

## CHAPTER 2 – THE HERIZ FAMILY

### Sources

After the record of Domesday the chronological, and logical, step is to deal with the vill's principle family, namely that of Heriz. They were the holders of the fee of Stapleford and, as such, figure in the official records of that time; the lesser fry only getting a mention now and again when their actions caused them to come into contact with the wrong side of officialdom.

At that remote period of time the only knowledge we have concerning any member of this family is when he, or she, became involved in some grant of land etc. to a monastery or other foundation, or had his, or her, name entered in the fiscal rolls. With this in mind the information following (to the reign of Edward I) is drawn mainly from the Pipe Rolls, Fines and Charters. The information taken from the latter source comes mainly from 36 charters etc, contained in the Cartulary for Newstead Priory of 1286 (although a 37<sup>th</sup> has been added at a later date). There is also another Cartulary for this Priory, circa, 1359, which is the one to which Thoroton obviously had access during the compilation of his History of Nottinghamshire.<sup>1</sup> The section of this later cartulary dealing with Stapleford does not recite the earlier charters but contents itself with a series of Memoranda set down by the monks of that religious house. The events mentioned therein, which took place near the time of the compilation of that document, have been included in this history as in several instances they can be verified by contemporary documents. However, certain of the memoranda which Thoroton used to draw up both the Heriz and Stapleford pedigrees I find questionable in the light of the information contained in the earlier charters. As a result of this, some of the information here set forth will be at variance with that which has previously been accepted and reported.

### Robert Heriz-1086

The Robert of 1086 (we know his surname was Heriz from subsequent references to that family) also held considerable estates elsewhere: in Bolsover, Tibshelf, Edensor and Wingfield; and as his son Ivo held Gonalston and Widmerpool, it is probable that Robert held these two places also. Ivo Heriz, who figures so largely in connection with these places, is never mentioned as having any interest in Stapleford, probably because after the Robert of Domesday Book, Stapleford went to a younger son, Geoffrey, of whose existence we are only aware because it is recorded that he gave 2 parts of the tithe of his demesne to Lenton Priory at the time of its foundation by William Peverel in 1105. Thoroton recites that it later years King Stephen

<sup>1</sup> There are four cartularies known to exist. They have been numbered 693, 694, 595 and 696 by G R C Davis in his book 'Medieval Cartularies of Great Britain and Ireland' (Trevor Foulds Transactions of the Thoroton Society No 88) Microfilm copies of 693, 695 and 696 are held by NRO referenced Z2, Z3 and Z7 and 694 was published by the Thoroton Society in its Record Series as Vol. VIII. Thoroton used 696 in his History of Nottinghamshire: Volume 2. The cartulary used by RPT in this chapter is mainly 693. This contains 37 charters which refer to Stapleford on pages 93-100. These charters are numbered and this reference is used by RPT. KG

confirmed this grant which Geoffrey had made with the consent of his mother. This would suggest that Robert Heriz was dead by 1105.

### **Robert Heriz-1176**

After this grant of tithes Stapleford sinks into documentary obscurity to emerge in the Pipe Rolls of Henry II in 1177, wherein the sheriff of Nottinghamshire and Derbyshire renders account of 30 shillings of the farm of Stapleford for the land of Robert Heriz for half a year, and of 35 shillings from the sale of wheat from the same land.<sup>2</sup>

By this entry we see another Robert Heriz (and I think grandson of the aforementioned Geoffrey) had been in possession of Stapleford and that during the period from Michaelmas 1176 to Michaelmas 1177 he must have died or, as those were turbulent times, have been killed; his lands were then taken into the king's lands and so the profits arising therefrom were accounted for by the sheriff. The year previous to this a Robert Heriz was amerced 5 marks for forest trespass; a very severe fine and one which, along with many others, had been arbitrarily inflicted. There is no proof that this Robert was of Stapleford, but as a William Heriz was lord of the Wingfield etc. fee at this point in time, and as both Adam Moreton (of Wollaton and Cossall) and Samson de Strelley (of Strelley) were also fined (30 marks and 10 marks respectively), these being near neighbours of Stapleford, it is probable that this Robert Heriz was the holder of the Stapleford fee.<sup>3</sup>

In 1178 and 1179 the sheriff again accounts for the farm of Stapleford, which, for a full year stood at 79 shillings and 4 pence "from the land which had been Robert Heriz's".<sup>4</sup> <sup>5</sup> At the Michaelmas term of the Exchequer in 1180 the sheriff accounted for 100 shillings from Stapleford, there is no apparent reason for this sudden increase and the Pipe Rolls offer no clue; other farms of the Honour of Peverel were not affected and their profits remained unchanged.<sup>6</sup>

This amount was again returned for the years 1181, 1182, 1183 and 1184, although in the latter year the sheriff was allowed the sum of £4:16:0 which he had expended in re-stocking the vill with 12 oxen, 100 sheep, 9 cows and a bull.<sup>7</sup> With Stapleford thus re-stocked it is not surprising that the farm was set at a higher figure than had previously been the case; good money was not to be expended without any hope of a favourable return and the sheriff's accounts for 1185, 1186, 1187, and 1188 show that the farm was as much as £7:13:4 for each of those years. It is interesting to note that in 1186 the profits from Stapleford were expended on works in connection with the King's apartments in Nottingham castle.<sup>8</sup>

<sup>2</sup> Pipe R 1177 (PRS 26), 63

<sup>3</sup> Pipe R 1176 (PRS 25), 95

<sup>4</sup> Pipe R 1178 (PRS 27), 89

<sup>5</sup> Pipe R 1179 (PRS 28), 84

<sup>6</sup> Pipe R 1180 (PRS 29), 141

<sup>7</sup> Pipe R 1184 (PRS 33), 99

<sup>8</sup> Pipe R 1186 (PRS 36), 110

### **Richard de Camera and Avice Heriz: 1195**

By the next time there is an entry in the Pipe Rolls which appertains to Stapleford, Richard I is on the throne and the year is 1194; the sheriff is still accounting for £7:13:4 but in addition he had sold corn from the parish to the value of 24 shillings, and has also paid out 40 shillings for two ploughs, 10 shillings for ten cows and 40 shillings for 200 sheep (either the ploughs were costly or the sheep were cheap!) and owed the Exchequer 14 shillings and 8 pence which was paid the year following and credited towards the ransom being raised for the release of the King from Austria.<sup>9</sup> It is a pity that there are no Pipe Rolls for Nottinghamshire and Derbyshire for the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> years of the reign of this king (September 1190-September 1203) for I am sure it would be found that Stapleford had been granted to, and then taken from, a Richard Camara, husband of Avice Heriz, for in 1195 this Richard paid the King 5 marks to have full seisin of the land of Stapleford that was the right and inheritance of his wife, and whereof he had been disseized for joining with Earl (Prince) John.<sup>10</sup> If he had been disseized, he must, at some time, have been put in possession of those lands and this being so it probably took place during those years above mentioned as prior to the earlier date the sheriff was accounting for Stapleford as he was at the Michaelmas Exchequer of 1194.

Having been granted the lands he soon lost them for his allegiance (voluntary or otherwise) to the Prince, and as Stapleford was part of the Honour of Peverel, with Prince John as its lord, our Richard probably had very little choice: his neighbours Eustace de Moreton (of Cossall) and Samson de Strelley were in the same plight. As well as losing his lands, Richard, as a rebel, had the additional misfortune of having his chattels seized by the King's officers and subsequently sold; as a result of which the sheriff paid 20 shillings into the Exchequer.<sup>11</sup>.

### **Avice Heriz-1216**

Perhaps a word should be said here to place Avice into the scheme of things. Always referred to as Avice Heriz, never as Avice Camara, I suggest that she was the daughter (and not the sister, as has been elsewhere stated) of the Robert Heriz who died in 1177, and at which time she was under age. Of all the early "lords" of Stapleford she alone performed an act which repercussed down the centuries. Before the year 1216 she granted Stapleford church "To God and St. Mary of Newstead" (RPT has crossed out at this point the following "and the canons there, for the salvation of her soul and the souls of her ancestors, in pure and perpetual alms, the church of Stapleford, with all its appurtenances in woods, fields, meadows, pastures, waters, marches and in all other places; with all liberties and free customs to that church pertaining."<sup>12</sup>) This meant that the priory became the patron with the right to fill

<sup>9</sup> Pipe R R.6&7 Ric.I

<sup>10</sup> Pipe R. 1195 (PRS 44), Check at NRO

<sup>11</sup> Pipe R. 1194(PRS 43), Check at NRO

<sup>12</sup> Newstead (693), 1

the living with someone of its own choice and could also appropriate the rectories tithes arising from the corn and hay of the parish.

Richard de Camera by his charter confirmed his wife's grant <sup>13</sup>. Eustace de Moreton (son of Adam and the father of Eustace, and presumably of Wollaton and Cossall) quit claimed his interest in the church. <sup>14</sup> This is a vexing little charter as it poses an unanswerable question "How did the Moretons come to have an interest in Stapleford church?"

### **Richard de Camera pays scutage**

Richard de Camera, also known as Richard de Stapleford, appears to have held Stapleford for one knight's fee: this meant, originally, that the tenant of such a fee was bound to follow the King to the wars, at his own expense and for 40 days. However, personal attendance in knight-service was troublesome and inconvenient in many respects and the tenants found means of compounding for it, firstly by sending others in their stead and latterly by making a pecuniary satisfaction to the King, or lord, in lieu of it. This satisfaction came, eventually, to be levied by assessments on every knight's-fee and was known as scutage, or 'shield money'. Under this heading Richard de Camera, and his successors, made many payments varying in amount according to the needs of the King and the caprices of the justiciars. Perhaps the worst imposition which Richard sustained was in the 6<sup>th</sup> year of King John when he paid 6 marks for his one knight's fee as against Samson de Strelly's 4 for his, although a Simon Bassett paid 9 marks for his one fee<sup>15</sup>

### **Robert de Somerville holds land in Stapleford**

Although Richard held Stapleford for one knight's fee of the Honour of Peverel, outsiders, too, had their interest in the place as is shown by Robert de Somerville's, of Oxton, grant to his son Robert de Ripers of all his land in Stapleford (amounting to 4 bovates) for his homage and service and a pair of spurs (or 4 pence) yearly for all services except for insec service.<sup>16</sup> Unfortunately the date of this transaction is not known; neither is that of the sale of this same parcel of land by Robert de Ripers to Richard de Camera and Avice at a price of 13 marks;; rendering to the chief lord of the fee the spurs (or 4 pence) yearly at the feast of St.John the Baptist. <sup>17</sup>

### **Richard and Avice grant land to Newstead**

In turn Richard and Avice granted these 4 bovates to the Prior and Convent of Newstead, <sup>18</sup> but this was not quite so simple as at first would seem. Two of these 4 bovates were already let to William, son of Ingelram, of Stapleford when Richard Camera purchased them from Robert de Ripers and Richard, with the consent of

<sup>13</sup> Newstead (693), 2

<sup>14</sup> Newstead (693), 3

<sup>15</sup> Pipe R. 1204(PRS 56) 6 John. Check at NRO

<sup>16</sup> Newstead (693), 14

<sup>17</sup> Newstead (693), 15

<sup>18</sup> Newstead (693), 17

Avice, then confirmed William's right in them<sup>19</sup> as did, in turn, the Prior of Newstead.<sup>20</sup> Here we see the emergence of 2 bovates, along with a toft and croft, as a typical peasant holding in Stapleford. The other 2 bovates appear to have been granted to Gervase, the son of Ingeram and presumably, therefore, brother of the aforementioned William.<sup>21</sup>

### **Avice grants land to Thomas Drikesard**

Another 2 bovates of land were granted by Avice to a Thomas Drikesard (or Blixard) her brother.<sup>22</sup> (He was either half-or step-brother to Avice). These two bovates had been held at some time by one Riofc, and this grant also mentioned a dwelling house in Wetecroft occupied at one time by Mabilia; the whole was at a rent of 12 pence per year. Thomas Drikesard's daughter Avice married Gilbert, the son of Gervase of Stapleford, who granted to the Prior of Newstead the annual rent of 2 shillings from the 2 bovates of land, payable at the feast of St Michael.<sup>23</sup>

### **In Richard's claim to Stapleford confirmed by the king-1205**

1205 Richard Camera (as Richard de Stapleford) considered it needful to strengthen his claim on the Stapleford lands and obtained from the King, John, a confirmation of them together with the tenements, advowson of the church, fishponds, mill etc,<sup>24</sup> perhaps even at that early date he was anticipating trouble from his wife's cousin, Geoffrey de Eccleston.

### **Geoffrey de Eccleston claim to a moiety of the knight's fee recognised-1223**

In 1223 matters came to a head and on February 2<sup>nd</sup> at Westminster in the presence of Martin de Patershall, Ralph Harang, Stephen de Segrave, Thomas de Hayden, Robert de Lexington and Geoffrey le Sauvage, all Justiciars, a Richard de Stapleford, as attorney for Richard and Avice, put their case forward, Geoffrey, presumably, pleading his own. It is a point to be noted that in this Final Concord Geoffrey claims "a moiety" of one knight's fee: Richard Camera had always answered Stapleford, rightly or wrongly, as one 'whole' knight's fee. This moiety which Geoffrey claimed was his reasonable share of the free tenement that once belonged to Geoffrey Heriz, grandfather of both Geoffrey de Eccleston and Avice Heriz.

### **Geoffrey grants moiety to Richard and Avice for life**

The court recognised the right of Geoffrey to the said moiety, this being so, he then gave it to Richard and Avice to hold, with the other moiety for the term of their lives and the life of the longest liver, from Geoffrey and his heirs rendering to him 1 mark per annum at the feast of St. Michael and doing forinsec service. After the decease of Richard and Avice all their moiety was to revert to Geoffrey and his heirs in

<sup>19</sup> Newstead (693) 18

<sup>20</sup> Newstead (693) 19

<sup>21</sup> Newstead (693) 16

<sup>22</sup> Newstead (693) 34

<sup>23</sup> Newstead (693) 33

<sup>24</sup> Rot. Litt. Claus. 153

perpetuity, saving to Eustace, then Prior of Newstead, and his successors, the advowson of the church.<sup>25</sup> (A point or two here about the name Eccleston may be of interest. Great Eccleston is in Lancashire and there are pointers to the Ecclestons here mentioned holding land in that place. The above-mentioned Geoffrey de Eccleston was also referred to as de Stapleford as well as de Heriz. His mother, Alice, if we accept Thoroton, was the daughter of Geoffrey Heriz I and married someone surnamed Eccleston. Geoffrey of this “Final Concorde” married Mabel (or Mabilia) and she, after her husband’s death, in 1249-50 claimed dower in 3 oxgangs of land in Eccleston, a fishery appurtenant from Richard Heriz.<sup>26</sup> In 1314 we still have the Heriz family with a connection to Great Eccleston when again a claim for dower is entered into. This time Margery, widow of Richard Heriz, claimed dower in 7 messuages, 5 oxgangs of land etc. against Henry Croft the elder.<sup>27</sup>

As to how fared any heirs whom Richard and Avice left behind history is silent. Philip of Strelley had given the king 10 marks and a palfrey in 1200 to have the daughter of Avice to wife, together with her inheritance.<sup>28</sup> By the action of Geoffrey de Eccleston in 1223 it would seem that the poor lass, if she were still living, had no expectancy of an inheritance of any size and that Philip had badly invested his 10 marks.

### **Geoffrey de Eccleston:1224**

Both Richard Camera and Avice died within the ensuing year, for on 26<sup>th</sup> May 1224 Geoffrey de Eccleston paid a fine of £10 for having seisin of the land which “Avice who was the wife of Richard de Camera held in chief in Stapleford and which to the same Geoffrey de Eccleston has come to pass.”<sup>29</sup>

Of Geoffrey de Eccleston, alias Heriz, we know so very little, his generosity in allowing Richard and Avice to hold Stapleford until their deaths certainly suggests that he had means of support elsewhere.

Referring back to Geoffrey’s plea in the court at Westminster, it should be noted that one of the Justiciars then present was Robert de Lexington (Laxton) whose brother, Henry, (later to become bishop of Lincoln) was for a while Stapleford’s parish priest.

It is not surprising then that perhaps the scales of justice were tipped a little in Geoffrey’s favour-a grant of a parcel of land to Robert would further confirm Geoffrey’s indebtedness to the Justiciar.

<sup>25</sup> Newstead (693).11.

<sup>26</sup> Curia Regis Rolls 137, in 16d and 17d (VCH Lancaster Great Eccleston pages 276-279)

<sup>27</sup> De Banco Rolls. 204, m. 3. (VCH Lancaster Great Eccleston pages 276-279)

<sup>28</sup> Rot. de Ob. et Fin., 86

<sup>29</sup> Ex. e. Rot. Fin., 117 & Pipe R. 1224 (PRS 92), check i NRO 8Hen III.

### **Robert de Lexington grants land in Stapleford to St. Mary, Derby**

Robert de Lexington granted to the church of St Mary of the Meadows, Derby, and the nuns there, 2 bovates and 12 acres of land and 2 acres of meadow, with appurtenances, in Stapleford which he had of the gift of Geoffrey de Eccleston and to whom, as chief lord, he rendered annually at the feast of St. Michael; either one pair of spurs of Nottingham make, or 2 pence, also doing forensic and other services which pertained to that land. This grant to the nuns of Derby was made so that Agatha and Alice who were nuns and nieces of Robert could be furnished with footwear, clothes and food.<sup>30</sup>

### **Geoffrey de Heriz confirms Richard Camera's grant to Newstead.**

Geoffrey Heriz (alias Eccleston and Stapleford) joined with Hugh de Stafilford in a charter to confirm the grant of the 2 bovates of land which Richard Camera gave to Newstead and which 2 bovates Ingeram son of William then held in Stapleford.<sup>31</sup> This confirmation was not without its price for the Prior and canons were to quitclaim their interest in the other two bovates of land granted to them by Richard, namely those 2 bovates which were held by Gervase son of Ingeram.<sup>32</sup> The Prior agreed to this (half a loaf is better than no loaf) and released the 2 bovates.<sup>33</sup> Note! No relationship between Geoffrey and Hugh is mentioned. They may, or may not, have been brothers-surmise is best left out of it

### **Richard Heriz:1249**

Geoffrey Heriz (one assumes that this Geoffrey is the same one who is mentioned in the Fine of 1223; he could well have been a son to that Geoffrey. See how lack of precise information creates a situation fraught with many possibilities.) died late in 1248 or early 1249 for in pursuance of a writ dated 29<sup>th</sup> April 1249 an inquisition post mortem was held to determine what lands he had held, how they were held, and who his next heir was. Unfortunately, this instrument is very brief and is devoid of any particulars which could throw light on the men and their condition in Stapleford at that time. Of the jurors only two names appear to be of local interest, Ralph of Bramcote and Gilbert of Stapleford (possibly the husband of Avice Drikesard); they found that Geoffrey Heriz alias Stapleford held of the King in chief 1 knight's fee in Stapleford and did, therefore, as much service as belonged to a knight's fee. In all issues of the land it was worth 100 shillings a year; Richard Heriz was his next heir and was of full age: Geoffrey held no other tenements in the bailiwick.<sup>34</sup>

Besides a son, Richard, Geoffrey had a daughter Alice who married Elias Torkard on 8<sup>th</sup> September 1282, but of any other children nothing is known.<sup>35</sup>

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<sup>30</sup> Newstead (693) 20.

<sup>31</sup> Newstead (693) 16

<sup>32</sup> Newstead (693) 16

<sup>33</sup> Newstead (693)53

<sup>34</sup> Cal. Inq. p.m. I ,33

<sup>35</sup> Cal. Inq. p.m. IV, 109

In accordance with the system of feudal tenure, when an estate had lapsed, or fallen in by the death of the last tenant, it was customary to pay relief (one might look upon this as a forerunner of the iniquitous system of death duties.). This was a fine on composition with the lord (in this case the king), for taking up the estate and in Henry II's reign had been fixed at 100 shillings per knight's fee. Richard Heriz paid his relief of 100 shillings for his father's lands and the sheriff accounted for it at the Michaelmas Exchequer of 1249.<sup>36</sup>

### **The nuns of Derby passed the land given to them to Newstead Priory.**

The land which Robert de Lexington had passed to the nuns of Derby was in due time conveyed by them to the Prior and convent of Newstead at an annual rent of 2 marks and Richard Heriz confirmation (as chief lord of the fee) was given in due process of time "for the salvation of his soul, the soul of his father and of all their ancestors and successors."<sup>37</sup> The amount of land mentioned in this confirmation is 4 bovates and is again spoken of as "the land that Robert de Lexington had as a gift of Geoffrey my father."

Richard also gave the priory of Newstead 1 ½ acres of land in Stapleford; half an acre in "Hyundelepedale", half an acre of land at "le Greengate" and half an acre at "le Stoneclouds",<sup>38</sup> Whether or not this was a regrant of land or an exchange is not clear, nor does a quitclaim by the Prior to 3 selions of land, which they had of the gift of Richard, give any indication for the reason. These 3 selions were situated at "Le Were" (the weir), "Le Grenegate" and upon "Hindelpeston";<sup>39</sup>

### **Mid 13th century: Hugh Heriz**

Richard Heriz alias Stapleford dies in 1267 for in response to a writ dated 7<sup>th</sup> September that year an inquisition post mortem was held when it was found that he held of the King in chief by service of one knight's-fee of the Honour of Peverel, 23 oxgangs (or bovates) of land each oxgang worth 5 shillings a year, a moiety of the water mill valued at 10 shillings per year and 3 cottages with their appurtenant land worth 18 pence each a year. He also had 3 shillings rent from land in Mapperley (Derbyshire); this latter, not mentioned in his father's inquisition, may have been the result of purchase or perhaps it came to him through his wife, a lady of whom nothing is known. Hugh Heriz was his son and next heir and was aged 25 years.<sup>40</sup>

Hard upon this inquisition Hugh went into Shropshire when the King was there and did homage for his lands and on the 24<sup>th</sup> September the Escheator was ordered to

<sup>36</sup> Pipe R. 33 Hen III

<sup>37</sup> Newstead (693) 28

<sup>38</sup> Newstead (693) 29

<sup>39</sup> Newstead (693) 66

<sup>40</sup> IPM 51HenIII. No.41. 'Inquisitions Post Mortem, Henry III, File 34', in Calendar of Inquisitions Post Mortem, Volume 1, Henry III, ed. J E E S Sharp (London, 1904), pp. 203-208 <http://www.british-history.ac.uk/inquis-post-mortem/vol1/pp203-208> [accessed 8 August 2015].

hand then over upon Hugh making suitable security for his relief <sup>41</sup> which, however, was not paid until the Exchequer of 1269 <sup>42</sup>

### **Hundred Rolls of 1274**

Whilst little may still be known about the actual individuals concerned with this early history, we are entering a time when more official returns, surveys etc. were being made and from these knowledge is culled concerning happenings, national and provincial, which must have had their effect on our principal characters. Perhaps the first of these informative returns whose contents are available, though for this locality in some decreased measure compared with the store placed upon it by historians of other more favoured ones, is the Hundred Rolls. These were compiled at the behest of Edward I who had a mind to correct the many abuses which had grown up during the long reign of his father, Henry III. The Commissioners asked many pertinent questions with most revealing answers in many instances, but the small section devoted to Stapleford is virtually uninspiring.

The year is the 3<sup>rd</sup> of Edward I (20<sup>th</sup> November 1274-19<sup>th</sup> November 1275) and for Stapleford it is said that Hugh Heriz of Stapleford holds of the lord King in chief in Stafilford one fourth part of a knight's fee; Nicholas de Stafilford holds in the same vill ½ a knight's-fee of ancient tenure of the said Hugh, and Geoffrey de Stapleford holds in the same place one carucate of land of the same fee by service of a fourth part of a knight's fee, whereof the whole is of the Honour of Peverel. This is not particularly enlightening information but it does serve to show that the Heriz family was not now in possession of the whole of Stapleford as their demesne but was divided amongst three main families whereof it can be seen that Nicholas de Stapleford held the largest portion, Hugh, however, remaining the overlord between them and the King <sup>43</sup>

### **Hugh Heriz unsuccessfully claims the advowson from Newstead**

In 1274 Hugh Heriz successfully [sic. ? unsuccessfully] reclaimed the advowson of the church of Stapleford from the Prior and Convent of Newstead who had held it since the time of King John.<sup>44</sup> The reason for this action is a blank in the annals; perhaps he had in mind the presentation of one of his own family at the next vacancy; or as lord of Stapleford he considered it a favourable adjunct to that position; maybe it was simply because he genuinely thought the Prior had no legal right to the advowson. Whatever the reasons, at a court held at Nottingham on 12<sup>th</sup> November 1280, Hugh recognised the advowson to be the right of John, Prior of Newstead, and in return the prior would remember Hugh and his heirs in the prayers of the church.<sup>45</sup>

<sup>41</sup> FR 1267

<sup>42</sup> PR 53 Hen III.

<sup>43</sup> Rotuli Hundredorum Vol II pp.313,314

<sup>44</sup> Thoroton

<sup>45</sup> Newstead (693) 12

### **The knight's fee assigned to Eleanor of Provence**

On 28<sup>th</sup> October 1283 the knight's fee (the whole of course) of Hugh Heriz was assigned to Eleanor of Provence, the Queen Dowager, mother of the King.<sup>46</sup> This was probably done to augment her support and that of her family as was the grant of certain manors a few years later.

### **Death of Hugh Heriz in 1297 and inquisition post mortem**

Hugh Heriz died in 1297 and on the 24<sup>th</sup> June of that year the Escheator was ordered to take into the King's Hands the lands belonging to him. John de Lythergreynes, the Escheator, came to Stapleford and on 2<sup>nd</sup> July an inquisition post mortem was held and an extent of the lands taken. The jurors, 12 in number, were all pretty local but none was styled "of Stapleford". This extent is the first really detailed account of the feudal set-up in Stapleford and whilst one always wishes there were more information on any matter, here at least is something for which to be thankful.

They found that Hugh held a house with its cartilage, together with a dovecote; (the keeping of doves was the prerogative of the lord and ensured that he had some fresh meat during the winter months but was a source of depredation, which could be ill-afforded, to the surrounding crops in general). The yearly value of these was 7 shillings. He also held in demesne 11 oxgangs of arable land each oxgang containing 10 acres by the perch of 16 feet, and each worth yearly 5 shillings (as in his father's day). This is a most interesting piece of information for it actually gives the size of an oxgang in Stapleford at that time; a very elusive measurement when one realised its probable variation from locality to locality.

Whether or not an oxgang in Stapleford always had been this size or continued to be so in later years must be a matter for conjecture. This gives an acre of arable 2600 square feet, smaller than the present day acre, and based upon this an oxgang would therefore consist of approximately 9 2/5 acres by present reckoning-not very large when one realises the theoretical size of an oxgang is 156 acres.

In addition to the foregoing was the moiety of the water mill with a pond worth 10 shillings per year; (again no increase during the previous 30 years); and certain pastures worth 12 pence per year. Here we have the complete demesne lands of Hugh Heriz: a very small size compared with the total area of the parish or even by comparison with the holdings of some of his free tenants.

Chief amongst these was Sir Geoffrey de Stapleford, knight, who held from Hugh by knight service, 25 oxgangs of land in Stapleford and Thrumpton. This is the first mention of the Staplefords holding land in Thrumpton, but it should be noted that Staplewin, one of the Saxon lords of Stapleford, had held land in Thrumpton, land,

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<sup>46</sup> Pat.R 11ED1.

which, like Stapleford, was of the fee of Peverel; it is also the first time that we have details of any free tenants (whom we know to have existed). Geoffrey paid nothing yearly for his lands except scutage when it was demanded.

John, son of John de Stapelford, was the other principal free tenant and held 20 oxgangs of land by knight's service, paying only 2 pence yearly and rendering scutage when it befell. (This was the holding which had belonged to Nicholas of the Hundred Rolls. Note that whereas Nicholas had held it for  $\frac{1}{2}$  a knight's fee, in extent it was now smaller than Geoffrey's, who at that time had held his for a  $\frac{1}{4}$  fee.

Robert le Mazun (Mason) was the third free tenant and had a holding of far less size than either of the other two and comprised only 2 oxgangs of land at a yearly rent of 4 shillings payable in two equal portions at Pentecost and at the feast of St. Martin for all services.

There were 4 bondsmen (unnamed) belonging to Hugh and who held in bondage 8 oxgangs of land (2 each) and paid a fixed rent between them of 16 shillings yearly, that is 2 shillings for each oxgang. Here is an instance of a free tenant with no more land than a bondsman, and at the same rental, too. But here is the difference! -Robert the Mason as a free tenant was quit of all irksome services when once he had paid his rent whereas the unfortunate bondsmen had their labours as being worth, to their lord, 14 shillings per year, i.e. 21 pence per oxgang, and were also burdened with all manner of works and customs. Furthermore, they had to give aid (a monetary contributions of  $\frac{1}{2}$  a mark (6s. 8d.) at Michaelmas if the lord wished it.

There was also a certain cottage (occupier unnamed) let at a rent of 12 pence per year. All these were held of the King in chief of the Honour of Peverel by knight service and suit at the Court of Peverel every three weeks.

The son and heir was Richard Heriz, aged 15 on Holy Trinity day 1297.<sup>47</sup>

Joan, the widow of Hugh, was assigned her dower and 12<sup>th</sup> August 1297 upon her taking oath not to marry again without the King's licence.<sup>48</sup>

### **Late 13th century early 14th century : Richard Heriz : proof of age 1303**

Richard Heriz, who inherited Stapleford did not enjoy his possessions for very long; as a minor when his father died the lands were taken into the King's hands until he became of age but unfortunately it is not known to whom the wardship was entrusted. Richard had full seisein of them in 1303 but, alas, died in 1307. <sup>49</sup>

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<sup>47</sup> IPM 25 Ed I. No. 32

<sup>48</sup> Cal. Cl.R.25 Ed1

<sup>49</sup> Cal. Pat Rolls 31 ED1

If the heir to the estate held of the king in chief was a minor at the time of the inheritance, he would be appointed ward of some person nominated by the King (or someone influential enough to purchase the wardship) and the heir's estates would go along with him and be farmed for profit by the custodian of such wardship. When the heir reached the age of 21 it was necessary to prove this before the Escheator, or his representative, and such a proof of age appertaining to Richard Heriz is, fortunately, still extant and gives some interesting information regarding every-day happenings of so many centuries ago. It is such items as these which bring a little colour to otherwise prosaic official documents.

The inquiry referred to was held at Nottingham on 15<sup>th</sup> July 1303 and the jurors were local men or men with local interests. The first to give evidence on this occasion was William Torkard of Chilwell, aged 45. He sets the scene, so to speak, and tells that Richard was born at Stapleford, in his father's house, on the day of Holy Trinity (24<sup>th</sup> May) 1282 and on the day following was baptised in the church there when Richard de Normanton, Abbot of Dale, William de Jorz, friar of the order of preachers, and Elena, wife of Benedict de Stapleford, acted as godparents. This is remembered because for 3 years before the said birth he worked in the household of Hugh, the father, and in the last year of which the said Richard was born; in September of the same year William withdrew from that service.

Another to give evidence was Robert le Mason, who, it has been noted was one of Hugh Heriz's free tenants. He was then 50 and remembered the birth because on Ascension Day 1282 (7<sup>th</sup> May) Joan, the mother to be of Richard stood god-mother to his daughter and called her by her own name.

Geoffrey, son of Ralph of Stapleford, aged 46 agreed with the others and recollected that it was so because one Richard, son of Beatrice, who had married the witness' mother and held 2 bovates of land in Stapleford of his inheritance by the courtesy of England, died on the 8<sup>th</sup> May 1281, and on the actual day of the birth he, Geoffrey, did fealty to his lord the Prior of Newstead for the said land.

The explanation of this entry hinges upon the term "by the courtesy of England". Geoffrey's father, Ralph of Stapleford, had taken a wife who had land of her own, probably held in fee simple. Ralph had died but the 2 bovates did not descend to Geoffrey, they were still his mother's; she then married again, this time Richard son of Beatrice and after her demise Richard was still allowed to hold them "by the courtesy of England", Geoffrey only entering upon them after the decease of Richard.

Robert Aubrey of Stapleford, aged 45, agreed also and remembered because Avice, his mother, died on St. Thomas the Martyr's Day (29<sup>th</sup> December) in the same year.

Nicholas, son of Richard of Stapleford, aged 50 agreed and remembered because he went with Sir Geoffrey de Stapleford, his lord, to the war in Wales at Michaelmas 1281 and in the following year Llewellyn, Prince of Wales, and David his brother were taken and slain.

Elias Torkard of Hucknall, agd 60, had reason to remember Richard's birth because on the day of the Nativity of the Blessed Virgin Mary next after, (8<sup>th</sup> September 1282), he married Alice, daughter of Geoffrey de Heriz of Stapleford; (he was, therefore, great-uncle through marriage to Richard the subject of this inquisition).

William Torkard of Bunney, (these Torkards really did spread themselves around), aged 50, remembered because in Whitsun week before the birth of Richard, Marjory his wife was taken with great weakness and bore a son scarcely 6 thumbs in length, who nevertheless lived until he was baptized and then died.

The twelfth and final witness was John, son of John of Stapleford, aged 41; he agreed and recollected because John, his father, was in the war in Wales with Sir Peter de la Mare and was drowned with his lord and many others in the water of Conway on St Leonard's Day (6<sup>th</sup> November) 1282. (This John, son of John, must not be confused with the John, who was the free tenant of Hugh).<sup>50</sup>

In consequence of this inquisition all was found to be well and on the 28<sup>th</sup> July 1303 the Escheator was ordered to cause Richard Heriz to have seisin of the lands which had been his father's, as he had proved his age before that official and the King had taken his fealty, provided that Richard went to the King when the King returned from Scotland and do homage for his lands.<sup>51</sup>

### **Early 14th century : Richard Heriz**

Richard died late in 1307 leaving a daughter, Idonea, a son Richard, and a widow Margery who later married Thomas Dayvill of Egmanton. On 4<sup>th</sup> December 1307 John de Mountney, king's yeoman, was granted custody of the lands of Richard Heriz during the minority of the heirs, together with their marriages.<sup>52</sup> According to the monks of Newstead<sup>53</sup> this John of Mounteney sold the wardship and marriage to a certain John de Bugton of Wellum and this John married our Richard, under age, to his daughter Elizabeth.

John de Bugton certainly seems to have had an eye to business and intended getting as much as he could out of the wardship, for both himself and his family. It appears that on certain lands granted by the ancestors of his ward to the Prior of Newstead, the Prior was acquitted payment of Sheriff's Aid and Common Fine and that this,

<sup>50</sup> IPM 31 ED I

<sup>51</sup> CAL PAT.R. 31 ED I

<sup>52</sup> Cal. Pat. R 1 ED II

<sup>53</sup> 2Newstead (693)5

when due, would be paid by the descendants of the original grantor. John argued that he was not a descendant of the grantor and that as he had come by the estate by purchase (albeit only as a temporary custodian) the dues in question must be paid by the Prior.<sup>54</sup>

### **Richard Heriz: Proof of age 1328**

Richard Heriz attained his majority in November 1328 and at Derby on 21<sup>st</sup> December that year the required enquiry was held to establish proof of this.<sup>55</sup>

Once again, we are treated to glimpses of happenings in the past as the witnesses give their evidence. The first to speak was John de Brokestowe, aged 50 and more, and tells that Richard Heriz was born in Stapleford on the morrow of St Leonard in the first year of the reign of King Edward II (7<sup>th</sup> November 1307) “in the manor house in the large stone chamber by the hall”, and was baptised in St. Helen’s church when Richard, then Prior of Newstead, and William Cobbeleye, then chaplain of the parish stood as god-parents. He remembered this because King Edward II was crowned at Westminster on the Sunday next after the Purification next after the feast of St. Leonard, (3<sup>rd</sup> February 1308).

Geoffrey de Brennesley (one of the Brinsleys of Brinsley and Trowell) agreed, because the king married Isabella at Westminster on this coronation day and he, Geoffrey, passed the night before at the Tower of London.

Roger de Mauncestre, aged 50 years and more, said likewise because on the Saturday next after St. Mark’s Day in the same year Roger Hare slew Robert Daubene (Aubrey) at Stapleford. Now this is a piece of false evidence; probably not deliberate but certainly erroneous. The date given by Roger is 29<sup>th</sup> April 1307 if the year to which he is referring is the year of Richard’s birth, or 27<sup>th</sup> April 1308 if the year to which he is referring is the year of the King’s reign. How is it known to be false? Because on the 8<sup>th</sup> August 1304 a pardon was granted to Roger, son of Alexander Hare of Thurgarton at the instance of Henry de Lacy, earl of Lincoln, for the death of Robert, son of William Aubrey of Stapleford.<sup>56</sup> Just too much of a coincidence that a Robert Hare should have killed two Robert Aubreys (or even Daubenes-a misinterpretation of the name Aubrey which occurs many times in connection with Stapleford.)

John de Burton, aged 42 years, said the like and knows it to be so because on Wednesday next before St Nicholas 1 Edward II (29<sup>th</sup> November 1307) he left the school of Nottingham by the advice of Thomas de Stapleford, rector of the Church of Trowell, and became clerk with the same Thomas from the aforesaid day until the same day seven years after, on which day he married Joan, daughter of Nicholas de Sandiacre (alias de Stapleford), with whom he had lived 14 years.

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<sup>54</sup> 2Newstead (693)5.

<sup>55</sup> IPM 2EDII.

<sup>56</sup> PAT. R.32 ED.I

Hugh Abbott, aged 50 years, agreed and knew because on the Sunday next after St Leonard 1 Edward II (12<sup>th</sup> November 1307) he had a son, Robert, born, baptised and dead on the same day.

Geoffrey, son of Richard, aged 50, knew because on the day Richard Heriz was born, Richard, son of Geoffrey, celebrated his first mass in the church of Stapleford.

John Gervase of Chilwell remembered because Cecily, his wife, was engaged as wet nurse for the said Richard and stayed for 3 days, but the stay did not please her and on the fourth day she withdrew her services and returned home.

John de Mounteney (to whom the original wardship had been granted) was warned to be present himself at the taking of this proof but did not put in an appearance, neither did he send anyone in his place. As he had relinquished his interest in the wardship he probably saw no reason why he should attend <sup>57</sup>

### **Richard enfeoffs John de Bildeworth - 1329**

On 9<sup>th</sup> April 1329 the Escheator was ordered to cause Richard Heriz to have seisin of his father's lands.<sup>58</sup> The Patent Rolls tells us that on 16<sup>th</sup> May of the same year Richard received licence to enfeoff John de Bildeworth of Bughton with the manor of Stapleford and for John to grant the same to Richard and Elizabeth his wife and their heirs. This was simply an accepted way of ensuring that the estate should descend to the heirs of Richard and Elizabeth; there were probably other clauses too,<sup>59</sup> and I believe this John of Bildeworth de Bughton to be the same person as the John de Bughton mentioned in the Cartulary.

### **Escheator ordered to make enquiries**

Although Richard had entered into possession of his lands it appears that all was not well, for on 14<sup>th</sup> May 1332 John de Louth, the Escheator, was ordered not to intermeddle further with a messuage and 2 bovates of land in Stapleford, and to restore the issues thereof, from 9<sup>th</sup> April 1329, to Richard Heriz. It seems that a John de Stapleford had entered the said tenements without having any right therein from Richard Heriz, the father, during his lifetime, and so occupied them. The King, at the prosecution of John, suggested that Richard, the father, held the messuages and land of the said John de Stapleford by certain service, that long before his death he, Richard, rendered them into the hands of John because the services were too burdensome, and that John thus entered and held the lands until the day that they were taken into the King's hands by the Escheator <sup>60</sup>

<sup>57</sup> IPM 2ED.III.

<sup>58</sup> CAL.CL.R/3EDIII

<sup>59</sup> CAL.PAT.R 3EDIII

<sup>60</sup> CAL,CL.R 6EDIII

Prior to this, the Escheator had been ordered to make enquiries and at an inquisition held at Nottingham on 23<sup>rd</sup> March 1332 it was found that the messuage and 2 bovates of land were of the yearly value of 16 shillings and 8 pence, were held of the King in chief by Richard Heriz as of the Honour of Peverel by forensic service, and that John de Stapleford never had any estate therein.<sup>61</sup>

### **Richard enfeoffs Richard de Bughton**

The enfeoffment, spoken of earlier, whereby Richard Heriz invested John de Bughton with the manor of Stapleford was revoked and Richard then enfeoffed his brother –in-law Richard de Bughton, who was a parson, with the manor and its appurtenances and who then granted it, in the usual way, to Richard and Elizabeth and their heirs lawfully begotten. If they should die without heirs then the estate was to pass to this Richard, Elizabeth's brother, and his heirs; but if this brother should die without lawful issue, then the manor etc. was to go to the right heirs of Richard Heriz. <sup>62</sup> (Another instance of the tortuous way to ensure the succession to the property so it should not revert to a higher lord-in this instance the King.

### **Mid 14th century Idonea de Fermory**

After all these legal precautionary measures the first to die was Richard Bughton soon to be followed by his sister, Elizabeth, in the plague and both without issue: Richard Heriz was once more in sole and unfettered possession.<sup>63</sup> He then decided to enfeoff William de Wakebrigge and others with the gift and grant of the manor to the Prior and convent of Newstead for the founding of chantries, but at this act of pious nonsense his sister Idonea was up in arms. She was his next of kin and also had a family; seeing a valuable commodity being alienated away further from her and hers she, together no doubt with her husband John de Fermory and friends prevailed upon her brother to revoke the deed. Their arguments must have been pretty good for within three days of the original grant Richard Heriz revoked the deed and made another enfeoffing Robert de Fermory, son of Idonea, who it was intended, should marry Cecilia, a sister of Elizabeth Heriz; this event, however, did not take place. Misfortunate once again struck this already much thinned out family; Richard Heriz died soon afterwards and then did John de Fermory followed closely by Robert, the son of John and Idonea. As Robert had died without issue the whole of the manor devolved upon Idonea by heredity and right as heir in blood to the last of the Herizes.<sup>64</sup>

It is mentioned that, after the demise of Richard Heriz, a certain Richard de Wilby (Willoughby?) claimed to have legal rights in the property for the term of his life.

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<sup>61</sup> MISC. INQ. 6EDIII

<sup>62</sup> Newstead (693) 7

<sup>63</sup> Newstead (693) 7

<sup>64</sup> Newstead (693) 8

This would appear to be a fleeting reference and nothing has yet come to light to elaborate on this point<sup>65</sup>

One gets the impression that Richard Heriz was either a sick man or one who was easily imposed upon. John de Fermorie and Idonea had acquired, for the term of their lives, from Richard a messuage and 11 acres of land in Sandiacre and had entered upon it without obtaining the King's licence. This property was held of the King in chief by rendering 6 shillings and 8 pence to the King at the Exchequer by the hands of the sheriff of Derby. The property was worth in all issues 5 shillings yearly above the rent, and at the inquisition held at Stanton by Dale on 30<sup>th</sup> June 1343 the jurors, amongst whom was a Thomas de Stapleford, found that there still remained to Richard Heriz, after the grant, 10 librates of land and rent in Stapleford. <sup>66</sup> This wording suggests that the property acquired by Idonea constituted the whole of her brother's possessions in Sandiacre. Although it had been found that it was not to the King's loss if John and Idonea be allowed to retain the property, the offenders did not receive their pardon until November in the same year, when they had to pay a fine of 20 shillings. <sup>67</sup>

Idonea found it necessary to obtain a quit-claim of William de Wakebrigge for his interest in Stapleford, but in her widowhood decided to grant to William 2 bovates of land in Stapleford which she had had of the gift of her brother when she married John de Fermorie. William by his charter, and with the King's licence granted these 2 bovates to the Prior and convent of Newstead. <sup>68</sup> <sup>69</sup> to be held of the chief lord by services owed. The two bovates were not annexed to any spirituality and Geldable for taxation purpose and outlays to the vill of Stapleford. Idonea had held them of the King without doing any service for them <sup>70</sup>

### **Mid 14th century : End of Heriz line.**

The precise date of the death of Richard Heriz is not on record, but would occur sometime after the plague of 1349, which we know he survived, and before May 1352, the date of William de Wakebrigge's licence to grant Idonea's 2 bovates to Newstead.

Likewise, nothing further is heard of Idonea, and a survey made in 1428 revealed that the fee which Richard Heriz sometime held was then in 5 parts, whereof the Prior of Newstead had one, Thomas Columbell one, Nicholas Stapleford one, Robert Mately one, and William Johnson one.

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<sup>65</sup> Newstead (693) 9

<sup>66</sup> Notts IPM p171 Inquisitions ad quod damnum File 267 No.1 TNA C 143/267/1

<sup>67</sup> CAL PAT R 17EDIII.

<sup>68</sup> Newstead (693) 10,

<sup>69</sup> PAT.R.26 EDIII

<sup>70</sup> Newstead (693) 11

