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Edited by William Farrer and Charles Travis Clay

Excerpt

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CHAPTER I.

§ 1. THE PAYNELS OF LES MOUTIERS-HUBERT,
HAMBYE, DRAX, AND WEST RASEN

WILLIAM PAYNEL occurs in the period 1070-81 as a party to an agreement at Bayeux with the abbot of Mont St. Michel concerning the terms of the military service by which he held of the abbot several manors constituting an honour; this honour had been given him by king William in marriage; the lands lay in the department of La Manche; and as one of the tenants was named Hugh de Bricaville it may be assumed that these lands included Bricqueville-sur-mer.¹ It is significant that this place was later held of the abbot of Mont St. Michel by the Paynels of Hambye; and it is a reasonable deduction that they derived their title as heirs of William Paynel.

This William may probably be identified with the William Paynel (*Paganel*) who witnessed a charter of king William to the church of Bayeux in 1074;² possibly with the William Paynel whose name, as a man of Robert de Belesme, is appended to a charter of Roger de Montgomery to the abbey of St. Stephen, Caen, in 1077;³ and with the William Paynel who died about the same time as king William I.⁴

There is no direct evidence that he held either Les Moutiers-Hubert⁵ or Hambye,⁶ which together formed the principal tenures-in-chief in Normandy of William son of Ralph Paynel (see below). But it is significant that in enumerating the combatants at the battle of Hastings Wace speaks of 'Des Mostiers Hubert Paienals'.⁷ Wace must be regarded as poor evidence for the personnel of the Norman forces at Hastings; but writing this about a hundred years later he seems to have been regarding Les Moutiers-Hubert as the original home of the Paynel family. This may well be the

¹ The agreement has been pd. by Stapleton in *Archaeologia*, xxvii, 27, and by Haskins in *Norman Institutions*, p. 21; there is a full abstract in Round, *Cal. Docs. France*, no. 714. Stapleton, *op. cit.*, p. 23 describes the fief as that of Bricqueville-sur-mer; and Le Prévost, *Orderici Vitalis Hist. Eccl.*, iii, 259 assumes that William Paynel had married the heiress of the land of Bricqueville-sur-mer.

² H. W. C. Davis, *Regesta*, no. 76.

³ Stapleton, *Rot. Scacc. Norm.*, ii, p. xciv. Roger de Montgomery was one of the witnesses to the agreement with the abbot of Mont St. Michel mentioned above. In the period 1103-29 a charter of William count of Ponthieu, Robert de Bellême's son, was witnessed by Adam Paganellus (Brunel, *Recueil des Actes des Comtes de Pontieu*, pp. 35-37). Adam occurs as a Christian name in the family later on; and this Adam may have been a younger son of William.

⁴ *Orderic* (ed. Le Prévost), iii, 259.

⁵ Dept. Calvados, arr. Lisieux, cant. Livarot; c. 17 miles s. of Lisieux.

⁶ Dept. Manche, arr. Coutances, cant. Gavray; c. 13 miles s.e. of Coutances.

⁷ *Roman de Rou*, ed. Pluquet, ii, 248 (line 13633); ed. Andresen, ii, 368 (line 8524).

case,¹ and if so it is possible that Hambye with other lands in the Cotentin was acquired by William Paynel by the marriage which brought him the tenancy under the abbot of Mont St. Michel in the same neighbourhood.

HUGH PAYNEL, possibly eldest son of William Paynel. There is a record derived from independent sources of a gift made by Hugh Paynel to the abbey of St. Stephen, Caen, of two-thirds of the tithe of Fontenay [Fontenay-le-Pesnel, dept. Calvados] with an acre of land, with the consent of Lesceline his mother 'de cujus maritagio ipsa decima erat', in return for a mule worth 20 marks and 80*li.* of Anjevin money to pay for his ransom from a long term of imprisonment; with the exception of the tithe of lands of his vassals as they had held them of his father; in the presence of Robert duke of Normandy, William bishop of Durham and others; which gift was confirmed by king Henry I and duke Robert his brother.² The date of the gift is 1089-91 while the bishop of Durham was in exile in Normandy.

It will be seen below that tithe, with an acre of land, in Fontenay-le-Pesnel was subsequently given to St. Stephen's by a William Paynel in the reign of Henry I. It may therefore be supposed that Hugh was the predecessor of William; and as it will be suggested that this William was son of Ralph son of William Paynel the elder, the further suggestion presents itself that Hugh was the eldest son of William the elder, and that, dying without issue, his inheritance passed to Ralph his brother and thence to William the younger. If so the heiress whom William the elder had in marriage by gift of king William I was named Lesceline, who would have brought Fontenay-le-Pesnel with her other possessions.

RALPH PAYNEL occurs in the Domesday survey as a tenant-in-chief in the counties of York, Lincoln, Northampton, Gloucester, Devon and Somerset, holding almost the entire estate of Merlesweyn who had been sheriff of Lincolnshire in 1066; he also had a tenancy under Ilbert de Lascy in the West Riding; subsequently to the Survey he obtained other lands in Yorkshire and Lincolnshire, and before 1100 a share of the lands held at the Survey in Yorkshire by Richard de Surdeval of the count of Mortain.³

Except for the fact that his son William in his foundation charter of the abbey of Hambye⁴ speaks of Hambye as his inherit-

¹ Le Prévost in his note to *Orderic*, iii, 259 styles William Paynel 'seigneur des Moutiers-Hubert,' and expresses the opinion that this was 'la propriété primitive,' rather than the lands in the Cotentin. We shall see below that in the division of the Norman lands of William son of Ralph Paynel the eldest son had Les Moutiers-Hubert and the second son Hambye.

² Hippeau, *L'Abbaye de St. Etienne de Caen*, p. 41; E. Deville, *Analyse d'un ancien cartulaire de St. Etienne de Caen*, p. 32. Cf. A. de Caumont, *Statistique Monumentale de Calvados*, i, 278; and Haskins, *Norman Institutions*, p. 69.

³ See Farrer's account of Ralph Paynel in *V.C.H. Yorks.*, ii, 173; and for a list of his lands see Chapter II below.

⁴ Charter no. 15.

ance there is no evidence available to show that Ralph had any interest in lands in Normandy. But as his descendants, the Paynels of Hambye, held land which had been held by William the elder (see above), it may be supposed that the inheritance passed through Ralph. And as a part of the lands of William the elder, to which Ralph's descendants succeeded, had been acquired by William in marriage, it is reasonably certain that William cannot have been Ralph's elder brother. Although there is no documentary evidence to support the suggestion it is not unlikely that Ralph, who survived William by at least twenty-eight years, was his son.¹ And if the suggestion made above can be accepted Ralph became heir of William the elder on the death of an elder brother Hugh.²

Ralph Paynel was sheriff of Yorkshire in 1088 at the time when William de St. Calais, bishop of Durham, intrigued against the king; he refused a safe-conduct to the bishop, who accused him of invading the lands of the bishopric and disseising him of its lands in Yorkshire; and he was present at the subsequent trial of the bishop at Salisbury in Nov. 1088.³ He appears to have remained sheriff until some period not later than 1093.⁴ In the period c. 1090-1100 he re-founded the house of Holy Trinity, York, as a priory dependent on the abbey of Marmoutier, Tours, to which he issued a charter of endowment with the assent of his wife Maud and his sons William, Jordan, Ellis and Alexander.⁵ He gave to the abbey of St. Mary, York, 6 carucates of land in Hawold in Huggate,⁶ to Selby abbey land in the parish of Drax;⁷ and to the hospital of St. Peter, York, a messuage near the minster.⁸

Together with archbishop Thomas [I] and count Alan he was addressed by king William I in a notification in favour of Whitby abbey, 1078-86.⁹ He is possibly the R. Paganellus who witnessed a charter of Robert, duke of Normandy, to the abbey of Mont St. Michel in 1088.¹⁰ With archbishop Thomas and H. the sheriff he was addressed by king William II in a precept, 1096-99.¹¹ He witnessed instruments of the king at Hastings in 1091; at

¹ Le Prévost in his note on the Paynel family in *Orderic*, iii, 259, says that William was probably the elder brother of Ralph, adding that William had a son William, the founder of Hambye, and that Ralph also had a son William. But the evidence given in the present volume makes it practically certain that the founder of Hambye was William son of Ralph.

² If Hugh survived Ralph the inheritance would have passed direct from Hugh to William son of Ralph.

³ Auctarium no. 1 in *Symeon of Durham* (Rolls Ser.), i, pp. 170-95; being an account of the trial and exile of bishop William.

⁴ Farrer, *The Sheriffs of Lincolnshire and Yorkshire*, 1066-1130, in *E.H.R.*, xxx, pp. 282-4.

⁵ Charter no. 1.

⁶ *E.Y.C.*, i, no. 354 (p. 273).

⁷ Charter no. 14.

⁸ *E.Y.C.*, i, nos. 186, 197.

⁹ Davis, *Regesta*, no. 228; *Whitby Chartulary* (Surtees Soc.), nos. 555, 582.

¹⁰ *Cal. Docs. France*, no. 717; Davis, *Regesta*, no. 299. The doubt is due to the activities of Ralph in Yorkshire as a supporter of the king in the same year.

¹¹ Davis, *Regesta*, no. 412 and p. 137.

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Brigstock, 1087-1100; another in the period 1094-1100;¹ and his confirmation charter to the hospital of St. Peter, York, c. 1090-1098.² He also witnessed a charter of William, count of Mortain, to the abbey of Marmoutier, 1103-06.³

Ralph Paynel was living when the Lindsey survey was made in the period 1115-18.⁴ His name is included among the names inscribed at Holy Trinity, York, on the mortuary roll of Vitalis, abbot of Savigny, who died on 16 Sept. 1122;⁵ although it is unknown when the roll reached Holy Trinity, it may be assumed that Ralph was dead in 1124 at the latest.

There is no documentary evidence that he married twice; but, having regard to the descent of his possessions, the fact is probable. It is possible that his first wife was a sister or daughter of Ilbert de Lascy.⁶ This would account for his tenure in the West Riding under Ilbert at the Domesday survey, and his tenure at the Lindsey survey of lands held by Ilbert in 1086 of the bishop of Bayeux.⁷ Maud, whom he mentioned as his wife in his charter to the abbey of Marmoutier (no. 1), would in that case have been his second wife; and she was probably a daughter and coheir of Richard de Surdeval.⁸ This would account for the fact that the lands of Richard de Surdeval which passed to Ralph Paynel were

¹ Davis, *Regesta*, nos. 319, 446, 477.

² *E.Y.C.*, i, no. 166. Davis, *Regesta*, no. 269 assigns this to William I.

³ *Cal. Docs. France*, no. 1210.

⁴ For a list of his holdings recorded in that survey see Chapter II.

⁵ *Mémoires de la Société des Antiquaires de Normandie*, 2^e série, tome vii (1847), p. 261; titulus no. 162.

⁶ This suggestion was made by A. S. Ellis in *Y.A.J.*, iv, 222; and was accepted as apparently the case by Farrer in his Paynel MS. for H.K.F., where he points out that the probability of Ralph having married twice is strengthened by the fact that both William and Jordan, Ralph's sons, rendered account of 40 and 30 marks respectively at Mich. 1130 (*Pipe Roll 31 Hen. I*, p. 29). In *E.Y.C.* MS. Farrer's opinion is the same, suggesting that Ralph's first wife was a sister of Ilbert de Lascy.

⁷ See Chapter II below.

⁸ This suggestion was made by Stapleton, *Holy Trinity Priory* (Arch. Inst. for 1846), pp. 14, 19; and was accepted by Ellis in *Y.A.J.*, iv, 222, and also by Farrer in his Paynel MS. for H.K.F. and *E.Y.C.*

The fact that the bulk of Richard de Surdeval's lands passed to Ralph Paynel and Robert de Brus I suggests that the latter married another dau. and coh. of Richard. A table of Richard's lands which included Skelton, and which formed part of the Brus fee, is given in *E.Y.C.*, ii, p. 19. Farrer, in discussing the parentage of Agnes wife of Robert de Brus I (*ibid.*, p. 12), discarded the tradition that she was a daughter of Fulk Paynel (whom Ellis in *Y.A.J.*, iv, 407 amends to Ralph Paynel), and suggested that she was the daughter of Geoffrey Bainard of Burton Agnes. But subsequently, in his Paynel MS. for H. K. F., he came to the conclusion that Richard de Surdeval was probably her father. Ralph Paynel and Robert de Brus are associated together as witnesses to a charter of William, count of Mortain, to Marmoutier in the period 1103-06 (*Cal. Docs. France*, no. 1210).

There seems no doubt that Richard de Surdeval took his name from Sourdeval, dept. Manche, about 6 miles north of Mortain. He can be identified as the Richard de Surdavallo who, with the consent of Robert, count of Mortain, was a benefactor to the collegiate church established by the latter in his castle at Mortain in 1082 (*Mémoires de Soc. Ant. de Normandie*, 2^e série, vii, 334). It appears to be merely a coincidence that there is another Sourdeval near Hambye, lying to the south of the abbey.

subsequently held by the latter's younger sons Jordan and Alexander successively.

Notes on Ralph Paynel's younger sons will be given below under the Paynels of Hooton Pagnell.

WILLIAM PAYNEL, eldest son of Ralph Paynel, probably by his first wife. He founded Drax priory in Yorkshire *c.* 1130-1139;¹ and the abbey of Hambye in Normandy *c.* 1145, probably towards the end of his life.² His charter to the former house shows that he was in possession of Drax, co. York, and Middle Rasen, co. Lincoln, and other lands held by his father at the Domesday survey; and his charter to the latter mentions Hambye, as being his inheritance, and the castle of Les Moutiers-Hubert. He was a benefactor, presumably by way of confirmation, to the priory of Holy Trinity, York;³ and he confirmed his father's gift to Selby abbey, 1126-35.⁴ He occurs on the Yorkshire Pipe Roll at Michaelmas 1130, rendering account of 40 marks imposed by the justices in the pleas held at Blyth.⁵ He is evidently the William Paynel (*Paganellus*) who gave the tithe of Fontenay [Fontenay-le-Pesnel, dept. Calvados] to the abbey of St. Stephen, Caen, in the presence of king Henry I who issued a notification of the gift in the period 1124-29.⁶ In Sept. 1136 the castle of Les Moutiers-Hubert, 'victo Paganello municipe, qui multa in illo nequiter anno perpetraverat,' was taken by the adherents of Geoffrey of Anjou.⁷

In 1141 the empress took Nottingham castle from William Peverel and put William Paynel with his knights in charge; and in the following year Paynel was prevented from sacking the church of Southwell by the local forces, and while he was seeking support from the empress the knights of Peverel took Nottingham

¹ Charter no. 13.

² Charter no. 15. That the founders of Drax and Hambye were the same person solves many of the difficulties in the early pedigree. The combined evidence leaves almost no doubt that such was the case. In particular, William Paynel the founder of Hambye had sons named Hugh and Fulk; the wife of his son Fulk was named Lesceline; and Fulk, with the consent of his wife Lesceline, confirmed to Drax priory the church of Drax, which had been given by William Paynel the founder of Drax. Moreover Hugh and Fulk Paynel, two brothers, confirmed to the priory of Holy Trinity, York, the church of West Rasen, which had originally been given by Ralph Paynel, father of William Paynel the founder of Drax. The connection between Drax and Hambye is further shown by the inclusion of a rent from his manor of Drax in a charter issued by William son of Fulk son of William Paynel to the abbey of Hambye. For these statements see especially charters nos. 18, 21 and p. 7 below.

⁴ Charter no. 14.

³ Charter no. 9.

⁵ *Pipe Roll 31 Hen. I*, p. 29.

⁶ *Cal. Docs. France*, no. 1412; the gift is mentioned 'as free and complete, with an acre of land, as his predecessors ever held it' in a confirmation of Henry II, 1156-57 (*ibid.*, no. 453). A sixth of a fee in Fontenay-le-Pesnel was among the holdings of his great-grandson Hugh II, who lost his Norman lands in 1204 (see p. 10 below). For an earlier reference to this place see under Hugh Paynel above.

⁷ *Orderic* (ed. Le Prévost), v, 69. The 'motte' there was still visible in 1867, but was about to be destroyed (A. de Caumont, *Statistique Monumentale de Calvados*, v, 745).

and expelled the adherents of the empress.¹ Farrer supposed that these details refer to William son of Ralph Paynel;² but it is equally, and perhaps more, likely that they refer to William Paynel of Bampton,³ especially as William son of Ralph appears to have been opposed to Geoffrey of Anjou in Normandy in 1136.

According to the terms of the settlement made by his son Fulk with the abbey of Mont St. Michel in 1158⁴ it is clear that William Paynel's first wife was a daughter of William son of Wimund, and sister of Robert d'Avranches and half-sister of Ranulf Avenel the younger.⁵ By her he had issue :

- (1) Hugh (see below).
- (2) Fulk (see below, p. 18).
- (3) and (4) Thomas and John, who are mentioned in their father's charter to the abbey of Hambye, and who joined with their brother Fulk in the settlement with Mont St. Michel in 1158.
- (5) Possibly a daughter named Gertrude (see below, p. 26).

William Paynel married secondly Avice daughter and coheir of William Meschin by his wife Cecily de Rumilly.⁶ She was the widow of William de Curcy II;⁷ and she married not later than 1153 Walter de Percy as her third husband.⁸ By her William Paynel had a daughter Alice, whose marriages and descendants are given below (p. 31).

William Paynel cannot have survived as late as 1148, as his daughter and her first husband were dealing with Paynel land in Lincolnshire during the time of Alexander, bishop of Lincoln, who died early in that year.⁹ It seems safe to assign the date of William's death to the period 1145-47,¹⁰ which is consistent with the suggestion made above that he founded the abbey of Hambye *c.* 1145, towards the end of his life.

The ultimate division of William Paynel's lands in England between his sons Hugh and Fulk and his daughter Alice was of an unusual and complex character; it will be discussed in the next

¹ John of Hexham in *Symeon of Durham* (Rolls Ser.), ii, pp. 309, 311.

² *Honors and Knights' Fees*, i, p. vi; also in E.Y.C. MS.

³ Ralph and William Paynel witnessed a charter of the empress and Henry her son at Devizes in 1144 (Round, *Anc. Charters*, Pipe Roll Soc., no. 27). The former was clearly Ralph Paynel of Dudley, and the latter may have been William Paynel of Bampton, who was perhaps Ralph's brother (see the section below dealing with those branches).

⁴ See p. 18 below; and *cf.* pedigree in *Complete Peerage*, new ed., iv, 317.

⁵ For the lands acquired by this marriage, which appear to have included La Haye-Pesnel, dept. Manche, see the annotation to charter no. 19.

⁶ Pedigree in *E.Y.C.*, iii, p. 470.

⁷ For this order of Avice's marriages see Farrer's discussion in *Honors and Knights' Fees*, i, pp. vi, 105, where he suggests that William de Curcy II died in the period 1125-30.

⁸ Charter no. 48.

⁹ Charter no. 51. Bishop Alexander died in the 13th year of Stephen and was buried on Ash Wednesday [25 Feb.] (*Henry of Huntingdon*, Rolls Ser., p. 280).

¹⁰ This is approximately the same date, 1146-48, which Farrer gives in *E.Y.C.*, iii, p. 470.

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THE PAYNEL FAMILIES

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section (p. 33). His lands in Normandy were divided between his sons Hugh and Fulk, the former receiving Les Moutiers-Hubert, and the latter receiving Hambye.

HUGH PAYNEL I, eldest son of William Paynel. He is named as the senior of the four brothers who assented to their father's charter of foundation to the abbey of Hambye. In the period 1151-53 he was granted a charter by Henry, duke of Normandy, restoring to him the honour of Les Moutiers-Hubert and all the barony of his father in Normandy and England with the exception of Bréhal;¹ and about the same time he made an agreement with his brother Fulk for a partition of their mother's inheritance.² It is clear that in the eventual allocation of William Paynel's lands between Hugh and Fulk and their half-sister Alice Hugh's share included Les Moutiers-Hubert in Normandy and West Rasen in Lincolnshire. In 1172 Hugh Paynel owed the service of 5 knights in Normandy, having 6 knights in his service,³ and there is little doubt that this represented the service due from the honour of Les Moutiers-Hubert.⁴

The tenure of West Rasen by him and his descendants is shown in the proceedings in an assize of darrein presentment in 1220 relating to the church of West Rasen, the advowson of which Hugh Paynel [the younger] claimed against the prior of Holy Trinity, York; the prior said that the church was not vacant, but that his monks were the rectors, and produced a charter of Hugh Paynel, grandfather of Hugh the claimant, giving the church to the abbey of Marmoutier and the church of Holy Trinity at York, and also a charter of Fulk Paynel, brother of Hugh the grandfather, making a similar gift, and charters of Robert, bishop of Lincoln, and St. Thomas, archbishop of Canterbury, confirming the gift made by Hugh and Fulk his brother,⁵ the charter of bishop Robert confirming the church 'in propriis usus'; and he said that his monks were in possession of two-thirds of the tithes of the vill. Hugh recognised this, but said that he had only brought the assize in respect of the remainder.⁶ As he recognized that the whole church was not vacant it was considered that he should seek another writ in respect of the vacant portion if he wished, and be in mercy for a false claim.⁷

¹ Charter no. 19, where in the annotation the possibility is mentioned of Bréhal comprising the barony of Hambye, which actually passed to his brother Fulk.

² Annotation to charter no. 19.

³ *Red Bk.*, p. 627.

⁴ See the details of the lands of Hugh his grandson taken into the hand of Philip Augustus in 1204, given below.

⁵ As Ralph Paynel had originally included the church of West Rasen in his benefactions to Holy Trinity the charters of Hugh and Fulk were evidently confirmations. As West Rasen descended to Hugh's issue it would appear that he was the person immediately interested, and that the purpose of Fulk's charter was to bar any reversionary claim on the failure of Hugh's issue.

⁶ *i.e.* a third of the church.

⁷ *Bracton's Note Book*, no. 1415.

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Hugh Paynel's interest in Lincolnshire is indicated by entries on the Pipe Rolls. At Michaelmas 1168 and 1169, when Fulk Paynel was owing 4*li.* 6*s.* 8*d.*, the remainder of his debt of 10*li.* for which he had accounted in Yorkshire at Michaelmas 1165, it was returned that the sum should be sought from Hugh Paynel in Lincolnshire who was holding the fee;¹ and at Michaelmas 1170 Hugh rendered account of this sum in Lincolnshire in respect of his knights, which sum had been sought in Yorkshire from Fulk.²

With his wife Nichole and his sons Peter and William he joined in a gift of land to the abbey of St. Stephen at Caen on the occasion of his taking the habit of a monk.³ This gift may have been 11 acres of land near Familly [dept. Calvados], made by Hugh Paynel, his wife and sons, and confirmed by king Richard I in 1190.⁴ Hugh Paynel died in or shortly before 1180 when his son Peter had succeeded him (see below).

William Paynel his younger son rendered account in Lincolnshire at Michaelmas 1187 of 40 marks for seisin of the land of West Rasen which Peter Paynel had given him.⁵ Subsequently in 1205 William Paynel gave 60 marks and 2 palfreys for having seisin of a third of the vill of West Rasen which Peter Paynel his brother had given him by charter.⁶ He is probably the William Paynel who restored to William de Grenesbi all the land in Rasen and Glentworth which Hugh de Grenesbi had held of his father, to hold by the service of half a knight;⁷ and the William Paynel who in 1201 gave to Agnes de Scoteni, in the name of dower, a third of the vill of Middle Rasen, to hold by the service of a sixth part of a knight, which dower, as widow of William son of Roger, she had claimed against him;⁸ and also the William Paynel who with Beatrice his wife, Hugh Paynel and Reginald his man, were appealed of a breach of the peace in Lincolnshire in 1207.⁹

PETER PAYNEL, elder son of Hugh Paynel I. In 1180 he paid 200*li.* on account of a fine of 500*li.* for his father's land in Normandy.¹⁰ Later records show that he and his son Hugh were successively lords of Les Moutiers-Hubert.¹¹ His interest in West

¹ *Pipe Roll* 14 *Hen. II*, p. 81; *ibid.*, 15 *Hen. II*, p. 33. For Fulk's debt see further under Fulk I, p. 19 below.

² *Ibid.*, 16 *Hen. II*, p. 147; the whole sum was paid by the following year (*ibid.*, 17 *Hen. II*, p. 103).

³ Stapleton, *Rot. Scacc. Norm.*, i, p. cxxi; 'quam terram Petrus Paganellus posuit super altare per scutum patris sui, vidente conventu et multis de seculo.' No other record of this appears to be known, and Stapleton may have been quoting from an original charter.

⁴ *Cal. Docs. France*, no. 460.

⁵ *Pipe Roll* 33 *Hen. II*, p. 73. He then paid 20 marks; the balance was paid off at Mich. 1191 (*ibid.*, 3 *Ric. I*, p. 5).

⁶ *Rot. de Obl. et Fin.*, pp. 247, 277.

⁷ Harl. Ch. 54E.54; equestrian seal. Pd. at no. 81A below.

⁸ *Final Concords Lincs.*, ed. Massingberd, p. 18.

⁹ *Rot. Claus.*, i, 83b.

¹⁰ *Rot. Scacc. Norm.*, i, 89.

¹¹ Querimoniae Normannorum of A.D. 1247, nos. 346, 348 in *Recueil des Historiens . . . de la France*, xxiv, pp. 46, 47; Peter held it to his death and Hugh to the time when he crossed to England and lost his Norman lands.

Rasen has been already mentioned,¹ and the court which he had held at Rasen is mentioned in a plea of 1202.²

He apparently died in 1184; for in 1185 the son of Peter Paynel (*Pounel*), aged 4 years, was in the king's custody with his land in West Rasen, and had been since the preceding Martinmas; the land was worth 42*li.* yearly if fully stocked; and Peter's widow was in the king's gift.³ At Michaelmas 1185 the sheriff paid in 54*li.* 12*s.* of the issues of Rasen which had belonged to Peter Paynel.⁴ At Michaelmas 1186 the sheriff rendered account of 43*li.* 6*s.* 8*d.* of the farm of Rasen which had belonged to Peter Paynel whose heir was in the king's hand; he paid 25*li.* into the treasury, and was allowed 2 marks in alms to the canons of Osulfuestan [Owston, co. Leicester] by the king's writ for the whole year, 7*li.* in respect of lands given to William Paynel⁵ for half the year, and 10*li.* for making up the stock which the said canons had had by the king's writ.⁶ The same details, excepting the payment for stock and including 14*li.* in respect of William's lands, are repeated at Michaelmas 1187 to 1189,⁷ but not subsequently. West Rasen was tallaged in 1190 and 1191;⁸ and during the period 1196 to 1199 the tallage included the land of William Bard' with West Rasen.⁹ This suggests that the land, still in the king's hand, had been granted to William Bardulf in custody.

HUGH PAYNEL II, son of Peter Paynel.¹⁰ He was born *c.* 1181. After his succession to West Rasen he appears temporarily to have lost it, for on 8 Aug. 1204 the sheriff of Lincolnshire was ordered to give seisin to Gerard de Canville of the land which had belonged to Hugh Paynel, namely Rasen, and which Peter Pradell had had of the king in custody.¹¹ But he was in possession in 1206 when he was successfully a defendant with William Paynel [his uncle] in a novel disseisin of a tenement in Rasen, and also by himself in a plea relating to a tenement in West Rasen.¹²

When Normandy was lost to the English crown he adhered to king John, and his honour of Les Moutiers-Hubert was taken

¹ In Farrer MS. there is the abstract of a charter from a MS. volume at Everingham Park of Collections for the family of Constable (*cf.* charter no. 19 below) in which Peter Paynel appears as lord of land in Middle Rasen in 1179.

² *Lincs. Assize Rolls* (Linc. Rec. Soc.), p. 44.

³ *Rot. de Dominabus* (Pipe Roll Soc.), p. 6.

⁴ *Pipe Roll 31 Hen. II*, p. 93.

⁵ Peter's brother. 14 *li.* for the full year would be a third of the yearly value according to the 1185 assessment; and William's interest was in a third of West Rasen.

⁶ *Ibid.*, 32 *Hen. II*, p. 79.

⁷ *Ibid.*, 33 *Hen. II*, p. 75; 34 *Hen. II*, p. 80; 1 *Ric. I*, p. 73.

⁸ *Ibid.*, 2 *Ric. I*, p. 86; 3 *Ric. I*, p. 9.

⁹ *e.g.*, *ibid.*, 1 *John*, p. 143.

¹⁰ A chart pedigree, showing his ancestry and his descendants to the end of the thirteenth century, is given in *Complete Peerage*, new ed., iv, 317. A pedigree of his descendants is given in *Lincolnshire Pedigrees* (Harl. Soc.), p. 762.

¹¹ *Rot. Claus.*, i, 4b.

¹² *Lincs. Assize Rolls* (Linc. Rec. Soc.), p. 254.

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Excerpt

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into the hand of Philip Augustus.¹ It then included $2\frac{1}{2}$ fees in the bailiwick of Lisieux, evidently Les Moutiers-Hubert itself,² a fee in the bailiwick of Caen,³ and a sixth of a fee in Fontenay-le-Pesnel, held later by Henry de Fontaneto;⁴ the total was $5\frac{1}{6}$ fees, which may be compared with the Norman holding of Hugh's grandfather, Hugh I, in 1172.⁵

In compensation Hugh obtained Drax and its dependencies which had been forfeited by his cousin Fulk II of Hambye. A record of 1226-28 states that the soke of Drax had belonged to Fulk Paynel a Norman, and Hugh was holding it of the bail of king John; Hugh recognized that he had it in exchange for the land in Normandy which he had lost; it was worth yearly 52*li.* 12*s.*, and 120 hens and 700 eggs; Carlton and Camblesforth had also belonged to Fulk; three tenants were holding them of (*per*) Peter de Brus who had the lands of the gift of king John, worth 40*li.* yearly.⁶ Thus Drax and West Rasen had become re-united in this branch of the Paynels. On 3 April 1208, as Hugh Paynel had shown to the king that the fee of 6 knights belonging to his manor of Drax which the king had given him were in arrear to him, the sheriff of Yorkshire was ordered to deliver them without delay if the facts were correct.⁷ It was presumably after his acquisition of Drax that Hugh issued two charters giving 50 acres of land in Drax to Drax priory.⁸ In 1212 he held West Rasen and other lands of the Paynel fee in Lincolnshire.⁹

After the Barons' war, on 16 Aug. 1217 the king issued orders that Hugh Paynel should have such seisin of all his lands as he had on the day when he withdrew from king John's service, in view of his security for faithful service; the counties concerned being Lincolnshire, Yorkshire and Leicestershire;¹⁰ and on 29 June 1219 the sheriff of Yorkshire was ordered to give him seisin of the manor of Drax with all its appurtenances which king John had committed to him at pleasure for his maintenance in the king's service.¹¹ On 22 Aug. 1219 and again in 1227 the sheriff of Lincolnshire was ordered to cause him to have a weekly market at his manor of West Rasen;¹² at a later date, 13 Jan. 1238-9, he and his heirs were granted a weekly market and a yearly fair there and free warren in the demesne lands of the manor.¹³

Hugh Paynel's claim in 1220 to the advowson of West Rasen against the prior of Holy Trinity, York, has been mentioned above; and in 1226 he quitclaimed to the prior all right in the

¹ Delisle, *Cartulaire Normand*, no. 113.

² *Recueil des Historiens de la France*, xxiii, p. 710c [1204-1208].

³ *Ibid.*, p. 706h [1204-1208].

⁴ *Ibid.*, p. 621d [1210-1220].

⁵ See p. 7 above.

⁶ *Bk. of Fees*, p. 357.

⁷ *Rot. Claus.*, i, 108b. From the record of a plea in 1218-19 it appears that Hugh lost Drax at some time when Gilbert son of Reinfrid was sheriff [1209-13] and that it was subsequently restored to him at the request of Geoffrey de Neville the chamberlain when he accompanied Geoffrey to Poitou (*Rolls of the Justices for Yorks.*, 1218-19, Selden Soc., p. 239).

⁸ *Cal. Ch. Rolls*, 1300-26, p. 168.

⁹ For details see Chapter II.

¹⁰ *Rot. Claus.*, i, 320a.

¹¹ *Ibid.*, p. 394b.

¹² *Ibid.*, p. 398b.; ii, 196b.

¹³ *Cal. Ch. Rolls*, 1226-57, p. 237.