



Claiborne Society Newsletter

The National Society of Claiborne Family Descendants



Fall 2025

Message from the Publications Chairman

Patricia Clayborn

Tracking our ancestors can be more than just an idle pastime. Many diseases have a genetic component. An interesting new scientific theory suggests that King Henry VIII's reproductive troubles can be explained if he were positive for "the Kell blood group." A Kell negative woman who has multiple pregnancies with a Kell positive male will suffer repeated miscarriages that occur subsequent to the first Kell positive pregnancy. Additionally, Henry may have suffered from McLeod syndrome, which can only manifest in Kell positive patients, and might have been inherited from Jacquetta Woodville, Henry's maternal great grandmother. (Whitley CB and Kramer K. "A New Explanation for the Reproductive Woes and Midlife Decline of Henry VIII." *The Historical Journal*. 2010. 53(4): 827-848.) (Stride P and Lopes-Floro K. "Henry VIII, McLeod Syndrome and Jacquetta's Curse." *Journal of the Royal College of Physicians of Edinburgh*. 2013. 43(4):353-60.)

Most recently, geneticists are studying a DNA sample taken from fabric cut from a dress worn by Queen Elizabeth I. They hope to use the results to diagnose any genetic illnesses from which she might have suffered.

In this issue, King's Lynn Town Guide Ivor Rowlands is offering a new tour of Eastern England to include King's Lynn in July 2026. And Frank Rura has given us the gift of a new publication of "The Claiborne Family Journal," written by Admiral Dr. Christopher James Cleburne (1838-1909) – a direct descendant of the Cleburnes of Cliburn Hall, Westmorland. After a DNA Study update, we examine just when the le Franceys Family living at Cliburn began to change their name from le Franceys to de Cliburn. Finally, we take a detailed look at a feud between the le Franceys Family and the de Hastings Family that resulted in a murder in 1286.

Thank you for your continuing membership and for contributing to our Society!

Sincerely, Patricia Clayborn



ST. MARGARET'S CHURCH AND THOMAS CLAYBORNE'S WAREHOUSE IN KING'S LYNN, NORFOLK, ENGLAND

NEW MEMBER:

We are delighted to welcome the following new member to our Clan:
Christopher Claiborne Miles – Kansas City, Missouri

OFFICERS 2025 - 2026

President	Linda M. King
Vice President	To be announced
Secretary	Nicholas J. Lilly Cline
Treasurer	Charles E. Claiborne
Registrar	Douglas L. Edgmon

Standing Committees

Reunion	To be announced
Research	Johnathan J. Clayborn, MS
Archives	Susan W.H. Rura
Publications	Patricia Clayborn
Webmaster	Dan Boylin

www.claibornesociety.org

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Letters to the Publisher

Ben Jeffryes wrote:

Subject: Elizabeth Claiborne, wife of William Claiborne

Dear Patricia,

I am emailing you in connection with your role in the Claiborne society. My ancestry does not include any Claibornes, however I believe I am descended from the same Boteler family as William Claiborne's wife Elizabeth. The will of Jane Boteler of Fryerning in Essex in 1648 (attached), widow of John Boteler Snr, leaves money to her daughter Elizabeth Claborn. It also makes her son Thomas Boteler her executor and, according to the wishes of her deceased husband, the chief beneficiary.

The generally accepted version of the history of Kent Island has William and Elizabeth Claiborne being joined by her brothers John Jnr and Thomas. John Jnr predeceased his brother Thomas, who died in 1645. From her mother's will however, it appears he is alive and well in England in 1648. There is a Thomas Boteler (my ancestor) who dies in London in 1685 who leaves poppy fields in Fryerning to his son Thomas, and also 20 shillings to buy rings to remember him by to two of his relatives, Sir Oliver Boteler and Francis Boteler Esq.

John Boteler Snr's brother Oliver, had a descendent Sir Oliver whose son was Francis, both alive in 1685. Additionally, one of Thomas's daughters had the very unusual name of Cressid, just as John and Jane had a daughter Cressid, named after John's aristocratic mother Cressid St John. This is strong evidence I think that the Thomas Boteler who lived on Kent Island was not the brother of Elizabeth Claiborne, despite the fact that the names John, Thomas and Elizabeth, and indeed Thomas's wife Joan, match the genealogy in the Visitations of Essex of 1634, and so far as I can tell, records refer to Thomas, John and Elizabeth as being siblings. I am, to say the least, confused by this.

If you have any contacts with those researching Butler/Boteler family genealogy I would be interested in discussing this with them.

However, whatever the issues related to Thomas Boteler, I thought you would be interested in the will of Jane Boteler.

Best wishes, Ben Jeffryes

Dear Mr. Jeffryes:

Thank you so much for your message and the copy of the will of Jane Boteler. I will certainly include them in the next issue of our Claiborne Society Newsletter.

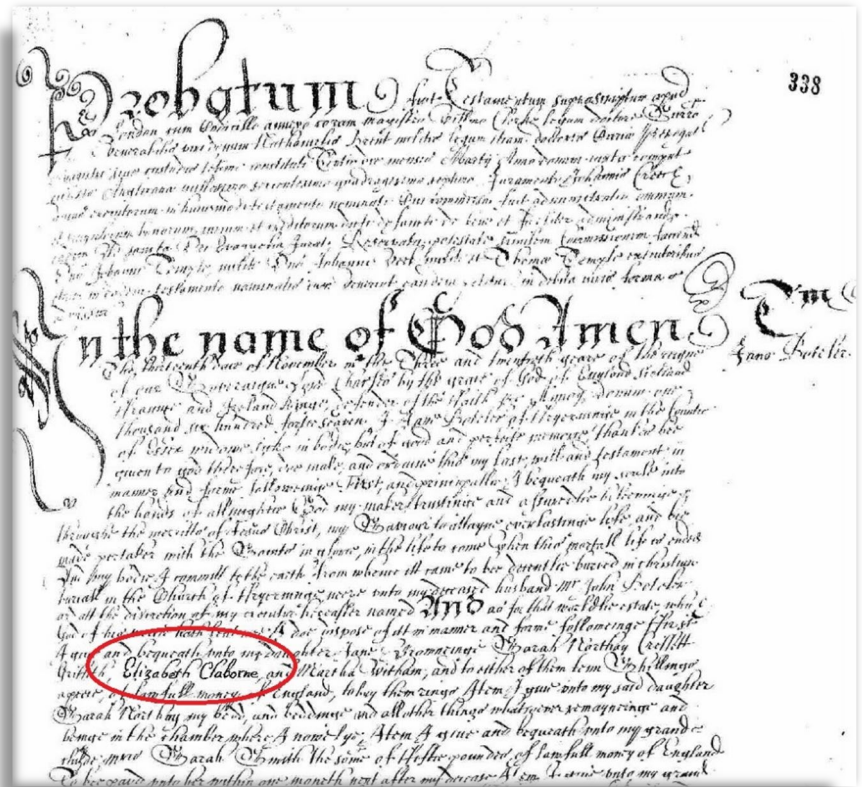
I have carbon copied this information to our DNA Administrator, Johnathan Clayborn, not because of DNA, but just in case it provides any support for research on the life of Colonel William Claiborne. We are trying to see if there are any relationship links between the Cliburn Hall Westmorland family and the Colonel William Claiborne family.

I do not have any contacts with anyone researching Butler/Boteler family genealogy right now, but perhaps we will have some in the future. I find Elizabeth Butler's history and genealogy fascinating, and reported on it in our Spring 2016 issue:

<https://www.claibornesociety.org/newsletters/>

Could you tell me what mistakes are in my articles, so that I can correct them?

Gratefully, Patricia Clayborn



Ivor Rowlands wrote:

Dear Patricia:

You may recall that I was in touch with the Claiborne Society last year following a visit to King's Lynn by Heath Claiborne Boyer and his family. I'd like to update you and the members of the Claiborne Society on two 9-day tours that I will be curating to the East of England in July 2026. We will be staying in King's Lynn and there will be ample time to discover some of the remarkable connections with the Clayborne family in Lynn. This follows on the success of my inaugural tour that was conducted this year: [Join the Journey](#)

You can find out more details and hear about what people thought of this year's tour by visiting the Surprising Town website: [Surprising Town](#), and I've attached the two itineraries for your information.

I'd be most grateful if you could pass on details to your members. Many thanks.

- East of England tour itinerary 11 - 20 July 2026 <https://www.surprisingtown.co.uk/wp-content/uploads/2025/10/East-of-England-tour-itinerary-11-20-July-2026.pdf>
- East of England tour itinerary 18 - 27 July 2026 <https://www.surprisingtown.co.uk/wp-content/uploads/2025/10/East-of-England-tour-itinerary-18-27-July-2026.pdf>

Regards, Ivor Rowlands 07824 306404 ivorrowlands09@gmail.com

[Surprising Town](#) - If you think you know England, think again. [Join the Journey](#)

The Claiborne Society DNA Study

Those who are interested may access our DNA Study at the following site:

<https://www.familytreedna.com/groups/claiborne/about/project-statistics>

Besides this site, our new DNA Administrator, Johnathan Clayborn, MS, has made himself available to us in several different ways: He has created an entire web site to answer our questions at the following address:

https://claybornglobal.com/Genealogy/index.php/Main_Page

There is a good index page at this address:

<https://claybornglobal.com/Genealogy/index.php/Special:AllPages>

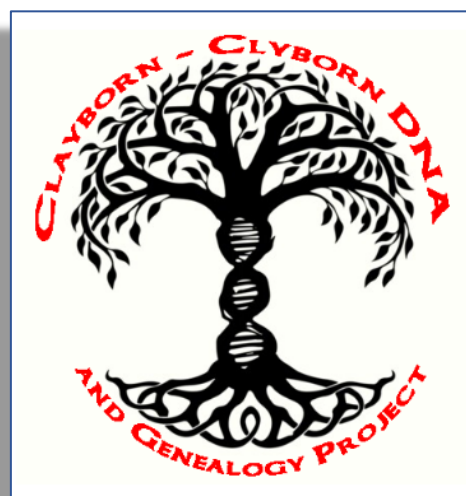
Please save these to your internet "favorites" so they will be easy to find in the future.

Johnathan has also contributed to our newsletter and you may read one of his articles in the Spring 2022 issue on page 6.

In addition, he wrote the 2023 DNA Study report on our research page as follows:

<https://claibornesociety.family/research/>

Go to the bottom of the page under "DNA Study" and choose "2023 DNA Report."



The Claiborne Family Journal

From Frank Rura

In 1997, Dr. Thomas Claiborne brought a copy of The Claiborne Family Journal to the Claiborne Clan reunion in Williamsburg, Virginia. Recognizing the value of much of the research recorded in the journal, it was decided that a special committee would be organized and donations solicited to aid in the publication of the work to further Claiborne research. Dr. Thomas Claiborne wrote 14 April 1998:

"My uncle, Randolph Royal Claiborne, Jr., was the bishop of the Episcopal dioceses of Atlanta which includes the northern part of the state of Georgia starting in the early 1950's. In the late 1950's or early 1960's a lady purchased a secretary desk from a family estate sale in Savannah, Georgia and noticed upon opening the secretary that there was this manuscript which included elaborate detail work on the Claiborne and Cleburne family. Since she was an Episcopalian and knew about Bishop Claiborne, she sent him the manuscript unsolicited which he showed to his immediate family, including my father and aunt here in the Atlanta area. The manuscript was unnoticed and not even known to the rest of the family until it was discovered in my aunt's estate by her daughter who in turn donated it to the Atlanta Historical Society and in the Atlanta History Center where the original still resides. A copy was provided by the Atlanta History Society to me and a second copy was made for Sue Forbes for her research interest. The name of the lady that discovered the manuscript in Savannah and the family from whom she bought the manuscript is now lost to history but it is remarkable that such an elaborate piece of research and effort could have been lost to the point that it was sold in an old chest in an estate sale without its value being known even to the purchaser or to the seller."

Thomas S. Claiborne, Jr., M.D.

As Claiborne Clan researchers worked through the anonymous The Claiborne Family Journal, it became apparent that only one man could have produced the work. It was much easier than expected to prove that Dr. Christopher J. Cleburne wrote the journal. He had left clues in the journal and we suspected he was the author, so when Sue Forbes was contacted by Georgia historian, Mauriel Joslyn, we had the final piece of evidence we needed. She had just finished a book of essays on Civil War General, Pat Cleburne, Dr. Cleburne's first cousin, and was seeking more information on the Cleburne family. Her files contained a photocopy of a handwritten letter by Dr. Cleburne that is stored in the Thomas Claiborne papers, Southern Historical Collection at the University of North Carolina. It matched the handwriting in the journal.

Virginia historians had been looking for Dr. Cleburne's material since at least 1948 when Clayton Torrence wrote an article on "The English Ancestry of William Claiborne of Virginia" for the Virginia Magazine of History and Biography, 1948. Vol. 56, No. 3. He comments in footnote 11, page 341, "Unfortunately no other papers from Doctor C.J. Cleburne's collection of family data are in the Society's files."

Biography: Dr. Christopher James Cleburne (1838-1909)

Dr. Christopher James Cleburne was born 16 December 1838 in Edinburgh, Scotland to Christopher and Jane Reilly Cleburne of Ireland. He died in 1909. His wife was Jane Elizabeth Emma Parker of Philadelphia. They were married 8 May 1861. She died at the home of her daughter, Mrs. H. B. Glover of Atlanta. Her obituary was published in the Atlanta Journal on 24 September 1910.

Dr. C. J. Cleburne graduated the University of Pennsylvania 1860. He was appointed Asst. Surgeon, U.S.N., May 1861; promoted past Assist. Surgeon, October 26, 1863; Surgeon, November 24, 1863; Medical Inspector, January 7, 1878; Medical Director, September 18, 1887; retired with rank of Rear Admiral, November 10, 1899; Director Naval Hospital, Norfolk, Virginia (1888-1891 and 1894-1899), of Chelsea, Massachusetts (1891-1894), and Philadelphia, Pennsylvania (January-November 1899). (See *Who Was Who in America, 1897-1942*, p. 229).

Frank Rura has made available a new edition, and the price per copy is \$20. This includes shipping and handling for USA recipients. Frank makes no profit but rather is taking on this task as his donation to the Society.

Please use the order form at the Society website under "Publications":

https://claibornesociety.family/publications/Claiborne_Family_Journal_Order_Form_2025.pdf

Admiral Dr. Christopher James Cleburne (1838-1909)

By Patricia Clayborn

Claiborne Clan members have done some remarkable research in the past, and then made their efforts available to us. Dr. Claiborne T. Smith, Jr. was a beloved member of our Claiborne Clan who collaborated with John Fredrick Dorman in 1995 to publish the book *Claiborne of Virginia: Colonel William Claiborne and His Descendants, The First Eight Generations*. Rare copies of this book can sometimes be found online.

In 1999 Claiborne Clan members Sue Cliborn Forbes, Elsa Diamond, Adele Claiborne Tallman, Stefanie Norton Forbes, and Alex Waldrop carefully transcribed and then published the *Claiborne Family Journal*. The original aged, beautifully handwritten and illustrated journal was found inside an antique desk that had been purchased at an estate sale in Savannah, Georgia. At the time, the author could not be determined. The buyer passed the manuscript to Bishop Randolph Royal Claiborne, whose descendant eventually donated it to the Atlanta Historical Society, where the original still resides. The Claiborne Clan petitioned the Society for a photocopy and formed a special Committee to transcribe and publish the results. After research, it was determined that the author of the Journal was Admiral Dr. Christopher J. Cleburne, a direct descendant of the Cleburnes of Cliburn Hall, Westmorland.

Admiral Dr. Christopher James Cleburne was a Rear Admiral, Surgeon and Medical Director in the United States Navy who had a lifelong passion for genealogy. He was the son of Christopher Cleburne (1793-1848) and Jane Reily of Belleville, grandson of William Cleburne and Phoebe Sharpe of Rock Cottage and Annahanarig, Ireland, and great-grandson of Edward Cleburne and Ellen Palmer of Springmount and Derrinsilla, County Tipperary, Ireland. He married Jane Elizabeth Emma Parker on May 8, 1861, and they were the parents of nine children. Jane was the daughter of John Borbridge Parker, Esq. of Philadelphia, and great-niece of the Rev. Bartholomew Lloyd, D.D., Provost of Trinity College, Dublin, 1831-7, and President of the Royal Irish Academy.

Admiral Cleburne was first cousin to Major General Patrick Ronayne Cleburne, and it was the Admiral who had a plaque and stained glass window honoring the General mounted in St. Cuthbert's Church in Cliburn, even though the cousins fought on opposite sides during the Civil War. Admiral Cleburne is buried in Arlington National Cemetery. His children gave the gift of a lovely baptismal font cover to St. Cuthbert's Church in Cliburn in his honor. The Admiral's painstaking efforts to document his family's ancestry, as well as that of others with the name, makes amazing reading. One of the pages of our website is an Order Form you may use to obtain your own copy.

Line of Descendancy from Adam le Franceys to Admiral Dr. Christopher James Cleburne

- 1 Adam le Franceys
- ...2 Hugh le Franceys
-3 Robert le Franceys
-4 John (de Cliburn) le Franceys
-5 Robert (de Cliburn) le Franceys
-6 John (de Cliburn) le Franceys
-7 Robert (de Cliburn) le Franceys
-8 John (de Cliburn) le Franceys
-9 Robert Fraunceys Cleburne
-10 John Cleburne
-11 Roland Cleburne
-12 John Cleburne
-13 Thomas Cleburne
-14 Robert Cleburne
-15 Edmund Cleburne
-16 Richard Cleburne
-17 Edmund Cleburne
-18 Thomas Cleburne
-19 William "Wise William" Cleburne
-+ Bridgetta Warde b: Abt. 1620 in Kilkenny, Ireland, m: Abt. 1640 in Kilkenny, Ireland
-20 Richard Cleburne b: Abt. 1650 in Broad Street, London, England, d: Bunadubber, Ireland
-21 William Cleburne b: Abt. 1700 in Ballycullatan, Ireland
-+ Grace Woodrife b: Abt. 1720 in Tipperary, Ireland, m: 1744 in Woodroffe, Tipperary
-22 Edward Cleburne b: Abt. 1758, d: Abt. 1819 in Springmount and Derrinsilla, County Tipperary, Ireland
-+ Ellen Palmer b: Abt. 1750 in Derrinsilla, County Tipperary, Ireland
-23 William Cleburne b: Abt. 1773, d: Abt. 1833 in Rock Cottage and Annahanarig, Ireland
-+ Phoebe Sharpe b: Abt. 1775
-24 Christopher Cleburne b: 04 Dec 1793, d: 11 Nov 1848
-+ Jane Reily b: 03 Jan 1800, d: 03 Jan 1862
-25 Christopher James (Admiral and Dr.) Cleburne b: 1838, d: 1909



Admiral Christopher James Cleburne, MD 1838 - 1909
Author of the "Claiborne Family Journal"

Photograph from the book "University of Pennsylvania:
Biographical Sketches and Portraits of Founders,
Benefactors, Officers and Alumni" Vol II 1902



Baptistry, St. Cuthbert's Church, Cliburn
Ornately carved wooden font cover with a brass dedication plaque
Inscription:

"Presented to Cliburn Church by
Capt. C. J. Cleborne, U.S. Navy
Lucy Cleborne McReynolds & Edith Cleborne Glover
In memory of their Father
Admiral Christopher James Cleborne, M.D. U.S. Navy
Born Dec. 16th 1838-Died Oct. 2nd 1909"

When Did the le Franceys Family Change Their Name to Cleburne ?

By Patricia Clayborn

The le Franceys Family of Cliburn Hall, Cliburn, Westmorland, eventually became known as the Cleburnes. It is unclear when exactly this change took place, since both names appear in legal documents over the course of several generations. However, "The History of Parliament: British Political, Social & Local History" places the change during the lifetime of Robert le Franceys de Cliburn, who died circa 1396. It states:

Robert le Franceys de Cliburn: "Family and Education: son and heir of John Fraunceys (d. by 1359) of Cliburn. Married circa 1361, Margaret, daughter and heir of Roger Cundal (d. by 1366) of Bampton. Offices Held: Collector of taxes, Westmorland. Nov. 1377, Mar., Dec. 1380, Dec. 1384, Dec. 1385.

Biography: Thanks to an entail of family property made by Robert Fraunceys of Cliburn in 1337, his third son, John, succeeded to the manor on the death of his elder brothers, who were childless. John himself died in or before 1359, when his own son and heir, Robert, the subject of this biography, brought a lawsuit against Sir Hugh Lowther for the recovery of certain lands and rents in Askham which he claimed as Lord of Cliburn. At first Robert adopted the family name of Fraunceys, but before long he had assumed the toponymic of Cliburn, by which he is more generally known. In about 1361, he seized the opportunity to enlarge his possessions by marrying Margaret, daughter and heir presumptive of Roger Cundal, who owned the manors of Knipe, Bampton Cundal and Bampton Patrick, all of which lay a few miles to the south-west of Cliburn. At some point over the next five years Margaret came into her inheritance, and Robert's position as a landowner improved accordingly. The survival of his father's second wife, Margaret, meant that the sub-manor of Cliburn Hervey, which she held as dower, passed out of Cliburn's hands into those of her new husband, John Warcop, so he must have welcomed these additional revenues all the more. Through his wife, Robert now became a feudal tenant of Roger, Lord Clifford (d. 1389), who retained him formally in June 1369 at a fee of ten marks, payable for life from his manor of Winton in Westmorland...

He sat three times in the Lower House between 1383 and 1386...By now a fairly wealthy man, Robert was able to build [actually re-build] a tower at Cliburn for defense against the Scots. He also married his son, John, to Margaret, the daughter of Hugh Salkeld I, settling upon them various properties in and around Bampton, which, in October 1392, he guaranteed with a promise of rents worth £2 a year in the event of any problems over tenure. A suit brought by him against Sir William Curwen, for the non-payment of rents in Bampton, shows that he was still alive in 1395, although he probably died soon afterwards, as his wife's estates passed into the hands of trustees at some point over the next three years."

Reference:

Cliburn, alias Fraunceys, Robert (d.c.1396), of Cliburn and Bampton, Westmorland. Published in The History of Parliament: The House of Commons 1386-1421, ed. J.S. Roskell, L. Clark, C. Rawcliffe., 1993.

<https://www.historyofparliamentonline.org/volume/1386-1421/member/cliburn-robert-1396>



Map of The County of Westmorland,
engraved and published by
Thomas Jefferys, London, 1770

Family Feud: le Franceys and Harcla Families Versus the de Hastings Family over Possession of Maulds Meaburn

By Patricia Clayborn

We know that the le Franceys Family were ancestors of the Cleburnes of Cliburn Hall, Westmorland. In 1243, John le Franceys, Baron of the Exchequer, son of Hugh le Franceys and Johanna de Veteripont, was given the whole Manor of Maud's Meaburn by Johanna's father: Ivo Veteripont, Lord of Alston Moor and son of Maud de Morville and William de Veteripont. Maud was a sister of Sir Hugh de Morville, Constable of Scotland, Lord of Westmorland and a principal participant in the murder of Thomas Becket, Archbishop of Canterbury. The Norman family de Veteripont, also known as Vipont or Vieuxpont, came to England during the reign of William the Conqueror. They were granted extensive lands and held significant influence, particularly in Westmorland, until the mid-13th century. The family name comes from the Old French Vieuxpont, meaning "old bridge," which was Latinized to de Vetere Ponte.

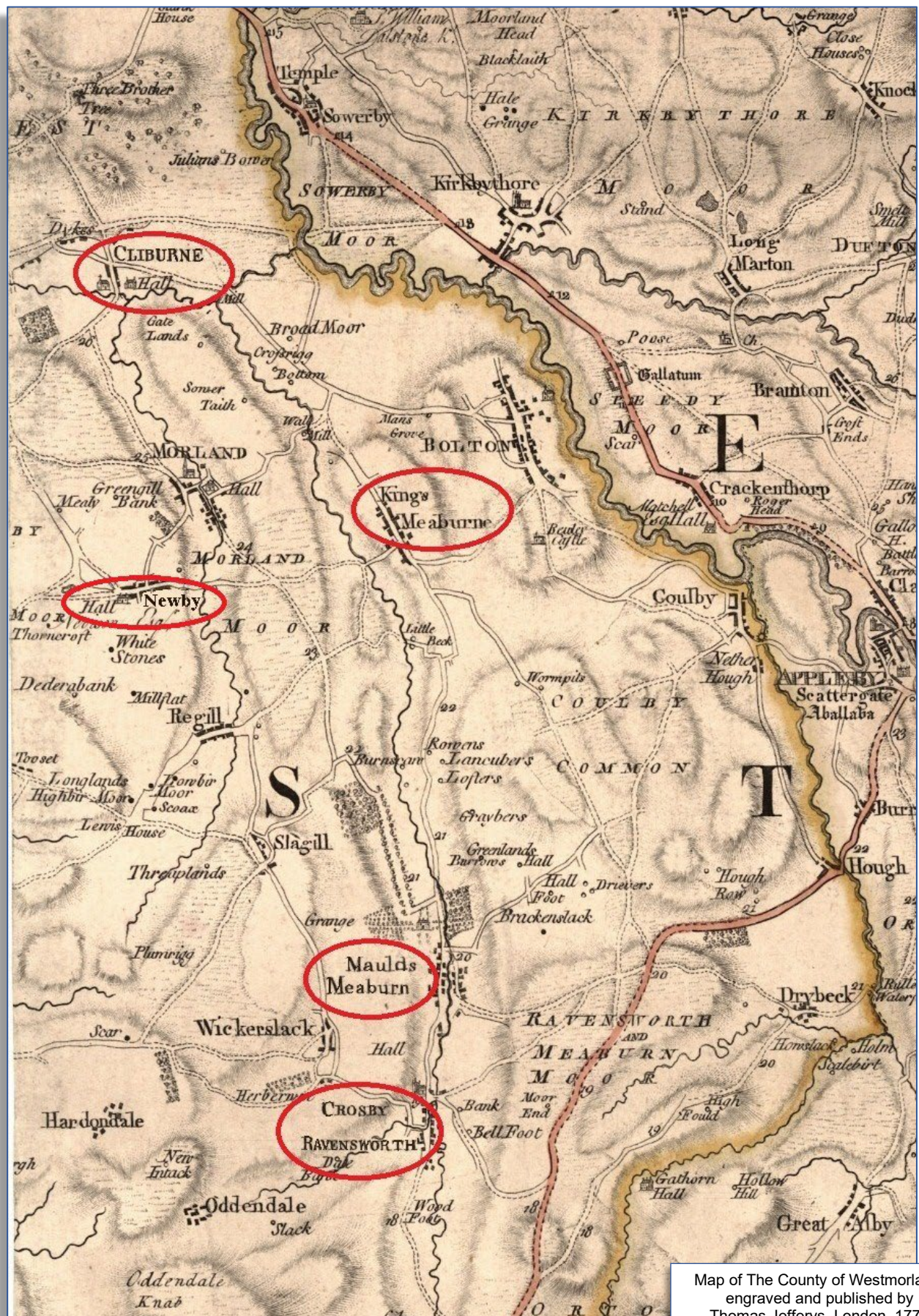
There was a large district in Westmorland on the banks of the River Lyvennet called Meaburn which Roger de Morville left to his son, Hugh de Morville, and his daughter, Maud. The term "Meaburn" comes from the Anglo-Saxon northern dialect and means meadow stream. Hugh de Morville's portion of the estate was known as Meaburn Regis, or King's Meaburn, after it was forfeited to the crown. Hugh de Morville and three other of King Henry II's Knights - Reginald FitzUrse, William de Tracy, and Richard le Breton - plotted Thomas Becket's murder after interpreting the King's angry words as a command: *"What miserable drones and traitors have I nourished and brought up in my household, who let their lord be treated with such shameful contempt by a low-born cleric?"*. They assassinated the Archbishop in Canterbury Cathedral on December 29, 1170.

On 29 December 1170, 850 years ago, Thomas Becket, Archbishop of Canterbury, was murdered in Canterbury Cathedral by four Knights from King Henry II's household including Sir Hugh de Morville, brother of Cleburne ancestor Maud de Morville.



After King Henry advised them to flee to Scotland, they subsequently took refuge in de Morville's Knaresborough Castle. Although they believed they were fulfilling the wishes of the King, in 1174 Sir Hugh was punished by forfeiture of his Lordship of Westmorland. He lost his moiety of Meaburn which thereafter became known as Kings Meaburn. Pope Alexander III excommunicated all four men, and decreed they should be exiled and fight "in knightly arms in The Temple for 14 years" in Jerusalem, and after the given time return to Rome. Sir Hugh de Morville rode with King Richard I to the Holy Land, where he died in 1202 and was buried in the porch of the Templar's Church at Jerusalem - now the El Aksa Mosque.

The portion of Meaburn which was inherited by his sister Maud became known as Meaburn Matilda, or Maulds Meaburn, located six miles to the south of Cliburn. "Mauld" is evidently the ancient way of spelling the name "Maud." Maud was married to William de Veteripont. Sir Hugh's estates were later restored by King John to Robert de Veteripont, Maud's son, and the King made him Baron of Westmorland. Robert was succeeded by his brother Ivo de Veteripont, and Ivo was succeeded by his son Robert, who confirmed the gift of the manor to John le Fraunceys, son of Hugh le Fraunceys, "to hold to him and his heirs, rendering yearly for all services one pound of cumin." In 1286 a homicide took place at Crosby Ravensworth Hall, the home of Thomas de Hastings. The de Hastings family held the manor of Crosby Ravensworth, and were evidently under the impression that they also owned the adjacent manor of Maulds Meaburn. However, the le Fraunceys Family were the true owners of Maulds Meaburn.



Map of The County of Westmorland,
engraved and published by
Thomas Jefferys, London, 1770

Reverend Frederick W. Ragg has written:

"In the lifetime of the first le Fraunceys owner, had begun some signs of trouble—perhaps they were of jealousy. In 1259 (Curia Regis Roll, 162) John le Fraunceys brings a charge against William de Neuby for forcibly cutting down his wood at **Newby**. William chose not to appear to answer and had to be summoned a second time. Almost at the same time Thomas de Hastings was charged with breaking into the free warren of John le Fraunceys in Meaburn and capturing his beasts and carrying them away. How the case ended we are not told, nor have I discovered any more trials—though there is room for more discovery—till 1286, when an event happened which gave rise to much investigation and contributed towards the punishment of one of the justices of Edward I.

We will follow the presentment of the jury given in Assize Roll, 938 (20 King Edward I).

On Whit Sunday in 1286, according to that presentment, Richard le Fraunceys, of Meaburn Mauld, sent William de Harcla, John le Fraunceys, Walter de Caldebek, Richard de Foderingeye, of Kirk Oswald, Robert, son of Alexander, Skot, the page, Geoffrey de Wastdale, William, son of Philip of Meaburn "Mawt," and Adam, brother of William, William de Arlaston, who had since died, and Robert de Appleby to Crosby Ravensworth. There they found Nicholas de Hastings standing outside the gates of the manor house (his brother's, Thomas de Hastings) leaning on his bow, and they attacked him. John le Fraunceys struck him with a staff and pushed him in the breast and by pressing against him with his horse thrust him into a ditch. Seeing this, William de Harcla leapt at him with his sword drawn intending to run it into him, but the sword fell from his hand and he failed.

While this was going on John le Fraunceys bade Robert de Appleby shoot him with an arrow, and Robert did as he was asked and shot him in the breast and Nicholas very quickly died. Then Robert de Appleby, John le Fraunceys, William de Harcla, and all the others went away together, and in a body returned towards the manor house of Meaburn Mauld. At once the villagers of Crosby followed them with hue and cry and with intent to arrest and seize the felon—Robert who shot the arrow. But John le Fraunceys and William de Harcla and the others drove them back and by use of weapons rescued Robert de Appleby and took him away into the manor house of Richard le Fraunceys at Meaburn Maud, shut the gates after them and allowed no one to go in. Thereon came Alice, wife of Nicholas de Hastings, the slain man, together with a great number of the people of the countryside wishing to arrest the felons. She climbed on to a wall and raised hue and cry against them and sought to obtain entrance for the people with her that they might arrest them, but those inside the manor prevented anyone from gaining ingress and kept the slaughterer with them all the time from mid day until night and then let him get away safely, Richard le Fraunceys himself being there and knowing of the felony which Robert had committed. Because of the crime Robert had been proclaimed as outlaw but he had no chattels to be seized. The jury said also that it was discovered by means of the Coroner's Roll that Alice, widow of Nicholas de Hastings, charged Robert in the Court of the County with the death of her husband and that at her prosecution he was outlawed in the County Court. It was also shown in the Coroner's Roll that Alice had charged in the County Court William de Harcla with aiding and with violence, John le Fraunceys with directing Robert de Appleby to shoot, and Richard le Fraunceys with sending the men to Crosby with intent of making assault, and with harbouring them after the event. Walter de Caldebek, Richard de Foderingeye and the others she had charged with consenting and aiding, and she continued to prosecute till the appeal of the prosecution came before Ralf de Hengham (in King's Bench). But Alice did not appear in that court to continue the prosecution, and her default caused the acquittal of William de Harcla, John le Fraunceys, Richard le Fraunceys and all the others so far as that appeal went; and Alice and her pledges for the prosecution were at the mercy of the Court.

But the justices in eyre, did not feel the result convincing. [*Eyre = the name of a circuit travelled by an itinerant royal justice in medieval England.*] And they ordered the sheriff to arrest these men if they could be found within his province. He testified that they could all be found except Richard de Foderingeye of Kirk Oswald, and Skot, the page, who had withdrawn themselves and were thus guilty of misdemeanor. It was agreed therefore that they should be outlawed. The chattels of Richard de Foderingeye were valued at £4 9s. 10d., and for this amount Michael de Harcla, sheriff of Cumberland, would be answerable; and Skot had no chattels to be forfeited. William de Harcla, John le Fraunceys and Richard le Fraunceys, being summoned before the justices, came to answer to the charge. And being questioned as to what defense they had to make against the arraignment of aiding in the murder and of rescuing the murderer, answered that they had been acquitted by jury, before Ralf de Hengham and his fellow justices. But putting aside the advantage gained by that acquittal they stated that they were clergy and ought not to be called upon to answer in that court. But William de Harcla "saving to himself the benefit of clergy" denied the whole charge and asked for trial before jury. Richard le Fraunceys produced, though he thought it unnecessary (*ex habundantia protulit*) letters testimonial of ordination by "the venerable father the Lord Bishop of Coventry and Lichfield" to the effect that, 20 years before, he had been ordained to first tonsure by sacred imposition of hands at Lichfield. And then came Thomas de Coppia, dean of Westmorland, and John de Reygate, vicar of Morland, the bishop's attorneys, into court and claimed them as clergy, but wished to have the verdict of a jury to give the reason why they were delivered over to them. The jury stated on oath that William de Harcla was guilty of violence and aiding in the murder and also of rescuing Robert de Appleby the murderer, and that John le Fraunceys was guilty of violence and aiding in the murder and also of directing Robert de Appleby to shoot, and of rescuing Robert; that Richard le Fraunceys was guilty of harbouring the felon, knowing of the felony, and also of harbouring William de Harcla and John le Fraunceys. For these reasons they would be



CROSBY RAVENSWORTH HALL
HOME OF THE DE HASTINGS

handed over to the bishop's officials. William de -Harcla's chattels were valued at 42s. for which the sheriff would be responsible; those of John le Fraunceys at £41 7s. 2d., for £41 0s. 6d. of which the sheriff would be responsible, and John of Carlisle for 6s. 8d. But it appeared that John of Carlisle had seized the chattels without waiting for a warrant and he was therefore at the mercy of the Court. The chattels of Richard le Fraunceys in Westmorland were valued at £96 13s. 2d; for which the sheriff was to be responsible: in Derbyshire at £53 19s. 6d., for which the sheriff of Derby was to answer; in Staffordshire at £10 7s. 7d. for which the sheriff of Stafford was to answer; in Buckinghamshire at £15 6s. 1d., for which the sheriff of Buckingham was to answer.

The others who were summoned, namely, Robert, son of Alexander, Adam, son of Philip of Meaburn Mauld, and his brother William, Geoffrey de Wastdale, and Walter de Cauldebek also came. And being asked what they had to say in defense against the charge of violence, and of aiding in the murder, and of rescuing the murderer, and of the breach of the peace, asked to be tried before a jury. This was allowed. And the jury stated on oath that Robert, son of Alexander, was not guilty of anything in the matter, as he was not present. Indeed during the whole day of the felony he was in a tavern at Meaburn Mauld and did not go outside it, therefore he was acquitted. Adam, son of Philip, and William, his brother, and Geoffrey de Wastdale, and Walter de Caldebek, admitted that they were all present when Robert slew Nicholas with the arrow, but denied doing anything wrong. They said that they came away at the same time that Robert de Appleby left, but without any intent or purpose of wrong, and followed the others but at two furlongs' length, and then went home. So far as the felony

was concerned therefore they were acquitted. But because they were present and did nothing to arrest the felon and did not pursue him nor hinder his escape, therefore they were to be taken in charge. They were afterwards released by fine: Geoffrey de Wastdale of half a mark, with Robert de Cemum (?) of Heppe and Robert de Langebergh as his sureties: Adam, son of Philip of Meaburn Mauld of 5s, with John le Fraunceys of Cliburne as surety; William, his brother of 40d., with John le Fraunceys of Cliburne also as surety; Walter de Caudebek for 20s., with Bertin de Joneby as surety. The jury stated also that William de Harcla had been harboured at the house of Michael de Harcla, his father, after the felony, and John le Fraunceys by Adam le Fraunceys, both of them knowing of the crime. The sheriff was therefore bidden to bring them up to answer. They came and stated that they were clergy and ought not to be called on to answer in that court. And thereupon came the attorneys of the bishop of Carlisle with letters, &c., and claimed them as clergy, but wished enquiry to be made by a jury why they were to be handed over to them. The jury gave as their verdict that Adam le Fraunceys was not guilty of harbouring John le Fraunceys; he was therefore discharged; and that Michael de Harcla did not receive William de Harcla into his house till more than eighteen months after the felony: that William had appeared in court before Ralf de Hengham, and that the court under him kept the matter waiting for three days and no prosecutor appeared, so that he was released: and it was after this that Michael de Harcla received him, supposing him to be acquitted.

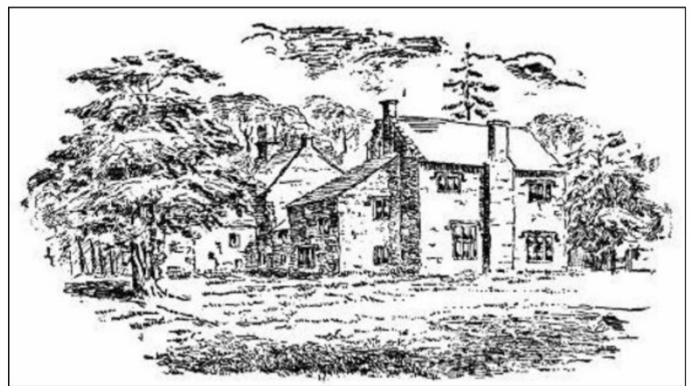
Why after this Michael was to be in charge is a point I do not grasp, but the presentment of the jury goes on to say that he paid a fine to be respited from prison, and that Hugh de Multon, Thomas de Derwentwater, John de Rossgill, Robert le Engleis, Richard de Preston, and William de Stirkeland consented to be his sureties and to have him appear when wanted.

But at this point there seems repetition or confusion in the report as given by the Assize Roll, and it is difficult to judge exactly what was the real order of events. It is quite possible that Michael de Harcla, and Adam le Fraunceys were already in detention when they were brought before the court, and that this fine was a payment to be released.

Another little incident recorded at this point which may have further light thrown on it by some other record, is that Hugh de Multon came and paid for an arrangement (*fecit finem*) for him to have the chattels of Richard de Foderinghay for 16s, and John de Staffol and Peter le Parker, Robert de Grey, and Peter, son of Gilbert, were his sureties. The goods of an outlawed person it would seem were sold for what could be got for them. Hugh de Multon was not a sheriff at the time.

But other proceedings had been going on. Amice and Isabel and Christiana, sisters of the slaughtered man, charged John le Fraunceys of Meaburn Mauld, and Robert le Joefne, who must have been the Robert, son of Alexander, of the jury's presentment, also of Meaburn Mauld, in the court of the borough of Appleby with the death of Nicholas de Hastings at Crosby; and tried to prosecute at two or three meetings of the court and then desisted. There must have been some confusion between the courts of the county and the courts of the borough, which both were held at Appleby and Crosby; in the roll in the description of the proceedings at the borough court is oddly described as "*in forinseco comitatus*" which does not mean that it was outside of Westmorland but outside of the jurisdiction belonging to the borough. And because it was outside those bounds and John of Carlisle and William de Berewys the coroners had allowed the case to be brought in at the borough court, and not only did not cause the sureties of these sisters to be fined because they did not appear after the last writ to prosecute, but had kept John le Fraunceys and Robert le Joefne in prison till the king's writ released them; and again afterwards in consequence of the arraignment of Adam Spring, who was under age, arrested and imprisoned them, it was considered that these coroners should be tried for having neglected the fines of the sureties; and that the matter of the liberty of the borough should be brought into question, the jury testifying that that there was no warrant for the procedure.

The de Hastings family were vigorous in prosecuting, it is clear; and if the unfortunate widow did not succeed in reaching the Coram Rege Court (of King's Bench) it was perhaps by no fault of hers. Distances and roads presented some difficulties in those days. The



MAULD'S MEABURN HALL
HOME OF THE LE FRANCEYS

actual murderer had been punished and two of the less responsible of the band, but the instigators and those chiefly in fault were so far hardly touched: and the kindred of Nicholas de Hastings did not let matters rest. When the King after his return from Gascony was making investigations into the conduct of his justices during the time he was away, about which many complaints reached him, appeal to him was made by Thomas de Goldington and his wife Amice, a sister of the slaughtered man. Through this appeal we learn more particulars, though there is some variation in the tale, and it is not easy to make all particulars fit exactly into their places; but in spite of its being somewhat a reiteration it is all interesting.

From Assize Roll, 541 b, a roll containing an account of the proceedings in Pleas held at Westminster before Peter de Leicester and his co-justices appointed to listen to complaints about the justices, we learn that Nicholas de Stapleton had been ordered through king's mandate by Ralf de Hengham to have an inquisition about the case in Westmorland. This would seem to have been after the appeal in King's Bench, where the case failed for lack of prosecutors presenting themselves. He was to obtain a verdict by a jury of men of loyalty and probity who were not related to the accused nor connected with them. But Nicholas de Stapleton, so says the appeal, conducted the Inquisition secretly at Newcastle-on-Tyne "60 leagues away from the place of the felony," and outside the county of Westmorland, and he was induced to do this by Michael de Harcla, whose daughter Richard le Fraunceys had married, and by Adam le Fraunceys, rector of Asby; moreover the jury was composed of relatives and connections of the accused, and the friends of the murdered man had had no notice given them of the trial, and therefore could not challenge the jury who gave a verdict for the defendants. And after this John le Fraunceys, the man most concerned in the murder, had brought an action against Amice and her brothers and sisters before Ralf de Hengham for false prosecution. And Amice complained that this was to her damage to the amount of £200.

Nicholas de Stapleton was represented by attorney, who stated that after the appeal of the prosecutors was quashed in the court held by Ralf de Hengham, the King's Council had ordered that to make it more convenient for the jury who lived so far away, Nicholas de Stapleton was to go to the neighbourhood of Crosby and there hold Inquisition; and that on his way there Nicholas was taken ill and could not continue his journey, and this was why he held the Inquisition at Newcastle, which he did in right and due form. Amice replied to this that when Nicholas de Stapleton held the said Inquisition at Newcastle he was perfectly well and had nothing the matter with him, and that he held it there because he had received 10 marks at Newcastle through Michael de Harcla, and she persisted that he had not sent notice of the Inquisition to those who were prosecuting and that she was ready to prove this in whatever way the Court was ready to hear and by the record of the proceedings of the justices.

This record she produced, and it was to this effect.

Adam Springe of Crosby arraigned John, son of William le Fraunceys, William de Harcla, Walter de Caldebek, Richard le Fraunceys of Meaburn Mauld, Thomas le Stedman, Richard the cleric of Foderingeye, Robert le Jovene, Thomas Slaver, and Robert, son of Lucy, for the murder of Nicholas de Hastings his cousin. Here one notices that some of the names of the men charged are quite different from those that appear in Assize Roll, 988. The two named Thomas are absent from that list, Robert le Jovene described as of Meaburn Mauld elsewhere must be Robert, son of Alexander. Robert, son of Lucy, is a fresh name. Richard le Fraunceys he included in the charge but not as being present at the time of the murder. These all he said, except Richard le Fraunceys, were implicated in the assault on his cousin at the time when Robert de Appleby—who had been outlawed at Adam Springe's prosecution—committed the murder. Nicholas the slain man, he said, was in the peace of God and the peace of the King on the Sunday after St. Dunstan, 1286 (May 19th) and about noon was going to the house of his mother Christiana in Crosby when the men assaulted him, and Robert shot him over a dyke hitting him under the left breast to the heart, and John le Fraunceys and the others (except Richard le Fraunceys) blocked the ways to Nicholas, holding their bows in hand ready to shoot, so that although he might have escaped the shot of Robert, had he been unhindered from getting clear through their combined assault and aiding of the murderer, he was unable to do so. And this he was ready to prove to the Court in the way in which one under age was able, or according as the King's Court was ready to allow it. Richard le Fraunceys he charged with assent and design and harbouring the felons.

To this John le Fraunceys, son of William le Fraunceys, and the rest gave answer that they denied being partakers in the murder or in breaking the king's peace, and they asked for the decision of the Court whether since Nicholas had two brothers Thomas and William de Hastings nearer in blood than Adam, they could rightly be required to answer Adam's charge, besides that Adam was under age and could not be prosecuted if his charge was false. They said also that Alice widow of Nicholas had arraigned them in the court of the county, and that the result of that was pending, and they asked for judgement whether while this was pending they ought to be required to answer Adam Springe. To these objections Adam Springe had nothing to answer. Then John le Fraunceys and the others being asked on what ground they sought acquittal from the king's prosecution, answered that reserving their rights as clergy they placed themselves on the verdict of a jury of the country. This course was agreed to and by special grace of the king the justices were to hold inquisition as before. Then came forward Hugh de Multon, Michael de Harcla, Adam le Fraunceys, Robert de



Mauld's Meaburn Hall

Hereford, Thomas de Fisseburne. Hugh de Lowther, William de Rypperley, John de Haverington, Nicholas de Clyburn, Humphrey de Melkinthorp, William de Melkinthorp, William de Querton, Simon de Melsamby, and Thomas de Eggesclive as sureties for the defendants to produce them under penalty of £100 in the Michaelmas term for the assize.

And then at the assize of the morrow of St. Michael at Newcastle-on-Tyne before Nicholas de Stapleton, the defendants John le Fraunceys, son of William le Fraunceys, and the others appeared, and the jury summoned also came; these were Roger de Burton, Richard de Preston, John de Rossegill, Robert le Engleys, William de Wyndesore, Gilbert de Brunolveshevede, Robert de Morvill, Richard de Musegrave, Roland de Thornburgh, John Mauchel, Robert de Lancastre, Walter de Teyl, Thomas de Helton, William de Crakenhorp, and Alan le Buteler. These gave as their verdict that a certain Robert de Appleby killed the aforesaid Nicholas de Hastings on Whit Sunday in the fourteenth year of the king's reign after mid day in the manor of Crosby Ravenswart, in consequence of long standing enmity between them and that no one except Robert was guilty of the murder. The jury were asked whether John, son of William le Fraunceys, William de Harcla, Walter de Caldebek, Thomas (le) Stedman, Richard de Foderingesey, Robert le Juvene, Thomas Slaver, and Robert, son of Lucy, tried to stop the felon so that Nicholas by their attempt to do this might have been saved. They answered distinctly that no such aid had been given to Nicholas by the defendants. They were next asked whether Richard le Fraunceys ever harboured Robert de Appleby after the felony and answered openly that he did not, therefore it was agreed that Richard le Fraunceys and the others defendants should be acquitted as far as that arraignment was concerned. And the jury was asked by whose abetting the malicious arraignment had been made and prosecution carried on, stated that Thomas de Hastings, brother of Nicholas, Thomas, son of William de Goldington, and Amice, his wife, William de Goldington, and Christiana wife of John de Goldington "attetunhead" (at the town head) of Crosby had abetted Adam Springe in his action; the sheriff was ordered accordingly to bring them before the Court at the next Hilary term.

Such was the record of the proceedings produced, and such the accusation.

And Nicholas de Stapleton in answer stated that he never took the ten marks nor any other sum from the accused nor their friends, and that he should like to have this thing enquired into by jury. And Amice likewise asked to have enquiry made by juries of Cumberland and Northumberland (as well as Westmorland); and this was allowed because the prosecution was the King's. The sheriff of Northumberland was ordered to get together for the next Michaelmas a sufficiency of knights and others to certify whether the jury aforesaid were in any way related to the accused or connected with them, and to ascertain whether there was any other cause for supposing the verdict they had given to be unjust and whether the accused were guilty or not guilty of the various charges and whether Nicholas de Stapleton did take any bribe to hold the inquisition outside the county, and whether the action of Thomas de Goldington and his wife was malicious or was not. The sheriffs of Westmorland and Cumberland were also ordered to summon juries to make inquisition in the same Michaelmas term.

On the day appointed Thomas and Amice were represented by their attorney, but the sheriff of Northumberland had done nothing and had not returned the writ. He was therefore at the mercy of the court and was ordered to have the jury present within fifteen days of St. Hilary, and a writ to the coroners of the county was issued to cause him to be present. In Westmorland the jury did not come, the sheriff of Westmorland was therefore ordered to distrain and have them in attendance in the Hilary term. The jury in Cumberland also defaulted, and they were to be distrained and summoned for the Hilary term.

In the Hilary term at Newcastle, the jury summoned by Nicholas, de Stapleton, whose verdict had been questioned, were present to answer to the investigation, except Robert de Moreville who was dead, Roland de Thornburgh, William de Tyle, and Richard de Preston. But proceedings were stopped by a writ from the King to this effect:

Edward by God's grace King &c. to all to whom these presents letters come greeting. Know ye that by reason of an arrangement to forfeit 300 marks which Nicholas de Stapleton has made with us; of which amount he will pay 100 marks within 15 days of next St. Martin's day and 100 within 15 days of Easter next, and 100 in the Michaelmas following, we have exonerated and pardoned the said Nicholas for all cause of action which we had against him because of any trespass which he was said to have committed against us during the whole term of office his until Monday the feast of . St. Michael in Monte Tumba (16 Oct.) in the i8th year of our reign (1290), this being understood that he is to appear to answer any future charge against him. In attestation whereof &c. Witness ourself at Kings Clipston (Notts) 15 October in the 18th year of our reign.

Therefore the defendant jury were told that they were free to go without any day being fixed for them to come again to answer, and Thomas and Amice de Hastings were told that they were to await the king's pleasure for any further, &c.

Thus Nicholas was punished certainly, but what was to compensate the de Hastings family for their costs of prosecution and for the expense of rebutting the charge of having brought false accusation, nothing shows.

Two inquisitions were held in order to ascertain the characters of Richard le Fraunceys and William de Harcla and their reputation in the county. They were made by the same jury on the same day, and the verdicts given were the same. The only difference is in the names of the two men, and that in William de Harcla's case the king's writ ordering the inquisition, his goods and chattels are described as under sequestration, not his land and chattels. The one form (Criminal Inquisition, Edward I., Chancery File 8, i8) will suffice to give the substance of both.

Edward by God's grace King &c. to the Sheriff of Westmorland and his coroners of the said County greeting. The venerable father John, Bishop of Carlisle, by his letters patent has sent us this supplication: that whereas Richard le Fraunceys, clerk, in our Court in the last eyre before our justices in the said County being handed over to the Bishop because of privilege of clergy charged with being guilty of the death of Nicholas de Hastings has lawfully proved himself innocent, we should cause to be restored to him his land and chattels sequestered in consequence of the charge: we wishing to have certain knowledge of the common repute and way of living of the aforesaid Richard, charge you to have diligent inquisition made into his true character and to ascertain whether he is a notorious and public evildoer or not, and to send to us without delay distinctly and clearly and under your seals the verdict of the jury. And return this writ.

Inquisition held at Appleby on Monday before the Nativity of St. John the Baptist 21 Edw. I. (June 22 1293) by Robert le Engleys, John de Rossegyll John de Helton Henry de Warthecopp, William de Crakenthorp, Gilbert de Querton, William de Windeshover, John de Rybles, Alan le Botyller, Alan Warde de Keldelyth, Walter de Tyle (Tylya) and Adam de Soureby about the reputation and conduct of Richard le Fraunceis and as to whether he is a notorious and public evildoer or not; who say on their oath that the aforesaid Richard is of good repute and faithful way of life and that he is not a public nor notorious evildoer and never was...

The history of these trials seems to me to show legal procedure feeling its way towards maturity in administration of true justice: administration of justice conceived in a loftier sense than as mere legal enforcement to obey enactments which may be hastily drawn up, faulty, and unjust though framed with good intentions. Proceedings were cumbrous, delays wearisome, attempts to ascertain fact clumsy, but there is evident determination through the whole process to have right done and wrong chastised. Excepting the delinquent justices, who were made to suffer, Edward's ministers of justice did not rest till they were satisfied as far as possible that neither prosecutor nor defendant were unjustly dealt with. The spirit of English law in its young development and the spirit of their king were in them. And his control was that of a lawgiver by instinct, who would punish any of his ministers that did wrong, and was determined to secure within his realm order and just dealing...

The le Franceys family played no inconsiderable part in Westmorland affairs in the thirteenth century, and gave promise, later unfulfilled, of taking a leading share. A little before the close of that century different members of it had possessions in Meaburn Maud, Newby, Great and Little Strickland, Cliburn, Askham, Bampton, Thrimby, Whale, Wickerslack, and Crosby Ravensworth; and in Penrith and Caldbeck, Rockcliff and Castle Sowerby in Cumberland—to say nothing for the moment of other counties; and their history is mixed up with that of others of the owning families of the period. Glimpses into all this can be best given in working out the Meaburn history, which is the most interesting of the fees they had.

In 1243 or 1244 Robert, son and heir of Ivo de Veteripont, grants to John le Fraunceys, son of Hugh, his whole manor of Meaburn Mauld. The grant is very precisely worded, as most documents that concerned this John le Fraunceys are.

At some time, not more than a few years before or after this, another son of Hugh le Fraunceys had grants made to him of which one still exists, but it belongs to Cliburn history. This was Robert. He married Elizabeth Tailbois, and together with her received of Tailbois lands a moiety of Cliburn and parts of Askham and of Bampton.

Gilbert le Fraunceys appears to have died somewhat young, only about 12 years after John le Fraunceys. On March 6, 1278, the King's writ was sent out to order the Inquisition; and of his son Richard le Fraunceys, aged 15 on the day of St. Dunstan to follow (May 19), the writ states that the King was informed that Michael de Harcla had married him, after Gilbert's death, to his daughter, not having obtained the royal license, hence special enquiry was to be made. The jury stated that Richard had been affianced to Michael's daughter while his father was yet living, and with his father's consent, and that he had married her after his father's death.

Richard, being 21 in 1283, was allowed to enter into possession of his lands. In the history of the affray of 1286, when he was a little over 24, wherein Nicholas de Hastings was killed, as related in the last volume of these Transactions, we have allusion to Richard le Frauncey's marriage with Michael de Harcla's daughter. He was arraigned for having sent the men to attack Nicholas, but, as we saw, claimed to be tried before an Ecclesiastical Court, or at least to have rights of clergy; and documents were produced by the Episcopal officials attesting that he was a "clerk" and had been admitted to his first tonsure 20 years before; i.e., when he was not more than 5 years old. He was for a time in prison, as we have also seen, as a result of the charge against him, and as recorded in volume xi. also; an inquisition was made into his character by order of the King, in consequence of the Bishop of Carlisle claiming him for a clerk—this was in 1293.

In 1287 he claims to be acquitted by John de Baliol of service to Isabel de Clifford for Meaburn Maud (de Banco 66, Hill., Ed. I.) In 1287 also arose a question between him and Robert, son and heir of Lawrence de Veteripont, who was heir of Joan, which was tried before the Assize to settle any claim on the manor of Meaburn Maud. Robert had granted him a charter of quitclaim and admitted it; the question had come up before, but Robert's case went no further at that time because Gilbert, against whom he brought the case, had died between the obtaining of the writ and the trial."

Ian Hall, in his thesis for Durham University entitled "The Lords and Lordships of the English West March: Cumberland and Westmorland from Circa 1250 to Circa 1350" wrote:

"The pretext for the dispute was provided by a disagreement involving the manor of Meaburn Maud and a long running dispute between the families of le Fraunceys and de Hastings. This dispute dated back into the career of John de Vipont who was alleged to have granted Meaburn Maud to Richard le Fraunceys. The Hastings family still harboured claims to the manor, however, and in 1286 Thomas de Hastings was accused of attempting to break into John le Fraunceys free warren at Meaburn. After this, events became more confused resulting, according to the le Fraunceys party, in a group of armed men being sent to Meaburn by Robert le Fraunceys where they killed Thomas de Hastings' brother, Nicholas de Hastings. A later jury found that only one member of this group, Robert de Appleby, was responsible for the death of Nicholas and that the crime had been the result of long standing hostility, but for the Hastings Clan, if this was ever known, it soon became irrelevant in a wider campaign against their local enemies. Among those enemies they numbered not only Robert de Appleby but also John le Fraunceys and William de Harclay, the son of the then sheriff of Westmorland, Michael de Harclay [Harcla], who was also Robert le Frauncey's brother-in-law. The feud developed into a dispute between town and country and between the two families. After the fracas in which Nicholas de Hastings met his death, William de Harclay was alleged to have been sheltered by his father Michael while Robert le Fraunceys had been received by his brother, the vicar of Askeby. Faced with this sort of obstruction, the Hastings clan tried other means to gain their revenge. Alice de Hastings, Nicholas de Hastings' widow, brought an appeal for murder against the gang whom she claimed were responsible for Nicholas' death but failed to appear in court to press her suit. Probably at this point, Alice sought support from her wide ranging family. Alices' own family was the de Threlkelds who had close links with the Goldingtons of Appleby. Nicholas de Hastings' two sisters, Amice and Christiana, were married to Thomas and William de Goldington while a nephew Henry de Threlkeld

was a close associate of the Goldingtons. Such connections provided a possible method of revenge and the leaders of the borough were more than willing to help if it offered a chance to re-open the dispute with the rural magnates.

The first step the borough party took was to bring a new appeal of homicide in the borough court against Robert de Appleby, Robert le Fraunceys and other defendants whom Amice, Christiana and Isabel, the wife of William de Threlkeld, accused of Nicholas' death. Legally, the borough court could exercise no jurisdiction over an offence which had been committed outside the borough but, as Peter de Appleby of York had found, the Goldingtons found the borough court a useful tool in their own ends and they did not allow themselves to stick too precisely to legal procedures. Accordingly a group of armed men were sent to seize Robert le Fraunceys and Robert de Appleby and to bring them back to the borough where they were brought before the court. Isabella de Clifford did not miss the threat to her rights which this action constituted and rapidly obtained a writ to forbid the appeal from being heard in the borough court. The court was, nevertheless, held and the case heard though this proved in the long term to be a mistake. Isabella summoned them to appear in King's Bench in Easter 1287 and there were unable to deny that they had acted in defiance of the king's writ and also that they had acted illegally in entering Isabella's liberty to arrest le Fraunceys and Robert de Appleby. The borough was taken directly into the king's hand and William de Goldington was placed in mercy, though a day was granted for the burgesses to replevy their liberty.

The feud continued to develop and the burgesses continued to challenge Isabella's control of the countryside. One aspect of their challenge took the form of arresting malfactors outside the limits of the town and bringing them before the borough court rather than before the county court under whose jurisdiction they ought to have fallen. In 1288, for example, Isabella complained that William de Goldington and others had arrested Richard de Rypers and Walter Clerk while they were in the custody of Adam and William Forester in the barony of Appleby. Isabella's complaint was not that these two were innocent but that the borough's men had usurped her rights by trying to do justice on them, a loss which she optimistically claimed was worthy of compensation of £1,000. That permanent obstruction of justice on the West March, default of jurors, prevented the case from reaching a decision, but even so the Goldingtons eventually fell foul of another tribunal. In 1292 the eyre found that the borough court of Appleby had made a habit of doing justice on those suspected of crimes committed outside the liberty and of executing men taken only on suspicion and the liberty was again placed in judgement. In the face of this tide of well directed litigation the burgesses seem to have retreated from their confrontation with Isabella de Clifford, though the lords of the castle were still unable to gain control over the borough."

In the 2023 issue of the Annual Journal of the Heraldry Society, the Harcla Family was described as follows:

"The eldest son and heir William Harcla (named as such in 1278) was imprisoned on a charge of murder in 1286 (of which more later), served militarily at Falkirk in 1298, and thereafter disappears from view. The family lands were divided between the younger brothers Andrew and John by their father Michael, with Sir John Harcla (d. 1322) receiving High-head and Sir Andrew receiving Harcla. Andrew went on to cover himself in glory in July and August 1315 while serving as sheriff of Cumberland (a position held from 1311, and which he went on to retain for most of the time until his death), when he successfully defended the city of Carlisle from a major siege by Robert de Brus (the future king), who was a particularly dangerous opponent, having himself previously served as sheriff of Cumberland and constable of Carlisle. For this service Edward II rewarded Harcla with 1000 marks, and his mailed figure bearing his distinctive arms was drawn conspicuously above the first capital of the royal charter granted to Carlisle the following year. Sir Andrew performed an even greater service for Edward II in 1322, when on 16th–17th March he led an army which defeated and captured the king's enemy Thomas, earl of Lancaster, in the Battle of Boroughbridge. The following week a delighted monarch belted [knighted] him as Earl of Carlisle, with a grant of lands worth 1,500 marks a year.

Fatefully, just before Boroughbridge, Edward II had issued Harcla with a commission to treat for final peace with Robert de Brus, but it was not until in January 1323 that he met with the Scottish king at Lochmaben and concluded a peace treaty on terms that were very favourable to England. Upon hearing of it the English king moved swiftly to eliminate Harcla, who was arrested for treasonable discourse with the enemy, and executed without trial at Carlisle on 3rd March 1323, receiving the full traitor's death. Like Icarus he had been borne aloft by his wings of fame, but had flown too close to the sun. Five years later his sister Sarah, following the death of her husband Robert de Layburne of Cunswick, was granted permission to retrieve the quarter of Sir Andrew which was still hanging from the walls of Carlisle Castle, and to give it burial. Sir Michael de Harcla secured the betrothal of his daughter Isabel to Gilbert le Fraunceys (1263–1330), the



**Arms of Sir Richard de Vernon
from the Vernon Psalter,
based on the arms of le Fraunceys
Argent fretty sable a canton
gules for difference**

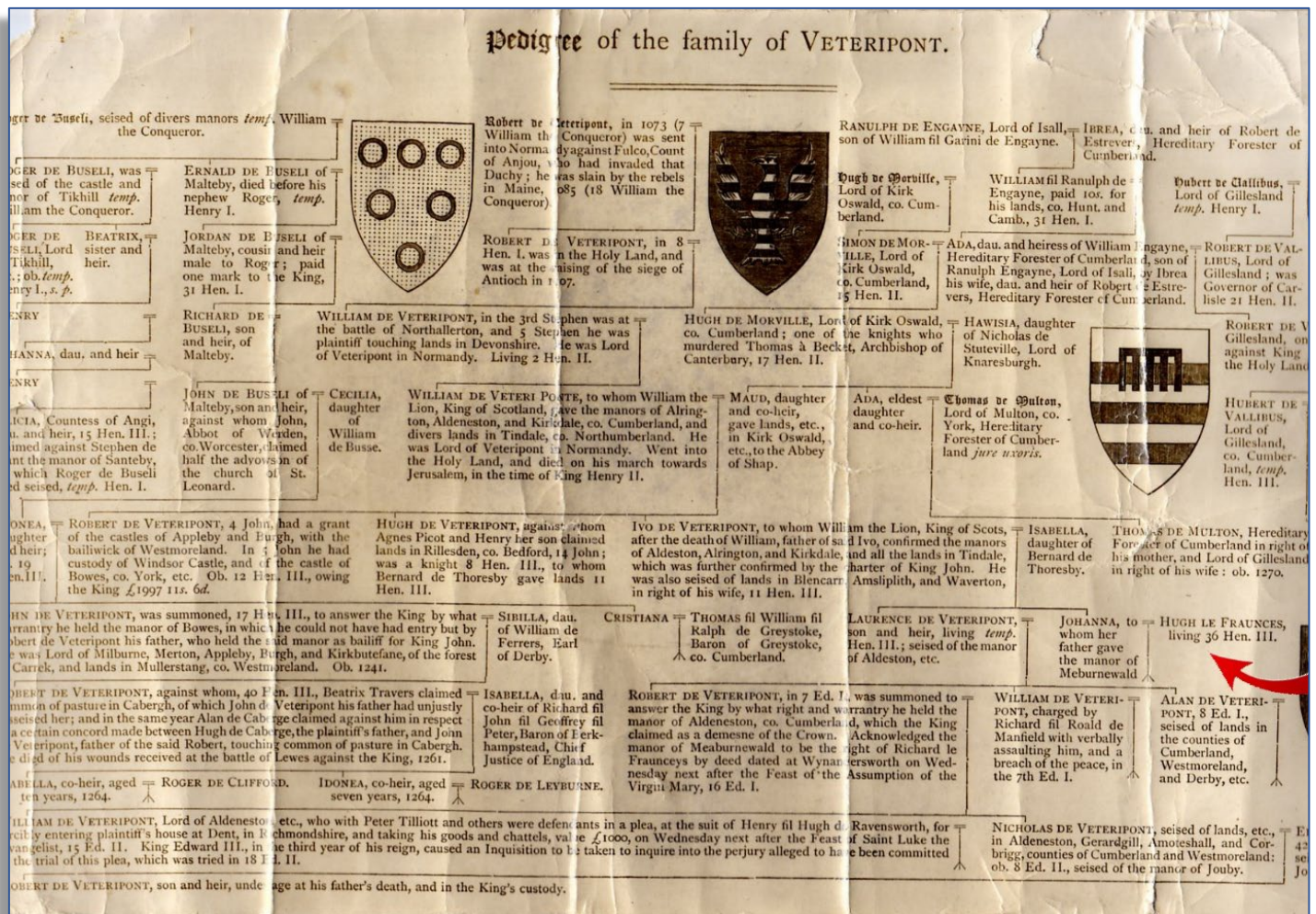
Richard "de Vernon" le Fraunceys 1263 - 1330

son and heir of Richard le Fraunceys, whose mother was the Vernon heiress Hawise de Vernon. It was a great match as both the Vernon and Fraunceys families were considerable landowners.

Richard le Fraunceys died suddenly in early 1278 and Sir Michael de Harcla moved swiftly to marry his daughter to the fourteen-year-old Gilbert le Fraunceys. This caused the ire of King Edward I, who directed that Sir Michael appear before him immediately to explain why he had married his daughter to the heir of one of his tenants-in-chief without having first sought royal sanction. Gilbert le Fraunceys was the heir to extensive property in four counties, including Haddon Hall in Derbyshire, Pitchcott in Buckinghamshire, Harlaston in Staffordshire, and Mauld's Meaburn (with much else besides) in Westmorland.

He adopted the surname Vernon and a differenced version of the long-established arms of this great Norman family, argent fretty sable, to which he added a canton gules. [Reverend Frederick Ragg believed that the coat of arms of le Fraunceys was argent fretty sable. Therefore, Richard was actually using the arms of his father, Gilbert le Fraunceys, with an added canton gules for difference.] In 1286 Richard was accused of inciting the murder of a neighbor, in which Sir Michael de Harcla's eldest son William was said to have been a direct participant. It was further charged that William de Harcla had been sheltered by his sheriff father. Isabel de Clifford, who in her widowhood had become the sheriff of Westmorland, intervened on behalf of her tenants Michael de Harcla and Richard de Vernon in order to have the case tried out of county, thus securing their acquittal."

Note about Isabel de Clifford (circa 1251–1292): Isabel was the daughter of Robert de Veteripont, Lord of Westmorland, and Isabel FitzJohn. Following her father's death, she became a co-heiress to his substantial estates. She married Roger de Clifford "the Younger" around 1269. Her guardian, Roger de Clifford "the Elder," arranged the marriage. She had one son, Robert de Clifford, who would become the 1st Baron de Clifford. After her husband died in 1282, Isabel sat in court and executed the office of Sheriff.



A pedigree document from The History of Northumberland showing the marriage between Hugh le Franceys and Johanna de Veteripont

Descendants of Adam le Franceys

Numbers denote generation. Early dates are estimated.

- 1 Adam le Franceys circa circa 1160 - 1210
- .. 2 Thomas le Franceys
- 3 Adam le Franceys
- 4 Matilda le Franceys
- 3 Robert le Franceys
- .. 2 Hugh le Franceys
-+**Johanna de Veteripont/Vipont (Johanna was the daughter of Ivo de Veteripont (c1163-c1239) and Isabella de Thoresby. Ivo de Veteripont was Lord of Alston Moor and son of Maud de Morville and William de Veteripont. Maud was a sister of Sir Hugh de Morville, Constable of Scotland, Lord of Westmorland and a principal participant in the murder of Thomas Becket, Archbishop of Canterbury.)**
- 3 Adam le Franceys
- 4 Gilbert le Franceys of Foremark, Derbyshire
- +Hawise de Vernon (In 1257, Richard de Vernon and **John le Fraunceys, Baron of the Exchequer**, agreed that Richard would give his niece Hawise, daughter of Robert de Vernon, in marriage to Gilbert, son of Adam le Franceys and nephew of John le Franceys, Baron of the Exchequer. John granted the couple land in Routhcliff [now called Rockcliffe] and **Meaburn**; Richard granted them Pitchcott Manor, Buckinghamshire.)
- 5 Richard "de Vernon" le Franceys 1263 – 1330 (Richard took his mother's surname of "de Vernon" later in life. Richard was under age in 1278 at the time of the death of his father, Gilbert le Franceys. Sir Michael de Harcla arranged the marriage of his daughter Isabel de Harcla to Richard le Franceys in order to take control of the le Franceys lands. Richard was the ward of King Edward I "Longshanks" at the time of his marriage. When Edward found Richard had been underage and married to Isabel he seized his lands and fined him, "Until it shall appear by what right and title Richard le Franceys, son and heir of Gilbert le Franceys, married the daughter of Sir Michael de Harcla." The lands were later restored. In 1294 the Manor of Routhcliff/Rowcliff [now called Rockcliffe] was given to Richard Geron.)
- +Isabel de Harcla (Isabel was the daughter of Sir Michael de Harcla, also known as Harclay/Hartley, Sheriff of Cumberland from 1285 to 1298 and Joan FitzJohn of Yorkshire. Isabel was the sister of **Andrew de Harcla/Harclay, Earl of Carlisle**. Andrew de Harcla was a prominent English military leader, appointed the first Earl of Carlisle in 1322. He gained fame for his military successes against Scotland, including the defense of Carlisle Castle in 1315, but was later executed for treason after attempting to negotiate a peace treaty with Robert the Bruce without the approval of King Edward II. He was stripped of his titles, hanged, drawn, and quartered in 1323.)
- 6 Richard de Vernon
- +Maud de Camville
- 7 William de Vernon
- **3 John le Franceys (Baron of the Exchequer)**
- 3 Robert le Franceys
- +Elizabeth de Tailbois (Elizabeth was the daughter and heir of Walter de Tailbois, who was Chamberlain for Robert de Veteripont. Walter de Tailbois was the son of Ivo de Tailbois. Elizabeth de Tailbois brought Cliburn to her marriage to Robert le Franceys as her dowry. The manors of Cliburn-Hervey and Cliburn-Tailbois were united around this time.)
- 4 John (de Cliburn) le Franceys
- 5 Robert (de Cliburn) le Franceys
- +Alice de Quitlawe (Alice was the daughter and heir of Adam de Quaythlawe/Quithlaw also known as Whitley)
- 6 Robert le Franceys
- 6 John le Franceys
- +Beatrice le Boteler (Beatrice married John circa 1317. She was the daughter of Robert le Botiller/Boteler of Newby, Penrith, Cumbria.)
- 7 Robert (de Cliburn) le Franceys
- 8 John (de Cliburn) le Franceys (died by 1359)
- +Margaret de Bolton
- 9 Robert Cleburne 1330 – 1396 (Sir Robert, Lord of the Manor of Cliburn and Lord of the Manor of Bampton Cundale, was a person of some distinction, during the reign of King Edward III, and was Knight of the Shire of Westmoreland in 1384 and 1387. By 1392, he and Gilbert de Culwen [Curwen] jointly held Bampton Patric and Knipe Patric.)
- +Margaret de Cundale (Margaret was the daughter and co-heir of Henry de Cundale and Kyne - one of the Drengi of Westmoreland who held their lands before the Conquest, and were permitted to retain them. This Henry de Cundale was descended from Henry, Lord of Cundale. "Drengi" were men of free status, who served as warriors for a lord or king in Anglo-Saxon and Viking society, prior to the arrival of the Normans. While the term's exact meaning is debated, it generally referred to a warrior free class of landholders.)
- 10 John Cleburne
- +Margaret Salkeld (Margaret was the daughter of Hugh de Salkeld. Hugh de Salkeld married Christina de Rosgill, heiress of the Manor of Rosgill in Westmorland, and was Knight of the Shire in Westmorland several times before his death in 1397. At Hugh's death, Rosgill passed on to his son and heir, Hugh Salkeld, who was living in 1440 when his brother-in-law, John Cleburne had died.)
- 6 Richard le Franceys

- 6 Thomas le Franceys
- 5 Adam (de Cliburn) le Franceys
- 4 Grimbald le Franceys

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Mauld's Meaburn

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