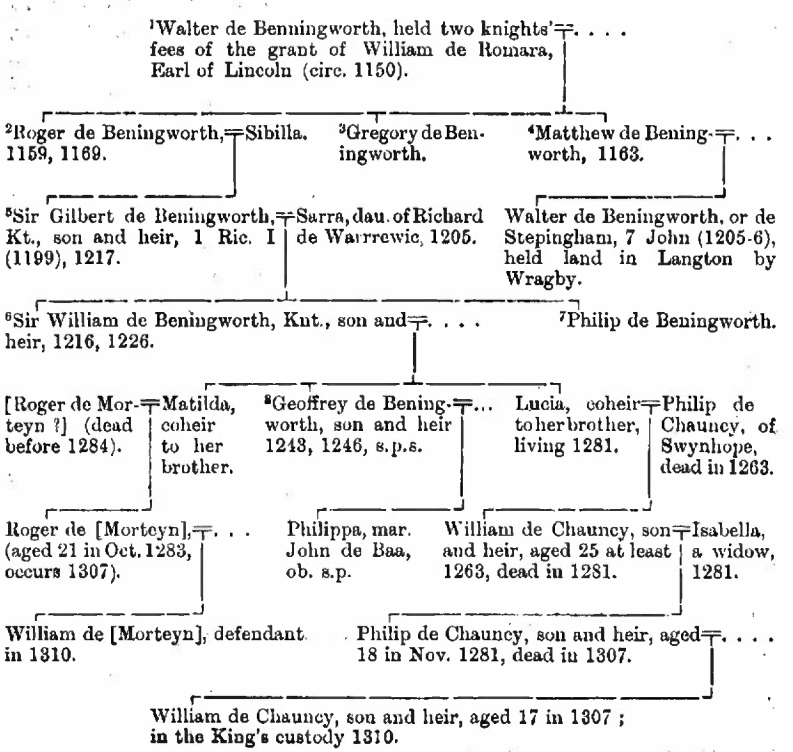
BENINGWORTH OF BENINGWORTH.

Beningworth, or Benniworth, is in that part of Lincolnshire called Lindsey, in the Wapentake of Wraghoe. At the time of the Domesday survey there were two manors there. One, with two and a half carucates of land, belonged to the Archbishop of York, and was held by Osbern, a priest; the other, with three carucates and a half, formed part of Ivo Taillebois' barony, and was held by Odo, a man of Ivo's. By the middle of the next century William de Romara had succeeded Taillebois; but what became of Odo and his heirs does not appear. At that point the *Testa de Nevill* (p. 338) takes up the history of his manors.

Comes Will's de Romar tenuit in capite de d'no Rege in Benigwarth iii caruc' terre & di' & in Kineton ii bov' & di' & in Strubby ii bov' Et p[rd]'c's comes dedit totam t[ra]m p[rd]'c'am Walt[ro] de Beni'ghwarth pro s'vic'o ii militu' Et heredes Walt[ri] p[rd]'c'am terram tene't.

The following pedigree of Walter's descendants is derived mainly from the Chartulary of Kirkstead Abbey, now in the British Museum (Cotton MS., Vespasian E xviii), and the references hereafter given are to that volume, unless otherwise stated.



The extinction of this family in the male line appears from a record in the Coram Rege Roll, 3 Edward II, Easter Term (m. 56), where the King, as guardian of William de Chauncy, a minor, proceeds against William de Mortuo Mari, of Dunesby, upon a *quare impedit*, for the right of presentation to the church of Beningworth. The case for the Crown is that Geoffrey de Beningworth granted the manors and advowsons of Beningworth and Scrayfeld to John de Baa,[9] with Philippa, his daughter, in tail, remainder to the grantor; and John de Baa presented Robert de Neketon (?Noketon). clerk, by whose death the benefice is void. John and Philippa died without issue; and afterwards Geoffrey died without heirs of his body; and his right descended to his two sisters Matilda and Lucy. Matilda had issue Roger de Mortuo Mari, who had William, the defendant: Lucy had issue William de Chauncy, who had Philip, father of William, now in his nonage. A partition took place between defendant and Philip de Chauncy, whereby defendant took the manor of Beningworth, with certain exceptions, while Chauncy took Scrayfeld, together with the above excepted lands and rents in Beningworth; and they agreed to present alternately to the churches, Chauncy to have the first turn in Beningworth, and defendant in Scrayfeld. There being no defence, a writ issues on behalf of the Crown to the Bishop of Lincoln.

The descent of one of the coheirs becomes plain from the following

[1] Gayton, 45; Snelland, 6; (?) Superabundantia, Stratton, 1, 2.

[2] Abbatia, 13; Sepewas and Branzton, 1 (bis), 4, 24, 25, 28; Hanehaide, 7, 12; Gayton, 21, 24, 45, 52; Scampton, 13; Snelland, 1, 5, 6, 8, 11; Molendina, 11; Stratton, 5, 6; Askebi, 5; Scraing, 9, 19; Dunham, 20; Cyrographa, ff. 215, 216. Sibilla his wife, Scraing, 19; also Harl. Charter, 45 I, 52.

[3] Sepewas and Branzton, 28; Gayton, 52; Molendina, 39; Scraing, 9, 19, 20, 22; Superabundantia, Stratton, 3, 11. Probably the same as Gregory, Clerk of Beningworth, Stratton, 25.

[4] Sepewas and Branzton, 4; Hanehaide, 7; Gayton, 45; Scraing, 9; Superabundantia, Stratton, 3.

Walter, his son—Sepewas and Branzton, 62; Stratton, 33, 34, 42, 48, 50, 51; (?) Superabundantia, Stratton, 1, 2. As Walt[us] fil' Math'i he was sued by Gilbert de Beningworth, 7 John. *Placit. Abbrev.*, p. 48. He is, perhaps, the Walter de Benigwrth who gave lands in Normanby, "with Simon my son," to Newsome Abbey, Harl. Charter, 46 A, 9. The seal of this Charter is inscribed "Walter de Normanbi."

[5] Beningworth, 1—4, 7; Sepewas and Branzton, 44; Gayton, 52; Molendina, 39; Askebi, 7; Scraing, 9, 19, 20, 22, 24, 25, 91; Dunham, 16, 32—34; Carte Refectorii, 47. Great Pipe Roll, 1 Ric. I, p. 68; Hardy, *Rot. de Oblatis*, &c. He held a knight's fee in "Strethefel" of Cecilia de Crevequer, *Placit. Abbrev.*, p. 52. He was a benefactor also to Newsome Abbey and Bullington Priory. Grants of his are preserved in Harl. Charters, 45 I, 52—56, 46 A, 1—8. Several of these still bear his seal, a knight mounted, with sword and shield; for the best example see 45 I, 54. For his wife, see Close Rolls (Hardy). Probably she was an heiress, for lands in cos. Warwick, Lincoln, and York were restored to him, on being pardoned by Henry III, in 1217 (*Ibid.*). Lands in Loppingthorp and Wlstorp were about the same time restored to William de Beningworth, probably his son.

[6] Beningworth, 12, Cyr; Scraing, 54, 55, 67.

[7] Snelleslund, 79.

[8] Beningworth, 14; Robert's *Excerpta e Rot. Fin.*; Harl. Charter 44 E, 59. He held land of the Lady Hawise de Quincy in Salmundeby, Strechesfeld (*sic*) and Hameringham, *Testa de Nevill.*

[9] Terra Joh'is de Baa in Beningworth, cum feodo suo in Strubby. *Rot. Hundred.*, p. 364.

series of Inquisitions. Philip de Chauncy (47 Hen. III, no. 30) held one fee in Svinhop in chief; and one fee in the same place of Peter de Sauue (Savoy); one fee in Walesby and Bleseby, of which Walter de Walesby held [under him] three-fourths, and Roger de Bleseby one-fourth; half a fee in Wigleton (? Willoughton) of the King, which long before his death he gave to William, his son; one fee in Thurleby, which William de Blokevill held [under him]; and four bovates of his wife's inheritance in Steinton, held of Sir Robert de Nevill. William, his son and heir, was aged twenty-five years at least. The date of death is not given; but the writ of *diem clausit extremum* is dated 12 Sept. 47 Hen. III (1263).

William de Chauncy (9 Ed. I, no. 25) held nothing in chief in co. York; but held of John Paynel a messuage garden and land in Munketon. He also held the manor of Wylton (Wylweton, or Wyluton) in chief by one knight's fee, and nothing else in co. Lincoln: and received of the manor of Swynhop ten marks a year during the life of Lucy de Chauncy. And he gave Wylton in dower to Isabella, his wife, who survived him. Philip, his son and heir, was aged eighteen at Martinmas 9 Ed. I (Nov. 1281). Evidently, therefore, Lucy, his mother, was still living at this date.

Philip de Chauncy (35 Ed. I, no. 37) held one fee in Swinehoppe, co. Lincoln, in chief, and paid a rent for the ward of Richmond Castle as well. (There is evidently some confusion in this statement: see the former Inquisition.) Also he held lands in Billingeye, co. Lincoln, with a fishery, &c.—tenure unknown; and enfeoffed Roger Bernak, of Humberstain, and Matilda, his wife, of 50s. rent therein, to secure 50 marks. Also one fourth of a fee in Skraythfeld (Skraifeld) of the Earl of Lincoln; and half a fee in Cotes, where the tenants' names are given—one of whom, Godfrey Ganger, holds a messuage which was of Geoffrey de Beningworth. William, his son and heir, was seventeen in June 1307. The date of death is not given: the writ of *diem clausit extremum* is dated 13 May.

In regard to the other coheir, the evidence is less clear. The name given in the record quoted is de Mortuo Mari; and William de Mortumer, of Douseby (*i.e.* evidently Donesby) appears in the Calendar of Close Rolls, 9 Ed. II (1315), with other Lincolnshire men, as party to a recognizance. The *Testa de Nevill* also mentions William de Mortuo Mari in connection with Loppingthorp. But other records tell us that William de Morteyn (*Esc.* 12 Ed. I, no. 26) besides estates in cos. Leicester, Stafford, Derby, and Notts, held jointly with Joan, his wife,[10] of the Bishop of Lincoln, the manor of Dounesby, co. Lincoln, in tail. His next heir was his "*nepos*" Roger, son of Roger de Morteyn, who completed his twenty-first year about St. Denis, 11 Ed. I (Oct. 1283): but whether "*nepos*" here stands for nephew or grandson, there is nothing to shew. In either case Joan, to judge by her age, was most probably a second wife. In 1290 she appears again, endowing a Chaplain in the church of St. Andrew in Dunesby, for the soul of William de Morteyn (*Esc.* 18 Ed. I,

[10] She was daughter and coheir of Philip Marmion, by his first wife, Joan de Kilpek.

No. 142,[11] *Pat.* 18 Ed. I, m. 10); and about five years later she died without issue (*Esc.* 23 Ed. I, no. 55).

William [de Luda, or Louth], Bishop of Ely (*Esc.* 26 Ed. I, no. 72), held the manor of Luttegareshale, co. Buk', in chief, and other property there of the Earl of Gloucester and his wife. William Touchet, and "Isabella Rogeri de Morteyn" (*sic*) were his heirs, and of full age. The writ of *diem clausit extremum* is dated 7 June 26 Ed. I (1298). That Isabella was wife of Roger is proved by the Patent Roll of 28 Ed. I (m. 3), where she and her husband are pardoned for entering without licence upon lands in Appelby, aliened by Hugh de Nevill to William de Luda, Bishop of Ely, and granted to them by William Tuchet, the Bishop's nephew and heir. And in 1303 Roger de Morteyn endows Thornholm Priory with land in Appelby, Risseby, and Roxeby (*Esc.* 31 Ed. I, no. 94), held partly in chief by serjeanty, partly of Margaret de Nevill, the Templars, and the Prior of Drax.

What then was the name of Matilda's husband? Subject to correction, it seems most probable to me that she was the wife of the first Roger de Morteyn, son or brother of William, and that Mortuo Mari is, in each case, a clerk's error. Certainly that name, so written, is not easy to mistake for the other, as printed above; but a moment's reference to the original Close Roll of 1315 suffices to shew how infinitesimal is the difference between Mortain' and Mortum^{r}, Mortein' and Mortem^{r}, in the hand of that period. Let me add that all three records in which the greater name appears were the work of engrossing clerks at Westminster, probably not familiar with the persons in question, more liable therefore to a misreading than the county officers. But this is only an opinion, and the discrepancy remains.

Roger de Morteyn occurs twice more in the Patent Rolls in 1292 and 1307, in connection with the places where his inheritance lay, Walsall in Staffordshire, and Eyam in Derbyshire. Of William his son, the defendant above mentioned, I find no more. He did not long live to enjoy his patrimony, for in 1311 another Roger aliens property in Appelby, and a moiety of Walsall; and he continues to occur in the Patent and Close Rolls until 1323 at any rate, latterly as a knight; and William, his son, in 1318. In an Inquisition *ad quod damnum* (4 Ed. III, 2nd nos., no. 78), Roger de Mortayne is stated to hold Dunnesby, of Thomas Wake, Lord of Lyddel, lands in Appelby, &c., of Richard Tuchet, and the manor of Barre, co. Stafford, in chief. There are also Eustace de Mortayn, a follower of de Eyncurt, in 1299; John de Morteyn in Bedfordshire, 1309-11; and Philip de Morteyn in Yorkshire, who prays recompense for services in Scotland under Edward I (*Esc.* 5 Ed. II, no. 18).

To return to Beningworth, we find another family there, tenants it would seem of the Archbishop's manor, or part of it; for William, son of Ralph, is mentioned as holding one-thirteenth of a knight's fee there of the Archbishop (*Testa de Nevill*).

[11] As a good instance of the extent to which subinfeudation was carried in Lincolnshire, Joan held part of this land of Richard de St. Mark, of Dounesby, and he of John, son of Richard de Repinghale, and he of Peter de Leykeburne, and he of Isabella de Ros, Lady of Beuver, the tenant in chief.

[12]Thomas de Beningworth ⊤. . . .

Ralph de Beningworth. ⊤. . . .

William de Beningworth, 1245, 1279. = Agnes.

Adam de Beningworth, 1266.

Other tenants in Beningworth were Henry Bellald or Billiald; Godeberct, son of Roger Parm'tarius; Hugh Berenger or Berengarius; and Robert filius Belengeri: also William, Richard, Ranulfus, and Robert, sons of Aselin, 1217; Walter son of Goda, Robert son of Ivo, Robert son of Lewin, Thomas son of Robert, and William Pigge, at the same date.[13]

In conclusion it may be useful to add a list of other persons I have met with named de Beningworth, though I cannot shew their connection with either of these families.

Heliseus filius Pagani de Beningwrd gives land in Claxebi to Newsome Abbey; Gilbert de Beningwrd, William, Parson of Beningwrd, and Geoffrey de Normanebi being some of the witnesses. Margareta filia Helie de Beningwrd, in her widowhood, makes a similar gift (Harl. Charters, 46 A, 10, 12).

Margaret, widow of Ernisius de Benigwrd, grants lands in Benigwrd to her grandson John, son of Geoffrey de Lund and Agnes her daughter (Harl. Charter, 45 I, 51).

William Beningworth, sub-dean of Lincoln in 1231 and 1241 (Le Neve's *Fasti*).

Walter de Beningworth, Abbot of Bardney 1241, resigned 1243 (*Monast. Angl.*).

Robert fil' Sibille de Beningworyd, 56 Hen. III. Also Thomas le procurator and Henry, his brother, of Beningworth (*Rot. Hundred.*, p. 366).

Robert de Benyngworth, Clerk 1284, Parson of Wollingham 1285, 1316 (*Pat.* 12, 13 Ed. I; *Close Roll*, 10 Ed. II), probably the same person as Robert, son of Thomas de Benyngworth, Clerk, 1315 (*Close Roll*, 8 Ed. II).

Henry Beningworth collated to the Prebend of Crackpole St. Mary, Lincoln, 1292, sub dean 1294, died 1318, buried in Lincoln Cathedral (Le Neve's *Fasti*).

W. H. B. B.

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[12] Beningworth, 11, 16; Novæ Confirm., f. 227. See also Harl. Charters, 46 A, 11 and 44 F, 1, a lease of land in Beningworth. dated 1266, by the Abbot of Kirkstead to William and Agnes; Adam son of Ralph, being a witness. The confirmation of 1279 is witnessed by William ad aulam de Beningworth.

[13] Beningworth, 1, 2, 4, 8, 9, 10, 11, 15, 16; Gayton, 45; Harl. Charter, 46 A, 34.

that Captain James Sinclair (who died 11 January 1788) and his father, had "no surviving younger brothers, or male heirs through them"; and also (p. 620), that Sir James Sinclair, of Mey, who became 12th Earl, proved "by parole evidence the extinction of this Broynach branch." These statements are on the authority of the Minutes of Evidence in Sir James Sinclair's claim, and, if they are correct, they cut the ground completely from this new claimant's case, his alleged ancestor, Donald, being of that extinct branch. Even if Donald's existence as a lawful son of Broynach were proved, or that his son William left lawful issue, a crucial point, in view of the alleged extinction—there is (2) another formidable bar to his descendant's case, viz., the decision of the Committee of Privileges of the House of Lords, on 4th March 1793, in favour of Sir James Sinclair, of Mey, as 12th Earl. This, fortified by the lapse of 105 years, brings the question under the head of *res judicatæ*, and thus, according to English practice, well-nigh impossible to re-open. Till these difficulties are removed, the case of the present (17th) Earl seems unimpeachable.

I offer these remarks, as the question affects an interesting historical title, on which, with others, I have had to make considerable researches in the Public Records, when editing the *Calendars of Documents and State Papers of Scotland*; and would, therefore, deprecate hasty conclusions, or proceedings which may only result in unnecessary expense to the present Earl, in defending his status against what appears a groundless attack. This has been notoriously the case in recent futile attempts to dispossess the holders of several Scottish Peerages, among others, that of Lovat—twice assailed by a man without means to pay Lord Lovat's costs when defeated.

BENINGWORTH OF BENINGWORTH.

As I have been collecting information concerning this family for several years, perhaps I may be allowed to supplement "W.H.B.B.'s" interesting account in one or two particulars.

We have the great authority of Mr. Eyton[1] for beginning the pedigree thus:—

Odo, Domesday tenant of Benniworth and 15 other estates under Ivo Tailboys, A.D. 1086.

Walter fil Odonis, fines p' recto 1130, his services of 8½ fees reduced to 3 by Earl William de Romara.

Roger de Beningworth.

[1] Addit. MS. 31,938, f. 36.

Lansdowne MS. 207e, f. 126 [Holles vol. 5] gives us this:—[1]

Roger de Beningworth. = Sibil, daughter of William de Kyme, and sister of Simon fitz William.

Gilbert. = Sarra, d. and heir of Richard de Warwick.

That Gilbert's wife was an heiress is proved by the Testa de Nevill, p. 348, where he is said to hold land in Salmonby and Scrafield of the inheritance of his wife by the serjeanty of carrying one goshawk in the season; and Mr. Eyton quotes a record to the same effect.

"19 April, 1205. The King to the sheriff of Lincolnshire. We command that you cause Gilbert de Beningworth to have seisin of his land, which Richard de Warewic gave to him in Screifeld and Stratton with Sarra his daughter in marriage."

I must leave it to genealogists to decide whether the name of Matilda de Beningworth's husband was Morteyn or Mortimer. If the name was Mortimer, it is certainly curious that the christian names of the Morteyns should correspond so closely with the names of the Mortimers. But if the name is Morteyn we have several difficulties. No lands that certainly belonged to the Beningworths are mentioned in the Morteyn inquisitions *post mortem*, or, as far as I know, in any records as belonging to the Morteyns, so written at least.

Both in the Testa de Nevill and in the Lincolnshire Subsidy Roll, temp. Edw. I,[2] a Mortimer as well as a Morteyn is mentioned.

Testa de Nevill, p. 327. "William de Mortym',[3] and William de Poynton, and the Abbot[4] of Billingey hold half the fee of a knight in Nortwyme and Lopinthorp and in West' of the Archbishop," etc.

Page 320. "William de Morton holds in the hundred of Dunesby and of Morton of ancient feoffment the fee of one knight of the Bishop of Lincoln,"[5] etc.

Lay Subsidy Roll, Lincoln, $^{1}\frac{3}{1}{}^{5}$. "Fees of William Bardolf—From William de Mortimer[6] holding half a fee in Brauncewell and Dunesby, which Alexander de Cressy formerly held."

"Fees of the Bishop of Lincoln—From Roger de Morteyn[7] holding one fee in Dunnesby, which William de Morteyn formerly held."

Here we have two different men—one called Mortimer or de Mortuo Mari, and the other Morteyn—holding different fees in Dunsby, which is certainly against "W.H.B.B.'s" theory.

[1] The same MS., f. 445, gives this:—

. . . = Lucia.

Roger de Beningwrd. — Gilbert. = Hawise.

Matthew. — Walter de Steping.

[2] Lay Subsidy Roll, Lincoln, $^{1}\frac{3}{1}{}^{5}$. The subsidy was collected 31 Edw. I.

[3] p. 306. William de Mortuo Mari.

[4] Is the Prior of Catley in Billinghay meant?

[5] These surveys are of the same date, the one for Bettislowe, the other for Avelund: p. 304, William de Morteyn is said to hold this fee, so I conclude that the same person is meant.

[6] It is Mortimer in my abstract, but it may be de Mortuo Mari on the roll.

[7] Roger also held half a fee in Appleby, which Geoffrey de Nevill formerly held.

Moreover, I can quote records written by Lincolnshire scribes, where the name is written clearly de Mortuo Mari. These records mention property that was certainly inherited from the Beningworths.

A.D. 1296 Alexander de Mortuo Mari was presented by William de Mortuo Mari to the Church of Scrafield.[1] In 1310 the writ to the Bishop of Lincoln mentioned in the Coram Rege Roll, quoted by W.H.B.B., is copied into the Bishop's register, and the name of the defendant is given as William de Mortuo Mari.

A third Lincolnshire record[2] gives the same name, and is interesting also as giving the full name of the husband of Philippa the daughter of Geoffrey de Beningworth. It also gives the christian name of Geoffrey's widow.[3]

"On the Quindene of Holy Trinity, 42 Henry III. [A.D. 1258]. Between Philip de Chauncy and Lucy his wife, by John de Beningwurth put in the place of Lucy, and Matilda de Mortuo Mari, plaintiffs, by Richard de Gedeneye put in her place, and John de Bathonia (whom William de Bathonia vouched to warrant) concerning the manors of Moneketon and Sandwath and the advowson of the Church of Moneketon. John quitclaimed the said manors, with the appurtenances, to wit, whatsoever fell to the same John and Philippa his wife, daughter and heir of Geoffrey de Benigwrth, in the same vills, after the death of Simon de Akton, of the inheritance of the said Geoffrey, except the capital messuage in Muneketon, to Lucy and Matilda and their heirs for ever. And for this Lucy and Matilda granted to John the manors of Wulmeresty and Salemundeby, with the advowson of the Church of Salemundeby. To have and to hold of the said Philip and Lucy and Matilda and the heirs of Lucy and Matilda for ever. Paying one pair of white gloves by the year for all service, etc. Philip, Lucy, and Matilda, and the heirs of Lucy and Matilda will warrant the manors of Wulmeresty and Salemundeby and the advowson of the Church of Salemundeby against all men forever, except certain land which William de Curzun held in Salemundeby of the gift of Geoffrey de Beningwrth. If the said John shall survive Hawise who was the wife of the said Geoffrey the manors of Cotes and Scrithefeld, with the advowson of the Church of Scryzefeld, which the said Hawise holds in dower, ought to fall to the said John for his life together with the manors of Beningwrth, Bamburg, Billingheh, Walecote, and the advowson of the Church of Beningwrth. And it shall not be lawful for John to alienate the manors of Benigwrth, Bamburg, Billinghehe, Walecote, Kotes, and Scryzefeud with the advowsons of the Churches of Beningwrth and Scryzefeud. York—Lincoln."

W. O. Massingberd.

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[1] Bishops' Registers at Lincoln.

[2] Feet of Fines. Divers Counties, case 251, no. 347.

[3] A fine A.D. 1242 gives the christian name of the widow of William de Beningworth, *i.e.*, Avice (Final Concords, p. 358).

Vide page 139.

A

William, of Swinton, etc. — Adam, *Vicecomes*, ? of Wigton. — John, *Vicecomes* of Embleton. Founder of the family of le Visconte. — Ernald, or Hernulf, of Swinton and of Aldcambus.

Cospatrick de Swinton (Cart. de North Berwick, p. 5. Date ante 1177.)

William fil. Ernaldi [Priory of Finchall (Surtees Society), p. 151]. ? William de Nisbet (Raine, Ch. cxvi, &c.), and founder of that family.

David de Quixwood and Aldcambus (Raine, Ch. clxxxii, &c.)

Richard de Swinton (Raine, Ch. ccclxxxviii), ? afterwards Richard de Gordon.

Adam (Raine, Ch. clxxix), ? Adam de Gordon.

(Raine, Ch. cxvii, &c.) By tradition brothers, and joint founders of the Gordon family.

*Alan de Swinton (Raine, Ch. cxvi, &c.)

*Alan de Swinton.

A quo Swinton of that Ilk.

Hugh (Cart. de North Berwick, p. 5), ? Hugh of Duns.

Alan de Duns. [Priory of Coldingham (Surtees Society), p. lxxxix.]

* These two Alans de Swinton appear above fifty times in Raine; and [*Priory of Coldingham*, p. 241 (Surtees Society)] this last Alan and his heirs head the list of those holding land under Coldingham *circa* 1235.

GEORGE S. C. SWINTON.

BENINGWORTH OF BENINGWORTH.

I am much indebted to Mr. Massingberd for his prompt correction of the hypothesis which I too hastily set up in my former paper. His additional facts shew beyond a doubt that there were Mortimers of Dunsby, as well as Morteyns; and leave me no ground for questioning the accuracy of the record I quoted. Not that all records, unfortunately, are impeccable. In a roll of 1294, for instance,[1] I find a John "Clauncy" of "Shynhop." And before proceeding further, let me mention that a demise of two-thirds of the manor of Cotes and lands in Schraytefeld, made about the year 1322 by Margaret, widow of William, son of Sir Philip de Chaunci, may be found (of all unlikely places) in a Cheshire Plea Roll.[2] Our pedigree then should run thus:—

. . . de Mortimer, dead before 1258. — Matilda de Beningworth, a widow 1258.

Roger de Mortimer, son and heir, occurs 1279.[3]

William de Mortimer, son and heir 1296, the defendant 1310.

[1] *De Banco*, No. 103, m. 14.

[2] 15 and 16 Edw. II, m. 4.

[3] York, 10 March 1279. Roger de Mortuo Mari, dwelling in Lindeseye, held one knight's fee of the said lady (de Kaynes) in Billeburg, Munketon, and Sandewathe in this county. *Inq. p.m.* Letitia de Kaynes, 7 Edw. I, No. 28 (*Yorks. Inqs.*, i, p. 185). For this note I must thank Mr. Massingberd. Billeburg and Sandwath are mentioned in the charter quoted below, No. 32.

I ought, perhaps, to add that there is no longer any reason for inserting a William de Morteyn between 1307 and 1311.[1]

In his more serious hours Mr. Eyton has noticed the "absurdity of setting up a descent from the Conquest for families of mere knightly degree."[2] *Dulce est desipere in loco*—no man was better entitled to a little relaxation between whiles. Let us hear, however, what so thorough an antiquary has to say for himself; for against the pedigree quoted by Mr. Massingberd, there is a reference to "proofs," guided by which I found elsewhere, after some little search, a dissertation on the family of Beningworth, which I think is well worth printing in full.[3]

"In Domesday one Odo appears as Ivo Taillgebosc's vassal in the following instances:—

"Thorganby, Thoresway, Croxby, Irby on Humber, Holton le Moor.

"Benniworth, Ludford, Kingthorpe, Strubby.

"Killingholm, Wilsthorpe.

"Westlaby, Lobingeham (*hodie* Little Loudon), Bourn, Bullington.

"Chinctorp (*hodie* Kingthorpe).[4]

"The Survey of 1114 does not tell us in any of the above instances what tenant held under Ranulf le Meschin. We therefore lose the successor of Odo. In case of a manor (North Elkington)[5] not among Odo's Domesday tenements, Walter de Benningworth happens to be named as Ranulf le Meschin's tenant.

"Subsequently to 1114 'De Benningworth' is named as the tenant corresponding to Odo in the nine first named of the above estates, namely in Thorganby, Thoresway, Croxby, Irby on Humber, Holton le Moor, Benniworth, Ludford, Kingthorpe and Strubby. But Killingholm was similarly held by De Gousul, and Wilsthorpe by Le Wake. And I fail to discover any hereditary tenure whatever under the Lords of Bolingbroke in Westlaby, or in Lobingham, or in Bourn, or in Bullington, or in Chinctorp.

"I have not a doubt that Walter de Benningworth was otherwise called Walter fitz Odo, and was son and heir of the Domesday Odo; and that this Walter, though un-named in so many instances, was all the while tenant under Ranulf le Meschin in 1114. It would seem that on Ranulf le Meschin's death [before 1130] this Walter came to issue with Lucy, Ranulf's widow, and heiress of Bolingbroke.

"Walt'r's fil' Odon' redd' Co'pot' de xxj^{li} xiij^{s} iiij^{d} pro recto de hereditate sua de Comitissa Cestriæ. In th'auro viij^{li} vj^{s} viij^{d}. Et deb' xiij^{li} vj^{s} viij^{d}.[6]

"It is said, indeed, in a record of the thirteenth century, that Walter de Beningworth was originally enfeoffed by Earl William de Romara, the Countess Lucy's eldest son and successor. The truth probably is, that he was re-enfeoffed by that Earl. For the Beningworth feoffment in the Fief of Bolingbroke was an old feoffment: that is, it dated further back than the year 1135, when as yet Earl William de Romara had not succeeded his mother. Moreover, we gather from the *Liber Niger* (compiled in 1166) that Earl William de Romare, so far from having created the original feoffment (8½ knights' fees) of de Benningworth, had reduced the services of Roger de Beningworth, the tenant of 1166, to 3 knights' fees."

[1] It so happens that one of the pedigrees printed by General Wrottesley from the Plea Rolls in the present number of *The Genealogist* (p. 151), which I have, by his courtesy, been permitted to see, continues the pedigree of Morteyn from the point at which my former paper left it. (See *ante*, p. 15.)

[2] *Hist. of Shropshire*: Index, s. v., *Genealogies.*

[3] Mr. Eyton's MS. vol. 22 (now Addl. MS. 31, 930), f. 86.

[4] Mr. Eyton gives references in each case to his vol. 16, now bound up in the middle of Addl. MS. 31,929.

[5] In Domesday one Goisfrid appears as Ivo Taillgebois' vassal in North Elkington, Parva Grimsby, Walesby cum Otby and Claxby. (Mr. Eyton.)

Will's Meschun tenuit in cap' de d'no Rege iiij^{or} caruc' terre in Elkington Et illas dedit Walt^{ro} de Beni'gworth p' s^{r}vic' iiij^{te} p'tis feodi uni^{s} militis. *Testa de Nevill*, p. 339.

[6] *Pipe Roll*, 31 Hen. I, p. 114, Ed. Hunter.

Now I feel sure that Mr. Eyton would not wish us to accept these results without a very critical examination. No one was more fully alive, as his published works shew, to the weakness of pedigrees which affect to bridge over the interval between Domesday and Henry II by means of a single name. Not that there is any difficulty in the mere fact of a Walter, born perhaps about 1080, outliving Earl William de Romara himself. But was the victorious army of Senlac composed wholly of beardless boys; and did their sons in the next generation conspire to exceed the average duration of life? The number of cases in which this is alleged, and the painful gap in contemporary records, together induce a certain scepticism.

In the case of the Beningworths, reckoning upwards from the birth of William and Philip de Chauncy to Domesday, or even to the invasion, no question need arise in regard to dates; though, in the absence of all evidence for Odo's age, there may be plenty of room for one or two more generations. But the following extract, from a deed copied by Gervas Holles,[1] gives point to the difficulty which Mr. Eyton seems to have felt about de Gousul's interest and the recorded grant by Earl William; for it shews Roger de Beningworth and Peter de Gousul making considerable purchases of lands once held by Odo.

Pactio inter Rogeru' de Beni'gword et Petrum de Gausa de calumpnia t're Geruasij de Halton apud Bulingbroke et de alia hereditate quæ fuit Hodonis de Beni'gword no'i'atim de Wiuelestorp et Houton et (?) Siarneburne . . . Test' Will'o Co'ite, &c.

Post sup'd'c'am Conuenc'o'em renouata fuit Couentio inter Rogeru' de Beni'gword et Petrum de Gausa . . . Preterea conuenit inter eos etiam q'd o'es conquestus suos de feudo Hodonis de Beni'gword mediu' p'cientur et tenebit Petrus ip'e et her' sui de Rog'o et de her' ejus tota' medietatem conquestuu' suor' de feudo Hodonis saluis tenuris suis q's tenent in capite de Will'o de Romara Co'ite de Linc' . . .

From this deed, and the recorded grant of Earl William, we must infer either that the purchasers were strangers in blood to Odo, against which conclusion there is Mr. Eyton's argument from old feoffment, or else that they had been divested of their title, by forfeiture or otherwise. Or possibly they, like their successor Sir Gilbert, had got into the hands of the Jews. At all events this first descent seems to me by no means as certain as the subsequent part of the pedigree.

Mr. Eyton heads his pedigree "De Beningworth, Seneschals of Bolingbroke." He assigns to Roger the dates 1142, 1166, circa 1185: to Matthew, his brother, 1142, 1163: to Sir Gilbert,[2] "styled Seneschal," 1189, 1220: but omits Sir William, his son,[3] altogether, making Geoffrey and his sisters (erroneously) children of Sir Gilbert. Sarah, wife of the latter, he describes as heiress in Salmonby, Scrafield, Hammeringham, and Asserby. Readers of *The Genealogist* now have the references to Mr. Eyton's collections on the subject, and it is not necessary here to add detailed notes of all the evidence he adduces. I pass on to a series of charters relating to the honour of Bolingbroke, to which the Editor

[1] Lansdowne MS. 207 e, ff. 359 sqq. "Ex archivis meis propriis, A° 1647."

[2] He gave a toft, croft, and two bovates of land in Halton to Thornton Abbey. *Ass. Roll*, 534, m. 1.

[3] A William, son of Gilbert de Beningworth, occurs in 1275, one of several defendants in an action for trespass at parva Lindb'ge (*Coram Rege*, No. 16, m. 54). He can hardly be the same person.

kindly directed my attention; and append a very brief note of several that touch upon the history of this family. They are all to be found in the second volume of the Great Cowcher Book of the Duchy of Lancaster.

1. Will's de Roumara Comes Linc' Walt'o de Beniggeworda quod h'ebam in Stepinges excepto s'uicio Hugonis fil' Rob'ti et iij bouatas in Haltona (f. 284, No. 2).

2. Will's de Roumara fil' Com' Will'i domine Lucie matri Rog'i Beninguurdie s'uicium Hugonis Stepingie (Ib., No. 3).

3. Willm's de Roum' dedi &c. R. de Beningwrde terram quam pat' meus & auus meus dederunt ei scilicet xl & duas bouatas in duab' Kales sex bouatas et dimidiam quas Audenk (?) tenuit & duas bouatas sirici & s'uiciu' Hugonis de Steping & terram quam Walt'us pat' eius tenuit p' s'uiciu' octo militum & dimidii de antecessoribus meis tenenda de me &c. per s'uicium sex militum (f. 235, No. 13).

4. Henricus Rex Rogero de Beningword (confirmation of the above). Testibus Com' Will'mo de Mand'vill, Will'o de Sancto Joh'e, Ric'o de Canuilla, Hugone de Creissi, Philippo de Kima, apud Burum (Ib., No. 15).[1]

5. Willm's de Roumara [confirmat] donacionem quam Rog'us de Benigwrd fecit Math'o fr'i suo scilicet villam de Stepinga tenendam de eo &c. per s'uicium dimidii militis eciam s'uicium Hugonis de Stepinga octaue partis vnius militis & iij bouatas in Altona. Si Matheus sine herede sponse obierit ad Rog'um reu'tent' (f. 285, No. 4).

6. Matheus de Beningworde &c. tota terra quam teneo de Rog'o de Beningworde fr'e meo no'i'atim estepinges & s'uicium Hugonis de estepinges rediet (*sic*) ad d'nium Rog'i nisi h'uero heredem de sponsa. Testibus Will'o de Roum' Rob'to fr'e eius &c. (Ib., No. 8).

7. Matheus de Beningwrda &c. Rog'us frat' meus de Beningwrda dedit michi villam de Stepinga s'uicium Hugonis de Stepinga octaue partis vnius militis & iij bouatas in Hautona. Si autem sine herede sponse obiero ad dominiu' fr'is reuertent' (Ib., No. 9).

8. Conuencio int' Matheum de Beningwrd et Ric'm de Haltona. Matheus dedit Ric'o tres bouetas in Haltonia &c. tenend' de me &c. Testibus Rogero de Beninggewrde &c. (f. 289, No. 25).

9. Will's de Haltune Mathe' de Beningword tenementum quod pat' meus Ric'us & ego tenuimus in Haltone. Testibus Gileb'to de Beningword . . . Gregorio de Beningword &c. (fo. 295, No. 56).

10. Will's de Roum' Gilleb'to de Benigwurd t'ram quam pat' eius tenuit de me per idem seruiciu' & recepi homagium & releuiu' suu' t' Rob'to de Roum', Rob'to fil' Pagani &c. (f. 445, No. 5).

11. Ranulphus Comes Cestr' Gisleb'to de Beningwurth omnes t'ras & tenuras quas Rog'us pat' eius tenuit de Will'o de Roumara (f. 450, No. 29).

12. Ranulphus Comes Cestr' Gisleb'to de Beni'gwurth totam t'ram quam antecessores sui & ip'e tenuerunt de Will'o de Roumara &c. per seruicium sex militum (f. 445, No. 6).

13. Ranulphus Comes Cestrie Gisleb'to de Beningwrth totam t'ram que fuit Ricardi de Warewico tanq'm ius vx'ris sue filie p'dicti Ric'i (Ib., No. 7).

14. Gilbertus de Beningwurth domino Rann' Comiti Cestrie & Linc' totum jus &c. in marisco de Totinton (f. 243, No. 55).

15. Gilebertus de Beningwurth Rann' Comiti Cestrie & Linc' homagium & seruicium Galfridi Russell de vna bouata & dimidia quam tenuit in Estrekales Et Walt'i Russell de dimidia bouata in Westrekales Et heredu' Henrici ffreman de vna bouata in Westrekales (Ib., No 56).

16. Gileb'tus de Beningwrthe Ran' Comiti Cestrie & Lincoln Man'iu' meum de Halton homagium Rad' de Gousle de feodo vnius militis in yreby Man'ium meum de Kynthorp. Pro hac donacione dedit michi ducentas libras Et adquietauit me v'sus Elyam fil' Martrine Judeum Lincoln de octies viginti & decem marcis (f. 285, No. 5).

17. Gileb'tus de Beningwrth Ranulpho Comiti Cestrie & Lincolnie Man'ium de Steping cum terra de Halton & advocacione eccl'ie de Steping &c. Pro hac donacione dedit michi ducentas marcas (Ib., No. 6).

18. Conuencio int' d'n'm Ranulfum Comitem Cestr' & Lincoln' et Gilb'tum de

[1] The original among the charters of the Duchy of Lancaster, No. 35.

Bengwrth. Gilb'tus dimisit Comiti septem bouatas in Beni'gwrth a festo S'ci Martini anno M°CC° xxiij° in viij° annos pro quadraginta marcis. Testibus D'no Ph'o de Orreby Justiciar' Cestr' &c. (f. 446, No. 10).

19. Gileb'tus de Beningwurth & heredes mei tenere debemus de d'no Ranulpho Comite Cestr' & Linc' decem feoda militum que fuerunt Rog^ri p'ris mei computatis mihi &c. s^uiciis trium feodor' & dimid' & quartadecima parte feodi in Man^iis de Hauton yreby Steping & Kintorp que d'co Com' dedi &c. Testibus Philippo de Orreby tunc Justic' Cestrie &c. (f. 286, No. 13).

20. Elyas filius Bened'ci & Slema vxor mea Rann' Comiti Cestrie demandam in terris de Hauton Steping & Kintorp occasione debiti quod Gileb'tus de Beningwurth nobis debuit Retento debito sup' Man^ium de Beningwrth &c. Preterea quinq' marcatas redditus in Beningwurth ad t^minu' octo annor' incipiencium ad pascha anno gr'e 1223° (f. 297, No. 62).

21. Composicio inter matricem eccl'iam Sancti Petri de Halton & Capellam Sancti Laurencij per d'n'm R. Abbem & Conuentum de Nehus et d'n'm Gileb'tum de Beningwurd in cap'lo de Nehus. Testibus Jordano Abb'e de Thorent' &c. (f. 286, No. 10).

22. Henricus de Billinghey Gilb'to de Beningwrth totum ius in tenemento quod Walt^us fil' Math'i de Beningwrth vel Matheus pat^r eius tenuerunt in Steping & in Halton Et pro hac &c. dedit michi Gilb'tus duas marcatas redditus quas ei solebam reddere pro t^ra de Wllestorp & vnam bouatam in Beningworth cum tofto &c. & toftum, t^ram &c. (Ib., No. 14).

23. Conuencio int^r Gileb'tum de Beningwrth et Rad'm de Gousla. Rad' dedit Gileb'to toftum &c. in Haltona juxta portam Gileb'ti & tres seliones &c. pro uno tofto & duab' sellionib'. Testibus Galfrido Abb'e de Neuhus &c. (f. 290, No. 30).

24. Ranulfus Comes Cestr' deo & beate Marie & Communie Canonicor' Lincoln om'es t^ras quas h'ent in feodo meo videl't [*inter alia*] ex dono Gilb'ti de Beningworth vnu' toftum in Keles confirmac'o'e eiusdem Gilb'ti vnum toftum & dimid' bouatam in Beningworth. Testibus Rog^o de Lascy Const' Cestr' Phil' de Orreb' Justic' Cestr' &c. (f. 482, No. 31).

25. Walt^us filius Math'i de Beningwrd Radulfo carbunel de Halton dimidiam acram in Halton tenend' de me &c. (f. 286, No. 11).

26. Walt^us filius Mathei de Beningwrd Alano diacono filio Leuwini toftum in p'ua Stepingia &c. (Ib., No. 12).

27. Walt^us fil' Math'i de Beningwrd Alano diacono fil' lewini toftum in p'ua Stepingia tenend' de me &c. (f. 287, No. 15).

28. Walt^us de Beningworthe Alano diacono fil' lewini de Hauton dimidiam acram in parua Stepinge tenend' de me &c. (f. 289, No. 27).

29. Walt^us de Beningwrth Alicie fil' Hugonis Oust' & om'ib' qui nascent^r ex ea lib'tatem & dedi pro suo s^uicio vnam acram prati in parua Stepingia & duos seliones &c. (f. 293, No. 46).

30. Walt^us fil' Math'i de Beningwrd Nicholao Bech tres acras in Stepingia tenendum de me &c. (Ib., No. 47).

31. Walt^us fil' Math'i de Beningwrd Nich'o Bech sex acras in Steping Tenend' de me &c. (f. 294, No. 48).

32. Galfridus de Thorlay Will'o fil' Gileb'ti de Beni'gwrth t^ram meam de Thorlay cum mesuagio meo &c. Et Will's dedit michi tantam t^ram in Sandwath & Billeburg Et ducentas marcas. Testibus Mag'ro W. de Beni'gwrd subdec' Linc' . . . Joh'e de Beni'gwrd &c. (f. 446, No. 12).

I cannot pretend to fix the dates of these instruments, but have endeavoured to group them in rough chronological sequence. The first two are evidently in the time of Earl William and his son (before 1151), and thus limit the date of Sir Walter's death, besides affording proof of his wife Lucy, named by Holles. The third mentions again the reduction of Roger's services; but this charter speaks of six fees, not three. In No. 13 we have conclusive evidence that Sarra de Warewic was an heiress. She seems to have been mother of Sir Gilbert's sons, rather than the wife Hawise mentioned by Holles, on what authority I do not know. The record quoted by Mr. Massingberd mentions a grant of land by her father in frank marriage; after his death the Warwickshire estate was in ward, and granted first to Sir Gilbert himself, afterwards to Philip de Lucy.[1] Either, therefore, Sarra was a mere child at that time, while her husband must have been approaching forty, or there were other heirs living, who were minors. In either case, the circumstances point to some disparity of age between them, and suggest that she was probably a second wife. No. 16 supersedes perhaps, wholly or in part, the previous agreement with de Gousul concerning his tenure.

In my former paper it appeared that there were two families in Beningworth, both taking their name from manors they held there. Similarly, it seems, there was a family in Steping,[2] taking their name from that place, before the Beningworths acquired an interest in it. In spite of that, we see that a cadet of the latter house, on acquiring the lordship, tends to drop his own family name in favour of one already borne by his tenant. Facts like these should put us on our guard against the assumption, too often made, that families bearing the same local name are more or less remotely akin.

W. H. B. B.

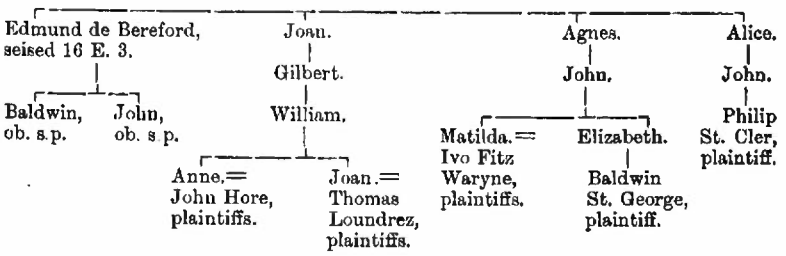
Pedigrees from the Plea Rolls.

By Major-General the Hon. GEORGE WROTTESLEY.

(*Continued from p.* 102.)

De Banco. Easter. 7. *Hen.* 4. *m.* 120.

Suff.—John Hore and Anne, his wife, Thomas Loundrez and Joan, his wife, Ivo fitz Waryn and Matilda, his wife, Baldwyne St. George and Philip Seyntcler, Chivaler, sued Margaret, formerly wife of Richard Hasilden, for the manor and advowson of Clopton.



[1] 1206, *Close Rolls* (Hardy), i, pp. 21, 28, 6 John, m. 4, 8.

[2] See Nos. 2—7. Evidently this, and not Stepingham, is the name of the place. In a previous footnote I mentioned William ad Aulam de Beningworth, 1279; and I find William Attehall de Beningworth and Agnes, his wife, in 1294, parties to a suit in Scamelesby and West Tyrington (*De Banco*, No. 103, m. 14).