a special one. Was Nessfield an 'agent of the crown' as hinted at by Bellamy? Nessfield was not a resident local landowner in any of northern counties. He may have originated from Yorkshire, but he does not appear to have held land there, and he was certainly not resident there as he seems to have spent his time in royal service in England and Ireland, and in the Queen's service on a daily basis. Nor was he related by marriage to any of the northern landowners. Perhaps this was an advantage in the king's eyes, as he would be free from

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<sup>37</sup> *Ibid*, 493

familial pressures and blood ties. Also, not being a local landowner he would not have a personal axe to grind, for unlike John de Coupland he was not acquisitive of land and did not use his position as escheator to carve out a vast estate for himself.

There is, however, one instance described by Prestwich as 'outrageous' which needs clarification. Prestwich refers to the lands in Scotton escheated by Nessfield from six Yorkshire families on a trumped-up charge of treason starting with Simon de Montfort, throwing in any other name with a taint of treason, and ending, of course, with the Scots. 'This was all the more heinous because the same lands were granted to him for a fine of £200, which he was later excused by the king', argued Prestwich.<sup>38</sup> This was the only time that Nessfield benefitted from an escheat. However, it would appear that personal gain was not the purpose of this escheat, for in October 1361, in return for a payment of £30, the king granted him a licence for alienation in *mortmain* by him of all his lands in Scotton to the chapel of St. Mary, Scotton, to celebrate divine service for his soul and for alms and pious works.<sup>39</sup>

It seems unlikely from the above, that Nessfield's appointment as escheator in 1357, was the usual, customary appointment, but the appointment of the king's man on the king's errand. If the special task was to escheat the lands of those involved in the Middleton rebellion, what was the king's motive for this apparently vindictive action forty years after the event? Not surprisingly, northern historians, when they have occasion to mention the Nessfield escheats, are either divided on the subject of the king's motive, or else they ignore it completely. The reason most favoured by historians is that Edward III needed finance for his continental wars and he sought to

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<sup>38</sup> Prestwich, *Middleton*, 193; *CPR 1358-1361*, 288-9

<sup>39</sup> *CPR 1361-1364*, 94

raise money from these escheats. One or two historians have hinted that the motive was to exact punishment with profit, but on the whole the escheats and the motive have been ignored. However, as suggested by Bellamy, the escheats are worthy of close study and by looking at the escheats themselves, it is hoped to arrive at a likely motive.

The different historians writing the various volumes of the *Northumberland County History*, all hold the view that the escheats was an excuse by Edward III to raise money. Another suggestion was that the rebels were not punished enough at the time (1317-18) and that Edward III was casting around for means of raising money and decided upon escheating the estates of those involved and charging a fine for restoration. Bellamy holds this view when he states that Edward III sought 'by use of posthumous trial procedure to gain considerable profit'.<sup>40</sup> This view is also held by Prestwich who states 'a major attempt was made to exact penalties..... in return for a fine'.<sup>41</sup> They both link punishment with profit as the motive. The punishment aspect could be readily understood if only those who were actually involved in the rebellion suffered the punishment. As they were all dead by this time, conducting a trial was like picking over the bare bones of a corpse.

On the surface, the money motive seems perfectly plausible, comprehensible and logical, but a look at the amounts charged in fines would not have kept the king and his Noble Order in Garters, let alone finance one overseas campaign, however small. The Nessfield escheats for the whole of Yorkshire, Northumberland, Cumberland and Westmorland, yielded a mere £2,500, give or take a mark or two - a modest rather than a considerable profit.

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<sup>40</sup> Bellamy, *Law of Treason*, 90

<sup>41</sup> Prestwich, *Middleton*, 193

Beside the above, there are other arguments against the motive being money. In 1359, an enquiry was instituted to find out why no subsidies had been paid during the reign of Edward III for the regality of Hexhamshire. Archbishop Thoresby could produce no justification for this; but the king of his grace pardoned him and his tenants all their arrears, and further granted that during the life of Thoresby, no such payments should be made.<sup>42</sup> This was not the action of a man short of money. In another instance, when in 1358 William Nessfield had escheated the lands of William de Metham, because the owner in 1317, Geoffrey Henknoll had adhered to Middleton and the Scots, the king restored his lands for a fine of £200. However, when the king was informed that Metham had five unmarried daughters he issued a 'pardon, because the king has heard on trustworthy testimony that he has five daughters unmarried, to whom he is insufficient to marry unless assisted, of £100 of the said £200'.<sup>43</sup> Again when the king granted to Nessfield the escheated lands of the six Yorkshire families mentioned above, he pardoned him the £200 fine for good services. Also, in the previous chapter it was mentioned that the king pardoned John de Coupland £50 of the £100 fine. There were many other instances where the king remitted part of the fines for good service, usually in the Scottish wars. Many of those whose lands were escheated, had their lands restored without paying a fine at all, while others paid fines as little as 2, 5 or 10 marks.

Looking at the fines paid and the total received, it is clear that as a fund-raising exercise, the escheats could not have been regarded as a success. It could be argued that Edward III could not have known this before he embarked upon this enterprise. That may be so, but as he was the person to set the fines, he must have realised that it would not be a money-spinner.

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<sup>42</sup> *NCH*, III, 25-26 (set out in full in *NCH* III, 26); *Foedera* (Record Commission), I, 436

<sup>43</sup> *CPR 1358-1361*, 133-4

The *coup de grace* to this theory is given by W.M. Ormrod in his book on the reign of Edward III.. In it he writes of William Edington, treasurer of the Exchequer, 1344-56, 'Edington inherited a huge debt from his predecessors in the exchequer, and the king's demands for cash continued to provide him with numerous problems in the later 1340s. But as campaigns proved less costly and revenues increased, the situation gradually began to improve. Indeed, by the end of the 1350s, Edington had transformed Edward III from an embarrassed bankrupt into a wealthy man'.<sup>44</sup> On the subject of finance for Edward III's continental wars, he asserts 'Indeed, the financial position had been transformed to such an extent that when Edward III announced his invasion of France in 1359, the government was able to lay out approximately £75,000 in current or anticipated revenue from customs, and did not even find it necessary to approach Parliament for a grant of direct taxation'.<sup>45</sup> In the concluding chapter of his book there is no ambiguity in his opinion on the financial position of Edward III, 'the task for paying for Edward III's wars undoubtedly gave the Commons a new political prominence. However it also made the king an extremely wealthy man. If it was the abundance or lack of money that raised or depressed kings, then Edward III's position was virtually unrivalled in the whole of the Middle Ages'.<sup>46</sup>

In the face of such unequivocal statements, it does not seem likely that Edward III was dependent on the fines of 2. 5 or 10 marks or even, the £20, £100 and £200 fines to finance his wars. Nor was he short of money in a personal sense, as stated by Ormrod. Therefore, the amount raised by the Nessfield escheats could not, by any stretch of the imagination, have made the slightest difference to the financial position of the country.

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<sup>44</sup> Ormrod, *Edward III*, 19-20

<sup>45</sup> *Ibid.*, 89

The escheats, in the main, hit the middle to small landowners and in some cases, the tenants, who after the devastations of the Scots, the bad harvests, the cattle and sheep murrains, the famine and the Black Death, would not have been in a position to pay larger fines, had they been levied. Any hope of raising a vast amount by imposing large fines on this group could not have been very high from the outset; the people would just not have been able to pay. Apart from being a wealthy man in the 1350s, there were two other reasons why Edward III would not have been short of money. In 1357, he had negotiated with the Scots a ransom of 100,000 marks (£66,666 13s. 4d.) for their king, David Bruce, which was to be paid in yearly instalments of 10,000 marks. At the same time, he was demanding £700,000 from France for the return of their king, John II. He did not get the full amount but settled for £500,000 in 1360.<sup>47</sup> Compared with these amounts, the £2,500 garnered from the Nessfield escheats appear trifling.

Also, if money was the king's objective, why were the escheats limited to the four northern counties? Why were there no escheats throughout England to raise a greater sum of money? It seems impossible that, apart from the four northern counties, no one elsewhere had committed a treasonable offence in the last forty years. Hence, if punishment as a motive was futile, and money as a motive unnecessary, could the motive have been judicial? Was Edward III testing his new Statute of Treason of 1352?

A study of the Statute is important at this stage, for it not only defines what could, and what could not, be described as treason, it also raises other points which are crucial to the examination of the Nessfield escheats. The Statute of Treason of 1352, states very clearly that (a) to levy war against the king in his realm or, to be an adherent of the king's enemies in his realm, was treason (b) armed robbery or kidnapping for the

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<sup>46</sup> Ibid., 201

<sup>47</sup> Ibid., 26

purpose of ransom, was not treason but a felony and, (c) any escheat resulting from a felony being treated as treason in times past, should revert to the landlord. To quote the Statute -

‘(4) or if a man do levy war against our Lord the King in his realm, or be an adherent to the King’s enemies in his realm, giving to them aid and comfort in the realm, or elsewhere, and thereof probably attainted of open deed by the people of their condition.....that ought to be judged Treason.

(13) And if percase any man of this realm ride armed covertly or secretly with men-or-arms against another, to slay him, or rob him, or take him, or retain him till he hath made fine or ransom for to have his deliverance, it is not the mind of the King nor his Council, that in such case it shall be judged treason, but shall be judged felony or trespass, according to the law of the land of old time used, and according as the case requireth.

(14) And if, in such case, or the like, before this time any justices have judged treason, and for this cause the lands and tenements have comen into the King’s as forfeit, the chief lord of the fee shall have the escheats of the tenements holden of them, whether that the same tenements be in the King’s hands, or in others, by gift or any other manner.’[sic]<sup>48</sup>

(The underlining is mine)

From the wording of the Statute it would appear that armed robbery and kidnapping had, before 1352, been considered a felony under ‘the law of the land of old time used’, or Common Law. Treating these offences as treason was, therefore, contrary to the law of the land. The other point raised by the Statute was that redress was to be made to the landlords for any forfeitures of their lands in the cases where ‘before this time the justices have judged treason’. This clearly refers to cases where a felony or trespass had been judged as treason before 1352 and forfeitures had been made.



After 1352, therefore, the actions of Gilbert de Middleton by robbing the cardinals and kidnapping the bishop-elect and his brother and holding them for ransom, were not treasonable acts, but felonies. Hence, the charge of the kidnapping of the cardinals and the bishop-elect was not relevant to the charge of treason, although it was always linked to it. What was relevant was that Gilbert de Middleton, at his trial,<sup>49</sup> was charged with 'riding in warlike fashion with his flag unfurled', which was definitely treason, and for which he was given a traitor's death..

Another matter dealt with in the Statute states that the charge of treason could only be brought against a person if it was based on an inquisition 'proven by men of like condition' that is, by men of the person's own standing. However, the Statute did not go far enough to clarify the procedure of judging treason. The escheators had either misunderstood the Statute or had deliberately misinterpreted it, for the Commons complained to the King, that the 'escheators, which by colour of their Office have seised divers lands and tenements as forfeit to the king for treason surmised in dead persons, which were never attainted of treason in their lives'.<sup>50</sup> These complaints persuaded the King in 1360 to make an Amendment to his Statute of 1352. The Amendment was entitled 'There shall be no Forfeiture of lands for Treason of dead Persons not attainted'. The relevant section of the Amendment reads as follows,

'(5) So always, that in all cases of forfeiture for treason of dead persons not attainted or judged in their lives, their heirs, nor their land-tenants shall not be impeached or challenged'.<sup>51</sup>

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<sup>48</sup> *Statutes at Large*, I, 262

<sup>49</sup> *Select Cases in the Court of King's Bench*, ed. G.O. Sayles, IV (Selden Society, 1957)

<sup>50</sup> *Statutes at Large*, I, 302

<sup>51</sup> *Ibid.*, 303

A look at the charges of treason contained in the Nessfield escheats show them to be contrary to the Statute of Treason of 1352, and its Amendment of 1360. Firstly, the inquisitions, which were a legal requirement, were taken 'ex officio', when they should have been officially 'proven by men of like condition'. Secondly, the escheats did not conform to the new definitions of 'high treason' and 'petty treason'. For the charge of treason to have been made, the present holder of the land should have been an adherent of Gilbert de Middleton, which because of the lapse of time, he could not have been. The lands Nessfield escheated to the crown between 1357 to 1363 had, in some cases, belonged to people who had never been charged with treason in their lives, and this was contrary to the Amendment of 1360. The wording in some of the escheats clearly states 'pretending that so-and-so was an adherent of Gilbert de Middleton'. Not only was the name of Gilbert de Middleton used, but that of Walter Selby, Gocelin Deyville, Andrew Harcla and as mentioned above that of Simon de Montfort. As Andrew Harcla did not commit treason by making a pact with the Scots until 1322, linking him to the Middleton rebellion of 1317 was clearly false. Also, Simon de Montfort was killed at the battle of Evesham in 1265, and any adherent of his would long since have returned to dust. It is obvious that the charges were pure fabrications, and as Prestwich points out 'it is questionable whether much credence should be given to these charges'.<sup>52</sup> So, why fabricate the charges? It would appear that the names of known traitors were thrown in as hooks on which to hang the escheats, but the real motive lay elsewhere. Judicially, the escheats were illegal, and the law was flouted by Edward III with impunity, as when he insisted in the Dacre case that he could retain the escheated lands if it pleased him to do so. Having made the Statute of Treason of 1352, Edward III obviously did not feel compelled to observe it. Hence, the judicial or legal motive does

not appear to have been Edward III's reason for the Nessfield escheats.

The final motive that remains to be explored is the political aspect and lies in the second part of the charges of treason. Having shown that those involved in the kidnapping of the bishop-elect and his party, could not have committed treason as defined by the Statute of 1352, it might be expedient to look at the rest of the wording of the accusation, that is, 'and joining the Scots, the king's enemies' or 'riding with the Scots with banners unfurled'. There is no evidence that those involved had 'joined the Scots' or had 'ridden with banners unfurled'. However, it could be argued that by association with Gilbert de Middleton they had become attainted with his treason. Forty years later, these men were dead, and their lands were held by others to whom the charge of treason could, therefore, not be applied.

Edward III would have no memories of the Middleton rebellion being only four years old at the time, but what he was never likely to forget was the humiliating and angry tears of frustration he shed at Stanhope Park in 1327, when the Scots relished making a fool of the English king and his huge army. In 1317 at the time of the Middleton rebellion, the northern counties had been suffering during the last two decades from destructive Scottish raids. The Scots destroyed crops, burnt buildings, killed people, took hostages, stole cattle and sheep and exacted blackmail from those who had nothing left to steal. King Edward II, beset with problems at court, paid scant attention to the sufferings of his northern subjects, and they, being unable to protect and defend themselves, in many cases co-operated with the Scots. It was the only way to survive.

The wealthy palatinate of Durham made its own truce with Robert Bruce, and in order

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<sup>52</sup> Prestwich, *Middleton*, 193

to avoid devastation paid the blackmail he demanded. It is perhaps too easy to be critical of the passivity of the bishop of Durham and the landowners for not trying to stop Bruce, but life must have at best, been precarious, and at worst a sort of hell. After Bannockburn Bruce had complete control of the north. His raids were well organised and calculated to do the most damage. It was under these conditions that the bishop of Durham not only paid the blackmail, but also promised Robert Bruce free access and egress across the bishopric. The Chronicle of Lanercost is quite certain on this point, stating that the Scots refused to accept the £2,000 blackmail unless they might have access and retreat through the lands of the bishopric whensoever they wished to make a raid into England.<sup>53</sup> Scammell mentions this, but does not comment on the fact that the bishop did not make any attempt to stop Bruce, but allowed him free access and egress across his lands.<sup>54</sup> Surely this was a form of treason. It must have greatly assisted Robert Bruce to know that his retreat (with the booty) after a raid, perhaps into Yorkshire, would not be hindered by the king of England's loyal subjects. If the bishop, with all the wealth and resources at his disposal could not, or would not, stop the Scots, how much less were those nobles and knights who had nothing like his power and wealth, able to do so. They had even less choice than the bishop. The people of Northumberland, particularly those landowners whose lands lay along the border, would have had no option but to co-operate with the Scots. Their predicament is very succinctly stated by Scammell, 'Life could only continue within the immediate Border area with the Scots' permission'.<sup>55</sup>

Thomas Gray, in his *Scalacronica*, lays some of the blame for the success of the Scots

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<sup>53</sup> *Lanercost*, 220 - (June 24, 1313) 'Quod per terram episcopatus possent habere liberum tansitum et reditum quandocumque vellent ultorius in Angliam equitare'.

<sup>54</sup> J. Scammell, 'Robert I and the North of England', *E.H.R.*, 73 (1958), 393

<sup>55</sup> *Ibid.*, 389

on the Northumbrians themselves. According to him, 'the (Scots) had subdued all Northumberland by means of the treachery of the false people of the country (1317)'.<sup>56</sup> The author of the *Vita Edwardi Secundi*, questions why the siege of Berwick was abandoned in 1319 when it had cost so much in labour to begin, and hints at the cause being that 'Robert Bruce had friends'.<sup>57</sup> This remark is believed to have been aimed at Thomas, Earl of Lancaster, who withdrew his Lancastrian contingent thus causing the siege to be raised. The same author tells us that it was due to the capture of a spy, whose name and identity is unknown, but who was caught spying for the Scots. It was he who first alerted the Archbishop of York of the imminent danger to the Queen of England who was at York. He informed the Archbishop that James Douglas was approaching York with a chosen band of men to capture the Queen. He was also able to inform him where they would be hiding, on which day, and at what time they had planned their attack. His information was true, comprehensive and could only have been gained by close contact with the Scots.<sup>58</sup> The remarkable fact was that, at first, no one believed him, supposing that the Scots would have been too busy defending their own land. For the Scots to have known the whereabouts of the Queen, how well she was defended and, how many men to bring to effect her capture, they must have had a very efficient spy system among the ordinary people, the sort of people who could come and go without attracting any notice.

For the Scots under Robert Bruce, James Douglas and Thomas Randolph to penetrate so deeply into Yorkshire (Beverley) and Lancashire (Preston), they must have had not only an excellent spy system, but also well organised logistics, that is, places where they

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<sup>56</sup> *Scalacronica*, Maxwell, 60

<sup>57</sup> *Vita Edwardi Secundi*, ed. and trans. by N. Denholm-Young, 97 'sed, quare derelicta est obsidia tanto opere inchoata? Dicunt quendam quod Robertus de Brutz habuit amicos'.

<sup>58</sup> *Ibid.*, 95 'nam quadam die captus est quidam explorator apud Eboracum'.

could stop to refresh themselves and their horses, and to pick up information gleaned by their informers, for on one occasion they stayed in England for 3 weeks and later for 4 weeks before returning to Scotland with their booty. They usually avoided the garrisoned castles of Norham, Alnwick, Bamburgh and Newcastle on the east March and Carlisle on the west March, preferring to enter England through Tyndale, lately the possession of the Kings of Scotland. There they expected and received, the greatest support, making Haltwhistle, Hexham, Corbridge and Darlington their staging-posts. Along this route the Scots must have had their spies and confederates, their aiders and abettors. In order for Robert Bruce to be able to time and plan his raids he must have had information of where the English were, how many, and what they were doing so that he knew how far he could travel into England without being resisted, and whether he would be able to return safely. On one occasion the Scots altered their route home when the English had planned to ambush them after a raid.

Although the Gilbert de Middleton rebellion took place in 1317, the Scots continued to harry the north, right up to the truce of 1323. They agreed another truce in 1327, which was followed by the Treaty of Northampton in 1328. So, whether or not Middleton was in league with the Scots is irrelevant, as the raids continued as before and indicates that the Scots were still receiving help from the inhabitants of the northern counties. Even after the death of Robert Bruce in 1329, the Scottish threat did not go away, but continued with the arrival of his son, David Bruce into Scotland, and lasted until his capture at Neville's Cross in 1346.

In 1357, therefore, the situation locally, nationally and internationally was as follows. In the north the war with Scotland had not been resolved, hostilities still existed between the two countries. It was only eleven years before that David Bruce had led an

army into England to help the hard-pressed French king who was besieged by Edward III at Calais. Edward III had just released David Bruce from prison. He was also planning another continental campaign, which he undertook in 1359. Nationally he wanted to safeguard his northern frontier, and internationally he did not want the Scots to assist the French king. He could only do this by securing his border with Scotland, and to do this he had to be sure of the loyalty of the northern lords. It was for this reason that he instigated the Nessfield escheats.

This might explain why the charge of treason was made in the escheats as (a) it was only on a charge of treason that the king was able to escheat a landowner's property and, (b) he wanted to make sure that the present owners of the lands owned by the rebels of 1317, were men loyal to him. In some cases the forfeited lands were returned to their owners, in others they were granted to another, but in each case the grant was made in recognition of the person's long service, usually in the Scottish wars. The king rewarded well those who had served him well, like John de Coupland. Edward III was trying to secure the frontier by planting men who had proved their loyalty to him. Another aspect of the escheats was the change of tenure of the lands. By escheating the lands and then either restoring them to their owners or re-granting them to others the king changed the tenure of the lands as, they were now held '*in capite*'. This gave the king a greater control over his tenants-in-chief. Many of these estates had become so sub-infeudated that the tenants seemed to have had more loyalty to their overlord than to the king, who was a remote figure in London. In this the king was following the example of his ancestor Henry I, who in his efforts to conquer the north, created large baronies for his faithful supporters. It was not only to reward them, but primarily, to defend and control this troublesome frontier. Now Edward III was doing the same thing in a different way.

The political aspect of the escheats is, thus, emphasised when they are viewed in the light of the king's war plans, particularly his war with France. The Nessfield escheats continued all the time the king was overseas, and even after he returned in 1360.<sup>59</sup> For, although there was a lull in the French war, the Scots remained a continued threat. Nessfield's presence and activities in the north would have maintained the king's power and authority as a warning to any would-be collaborators. He would also have kept the king fully informed of what was happening in the northern counties. It seems certain that Nessfield was sent into the north as his 'agent' to root out any treasonable sympathy for the Scots.

There is another curious fact connected with the appointment of William de Nessfield as escheator north of Trent. Although his appointment as escheator for the four northern counties was from 22 May 1357 to 12 May 1363, Lancaster was not added until 7 October, 1361 and lasted till 10 August 1362. All the time that the escheats for treason was being pursued in Yorkshire, Northumberland, Cumberland and Westmorland, that is, from 1358 to 1363, there were no escheats for treason from Lancashire.<sup>60</sup> The addition of Lancashire in 1361 coincided with his being made Chief Steward by John of Gaunt, the king's son, when he inherited the title and estates on the death of his father-in-law, Henry of Grosmont, Duke of Lancaster in 1361.<sup>61</sup> As the charge of treason in 1358-1363 could only be applied to the Scots, it is, therefore, understandable that the other counties of England were not troubled by similar escheats. The Nessfield escheats were intended to carry a blunt and tough message to the

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<sup>59</sup> *CPR 1358-1361*, 365

<sup>60</sup> *List of Escheators for England and Wales*, List and Index Society, vol. 72 (Public Record Office, 1973), 186

<sup>61</sup> Walker, *Lancastrian Affinity*, 30; *CPR 1361-1364*, 149



magnates, knights, gentry and all local landowners, large and small alike, in the counties of Yorkshire, Northumberland, Cumberland and Westmorland. It was implicit in the escheats. The clear message was, that on the merest breath, hint or suspicion of treason, whether proven or not, if it pleased the king so to do, he would take away their lands. It would have been a very foolhardy landowner who assisted the Scots in the face of such a warning.

## **Chapter 4**

### **The Economic Factors**

As if the Scottish wars were not troubles enough for the people of Northumberland, the beginning of the fourteenth century ushered in a period of unrelenting suffering and misery. It were as if nature was conspiring with the forces of war to heap misery upon misery on the people of the north. The natural disasters of torrential rain, bad harvests, famine, drought and livestock diseases culminated in the great plague of 1348, which not only affected England, but the whole of Europe as well.

England in the early fourteenth century was predominantly rural, and its economy was based on agriculture, both arable and pastoral, together with their allied products and industries. As the three physical factors governing an agricultural economy are soil, climate and topography, the crops grown in a one area could be dictated by the quality and condition of the soil; in another, it might be the amount of rainfall. The height above sea-level was another factor that determined the type of farming that could be pursued. The soil and height of a region were fixed by quality and position, but the climate was variable and unpredictable. So, while climatic changes affected the whole of England, its effects were different from one region to another and each suffered according to the type of agriculture it pursued, whether arable or pastoral. Hence, one region could be suffering dire hardship while another might not be affected at all.

Any discussion of the economy of the early fourteenth century must begin with the article by Ian Kershaw in which he identified and expanded the many disasters which

together made up the agrarian crisis.<sup>1</sup> Writing in 1973, he dealt with the subject chronologically and defined the extent of each disaster, how widespread it was and how severely the various regions of England were affected, subject to the amount and type of evidence available. His conclusions are of importance, especially as they have been confirmed by later historians writing on the economy of the fourteenth century. The agrarian crisis was, 'not a single entity. It must be seen as a succession of arable and livestock disasters'.<sup>2</sup>

The catalogue of economic disasters began with a run of bad harvests from 1310 to 1314, which was then followed by a terrible harvest in 1315 due to torrential rainfall. The price of grain rose dramatically. A further harvest failure in 1316, pushed the price of grain even higher, and there was a desperate famine. Excessive rainfall and lack of sunshine also affected the production of salt causing the price to soar. The good harvests of 1317 and 1318 brought some relief, but another bad harvest in 1321, pushed grain prices up again, nearly to its 1317 level. This time the reason was lack of rainfall. The years of famine had lowered the resistance of the population to disease and a type of enteric sickness became endemic in 1316. At the same time as the famine depleted the human population, a great sheep murrain decimated the flocks, affecting the lambs and yearlings, thus slowing down any chance of a swift recovery. The worst of the crisis, in Kershaw's opinion, was the cattle murrain, probably rinderpest. It was the most disastrous stage of the agrarian crisis as it destroyed the ploughing teams of oxen, which were the means of production in arable farming. This meant that recovery was further retarded.<sup>3</sup>

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<sup>1</sup> I. Kershaw, 'The Great Famine and Agrarian Crisis in England 1315-1322', *Past and Present* 59 (1973), 3-50

Having dealt with the various stages of the agrarian crisis and the effects of each stage on both arable and pastoral farming, Kershaw attempted to assess how the crisis affected landed society, those who owned the land and those who worked it. The landless and the poor farmers, who in good years only managed to eke a meagre living from the soil, were the first casualties of the famine. The larger tenants with substantial land-holdings fared better than the smaller tenants, whose existence was just above the poverty line. The same situation applied to the larger landowners, who having vast estates spread over different counties, and who therefore practised more than one form of agriculture, were the least affected. Like the tenants of small holdings, the lesser landowners suffered much more from the vagaries of the weather and pestilence. Kershaw equated the plight of these landowners with that of the less prosperous monasteries and states that for both groups, the crisis years did bring great hardships.<sup>4</sup>

W.C. Jordan confirms Kershaw's findings on the progression and consequences of the agrarian crisis from the famine of 1315 to the Black Death. Writing about conditions in early fourteenth century Europe during the same period, his book is valuable for the insights he gives into how the various groups of people tried to alleviate the worst effects of the crisis. As it is to be expected, the poor suffered the most, for not having the resources or the resilience to withstand the food shortages, they just starved to death. However, the agrarian crisis affected more than just the poor; everyone suffered in one way or another. As Jordan claims, everyone was affected by the cost-of-living, the landowners (the producers) and the land tillers (the tenants) alike. Inflation, caused by the rise of grain prices due to the bad harvests, badly hit the income of all landowners. Those lords who farmed their own demesnes found that they were unable to produce

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<sup>2</sup> Ibid., 16

<sup>3</sup> Ibid., 29

<sup>4</sup> Ibid., 29

enough for their own consumption, and had no surplus to sell at a profit as they had previously been able to do. Those who had rented out their demesnes found that their tenants were unable to pay the rent. Jordan sums up the economic plight of the landowners, hit by the twin terrors of inflation and reduced production as 'even the greatest seigneurs with large resources found it difficult after the first year or so of bad weather and bad harvests, to maintain profit levels. Lesser producers, but still great men and great institutions, fared significantly worse. Yet the most horrendous fiscal experiences were those of minor lords whose profit margins were already low.'<sup>5</sup> Added to this cost-of-living crisis, the knightly families in Northumberland, who were mainly 'lesser lords', had to endure the almost continuous raids of Robert Bruce and the payment of 'protection' money, to their deepening impoverishment.

Another of Kershaw's findings, was that not all regions were equally affected at the same time, and even within the same region, not all landlords were affected in the same way or to the same degree. To the few major landlords the agrarian crisis was nothing more than a disturbed passing phase. With so many variables, such as the climate, geographical position, topography, population distribution and type of agriculture, it is not easy to form a definite assessment of the agrarian crisis. He drew attention to the one region in England where any assessment of the agrarian crisis was virtually impossible, which was the north of England, due to the special circumstance of war which had been in progress since 1296. According to Kershaw, therefore, it would appear that there was a scale of differing effects caused by the agrarian crisis on the economy and society in the early fourteenth century, with the greatest suffering being borne by the poorest and diminishing with the upward gradation of wealth and land. However, there does not appear to have been a breaking-down of the social structure of

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<sup>5</sup> W. C. Jordan, *The Great Famine: Northern Europe in the Early Fourteenth Century* (Princeton, 1998),

society. The agrarian crisis, itself, did not cause a crisis in the knightly families; the social structure remained the same after the crisis. The only region to suffer *social dislocation*, as Kershaw points out was the north of England, which was due entirely to the war and the political situation between England and Scotland.<sup>6</sup> Writing in 1980 J. L. Bolton confirmed the findings of Kershaw but extended the period covered by the crisis caused by adverse climatic conditions from 1315 to 1325, and not just 1315-1317.<sup>7</sup> He agreed with Kershaw that the sheep and cattle murrains not only affected pastoral farmers, but struck at the very heart of arable farming.

Following hard on the heels of the agrarian crisis, the fourteenth century was to suffer one of the worst disasters of medieval times, the Great Plague known as the Black Death. The Black Death arrived in England in the summer of 1348. According to Rosemary Horrox, nearly half the population died in something like eighteen months.<sup>8</sup> Although there were wide regional variations, R. Lomas puts the figure for the county of Durham at over 50%. Comparing the figures quoted by him for the estate of the Bishop of Winchester at 66%, the manor of Gladstonbury abbey at 55%, the parish of Halesowen at 40%, Cuxham, Oxfordshire and Colstock, Cornwall between 60% to 70%, Kibworth Harcourt, Leicestershire and Oakington, Cambridgeshire in excess of 70%, it seems likely that the overall figure of around 50%, could be true for the whole of England, including Northumberland. Lomas also made a distinction between the various groups in medieval society with the farming population suffering the highest death rate of over 50%, while the monks and clergy a lower rate of 45% and the great

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<sup>6</sup> Kershaw, 'Agrarian Crisis', 48; Cf. Scammell, 'Robert I and the North of England' and Miller, *The War in the North*.

<sup>7</sup> J.L. Bolton, *The Medieval English Economy 1150-1500* (1980), 182

<sup>8</sup> *The Black Death*, ed. Rosemary Horrox (Manchester, 1995), 3

landowners a mere 27%.<sup>9</sup> In Northumberland in 1349, a petition was sent to Nostell Priory by the parishioners of Belford for permission to have a cemetery at Belford as they were so far from the parish church at Bamburgh, that death and pestilence were threatening them.<sup>10</sup> Similarly in January 1349, a petition was made by the abbot of the convent of Newminster to the bishop of Durham, for permission to appropriate to themselves the perpetual advowson of the church of Whelpington as 'their houses were laid in ashes, their lands wasted by the frequent inroads of the Scots, and their tenantry so spent and weakened by the pestilence and contagious diseases that they were unable either to maintain their household and repair the dilapidated buildings.'<sup>11</sup> A survey taken in Northumberland in 1353, revealed the sites of twenty waste cottages at Seaton Delaval which were attributed to the recent presence of the Black Death.<sup>12</sup> Also in Northumberland, a survey taken in 1377 states that there were lands in Cowpen that had lain waste and tenantless 'from the time of the first pestilence'.<sup>13</sup>

The immediate result of the Black Death was a shortage of labourers, which consequently pushed up wages, and it became unprofitable for landowners to farm their own demesnes, and there was a move out of demesne farming into rents. At the village of Hartley in Northumberland in 1353, ten cottages were waste and tenantless, and the landowner, Thomas de Heton, leased his demesne to the ten customary tenants of the manor. By doing so, he doubled his profits on the demesne and, by relieving the husbandry tenants from labour services, he was able to increase the rent of each husbandland.<sup>14</sup> However, Bolton suggested that this was happening before the Black Death; that landowners were becoming rentiers before 1348. He argues that after the

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<sup>9</sup> R. Lomas, 'The Black Death in County Durham', *Journal of Medieval History* 15 (1989), 130-1

<sup>10</sup> *NCH* I, 385

<sup>11</sup> Hodgson, *Northumberland*, III, ii, 79

<sup>12</sup> *NCH* IX, 192

<sup>13</sup> *Ibid.*, 312

population increase of the late thirteenth century, there was a contraction in the economy and trends for a decline were already evident in the first half of the fourteenth century and that the Black Death merely accelerated them.<sup>15</sup> That this was happening in Northumberland is demonstrated by an entry in the Tynemouth Chartulary, fol.35, whereby at Cowpen in 1323, the bondage system had broken down and tenants could only be obtained by some security of tenure being assured to them. Henceforth bondage holdings were demised for life, and for greater security, the terms of the demise were recorded on the court roll.<sup>16</sup>

Many historians have put forward their own theories for the decline in population after 1300. The Malthusian theory stated that nature controls the population by a system of checks and balances. This argument purports that famines and diseases keeps the population at a figure which the land is able to support. Postan propounded his theory that the population declined because the land could not support the population because of soil exhaustion. This might have been true for some areas like the marginal lands where the soil was poor anyway, but is not necessarily true for all land left untilled or waste. Other factors such as lack of tenants or lack of oxen for ploughing might have been the reason. Malthus' theory and Postan's, both relied on exogenous factors. Recent studies, however, have recognised that there might be other reasons to be taken into consideration when determining demographic trends. These are the endogenous factors of the fertility rate, the age at which people marry and the death rate. While no definite conclusions are drawn, the study does open the subject of population expansion and contraction to different interpretations.<sup>17</sup>

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<sup>14</sup> Ibid., 114

<sup>15</sup> Bolton, *Medieval Economy*, 181



The sufferings of the populace were further exacerbated by yet another burden on a shrinking economy. This was of a financial nature but its cause was political and was brought about by two reasons. One reason was the Anglo-Scottish war and the other was the characters of the English kings, Edward I and Edward II. To pay for the war instigated by Edward I and allowed to continue under Edward II, the country was subjected to heavy and continued taxation. Bolton argues that 'it was the poor who had to pay'.<sup>18</sup> Through long years of practice, the wealthy were able successfully, to avoid paying taxes by either bribery of officials or the purchase of exemptions. They were also not above threatening the tax-collectors with violence, which must have had an inhibiting effect on the zeal of any tax-collector. Such methods being denied the poor, they were forced to pay or have their goods distrained. Being poor they also had no access to redress and were, therefore, forced to suffer the corrupting practices of the tax assessors and collectors. In the north, where the raids of Robert Bruce created the greatest destruction, the counties of Cumberland, Westmorland and Northumberland were exempt from certain taxes because of the damage done by the Scots. Northumberland did not pay any tax in 1309 and in 1313 the people of Cumberland, Westmorland and Northumberland paid nothing. This exemption prevailed for the rest of the reign of Edward II. The northern counties were also exempt from paying the tax imposed by Edward III in 1327. Northumberland again paid nothing to the subsidy granted in 1332, although Cumberland and Westmorland were required to pay. In 1334 the three border counties again were exempt, but in 1336 the tax was imposed on Northumberland, Cumberland and Westmorland.<sup>19</sup> This is confirmed by the petition from the people of Northumberland to the king requesting a pardon for the tax about to be levied. In 1333 and 1334 respites in the collection of the tax were made, and in

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<sup>16</sup> *NCH* IX, 312

<sup>17</sup> *Before the Black Death*, ed. B.M.S. Campbell (Manchester, 1991), Introduction.

<sup>18</sup> Bolton, *Medieval Economy*, 184

1335 the three northern counties were again specifically excluded. However, on the 20 August 1336 the collectors were ordered to collect the tax in these counties. The petition states that Northumberland had been wasted by the Scots.<sup>20</sup> Thus, since 1307 the county of Northumberland was recognised as being unable to pay any taxes, and it was not till 1336 that it was deemed capable of doing so.

Coupled with taxation to pay for the Scottish war, the country was subjected to a system of prises or purveyancing, by which foodstuffs and goods were commandeered by the king's officials to feed and equip the army. Like the tax-collectors the purveyors were corrupt and were the cause of many petitions to the king for redress, relief or just for payment which was in most cases long overdue. There was, however, in one respect a difference between taxation and purveyancing. Taxation was at a fixed rate throughout the country, the clergy being taxed at a different rate. Purveyancing on the other hand, was not imposed equally over the whole country. Some counties were ordered to provide grain and livestock on more than one occasion. The counties most affected by the war during the reign of Edward I from 1296 to 1307 are listed by Prestwich, showing that the greatest burden fell on Yorkshire, Lincolnshire and East Anglia.<sup>21</sup> What made the system of prises so unpopular and onerous was, not only that some counties were providing more than others, it was the whole range of abuses of the system by the purveyors, the bailiffs, the sheriffs and all the other officials involved in its collection. Edward I did try to mitigate the hardship to the poorer farmers by laying down certain safeguards, and in 1298 he sent out justices in pairs to enquire into and punish corrupt officials.<sup>22</sup> A reiteration of the many abuses of purveyancing is contained in an article by Maddicott, in which he suggested that the most common were

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<sup>19</sup> J.F. Willard, 'The Scotch Raids and the Fourteenth Century Taxation of Northern England', *Univ. of Colorado Studies*, V, No.4 (1908), 237-42

<sup>20</sup> Fraser, *Northumberland Petitions*, 210-211

<sup>21</sup> M.C. Prestwich, *War, Politics and Finance under Edward I* (London, 1972) 133-134

under-payment, private profiteering and the difficulty of getting redress from a system which presented numerous opportunities for personal gain by extortions, cheating and peculations.<sup>23</sup> In the reign of Edward II all the main abuses were much more magnified in scope and incidence because of the greater number of purveyors, the quantities of foodstuffs demanded by the Crown, the new powers given to the purveyors and the break-down of central control. Also, the system of assessment adopted in the reign of Edward I had disappeared.<sup>24</sup> The abuses of the system had reached such proportions that the magnates incorporated in their Ordinances of 1311 a clause which called for the abolition of prises. Although the aristocracy and gentry largely escaped the burdens of prises, as their contribution was deemed to be of a military nature, nevertheless they feared that the oppressive and callous methods used by the purveyors would cause the peasants to revolt. This they saw as being a very real threat.<sup>25</sup>

Northumberland, though it had been laid waste by the Scots so that it could not pay its taxes, did not escape the attentions of the purveyors. In 1312 Alan de Shirburn complained to the king about non-payment for goods and provisions taken by three of his purveyors. Ralph Sprey had seized 60 sheep and 10 oxen which had cost him £10 at Hetton in Northumberland. He had been given tallies for 115s 6d, and although he had sued, he had not been paid. Another purveyor, Peter le Pulton had also taken sheep and a gelding at Hetton for 15s which Peter had not paid him. The third purveyor, John le Squeler had taken brush wood and trees at Hetton for the king's needs, and although he had received tallies, he had not been paid.<sup>26</sup> Purveyancing was not the worst of the situation in Northumberland with regard to crops and livestock. The English army

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<sup>22</sup> Ibid., 129-131

<sup>23</sup> J.R. Maddicott, 'The English Peasantry and the Demands of the Crown 1296-1341', *Past and Present*, Supplement 1 (1975) 27-28

<sup>24</sup> Ibid., 56

<sup>25</sup> J.R. Maddicott, *Thomas of Lancaster 1307-1322* (Oxford, 1970), 106-7

<sup>26</sup> Fraser, *Northumberland Petitions*, 115

when campaigning in the north tended to live off the land. In 1333 when Edward III lay siege to Berwick-upon-Tweed, and the Queen was at Bamburgh, the people of Belford had their crops completely destroyed and their beasts had perished in the storms for lack of houses. Some had lost cows, sheep and oxen and damage had been done to buildings. One building belonging to a widow had been burnt for firewood by the army and a part of another house had been pulled down to burn in the king's kitchen. The total cost of the damage was £49 19s 4d.<sup>27</sup> Visiting armies were not the only cause for concern. A more constant problem were the castles. Being a border county, it was necessary for the defence of the realm to have garrisons of fighting men stationed at the castles. These garrisons lived off the surrounding country-side to the detriment of the landowners and the tenants alike. In 1319 Nicholas de Swinburne petitioned the king for employment in the Royal household as his lands had been burnt by the Scots, he had been captured and had to be ransomed, and the garrison at Staward Pele had lived off the profits of his lands for 6 years.<sup>28</sup>

A look at the types of agriculture in Northumberland shows that the only areas of good arable lands were at Glendale and part of the coastal plain, but even these were of the lowest value when compared with the rest of England. Winter-sown wheat was the predominant crop of the plain, the Tyne valley and the Wansbeck valley. Of the spring-grown crops, oats was the most popular. Northumberland also had some of the poorest meadow, although there was some meadow land of above average quality in the lowland.<sup>29</sup> Climatically, the northern uplands were more suited to pasture, sheep and cattle being the most important livestock. There was some horse-breeding in South Tyndale and in the Umframville estate of Redesdale. Wool, fleeces and hides formed

<sup>27</sup> *NCH I*, 383-345; Cf. Fraser, *Northumberland Petitions*, 178, 199

<sup>28</sup> Fraser, *Northumberland Petitions*, No. 133

the major exports from Newcastle and Berwick.<sup>30</sup> Excessive rainfall and lack of sunshine also affected the production of salt causing the price to soar .

Two contemporary northern chronicles, the *Lanercost Chronicle* written by the Augustinian monks of the Lanercost Priory, and the *Scalacronica* by Sir Thomas Gray, are silent on the effects of the agrarian crisis on agriculture in Northumberland, and are more preoccupied with the over-riding problem of the Anglo-Scottish wars. The *Lanercost Chronicle* covers the years 1301-1346 and the original section of the *Scalacronica* the reigns of Edward I, Edward II and most of Edward III. Sir Thomas Gray's only comment on the famine years was that the shortage of grain was so bad that 'a mother devoured her son' and 'nearly all the poor folk died'.<sup>31</sup> Clearly these comments are exaggerated generalisations, and not to be taken seriously. Gray was writing in 1355 and he was reliant on his memories of what his father had told him.. In his chronicle, Gray was more concerned with the wars with Scotland and France during his lifetime. Hence, his chronicle and that of the Lanercost Priory are primarily a history of the war with Scotland.

*The Anonimalle Chronicle*, attributed to the Benedictine Abbey of St. Mary's, York, was another contemporary northern chronicle, and being so far removed from the Scottish border it might have been expected to have given more information on the effects of the agrarian crisis in the North. It mentions the great floods of 1315, and of Edward II's foolish attempts to control the prices of foodstuffs. The floods of 1315 were followed by a failure of the harvest, which pushed prices up so that 'a quarter of

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<sup>29</sup> *The Agrarian History of England and Wales 1042-1350*, ed. H. E. Hallam, II (Cambridge, 1988), 405-407

<sup>30</sup> *Ibid.*, 407-408

<sup>31</sup> *Scalacronica*, Maxwell, 65

wheat was sold for 40s and 2 small onions in Cheapside for 1 penny'.<sup>32</sup> The Chronicle deals mainly with the political situation in the country, Edward II's relations with his magnates and his disastrous Scottish expeditions. Again, much of the text is devoted to the Anglo-Scottish war.

Another chronicle written about the same time, the *Vita Edwardi Secundi*, confirms the price of wheat in London but also refers to the severity of the famine in the North, 'for a measure of wheat was sold in London and the neighbouring places for 40 shillings.....I have heard it said that that in Northumbria dogs and horses and unclean things were eaten. For there, on account of the frequent raids of the Scots, work is more irksome, as the accursed Scots despoil the people daily of their food'.<sup>33</sup>

Any assessment of the agrarian crisis on the economy of Northumberland, should heed the caveat of Professor Beresford who wrote that, 'until Northumberland agrarian history has had the attention which it seems to deserve, we cannot do more than suggest why the experience of this county should have been different from the midlands'.<sup>34</sup> Admittedly, he made this observation when writing on the subject of enclosures in the eighteenth century, but the fact remains that an agrarian history of Northumberland just does not exist. He also points out that it is unwise to speculate that what happened in one county could be applied to another. This opinion is confirmed by J.L. Bolton who, writing on the English medieval economy states 'there was indeed no one English economy, but rather a whole series of regional economies'.<sup>35</sup>

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<sup>32</sup> *Anonimale Chronicle*, 89-91

<sup>33</sup> *Vita Edwardi Secundi*, 69-70

<sup>34</sup> M Beresford, *The Lost Villages of England* (London, 1954) 174.

<sup>35</sup> Bolton, *Medieval Economy*, 235

If it is, therefore, to no profit to assume that what was happening in one county could be true of its neighbour, could it be possible to deduce the economic state of a region by the study of the two largest estates in that region? In short, could the economy of Northumberland in the fourteenth century be adduced from a study of the ecclesiastical estate of North Durham, which included Norhamshire, Bedlingtonshire and Islandshire, owned by the Priory of Durham, and the lay estate of the Percy family? To re-phrase the question, how typical were these estates, and do they represent a true picture of the rest of the landowning families in Northumberland? Lomas, in his recent book on the North-East of England suggests that the Percy and the Priory estates were typical.<sup>36</sup> So, how typical was the Percy estate of other lay estates in Northumberland in the early fourteenth century? For sheer size and wealth the Percy estate had nothing to rival it amongst the other lay landowners. Lomas admits as much when he concedes that 'the Percy estate, in fact, lies at one end of the scale.'<sup>37</sup> Furthermore a description of its distribution sets it further apart from any other, as it was a very large estate, made up of many properties spread over several counties. The only other comparable lay estate was that of the Unframvilles, who owned the barony of Prudhoe, and the liberty of Redesdale as well as lands in Cumberland and Westmorland.

Apart from the size and wealth of the Percies, other distancing factors were their social status and political influence. As Lomas has again pointed out, their social and political influence was not confined to Northumberland alone but existed in other parts of the country, and as a consequence the Percies were national figures. All these factors of landed wealth, coupled with their position and power made the Percies definitely 'atypical'.

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<sup>36</sup> R. Lomas, *North-East England in the Middle Ages* (Edinburgh, 1992) 183

<sup>37</sup> *Ibid.*, 182

The Percies had made their appearance on the Northumberland scene in 1309 when they purchased Alnwick castle from Anthony Bek, bishop of Durham. They already owned extensive estates in Yorkshire, and Petworth in Sussex. For their support in the war with Scotland, Edward I rewarded them with confiscated Scottish estates. They were given the earldom of Carrick, Urr in Galloway and Red Castle in Angus. In 1328, in lieu of a fee for 500 marks for which amount Henry Percy had contracted to serve the King for life with a given number of men, Edward III gave him the Clavering estate of Warkworth, Rothbury, Newburn and Corbridge. According to J.M.W. Bean, within twenty-five years of the acquisition of Alnwick, the Percies had become the leading landowners in Northumberland. 'It was the fourteenth century which saw the creation of the Percies' power on the Border'.<sup>38</sup> Apart from the earl of Lancaster who owned Dunstanburgh castle from 1312 to 1322, the earl of Arundel, who purchased John de Coupland's Northumberland estate in 1372, and John, earl of Richmond who, for a short time, owned the Balliol lands at Bywell, as well as Queen Philippa, who also for a short while, held Tyndale, no other Northumbrian landowner could be called a national figure. Unlike the Percies, none of the above landowners lived in Northumberland. Thus, the Percies, besides being national figures, soon became the local dominant magnates and aristocracy, being made earls of Northumberland in 1377.

The unique position of the Percies in Northumberland gave them resources and advantages, denied the lesser landowners. Firstly, because of their estates elsewhere, they were not solely dependent on their lands in Northumberland, and hence destruction of these lands by the Scots were not as disastrous as they were for the smaller landowners. Secondly, their wealth allowed them to maintain their social and political



superiority so that they were the natural choice for high military office as Warden of the Marches, an office they occasionally shared with the Umframville family.<sup>39</sup> Thirdly, by 1386, through marriage with Maud, widow of Gilbert Umframville, the Percies acquired the Lucy inheritance in Cumberland and the Umframville barony of Prudhoe in Northumberland, so that they were 'the natural Warden of the whole March', and as such 'retained plenty of fighting men to keep their own castles there'.<sup>40</sup> By the end of the fourteenth century, they had become so powerful that Richard II promoted the Neville family of Raby in Durham, to counter-balance their power in the north. Regretably, it is not possible to assess how the Percies' estate fared during the agrarian crisis, or the effects of the Black Death on it, as such evidence does not exist.<sup>41</sup> There is, however, one very important point to which Bean draws attention, and that is, on their Cumberland estates the Percies' income was derived solely from rents and farms, in both kind and money; the rents in kind being commuted for money by the mid-fourteenth century. In Northumberland, the earliest surviving accounts for the barony of Alnwick in 1314-1318, show that the income was drawn wholly from rents and farms, and that the demense had been leased to tenants, 'a feature of their economy which remains permanent'.<sup>42</sup>

If the Percy estates could not be considered 'typical' in Northumberland, was the other great estate, the ecclesiastical estate of North Durham 'typical'? As with the Percies, the Priory estates were vast and held by a landlord of immense wealth. Also as the

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<sup>38</sup> J.M.W. Bean, *The Estates of the Percy Family 1416-1537* (Oxford, 1958), 7, 11

<sup>39</sup> R.R.Reid, 'The Office of Warden of the Marches: Its Origins and Early History', *E.H.R.*, 32 (1917) 482 n.19.

<sup>40</sup> *Ibid.* 490

<sup>41</sup> Bean, *Estates of the Percy Family*, 1. 'A study of the Percy estates in the fourteenth century...would have...real value and significance. Unfortunately the nature of the evidence makes a large scale study along these lines impossible. Scarcely any accounts, manorial or central, have survived for the fourteenth century; those that do exist throw only an extremely fragmentary light upon the financial and economic position of the Percies'.

<sup>42</sup> *Ibid.* 12

greater and wealthier part of the estate lay in the county of Durham, it was far enough away from the Scottish border to escape the worst of the raids. Norhamshire and Islandshire, lands belonging to the Priory lay along the Border and in the East March, and a look at the accounts for these estates reveal much important and interesting information. From Norham the Prior of Durham usually received profits of £260 per annum, which in 1300 had fallen to £29 6s 7d. From 1300 to 1314/5 the Prior received no profits from Norham, and in 1314/5 the arrears amounted to £948 18s 7d. In spite of these arrears, Durham paid Robert Bruce £46 5s in 'protection money'.<sup>43</sup> The year 1317/8 showed an income of £66 2s and arrears of £1,218 7s 9d. In 1328 nothing was received from the mills of Norham because of the war. In 1329/30, the Prior received nothing from Bollesden which was in the king's hands, perhaps as a purveyance. The year 1330/1 saw a profit of £155 1s 11d, but the expenses included the purchase of materials for a new mill at Shoresworth, and for new crockery, wine and luxuries for the prior's visit. The tithes of corn from Tweedmouth, Orde and Allerden had been destroyed by the Scots in 1333/4, and there was no rent from the smith of Shoresworth as he had been murdered by the Scots. The Church received the tithes of hay from only Horncliffe at 5s and Twisell at 2s, the rest of the hay tithes being purloined by the king. Sir Thomas Gray was in arrears for the tithe of corn from Heton. This is the first time a lay landowner/tenant is mentioned as being in arrears.

The profit from Norhamshire had again dropped to £14 16s 1d in 1335/6. There was still nothing from Bollesden, presumably still in the king's hands. The new mill at Shoresworth was completed, and cattle must have been in short supply this year as the cost was extortionate. However, the Church bought 2 cows at 16s, ten at 66s 9d, nine at 54s 1d and 2 oxen at 21s 6d. The Scots were raiding for cattle in 1338/9, for 1 ox and 3

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<sup>43</sup> J.Raine, *North Durham*, 266

cows and the tithes were stolen by the Scots at night, together with the cattle of Sir Thomas Gray and Thomas Muschamp. In 1340 the state of the county was so bad that no one could be found to collect and take the tithe lambs to Durham. The devastation continued for in 1341 only Horncliffe, Heton, Dudloe and Tilmouth paid the hay tithe, the other places producing nothing because of the war. In spite of the drop in income, the accounts show expenditure for the 6 weeks of Lent included vast quantities of every type of fish and, an ox, a sheep and 3 suckling pigs purchased for Easter. A new fulling mill was also built at Ellingham, the cost of which was £4 16s, which was damaged by the Scots. When the repaired fulling equipment was replaced, it was then rented out at 30s per annum. A recovery of capital in little more than 3 years, was not a bad return.

In 1344/5, the mills of Barmoor and Bollesden had been destroyed. Allowance had to be made this year to William Heron, John Heron and Alan de Heton for the tithe corn from Moneton, and to William de Twisell for that of Horncliffe, destroyed by the Scots. There is an interesting item of expenditure, to Hob (a lad) for going to Ford, Crawley, Bolton, Rothbury and Berwick four times to ask William and John Heron for money, which suggests that the Herons were short of money, in arrears or in debt. In 1348/9, John Heron refused to pay his tithes. The list of debtors increases dramatically in 1360, to include Robert de Clifford for the tithes of Grendon, Hugh de Clifford for the tithes of Cornhill, Sir William Heron for those of Thornton, Robert Gray of Newbiggin for the fish tithe and Roger Heron for the tithe of Branxton. The mills of Heton, Lowick, Howburn and Barmoor were destroyed, and the mill-dam at Tweedmouth was in ruins. By 1400/1, the debtors for tithes included new names such as William de Synhoe (Cornhill), Isabella de Reveley (Kylloe), Richard de Crawestre (Tilmouth), Robert

Manners (Benington), Edmund de Heron (Bolton), Sir Thomas Gray (Barmoor), also Richard Heron and John Manners.<sup>44</sup>

The Norham accounts demonstrate clearly the prior's position as a Northumbrian landlord. The drop in income did not affect his ability to pay the money demanded by the Scots, nor did it prevent him from making capital investments in new mills or repairing the damaged ones. There also does not appear to be any cost-cutting in the purchases of food, wine and luxuries for the Church festivals. That the prior was able to re-stock his flocks is evidenced by two entries, one in 1335/6, which states that the Proctor of Norham bought 21(1-year old) sheep, to fill up the number of sheep that had died in the murrain, which was in addition to the 180 sheep left with the Proctor for stock. In 1341, 379 tithe lambs were sent to Durham, but 100 lambs were left with the Proctor.<sup>45</sup> The names on the list of debtors is interesting because they contain those of the knightly families who were the secular landlords of the county, and is an indication of the hardship they were experiencing. It can not be said that the monks of Norham or Durham were suffering poverty and hardship, despite the fluctuations in their profits.

The cell of Durham at Farne provides further instances of the Church being able to comfortably survive the war. The monks augmented their pension and other income by selling their surplus fish and fish-oil. Accounts exist from the year 1357, and in the years 1358, 1359 and 1361 they were able to send eider-duck eggs and porpoises to Durham, these items being considered luxuries. They bought silver spoons, built a new hall to St. Cuthbert, built new boats, bought a hand-mill, later building a new mill with attached house, built a new kiln and decorated the chapel of St. Cuthbert with paintings

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<sup>44</sup> J. Raine, *North Durham*, 266-276

<sup>45</sup> *Ibid.*, 273/4, 276

of the saint and of St. John. The building of the new hall to St. Cuthbert had forced the monks to borrow money. To get themselves out of debt, the monks were granted an Indulgence for the years 1361-3, to sell prayers to visitors and fishermen for which they received £12 7s 10d. It is obvious the Church had ways of raising funds not open to secular landlords. An item possessed by the monks on Farne is worth mentioning. It was a clock, bought by the monks which, with carriage to Farne, cost them 45s, presumably in celebration of the completion of the Chapel of St. Cuthbert.<sup>46</sup>

The accounts for Holy Island present an occasion when the figures given could, in part, be attributed to a cause other than the Anglo-Scottish war. This was the mismanagement of the accounts due to the age and infirmity of the prior of Holy Island. In 1326 the receipts were £117 10s 5d. In 1328 these had dropped to £69 4s. In times of peace the receipts totalled £200. The drop from 1326 to 1328 was attributed to the war. The accounts show that in 1328, the tithes of corn, usually worth £159.13s 4d were sold for £15 6s 8d. Land rents fell from £56 0s 6d to £17 14s 4d, Tweedmouth, Howburn, Lowick, Barmoor, Bowesden, Ancroft, Cheswick, Scremenston, Kylvoe and Orde paid nothing. Instead of £200 5s 10d the total was £69 4s. The prior of Durham decided to act. He appointed a monk from elsewhere to attend the prior of Holy Island in his chamber because of his extreme age and infirmity. He wrote to the monks and roundly upbraided them for their laxity in keeping the schedule of prayers, and for their treatment of the prior. He also appointed a monk from Durham to take over the accounts of Holy Island, with the instruction to restore the cell to its former dignity. The inference implicit in this appointment was that there had been serious mismanagement. In 1330, the accounts show a drop in the tithe of wool and lambs because of the murrain. No receipts are given until the year 1338/40, when the figure

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<sup>46</sup> Ibid., 344-357

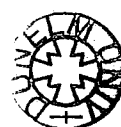
had doubled the 1328 figure to £131 17s 7d. By 1340/1 this figure had increased to £173 2s 10d and by 1341/2, it was back to its pre-war figure of £200 8s 9d. Thereafter it hovered around the £200 mark. However, it was not only the receipts that had increased, the expenses had also increased, and in 1345 and 1346, the prior was borrowing to pay his expenses. However, this did not prevent them proceeding with their building programme, or curtailing their expenditure on clothes (including furs), food, wine and imported luxuries. There were no signs of suffering or deprivation.<sup>47</sup>

The accounts of the Cathedral estates in Northumberland emphasises the wealth of the prior as a landlord. The Church could absorb its losses without having to cut its expenses or sell any of its property. Even with its losses it was still able to pay the demands of Robert Bruce, thus protecting its lands from the worst of the Scottish raids. Taking the figure of £20,000 as the total amount exacted by Bruce from the northern counties, Scammell calculates that Durham alone paid a quarter of this amount.<sup>48</sup> The greatest advantage the Prior enjoyed over the secular landlords was that as a corporate body the Church did not have the problems of death and partible inheritance. The unique position of the prior of Durham as a northern landlord is reinforced by Lomas thus 'it must be remembered that Durham Cathedral was a very large, wealthy and powerful institution with the ability and capacity to restore its own fortunes, and unlike a secular landlord, to be largely uninvolved with civil and military service'.<sup>49</sup> The other great advantage was the bishop's legal and judicial powers. R.H. Britnell sums up the pre-eminence of the bishop's position thus 'The Bishop of Durham had powers not available to most English landlords. The geographical concentration of his estates was in itself a source of strength, but that strength was further enhanced by his palatinate

<sup>47</sup> Ibid. 82-85

<sup>48</sup> Scammell, 'Robert I and the North of England', 401

<sup>49</sup> R. Lomas, *North-East England in the Middle Ages* (Edinburgh, 1992), 60



authority'.<sup>50</sup> As the king's writ did not run in the county of Durham, the only court would have been the bishop's, and here the rights of the prior as a landlord would have been upheld and enforced. The estate of the Church of Durham in Northumberland, by its size, resources, administration and the special powers vested in the bishop, could not be termed 'typical'.

While the bishop of Durham and, the Percies, particularly in the second half of the fourteenth century, were figures of national political importance, the political influence of the knightly families was mainly of a civic/ military nature and purely local. In the military sphere they were the constables of the castles, keepers of the peace, captains in the army, commissioners of array, and formed the back-bone of the defence of the Border. They also provided the officials for local government such as the sheriffs, the members of Parliament, commissioners of oyer and terminer, commissioners for investigations into civil disturbances and malpractices. In the judicial system, they were the local judges and jurors, and when taxes or subsidies were levied by Parliament, they acted as the local assessors and tax-collectors.

This point is emphasised by S. Wrathmell, who claims 'it seems unlikely that monastic policy was extensively imitated by the lay estates of southern Northumberland. They lacked many of the features necessary for its success; continuity in management; corporate identity and the unique possession of a wide variety of lands suitable for arable and pastoral farming'.<sup>51</sup> His thesis is valuable for the comprehensive list of the

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<sup>50</sup> R. H. Britnell, 'Feudal Reaction after the Black Death in the Palatinate of Durham', *Past and Present*, 128 (1990) 32

<sup>51</sup> S. Wrathmell, 'Deserted and Shrunken Villages in Southern Northumberland from the Twelfth to the Twentieth Centuries', unpublished Ph.D Thesis, University of Wales (Cardiff, 1975), 145

limited documentation available for a study of the region's economy, and the lack of evidence and information necessary to make any attempt at analysis.

The findings of Piers Dixon in his thesis on the villages of northern Northumberland, which he compares to the rest of the country are very pertinent 'the agrarian crisis of 1313-22 was the first expression of over-population and the susceptibility of an under-nourished populace to famine and disease. Yet it is difficult to separate the effects of cattle murrain from the Scottish invasion and devastations of the same period': a statement borne out by some Durham accounts which give the high price for cattle but not the reason for it. On the effects of the agrarian crisis he is more definite saying 'there is, however, little direct local evidence for the harvest failure which afflicted some parts of the country in the years 1315-1316, or for the great sheep murrain of 1313-1317'.<sup>52</sup> Dixon's findings infer that the famine and sheep and cattle murrains, were not as damaging in Northumberland when compared to the rest of the country, and that whatever damage there was, it was indistinguishable from the devastations wrought by the Scots. Similarly, of the Black Death, he suggests that it is impossible to separate its effects from those of the war and it would, therefore, be unwise to conjecture on the reasons for vacant tenements and lands lying waste etc. given in the Inquisitions Post Mortem, unless the cause was specifically stated.

Although Wrathmell and Dixon were writing about different parts of Northumberland, they both agreed that famine, plague and agricultural problems were common to all parts of England. Only war was endemic in the north, and in the absence of detailed information it would be unwise to attribute the abandonment of villages to any one

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<sup>52</sup> P. Dixon, 'The Deserted Medieval Villages of North Northumberland: A Settlement History from the Twelfth Century to the Twentieth Century', unpublished Ph.D Thesis, University of Wales (1984), 157



cause. While it might not be possible to assess or quantify the amount of damage caused by any one of the above factors, it is possible by looking at the Inquisitions Post Mortem for the fourteenth century and the petitions sent to the king by the people of Northumberland which state the cause of their distress, damage to property, lack of tenants, lands lying waste, loss of livestock etc., to build up a picture of the effects of the Anglo-Scottish war on the landowning families of the county.

Dixon makes a further point claiming that after the Black Death it was debateable whether Northumberland was tied to the national trend for the greater demand for wool as compared with corn, and that as Northumberland had large amounts of pasture, changes in the wool/corn prices were unlikely to be as critical as in the cornlands of the Midlands.<sup>53</sup> There are three possible reasons for this. Being a border county, in time of war, food was more profitable than wool. Secondly, the quality of the wool from the northern counties was so poor that it could not command a good price, and thirdly, the introduction of a staple in 1314, made the production of wool in the north even less viable.

Using the *Nonarum Inquisitiones* of 1342 as the basis for an enquiry of contracting arable lands in the early fourteenth century, A. R. H. Baker writes of the North Riding of Yorkshire, the northernmost county to be treated to his analysis, that the reasons for abandonment should not be assumed for all lands left untilled. Of 90 villis where land had gone out of cultivation, for only 5 villis was the reason given as the abandonment of land. In the North Riding, '1000 acres were not worth more than 2d an acre *propter sterilitatem terre*; at Easingwold, 200 acres lay untilled *pro defectu vaniagii* (for lack of a plough team); and at Bowes, Brignall and Maske, a total of 17 carucates lay waste,

*distructe per Scotas*'. The Scottish raids and destructions were responsible for the abandonment of arable lands in only 14 Lancashire vills.<sup>54</sup> It is evident that in 1342 there was land lying waste in Yorkshire and Lancashire caused by the destruction of the Scots.

As Northumberland was mainly pastoral, with sheep being the main form of animal husbandry, and cattle rearing on the higher slopes of the Pennines, wool, fleeces and hides were important exports and sources of income. Newcastle was the chief port in the North and it was from here that most of the trade in wool was transacted. Newcastle did quite well in the boom periods, and until 1313 was able to maintain its pre 1297 levels, but its trade in wool dropped drastically when the staple was established at St. Omer in 1314. This was due to the fact that northern wool was of a poor quality and the price it could fetch was unable to support the extra cost to ship it to the staple town.<sup>55</sup> This is supported by a petition from the merchants of Newcastle, who petitioned the king in c.1384, that the local wool was so poor it was not worth the increased custom dues and the cost of a long and perilous voyage to Calais.<sup>56</sup>

The effect of the murrain on sheep farming appears to have had a greater devastation in Yorkshire than in Northumberland. From 1311 to 1315, the flocks at Bolton Priory in the West Riding of Yorkshire, slowly declined but remained at 3000, but between 1315-1317, the numbers dropped from 3027 to only 1005 due to the disease. A further reduction during 1316-1317 brought the number to 913. After 1317 there was a slight increase, until in 1319 the number was 1132. Their wool production fell from an

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<sup>53</sup> Ibid., 154

<sup>54</sup> A.R.H. Baker, 'Evidence in the *Nonarum Inquisitiones* of Contracting Arable Lands in England during the Early Fourteenth Century, *Economic History Review*, 2<sup>nd</sup> Series, XIX (1966), 522-3

<sup>55</sup> T.H.Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge, 1977), 126-127

average of 15 to 16 sacks of wool a year to 4.<sup>57</sup> The accounts for the Durham estates in Northumberland do not give the same picture of decimation of its flocks. They were able to recover much more quickly from any loss by disease. The records of the *instaurator* (stock-man) of the prior of Durham show that after 1338 there were frequent sales of the carcasses of sheep and cattle that had died of the murrain, quite a large number being bought by the Cellarer for consumption by the monks. Their skins and hides were also sold at the same time.<sup>58</sup> As no percentages are given, it is not possible to determine the extent to which the flocks and herds were depleted by the disease. Also as there is no evidence of them being decimated, it can be assumed that recovery from the murrain did not present a problem.

The fact that the Cellarer of the Priory was buying the carcasses of diseased sheep, means that the animals which died from the murrain should not be regarded as a total loss; there was a residual value in their flesh and skins. So, unless complete flocks were wiped out by the disease, it was possible to recuperate the losses and build up the numbers within a few years. Sheep farming had two great advantages over arable and cattle farming. Sheep could be evacuated to isolated moorlands or valleys when a Scottish attack was imminent and brought back when the attackers had gone. Crops were usually destroyed where they stood. The rearing of sheep in preference to cattle had a second advantage; for as sheep could not be driven over long distances, the Scots stole cattle instead. Besides being able to travel long distances, cattle were prized by the Scots for their meat and their hides. The hides were especially useful for making saddles and light armour.

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<sup>56</sup> *Northumberland Petitions*, p 224

<sup>57</sup> I. Kershaw, *Bolton Priory - The Economy of a Northern Monastery 1286-1325* (Oxford, 1973), 83-4

As Newcastle had the monopoly for the export of wool, wool-fells and hides from the four northern counties, it has been argued that the fluctuations in its trade could be used as an index of the Scottish raids. C. McNamee writing on the effects of the Scottish war on the wool trade states 'Newcastle exports appear more sensitive to war and peace with Scotland than to movements of the staple'.<sup>59</sup> This does not appear to be the case. Using the figures produced by Carus-Wilson and Coleman,<sup>60</sup> and comparing the figures given for Newcastle with the figures for the whole of England, it is surprising how closely they follow the same pattern. It is, therefore, realistic to argue that the fluctuations in the wool trade from Newcastle was not governed directly by the war with Scotland. The sheep murrain was common to all the counties of England; The Scottish raids mainly affected the three northern counties of Northumberland, Westmorland and Cumberland. Hence, if the raids had affected the wool exports from Newcastle, the pattern of fluctuations should have been different. The fact that it was not, suggests that there was another over-riding factor which was not local. This was the manipulation of the wool staples by the English kings, as shown in Table I. The troughs were, no doubt, made deeper by the effects of the Scottish raids, but they did not cause them. The wool trade during the early fourteenth century must be seen in the context of the Anglo-Scottish, Anglo-French, Anglo-Flemish and French-Flemish wars. At times, France and Flanders supported the Scots against the English, and sometimes the Flemish sided with England against the French. Edward II altered the staple to suit his foreign policy, changing the continental staple from St. Omer to Antwerp or Bruges. The creating of home staples was another method used to control the trade and raise money for the Crown. It would appear from the Tables I, II and III that the export of wool had more to do with the Crown's foreign policy in connection with France/Flanders/Scotland, than

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<sup>58</sup> *Durham Account Rolls*, 309

<sup>59</sup> C. J. McNamee, 'The Effects of the Scottish War on Northern England 1296-1328', unpublished D. Phil. Thesis (Oxford, 1988), 108

<sup>60</sup> E. M. Carus-Wilson and O. Coleman, *England's Export Trade 1275-1547* (Oxford, 1963) *passim*.

with the internal Scottish raids. Lloyd says as much when he blames the drop to less than 21,000 sacks in 1315-16 on the outbreak of war between France and Flanders, which he describes as the 'factor immediately responsible'.<sup>61</sup> In his opinion, the most damaging effects on the English wool trade was caused by the war between France and Flanders and the internal quarrels within Flanders itself. The Anglo-Flemish disputes did not have the same damaging effect because, even when at war, the two countries were dependent on each other.<sup>62</sup> The Flemish cloth industry needed English wool, and England needed to export its wool.

The problem with Newcastle was that, although it was the main port for the northern counties, the quality of the wool was coarse and poor. Lloyd conceded that the war with Scotland must not be overlooked when analysing the trade from Newcastle, but he affirms that the fall in wool exports from this port was caused by the establishment of the staple at St. Omer in 1314. It is because of its poor quality that the exporters could not bear the competition and expense of a compulsory staple. The affect of the staple on the wool exported from Newcastle is supported by the fact that its wool exports rose dramatically whenever the overseas staple was abolished, rising more quickly than the rest of the country.<sup>63</sup> The reason for this could have been that during the years of the staple when it was unprofitable to export, the wool would have been hoarded, and exported when the staple was abolished. This fact is substantiated by a petition to the king from the merchants of Newcastle informing him that as the wool was so poor and the voyage so long and perilous, it had not been worth exporting for the previous three years.<sup>64</sup> Another petition from the wool exporters from Newcastle complained of the unfair custom dues between itself and Berwick. Most of the wool from the area was

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<sup>61</sup> Lloyd, *The English Wool Trade*, 125

<sup>62</sup> *Ibid.*, 126

<sup>63</sup> *Ibid.*, 127

being shipped from Berwick where the custom dues were only 13s 4d a sack while at Newcastle they were charged 50s. The same petition also states that for 2 years no wool was received because Northumberland, Westmorland and Cumberland where they used to trade are 'wholly burnt and destroyed'.<sup>65</sup> The merchants made repeated complaints about the piracy on the high seas between the English, Scottish, Flemish and French sailors, but this was influenced by who was at war with whom at the time.

An important feature of a rural economy was the building and maintenance of mills, which provided a profitable source of income for landlords. It was a major investment and the way the lords recuperated their capital was by making *suit of mill* a part of any tenancy agreement, a clause which compelled the tenants to grind their corn at the lord's mill for the fine of a given measure of flour known as *multure*. Using the *Inquisitions Post Mortem* for the reign of Edward II as the centre-piece of his research, and looking at the country as a whole, John Langdon has written an article on the profits made by landlords from milling. Contrary to the conclusions made by Langdon, the enforcement of milling rights was not a way for northern landlords to obtain some compensation for their losses.

He identifies four categories of mills, that is, *demense* or *seigneurial* mills, which were part of the demense and were controlled closely by the lord. Then there were the *tenant* mills, which he describes as being held from the lord in free or customary tenure of the land. The third and fourth categories were the *domestic* and *borough* mills. Domestic mills were not tied to land tenure and included the hand-mills and horse-mills owned by the tenants. Borough mills, as the name suggests, were used by the towns. He makes

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<sup>64</sup> Fraser, *Northumberland Petitions*, 223

<sup>65</sup> *Ibid.*, 225

various statements which on closer examination appear flawed. He claims, reiterating many times that it was mainly in the North, that the lords used their coercive powers over the tenants to maintain their investment in mills. The only examples he gives were the ecclesiastical houses of St. Albans, Cirencester, Halesowen and Vale Royal Abbey, and lay lords as the Ferrers and Ashbournes of Derbyshire.<sup>66</sup> These examples are not in the North, which by his description comprises of Lancashire, Westmorland, Cumberland, Northumberland, Durham and Yorkshire.

He details the ways in which the lords in the North were able to obtain high mill revenues and exploited their mills and tenants. One method was by preventing the building of rival mills. How they did this he does not say. Another method was by fixing the rate of *multure* at 1 in 13 measures, and the rigorous application of *suit of mill*. Again, he does not say how they applied this.<sup>67</sup> All the examples he gives for the enforcing of *suit of mill* are taken from the ecclesiastical sector, and he uses these to make a generalisation.<sup>68</sup> The most obvious ecclesiastical estate in the north was Durham, and most of his examples are drawn from its records, but the estate of the Church at Durham was not typical, nor was Durham a typical landlord. Durham, as well as being a county was also a Palatinate, and the lay landlords of the northern counties could not be compared to the Church at Durham in its status as a landlord. Langdon admits that the low level of *suit of mill* violations in the secular sector undermines the manorial exploitation argument, but he explains this away as being due to the apathetic and intimidated tenantry. Could the answer equally have been that the seigneurial right of *suit of mill* might have lapsed? The case of the Coupland/Heron et.al. (given in Chapter 2) is one instance of tenurial dues having lapsed. Another is

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<sup>66</sup> J. Langdon, 'Lordship and Peasant Consumerism in the Milling Industry of Early Fourteenth-Century England, *Past and Present*, 145 (1994), 17

<sup>67</sup> *Ibid.*, 19

when Walter Corbet sold his lands to the Strothers, one tenant David Baxter, refused to perform *suit of mill* at the Strother's mill.<sup>69</sup> Here again the lord's right had been allowed to lapse, and when the manor changed hands and the new lord tried to enforce his rights, he met with considerable opposition.

The *multure* of 1 in 13 was not as exorbitant as it at first appears. Northumberland was mainly pastoral with very little arable demense. Hence the northern landlord needed to have a higher rate of return in order to make it worth-while investing in a mill in the first place. Also, a mill did not benefit just the lord; the peasants needed to grind their grain somewhere. Hand-mills and horse-mills which were usually owned by tenants were too slow and laborious and, were therefore, not commercially viable on a large scale. To draw a modern analogy, a shop-keeper would have to put a higher profit on a slow-selling item, and a smaller profit on a fast-selling item, in order to make the same income from each. By the sheer number of sacks ground by the mills in the corn-lands of the south, it was possible to have a greater ratio of 1:16.

Langdon's article is also full of ambiguities. After defining *tenant* mills as those owned and built by the landlord and rented by him to a tenant as part and parcel of his tenure, Langdon subsequently writes 'tenant mills were never allowed to establish themselves (in the North). Investment was controlled more tightly by the northern lords, in particular, excluding other potential investors'.<sup>70</sup> From this the inference appears to be that *tenant* mills were those owned by the tenants, and that 'potential investors' refers to those tenants who wished to build their own mills. This point becomes very confused when trying to work out who gets the profits from the mill. When the lord rents out his

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<sup>68</sup> Ibid., 22

<sup>69</sup> NCH Vol. XI, 135-136



mill for a given rent, who gets the profits from the *multure*? If the miller had to pay the lord a rent and hand over to him all the *multure*, the miller could not live. How would the miller earn the money to pay the lord his rent if all the profits from the *suit of mill* had to be paid to the lord? On the other hand if the miller/tenant took a percentage of the *multure*, the lord did not get all the profits from corn-milling. Just as Langdon confuses his terminology in respect of *tenant* mills, he never once explains the contractual arrangement between lord and miller/tenant. The article by Richard Holt on the profits of corn-milling also evades answering this question.<sup>71</sup> Words like 'monopoly' '*multure*' '*compulsory suit of mill*' etc., are bandied about but no definite explanation is given. According to Langdon, the lord received his rent, in most cases it was an economic rent, reflecting market values; the lord also received the *multure* of his tenants by the rigorous enforcement of his *suit of mill*; what did the miller/tenant receive, and how did he pay his rent? Without knowing the terms of the tenancy, it is unwise to use the term exploitation.

Confusion again arises from Langdon's terminology of using the *tenant* mills when he really means *domestic* mills. Horse-mills and hand-mills were *domestic* mills and were owned by the tenants. By referring to them as *tenant* mills, he confuses his argument, as according to his own definition, *tenant* mills were owned by the lord and rented by the tenant. His argument relating to the use of mills for non-agricultural purposes relies on a very clear-cut definition of these two terms. The basis of his argument is that the lords were not interested in providing mills for non-agricultural use, and that it was the tenants, by the use of their own mills who developed this aspect of the industry. If, however, the tenant used the mill owned by the lord for non-agricultural purposes, the

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<sup>70</sup> Langdon, 'Milling Industry', 38

<sup>71</sup> R. Holt, 'Whose were the Profits of Corn Milling? The Abbots of Glastonbury and their Tenants 1086-1350', *Past and Present*, 116 (1987), 3-23

lord had indirectly contributed to the development of the industry. It was his capital investment that had allowed the industry to expand into different directions.<sup>72</sup>

Langdon infers that *suit of mill* was so onerous that there were some who would pay anything to be rid of it, and cites two instances of money being paid to avoid *suit of mill*. One was a community in the north at Kyloe and the other was a cartel of three townships. Again, without being given the size and wealth of the community and the three townships it is impossible to say whether the amounts they paid were extortionate or not, but one thing is certain, it must have been to their benefit to pay a commuted rent, otherwise they would not have done so.<sup>73</sup>

The period he has chosen for his research 1307-1327,<sup>74</sup> coincided with the worst of the Scottish raids when Robert Bruce was holding the northern counties to ransom. Apart from making a cursory mention of the Scottish raids in the north in a foot-note he completely disregards the effects these raids must have had on the income of those whose lands were habitually being destroyed. His only concession to them is 'for those mills in the north that were recorded as being destroyed by the Scots, the valuation before the destruction, when given, was used'.<sup>75</sup> If the valuation of a mill before 1307 was used for the whole 1307-1327 period, the figures and percentages given by him as pertaining to this mill must be badly distorted. If a mill was destroyed in 1307, its income from 1307 to 1327 would have been exactly 'nil'. Also, if the mill was destroyed it was very likely that the surrounding crops were likewise destroyed. How could any lord coerce (his word) any tenants he may have left to grind non-existent corn

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<sup>72</sup> Ibid., 16

<sup>73</sup> Ibid., 22 n.51

<sup>74</sup> Ibid., 7

<sup>75</sup> Ibid., 13 Note

in a defunct mill? He repeatedly emphasises that the mill-owners of the north coerced their tenants to use their mills, but the *Inquisitions Post Mortem* show that in many cases the tenants had fled. So, even if the lord did possess a mill, he might not have had any tenants to coerce. He also makes some wildly absurd assumptions. He states 'assuming that the four counties of Northumberland, Cumberland, Westmorland and Durham represent the peak of lordly efficiency in forcing tenants to patronise demense mills' he comes to the conclusion that the lords in the north were able to capture 90 percent of all millable grain on their manors to be ground in the demense mills. He arrives at this conclusion by basing his figures on (a) the manor population, (b) average grain consumption per person, (c) *multure* rate, (d) grain prices and milling expenses. At a time when the four northern counties were repeatedly pillaged, it would be most interesting to see his figures for just one county, Northumberland.<sup>76</sup>

Langdon's other argument is that the lords did nothing to further and develop the milling industry, especially in the building of mills for non-agricultural purposes, and that it was the demand from below that caused the industry to grow and develop. Supply must follow demand. To supply items no one wants is economic suicide. The market forces of supply and demand are as old as man himself, and it makes good economic sense to test the demand before laying out a large capital investment. So if the lords waited for enough demand before making a capital investment, it was only common sense. It is, therefore, rather pointless to heap recriminations on one group while lauding another for something which is a natural progression. A healthy economy is dependent on an interaction between the two groups i.e. suppliers/consumers.

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<sup>76</sup> Ibid., 28

The high percentage of the mill value in relation to the total value of the manor, leads Langdon to offer this as irrefutable, positive, ocular proof that the lords of the north were more coercive than their counter-parts in the south. This assumption is somewhat dented by a northern historian. Lomas, writing about the mills owned by the Church of Durham, confirms that customary tenants in the north were charged 1 measure in 13 for grinding their grain at the lord's mill, but that small freeholders were treated more leniently by paying 1 in 23 or 24.<sup>77</sup> On the subject of enforcement of their *suit of mill*, Lomas writes this of the northern lords, 'this evidence may be questioned in the light of the known tendency for landlords to become unwilling or unable, to enforce *suit of mill* against their tenants, or to prevent independent mills coming into existence, with the result that mill rents and land rents fell out of line'.<sup>78</sup> Lomas' comments run contrary to Langdon's regarding the rigorous enforcement of *suit of mill* by the lords of the north.

Another aspect of milling ignored by Langdon was the responsibility for repairs. In the north, during the period under study by Langdon, this was a very pertinent question. Should a mill be completely destroyed, a tenant could just walk away and try to find another mill to rent. The landlord could not do this. If he could not afford to repair it, he lost both the income and the capital investment. If the mill was rented to a village or a community, it was their responsibility to clear and repair the mill dam and provide the labour to carry out the repairs, but the materials were always provided by the owner. So the owner lost not only the income from the mill while it was out of use, he also had the capital expenditure of providing the materials. At a time when the war was conducted by a series of unexpected raids with the sole aim of causing optimum destruction by pillaging, burning and devastation, surely the high percentage of income from a lord's

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<sup>77</sup> Lomas, *North-East England*, 176

mill can only be used to show how little the lord derived from the rest of his estate. It emphasises his poverty, not 'the efficiency of his coercion in enforcing his tenants to use his mill'. This is the most obvious and most probable interpretation that should be made, and is the obverse of Langdon's argument. He has selected only certain aspects of milling and tried to make them fit his argument, and has allowed ideology to cloud his judgement.

Although evidence of wide-scale destruction due to the agrarian crisis for Northumberland does not exist, the economic factors should not be dismissed. Some parts of the county suffered more than others, but what records there are, indicate that the sheep and cattle murrain were not as bad as they were in the south. However, while the agrarian crisis affected all England, it was the war in the north that caused the most suffering in Northumberland. The difference between Northumberland and the rest of England had nothing to do with economic factors, it was its geographical position as a Border county.

The continual warfare in the fourteenth century was to have a long-term effect on the economy of Northumberland. In the opinion of Edward Miller, the calamities of the agrarian crisis were multiplied by the Scottish raids in Northumberland, and the troubles of the counties of Yorkshire and Lancashire were modest compared to the tribulations of the northern counties.<sup>79</sup> Given the situation with the Scots in the north, the prospect of recovery in north Northumberland was very bleak and in Edward Miller's words, 'the

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<sup>78</sup> Lomas, 'The Black Death in County Durham', 135

<sup>79</sup> *The Agrarian History of England and Wales 1042-1350*, ed. H.E. Hallam, gen.ed. J. Thirsk, II, 258-9

retreat of cultivation occasioned by Scottish raiding might well be irreversible.... and for reasons initially political rather than economic, advance had given place to retreat'.<sup>80</sup>

Thus, although the famine, murrains and the plague played their part in the sufferings of the people of Northumberland, economic historians agree that the war with Scotland in the early fourteenth century caused the greatest hardship, poverty and social dislocation. It is summed up by Professor Beresford in one sentence, 'the Scots were as destructive as the plague, and their visitations more frequent'.<sup>81</sup> It was the war and not the agrarian crisis that changed Northumbrian society and retarded the recovery and development of the land, thereby affecting the wealth of the landowning families.

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<sup>80</sup> Ibid., 159

<sup>81</sup> M. Beresford, *The Lost Villages of England* (London, 1954), 372

**TABLE I****WOOL EXPORTS FROM NEWCASTLE**

| <b><u>Year</u></b> | <b><u>(In Sacks)</u></b> | <b><u>Effects of the English/Flemish/French Relations on Wool Exports</u></b>   |
|--------------------|--------------------------|---|
| 1300               | 463                      |   |
| 1301               | 705                      |   |
| 1302               | 192                      | - Failure of the Flemish market resulted in very little being exported before Michaelmas. The disturbances in Flanders in summer 1302 undoubtedly accounted for most of the wool exports that year. |
| 1303               | 582                      |   |
| 1304               | 1240                     |   |
| 1305               | 2057                     | - Real explosion in exports following the peace between France and Flanders.  |
| 1306               | 1683                     |   |
| 1307               | 1561                     |   |
| 1308               | 1436                     |   |
| 1309               | 1124                     |   |
| 1310               | 1042                     |   |
| 1311               | 877                      | - 'Battle' of Graunzon in Brittany. English merchants at war with the Flemish merchants. Deterioration of Anglo-Flemish relations, resulting in fall in exports.                                    |
| 1312               | 1022                     |   |
| 1313               | 606                      | - Rumours of first compulsory staple of wool at St.Omer. Royal Ordinance 30 May, 1313.  |
| 1314               | 1085                     | - Renewal of war between Flanders and France. Count of Flanders seeks friendship with England. Flanders and France make peace. Wool staple fixed at St.Omer.  |
| 1315               | 367                      | - War between Flanders and France resumed. Removal of staple from St.Omer. Staple established at Antwerp.   |
| 1316               | 478                      |   |
| 1317               | 202                      | - Staple at Antwerp. Returned to St.Omer after June 1317.   |
| 1318               | 306                      | - Request of Flemish envoys for a transfer of the staple to Bruges.   |
| 1319               | 115                      | - Decision to enforce the St.Omer staple more strictly.   |
| 1320               | 408                      | - Trouble between English and Flemish merchants because of the severity of enforcement of the staple. Enquiry by John de Charlton, mayor of the staple.   |
| 1321               | 325                      | - Power taken by Thomas of Lancaster. Flemish envoys go home.   |
| 1322               | 141                      | - Defeat of Thomas of Lancaster. Death of the Count of Flanders.  |
| 1323               | 365                      | - Truce between England and the new Count of Flanders.  |
| 1324               | 673                      | - Truce continues.  |
| 1325               | 733                      | - Staple established at Bruges.   |

|      |         |   |   |
|------|---------|---|---|
| 1326 | 1010    | - | A number of staples created in England at London, Newcastle, York, Lincoln, Norwich, Winchester, Exeter, Bristol, Shewsbury, Carmarthen, Cardiff, and three towns in Ireland. Wool to remain for forty days in staple town before shipment. |
| 1327 | 1591    | - | Complaints of confederations of native merchants to force down the price of wool suppliers. Ordinance of Staple(Home) re-issued.  |
| 1328 | 597     | - | 1 March, 1328 - Writs issued for home staples to be continued.<br>1 April, 1328 - All staples, home and abroad were abolished.  |
| 1329 | 2164    |   |   |
| 1330 | 1909    |   |   |
| 1331 | 1931    |   |   |
| 1332 | 1997    | - | Wool exporters had tried to set up an illegal staple at Bruges, and to compel all exporters to use it. Confederation composed of East Anglian and Yorkshire merchants, <u>not Newcastle</u> .   |
| 1333 | 956     | - | Because of the above, home staples were re-established in the former staple towns. Subsidy of 6s.8d. for denizens, 10s. for aliens. Fall in exports.  |
| 1334 | 1491    | - | Home staples abolished from 4 June.   |
| 1335 | 889     | - | Staple not revived until later.   |
| 1336 | 911     | - | 12 August - Orders sent to Customs to prevent export of wool. Ban on export. Beginning of monopoly by King. Royal monopoly.   |
| 1337 | 359     | - | 30,000 sacks of wool (almost the whole nation's stock) was taken by the King, Edward III. A Royal purveyance. Start of the Hundred Years War with France.   |
| 1338 | 1305    | - | Parliament granted the King 20,000 sacks, being the remainder of the sacks purloined by the King in 1337.   |
| 1339 | 1547    | - | King asks Parliament for further financial assistance. Magnates grant him a tenth of all their produce in exchange for the abolition of the <i>maltote</i> of 40s.  |
| 1340 | 1081    | - | Commons granted the King a ninth lamb and fleece. Towns paid a tenth, merchants etc., paid a fifteenth.   |
| 1341 | 491     | - | No wool collection made in Northumberland or Newcastle.   |
| 1342 | 597     | - | No wool collection made in Northumberland or Newcastle.   |
| 1343 | Farmed- |   | Wool trade in a state of crisis.  |
| 1344 | "       |   |   |
| 1345 | "       |   |   |
| 1346 | "       |   |   |
| 1347 | "       |   |   |
| 1348 | "       |   |   |
| 1349 | "       |   |   |
| 1350 | "       |   |   |

(Export figures taken from E.M. Carus-Wilson and O.Coleman, *England's Export Trade 1275-1547* (Oxford, 1963)

Effects of the Anglo/Flemish/French war on the wool trade taken from T. H. Lloyd, *The English Wool Trade in the Middle Ages* (Oxford, 1977)



**TABLE II****Wool Exports from Newcastle****Year (In Sacks)**

|      |                  |
|------|------------------|
| 1300 | 463              |
| 1301 | 705              |
| 1302 | 192*             |
| 1303 | 582*             |
| 1304 | 1240             |
| 1305 | 2057             |
| 1306 | 1683             |
| 1307 | 1561             |
| 1308 | 1436             |
| 1309 | 1124             |
| 1310 | 1042             |
| 1311 | 877              |
| 1312 | 1022             |
| 1313 | 606              |
| 1314 | 1085             |
| 1315 | 369              |
| 1316 | 478              |
| 1317 | 202              |
| 1318 | 306              |
| 1319 | 115*             |
| 1320 | 408              |
| 1321 | 325              |
| 1322 | 141*             |
| 1324 | 673              |
| 1325 | 733              |
| 1326 | 1010             |
| 1327 | 1591             |
| 1328 | 597              |
| 1329 | 2164             |
| 1330 | 1909             |
| 1331 | 1931             |
| 1332 | 1997             |
| 1333 | 956*             |
| 1334 | 1491             |
| 1335 | 889              |
| 1336 | 911*             |
| 1337 | 359*             |
| 1338 | 1305             |
| 1339 | 1547             |
| 1340 | 1081             |
| 1341 | 491              |
| 1342 | 597              |
| 1343 | -                |
| 1344 | Farmed till 1350 |

**Wool Exports from England****Year (In Sacks)**

|      |                  |
|------|------------------|
| 1300 | 31630            |
| 1301 | 34608            |
| 1302 | 16809*           |
| 1303 | 31383*           |
| 1304 | 32538            |
| 1305 | 46382            |
| 1306 | 41412            |
| 1307 | 41628            |
| 1308 | 36843            |
| 1309 | 40355            |
| 1310 | 34898            |
| 1311 | 37668            |
| 1312 | 38558            |
| 1313 | 36950            |
| 1314 | 32080            |
| 1315 | 32514            |
| 1316 | 20850            |
| 1317 | 27887            |
| 1318 | 27444            |
| 1319 | 21641*           |
| 1320 | 30849            |
| 1321 | 29869            |
| 1322 | 18393*           |
| 1324 | 23040            |
| 1325 | 25138            |
| 1326 | 18824            |
| 1327 | 25815            |
| 1328 | 19498            |
| 1329 | 31509            |
| 1330 | 29343            |
| 1331 | 34015            |
| 1332 | 37079            |
| 1333 | 28377*           |
| 1334 | 34623            |
| 1335 | 34134            |
| 1336 | 18257*           |
| 1337 | 4310*            |
| 1338 | 19532            |
| 1339 | 41846            |
| 1340 | 19879            |
| 1341 | 18633            |
| 1342 | 22844            |
| 1343 | 13408            |
| 1344 | Farmed till 1350 |

(Export figures taken from E.M.Carus-Wilson and O.Coleman, *England's Export Trade 1275-1547* (Oxford, 1963))

**TABLE III****WOOL EXPORTS FROM NEWCASTLE**

| <b><u>Year</u></b> | <b><u>(In Sacks)</u></b> | <b><u>Effects of the Scottish Raids on Wool Exports</u></b>   |
|--------------------|--------------------------|---|
| 1300               | 463                      |   |
| 1301               | 705                      |   |
| 1302               | 192                      | - No raid.  |
| 1303               | 582                      | - Scots raided Cumberland.  |
| 1304               | 1240                     |   |
| 1305               | 2057                     |   |
| 1306               | 1683                     |   |
| 1307               | 1561                     | - Scots raided Northumberland.  |
| 1308               | 1436                     | - Truce.  |
| 1309               | 1124                     | - Truce.  |
| 1310               | 1042                     | - Edward II's invasion of Scotland.   |
| 1311               | 877                      | - Ed. II's invasion of Scotland. Bruce's raids commence. Two raids in 1311.   |
| 1312               | 1022                     | - Bruce raids Northumberland.   |
| 1313               | 606                      | - Bruce raids Cumberland in 1313-14.  |
| 1314               | 1085                     | - English defeated at Bannockburn, 23-24 June.  |
| 1315               | 367                      | - Scots invade Durham in June. Hartlepool burnt.  |
| 1316               | 478                      | - Scots invade Richmond through Tyndale and Durham. Visited Lancaster and Furness.  |
| 1317               | 202                      | - Gilbert de Middleton's rebellion. No Scottish raid.   |
| 1318               | 306                      | - Scots raid Northumberland and Durham. Scots capture Berwick. Hartlepool attacked.   |
| 1319               | 115                      | - Ed. II lays siege to Berwick. Battle of Myton. Boroughbridge attacked.  |
| 1320               | 408                      | - Truce for 2 years.  |
| 1321               | 325                      | - Truce.  |
| 1322               | 141                      | - Three Scottish raids on Durham, Lancashire and West Riding of Yorkshire.  |
| 1323               | 368                      | - Start of 13-year truce.   |
| 1324               | 673                      | - Truce.  |
| 1325               | 733                      | - "   |
| 1326               | 1010                     | - Truce. Bruce attacks the castles of Alnwick, Dunstanburgh, Carlisle and Norham.   |
| 1327               | 1591                     | - Ed. III and the Stanhope campaign. Scots ravage Northumberland. Siege of Norham.  |
| 1328               | 597                      | - Treaty of Northampton.  |
| 1329               | 2164                     | - Death of Bruce.   |
| 1330               | 1909                     | - Ed. III resumes full royal power.   |
| 1331               | 1931                     | - David Bruce crowned King of Scots.  |
| 1332               | 1997                     | - Dupplin Moor - 'the disinherited' Henry Beaumont, David Strathbogi, Richard Talbot, Gilbert Umframville, Ralph Stafford, John and Alexander Mowbray, John Felton, Henry Ferres and his two brothers, Thomas Ughtred, Nicholas Beche and Robert Winchester support Edward Balliol. They win the battle of Dupplin Moor. Edward Balliol crowned King of Scots at Scone. |

- 1333 956 - Berwick besieged by Ed.III and Edward Balliol. Archibald Douglas, Guardian of Scotland raided Cumberland. Scots raid Northumberland. Battle of Halidon Hill. Scots defeated. Berwick falls to Ed.III.
- 1334 1491 - Ed.III claims the 2000 librates of Scottish soil promised to him by Ed. Balliol, which consisted of 8 counties - Berwick, Roxburgh, Selkirk, the three Lothians, Peebles and Dumfries. 1334-1335 - Roxburgh campaign when the Scots rebelled. Scottish raids.(The winter campaign). David Bruce arrives in France.
- 1335 889 - Summer campaign into Scotland.
- 1336 911 - Battle of Culbeam. English defeated under David Strathbogi.
- 1337 359 - Ed.III repairs and garrisons his castles in Scotland - Jedburgh, Locmaben, Stirling, Edinburgh. Scots recaptured all the Border castles and destroyed them.
- Start of the Hundred Years War with France. Andrew Moray raided Cumberland and Northumberland. Also circled Carlisle and burnt the Bishop of Carlisle's manor at Rose. Richard Fitz-Alan made captain of the English army. Failed to capture Dunbar. Scots forced a truce till 1339.
- 1338 1305 - Ed.III sailed for France.
- 1339 1547 -
- 1340 1081 - Earl of Moray released from prison in England (he had been in prison since 1335). John Randolph, earl of Moray recovers his lordship of Annandale.
- 1341 491 - Edinburgh castle taken by the Scots. David Bruce and his queen, Joan return to Scotland from France (he was 17 years old). Ed.III also returns to England and spends Christmas at Melrose. Ed.III returns to France.
- 1342 597 - David Bruce ravaged Northumberland as far as the Tyne. Captured the castles of Stirling and Roxburgh.
- 1343 - - Hostilities renewed.
- 1344 Farmed - "
- 1345 " - "
- 1346 " - In July, David Bruce and John Randolph raided Cumberland and Westmorland. Liddell Castle taken. Exacted blackmail from Cumberland and Westmorland. Quartered at Lanercost Priory. Sacked Hexham Priory. Camped at Bearpark in Durham. Captured at the Battle of Neville's Cross
- 1347 "
- 1348 "
- 1349 "
- 1350 "

Export figures taken from E.M. Carus-Wilson and O. Coleman, *England's Export Trade 1275-1547* (Oxford, 1963)

Scottish raids 1307-1328 taken from C.McNamee, *The Effects of the Scottish War on Northern England 1296-1328* (Oxford, 1988)

Scottish raids 1327-1335 taken from R.Nicholson, *Edward III and the Scots- The Formative Years of a Military Career 1327-1335* (Oxford, 1965) Scottish raids from 1335-1346 taken from R.Nicholson, *Scotland- The Later Middle Ages*, Vol. II, The Edinburgh History of Scotland (Edinburgh, 1993)

## Chapter 5

### War and Its Impact on the Community

It is the irony of history that when Edward I began his subjugation of the Scots to English rule, he could not have envisaged that three centuries later the two kingdoms would be joined together, not under a King of England, but a King of Scots. Although the war which began in 1296 was to rumble on throughout the fourteenth, fifteenth and sixteenth centuries, it was the first three decades of the fourteenth century that were to have the greatest effect on the northern counties.

A foretaste of the devastations that were to characterise these decades began in 1296 and 1297. In 1296 the Scots led by the earls of Douglas and Moray, entered Northumberland through Redesdale and the Tyne valley destroying Hexham Priory and Corbridge.<sup>1</sup> After the Battle of Stirling Bridge, William Wallace turned his attention to Northumberland. In the words of the *Lanercost Chronicle* 'the Scots entered Northumberland in strength wasting all the land, committing arson, pillage and murder, and advancing as far as the town of Newcastle, from which, however, they turned aside and entered the county of Carlisle. There they did as they had done in Northumberland, destroying everything, they returned into Northumberland to lay waste more completely what they had left at first.'<sup>2</sup> A detailed account of the raid of 1297 is given by C. J. McNamee in whose opinion, Wallace's raid was 'a prolonged exercise in devastation and a barely controlled quest for plunder', and differed from the later raids of Robert

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<sup>1</sup> *NCH*, Vol. X, 77/8

<sup>2</sup> *Lanercost*, 190-1

Bruce in motive and strategy.<sup>3</sup>

After the death of Edward I in 1307, Robert Bruce raided the north of England at will. Northumberland was devastated in 1311, when Corbridge, Haltwhistle and Tyndale were destroyed. In 1312 he burnt Hexham and Corbridge, and Durham was sacked. Spurred on by their victory at Bannockburn, the Scottish raids became more daring and they penetrated deeper into England. In November 1314, Northumberland was again destroyed with fire, and Durham having paid protection money, the Scots passed through the bishopric into Yorkshire. In December 1314, Northumberland was again devastated, and Tyndale did homage to Robert Bruce. The following year Durham was again invaded and the Scots plundered Hartlepool. In 1316, the Scots entered England as far south as Richmond and money was exacted from the town in order to prevent more damage than had already been done. The castles of Berwick, Wark, Harbottle and Mitford fell to the Scots in 1318, and the Scots again devastated Northumberland as far as Newcastle. In May 1318, the Scots burnt Northallerton, Boroughbridge and Ripon. In 1319, while Edward II was laying siege to Berwick, the Scots invaded as far as Boroughbridge when they were opposed by the Archbishop of York and his unlikely army of townsfolk and clergy which they defeated at the Battle of Myton. In 1322 the Scots narrowly missed capturing Edward II at Rievaulx Abbey. Having plundered the monastery, they wasted the countryside as far as Beverley.

The reign of Edward III began with the disastrous campaign of 1327, after which the Scots harried the whole of Northumberland. The Treaty of Northampton brought an

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<sup>3</sup> C.J. McNamee, 'William Wallace's Invasion of Northern England in 1297', *Northern History*, 26 (1990), 40-58

uneasy truce which was broken in 1332 when Edward Balliol with those English lords who had had their Scottish estates confiscated, made a bid to regain them.<sup>4</sup> This action instigated a new phase in the Anglo-Scottish war which continued until the end of the sixteenth century, but the raids were never to be of the same frequency, ferocity and audacity as they had been at the time of Robert Bruce.

The chronicles of the time, of which the *Lanercost* and the *Scalacronica* are the most important, do not give much information about individuals or their families. They are, primarily, valuable sources as a record of events, battles, sieges, treaties, alliances and the politics of the war, but are unconcerned about the families who were the pawns in this conflict of kings, queens, bishops and castles. Their comments on the physical and economic hardships caused by the war are of a general nature, and it is, therefore, necessary to look elsewhere for information of the impact of the war on the people of the north.

The war affected the people of Northumberland in two ways. The damage to buildings, crops, livestock and harvested stores was physical and immediate; the other effect was more long-term and indirect, the ramifications of which touched every aspect of their lives. The damage to property was tangible and to some extent could be recorded and assessed in the many *Inquisitions Post Mortem* of that time. However, these cannot be relied upon to give a true assessment as, has already been mentioned, unless the *Inquisition Post Mortem* specifically states that the damage had been caused by the Scots, it should not be *ipso facto* attributed to them. Uncultivated lands and areas of

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<sup>4</sup> *Lanercost*, 216-273 passim.

waste due to lack of tenants could have been caused by the agrarian crisis. Nevertheless, the *Inquisitions Post Mortem* do give a picture of the state of the countryside during that time. It is unnecessary and would be extravagant to cite every Inquisition Post Mortem from 1307 to 1329, but a selection should suffice to show the effects of the destruction which caused many estates to be totally valueless in terms of rents or produce.

An Inquisition Post Mortem taken in 1318 on the death of Lucy de Dilston states that the manor of Dilston worth £40 a year, now returns nothing because all lands lie waste, because of the war.<sup>5</sup> In the following year the manor of Hibburn was worth nothing, and at Yandhill, rents worth £6. 13s. 4d. plus a watermill, were worth nothing.<sup>6</sup> Spindleston and Budle was worth nothing in 1320 as 'the said towns are entirely destroyed and burned by the Scots'.<sup>7</sup> Also in 1320, in an inquisition made in response to a complaint by Agnes, widow of John de Eure, it was found that her share of two parts of the manor of Lynmouth, held of the barony of Bywell, as well as the manor of Cocklaw, and all her lands at Trophill, Mitford, Edlington, Newton Underwood, Benridge, Berwick Hill, Corbridge and Hayden were 'now devastated by war'.<sup>8</sup> On the death of Richard de Cramlington in 1323, half the manor of Cramlington, including the mill, had been burnt and totally destroyed by the Scots.<sup>9</sup> In 1324, the inquisition taken on the death of Christiana de Lilburn showed that the manor of West Lilburn and a capital messuage with 400 acres of land at Shawdon, had been destroyed by the Scots

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<sup>5</sup> *C.Inq.P.M. Edward II*, Vol. VI, 57, No.74

<sup>6</sup> *Ibid.*, 126-7, No.207

<sup>7</sup> *Ibid.*, 145, No.241

<sup>8</sup> *Ibid.*, 206, No.339

<sup>9</sup> *Ibid.*, 221, No.373

and was now worth nothing. It also stated that she held 'no other lands'.<sup>10</sup> In the same year the Inquisition Post Mortem of David de Lanton showed that a messuage and five bovates of land at Lanton were wasted.<sup>11</sup> When Robert de Raymes died in 1325, it was found that Bolam, Aydon and Greenleighton were worth nothing.<sup>12</sup>

The property of John Comyn at Tarsset in Tyndale was extensively destroyed. In an inquisition taken on the 24<sup>th</sup> July, 1326, it was stated that the manor and orchard were destroyed, and the demense lands, meadows, mill and schielings lay waste and tenantless.<sup>13</sup> The Inquisition Post Mortem taken on the death of Robert de Umframville, earl of Angus, in 1325, reveals a catalogue of destruction of his lands. His castle and manor of Prudhoe had been completely destroyed, as were most of his lands in other parts of Northumberland.<sup>14</sup> A similar account of destruction and waste is given in the inquisition taken on the death of David de Strathbogi, earl of Athol, in 1327. The manor of Mitford and the site of the castle were 'wholly burned', and in Ponteland, Little Eland, Callerton and Mason the manor and tenements, tofts and bondages were 'similarly devastated'.<sup>15</sup>

Besides the inquisitions taken on the death of a landowner or those who were the king's tenants, inquisitions were also taken for other reasons as when lands were confiscated by the king for treason. These miscellaneous inquisitions provide interesting information on the estates of the lesser landlords. For example when the lands of

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<sup>10</sup> Ibid., 278, No. 471

<sup>11</sup> Ibid., 289, No. 489

<sup>12</sup> Ibid., 373, No. 597

<sup>13</sup> Bain, *CDS* Vol. III, 160, No. 886

<sup>14</sup> *C Inq.P.M. Edward II*, Vol. VI, 378-382, No. 607

<sup>15</sup> Ibid., 479-481, No. 759



Walter de Selby were escheated for his part in the rebellion led by Gilbert de Middleton in 1317, the escheator north of Trent, Robert de Sapy, found in 1318, that the manor of Seghill held by Walter de Selby of the Prior of Tynemouth abbey, although worth £23. 16s. in peacetime, was now worth only 20s. as it had been 'wasted by both English and Scots'<sup>16</sup> The state of the lands and properties of John de Middleton, involved with his brother Gilbert in the rebellion of 1317, reveals the anger and frustration that must have fuelled the rebellion. The inquisition taken in 1319, lists manors and tenements so badly destroyed that they were worth next to nothing.<sup>17</sup> An inquisition in 1323 showed that a third part of the manor of West Swinburn, worth £6. 13s. 4d. yearly in time of peace, was worth nothing.<sup>18</sup> In the same year, 2 messuages, 120 acres of land and 6 acres of meadow in Colwell, worth 6 marks yearly, were now worth nothing.<sup>19</sup> A few years later, in 1330, an inquisition found that John de Middleton, the rebel of 1317, had held a toft and 30 acres of land in West Swinburn, which were worth 10s., but now nothing.<sup>20</sup>

The town of Edrington, which belonged to Berwick Castle, was worth 20 marks yearly, but was worth nothing 'owing to war'.<sup>21</sup> When John de Clifford inherited Ellingham and Newstead in 1339, the manor house at Ellingham was in ruins and only a third of the 90 acres of demense had been sown. All the rest was lying waste, uncultivated and tenantless. The manor court was worthless because of the poverty of the tenants at Newstead and the damage done by the Scots.<sup>22</sup> About the year 1336, the thriving port

<sup>16</sup> *CIM 1307-1349*, 91, No. 365; Bain, *CDS* Vol. III, 116, No. 610

<sup>17</sup> *CIM 1307-1349*, 96, No. 389

<sup>18</sup> *Ibid.*, 168, No. 673

<sup>19</sup> *Ibid.*, 168, No. 673

<sup>20</sup> *Ibid.*, 277, No. 1121

<sup>21</sup> *Ibid.*, 354, No. 1453

<sup>22</sup> *C Inq.P.M. 13 Edward III*, 1<sup>st</sup> Nos. 29

of Alnmouth was almost entirely destroyed, so that only one inhabitant, whose goods amounted to 5s, paid the subsidy for that year.<sup>23</sup> It would be tedious and to no great profit to cite every inquisition where the Scottish raids had reduced the value of lands and buildings to nothing, but the inquisition taken in September, 1324, on the death of Aymer de Valence, earl of Pembroke, of his lands in Northumberland present such an appalling picture of destruction, that it justifies being quoted in full

'There used to be -it is stated- in the manor of Felton in time of peace a capital messuage worth 10s a year, now worth nothing, because burnt by the Scots. There are there 260 acres of land in demesne, each acre worth 6d in time of peace - sum £6. 10s. - now worth nothing because wholly laid waste and uncultivated; 18 acres of meadow, each worth yearly in time of peace 12d., now nothing on account of the poverty of the tenants and the default of buyers. There used to be tenants in burgage who held burgages who paid yearly in time of peace 46s., now they only pay altogether 8s. yearly at Martinmas and Whitsuntide, on account of destruction of the Scots. There used to be other free tenants who paid yearly 4s. 10d., 11lb cummin, besides 1.1/2d. in time of peace, now they pay nothing because the tenements which they held are utterly waste and uncultivated. There used to be five cottages which paid yearly in time of peace 10s. now there is only one paying 6d. at the said terms. There used to be an oven paying yearly 10s. now nothing because it is burnt by the Scots. There is a water-mill which used to be worth in time of peace £6. 13s. 4d. now only 40s. A forest and park of which the agistment used to be worth yearly in time of peace 66s. 8d. now nothing by default of animals. There used to be three tenants who used to make a paling round the park and keep watch for two nights yearly at the time of the fair of Mitford, and now they do nothing on account of their poverty. The pleas and perquisities of court worth in time of peace 10s. are now worth nothing'.<sup>24</sup>

As the above inquisition illustrates, it was not only the landowners who were affected.

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<sup>23</sup> *Subsidy Roll, 1336*

<sup>24</sup> *C Inq.P.M. 17 Edward II, No. 75.* Given in full in *NCH* Vol. VII, 234-5, from where it has been quoted.

Pembroke's tenants, and tradespeople like the baker, miller and park-keepers were deprived of their living. Their abject poverty can not only be imagined; it can almost be felt. The selection of inquisitions given above show that it was not only one group of landowners that suffered, but all, from those who possessed estates of many manors, to those who owned only one or two.

It would be appropriate, in fairness, to mention that the Scots were not the only ones to cause distress and destruction; the English army was not above contributing its share to the suffering, as when in 1333, King Edward III laid siege to Berwick, leaving Queen Philippa at Bamburgh Castle. The people of Belford petitioned the King that 'their growing corn had been utterly destroyed and their beasts had perished for lack of shelter'. A subsequent inquiry found that many acres of wheat, oats, peas and rye had been destroyed and cattle lost to the total value of £49. 19s. 4d.<sup>25</sup> Another example of the damage caused by both the English and the Scots, is contained in an inquisition dated 1318, where the manor of Seghill, worth £23.16s. in peacetime was worth only 20s.<sup>26</sup> The inquisitions deal mainly with the condition of a person's estates, and the income, or rather the lack of income from them. They are not concerned with the human element, that is, how the families survived the war, or the ways in which they were affected and to what extent. To the soldier, the risks were firstly of a physical nature. They faced being killed or maimed; they could be captured and held to ransom, or they could have their horses, armour and weapons stolen. Equally, those not involved in the actual fighting but whose living was derived from the land, also suffered, as did those people in trade in the towns; all were affected economically in some way. Their problems are highlighted in the petitions they sent to the King or his

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<sup>25</sup> *Calendar of Inquisitions ad Quod Damnum 7 Edward III*, No. 5; *Northumberland Petitions*, 178 and 199 No. 177

<sup>26</sup> See note 16 above.

Council. However, as with the inquisitions, certain caveats have to be borne in mind when using these as sources of evidence. Depredations are likely to be exaggerated, particularly when the petitioner hopes to gain by it.

As in any war in any age, the defence of the border separating the two sides, is of paramount importance and in Northumberland in the fourteenth century the building of defence towers, the fortifications of manor houses and, the strengthening of castles were essential. In 1326, Thomas Fetherstanhalgh appealed to the King for help in completing Staward Pele, which he had contracted to build for £100, but as timber and stone were difficult to transport, and there were no stores, and the term of the contract was running out, he was now in need of assistance.<sup>27</sup> Understandably, as building materials were in short supply and transport a problem, keeping the king's castles in repair was not an easy matter as Roger Mauduit, sheriff of Northumberland in 1332-4 discovered. Petitioning the king's council, he states that the decay of the castle of Newcastle-upon-Tyne was such that 'there is no house whole and no gate can be closed'.<sup>28</sup> Repairs to the castle at Newcastle was the subject of another petition from John de Thinden, king's clerk, who states that, although he had been engaged in the work of repair for two and a half years and exceeded the amount of £100, the work still to be done was 'to the keep which lacks its roof and may decay unless speedily repaired, as well as the gates and drawbridges which are very weak'. He sought leave to claim his expenses and instructions regarding further work.<sup>29</sup>

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<sup>27</sup> Fraser, *Northumberland Petitions*, 25, No. 21. The dating of this petition is incorrect. In Fraser, *Northumberland Petitions*, 276, the correct date of June/July 1326, is confirmed.

<sup>28</sup> *Ibid.*, 31, No. 26

<sup>29</sup> *Ibid.*, 99, No. 79

Philip Dixon comments on the relatively few number of castles in Northumberland at the beginning of the war in 1296. Considering this was a border county, Northumberland had only two royal castles at Bamburgh and Newcastle-Upon-Tyne; two ecclesiastical castles at Norham and Durham, and the baronial castles at Wark-on-Tweed, Wark-on-Tyne, Prudhoe, Elsdon and Alnwick, which were the *capita* of the baronies or lordships. There were, however, other *capita* which were not castles, but were fortified manor houses or halls. These he identified as being built before 1300, by men of wealth, who not being of the nobility themselves, were almost in every case connected to the older families. During the early fourteenth century most of these halls were devastated, like Aydon, Tarsset and Shortflatt, to name a few. Some were rebuilt later, but others were never repaired. The fourteenth century saw a proliferation of 'pele' towers or 'basles', which were built mostly in the lowland area and became the homes of the lords of the manor. It is the opinion of Dr. Dixon that the majority of the new buildings were built after 1350 after the devastations of the earlier Scottish raids and when the landowners were able to afford the expenditure.<sup>30</sup> The findings of Dr. Dixon suggest that in 1296, when the war with Scotland erupted, Northumberland was ill-prepared as far as fortifications were concerned and that the raids of the early fourteenth century were so destructive, that economically the county did not recover until the later part of the century.

Keeping the castles repaired was one problem, keeping them garrisoned was a greater one, particularly as wages were generally in arrears. The risk of mutiny is clearly hinted at in the petition from John de Felton in 1317, in which he requests leave to claim the garrison's wages from the Wardrobe 'as most of the garrison is staying in

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<sup>30</sup> P. Dixon, 'From Hall to Tower: The Change of Seigneurial Houses on the Anglo-Scottish Border after

town until satisfied and the castle is in great danger'.<sup>31</sup> To sustain themselves, some garrisons lived off the surrounding countryside as the petition of Nicholas de Swynburne states. He asks for assistance 'as the garrison of Staward Pele have lived on the profits of his land these six years, thereby rendering him unable to serve the king on the defence of the March'.<sup>32</sup> Not only were the constables and keepers of the king's castles seeking help, Robert de Umframville, earl of Angus, requested help in maintaining Prudhoe castle, and for £316.13s.4. owed to him by the Wardrobe 'for arrears of the wages of men-at-arms, retained by agreement with him on the Scottish March'.<sup>33</sup>

As a certain amount of notoriety surrounds the petition from the men of Bamburgh ward against the constable of Bamburgh castle, Sir Roger de Horsley, it warrants comment. It is a much quoted petition in support of the charge that the constables of the English castles were no better than the Scots in their treatment of the common people. About 1315, the petition by the people of Bamburgh ward to the king contained three distinct complaints. One was that the constable was demanding an equal sum of £270 from them, which was the amount demanded by the earl of Moray for a truce. Secondly, the constable was making a further demand of 12d. for a plot of ground within the castle, and thirdly, the castle officials were exacting purveyance charges. Taken on face value this petition presents a picture of appalling extortion and despair. There is, however, another side to this situation which has been put forward by Dr. Fraser in her summary of Section II.<sup>34</sup> As she explains, Sir Roger Horsley was himself a petitioner to the

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c.1250', *Thirteenth Century England*, IV (Woodbridge, 1991), 85-108

<sup>31</sup> Fraser, *Northumberland Petitions*, 145, No. 131

<sup>32</sup> *Ibid.*, 159, No. 133

<sup>33</sup> *Ibid.*, 163, No. 138

<sup>34</sup> *Ibid.*, 15

King for pay and arrears amounting to £258.8s.4d.<sup>35</sup> Fraser suggests a comparison with a similar petition from the poor people of Cumberland and Westmorland, where the constables were demanding 6s.8d. for three nights lodging.<sup>36</sup>

That the war affected the community as a whole and not just certain individuals or groups in isolation, is shown by the following multiple petition. John de Bolton, who had served Edward I and Edward II in the Scottish wars and lost two brothers in the same wars, was requesting payment of arrears of wages of £153.4s.6. and for replacement of horses. In the same petition, Robert de Bollesdon required payment of £27, and William de Bollesdon of £8 for arrears of wages. The poignancy of the petition is in the plight of the fourth petitioner 'Joan, the widow of Sir William de Muschance, who was captured at Stirling [Bannockburn] and his son taken as hostage until he raised a ransom of £200, for repayment of money so that her son may be released.'<sup>37</sup>

The war made life particularly difficult for widows who were reduced to living on two thirds of their husband's estates which, in many cases represented their sole income. If these lands had been destroyed by the Scots, their situation soon became desperate. The petition of Elizabeth, countess of Angus, states that her lands in Northumberland were wasted and her tenants killed and requests the £50 granted to her be assigned on the customs of Newcastle and Hartlepool. The petition was ineffectual and she was forced to petition again four years later as it was still in arrears. Another such widow was Alice, widow of Sir Guischart de Charron killed at Bannockburn, who petitioned

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<sup>35</sup> Ibid., 162, No. 137; 173, No. 149

<sup>36</sup> Ibid., 15

the king for 'succour as the enemy had devastated her lands'<sup>38</sup>

Ransom was a financial risk that became all too real and commonplace among the landowning families. John de Hesilrigg was captured at Bannockburn where he lost armour and goods worth 200, was imprisoned for 2 years and ransomed for 200 marks.

John de Fasudon had had his home burnt twice by the Scots, been captured twice and was heavily in debt to pay his ransom. Robert de la Vale was captured at Bannockburn and ransomed for 500 marks and was near destitution. Capture and ransom was not restricted to the fighting men. In his petition in 1318, Huwe Gray states that he had served the king and his father in the Scottish wars and had been captured thrice, but at the capture of Berwick, his wife and children were taken by the enemy and without aid he cannot ransom them. Nicholas de Swynburn, because his lands 'have often been burnt by the Scots and himself captured and ransomed' requested a place in the king's household or in a religious house in London or nearby. Likewise, Luke de Warton, who was wounded, taken captive and ransomed for 44 marks, had to mortgage his lands, and requested a place in St. Leonard's Hospital, York. Henry de Oggle also became indebted to his friends on account of his capture and ransom and he requested payment of the 100s 10d. owed to him.<sup>39</sup>

The burden of ransom beside being onerous, was made worse by the fact that it was liable to happen more than once, as was the case with Fasudon and Huwe Gray above. Some of the better endowed landowners were reduced to asking the king for assistance

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<sup>37</sup> Ibid., 167, No. 143

<sup>38</sup> Ibid., 189, No. 164; and 165, No. 140

<sup>39</sup> Ibid., 140, No. 115; 143, No. 117; 148, No. 122; 158-9, No. 132; 159, No. 133; 160, No. 134; 161, No. 135n



as in the case of the lord of Ellingham, Sir Robert Clifford. He complained that he was captured at Bannockburn where he was ransomed for £100, lost horses and armour to the value of 100 marks and was despoiled for 6 years landed rents worth £100. He asked for a grant of £62 a year from the farm of King's Cliff (Northants.).<sup>40</sup> Ransom was a grim fact of life in a border county. There was no choice, but to pay the sum demanded, and for the families whose wealth was in their estates, this meant either selling or mortgaging their lands. Whatever the means, it usually ended with them losing their properties. The pitiable state to which some families could be reduced is brought home forcibly by the petition of William Robyson of Rothbury, who was captured and held to ransom for 10 marks, and who requested the Chancellor of England for a licence to beg, as he stated 'without the aid of his neighbours, he can neither live nor pay his ransom and requests a protection to solicit alms for his ransom as a work of Christian charity'.<sup>41</sup>

While ransom was not a problem for the merchants, they experienced troubles of a different kind. These involved the king's system of prises and purveyancing. Thomas de Carliol of Newcastle requested the king for his debt of £60 to be offset against the £126 owed by the king for 'victuals seized for the king's need'.<sup>42</sup> He was still petitioning the king a year later. Thomas de Carliol was probably a member of the great Newcastle family of Carliol who, with the Scot family, dominated the political and economic life of Newcastle for many years. The office of Mayor was regarded by them as theirs by right.<sup>43</sup> Food was not the only commodity to be seized by the king. In 1334, John de Denton of Newcastle and Wiliam Emeldon, parson of Bothal, being joint

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<sup>40</sup> Ibid., 161, No. 136

<sup>41</sup> Ibid., 224, No. 184

<sup>42</sup> Ibid., 89, No. 68

executors of the will of Richard Emeldon, killed at Bannockburn, were petitioning the king for payment of £26. 13s. 4d. for 'cloth bought by Edward II in 1313-4'.<sup>44</sup> John de Denton was a notable figure in Newcastle politics. He was thrice Mayor, in 1333, 1336, and 1341. He was a collector of wool in the county of Northumberland and the collector of wool taxes, as well as being an exporter of wool. A purveyor of provisions for the English army, and a collector of the 1336 Subsidy. He used his many offices to amass a fortune. In doing so, he also made many bitter enemies, who when they had the power to do so, had him arrested, tried and imprisoned. As a result of the treatment he received, he died in prison in 1344.<sup>45</sup> William de Emeldon fared much better. He was the nephew of Richard de Emeldon. In March 1338, the king commanded him to be given the Scottish benefice he had promised him. In 1342 William appended his seal to an indenture between sir Gerard de Widrington and the earl of Arundel, for service on the Scottish march. By an indenture made in 1347 between the king and himself, he accompanied Edward Balliol to Scotland as his chancellor in charge of the king's Great Seal. He was rewarded for this service to the crown in 1348 when the king confirmed him in his church at Bothal, his prebends at Chester and at Norton (Durham), as well as his benefices at Berwick and in Scotland.<sup>46</sup>

Farmers were another obvious group targeted by the king's purveyors. Food, horses, brushwood and trees, were the basis for the complaint by Alayn de Shireburn. He accused Rauf Spray, the royal purveyor of flesh and fish in Northumberland of seizing, at Hetton for the king's need, 60 sheep and 10 oxen worth £10, and although he had

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<sup>43</sup> C. M. Fraser, 'The Life and Death of John de Denton', *AA*, 4<sup>th</sup> Series, 37 (1959), 305

<sup>44</sup> Fraser, *Northumberland Petitions*, 98, No. 78

<sup>45</sup> Fraser, 'John de Denton', 304-325

<sup>46</sup> Bain, *CDS*, Vol. III, 201, No. 1117; 204, No. 1131; 230, No. 1259; 254, No. 1389; 272, No. 1292; 280, No. 1532.

sued, he had received no repayments. Peter le Pulter had taken from Alayn at Hetton, 15s. for sheep and a gelding, for the king's need, and had promised payment. Also taken from the same Alayn at Hetton by John le Squeler, brushwood and trees for the king's need, for which he seeks payment.<sup>47</sup> The suppliers of food and other provisions were not the only ones to be defrauded by the king's officials. In 1315, an inquisition was ordered by the Barons of the Exchequer because of a complaint by the garrison of Berwick. In the complaint the garrison accused Ranulph de Benton, keeper of the king's stores, and his two clerks, of selling victuals from the stores and sending them to Newcastle; of using false measures by which they kept one-fifth for themselves; and of buying bad victuals for the soldiers while selling the good for their own profit.<sup>48</sup>

Lawlessness flourished in Northumberland, and as shown in the petitions, there were many instances where the law was openly flouted and the authorities were either unable or unwilling to redress the wrongs. In 1328, Michael de Presfen, who was bailiff of the manor of Wark-on-Tweed, had the rents collected by his deputy, a sum of £13, seized by the Scots at a time of truce, and the warden of the truce would not compensate him for this loss.<sup>49</sup> Fear of violence meant that justice and the law could not be administered, for in 1321 the poor men of Northumberland requested the king to appoint local men as justices of assize because 'for twelve years no justice had dared to enter the county on account of the war'<sup>50</sup> The Scots were not always the perpetrators of this lawlessness. In this climate of general disorder, lawlessness was endemic and all manner of men committed violent acts against their own people, even neighbours. Thus in 1330, Agnes, widow of Adam of Yetlington, accused the sheriff of

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<sup>47</sup> Fraser, *Northumberland Petitions*, 115, No. 90

<sup>48</sup> CDS Vol. III, 80, No. 427.

<sup>49</sup> Fraser, *Northumberland Petitions*, 92, No. 71; Bain, CDS, 174, No. 966

Northumberland, Sir John de Lilburn, of seizing all her husband's goods after 'he had been killed by a neighbour'. When she sought to recover the goods, the sheriff arrested her and put her into Newcastle goal until she paid him 4 marks for her release. Her complaint to the justices of enquiry, Sir Peter Middleton and William de Denum proved ineffectual. Her final assertion that 'as long as Lilburn remains sheriff, she will have neither law nor reason', was all too familiar.<sup>51</sup>

The claim that England in the Middle Ages was 'outstandingly lawless' is debated by Barbara Hanawalt in her book on crime for the period 1300-1348. Unfortunately because of the amount and type of evidence available, her research was restricted to only eight counties, the northernmost being Yorkshire. Her statement that Yorkshire 'bore the brunt of the civil and Scottish wars',<sup>52</sup> is to ignore the border counties of Northumberland, Cumberland and Westmorland where the Scottish raids inflicted the most devastation. Predictably, her research showed that during the years of food shortages, crimes such as theft and burglary increased, as did crimes of violence like murder and homicide during periods of warfare. Many of the crimes of violence were the settling of old scores under cover of an enemy raid. The recruitment of murderers, felons and outlaws into the army was not conducive to law and order. Due to the quantity, type and source of her material, any attempt at analysis within, or comparison between, counties was impossible and her findings were inconclusive. In respect of the paucity of evidence, she admits the difficulty she faced, namely, 'where does one find evidence of the prevalence of crime?....But, having just presented an entire book of criminal statistics, I still cannot answer the question.....Without population figures,

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<sup>50</sup> Fraser, *Northumberland Petitions*, 116, No. 92

<sup>51</sup> Ibid., 121, No. 98

<sup>52</sup> B. Hanawalt, *Crime and Conflict in English Communities 1300-1348* (New Haven, 1979), 231

the evidence must be indirect.<sup>53</sup> However, lack of evidence is not proof that crime did not exist; it was the law that was inadequate, inefficient, and frequently, corrupt.

Lawlessness was not new to Northumberland, for it had long been known that certain parts of the county had enjoyed a notoriety for their criminal activities, namely, Redesdale and Tyndale. There are many reasons for this. Geographically, Northumberland has the longest frontier with Scotland and topographically, this frontier passes through some of the bleakest, most barren and desolate countryside in England. This meant that criminals escaping justice in England, could cross the border into the safety of Scotland unhindered and at will. Other reasons were administrative, judicial and political. The county was divided into five liberties, which were self-administrative, and importantly, where the king's writ did not run. Three of these were ecclesiastical, North Durham (consisting of Norhamshire, Bedlingtonshire and Islandshire) was the province of the Bishop of Durham, Tynemouth, was under the jurisdiction of the Prior of Tynemouth Priory, and Hexhamshire, belonged to the Archbishop of York. Of the remaining two, Redesdale was in the lordship of the Unframville family and Tyndale was the estate of the kings of Scotland. North Durham, Redesdale and Tyndale were regalian liberties where the lords had very extensive powers and privileges. Thus, the criminal fraternity could commit a crime in one liberty and escape arrest by residing in another. C.M. Fraser and K. Emsley have explained how and who administered these liberties, the rights and privileges of their lords, their institutions, customs, justices and courts.<sup>54</sup> However, they do not give an analysis of the number and type of crime, nor whether the figure was high or low and

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<sup>53</sup> Ibid., 270

<sup>54</sup> C.M. Fraser and K. Emsley, 'Law and Society in Northumberland and Durham, 1290 to 1350', *AA4*, 47 (1969), 47-70

how Northumberland compared with other counties.

Two examples will show how the lords of these liberties acted. The liberty of Redesdale had long been noted for its lawlessness, and in 1292, its lord, Gilbert Unframville, first earl of Angus, had a long list of charges brought against him from private persons who had complained to the king. He proved very adept at avoiding justice to the chagrin of his accusers. His infamy was such that Hodgson advises that 'it should not be forgotten that he put himself at the head of his Redesdale subjects, as a great captain of spoilers, ready at his word to go out on any errand of violence or outrage'.<sup>55</sup> He condemns the liberty as being 'the prolific mother of all disorders, the crimes, and the peculiarities for which the population here was so long notorious'.<sup>56</sup>

Tyndale was another liberty notorious for its lawlessness. One reason for this was its close proximity to Redesdale, where the lawlessness of one spilled over into the other. Another was that it was ever in the hands of absentee lords. The King of Scots, whose liberty it was from 1237, never resided there. After confiscation it was in the hands of the following, Anthony Bek, Sir John Darcy, Queen Philippa and, later, her son Prince Edmund, all too far away to keep law and order. About the year 1300, the bishop of Durham, Anthony Bek used archers from Tyndale in an act of violence against the prior of the Convent of Durham, with whom he was in dispute. The archers battered down the gates of the priory, entered the court, broke down the doors and chests of the cloister and refectory, looting the contents. They dragged the Prior from his stall and

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<sup>55</sup> Hodgson, *Northumberland*, Part II, Vol. 1 (Frank Graham Reprint, Vol.2, Newcastle-Upon-Tyne, 1973), 26

<sup>56</sup> *Ibid.*, 28

imprisoned him for three days.<sup>57</sup> A detailed account of the violence perpetrated against the prior and monks of the Convent, and the torture inflicted on the prior is given in the *Registrum Palatinum Dunelmense*.<sup>58</sup> Thus, the lords, lay and religious, instigated, sanctioned and condoned lawlessness.

Two over-riding factors that had an immediate and burgeoning effect on lawlessness, was the Scottish war and, in particular, the humiliating defeat of the English at Bannockburn. The second was the indifference of Edward II to the plight of his subjects in the North. The dissatisfaction caused by his inactivity led to the county being over-run by 'free-booters' who preyed on their own neighbours, and which finally erupted into the rebellion led by Sir Gilbert de Middleton in 1317. This point is emphasised by Prestwich as being one of the main causes for the rebellion, 'The Rushyford robbery was in part the result of the confused and lawless state of the north of England, ravaged by Scottish raids and afflicted by poor harvests followed by famine. It also had its roots in the disaffection of a group of northern knights in the king's service'.<sup>59</sup>

It is the contention of Ralph Robson that the rising of the English clans in the fifteenth and sixteenth centuries had their origins in the lawlessness of the first half of the fourteenth century.<sup>60</sup> In 1342 the common people of the county of Cumberland petitioned the king's Council that during the truce, men from Tyndale, in the lordship of

<sup>57</sup> C.M. Fraser, *A History of Anthony Bek, Bishop of Durham 1283-1311* (Oxford, 1957), 143-144. .

<sup>58</sup> *Registrum Palatinum Dunelmense*, IV, viii-xi. Here the violence authorised by Bishop Bek is catalogued, including 'dragging the Prior from his stall, imprisoning him for sixteen weeks, and tormenting him day and night *super collum suum ceram calidam degut- 'tanjem' [sic]* (dripping hot wax onto his neck ) so that he, believing himself to be dying, sought confession'

<sup>59</sup> Prestwich, 'Middleton', 194

Queen Philippa, had crossed into Scotland through Cumberland to pillage and steal, returning at night to Tyndale. As the evil-doers could not be pursued within the franchise of Tyndale, the people of Cumberland had been distrained to make redress.<sup>61</sup>

In January, 1343, a commission was issued to Gilbert de Umframville, lord of Redesdale, following complaints from the people of Northumberland and Cumberland that men had come daily from his lordship into their counties, feigning to be Scots, and taking many men prisoners for ransom, and killing and taking booty of their animals.

Those indicted or appealed were to be dealt with in accordance with the law and custom of England. Similar commissions were issued to Queen Philippa in respect of North Tyndale, to the Archbishop of York for Hexhamshire, and the Bishop of Durham in respect of Durham.<sup>62</sup> This opinion is shared by the author of *The Steel Bonnets*, whose book captures the terrors and horrors of the following two centuries of lawlessness along the Border.<sup>63</sup>

If lawlessness was endemic, distress was widespread. The poor people of Northumberland pleaded for a respite from all rents and debts due for the county pending an enquiry, and for an ultimate pardon on the grounds of poverty and distress.<sup>64</sup>

A later petition from the same poor men states that 'they are now so harried they can scarcely live' and were seeking a further respite.<sup>65</sup> A group of petitions from the smaller landowners are indicative of the plight of the class as a whole. William de Beenley, who had served in the garrison at Berwick, sought a replacement of his horse

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<sup>60</sup> R. Robson, *The English Highland Clans: Tudor Responses to a Mediaeval Problem* (Edinburgh, 1989), 22-30

<sup>61</sup> Fraser, *Northern Petitions*, 100, No. 67

<sup>62</sup> Ibid., 101; *CPR 1343-1345*, 67, 88; Bain, *CDS* Vol. III, No. 948.

<sup>63</sup> G. MacDonald Fraser, *The Steel Bonnets: The Story of the Anglo-Scottish Border Reivers* (London, 1992), 27-30

<sup>64</sup> Fraser, *Northern Petitions*, 92, No. 72



lost in action and 'for clothes for himself and his wife, who have been despoiled of chattels and robes by the Scottish enemy'. John de Lilburn also requested help to 'maintain himself and his children, as his lands in Northumberland have been wholly destroyed by the Scots'. William de Felton requested respite for life from paying rent as 'his lands at West Matfen are wholly destroyed by the war'. Robert de Esslington, who because of the Scottish war, 'has nothing to maintain himself, his wife and children' asked the king for aid to keep them 'in a fitting state.'<sup>66</sup>

The above petitions are just a selection of many showing the ways warfare had changed the lives and fortunes of the knightly families in Northumberland. However, to this catalogue of miseries must be added that of blackmail, exacted by the Scots. Those who could not pay the blackmail were relieved of their livestock and goods, and in some cases, the Scots took hostages as well. The lay landlords and tenants suffered because they lacked the organisational capacity of the Church at Durham, to collect and pay the blackmail, thus avoiding the threatened destruction. From the records kept at Durham it is possible to calculate the amount paid in blackmail, but in the county of Northumberland records just do not exist. Jean Scammell, writing on the difference between Durham and the rest of the north of England and the blackmail demands of the Scots states 'the immediate border was too ravaged, and in the west too quarrelsome, and Yorkshire too large and optimistic to take united action. Durham alone endeavoured to make block payments for the county as a whole, and as a result largely escaped damage'<sup>67</sup> The rest of the people had to pay the blackmail as best they could, or co-operate with the Scots, in order to survive

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<sup>65</sup> Ibid., 117, No. 93

<sup>66</sup> Ibid., 165, No. 141; 168, No. 144; 169, No. 145; 179, No. 154

<sup>67</sup> J. Scammell, 'Robert I and the North of England', *EHR*, Vol. No. 288 (1958), 389

In accordance with the statement by J. H. Ramsay that 'Medieval Subsidy rolls give interesting statistics as to the distribution of wealth in the counties',<sup>68</sup> a look at this source of evidence for Northumberland is most useful in consideration of its decline in wealth due to the Scottish wars. The assessment for taxes on movables for the reigns of Edward I, Edward II and Edward III have been compiled and tabulated by J.F. Willard.<sup>69</sup> The tables show that there was a drop in the assessment of tax for Northumberland, Cumberland and Westmorland for the year 1297, due, no doubt, to the raids of 1296-1297. From 1309 there was no assessment for taxes on Northumberland until 1336. (see Table IV). Willard is emphatic that the reason why Northumberland, Cumberland and Westmorland did not pay any taxes after the early years of the reign of Edward II was because these counties were greatly impoverished by the frequent raids of the Scots. He also points out that the Scottish raids did not only have a negative effect on taxation, there were other fiscal consequences, 'The forays of the Scots is also to be seen in the exemption from or the lowering of borough farms, in the deferring of the payments of county debts, in the exemption from purveyance and from attendance at Parliament, and also in the revaluation of ecclesiastical property in the north'.<sup>70</sup>

The relative poverty of landed wealth in Northumberland has been assessed by R.A. Donkin and R.E. Glasscock.<sup>71</sup> The assessments are dated 1225 and 1334, which in the case of Northumberland was 1336, and are based by Donkin on the Lay Subsidy Rolls

<sup>68</sup> J.H. Ramsay, 'Statistics from Subsidy Rolls of Edward II', *EHR*, Vol.24 ( 1909 ) , 317-319

<sup>69</sup> J.F. Willard, 'The Taxes upon Movables of the Reign of Edward I', *EHR*, Vol. 28 ( 1913), 517-521; 'The Taxes upon Movables of the Reign of Edward II', *EHR*, Vol. 29 ( 1914), 317-321; 'The Taxes upon Movables of the Reign of Edward III', *EHR*, Vol. 30 (1915), 69-74. The figures for the Subsidies of 1309 and 1319 are given by J.H. Ramsay *op.cit.*, 319

<sup>70</sup> J.F. Willard, 'The Scotch Raids and the Fourteenth Century Taxation of Northern England' *University of Colorado Studies* (1907-8), Vol. Part V, 2329

<sup>71</sup> *A New Historical Geography of England*, ed H. C. Darby (Cambridge, 1973), 78-9; 139

of these dates. As stated therein, for the purpose of comparison, the assessment at a tenth had been converted to, and added to, that of the fifteenth. According to his calculations, land in Northumberland was assessed at 6.3 shillings per square mile in 1225, but by 1336 the assessment was at 3.4 shillings a square mile, nearly half its former assessment.<sup>72</sup> The figures of the 1334 Lay Subsidy Roll, given by Glasscock, are based on the assessed wealth of each county. The figure for Northumberland is given at under £5 per square mile.<sup>73</sup> Glasscock has also provided a list giving the precise figure for each county, and it is of no surprise to find Northumberland at the bottom of the list with a figure of £2.5 per square mile.<sup>74</sup>

According to the figures given by Donkin, in 1225, the difference between the highest assessment of land, which was 25.6s. in the Midlands and the 6.3s. in Northumberland, was 19.3s. per square mile. By 1334-6, the difference between the highest figure of 36.3s., again in the Midlands, and 3.4s. in Northumberland, had increased to 32.9s. per square mile. This indicates that while the counties in the Midlands and the south prospered, Northumberland declined. The figures given by Glasscock confirm the findings of Donkin. The drop in the assessment of land in 1334-6 in shillings per square mile given by Donkin, is confirmed by the figures of assessed wealth per square mile given by Glasscock. Using Glasscock's figures, Middlesex (including London) had an assessment of wealth at 57.2 £'s per square mile, while Northumberland wealth was assessed at 2.5 £'s per square mile. It can be argued that London was exceptional, but there is also a big difference between the next highest figure which is 27.2 £'s per square mile for Oxfordshire and the 2.5 £'s per square mile for Northumberland. The decline in the assessment of the land value and of the wealth of Northumberland can

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<sup>72</sup> Ibid., 78-9

<sup>73</sup> Ibid., 139

only be explained by the Anglo-Scottish war, as all other factors were common to all the counties of England.

Using the distinction made by M. A. Hicks between Feudalism and Bastard Feudalism that 'what is unique and central to Feudalism is defined as the bond between lord and vassal based on the hereditary tenure of land and its use for military service. What is unique and central to Bastard Feudalism is periodic payment for service',<sup>75</sup> the structure of society in Northumberland was feudal. What is not relevant is 'the periodic payment for service' by the use of indentures. There is little evidence to suggest that the lords in Northumberland recruited knights for military service in their retinues. A search through the indentures edited by M. Jones and S. Walker<sup>76</sup> show that only three surviving indentures were made in Northumberland, two in the year 1278 by William de Swynburne in Tyndale, and one by Henry Lacy, earl of Lincoln, at Berwick-on-Tweed.<sup>77</sup>

Throughout the reign of Edward II, there are indentures made by lords for the retaining of knights in their service, but there are none by the lords of Northumberland retaining other knights of the county, or knights from another county. It is not till 1328 that Henry, second lord Percy retained Ralph, second lord Neville by indenture, which was repeated in 1332. In 1337, the same Henry Percy retained William, son of John de Roddam, by indenture at Alnwick.<sup>78</sup> For the remainder of the century there is no evidence that the Percies retained by indenture. As the dominant magnate family in Northumberland after the second decade of the fourteenth century, the Percies might have been expected to have increased their retinue by the use of indentures, but this is

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<sup>74</sup> Ibid., 141

<sup>75</sup> M. A. Hicks, *Bastard Feudalism* (London, 1995), 3-4

<sup>76</sup> M. Jones and S. Walker ed. 'Private Indentures for Life Service in Peace and War 1278-1476', *Camden Miscellany XXXII*, 5<sup>th</sup>.Series, 3 (1994), pp. 1-190.

<sup>77</sup> Ibid. pp.35-36 Nos. 1,2, 3

not so, and there is no evidence that they built up an extensive lordship in this way. The concept of Bastard Feudalism as a system based on indentures cannot be demonstrated in Northumberland during the early fourteenth century.

What emerges from a study of Northumberland society is a pattern of family linkages, shared interests and largely independent small lordships. A much more convincing model of the type of lordship which operated in Northumberland is given by M.E. James, from his study of the Percy establishment in the Tudor period. His study encompasses the earl's servants, both domestic and manual, his estates officers and advisers; how he used his patronage, influence and offices to attract the gentry to his service, and how those who served him regarded him. Describing his relationship with his staff, James states, 'thus it would be misleading to assume that the men to whom the fifth earl (with complete legality) gave his livery and fee were no more than a body of estate agents and domestic servants, bound to their master by a mere cash-nexus'. The relationship was based on the traditional ethos of 'service' on the one hand, in return for support, protection and reward, or 'good lordship'. This service was considered by those who served the lord as both 'natural' and 'honourable'; natural because generations of the same family had held the office, and honourable because they were upholding the lord's authority, and by implication, the king's.<sup>79</sup>

Commenting on the findings of M.E. James, which Hicks describes as 'meticulous, perceptive and classic', he accepts that in Northumberland in Tudor times, there was no bastard feudal anarchy, but instead, a highly conservative society respectful of birth, rank, tradition and custom in which bastard feudal connections were a force for

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<sup>78</sup> Ibid. pp. 65, 66, 69 Nos. 33, 34, 36

<sup>79</sup> M.E. James, *Society, Politics and Culture: Studies in Early Modern England* (Cambridge, 1988) pp.

stability, order and justice.<sup>80</sup>

This analysis, though based on sixteenth century evidence, has much to commend it for the fourteenth century. Northumbrian society was still deeply feudal and strongly traditional where service in a lord's household was usually for life. An example of this could be seen in the service of Richard Tempest, a Yorkshireman, employed by the Percies on their Yorkshire estates. He was brought to Northumberland, given the manor of Hetton, and served the Percy family for life as a trusted retainer. There is no evidence of families like the Herons, Grays, Cliffords, Lilburns, Raymes, Swynburnes and others of the lesser nobility and gentry being retained by the baronial families of Percy and Umframville by indenture on a cash basis. With the disappearance of the families of Balliol, Ros, Clavering and Vescys, the Percies and Umframvilles were the only two families of baronial status in Northumberland during the first half of the fourteenth century; in the case of the Percies, this was only since 1309, when they acquired Alnwick. The rest of Northumbrian society was made up of the lesser nobility and gentry, many of whom being the descendants of other baronial families, were fiercely independent lords, possessing their own independent lordships, often '*in capite*'. There is no evidence of any of these families being retained by a greater lord by indenture. Before 1300, because of the peace in Northumberland, and the close familial ties within Northumbrian society, there was no need for bastard feudalism, and after 1296, the defence of the county was the over-riding priority of all the lords and knights. There were also, at this time, no inter-aristocratic feuds in Northumberland, when powerful magnates retained lesser lords in their retinue 'for periodic payment for service'.

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51-55

<sup>80</sup> Hicks, *Bastard Feudalism*, 35

Many knights served in the Scottish wars with the Percies and the Umframvilles, and other military commanders. There is no surviving evidence to show how they were retained; there are no extant indentures of service. It is very possible that such indentures were drawn up for short-term periods; men such as the Percies and Umframvilles received wages from the crown for themselves and the men-at-arms they had been ordered to recruit for specific tasks, such as the defence of Prudhoe castle or the castle at Berwick. In doing this, they were acting as contractors, hiring men whose wages ultimately derived from the crown. More significantly, there is also no substantial evidence for the greater Northumberland families in this period building up their followings by means of lifetime indentures with the knightly families of the county.

**TABLE IV**

**Taxes upon Movables for the Reigns of Edward I, Edward II and Edward III**  
by J.F. Willard.

| <b><u>Year</u></b> | <b><u>Northumberland</u></b> |     |       | <b><u>Cumberland</u></b> |     |        | <b><u>Westmorland</u></b> |     |        |
|--------------------|------------------------------|-----|-------|--------------------------|-----|--------|---------------------------|-----|--------|
| 1275               | £ 1,793                      | 15s | 2d    | £1,078                   | 11s | 6d     | £536                      | 13s | 8.1/2d |
| 1283               | 709                          | 19  | 7.1/2 | 408                      | 18  | 2      | 212                       | 7   | 9.1/2  |
| 1290               | 3,364                        | 15  | .3/4  | 1,781                    | 16  | 8.1/2  | 743                       | 4   | 9.3/4  |
| 1294               | 1,211                        | 15  | 8     | 585                      | 0   | 7      | 328                       | 16  | 2.3/4  |
| 1295               | 988                          | 4   | 9.1/2 | 339                      | 6   | 10.1/2 | 230                       | 2   | 2      |
| 1296               | 905                          | 8   | 2.1/4 | 315                      | 10  | 2.1/2  | 234                       | 7   | 3      |
| 1297               | 159                          | 17  | 0     | 128                      | 19  | 5      | 182                       | 6   | 2.1/4  |
| 1301               | 508                          | 16  | 8.1/2 | 831                      | 2   | 4.1/4  | 538                       | 14  | 6.1/2  |
| 1306               | 722                          | 1   | 2.3/4 | 429                      | 18  | 7      | 259                       | 8   | 7.3/4  |
| 1307               | 916                          | 18  | 11    | 929                      | 7   | 8.1/2  | 256                       | 7   | 10.1/4 |
| 1309               | ---                          | --  | --    | 378                      | 10  | 6      | 248                       | 0   | 3      |
| 1313               | ---                          | --  | --    | ---                      | --  | --     | ---                       | --  | --     |
| 1315               | ---                          | --  | --    | ---                      | --  | --     | ---                       | --  | --     |
| 1316               | ---                          | --  | --    | ---                      | --  | --     | ---                       | --  | --     |
| 1319               | ---                          | --  | --    | ---                      | --  | --     | ---                       | --  | --     |
| 1322               | ---                          | --  | --    | ---                      | --  | --     | ---                       | --  | --     |
| 1327               | ---                          | --  | --    | ---                      | --  | --     | ---                       | --  | --     |
| 1332               | ---                          | --  | --    | 538                      | 14  | 5      | 189                       | 13  | 10.1/2 |
| 1334               | ---                          | --  | --    | ---                      | --  | --     | ---                       | --  | --     |
| 1352               | 333                          | 10  | 7.1/2 | 249                      | 4   | 5.1/4  | 190                       | 15  | 7.1/2  |

(The above table shows the decline in the tax assessment of the three northern counties after the commencement of the war in 1296. After the death of Edward I in 1307, the county of Northumberland was so ravaged by the Scots, that taxes were not levied until 1336. The tax of 1336 was only collected in 1352)



## **Chapter 6**

### **Conclusion - The Families in Crisis**

When Edward I declared war on Scotland in 1296, he brought to an end a period of peace and prosperity enjoyed by the knightly families of Northumberland for most of the thirteenth century. During this time some of the Anglo-Norman families of baronial status had married into the Scottish nobility and many possessed estates on both sides of the Border. In time of peace this did not signify, but when war suddenly erupted, these families were thrown into a state of crisis.

The crisis can be seen as having three distinct stages, affecting three groups of families in different ways and at separate times. The first group consisted of just two families, the Balliols and the Bruces. In both cases the crisis was direct, immediate and purely political. As both these families had married into the Scottish royal family, they had claims to the throne of Scotland when it became vacant due to the untimely deaths of Alexander III and his only legal successor, his granddaughter, Margaret of Norway. With the Scottish throne now vacant, everyone with a claim, however remote, came forward to press his claim and it was found that the two with the strongest claims were the Balliols and the Bruces. Edward I, who was asked to arbitrate, saw this as an opportunity to further his ambition to subjugate Scotland to his rule, and chose John Balliol as King of the Scots, subject to his own overlordship. The events of the Scottish succession, the deliberations leading to the coronation of John Balliol and his subsequent deposition and exile are detailed by Prestwich in his book on Edward I.<sup>1</sup>

Robert Bruce the Contender and his son, Robert, at first remained loyal to the English crown, but after the failure of John Balliol to assert his rights to an independent kingdom, and after the deaths of his grandfather and father, Robert Bruce, grandson of the Contender, pursued his claim to the Scottish throne by force. The course of his struggles, first for acceptance by his own countrymen and then by the English king are recounted by McNamee.<sup>2</sup> The crisis facing the Balliols and Bruces was one of allegiance. They were the subjects of Edward I, and through circumstances which they could not have foreseen, they became his rivals and enemies. To them the crisis was one of historic importance, the fruit of success was a kingdom and the reward for failure was death, or at best, banishment.

There were, however, other Anglo-Norman baronial families to whom the war presented a crisis that, although political, was not so dramatic. These families had intermarried with the Scottish nobility and also possessed lands on both sides of the Border. When war broke out they too, had to take sides. To them the crisis was the loss of lands. If they remained loyal to Edward I, they stood to lose their Scottish lands, and if they joined the Scots, their English estates would become forfeit. This dilemma led to divisions of loyalty within families. The Ros family, lords of the barony of Wark-on-Tweed, along the Border, was divided in its allegiance. In 1296 Robert Ros V, on hearing that Edward I intended to march from Newcastle to the castle at Wark-on-Tweed, informed the Scots of this. It was believed that he joined the Scots for the love of a Scottish lady. His cousin or uncle, who discovered the plot, told King Edward, who sent a contingent of soldiers to guard the castle, but they were ambushed and slain by the waiting Scots. Robert Ros died in Scotland leaving two daughters. His barony of

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<sup>1</sup> M.C. Prestwich, *Edward I* (London, 1988), 356-375

Wark was forfeited and given to his kinsman Sir William Ros of Helmsley. In 1317 William Ros exchanged the castle and all his lands at Wark for 300 marks of land in the south. In 1333 the Crown granted the Ros lands at Wark to William Montague and his son John. A later John Montague exchanged Wark in 1397 for lands elsewhere. The new owner was Ralph Nevill, earl of Westmorland, who in the following year exchanged Wark-on-Tweed with Sir Thomas Grey of Heton.<sup>3</sup>

Another baronial family caught up in the war with divided loyalties was the Unframvilles. They were possessors of the liberty of Redesdale since the time of William the Conqueror, and lords of the barony of Prudhoe. Although Gilbert de Umframville inherited lands in Scotland and the title of earl of Angus through his wife, from the outbreak of the war, he remained loyal to Edward I, as did his successors. However, there was a division of loyalty within the family for, Ingelram de Umframville, a member of the family, but in what relationship to the main branch it is not known, joined the Scots. He appears to have been an elusive figure on the Anglo-Scottish political scene, and his loyalty appears to have been ambivalent, for at one time he appears to side with the Scots, and then he seems to side with the English. From time to time he had his estates confiscated and then restored to him. In 1308 he was received into the favour of Edward II. He was taken prisoner at Bannockburn and his son fought at Neville's Cross in 1346 on the English side.<sup>4</sup>

To the Claverings, lords of Warkworth, the war caused a crisis, not of allegiance, but of economics. John de Clavering inherited the barony from his father in 1310. Presumably the destruction of his lands by the Scots prompted him in 1312 to exchange his lands in

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<sup>2</sup> C.M. McNamee, *The Wars of the Bruces - Scotland, England and Ireland 1306-1328* (East Linton, 1997), 36-67

Northumberland for the safety of estates in Norfolk, Suffolk and Northants, reserving only a life interest in his northern estates. These lands included the barony of Warkworth, his manors of Rothbury in Northumberland and Eure in Buckinghamshire as well as his manors of Newburn and Corbridge, which were to revert to the King on his death. In 1311 he had granted the barony of Whalton, which he held, to Geoffrey le Scrope of Masham. He died in 1332. In 1328 the king made over his reversionary interest in the Clavinging lands to Henry Percy of Alnwick and in 1332 the lands passed into the Percy family. However, a younger brother of John's, Sir Alan Clavinging founded the family of Claverings of Callaly, and thus, the Claverings continued to be represented in Northumberland. The Claverings fought on the English side during the Anglo-Scottish war, but like the Ros family the main branch of the family failed in the male line.<sup>5</sup> The family was also represented by the cadet branch, which took the name of Eure, from their manor in Buckinghamshire.

Another baronial family where loyalties were to cause a problem was in the division of the barony of Wooler, when it came into the possession of the co-heiresses. The family of Muschamp had become extinct in the male line before 1296, when the barony was divided between the three heiresses of Robert de Muschamp III. It eventually came into the possession of Walter Huntercombe and Nicholas Graham, husbands of two of the heiresses, the third having died leaving a daughter who died without issue. Nicholas Graham was a Scot and threw in his lot with Bruce, when his estates were confiscated. He later made his peace with Edward I and his lands were restored. He pre-deceased his wife, who on her death willed her lands to Nicholas Meinell of Yorkshire. The Huntercombe moiety of Wooler was conveyed to Sir John Lilburn who sold it to John

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<sup>3</sup> W. P. Hedley, *Northumberland Families* (Newcastle-Upon-Tyne, 1968), vol. 1, 225-229

<sup>4</sup> J. Hodgson, *Northumberland*, II, i, 19-47

de Coupland (see Chapter 2 above). Although the Muschamp family failed in the main line, the name survived in a cadet branch, the Muschamps of Barmoor, founded by the younger brother of Robert de Muschamp II of Wooler.<sup>6</sup>

These families formed the second group of knightly families affected by the war, and their reactions formed the second stage of the crisis. For this group, the decision of allegiance was not so clear-cut as it had been for the Balliols and the Bruces. Allegiance had to be weighed in the balance against financial loss, and many who first sided with the Scots returned to their English allegiance to secure their inheritance in England for their heirs. The reason for the Ros and Clavering wish for the security of lands in the south, was partly the war and partly economic. Both possessed castles in the north and they would have been expected to garrison these castles for the defence of the county. This expense added to the destruction of their lands by the Scots, would have severely reduced their income. It was a future of diminishing returns. War was also bound to have another immediate effect on all the families within this group, for they held their lands by military tenure of the king. Their allegiance was important to the king because of the defence of the county, as they would be required to provide soldiers and to lead them in battle. Hence, when their allegiance wavered, Edward I and his son Edward II appear to have been prepared to receive them back into favour and restore their escheated lands.

Many of the baronial houses of the twelfth century had failed in the male line by the end of the thirteenth century, although they continued in cadet families through the female line. In some cases the husbands took the name of their wives. It is this group,

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<sup>5</sup> Hedley, *Northumberland Families*, 1, 160-163

<sup>6</sup> *Ibid.*, 37-40

together with the gentry, who though not owners of baronies, were men of considerable wealth and were almost of baronial status, which formed the third group of knightly families affected by the war. When war broke out in 1296, these knightly families fought on the side of the English. The crisis for them did not come till 1317, when some of the knightly families rebelled in what became known as the Rebellion of Sir Gilbert de Middleton. Many of the other knightly families of Northumberland were drawn into this rebellion which spread very quickly into Cumberland and Yorkshire causing much alarm. The timing of the rebellion is all-important. In 1317, the war had been going on for two decades, the floods of 1315 had caused a harvest failure which had led to famine and the price of all foodstuffs had risen dramatically. In 1317 the price of grain rose to unprecedented heights. Although the agrarian crisis (see Chapter 4 above) had only just begun, the county had already been impoverished by the Scottish raids, which since 1311 had increased in destruction and frequency. There was also the disastrous campaign led by Edward II which had ended in the ignominious defeat of the English at Bannockburn in 1314. The rebellion was not a crisis of allegiance. There was no whole-scale defection to the Scots, in fact, there is no evidence that the Scots were directly involved in the Middleton rebellion,<sup>7</sup> except indirectly through Sir Walter Selby, who was known to have been an adherent of the Scots. The rebellion was born out of anger, frustration and a sense of despair coupled with financial ruin.

The rebellion was quickly put down and the leaders, Gilbert de Middleton and his brother John were arrested, taken to London and executed for treason. The bulk of those who adhered to Sir Gilbert were the gentry and the cadet branches of the baronial families who did not possess vast estates. Only two, Sir Walter Selby and Sir John de Eure possessed lands outside Northumberland; Selby in Durham and Eure in Durham

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<sup>7</sup> Prestwich, Middleton, 184

and Yorkshire. The others had lands only in Northumberland, and most only lands in one place. These were precisely the families on whom the war was inflicting the greatest hardship.<sup>8</sup> The king must have known this for having issued commissions for the arrest of the rebels in Northumberland and Yorkshire on 6 January, 1318,<sup>9</sup> on 8 January 1318, the king's commissioners were instructed to receive into the king's peace all those who rose in insurrection to him in the county of Northumberland and the neighbouring parts, and to receive all who, through want of victuals or by force or fear, was in insurrection and who wished to come into the king's grace.<sup>10</sup>

Although the rebellion was soon quelled, the reverberations were still being felt in 1358-67, when the king, Edward III, made William de Nessfield, escheator North of Trent (see Chapter 3 above). As mentioned above, Nessfield had a very specific mission to root out and deal with possible treason, and to do this he referred to those who had been implicated in the Middleton rebellion of 1317. It was a starting point. The Scots had mainly used the Middle March to enter Northumberland, which is not surprising given that from 1135 to 1296 Tyndale had been in the lordship of the King of the Scots. It was unrealistic to expect that in a period of two decades from 1296 to 1317, the tenants, who for generations past had owed fealty to the Scottish king, would now treat him without sympathy. In 1314, after the battle of Bannockburn, Tyndale reverted to its previous allegiance and swore fealty to Robert Bruce. The Scots would also have felt it was safer to enter Northumberland through the Middle Marches as they would have been familiar with the terrain of the country, i.e. the safe places to hide, and the people to trust. The countryside in Redesdale, Coquetdale and North Tyndale was so bleak and desolate that it would have been very difficult to follow and attack them. It

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<sup>8</sup> Jordan, *The Great Famine*, 86

<sup>9</sup> *CPR 1317-1321*, 99

was only after the Battle of Bannockburn that Robert Bruce was confident enough to enter through the Eastern March. It is, therefore, of no great surprise to find that most of the knights involved with Sir Gilbert de Middleton held lands in Tyndale, and the neighbouring liberty of Redesdale, Hexham, Corbridge and Haltwhistle. These had suffered the raids of William Wallace in 1297, and later the raids of Robert Bruce continuously from 1311 to 1315. From studying the Nessfield escheats it is possible to draw a connection between the followers of Gilbert de Middleton and those whose lands had been reduced to poverty by the Scottish raids. Given a choice between poverty and fighting, most men, trained to fight, would do so. Economic hardships often find political solutions.

The raids of Robert Bruce in Northumberland are clearly set out by Colm McNamee.<sup>11</sup> From 1307-1311 Robert Bruce was busy evading capture by the English, and was trying to gain as much support within Scotland as he could muster. He was consolidating his position before he began any large-scale raids on England. It is from 1311 that he began to burn, pillage and exact protection money from the inhabitants of Northumberland. The manor of Wark-in-Tyndale was burnt twice in 1311. He also burnt Haltwhistle and a great part of Tyndale at the same time. The following month he entered Northumberland by way of Redesdale and Coquetdale and stayed for fifteen days burning and looting, returning via North Tyndale. The parishes most affected were Haltwhistle, Ovingham and Bywell St. Peter in Tyndale. Alnham and Ilderton were both destroyed.

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<sup>10</sup> Ibid., 71

<sup>11</sup> McNamee, *War of the Bruces*, 72-84



On 15 August, 1312, he burnt Hexham and Corbridge, and rode into Durham on market day, carrying away as much bounty as he and his men could muster. What they could not take, they destroyed, putting the town to flames.<sup>12</sup> The vill of Norham was burnt and men and beasts carried away. The parishes most affected were Norham, Ilderton, Haltwhistle, Bywell St. Peter, and Ovingham. After the Battle of Bannockburn on 23-24 June, 1314, the raids became more prolonged, more audacious and more destructive. Robert Bruce entered Northumberland via Norham, marching down the length of the county to Newburn where he stayed for three days, devastating the countryside, burning and looting and threatening Newcastle. It was at this time that the people of Tyndale swore allegiance to Robert Bruce. The Scots then went to Durham and Richmond. They entered Durham with such stealth that they surprised the inhabitants in their beds, and Sir James Douglas despoiled the town taking much booty and many prisoners.<sup>13</sup> About 1 July, 1315, the Scots surprised the Prior of Durham in his holiday lodge at Bearpark, and they relieved him of much cattle and household goods.<sup>14</sup> In 1316, finding Northumberland short on plunder, the Scots turned their attention to Yorkshire, burning pillaging and exacting blackmail wherever they went. In 1317, there was the Middleton rebellion on 1 September. This was the scenario that led to the rebellion. Any faith the people of Northumberland might have had in the king protecting them must have disappeared after Bannockburn.

The end of the Gilbert de Middleton rebellion was not the end of the affair, as the repercussions forty years later in the form of the Nessfield escheats was to prove. Since 1314 Tyndale had been a hot-bed of treason, and as Edward III wished to secure his northern border prior to his departure for France, he wanted to root out any

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<sup>12</sup> *Lanercost*, 219-20

remaining vestiges of sympathy for the Scots that there might be in the northern counties. Therefore in 1358, it did not matter who owned the lands, they were taken into the king's hands as a threat, a warning, a securing of good behaviour. The escheats caused unrest, uncertainty but most importantly, it caused fear among the landowning section of society. It was the fear of the loss of their lands that led to the killing of John de Coupland, and to the help that his murderers were given to escape. The Nessfield escheats stopped after the killing of John de Coupland; the last to suffer escheatment were his murderers (see chapter 2 above). Thus, the death of John de Coupland brought to an end the events which had begun with the foolish, rash and fruitless rebellion of Gilbert de Middleton.

Connecting the raids of Robert Bruce from 1311 to 1316 with the Middleton rebellion, it is possible to show how one affected the other. Sir Arthur Middleton has enumerated the difficulties presented by the lack of available information.<sup>15</sup> In his opinion, the Nessfield escheats provide the best guide, as they not only give the names of the knights who took part, but also the lands they possessed.<sup>16</sup> The areas most devastated by the Scots before 1317 had been Redesdale, Coquetdale, North Tyndale, the area around Newcastle, and the parishes in the deanery of Morpeth and those in Tynemouth. The Nessfield escheats show that about ninety percent of the rebels held lands in these areas. They also show that most of this ninety percent were very small landowners having lands in one, two or three places and were the most likely to have suffered the greatest hardship.<sup>17</sup> Unfortunately it is not possible to describe or assess the extent of the

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<sup>13</sup> *The Chronicle of Walter of Guisborough* ed. H. Rothwell, Camden Series LXXXIX (London, 1957), 396

<sup>14</sup> Scammell, 'Robert I and the North of England', 392

<sup>15</sup> Middleton, *Sir Gilbert*, 75-77

<sup>16</sup> These escheats are printed in *AA*, 1<sup>st</sup> Series, III (Newcastle-Upon-Tyne, 1844), 51-75, and are calendared in the Patent Rolls for the years 1358-1367

<sup>17</sup> See 12 above

damage to each individual's lands. This information is just not available, as inquisitions were only carried out where a knight held his lands directly from the king, and most of those involved would have been tenants. Also inquisitions Post Mortem were carried out after the death of a person, and the adherents of Middleton were very much alive at the time of the rebellion.

The rebellion of Gilbert de Middleton was significant because it was the first time the gentry had rebelled without baronial leadership. The fact that the rebellion was such a spontaneous and well supported uprising, is indicative of their new-found power and confidence as a political entity. Hitherto, the only opposition to the king had been by the barons, supported by the gentry. In this rebellion the gentry of the northern counties were displaying their independence and their political awareness, and were prepared to assert their opinions. The fact that in the provinces it was the gentry who made the administrative and judicial systems work, gave them power and influence. Although this influence was purely local, it meant that the local magnate, if there was one, had to consider their views. Perhaps, this was the beginning of magnates being unable to take for granted the hegemony they had for so long enjoyed in their particular county. Living on their own estates, and being the power-house of local government, had given the gentry a growing political independence.

Every war has its winners and its losers and the Anglo-Scottish war was no exception. Those implicated in the Middleton rebellion, even though they had their lands restored to them never regained their previous status. The lands of Gilbert and John Middleton were escheated in 1317, and it took their families generations to get them back. The lands of Walter Selby were also escheated, but his life was saved by his surrender of Mitford Castle in November 1322. He was imprisoned from 1322 to 1327 in the

Tower of London, and was only pardoned when Edward III became king.<sup>18</sup> Although his lands were restored to him by the king, it was not a simple matter to obtain possession of them. Seghill had been granted by Edward II to Bertram Monboucher in compensation for the damage done by Walter Selby when he held Horton Tower, the possession of Monboucher, for the Scots. He had to wait until the death of Monboucher in 1331 to regain Seghill. He never regained Felling in Durham.<sup>19</sup> Biddlestone was still in the king's hands when he was pardoned in 1327, and this was restored to him. Fate had a cruel destiny in store for Walter Selby, for in 1346 when he defended Liddell Peel against the Scots, they forced him to surrender, and having killed his two sons before him they beheaded him for being a traitor. A third son was spared because of his youth.

The Raymes family of Aydon Hall was another family ruined by the Scots. They had the misfortune to have purchased a moiety of the barony of Bolam at the wrong time. After selling their lands in Suffolk, they then bought a half share of the Bolam barony in 1295, the year before the start of the Anglo-Scottish war. Their arrival in Northumberland coincided with the start of the war in 1296. Their main residence was at Aydon Hall, a few miles from Corbridge, in the path of the marauding Scots. They had their home and lands devastated by the Scots on more than one occasion. However, the Scots were not responsible for all the damage, as during the rebellion of 1317, the notorious Tyndale captain, Hugh de Gales took control of Aydon Hall which he and his freebooters looted. They also ravaged and destroyed the surrounding countryside. Although the Raymes family held high office several times in the county of Northumberland and they served in the Scottish campaigns, they never recovered from

<sup>18</sup> *CPR 1327-1330*, 36; Fraser, *Northumberland Petitions*, 150-151; *NCH IX*, 55

<sup>19</sup> *NCH IX*, 58-64. Petition printed in full p. 61n.

the war and Aydon Hall was left in ruins at the end of the fourteenth century. They did have another residence at Shortflatt, to which they went when they could no longer live at Aydon Hall. The war ruined the Raymes family.<sup>20</sup>

The Lilburns of West Lilburn contrived to live through this period in spite of all the vicissitudes of warfare. A detailed account of the early family history has been given by one of their present descendants, A.J. Lilburn, and much of what is written here is taken from his research.<sup>21</sup> In 1317 it was recorded that Sir John Lilburn held West Lilburn in the barony of Wark-on-Tweed. He was involved in the Middleton rebellion and in that year held the castle of Knaresborough for the earl of Lancaster against the King. He was pardoned by the king for being an adherent of the earl of Lancaster in 1318, and from that time appears to have been a loyal supporter of the king. He acquired lands in Beanley in 1320, for which he did homage to Henry Percy in 1324 who was his overlord. He and his wife gave Beanley to his son William and his wife in 1336, which remained in the family until 1497.<sup>22</sup> He was joint constable with Roger Mauduit of the castle of Dunstanburgh, and constable in 1323. He served on the border many times and held office in various capacities in Northumberland. He was summoned to the Great Council in Westminster in 1324, and was sheriff of Northumberland in 1327. He served Edward III in his war against the Scots, and died in 1355. His lands were escheated by William Nessfield in 1358, when an inquisition found that 'the loyalty of Sir John Lilburn had never wavered', and the lands were restored to his son and widow.<sup>23</sup>

<sup>20</sup> *NCH* X, 343-348; P. Dixon, *Aydon Castle Northumberland*, English Heritage (London, 1992); A.L. Raimes, 'Shortflatt Tower and its Owners', *AA*, 4<sup>th</sup> Series, 32 (Newcastle, 1954), 126-140

<sup>21</sup> A.J. Lilburn, 'The Family of Lilburn of West Lilburn', *Proceedings of the Society of Antiquaries of Newcastle-Upon-Tyne*, 4<sup>th</sup> Series, No.9, 398-415

<sup>22</sup> *Ibid.*, 402-3

His son William had married Elizabeth, daughter of Sir William Heron of Ford, and was involved in aiding and abetting the murderers of John de Coupland to escape in 1363, for which he was sent to prison and only released on the payment of a fine. He died in 1371 leaving a son and heir, John Lilburn. In 1377, Sir John Lilburn was appointed collector of taxes, and also served on several commissions, mainly of a military nature. He was one of the thirteen knights who dined with the Abbot of the Abbey at Alnwick in 1376.<sup>24</sup> He died in 1399. Although Sir John Lilburn had been involved in the Middleton rebellion, the family showed a remarkable resilience and by the end of the century, members of the family were still holding office in Northumberland and in the Marches to Scotland.

Just as the Lilburns managed to live through the crisis imposed by the war with Scotland, there were many other families who not only survived, but ended the century in a stronger position. The family *par excellence* in this respect was the Percies, whose fortunes rose dramatically because of the war. From their first acquisition of Alnwick castle from Anthony Bek in 1309, they steadily acquired lands in Northumberland, usually lands forfeited by those who joined the Scots. Besides lands they were granted high civil and military office, the highest being the Warden of the East and Middle Marches. They ended the fourteenth century as the largest landowning family in the county with the title of earls of Northumberland, granted to them in 1377. They helped Henry Bolingbroke to depose Richard II and usurp the throne in 1399. As a result of their power in the north, they became figures of national importance and influence at court, to the extent that one fifteenth century chronicler, Hardyng wrote of the people of Northumberland that 'they know no lord but a Percy'. The eminence of the Percy

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<sup>23</sup> CPR 1358-1361, 141; NCH XI, 321

<sup>24</sup> AA, 1<sup>st</sup> Series, III (Newcastle-Upon-Tyne, 1844), 44

family in Northumberland can be attributed directly to the Anglo-Scottish war which began in 1296.<sup>25</sup>

A family whose fortunes were made during the fourteenth century was the Grey family of Heton, Wark and Chillingham. Sir Thomas Grey I acquired the manor of Heton when it was granted to him by Bishop Kellawe in 1312.<sup>26</sup> He was not involved with the Middleton rebellion of 1317, but in 1319 he was granted the forfeited lands of John Mautalent in Howick, who had joined the Scots.<sup>27</sup> Also in 1319 he was made constable of Norham castle and sheriff of Norhamshire and Islandshire. His son, Sir Thomas Grey II was also constable of Norham castle and escheator for Norhamshire and Islandshire in 1343 and was the author of the *Scalacronica*. Sir Thomas Grey III was constable of Norham castle and Justice of Assize in Norhamshire and Islandshire in 1390.<sup>28</sup>

It was the marriage of this Sir Thomas Grey which set the family on its way to fortune and misfortune, for in the following century, two of its eldest sons were tried for treason and beheaded. Sir Thomas Grey III married Joan, daughter of Lord Mowbray and granddaughter of Margaret Marshall, later Duchess of Norfolk, who was a descendent of Edward I. In 1398, Sir Thomas obtained from Ralph Neville, first earl of Westmorland, the barony of Wark-on-Tweed. He was one of the two proctors sent to the Tower of London to receive the abdication of Richard II in 1399. He died in 1400.<sup>29</sup>

<sup>25</sup> J.M. Bean, *The Estates of the Percy Family, 1416-1537* (Oxford, 1988), Introduction 1-3

<sup>26</sup> Fraser, *Northumberland Petitions*, 25

<sup>27</sup> *NCH* II, 348-9

<sup>28</sup> J. Raine, *The History and Antiquities of North Durham* (London, 1852), Pedigree of Grey, 330

<sup>29</sup> T.B. Pugh, *Henry V and the Southampton Plot* (Sutton, 1988), 103-105

His son, Sir Thomas Grey IV, married Alice Neville, daughter of Ralph Neville of Raby, first earl of Westmorland, by his first wife, Margaret Stafford. His father-in-law purchased for him from the king, the office of constable of Bamburgh castle. This marriage was to connect the Greys with the future Yorkist kings, Edward IV and Richard III, in the fifteenth century. In trying to marry his son, Thomas, to Isabel, daughter of the earl of Cambridge and niece of the Duke of York, and to purchase the lordship of Wark-in-Tyndale at the same time, he entered into a plot to kill Henry V. The plot was discovered and he was beheaded for treason in 1415. T. B. Pugh attributes their success in the fourteenth century to marriage. 'By a series of aristocratic marriages the Greys of Heton, established kinship with the royal house of England; the growing importance of this family in north country society was recognised by the marriage of the third Sir Thomas Grey (1359-1400) to Joan, daughter of Lord Mowbray and granddaughter of Margaret Marshall, afterwards Duchess of Norfolk'.<sup>30</sup>

The marriage with Alice Neville was to bring them into relationship with the powerful Nevilles of Middleham, as Alice's half-sister, Cicely, married Richard, Duke of York, and was the mother of Edward IV and Richard III, the two Yorkist kings. Alice Neville's grandson, Sir Ralph Gray, at first supported Edward IV, but then changed sides and joined the Lancastrians. He was beheaded by Edward IV at Doncaster in 1463, for treason.<sup>31</sup> He was the second of the Gray family to be beheaded for treason in the fifteenth century.

It must also be said that the success of the Greys in Northumberland could be due to the fact that their initial manor was in the area which came under the jurisdiction and

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<sup>30</sup> Ibid., 103



protection of the Church of Durham, which was saved because the Church was able to pay the protection money demanded by Robert Bruce. Also the castle of Norham being one of the chief defence castles in the north was owned by the Bishop and, therefore, provisioned and garrisoned by him. By his constableness of the castle and his many other civil offices, he had a secure income and was not entirely dependent on his lands. This protection and security cushioned the family from the harsher realities of warfare. There are no petitions, for example, for arrears of wages, destruction of lands and the prospect of poverty, as many of the knights of Northumberland were, at that time, petitioning the king. This with the aristocratic marriages they made, gave the family fortunes a tremendous boost.

The career of Guischart de Charron deserves recounting as it has been cited as a success story.<sup>32</sup> Guischart de Charron I, came to England with his kinsman, Peter de Savoy, Henry III's uncle, in 1241, who made him seneschal of the honour of Richmond. Although in holy orders, he married and had a son, Guischart II. Guischart II was left in charge of all the English estates of Peter de Savoy in 1261. In 1264 he was in charge of Richmond and Bowes castles, and the honours of Eagle and Hastings in Sussex. Henry III sent him a threatening letter in 1266 to surrender the honour of Richmond, but he refused to do so. His master, Peter de Savoy was so pleased with him that he rewarded him with the custody of Bowes castle and the office of forester in Richmond forest. Peter de Savoy died in 1268 leaving Queen Eleanor as his heir, and Guischart as his executor. The queen relinquished her claims to the honour of Richmond in favour of John of Brittany, nephew of Henry III., who retained Guischart as seneschal.

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<sup>31</sup> M.C. Dixon, *The Treason of Sir Ralph Grey in 1463*, unpublished B.A. dissertation, Teesside Polytechnic (1990)

His connections with Northumberland began in 1256, but it was not till 1267, when he was sheriff, a post he held till 1272, and became the third husband of Isabella, daughter of Walran of Horton, that he settled in Northumberland. Through his wife he gained Horton and Stickley. He acquired lands in the South, in Durham and in Northumberland. In 1279 he and his wife assigned Horton to his son Guischarde III. Guischarde III was a royal justice and acted as justice in the palatinate of Durham between 1292 and 1304. In 1292 he obtained a licence to crenellate his manor house at Horton. He fought in the Scottish campaigns of 1300 and 1301. He was sheriff of Northumberland and a commissioner of array, but was killed at Bannockburn. His only child, Joan married Bertram Monboucher, a Breton knight. Her father gave her the manor of Sutton-on-Trent; John of Brittany gave her and her husband, who was a member of his household, Hamden, Filsham, Marley and Cotesley in Hastings. Her uncle, Stephen de Charron quit-claimed to her his estates in Northumberland. In this way, they acquired estates in the south as well as in Northumberland

The Monbouchers had been attached to the household of John of Brittany since the twelfth century but they only came to England in 1300 and fought in the Scottish wars in his retinue. In the rebellion of 1317, Walter Selby seized the tower of Horton. When the uprising was put down, Horton was returned to Monboucher, together with Seghill for life, forfeited by Selby. He fought at Bannockburn on the royal side and was summoned to attend the great council at Westminster in 1324. He died in 1332, leaving a son and heir, Bertram Monboucher II. The line continued and acquired many lands in Northumberland and Durham through marriage with heiresses. The family became extinct in the male line in 1425.

The Charrons and the Monbouchers were only able to establish themselves in England because of the patronage and influence of two protectors, Peter de Savoy and John of Brittany, by whom they were rewarded with lands in England. Their lands in Northumberland they acquired through marriage. However, they were loyal to the crown of England and they served the country well, both in civil and military office, particularly in Northumberland and Durham.

The Herons of Ford not only survived the horrors of warfare they positively thrived and raised a dynasty of Herons. Sir William Heron of Ford was a man of considerable energy and vision. He made Ford equal in importance to Wooler. In 1348 Sir William purchased the right of guardianship and marriage of the heiress of Chipchase, Cecily de Insula, from her grandfather, on condition that she married one of Heron's sons, William, John or Walter.<sup>33</sup> She eventually married Walter Heron and they founded the Herons of Chipchase. In 1357, Sir William agreed to pay the debts of Sir William Tyndale, which amounted to £106. 13s. 4d. for the marriage of his grandson, Walter de Tyndale to one of his granddaughters, Joan Heron or Isabella de Lilburn, when the boy reached fourteen years. He offered to also pay the costs of the settlement as well as maintain the children until they came of age.<sup>34</sup>

From 1340 Sir William incurred many debts, but the reasons for them are not known.<sup>35</sup> It was probably, as shown above, that he was setting about trying to provide for his large family (he had six sons and one daughter) in the same way as he had bought his son Walter an heiress and his granddaughter an heir. In 1350 he divested himself of his lands in Ford and Wooler to his eldest son Roger Heron, who continued the main line at

<sup>33</sup> *NCH* IV, 332-3. The indenture is given in full on p.332.

<sup>34</sup> *NCH* X, 245-249. The indenture between the two parties is given in full on p. 248.

Ford. Sir William's second son William, founded the Herons of Cornhill, his fourth son the Herons of Meldon and the sixth son, Walter the Herons of Chipchase. As William and Thomas did not obtain their lands from their wives, it can be assumed that they must have been given their estates by their father. Sir William was able to do this because Ford did not suffer from frequent Scottish raids in the early fourteenth century. It was destroyed in 1314 and still lay waste in 1318, but the next disastrous raid was in 1340 and thereafter, it was repeatedly attacked.<sup>36</sup> The Herons survived and set up cadet branches all over Northumberland. Their good fortune appears to have been the proliferation of sons, which enabled them to conserve their estates within the family and to add to their estates by marrying heiresses, as their various pedigrees show.<sup>37</sup>

Some historians have tended to take the view when reviewing the raids of Robert Bruce in the early fourteenth century, that the Scottish raids inflicted by Robert Bruce were not so disastrous as to have caused a long-term impact, and that the county was able to recover in a relatively short period. With hindsight, especially a period of four hundred years, the perspective alters. When it is possible to see a whole landscape, one mountain in the distance does not appear to be very large, but to someone standing at its base, the mountain appears to be enormous. To the people of Northumberland who lived through these raids a long-term view was one they could not afford; survival was the all-important factor in their daily lives. People and nature are very resilient, and given time, both can recover, as has been proved again and again after any disaster by the resurgence of growth in populations that have been depleted, and crops and livestock that have been devastated. The same will probably be said of the war in Bosnia, but to the children, parents, families bereft of relatives, with starvation, hunger,

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<sup>35</sup> *CCR 1340-1354*, 505, 512; *1354-1360*, 70, 85, 115, 192, 199, 414, 502, 503, 510; *NCH XI*, 376

<sup>36</sup> *NCH XI*, 342

disease, not to mention the psychological terrors of fear, danger, despair and helplessness, war is an experience that leaves peoples lives broken and scarred. It is, perhaps, rather cavalier to assign the sufferings of any group of persons in any age, to the historical bin of 'not important'. However, it is right that historians do take the longer view, for it is in this way that critical assessments and comparisons of past events can be made, but the short-term view is of equal importance when considering the effect upon the population of a specific region during a crisis of that region's history. Both views are equally valid and necessary in history.

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<sup>37</sup> Ibid., 375-377

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