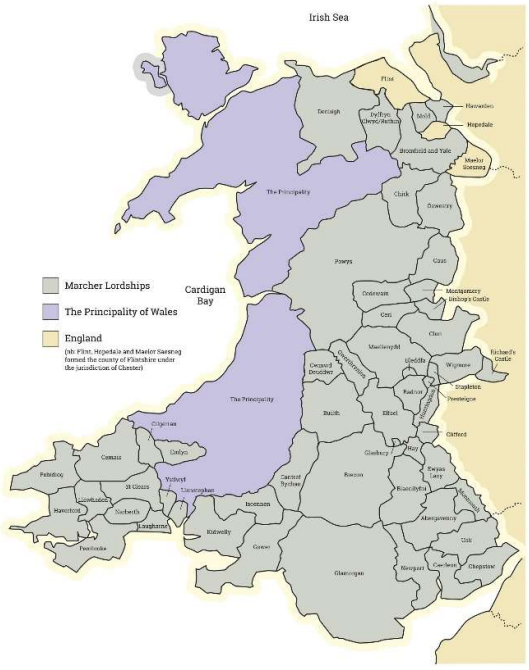
Notes from Local Interest Group Meeting 29th April 2021

Present: Maureen Lloyd (ML), Philip Hume, Dainis (DO) & Wendy Ozols, John (JP) & Margaret Price, Debra & Rhodri Lewis, Avryl & Roy Lloyd (RL), Bronwen Jenkins, Sylvia Illingsworth, Allison Joyce, Elsa Harflett, Juliet & John Lewis, Cherry & Victor Williams, Ann & Howard Dean, Penny Williams, Jenny Francis, Richard Thomas, Eva Morgan.

ML welcomed everyone to the meeting. She introduced our guest speaker, Philip Hume, who is an expert on the Mortimers and the Marcher Lordships, and said how pleased we were that he had agreed to return to give us another talk. She added that she had recently bought his book on the Welsh Marcher Lordships and was thoroughly enjoying it. This book covers Radnorshire, amongst other areas, and so has a particular relevance to us. The title of Philip's talk this evening would be:

"The King's Writ does not run here": The Welsh Marcher Lordships

To begin with, Philip briefly ran through what he would be talking about: a brief outline of what the Lordships were and why they were important; how they came into existence; how they evolved; and, the Lordship of Elfael in particular. He said that we were extremely lucky to live in such a beautiful part of the country, which is crammed full of castles, earthworks, churches, etc. which provide us with a physical connection to our medieval history. He showed us the map below which emphasises the extent of the Marcher Lordships (shown in grey and extending beyond the border region between England and Wales). In medieval times, the Welsh March grew to extend from the North coast of Wales to the Severn estuary in the South, and West through South Wales into Pembrokeshire. There were about 50 Lordships in total.



Philip went on to say that the Marcher Lordships were not defined purely by geography. "In the 1290s, Peter Corbet, lord of Caus, claimed such a comprehensive list of Marcher powers that it provoked the comment from the royal officials that such immunities lay at the core of kingship itself." The Marcher Lords were quasi-kings within their own Lordships and had many powers. They had the right to define their own laws, levy their own taxes, build castles and raise armies. In addition, they had the right to take one third of their soldiers' plunder. These powers were very lucrative financially.

Philip took us through each of these rights in turn, starting with castle building. He explained that in England the King's permission was required before anyone could build a castle; this did not apply to the Marcher Lordships. This explains why there are so many castles on the Welsh side of the border and fewer on the English side. The Marcher Lords were also responsible for making the law within their own Lordship and so these were specific to each, and therefore quite different from the laws of England and Wales. The Law of the March was recognised in Magna Carta. The Lord was responsible for the judicial structure and the exercise of justice, including the rights to gallows. Furthermore, any fines collected went into each Lordship's coffers, as did taxes, such as *primer seisin* and those connected with *wardship. Primer seisin* is defined as "the right which the King (or, in this case, the Lord) had, when any of his tenants died seised of a knight's fee, to receive from the heir, provided he were of full age, one whole year's profits of the lands, if they were in immediate possession; and half a year's profits, if the lands were in reversion, expectant on an estate for life".

In terms of commerce, the Lords had the right: to create boroughs; to establish markets and fairs and to take the profits from the tolls levied on them; to control weights and measures; to hunt game; to create forests with forest law; to establish mines; to levy tolls; to have the rights of wrecks of the sea and treasure trove; and, to capture royal fish such as porpoises or sturgeon.

Next, Philip talked about how the Lordships developed. He showed us a map of the physical geography of Wales which emphasised how mountainous the landscape is. Travel between North and South Wales was (and still is) very difficult. The mountainous interior is dissected by river valleys and the fertile plains are concentrated around the coast and on the border with England. In addition to this difficult topography, Wales was not politically unified pre-1066. There were many kingdoms and these gradually reduced in number to four main groupings of power – Gwynedd, Powys, Deheubarth and Morgannwg. (Rhwng Gwy a Hafren did maintain some independence in the centre of Wales during this time.) Some powerful rulers had periodically established their rule over most or all of Wales, but these had never survived their death, for example Gruffydd ap Llywelyn who had died in 1063. He extended his power, often violently, over much of Wales and he was strong enough to ally himself with the Earls of Herefordshire and Mercia to exert some influence in their areas as well.

There had been no desire by the Kings of Mercia, Wessex or England to conquer Wales, despite repeated conflict in the border regions. However, a complex pattern of alliances between Welsh and Anglo-Saxon rulers developed when there were internal feuds on both sides. Often, Welsh rulers sought and accepted protection and overlordship from the Kings of Wessex (eg Alfred) and, later, the King of England. At this time, there was no well-defined boundary between England and Wales – it was "fluid". Offa's Dyke had never been meant to be a fixed boundary.

In 1066, the Normans arrived and, after his defeat of Harold at the Battle of Hastings, William I marched to London where he was crowned King of England. There followed a period of about four years when the Normans stamped their authority throughout England, but not Wales; the Normans' priorities lay elsewhere in their lands across the Channel. Furthermore, the difficult physical geography and political diversity in Wales made conquest extremely expensive. In any case,

conquest and direct rule were unnecessary because overlordship could provide the control that was needed, together with a few raids across the border from time to time. Wales therefore remained on the periphery of the Normans' attention.

William I established three powerful earldoms on the border, at Chester, Shrewsbury and Hereford, which he entrusted to his most loyal companions. This, essentially, took care of the border region. When the opportunities presented themselves, the Normans did "nibble away" bits of land, especially the more fertile and lower-lying areas to the South and East. Unlike England, Wales did not practise primogeniture (inheritance by the eldest son) and so it was the norm for sons to fight amongst themselves to claim lands on the death of their fathers. This often resulted in vacuums into which the Normans could encroach. As a result, two areas developed: *Pura Wallia* was "pure Wales" in the North and the West; *Marchia Wallie* were the parts of Wales in the South and East where the Normans had encroached, essentially The March.

During the late 11th century and the 12th century relationships and the balance of power swung back and forth, depending on the personality and power of the individual monarchs, circumstances in their lands and the strength and power of the Welsh princes. Eventually, in the 13th century, circumstances changed when, in 1204, King John "lost" the Plantagenet empire on the continent; this focussed the attention of the Crown onto Britain. John fell out with the barons and was forced into signing Magna Carta in 1215. His son, Henry III, also had problems with the barons and this left the Crown weak. In Wales, in the first 40 years of the 13th century, Llywelyn ap Iorwerth established a personal rule across the whole of Wales. He was followed by his grandson, Llywelyn ap Gruffydd, who was recognised as the Prince of Wales in the Treaty of Montgomery in 1267.

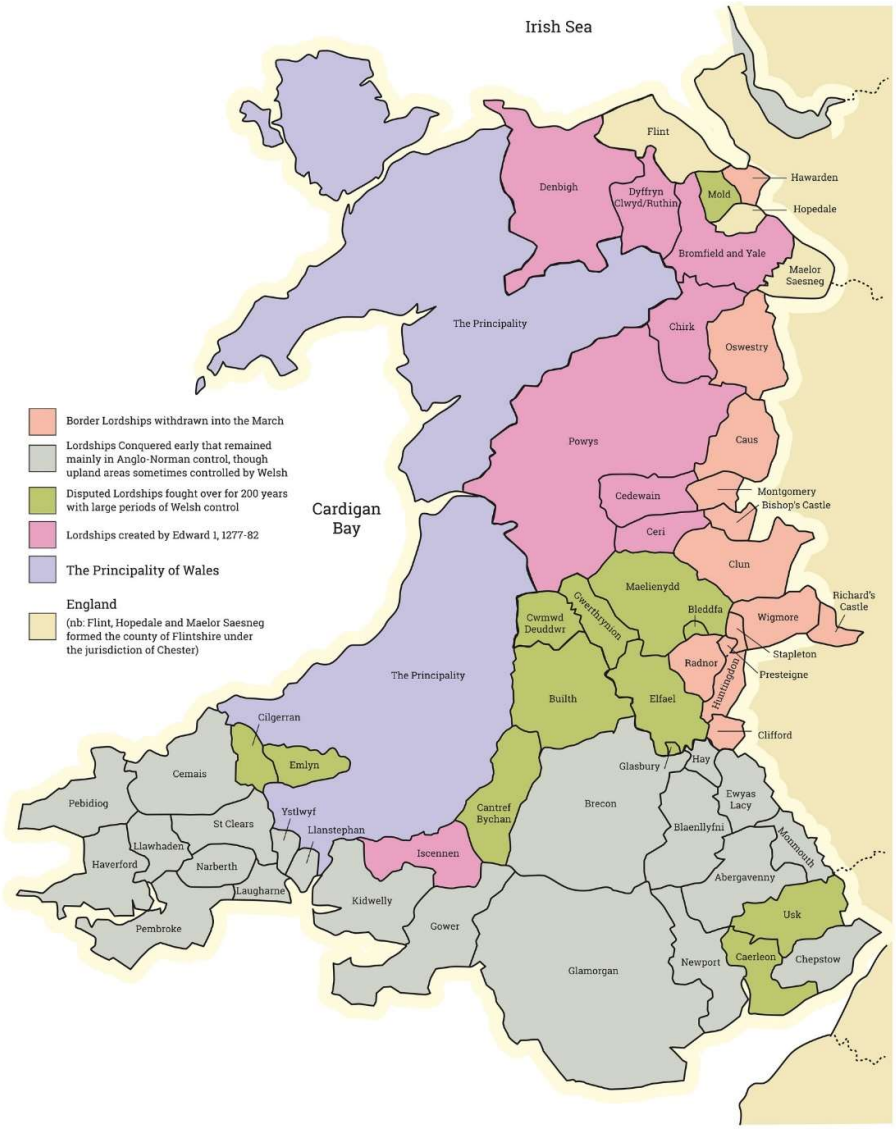
However, when Henry III's son, Edward I, ascended to the throne in 1272, England at last had a powerful King and this precipitated the end of native rule in Wales, because of the deteriorating relationship between Edward and Llywelyn ap Gruffydd. In 1277, Edward's armies invaded Wales for the first time, humiliating Llywelyn. Although he was allowed to keep his title, Prince of Wales, it meant very little. After his second invasion in 1282, Edward succeeded in conquering Wales and deposing Llywelyn and, with the subsequent deaths of Llywelyn and his brother Dafydd, ending native rule in Wales. In 1284, the Statute of Wales or Rhuddlan established the governance structures of the Principality of Wales and acknowledged the structure of Marcher Lordships as an area between England and Wales.

Philip then went on to tell us how the March was formed, showing us the map on the following page.

The areas shaded grey on the map are those conquered in the late 11th and early 12th centuries. These remained mainly in Anglo-Norman control, although some of the upland areas were sometimes controlled by the Welsh.

Those areas shaded orange are ones that were in England, including (at this time) the Lordship of Radnor. During the 12th and 13th centuries, at times of weakness of the Crown or strength of the Lordships, these areas withdrew from England (and the scope of English royal administrative and judicial structures) and proclaimed themselves as Marcher Lordships. As a result, the March extended into England. For example, in 1293, Edmund Mortimer resisted the collection of taxes from his Lordship of Wigmore (but not his lands in Shropshire) on the basis that "his tenants in Wigmore did not answer the summons of the itinerant justices that the King's writ did not run there, and jurisdiction belonged solely to the Lord of the liberty and had done so from time immemorial". (Philip pointed out that the last part of this statement was not true because Wigmore had only become a Marcher Lordship in the time of Mortimer's father, in 1260.) It was the Lords of the

"withdrawn" Lordships who were often the most forceful in claiming their rights as Marcher Lords. In 1250, when a messenger arrived with a writ from Henry III, Walter Clifford, Lord of Clifford, forced the messenger to eat the King's document, "wax seal and all!"



The green areas on the map are those which had been fought over for 200 years and which had had large periods of Welsh control. This area includes modern-day Radnorshire, as well as some others including Builth. In the case of Maelienydd, this area was claimed by the Mortimers at the end of the 11th century but was soon won back by the Welsh. Although the Mortimers were able to reconquer and hold the area for periods of time, it was under the Welsh for long periods and, for almost 200 years between the 1090s and 1277, the Mortimers held Maelienydd for only about 80 years.

Before going on to talk specifically about Elfael, Philp showed us a map of Wales to illustrate the location of Rhwng Gwy a Hafren (literally, between the Wye and the Severn) in 1066. The cantrefs which made up this region were Maelienydd, Gwerthrynion, Cwmwd Deuddwr, Elfael, Radnor, Builth and Ceri.

Elfael was taken by the Tosny family in the 1090s; they were Lords of Clifford. It was later regained by the native rulers, although the date of this is uncertain. The Tosnys spent much of their time in their lands in Normandy and so were "absent" for many years. It is thought by some that the Mortimers conquered Elfael in 1144, but it was much more likely to have been William de Braose who took over then. Once again it was regained by the native rulers – Einion Clud, Cadwallon ap Madog and then Einion o'r Porth. Once again, the Tosny family was absent in Normandy and this allowed the de Braose family to insert themselves again in 1195, when Painscastle was captured. The Siege of Painscastle followed in 1198; this failed because the Welsh besiegers (led by Gwenwynwyn ab Owain, Prince of Powys) failed to take the castle and were routed by English reinforcements coming from Hay.

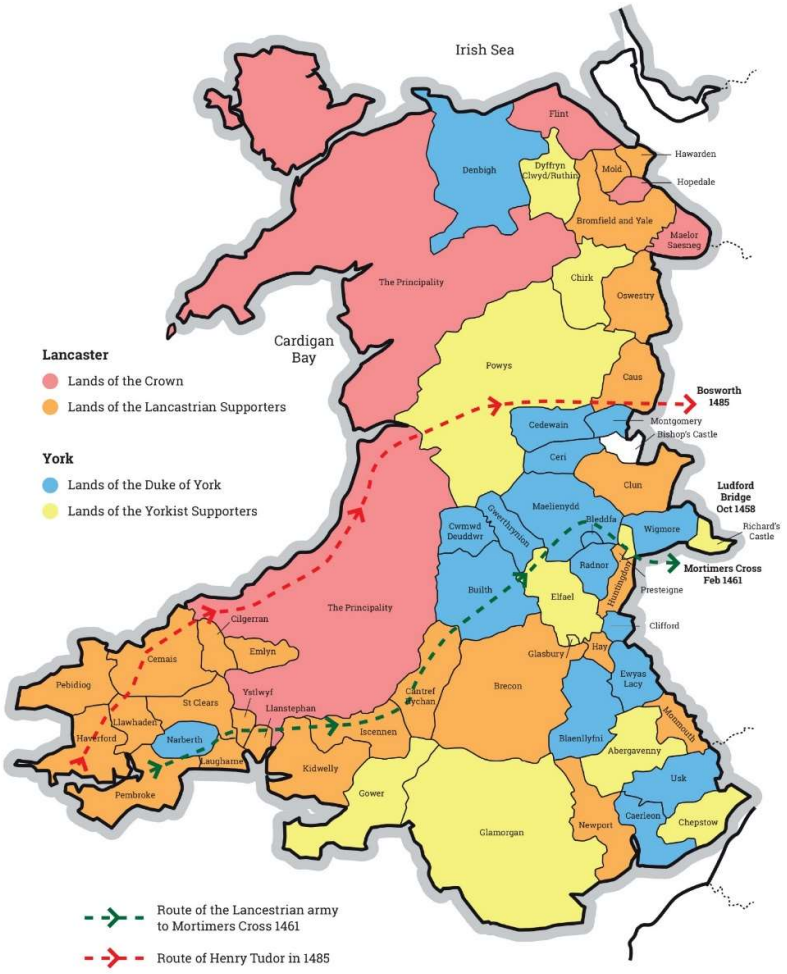
In 1230 de Braose fell and control of Elfael was divided in two - Elfael is Mynydd and Elfael uwch Mynydd; this division lasted for 60 years. In 1231, Elfael is Mynydd was held by Henry III, who rebuilt Painscastle in stone. Then, in 1233, Elfael is Mynydd was granted to Ralph Tosny. The Tosny family had settled in Wales by 1231 and had claimed their inheritance. In 1233, Elfael uwch Mynydd was held by Llywelyn ap Iorwerth, until his death in 1240. In the 1280s, the Tosny family contested the rights of the Mortimers in the courts. Although they won their case, their victory was short-lived as Robert Tosny died in 1309, without a male heir. His daughter (and heiress) Alice married Guy Beauchamp, Earl of Warwick, and Elfael became part of the Earls of Warwick's estate until the daughter of Anne Beauchamp and Richard Neville married Richard III; thus, Elfael became the property of the Crown.

The pink areas on the map show the Lordships created by Edward I between 1277 and 1282. Following his campaigns in Wales in 1277 and 1282-83, most of the lands of Pura Wallia that had been under Welsh rule were formed into the Principality of Wales. Other parts were granted to his loyal supporters and commanders in reward for their service, including Roger Mortimer (d 1282). He received the new Marcher Lordships of Ceri and Cedewain and this consolidated Mortimer control of the central Marches; his younger son received Chirk. Uniquely, Powys remained in the control of its Welsh rulers, but now as a Marcher Lordship held from the King of England rather than an independent principality.

By the late 14th century, the military significance of many of the Marcher Lordships had gone. However, all of them provided wealth and power and so they were much sought after. By the end of the 14th century, ownership of the Marcher Lordships had become concentrated in the hands of the most powerful Lords in England. Philip showed us a map which illustrated this, with most of the land in the hands of just seven families: Bohun, Beauchamp, Fitzalan, Lancaster, Hastings, Mortimer and Stafford. Over two thirds of the Mortimer income came from their Marcher Lordships, illustrating the importance of these holdings.

The Marcher Lordships continued to be important into the 15th century. In the 1450s, the Wars of the Roses were "to a large extent a quarrel between Welsh Marcher Lords, who were also great English nobles, closely related to the throne" (G M Trevelyan, History of England, 1945). Philip said that this statement might be an exaggeration but, after the first Battle of St Albans in 1455, the centre of gravity of the conflict did move to Wales and the Marches, nicely illustrated on the map on the following page.

The Principality of Wales and the Marcher lordships
during the Wars of the Roses, c.1450s



To finish off his talk, Philip explained that the concept of the Marches increasingly became old-fashioned. He said that often "perception becomes more important than reality". The fragmentation of judicial systems across the Principality and the Marcher Lordships was blamed for a perception of crime and lawlessness within the region; there were 50 lordships, each with their own "systems". The powers of the Marcher Lords were abolished by the Laws in Wales Acts of 1536 and 1542, which incorporated the lands into the new counties of Wales, or the border counties of England. Elfael was incorporated into the new county of Radnorshire. The final slide showed John Speed's map of the old counties of Wales, published in 1610; the map is surrounded by pictures of some of the major castles in Wales and is a wonderful resource.

Philip's book, "The Welsh Marcher Lordships: Central and North" can be bought from Logaston Press, postage free.

Philip also reminded us about the Mortimer History Society, which people can join. Their next conference is on May 15th (online) and will consist of three talks on "Edward I, Wales and the Marches". ML has the details and these can also be found on the Mortimer Society's website. https://mortimerhistorysociety.org.uk/

ML opened up the meeting for questions.

DO asked whether there was any evidence of what was here in Painscastle before the Normans arrived. Was there already something important here? Philip said that the whole of the Rhwng Gwy a Hafren area was one which retained its independence. It was a strategic area with control of key routes within Wales and so was very important. For example, the Radnor Plain (which was fertile and so attractive to people) has evidence of Anglo Saxon settlement going back to the 8th century. The Normans simply took over the area – it was not a conquest. Yes, there was evidence of settlement in Painscastle and there is also speculation that there might have been occupation in Roman times, but there is no archaeological evidence of Welsh settlement.

RL asked about the castle. Could there be dungeons under the castle mound? Philip said that there almost certainly would have been a secure "cell" area and that this was probably underground, but that this is speculation as no archaeological evidence exists. RL said that the castle must have been spectacular because he has seen large pieces of cut stone which have come from the structure. Philip replied saying that aerial photos of the castle mound give a sense of its scale and majesty and that it must have been an impressive structure once it was rebuilt in stone. However, it only survived for about 30 years before being destroyed. In the mid-1260s, the Treaty of Pipton gave Llywelyn the castle and his first act was to demolish it. He must have hated the castle and all it stood for a great deal in order to do this. ML added that many of the castles were built of Radnorshire stone which is shaley and not very durable. Philip said that there is no record anywhere of where the materials for the castle came from. RL added that it would be interesting to see a cross section of the castle. Philip said that Chris Jones-Jenkins is able to use ground evidence to draw a reconstruction of what the castle might have looked like but someone or an organisation would have to commission him to do the work. RL asked whether thermal imaging could show up more detail. Philip said that amazing tools are now available for this kind of work, including LIDAR, photogrammetry, etc, but that this is expensive work.

RL/ML/JP all talked about speculation about where the 1198 Battle of Painscastle actually took place. RL said that some old maps of his land at Pentre have fields that are named and the translation of the Welsh names is "Burial Ground". Lisa Lloyd has found these fields named on the tithe maps. ML added that Llowes Hall, on the Begwns, also has fields with similar names. Could the battle site be on the Begwns? Philip said that it would be very difficult to determine the exact site as there will be no archaeological evidence; artefacts lying in the ground would be very rare as armour, etc would have been stripped from the bodies and in some soil conditions bones do not survive. The battle predates the existence of bullets which are often found and used in evidence of locations.

ML thanked Philip for his most interesting and illuminating talk. It was good to learn more about the Welsh Marches and the history of Elfael in particular. We realise how lucky we are to have such an expert in the subject giving so generously of his time once again, a sentiment echoed by all present. Philip replied that he is looking forward to a time when he can come to Painscastle to meet us "in the flesh".

ML told everyone that next month's LIG would be a visit to Gladestry to investigate the village's history, led by Ann Dean. This will be on Thursday 27th May, and we should park and meet at Gladestry Village Hall at 7.30pm.

Two walks are planned, to continue tracing the boundary of the manor of Lower Elfael, on Wednesday 12th May (Local Interest Group) and Saturday 22nd May (The Radnorshire Society). The walk will be the same in both cases and start at Glascwm; people may attend either one, whichever suits them better. ML will send out details at a later date.