AN ANGLO-SCOTTISH BARON OF THE THIRTEENTH CENTURY

THE ACTS OF ROGER DE QUINCY

EARL OF WINCHESTER AND CONSTABLE OF SCOTLAND

by

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PREFACE

In assembling charter texts scattered in four countries, I have been much indebted to a number of owners and custodians. Through the facilities granted to the Regesta Regum Scottorum committee by the Rt Hon. the Earl of Southesk and the late Lt-Col. W. W. S. Cuninghame of Caprington, I was able to inspect texts in their family muniments. I am grateful to Sir Hugh Watson, who had a search made on my behalf in the records of his firm, Messrs Dundas and Wilson, Edinburgh, for the missing Kinloch charters, which nevertheless remain undiscovered. At the advanced age of ninety-nine, the late Dr C. H. Hunter Blair kindly gave me information about another charter which is still lost, the grant to Edmund de Lacy. I owe a particular debt to Mr K. B. McFarlane, of Magdalen College, Oxford, who not only provided facilities on several occasions for my study of the Brackley charters among the Magdalen College archives, but also took considerable trouble in arranging for photostats to be made for me. Mr P. I. King, of the Northamptonshire Record Office, and Miss Jean Preston, of the Huntington Library, San Marino, California, U.S.A., were also most helpful in providing photostats. In France, I received kindly guidance from M. Pierre Thilliez, Archiviste-en-chef de la Département de l'Orne, at Alençon.

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Research of the kind presented in this work is a lonely task, and I have been sustained by the guidance of my supervisors, the late Professor /

Professor W. Croft Dickinson, Professor Gordon Donaldson and Mr Alan Harding. I have benefited greatly from discussions which I have had with them, and also with my friends Professor G. W. S. Barrow, Professor A. A. M. Duncan and Mr Bruce Webster. I have also been encouraged by the interest taken in my research by my colleagues in the Scottish Record Office, especially Mr John Imrie, Curator of Historical Records, Dr Athol L. Murray and Mr Andrew M. Broom. The typing of my manuscript has been done by Mrs M. Young, who by her skill and intelligence has contributed a great deal to the presentation of the work. My mother, Mrs M. Simpson, also helped by typing drafts. Another of my colleagues, Mr Ian H. Adams, generously took time from his own research to re-draw my maps.

It has often been said that historians of today, looking back upon great scholars of the past, must feel like pigmies standing on the shoulders of giants. I have tried in this thesis to continue the tradition of historical scholarship which has been associated for many years with Her Majesty's General Register House in Edinburgh, and especially with the distinguished names of Thomas Thomson, Deputy Clerk Register from 1806 to 1841, and John Maitland Thomson, Curator of Historical Records from 1895 to 1906. They too have been my mentors and friends.

G.G.S.

Scottish Record Office,
H.M. General Register House,
Edinburgh.

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LIST OF MANUSCRIPT SOURCES

Sources of acts surviving as full texts[1]

(a) Originals

BRECHIN, Angus

Muniments of the Earl of Southesk, Kinnaird Castle, box 1, no. 24
No. 21

EDINBURGH

Scottish Record Office:

Dalhousie Muniments (GD 45), sec. 13, no. 262
No. 29

Register House Charters (RH 6), nos. 46, 54
Nos. 26, 38

LONDON

British Museum:

Cotton Charters, viii.7
No. 149

Harl. Charters, 55.B.6, 55.B.7, 83.B.42
Nos. 134, 143, 145

Lord F. Campbell Charters, iv.10
No. 78

Public Record Office:

Ancient Deeds, series A (E.40), no. 13417
No. 153

OXFORD /

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1. Following each entry is a reference to the text or texts from that source presented in the collection of acts below. For descriptions of cartularies, see G.R.C. Davis, Medieval Cartularies of Great Britain (London, 1958), to which cross-references are given.

OXFORD

Bodleian Library:

Oxfordshire Charters, no. 24
No. 142

Magdalen College:

Brackley, 4A, 5A, 6A, 7A, 8, 9A, 10, 13, 79, 152, 167, 183, B.181, B.183, B.229, C.108, C.109, C.113, C.114, C.125, C.127, C.133, D.90, D.164, D.207, D.247

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Whitfield, 71, 159
Nos. 3, 68

SAN MARINO, California

Huntington Library:

Hastings deeds, HMC nos. 129, 130, 213, 214
Nos. 49, 50, 63, 64

(b) Manuscript copies

EDINBURGH

National Library of Scotland:

Advocates' MSS.

34.3.29. (Fragment of Scone Abbey cartulary. xiv cent.) [Davis, Cartularies, no. 1179]
Nos. 9, 10

34.4.7 (Dryburgh Abbey cartulary. xv cent.) [Davis, Cartularies, no. 1138]
Nos. 27, 40, 42

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Nos. 28, 37

Scottish /

Scottish Catholic Archives, 16 Drummond Place:

MS. Registrum Vetus of Church of Glasgow. (Cartulary of Church of Glasgow, xiii cent.) [Davis, Cartularies, no. 1150]
No. 36

Scottish Record Office:

Dalhousie Muniments (GD 45), sec. 27, no. 8 (St Andrews Cathedral Priory cartulary. xiii cent.) [Davis, Cartularies, no. 1175]
Nos. 19, 20, 22

KILMARNOCK, Ayrshire

Muniments of Captain R. Fergusson-Cuninghame, Caprington Castle:

MS. Lindores Abbey cartulary. (xiii cent.) [Davis, Cartularies, no. 1164]
Nos. 15, 17, 18

LITCHBOROUGH, Northamptonshire

Muniments of Grant of Litchborough per transcripts by Miss Joan Wake
Nos. 119, 154

LONDON

British Museum:

Cotton MS. Faustina A.iv. (St Neot's Priory cartulary. xiii cent.) [Davis, Cartularies, no. 859]
Nos. 127, 138

Cotton MS. Vespasian E.xvii. (Cartulary of St Andrew's Priory, Northampton. xv cent.) [Davis, Cartularies, no. 700]
No. 39

Cotton MS. Vitellius A.i. (Combe Abbey cartulary. xiii cent.) [Davis, Cartularies, no. 274]
No. 89

Egerton MS. 3033. (Canons Ashby Priory cartulary. xiii cent.) [Davis, Cartularies, no. 157]
No. 118

Harl. MS. 1555. (Heraldic collections of Mr Richard Mundy. xvii cent.)
No. 91

Lansdowne /

Lansdowne MS. 415. (Garendon Abbey cartulary. xii-xiii cents.) [Davis, Cartularies, no. 431]
No. 83

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No. 39

Public Record Office:

Charter Rolls, 37 and 41 Henry III (C.53/45, 47)
Nos. 65, 69

Exchequer, King's Remembrancer, Misc. books, series i (E.164), vol. 20. (Godstow Nunnery cartulary. xv cent.) [Davis, Cartularies, no. 462]
No. 115

MANCHESTER

John Rylands Library:

Latin MS. 223. (Warden Abbey cartulary. xiii cent.) [Davis, Cartularies, no. 998]
No. 123

NORTHAMPTON

Northamptonshire Record Office:

Finch-Hatton Muniments, no. 170. (Sir Christopher Hatton's Book of Seals. xvii cent.)
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OXFORD

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MS. Laud misc. 625. (Leicester Abbey rental. Early xvi cent.) [Davis, Cartularies, no. 548]
Nos. 61, 122

MS. Wood empt. 10. (Sandford Preceptory cartulary. xiii cent.) [Davis, Cartularies, no. 874]
No. 141

Magdalen College /

Magdalen College:

MS. Lat. 273. (Brackley Hospital cartulary. xiii cent.) [Davis, Cartularies, no. 65]
Nos. 95, 110, 111

Brackley, D.119. (Fragment of Brackley Hospital cartulary. xiii cent.) [Not in Davis, Cartularies]
No. 111

(c) Printed texts

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No. 30

Inchaffray Chrs., no. 42. (Original, Dupplin Muniments, no. 141(i))
No. 7

General manuscript sources

ALENÇON

Archives Départmentales de l'Orne, series H, files 907, 930, 935

EDINBURGH

National Library of Scotland:

Adv. MS. 34.6.24

Scottish Record Office:

Crown Office Writs, no. 6

Register House Charters (RH 6), nos. 34, 35, 38-40, 51B, 52, 54, 58, 155

Transcripts of Royal Charters (RH 1), s.d. 15 August 1232

EVREUX

Archives Départmentales de l'Eure, series H, file 438, no. 11

GLASGOW /

GLASGOW

Glasgow University Library:

D. W. Hunter Marshall's manuscript maps of xii-xiii century Scotland

LONDON

British Museum:

Add. Charters, 28411

Add. MS. 38133

Cotton Charters, xviii.23

Cotton MS. Julius C.vii

Cotton MS. Nero D.x

Cotton MS. Otho B.xiv

Cotton MS. Tiberius E.v

Harl. Charters, 55.B.5

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Lansdowne MS. 415

Lord F. Campbell Charters, xxx.4

Public Record Office:

Ancient Deeds, series D (E.210), no. 18

Duchy of Lancaster, Deeds, series L (DL 25), nos. 42, 2336

Westminster Abbey:

Dean and Chapter Muniments, no. 2426, and Luffield Priory Cartulary [Davis, Cartularies, no. 634]

NORTHAMPTON

Northamptonshire Record Office:

Brudenell Muniments K.x.4

OLD SLAINS /

OLD SLAINS, Aberdeenshire

Muniments of the Countess of Erroll, nos. 21, 23

OXFORD

Bodleian Library:

MS. Laud misc. 625

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Magdalen College:

Brackley, 12, 28, 179, B.34, B.106, B.182, C.87, C.132, D.103, D.130, D.141

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MS. Lat. 273

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The titles of certain st rd works, and of works frequently cited in this thesis, have be bbreviated as indicated below. Abbreviations of Scottish work onform to the List of abbreviated titles of the printed sources of Scottish history to 1560, published as a supplement to the Scottish Historical Review, October 1963.

Primary sources

Abbrev. Placit. = Abbreviatio Placitorum: Richard I - Edward II, ed. G. Rose and W. Illingworth (Rec. Com., 1811)

Aberdeen-Banff Coll. = Collections for a History of the Shires of Aberdeen and Banff (Spalding Club, 1843)

Acta Langton = Acta Stephani Langton, Cantuariensis Archiepiscopi, A.D. 1207-1228, ed. Kathleen Major (Canterbury and York Society, part cxviii, 1950)

Actes Pontieu = Recueil des Actes des Comtes de Pontieu, 1026-1279, ed. Clovis Brunel (Collection de documents inédits sur l'histoire de France, 1930)

Ancient Deeds = Descriptive Catalogue of Ancient Deeds in the Public Record Office, 6 vols. (London, 1890-1915)

Anderson, Early Sources = Early Sources of Scottish History A.D. 500 to 1286, ed. A. O. Anderson, 2 vols. (Edinburgh, 1922)

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Annales Monastici = Annales Monastici, ed. H. R. Luard, 5 vols. (Rolls Series, 1864-9)

APS = Acts of the Parliaments of Scotland, ed. T. Thomson and C. Innes, 12 vols. in 14 (Rec. Com., 1814-75)

Arbroath Liber = Liber S. Thome de Aberbrothoc, 2 vols. (Bannatyne Club, 1848, 1856)

Blount, Thomas, Fragmenta Antiquitatis (London, 1679)

Brackley /

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Bracton, De Legibus = Henrici de Bracton de Legibus Angliae, ed. Sir T. Twiss, 6 vols. (Rolls Series, 1878-83)

Cal. Chanc. W. = Calendar of Chancery Warrants preserved in the Public Record Office, vol. i (London, 1927)

Cal. Chart. R. = Calendar of the Charter Rolls preserved in the Public Record Office, 6 vols. (London, 1903-27)

Cal. Fine R. = Calendar of Fine Rolls preserved in the Public Record Office (London, 1911-)

Cal. Inq. Misc. = Calendar of Inquisitions Miscellaneous (Chancery) preserved in the Public Record Office, 6 vols. (London, 1916-63)

Cal. Papal Letters = Calendar of Entries in the Papal Registers relating to Great Britain and Ireland: Papal Letters, ed. W. H. Bliss et al. (London, 1893-)

Calendar of Antrobus Deeds, ed. R. B. Pugh (Wiltshire Archaeological and Natural History Society, Records Branch, vol. iii, 1947)

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Cambuskenneth Registrum = Registrum Monasterii S. Marie de Cambuskenneth (Grampian Club, 1872)

Cartae Antiquae Rolls 11-20, ed. J. Conway Davies (Pipe Roll Society, new series, vol. xxxiii, 1960)

CCR = Calendar of the Close Rolls preserved in the Public Record Office [Edward I - Henry VII] (London, 1900-)

CDS = Calendar of Documents relating to Scotland preserved in H.M. Public Record Office, ed. J. Bain, 4 vols. (Edinburgh, 1881-8)

Chron. Bower = Joannis de Fordun Scotichronicon cum Supplementis et Continuatione Walteri Boweri, ed. W. Goodall, 2 vols. (Edinburgh, 1759)

Chron. Melrose = The Chronicle of Melrose (facsimile edition), ed. A. O. Anderson et al. (London, 1936)

CIPM /

CIPM = Calendar of Inquisitions Post Mortem ... in the Public Record Office (London, 1904-)

C. Lib. R. = Calendar of the Liberate Rolls preserved in the Public Record Office (London, 1916-)

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Hunts. Fines = Calendar of the Feet of Fines relating to the County of Huntingdon, ed. G. J. Turner (Cambridge Antiquarian Society, 1913)

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Other abbreviations

Add. Additional

Adv. Advocates'

BM British Museum, London

BIHR /

BIHR Bulletin of the Institute of Historical Research

EHR English Historical Review

Harl. Harleian, Harley

NLS National Library of Scotland, Edinburgh

PRO Public Record Office, London

Rec. Com. Record Commission

SHR Scottish Historical Review

SHS Scottish History Society

SRO Scottish Record Office, H.M. General Register House, Edinburgh

x Used between dates, this sign means 'not earlier than' the first date 'and not later than' the second date

INTRODUCTION

The present study originated in an attempt to portray the Scottish baronage of the thirteenth century on a wide canvas, to view them territorially and politically and to discover what part they played in society in the Scotland of their day. Several years of research led to the conclusion that the available evidence, although reasonably abundant, was too thinly spread to permit a satisfactory survey on a large scale. In other words, there are too many barons about whom too little is known. But this preliminary work did reveal that more information was available about one man - Roger de Quincy, earl of Winchester and constable of Scotland - than about anyone else. It was clearly possible to paint a portrait of an individual sitter instead of depicting a group. It was therefore decided to undertake a detailed study of this one major baron and to set him against the background of his times.

One advantage of this approach is that a single baron's surroundings, activities and relationships with other men can be viewed from the inside. Historians have sometimes neglected to look at affairs from the viewpoint of the barons themselves. Although in English history there have been some notable studies which correct this mistaken attitude,[1] in Scotland medieval barons can still be cast in the role of villains: a turbulent and disruptive element in society.[2] The /

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1. Sir Maurice Powicke, Medieval England (London, 1931), pp. 56-65; Painter, Feudal Barony, p. 11; Holmes, Higher Nobility, p. 1.

2. E.g. Agnes Mure Mackenzie, The Kingdom of Scotland (Edinburgh, 1948), p. 113: 'the inveterate hostility of great houses to the Crown and to each other ...'

The Scottish barons of the late thirteenth century have only recently been rescued from 'one of the hardest-dying half-truths of Scottish history', the fable that they failed to fight for Scotland against Edward I because they were afraid of losing their English estates.[1] Roger de Quincy belonged to this very class of society - the Anglo-Scottish baronage - in an earlier generation; and it is therefore an added advantage that in him we can study a member of this class at a point before the Wars of Independence strained and eventually broke their complex social nexus. These Anglo-Scots have suffered particularly from the habit of looking at barons from outside the baronial milieu, since national historians are prone to ignore or summarily dismiss those of a baron's activities which lie beyond the historian's own national frontiers.[2] When discussing an English baronial family, it is easy to forget about the Scottish estates they may have held.[3] It is the aim of this study to examine one great Anglo-Scottish magnate by the use of evidence from both sides of the border. We must cross and re-cross the border line as frequently as did Earl Roger himself on his peregrinations around his demesne estates, which stretched from Perthshire to Oxfordshire. It is fortunate that source-material is so abundant about the background of a man /

1. Barrow, Robert Bruce, p. 113.

2. Joseph Bain was the first scholar to point out, in 1881, that the connection of the Quincy family with Scotland required illustration (CDS, i, p. xxv, note).

3. Professor Painter calculated the annual income of the Quincy earls of Winchester without including the profits from their Scottish estates (see below, Chapter II, p.81, n.1).

a man whom Sir Maurice Powicke described as 'one of the most widespread landholders in England and Scotland'.[1]

It must be made clear that the present work is not a biography of Earl Roger, although it includes an outline of his career. The material does not exist for anything which could be called a biography. We know almost nothing about his personality. But there are compensations; for previous study of thirteenth-century barons, in England at least, has concentrated largely on the political field and particularly on producing biographies of important political figures.[2] There has been no study in depth of any of the less prominent magnates and this is therefore attempted in what follows. The result is intended to be a study in social history, in the widest sense of that term. An edition of the collected written acts of the earl forms part of the work and this not only permits conclusions about contemporary diplomatic practice but also provides information about his household, his retainers, and his estates. Further knowledge of his estates can be gained from extensive official records. Unlike William Farrer's Honors and Knights' Fees, which surveyed a number of large estates over the period from the eleventh to the fourteenth centuries, the effort here is to sink a mine at one point only through the tangled strata of contemporary landholding. After examining these various facets of one man, we can turn finally to a wider view of the /

1. Powicke, Thirteenth Century, p. 580.

2. E.g. Charles Bémont, Simon de Montfort, earl of Leicester, 1208-1265 (new edition, Oxford, 1930); N. Denholm-Young, Richard of Cornwall (Oxford, 1947).

of the baronial society in which he lived, especially as it existed in Scotland.

It has been a deliberate intention to approach the subject from the viewpoint of Scottish history. It seemed worthwhile to emphasise the Scottish aspect of Earl Roger, even at times in face of a considerable paucity of evidence; for it is all the more necessary to analyse baronial society in thirteenth-century Scotland simply because our knowledge of it has so far been sketchy. More attention has been paid to the origins of Anglo-Scottish baronial society, which lie in the period of Anglo-Norman penetration into Scotland in the twelfth century, than to the continuing and developing contacts of the thirteenth century. To permit concentration on Scotland, therefore, some features of Roger's English activities are merely touched upon in passing. In particular, it would have been possible to look more closely at the earl's English estates and the tenants upon them; but this topic could probably be illustrated more effectively on other great estates. For similar reasons, the jurisdictions exercised within his estates and the lawsuits which he pursued have not been examined in detail. The corpus of the earl's written acts forms the core of the present study. In England, thirteenth-century episcopal acts have been collected and scrutinised;[1] but no collection of baronial charters from this period has been published.[2] Indeed, /

1. See Acta Langton and Cheney, Bishops' Chanceries.

2. Professor Geoffrey Barraclough is preparing an edition of the charters of the earls of Chester to 1237 (Facsimiles of Early Cheshire Charters, ed. G. Barraclough, Blackpool, 1957, p. xi).

Indeed, a Scottish student may be allowed to reflect that English historians appear to lose interest in charters when the twelfth century ends, presumably because they can at that point turn their attention to the series of public records which then commence. Experience of handling the contemporary Scottish material, in the midst of which an original baronial charter stands out like a nugget of gold, encourages greater respect for these rather neglected English deeds. It is likely that for other English magnates a larger body of charter texts could be assembled,[1] but the seventy-nine full texts collected for Earl Roger seemed to be a sufficiently solid base on which to rest conclusions. Seventy-eight notitiae, or records of acts which have not survived in full, have been included also in order to present a more complete picture. The writer hopes that this edition of texts may provide a starting-point for any future investigations of the diplomatic of Scottish documents, and of Scottish law, in the thirteenth century.

The task of assembling a body of charter texts from scattered sources could be protracted until it became the work of a lifetime. Although the search for Earl Roger's acts has been pursued intermittently for ten years, it cannot be claimed that every surviving text has been found and it seems advisable to indicate how thorough or how superficial the search has been in different places. In Scotland, /

1. A. P. Duggan, 'The chancery of the Norman earls of Chester' (unpublished Liverpool University M.A. thesis, 1951), pp. xxi-xxiv, lists eighty-five charters of Ranulf de Blundeville, earl of Chester from 1181 to 1232. But Denholm-Young, Seignorial Administration, p. 14n., notes only thirty-six extant charters of Isabella de Fortibus, countess of Devon and Aumale from 1262 to 1293.

Scotland, a close acquaintance with the contents of the Scottish Record Office and research in private archives in the service of the Regesta Regum Scottorum committee have ensured that all likely sources have been covered. Few surviving Scottish texts are likely to have escaped the net, although the disappearance of the Kinloch charters, which existed in the 1920s, is regrettable.[1] In England, research in printed sources covered many local histories and the publications of many local societies. Manuscript research was concentrated on the collections of original documents and cartularies at the Public Record Office and the British Museum. Cartularies of religious houses known to have a connection with the Quincy family were identified from G. R. C. Davis, Medieval Cartularies of Great Britain (London, 1958), and examined if accessible. In the Bodleian Library, Oxford, a brief survey of the great Dodsworth collection was attempted, but its bulk prevented a thorough examination and a few transcripts might still exist there. But the Brackley Hospital muniments at Magdalen College, Oxford, provided a welcome group of twenty-seven original charters.[2] When it became clear which English counties contained lands held by Earl Roger, detailed enquiries were sent by post to the record offices of the counties concerned and visits /

1. See Nos. 23, 25. Throughout the present work, any such reference is to be understood to refer to the charter texts presented below.

2. These were published in calendar form, and with many errors, in Collection of Brackley Deeds at Magdalen College, Oxford (Buckingham, 1910), by William Dunn Macray, edited by Richard Ussher. But this work was published in an edition of six copies only and the Brackley deeds may for practical purposes be viewed as unpublished material.

visits were also made to the Essex Record Office and the Northamptonshire Record Office. But this field of research proved to be disappointing, as it did not produce a single original charter.[1] The disappearance of the name and family of Quincy, following Earl Roger's death in 1264, may have contributed to a lack of interest among subsequent landowners in title-deeds granted by members of the family, since confirmations by succeeding families would be more valuable; and this may help to explain the paucity of Earl Roger's acts among collections of English title-deeds. But there is every chance that some originals remain to be discovered in England, either in private hands or among uncatalogued collections in local record offices.

One other field of search also produced no direct result. To discover if Earl Roger retained in his possession any of the lands in France held by his ancestors, various archive guides and inventories available in this country were examined and two visits were made to France. The first was to the Archives Départmentales of Orne at Alençon in Normandy, as a Quincy connection with the abbey of St Evroult, Orne, appeared promising. The second was to Evreux, where the records of the monastery of Lire, in the Archives Départmentales of Eure, were examined in the hope that Earl Roger might have made grants to this important house, which had been founded and endowed by his ancestors the earls of Leicester. But although two charters by Earl Roger's mother relating to English properties were discovered /

1. Nos. 119 and 154, which are transcripts, were discovered through the good offices of the Northamptonshire Record Office.

discovered at Alençon,[1] no direct information about the earl himself was forthcoming. It seems unlikely that Earl Roger held any lands in France,[2] but until further research is undertaken in French archives a verdict of 'not proven' must be recorded on this issue.

Although during Earl Roger's lifetime the surname of his family was most commonly spelt in the form 'Quency',[3] it has been decided to use throughout the present work the form 'Quincy' which has come to be accepted in modern usage.

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1. See App. A, nos. 7, 8.
2. See below, Chapter V, p. 212.
3. See below, Chapter IV, p. 180.

CHAPTER I

FAMILY AND CAREER

The Quincy family was of French origin and its founder in England was Saher de Quincy I, who about 1124-9 held land at Long Buckby, Northants., as a tenant of Anselm de Chokes.[1] It is virtually certain that Saher took his name from Cuinchy (canton Cambrin, arrondissement Béthune, département Pas-de-Calais), on what later became the border of Artois and Flanders, as this place is less than sixteen kilometres from Chocques, the original home of his Northamptonshire overlord.[2] Saher also established a family tradition by marrying well: it will appear that there was a 'good marriage' in each of the four generations of the Quincy family. His wife was Maud, daughter of Simon de St Liz, earl of Huntingdon, by Maud, daughter of Waltheof, earl of Huntingdon. The elder Maud, Saher's wife's mother, was married a second time to David I, king of Scotland, and was therefore the grandmother of King Malcolm IV and King William I. Saher's sons were therefore second cousins of these two kings of Scotland and this link with /

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1. The sketch of the history of the family given here is based, unless otherwise noted, on CP, XII, ii, 745-54, and on Sidney Painter, 'The house of Quency, 1136-1264', Medievalia et Humanistica, xi (1957), pp. 1-9. For genealogical table, see below, App. F.

2. Loyd, Anglo-Norman Families, p. 84. Professor G. W. S. Barrow has kindly pointed out to me that this identification is confirmed by the appearance as witnesses to an agreement of 1170 between Robert de Quincy I and Newbattle abbey of Alun de Cureres and Alun his son (SHR, xxx, 1951, p. 45), since sixteen kilometres ESE of Cuinchy is Courrieres (canton Carvin, arr. Béthune), which occurs in the form 'Coreres' in 1162 (Dictionnaire Topographique de la France: Dep. Pas-de-Calais, Paris, 1907, pp. 112-13).

with Scotland, forged from the start through the marriage of Saher I, was to be of prime importance in the history of the family. Maud's marriage portion was two manors of the earldom of Huntingdon: Daventry, Northants., and Eynesbury, Hunts. After the deaths of Saher I, about 1156-8, and of Maud, before 1163, the modest family inheritance consisting of these two manors plus Long Buckby, then reckoned as 1½ knights' fees,[1] passed to the next generation.

Saher I and Maud had two sons, Saher II and Robert. Saher II was the elder and inherited Long Buckby from his father and Eynesbury from his mother. Walter fitz Robert, a half-brother by a previous marriage of his mother's, gave Saher one and a half knights' fees in the barony of Dunmow, Essex. He acquired more property through his marriage, in 1162, to Asceline, widow of Geoffrey de Waterville, who was sister and coheir of William Peverel of Bourn. As part of her inheritance, Saher held a share of the manor of Corby, Lincs., of the bishop of Lincoln. Saher II entered the service of King Henry II and from 1170 to 1189 was frequently with the king in Normandy, where he acted as a royal justice and was constable of Nonancourt castle. The fact that he witnessed at least forty royal charters in Normandy suggests that he probably spent little time in England. A reward for service came in 1174 when Henry II granted him £22 a year in the manor of Colne, Essex, which came to be called Colne Quincy. The king also gave Saher land at Wimpole, Cambs., and the land which he held at Tuddenham, Suffolk, may also have been a royal gift. /

1. HKF, i, 32.

gift.[1] At his death in 1190, the possessions of the family probably consisted of seven units of property scattered through six counties: Lincolnshire, Northamptonshire, Huntingdonshire, Cambridgeshire, Suffolk and Essex. It is not known whether Saher II transmitted any Norman estates to his successors. Saher had one son, Saher III, a shadowy and short-lived figure. He is mentioned as witness in one of his father's charters and was presumably the Saher de Quincy junior who was a partisan of Prince Henry against King Henry II in 1173. He had seisin of Long Buckby in 1190, but was dead by 1192. Saher III was the last of the senior line of the family.

Robert de Quincy I, younger son of Saher I and brother of Saher II, had meantime founded a Scottish branch of the family. His earliest certain appearance in Scottish record is dated about 1165.[2] His career was doubtless advanced by his second cousins Malcolm and William, successively kings of Scotland, and it was certainly King William who granted to him the site of the old castle of Forfar and a toft in Haddington.[3] While his brother Saher II was serving Henry II as a justice in Normandy, Robert was acting as Justiciar of Scotland, an office which he held from 1171 to 1178.[4] Royal favour may also have brought about his marriage, at a date unknown, to a notable heiress, Orabile, daughter of Ness son of William. Her father, a prominent but ill-documented figure, was apparently a first /

1. CRR, v, 231; Hatton's Book of Seals, no. 282.
2. SHR, xxx (1951), p. 42; RRS, i, no. 292 and n.
3. St Andrews Liber, p. 354; No. 27.
4. SHR, xxx (1951), p. 42.

first-generation Norman-Scot.[1] Orabile was heir to her father's lands, to the exclusion of his sons Constantine and Patrick, and thus brought to Robert estates at Gask and Deuglie, in Perthshire, at Leuchars, Lathrisk, Beath and elsewhere in Fife, and at Tranent, in Lothian.[2] This fortunate marriage helped to raise Robert in a short time to a level of importance in Scotland greater than the relatively minor position which his brother Saher II held in English society. Twelfth-century Scotland was a land of opportunity and a vigorous younger son such as Robert de Quincy could make there a name which might become known well beyond the bounds of the small northern kingdom. In 1190 Robert joined King Richard I on the Third Crusade, was constable of a force to take aid to Antioch in 1191 and in the same year was sent with the duke of Burgundy to Tyre to collect prisoners from Philip Augustus. On his return from the crusade, Robert took part in Richard I's campaigns in Normandy in 1194 and 1196. On the death of his nephew Saher III, before 1192, Robert succeeded to the English estates of the family's main line and added these to his Scottish possessions. By the time of his death, which took place before Michaelmas, 1197,[3] he had proved himself as a knight of wide experience and had established his position as an Anglo-Scottish baron of some prominence.

The /

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1. Ritchie, Normans in Scotland, pp. 284-5, attempts a sketch of him, but is wrong in saying that Ness was sheriff of Perth (cf. RRS, i, no. 243) and Professor A. A. M. Duncan has disputed the claim that Ness had French origins (SHR, xxxv, 1956, p. 152). Ness may have been the founder of the still-surviving Romanesque church at Leuchars, Fife (Hist. Mon. Comm. (Fife), p. 190).

2. On the descent of certain of these estates to Earl Roger, see below, Chapter II, p. 65.

3. Or possibly in 1200 (Chron. Bower, i, 515).

The marriage of Robert and Orabile was apparently ended by a separation. She later married Gilchrist, earl of Mar, while Robert married a lady named Eve, who may possibly have been of the family of the lords of Galloway. The matrimonial complexities of this situation have caused a controversy which need not be entered upon here.[1] But two points about Orabile's rather unusual name deserve notice in passing. The name occurs in French chansons de geste, both as a man's name and as the name of a queen of Arabia, and the fact that Ness chose to give it to his daughter is a reminder that French culture in the form of popular literature was penetrating into Scotland in the first half of the twelfth century.[2] As Professor Graeme Ritchie has demonstrated so amply, the Normans were not merely warrior-knights and they were interested in more than legal concepts such as the knight's fee.[3] The later history of the name is equally interesting. It descended from Orabile to her granddaughter, who was the daughter of Saher de Quincy IV, first earl of Winchester. This Orabile II married Richard de Harcourt and passed the name on to her own granddaughter, the daughter of Alice la Zouche.[4] The first /

1. See authorities cited by Ritchie, Normans in Scotland, p.286, n.5.
2. E.G. Withycombe, Oxford Dictionary of English Christian Names (2nd edn., 1950), p. 28; Léon Gautier, Chivalry, ed. J. Levron (London, 1965), p. 144n. Ness's choice of this name lends support to the idea that he had French origins (cf. above, p. 12, n. 1.)
3. On the penetration of French chansons into Scotland and the parental habit, evident in Scotland by the mid-twelfth century, of giving children names celebrated in French romance, see R.L.Graeme Ritchie, Chrétien de Troyes and Scotland (Oxford, 1952), pp.15-16.
4. Dugdale, Mon. Angl., iii, 54; CPR, 1266-72, p. 120; Cal. Inq. Misc., i, no. 297. See also genealogical table, below, App. F.

first Orabile is apparently the first known holder of the name, which does not occur regularly in England or Scotland until the thirteenth century.[1] It seems likely that she had at least a share, through her marriage into the Quincy family, in popularising the name and in transferring it from a Scoto-Norman context to an English context: a significant if minor by-product of the international links of one Anglo-Scottish family. The name ultimately became Arabella and in this form remained popular in Scotland.[2]

In the next generation of the Quincy family, the offspring of Robert I and Orabile, we not only reach Earl Roger's own father and mother but also come upon new facts which alter the accepted picture of the history of the family. There is no doubt that the eldest son of Robert I and Orabile was Saher IV, later earl of Winchester, and father of a large family of sons and daughters, including Earl Roger. Professor Painter and others have held that Robert I and Orabile had a second son, Robert II; but evidence exists to prove that Robert II does not in fact belong to this generation of the family and he can therefore be left aside for the moment. But at the same time study of a family closely connected with Earl Roger, bearing the name St Andrews (de Sancto Andrea), has shown that they had Quincy blood, which derived from a daughter of Robert I and Orabile, whose name remains unknown. This family will be examined later, when we discuss Earl Roger's familia.[3] It is sufficient to say at the moment that this /

1. Withycombe, loc. cit. 2. Ibid.

3. See below, Chapter III, pp. 130-4.

this third generation of Quincys must be diminished by one son and increased by one daughter.

Saher IV had a public life which was busy and important. He served Richard I and John in Normandy in 1197-9 and his position in Scottish society made him a fit person to conduct King William the Lion to meet King John in 1200. During the war with France he was captured, but raised a ransom and returned to England. Created earl of Winchester, about 1206-7, he remained active in royal affairs: he served in the exchequer, acted as justice in many counties and travelled abroad on the king's business, to Scotland, Ireland and Germany. In 1209, he had with him in Scotland a force of 100 knights and 100 sergeants. While baronial opposition to King John grew stronger, Saher remained loyal to the king, but joined the confederate barons a month or so before the granting of Magna Carta in June 1215.[1] In 1216, he went to France to invite Prince Louis to England and as a result the crown confiscated his estates. After taking part in several military expeditions on behalf of Louis, Earl Saher was defeated and captured by the royal forces at Lincoln on 20 May 1217. Soon afterwards he returned to his allegiance and was given back his lands. In January 1219, he despatched a ship from Galloway to collect at Bristol necessaries for the journey he proposed to make to Jerusalem.[2] Following his father's example, he duly became a Crusader, but fell ill and died at Damietta, on 3 November 1219, and was buried at Acre. Before his death, he commanded that his heart should /

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1. J. C. Holt, The Northerners (Oxford, 1961), p. 109 n.
2. CPR, 1216-25, p. 185.

should be taken back to England for burial in Garendon abbey, Leicestershire.[1]

One event in Saher's private life was largely responsible for raising him to the position of public importance which he held. This was his marriage, the most brilliant match so far achieved by any member of the family. His wife was Margaret, daughter of Robert 'ès Blanchemains', third earl of Leicester, sister and co-heïr of Robert 'Fitz Pernel', fourth earl of Leicester. The date of this important marriage is unknown. The eldest son of Saher IV and Margaret was Robert II, who was knighted in 1213, when his father was granted an aid from his tenants for that purpose.[2] If the grant of knighthood to Robert II took place about the age of twenty, he must have been born about 1193 and his parents might have married about 1190.[3]

The most obvious effect of the marriage on the Quincy family was that it brought great additions to their estates. On the death of Margaret's brother, Robert Fitz Pernel, in 1204, Saher IV became, in right of his wife, co-heir to the estates of the honours of Leicester and /

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1. The story as told in the Annals of Waverley (Annales Monastici, ii, 292) records that the earl commanded his sons to take his heart to England. But the version in a Garendon cartulary, although very similar in language, narrates that he told his servants to do this (BM, Lansdowne MS. 415, fo. 38r). It therefore cannot be stated as a certainty that Roger de Quincy accompanied his father to the Holy Land.

2. CR, 1204-24, p. 144.

3. There is no evidence to support the statement by L. Fox (EHR, liv, 1939, p. 391) that the marriage took place between 1168 and 1173. Arguing from other evidence, Painter (op. cit., p. 8) suggested that three sons of this marriage were born in the 1190's.

and Grandmesnil. The other co-heir was Simon de Montfort, husband of Margaret's sister Amice, and grandfather of the famous Simon de Montfort, earl of Leicester. The Leicester estates were vast and lay mainly in the English midlands, particularly of course in Leicestershire.[1] To the Scottish and English estates which he had inherited from his father, Saher and Margaret thus added lands many times the value of the ancestral holding.[2] The earls of Leicester, who took their origin from Roger de Beaumont, one of William the Conqueror's Normans, had also possessed considerable French estates, particularly in Eure, where lay the Beaumont which provided some members of the family with a surname.[3] But these Norman estates passed from the family in 1204 when Amice de Montfort resigned to Philip Augustus the castle of Breteuil, dep. Eure, the caput of the earls' Norman honour, and with it everything that the last earl held in Normandy. At the same time Amice undertook to indemnify her sister Margaret, Saher's wife, out of the English estates and guaranteed that Margaret would raise no claim to the French properties.[4] Although Saher and Margaret seem thus to have been denied any share in the French lands of /

1. In 1217, Saher's estates lay in Dorset, Wilts., Berks., Leics., Hunts., Northants., Cambs., Oxon., Bucks., Warwicks., Suffolk, Norfolk, Beds., Lincs. and Sussex (CR, 1204-24, p. 372).

2. For official calculations as to the extent of the lands in 1231, see below, Chapter II, p. 71.

3. Loyd, Anglo-Norman Families, p. 13.

4. Leopold Delisle, Catalogue des Actes de Philippe-August (Paris, 1856), no. 881. The resignation was confirmed by Philip Augustus, 1 November 1204 x 9 April 1205 (ibid., no. 882, and H.-Fr. Delaborde and Ch. Petit-Dutaillis, Recueil des Actes de Philippe Auguste, vol. ii, Paris, 1943, no. 861).

of the earls of Leicester, which Philip Augustus added to his own demesne, the upheavals caused by King John's loss of Normandy may have left the question open. When in 1206-7 Saher and Margaret came to divide the Leicester lands with Amice and Simon de Montfort, it was agreed that Saher should have £40 of land per annum from Simon's share until Simon put Saher in possession of his due portion of the Leicester lands in Normandy.[1] This arrangement may have been the origin of a Quincy claim to Norman estates which apparently survived, after Saher's death, as part of the Quincy family inheritance.[2] Nevertheless, Beaumont estates in England were a rich prize for Saher, not only in themselves, but also since it was because he possessed half of the Leicester lands that he was created earl of Winchester about 1206-7, at the time of the partition. His earldom was considered to be equivalent to the earldom of Southampton, from which county he received £10 a year nomine comitis, although he held no lands in the county. For the third time a Quincy had married well - so well that he was raised to the peerage. The family had moved rapidly up the social scale since the day, some eighty years before, when Saher I held one and a half fees in Long Buckby.

Marriage to a Beaumont also opened up for the Quincys a new and wide range of family connections, which were always important within a social structure which depended greatly on the links of family with family /

1. Dugdale, Baronage, i, 687, quoting from the collections of Ralph Glover a document whose present location has not been traced. For details of the extra £40 of land, see records of the partition in Hastings, i, 340.

2. See below, Chapter V, p. 212.

family and generation with generation. Partition of the Leicester inheritance put Saher on a level with the great Montfort family, and links with them survived under Earl Roger, who, for example, made a grant to the nunnery of Préaux, dep. Eure, in conjunction with Simon de Montfort, earl of Leicester, and resigned to that earl, 'his dearest kinsman', the advowson and site of Garendon abbey, Leics.[1] By his marriage to Margaret, Saher became the brother-in-law of Roger de Beaumont who in 1189 (or perhaps 1190) was elected bishop of St Andrews. It is possible, as Professor Painter has argued, that Roger's election was the result of Quincy influence in the diocese of St Andrews; but it is perhaps more likely that royal influence was a principal motive in the election, for Roger was a remote relative of William the Lion, whose mother Ada was a step-sister of Robert, second earl of Leicester (d. 1168).[2] Further, Roger had served William as chancellor of Scotland from about 1188 until his election as bishop.[3] Whatever lay behind his election, it is certain at any rate that Roger was not consecrated bishop for some nine or ten years and that during this period as bishop-elect he was a figure of some importance, at least in England and France, if not in Scotland.[4] Even /

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1. Nos. 83, 155. 2. Dunbar, Scot. Kings, p. 65; CP, vii, 526.

3. British Chronology, p. 173.

4. Witnessed confirmation by Robert, earl of Leicester, his father, to nuns of Nuneaton, Warw. (Documents Illustrative of the ... History of the Danelaw, ed. F. M. Stenton (London, 1920), p. 259); present at gift of annualrent by Amice de Montfort, his sister, to abbey of Lire, dep. Eure (A. Le Prevost, Mémoires ... pour servir à l'Histoire du Département de l'Eure, ed. L.Delisle, Evreux, 1862, i, 419); confirmed resignation by Robert, earl of Leicester, his brother, of Pacy, dep. Eure, to Philip Augustus (Delisle, Actes de Philippe-August, no. 468). He appears not to have witnessed any charters of William the Lion while bishop-elect.

Even after his consecration, in 1198, Bishop Roger maintained interests in England, for in 1200 King John gave him custody of the rich abbey of Peterborough, whose stocks of food and fodder he carried off.[1] Saher's contacts with this forceful international personage must have been frequent. They acted together, for example, in 1200, when they formed part of the escort provided by King John for William the Lion's visit to England.[2] As brother-in-law both of Bishop Roger and of Robert, earl of Leicester, who 'stood both in character and military ability at the head of the feudal nobility of his time',[3] Saher had good reason to congratulate himself on the influence which a wise marriage had brought within his reach.

Within Saher's own family, the numerous offspring of his wife Margaret, a further effect of the marriage can be seen in the names of some of his children. He named one daughter Loretta, after the wife of his brother-in-law, Earl Robert, and another Hawise, the name borne both by a sister and by an aunt of Margaret de Beaumont. Saher's son Roger de Quincy, the subject of the present study, acquired his Christian name from Bishop Roger de Beaumont, just mentioned, and indirectly from the first Roger de Beaumont who came to England in the wake of the Conqueror.[4] Most noticeable of all, Saher /

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1. R. Swapham, Historia Coenobii Burgensis, in Joseph Sparke, Historiae Anglicanae Scriptores Varii (London, 1723), pt. iii, p. 106. I owe this reference to Professor G.W.S. Barrow.

2. CDS, i, no. 292.

3. CP, vii, 535 n.

4. For biographical details of the Beaumont family, see CP, vii, 520-36.

Saher named two of his sons Robert. The name was carried by four successive earls of Leicester, including Saher's father-in-law, and was also the Christian name of Saher's own father Robert de Quincy I. It was a common habit to name a son after his grandfather and the existence of two grandfather Roberts helps to explain the presence of two Robert de Quincys in the same family.[1]

Earl Saher's family was much larger than those of his father or grandfather who appear, so far as we know, to have been content with two children each. Saher and Margaret had eight. Apart from the first and second sons, we do not know the order of birth in the family and it is convenient to deal first with the three daughters. Loretta married William de Valognes, a landowner in Angus, who became chamberlain of Scotland about 1216; and, on his death some time before 21 June 1219, she restored to her father her marriage portion in Lothian, presumably at Tranent, in exchange for £20 of land at Shepshed, Leics.[2] William de Valognes, himself an Anglo-Scottish baron, bequeathed to Earl Saher property at Liddell, Cumberland, which became one of the earliest landed possessions of Roger de Quincy.[3] As happened so often, the link of marriage between two families produced a transfer of land from one to the other. Saher's daughter Hawise married Hugh de Vere, fourth earl of Oxford, but as this marriage /

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1. Other examples of such duplication exist: King James IV of Scotland had a younger brother also called James (Dunbar, Scot. Kings, p. 210). In the early thirteenth century three brothers of the Vipont family were called William (Holyrood Liber, no.33).

2. App. A, no. 1; British Chronology, p. 178. On the family connections of William de Valognes, see Panmure Registrum, i, p. xix.

3. See below, Chapter II, p. 60, and App. D, Cumberland.

marriage did not take place until about 1223, after her father's death, it fell to her mother, Countess Margaret, and to her brother Roger de Quincy to provide her dowry by grants of lands in Thurmaston and Wigston, Leics.[1] Similarly, Saher's daughter Orabile de Quincy II must have married after his death, for it was her mother, Countess Margaret, who provided twenty yardlands in Brackley, Northants., as dowry for Orabile's marriage to Richard de Harcourt.[2] Married as they were to a chamberlain of Scotland, an English earl and a member of a prominent Leicestershire family, Saher's three daughters nobly maintained the Quincy tradition of marrying well.

Turning now to Earl Saher's sons, we meet the problem of disentangling two brothers each named Robert de Quincy; and it is at this point that Professor Painter's exposition of the family history requires correction. He and other scholars have fixed a Robert one generation too early, by assuming that a certain Robert de Quincy who married Hawise, sister of Ranulf de Blundeville, earl of Chester, was a younger son of Robert de Quincy I and therefore a brother of Earl Saher. Some historians, however, including the great seventeenth-century authority on the English baronage, Sir William Dugdale, have held that this Robert was a son, not a brother, of Earl Saher; and there is conclusive proof of this view in a grant by the earl himself to his son Robert of £100 of land in Long Buckby and elsewhere to be given in free marriage to Hawise, sister of the earl /

1. CP, x, 215; No. 82; BM, Harleian Ch. 55.B.5.
2. Cal. Inq. Misc., i, no. 297.

earl of Chester.[1] The career of this Robert, whom we shall call Robert II, was short, as he died before his father. Judging from the fact that he was knighted in 1213, we have already suggested that Robert II may have been born about 1193. Earl Saher's grant to him of Long Buckby in free marriage cannot be dated more closely than between 1207 and 1217, but the marriage must have taken place early in that decade, for Robert's daughter had married by 1221.[2] Robert II was a hostage for the king of Scots in 1213 and served in Poitou in 1214. In 1215 the Pope excommunicated Robert at the same time as his father, and along with his father he was captured at Lincoln in 1217.[3] In the same year, in London, he was accidentally poisoned by medicine prepared for him by a Cistercian monk.[4] Royal interest shown on the death of a promising young knight is revealed by payments from the king's treasury to the Knights Hospitallers in London of threepence daily for the soul of Robert de Quincy.[5] His widow also made a grant to the Hospitallers, at Clerkenwell, of five marks yearly during her lifetime, for the soul of her late husband.[6] His heart /

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1. App. A, no. 2. The corresponding grant by the earl of Chester also survives: PRO, DL 25/42 (35th Report of the Deputy Keeper of the Public Records, 1874, app., p. 8). By it Ranulf gave Robert and Hawise land in Sibsey and the service of three fees in Cabourne, Lincs.
2. HKF, ii, 11.
3. See references in CP, XII, ii, 751, and L'histoire de Guillaume le Maréchal, ed. P. Meyer (Soc. de l'histoire de France), vol. ii (1894), lines 16933 ff.
4. Giraldus Cambrensis, Opera (Rolls Series), iv, 174-5. Giraldus here describes Robert as Saher's son and heir.
5. CR, 1204-24, pp. 342, 380, 394.
6. CDS, i, no. 555, which is dateable between 1217 and 1219 by the deaths of Robert II and of Earl Saher, who is a witness. These two grants to the Hospitallers are further proof that the husband of Hawise and the Robert de Quincy who died in 1217 were the same person.

heart was buried at Brackley hospital, Northants.[1]

Although the main events of his career lie rather later in the thirteenth century, it is convenient to mention here the other Robert who was a son of Earl Saher, that is, Robert III. Again, the date of his birth is unknown, but he was younger than Robert II and Roger and may therefore have been born in the late 1190s. He married, shortly before 5 December 1237, Helen, widow of John the Scot, earl of Huntingdon and Chester, who had died early in June of the same year; and he became a knight about the time of his marriage.[2] Robert III was given the manor of Colne, Essex, by his father, and the manor of Ware, Herts., by his mother. At Ware, which he later held of his brother Earl Roger, he had a fair by royal charter of 1254. In 1252/3 he gave to Earl Roger the manor of Stevington, Beds.[3] In 1242, Robert III served in France with King Henry III and in 1250 he became a Crusader. He died in 1257, leaving two daughters, Joan and Hawise, but, unfortunately for the Quincy family, he left no male heir.[4]

The situation within the family at the death of Robert II in 1217 was critical. The loss of the eldest son and heir apparent was a heavy /

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1. No. 101.

2. CP, iii, 170; CDS, i, no. 1309. For grant, 1244 x 1257, by Robert and Helen to church of St Mary, Hatfield Regis, Essex, see BM, Add. Ch. 28411.

3. CDS, i, no. 1223; CR, 1204-24, p. 432; App. D, Beds., Stevington, and Herts., Ware; Rôles Gascons, ed. Francisque Michel (1885), vol. i, no. 3988.

4. Rôles Gascons, i, no. 166; M. Paris, Chron. Maj., v, 99, 609; CIPM, i, no. 587.

a heavy blow and the next son, Roger, was immediately recognised as his father's heir and was perhaps given some control of the Scottish estates.[1] The remainder of the family consisted of Robert III and the three daughters, Loretta, Hawise I and Orabile II. (Two sons, Saher V and John, had apparently already died young.[2]) But recognition of Roger as the heir meant that Robert II's only daughter Margaret, who was born some time after 1207 but was old enough to be married by 1221, had been excluded in advance from the succession. This need not surprise us, for 'the representative principle - the principle which allows the children or remoter descendants of a dead person to stand in that person's stead in a scheme of inheritance - was still struggling for recognition in the twelfth century'[3] and could easily be cast aside in the early thirteenth century. Professor Painter had no reason to assume, as he did, that because the younger Margaret did not succeed to the earldom of Winchester and to the Quincy lands therefore her father could not have been Saher's eldest son. In fact, not only was Margaret passed over in 1217, but Roger himself was also passed over on Saher's death in 1219, when the title of countess went to his mother, Margaret de Beaumont, in virtue of her possession of the former Leicester properties. If a family arrangement could withhold an earldom from a male heir who had been recognised as such by his father, the same procedure could likewise exclude /

1. See below, Chapter II, p. 61.

2. App. A, no. 4.

3. F. Pollock and F. W. Maitland, Hist. of English Law (Cambridge, 1898), ii, 283.

exclude a female minor of the next generation, whose possession of the title would have had little significance and whose tenure of the family estates would have left them dangerously open to mismanagement and depredation. Had a minor been allowed to succeed, the crown would of course have exercised its rights of wardship and marriage. As it was, Countess Margaret held the Leicester lands until her death in 1235, while Roger held the Scottish estates and the Quincy lands. All the estates were reunited in Roger's hands at his mother's death and the integrity of the inheritance had thus, by careful planning, been assured. And even the younger Margaret was not left without compensation. In 1230 the problem was solved by a complex family settlement, which makes no sense except on the premise that Margaret had an unsatisfied claim on the inheritance.[1] By an agreement in the king's court, the younger Margaret and her husband, John de Lacy, constable of Chester, acknowledged Roger's right both to Saher's inheritance and to Countess Margaret's inheritance. In return Roger granted them various properties in Dorset and acknowledged their right to the lands in Buckby and elsewhere which had originally been granted to Robert II and which were in 1230 held in dower by Hawise, his widow. Thus the younger Margaret, who might have been countess of Winchester had her father lived, tacitly acknowledged her exclusion from the title, and incidentally carried the Long Buckby fee, the earliest basis for the Quincys' landed wealth, into the family of Lacy, earls of Lincoln.

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1. App. A, no. 14.

The events of 1217-30 show how the family overcame a series of misfortunes: the heir died young, the head of the family died two years later, one possible inheritor was a female minor. The problem was solved by settling part of the inheritance on a younger son, passing the rest to a dowager and compensating the excluded granddaughter. Hitherto, the Quincy inheritance had three times passed from father to eldest son and had once been handed on from a senior to a junior branch. But now different arrangements had to be made. It has been claimed that in the fourteenth century 'the descent of great properties is nearly always a more carefully planned and political matter than it appears at first sight',[1] and the same is certainly true at this juncture in the history of the Quincys.

The career of Countess Margaret during the period of her widowhood, from 1219 until her death in 1235, included few events of public importance. She was granted scutage by the crown in 1221 and sent knights to Brittany on the king's service in 1230. But she paid due attention to administering the estates of the Leicester inheritance which had passed to her on Earl Saher's death.[2] She made several grants in alms to the hospital of St James and St John at Brackley, Northants., which had been founded by Robert, second earl of Leicester, her grandfather, and to which her son Roger was later a liberal benefactor.[3] She seems to have taken a particular interest in /

1. Holmes, Higher Nobility, p. 7.

2. CR, 1204-24, p. 424. She also received the manor of Eynesbury, Hunts., as equivalent to her dower from his lands (ibid.).

3. App. A, nos. 4-6; H.E. Salter, Facsimiles of Early Charters in Oxford Muniment Rooms (Oxford, 1929), no. 51.

in the manor of Ware, Herts., and in its priory which belonged to the abbey of St Evroult, Orne. She built herself a hall, chamber and chapel in the priory at Ware and granted to St Evroult a rent owed to her by one of her tenants on the manor.[1] In her household and estate administration she naturally retained many who had served her late husband. Persons who had regularly witnessed Earl Saher's charters appear again as witnesses in the charters of his widow, and William of Knapwell, the late earl's steward, continued in that office under Countess Margaret.[2] There was only one area where she had no interest in her husband's properties. This was Scotland, where, as we shall see, her son Roger was in control. By family agreement, once again, the activities of an important dowager had been thus delimited and defined.

The family into which Roger de Quincy was born was French in origin and in background, although it cannot be proved that any of its members still held lands in France. French influence was strengthened by Earl Saher's marriage to a Beaumont, since the head of that family was among the greatest of Anglo-Norman magnates. French names such as Robert and Orabile are prominent in the Quincy family tree and presumably the family was still French-speaking, although /

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1. VCH Hertfordshire, iv, 455; App. A, nos. 7, 8.

2. Brackley Deeds, p. 11; App. A, no. 4. In addition to the charters given below in App. A, nos. 3-8, the following charters by Countess Margaret have been noted: Brackley Deeds, pp. 13-14; Sandford Cartulary, i, no. 90; Nichols, Leicestershire, III, ii, 1103; BM, Harleian Ch. 55.B.5, Harleian MS. 1555, fo. 64v (also in MS. 1400, fo. 35v), Cotton MS. Otho B. xiv, fos. 62r, 115v; Westminster Abbey Muniments, no. 2426 (also in Luffield cartulary, fo. 134v). See also No. 138, notes; and Archives Départmentales de l'Orne, Alençon, series H, file 930, s.d. Aug., 1243.

although most of its members may also have known English. Yet although its roots were French, the family had become Anglo-Scots through the activities of the last two of its three generations. In assessing the influence of each of the three countries, we must give due weight to Scotland, since it provided the opportunity which enabled Robert de Quincy I to raise the family into a position of some prominence. England was important since it gave the family an initial impetus and since a family tradition of service to the kings of England quickly grew up and flourished, except in the fatal years 1215-17. When Earl Saher succeeded to the Leicester lands, the family's English interests widened considerably. 'While their feudal power was never sufficient to place them in the top rank of the English baronage, the Quincys played an important part for some six score years in the history of both England and Scotland.'[1]

French, English and Scottish strands are interwoven inextricably in the life of the Quincys. Their daily interests traversed three different countries and their outlook was international. It is not surprising that the family produced three Crusaders: Roger's grandfather, father and younger brother. When Earl Saher became an English peer in 1206-7, the family became part of the aristocracy of Western Europe. Roger de Quincy, to whose career we can now turn, was born a European.

The date of Roger's birth is unknown, but arguing from the fact that his elder brother Robert II was knighted in 1213 and was perhaps born /

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1. Painter, art. cit., p. 9.

born about 1193,[1] we may guess that Roger was born about 1195. No details of his early years have survived. On the death of Robert II in 1217, Roger was recognised as Earl Saher's heir, and the first record of his name occurs in the witness list of one of his father's charters, where he appears as Rogero de Quinci, herede meo.[2] It is possible, but by no means certain, that Roger was present in Damietta when his father died there in 1219.[3]

We have already noted the family arrangements which withheld from Roger until his mother's death in 1235 both the title of earl and the possession of half of the honour of Leicester. The period of Roger's life falling between the deaths of his father and of his mother was therefore one in which he occupied a subordinate position, overshadowed by his mother. But his activities are still traceable in the records of both England and Scotland.

In England, Roger became involved in difficulties when acquiring possession of his father's inheritance. The sheriffs of Oxfordshire, Huntingdonshire, Cambridgeshire, Cumberland and Dorset apparently took possession not only of Earl Saher's lands, which had fallen to the crown on his death, but also of certain properties which the earl had previously granted to Roger.[4] But Roger recovered seisin of these lands and, in February 1221, did homage to the king for Earl Saher's /

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1. See above, Chapter I, p. 16.
2. St Andrews Liber, p. 256.
3. See above, Chapter I, p. 16, n. 1.
4. CR, 1204-24, pp. 423b, 441a, 457a; CPR, 1216-25, p. 243. For details of these properties, see below, Chapter II, pp. 62-64.

Saher's lands, fees and rents which lay in Cambridgeshire, Huntingdonshire, Northamptonshire and the city of London.[1]

Roger's transactions with the English government at this period of his life were frequently financial. He acquired along with his father's lands a heavy load of debts to the crown. In the year 1222/3 these totalled £1588, but by annual payments to the exchequer Roger had by 1231/2 reduced this figure to something less than £900.[2] Certain of these payments were made to the exchequer by Countess Margaret on Roger's behalf; but we cannot tell whether she was assisting him to liquidate her husband's debts. It is even possible that Roger may have used for this purpose profits from his own Scottish estates, which were presumably his main source of income at this period; but as we lack the financial records of Roger's estates this can be no more than a guess.

Roger received a succession of those small gifts which were the constant perquisites of persons in favour with the government. The king seems never to have given him land, but from 1221 throughout the rest of his life he had frequent grants of deer from the royal forests for stocking his own parks at Chinnor, Oxon., Halse, Northants. and Southoe, Hunts.[3] More substantial was a royal grant of permission to /

1. CR, 1204-24, pp. 448b, 449a.
2. CDS, i, nos. 837,871,897,924,1017-18,1043,1062,1065,1115,1121, 1137,1140,1145; Pipe Roll 14 Henry III, p.205. Fuller details of these figures could be worked out from original exchequer records in the Public Record Office.
3. CR, 1204-24, pp. 461b,560b,573b; CR, 1224-27, p. 166a; CR, 1227-31, pp. 197,473; CR, 1231-34, pp. 67,266; CR, 1234-37, pp. 52, 115,231,298,325,405-6,413,493; CR, 1237-42, p. 154; CR, 1242-47, pp. 149,157,224,338,344; CR, 1247-51, pp. 259-60,300,415,450, 496; CR, 1251-53, pp. 101,305; CR, 1254-56, pp. 30,110,148; CR, 1256-59, p. 258; CR, 1259-61, p. 336.

to take a reasonable aid from his knights and free tenants, in 1229.[1] But this grant was to the king's advantage also, for it was made as part of the preparations for the royal expedition to Brittany in 1230 in support of Peter of Dreux. Service to the crown was demanded in return for benefits from the crown. Roger himself served with the forces in Brittany. In April 1230, he had a royal protection for this purpose and appears to have taken with him the knights provided by Countess Margaret as her contribution to the army. The names of two of these knights will concern us again, for they were to be prominent among Roger's adherents in later years: Saher of St Andrews, and Ernald de Bois.[2] In September 1230, Roger was given permission to return to England on account of illness and brought back with him some of his mother's knights.[3] There is no record that Roger played any prominent part in the course of King Henry's rather undistinguished campaign.[4]

We know less in detail about Roger's activities in Scotland during the years 1219 to 1235, but there are unmistakeable signs that he was taking a considerable interest in that country at this period of his career. He may already, before his father's death, have had a measure of control over the family's Scottish estates; and in the period /

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1. CPR, 1225-32, p. 262. Scutage was twice raised from Roger's knights' fees held in chief of the king: in 1221, for an expedition to reduce Bytham castle, in Lincolnshire, and in 1228, in support of a royal expedition to Wales (CR, 1204-24, p. 457a; CR, 1227-31, p. 130).

2. CPR, 1225-32, pp. 357-60; CR, 1227-31, p. 450.

3. Ibid.

4. Powicke, Thirteenth Century, p. 95.

period before 1235 he seems to have been particularly active in issuing charters relating to his Scottish properties.[1] Further, the pattern of his appearances as a witness in the charters of King Alexander II suggests that he was present in the king's court from time to time in the years before 1237. He witnessed royal charters in 1226 (thrice, at Scone, Roxburgh and Jedburgh), in 1232 (at Edinburgh), in 1234 (twice, at Kinross and St Andrews) and in 1236 (twice, at Edinburgh and Ayr).[2] Thereafter he witnessed no Scottish royal charter until 1257.[3] In these charters he is usually named near the beginning of the witness list, in second or third place, coming immediately after the royal chancellor or chamberlain and after any earls named; but he occasionally takes precedence even over Walter the Steward. Clearly the Scottish court accorded to Roger the prominent position due to him in virtue of his landed wealth and his expectation of an earldom.

His links with Scotland now produced the most important event of his life so far: his first marriage, to Helen of Galloway, eldest of /

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1. See below, Chapter II, pp. 61, 65.

2. Moray Registrum, Cartae originales, no. 5; Melrose Liber, i, no. 278; Glasgow Registrum, i, no. 135; S.R.O. Transcripts of royal charters, s.d. 15 August 1232; Coupar Angus Rental, i, 329; Arbroath Liber, i, no. 102; Macphail, Pluscardyn, p. 206; Lindores Chartulary, no. 22. He also witnessed two private charters in Scotland at this period; confirmation by John de Vaux in favour of Arbroath abbey, 1230 x 1234 (Arbroath Liber, i, no. 117); charter by Duncan of Swanston to Soutra hospital, 1234 x 1235 (Midlothian Chrs., p. 18).

3. With the exception of the treaty between Alexander II and Henry III made at York in 1237 (CDS, i, no. 1358). For act of 1257, see below, Chapter I, p.45, n.5.

of the three surviving daughters of Alan, lord of Galloway. The marriage cannot be precisely dated, but it certainly took place before 8 September 1233, when Roger was involved in a disputed presentation to the church of Kippax, in Yorkshire, which formed part of seven fees in Yorkshire which were Helen's marriage portion.[1] Roger and Helen may well have married before about 1228, for their eldest daughter was herself old enough to marry in or before 1238.[2] Roger upheld the family tradition of marrying an heiress, for Helen was to succeed to very considerable properties on her father's death in 1234.[3] Since marriages were such an important link in the transfer of land from family to family, it is disappointing that we usually know so little about the events which led up to them. It is possible that Earl Saher had had interests in Galloway, for in 1218 he fitted out a ship there when he was planning to go on Crusade.[4] It may be no more than coincidence that in 1223 Roger purchased an estate at Torpenhow, in Cumberland, where Uchtred, son of Fergus, his future wife's great-grandfather, had once held property.[5] But it seems likely that Roger's early landed interests in Cumberland helped to bring him into the circle of the powerful lords of Galloway, whose possessions lay on both sides of the Solway Firth.[6]

Roger's /

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1. M. Paris, Chron. Maj., iii, 365; CR, 1231-34, p. 266; CR, 1242-47, p. 371; Hastings, i, 334. For details of the Yorkshire fees see below, Chapter II, p. 66.
2. CP, iv, 197.
3. See below, Chapter II, pp. 67-70.
4. PR, 1216-25, p. 185.
5. Holyrood Liber, no. 24. On Roger's Cumberland properties, see below, Chapter II, p. 60.
6. Wigtownshire Charters, p. xxii.

Roger's first marriage was important in his personal life, for the Countess Helen was the mother of his three daughters, Margaret, Elizabeth and Helen, who were to be his only children in spite of two further marriages after Countess Helen's death.[1] But it also drew him into the tumultuous politics of south-western Scotland and probably involved him in battle in defence of the properties which his wife had inherited. On Alan of Galloway's death, about 2 February 1234, Helen and her two sisters, married respectively to John Balliol and William, later earl of Aumale, succeeded to their father's lands, apparently following a decision by King Alexander II that the great Galloway inheritance should be divided. But a faction led by Hugh de Lacy, earl of Ulster, father-in-law of the late Alan, opposed the partition and supported a claim to the inheritance by Thomas of Galloway, Alan's bastard son. The Galwegians, displaying their usual separatist tendencies, gave support to this Irish party and rose in rebellion against the king. Alexander II raised a force which entered Galloway and routed the Galwegians. Walter Comyn, earl of Menteith, was left to pacify the country and, after some further troubles caused later by the return of Thomas of Galloway, who had fled to Ireland, 'Galloway was ultimately tranquillized and the heirs received their lands, which they divided equally among themselves'.[2] If Matthew Paris is correct in stating the date of the king's victory in Galloway as April 1236, then it is highly probable that Roger served in the royal army; for he was present in the king's court /

1. M. Paris, Chron. Maj., v, 341.

2. Chron. Melrose, pp. 84-85; M. Paris, Chron. Maj., iii, 364-6.

court at Edinburgh on 7 April 1236 and again at Ayr on 20 April 1236.[1]

At Roger's entry, with these events, upon the scene of Scottish politics he appears in support of, and supported by, the monarchy, which was engaged upon a vigorous policy of drawing under its control various independent areas on the western seaboard. But he cannot be looked upon merely as an incomer to Galloway intent only upon deriving wealth and prestige from his new possessions; for both his father-in-law Alan and Alan's father Roland of Galloway were major Anglo-Scottish magnates who were themselves semi-alien overlords of an unruly people.[2] Roger was simply following in the footsteps of the great Anglo-Scottish barons of the twelfth century.

His marriage also linked him closely to the Scottish crown by bringing to him the hereditary office of constable of the king of Scots. This post had descended from the Moreville family to the lords of Galloway and after Alan's death in 1234 it passed through Countess Helen to Roger, who held it in right of his wife. We have already suggested that after 1236 Roger was an infrequent visitor at the court of the king of Scots, and his duties as constable, of guarding the king's person and preserving the royal peace in the vicinity of the court, must frequently have been performed by deputy, as they apparently could be by the end of the thirteenth century.[3]

Roger's /

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1. Macphail, Pluscardyn, p. 206; Lindores Chartulary, no. 22. The Melrose Chronicle dates the battle 15 July 1235.

2. SP, iv, 138-41.

3. SHS Misc., ii, 33.

Roger's constableship was something of a formality, just as his own relations with his major tenants were formal rather than personal.[1] But the office raised his social status and brought with it new properties throughout Scotland to add to the lands which formed his share of the Galloway inheritance.[2]

About a year after the death of his father-in-law followed the death of his mother, Countess Margaret, on 15 January 1235. Her body was buried at Garendon abbey, Leics., but her heart was taken for burial to the hospital of SS. James and John at Brackley, Northants., a family foundation.[3] On her death Roger achieved the status of earl: he is first described as earl of Winchester on 11 July 1235.[4] He paid £100 for relief of her lands, did homage to the king, and lost no time in raising an aid from the knights and freemen on his newly acquired estates for the purpose of paying off his debts.[5] A year after his mother's death he was granted royal confirmation of his half of the lands of the honour of Leicester and the sheriffs of eighteen counties proclaimed in their courts the royal charter narrating the liberties which he held in these lands.[6] He now had an earldom /

1. See below, Chapter III, pp. 150-1.
2. See below, Chapter II, pp. 67-70.
3. CP, XII, ii, 750; BM, Lansdowne MS. 415, fo. 38r. On Brackley hospital see above, Chapter I, p. 27.
4. CR, 1234-7, p. 115. By 1236-7, Roger was receiving £10 annually from the sheriff of Southampton 'in name of the county' (CDS, i, no. 1307).
5. Rot. Fin., i, 274; CDS, i, no. 1221; CPR, 1232-47, p. 98.
6. Cal. Chart. R., i, 216; CR, 1234-7, pp. 252-3. Writs were addressed to the sheriffs of Warwicks. and Leics., Yorks., Surrey, Gloucs., Beds., Berks., Wilts., Essex, Sussex, Lincs., Southampton, Northants., Cambs. and Hunts., Oxon., Somerset and Dorset. No properties in Surrey or Somerset have been traced (see App. D).

earldom in England and the royal constableship in Scotland and his estates were of greater extent than those held by any of his family in the past. At the age of about forty the last of the Quincys had reached the peak of his career.

The remaining twenty-nine years of Roger's life, from 1235 to 1264, were more than a full generation in medieval terms. His political life during these years was relatively peaceful and contrasted with the brilliant and turbulent career of his kinsman and contemporary Simon de Montfort, earl of Leicester. But no doubt politics took only second place in his thoughts after his personal affairs, which brought him increasing sadness as the years passed. The Countess Helen, his first wife, died between 21 November 1245 and 5 June 1250 and was buried at Brackley hospital where lay the hearts of Roger's mother and elder brother.[1] By 1250 he had married Maud, widow of Anselm Marshal, ninth earl of Pembroke. Maud was of eminent lineage: her father was Humphrey de Bohun, second earl of Hereford, and her mother was a daughter of Raoul de Lusignan, count of Eu.[2] The counts of Eu, like the Quincys, held lands on both sides of the English Channel and they made unavailing efforts to retain or recover their estates following the breach between France and England in 1204.[3] Raoul de Lusignan's other daughter, the Countess Maud's aunt, was Jehanne, lady of Criel, countess of Brittany, who may have been drawn into /

1. CR, 1242-47, p. 371; CDS, i, nos. 1777-8; M. Paris, Chron. Maj., v, 341; No. 101.

2. Paris, loc. cit.

3. CP, v, 162-9.

into the Quincy circle, for she died at Brackley hospital in 1252 and bequeathed to it the sum of 140 pounds Turnois and a gold belt and comb for the purchase of a chalice.[1] Although Roger's new wife Maud had been married already, she was still young when she died at his manor of Groby, in Leicestershire, on 20 October 1252, after only a few years of their marriage. She too was buried at Brackley hospital, in terms of a grant to it which she made before her death, and Roger established there a chaplain to say masses for her soul.[2] Roger had no children by Maud and as Countess Helen had borne him daughters only he married again with speed, 'still hoping', in the words of Matthew Paris, 'to obtain from the Lord the favour of begetting a son'.[3]

Roger's third marriage had taken place by 5 December 1252, within seven weeks of Maud's death. His third wife was Eleanor, daughter of William de Ferrers, fifth earl of Derby, who had herself been widowed only three months previously by the death of her first husband, William de Vaux. Eleanor's mother was Sybil, sister of Anselm Marshal, ninth earl of Pembroke, who had been the first husband of Maud, Roger's recently deceased second wife.[4] In other words, Roger's third wife Eleanor was the niece of his second wife's first husband. The speed of the earl's third marriage need not have shocked /

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1. CP, v, 163, note d; No. 108.

2. Paris, loc. cit.; App. A, no. 9; No. 109.

3. 'Sperans adhuc gratiam prolis procreandae promereri a domino' (Paris, loc. cit.).

4. For details of Eleanor's relationships see CP, XII, ii, 753.

shocked contemporaries, but King Henry III expressed official displeasure since Roger had married without licence a widow whose marriage belonged to the king. Payment of a fine of five marks of gold appeased the royal wrath.[1] Marriage was often a formal business, closely linked with the law, and there is nothing surprising in Roger's rapid choice of a new wife from within his own circles, closely-knit by family relationships.

Although we cannot penetrate within the personalities of Roger and his three successive wives, we can deduce from the remark of Matthew Paris just quoted that the earl felt increasing disappointment that none of his wives had provided him with a male heir. From the one point of view that really mattered to a medieval baron - having a son to inherit his name and lands - Roger's three marriages were all failures.

In marrying off his three daughters Roger displayed the talent inherited from his ancestors: two of the three married earls. In or before 1238, Margaret, the eldest, married William de Ferrers, fifth earl of Derby.[2] This marriage later added a new complexity to an already tangled relationship: in 1252 Earl Roger himself married William de Ferrers's daughter (by his first wife) Eleanor, who was thus Roger's son-in-law's daughter, as well as being the niece of his second wife's first husband. In 1241 Roger made arrangements for the marriage of his second daughter, Elizabeth (sometimes called Isabel) to Hugh son of Sir John de Nevill, justiciar of /

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1. CR, 1251-53, p. 289; Rot. Fin., ii, 149; CPR, 1247-58, p. 172.
2. CP, iv, 197; XII, ii, 753.

of the forests of England. Roger granted as her dowry £20 of land in Sydenham, Oxon., to be held meantime by Sir John, as both Elizabeth and Hugh were minors.[1] This marriage never took place, perhaps on account of the disgrace and death in 1246 of Sir John de Nevill, who had been heavily fined for corrupt administration of the forests.[2] But Elizabeth did marry Alexander Comyn, earl of Buchan, 'the wealthiest and most influential man in the kingdom [of Scotland]'.[3] Even although Roger had no male heir, he had at least acquired as a son-in-law a very prominent baron, who was eventually to be one of the Guardians of the kingdom, from 1286 until his death in 1289.[4] Roger's third daughter, Helen, was married before 1242 to Alan la Zouche, the head of a baronial family well-known in Leicestershire, holding Ashby in that county as tenants-in-chief of the crown. The association of the Quincys with the Zouches as neighbouring landholders may have been strengthened when Roger la Zouche, Alan's father, served alongside Roger de Quincy in the royal expedition to Brittany in 1230.[5]

Of Roger's three wives, one was Scots and two were English. Of his daughters' husbands, one was Scots and two were English. The Quincy family still displayed its traditional interests in both Scotland and England. But, as we shall see, the loss of Normandy in 1204 had considerably weakened its links with France.[6]

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1. No. 149. For evidence that Elizabeth was Roger's second daughter, see SP, ii, 254.
2. M. Paris, Chron. Maj., iv, 563-4.
3. SP, ii, 255.
4. Ibid.
5. CP, XII, ii, 932-4.
6. See below, Chapter V, p.212.

Although English barons as a class took a very considerable interest in political affairs during the reign of Henry III, Earl Roger was not a notable politician. In 1239 and 1246 he joined with other magnates in writing to the Pope to complain of papal oppressions in presentations to church livings.[1] He was summoned to take part in various royal expeditions against the Welsh, in 1241, 1258, 1260, 1263 and 1264.[2] Royal service drew him overseas for the second time in his life when in 1242 he joined Henry III's expedition to Poitou and Gascony.[3] As on the previous occasion when Roger formed part of the royal army, in Brittany in 1230, the expedition was a military and diplomatic failure.[4] The English barons had viewed it unfavourably from the outset and the only record of Roger's part in the campaign concerns his withdrawal from it. Along with Roger Bigod, earl of Norfolk, and other magnates, Roger complained that the king was keeping his barons abroad without sufficient support. They asked permission to return to England, as the French army had temporarily withdrawn. Although Henry III doubted whether a safe route was available, the discontented earls sought and obtained free passage from King Louis, who expressed the hope that all his enemies would travel far from him and never return. Roger and his companions passed peacefully through France, suffering no /

1. M. Paris, Chron. Maj., iii, 610; iv, 533.

2. CR, 1237-42, p. 362; CR, 1256-59, p. 299; CR, 1259-61, p. 193; CR, 1261-64, pp. 304, 377.

3. He witnessed charters at Bordeaux on 6-7 September 1242 (Rôles Gascons, i, nos. 432, 448; CPR, 1232-47, pp. 322-3).

4. Powicke, Thirteenth Century, pp. 102-3.

no harm except the mockery of the French.[1]

Roger's relationship by marriage to the most prominent English baron of the time, Simon de Montfort, earl of Leicester, did not automatically bring him to the forefront of the baronial party which opposed the crown in the years 1258-65. In personal affairs Roger had occasional contacts with Simon: in 1243 he was a pledge for Simon in a payment for the ransom of a prisoner held in France; and in 1255 he was present at Westminster when Simon issued a charter introducing primogeniture in the borough of Leicester.[2] But Roger's name appears seldom in the records during the period of the baronial crisis. He was one of twelve barons elected at Oxford, in June 1258, to represent the baronage in the three parliaments to be held each year; and was one of twenty-four barons appointed to consider an aid for the king.[3] On 18 October 1258, he witnessed Henry's confirmation of the acts of the Council of Fifteen.[4] He was again a representative of the baronage, in January 1259, when at St Omer he and others met the king's brother Richard, earl of Cornwall, king of the Romans, who was returning to England from Germany, and insisted that he should swear to observe the Provisions of Oxford before he entered England. Roger served on another committee of twelve barons in /

1. M. Paris, Chron. Maj., iv, 228; Annales Monastici, i, 127.

2. CR, 1242-47, p. 31; Records of the Borough of Leicester, ed. M. Bateson, vol. i (1899), p. 50. It is noteworthy that Simon de Montfort was not a witness to any of Earl Roger's acts.

3. Annales Monastici, i, 449-50.

4. Ibid., 456.

in April 1259.[1] These minor activities suggest that he remained rather in the background of the baronial party and exerted no great influence on events.[2]

Roger's public life in Scotland is poorly documented after the pacification of Galloway in 1236. But one event is recorded which presents a contrast to the normally peaceful tenor of his days. When Countess Helen's sister, Christina, countess of Aumale, died without issue in 1246, Roger and Helen succeeded to her Galloway properties.[3] It may have been as a result of his administration of these new estates that local opposition to his rule sprang up in the following year. 'The nobler vassals of that land', the ever-independent Galwegians, besieged him in one of his own castles, possibly Cruggleton in Wigtownshire. Displaying the valour expected of a knight, he decided to risk death by the sword rather than suffer starvation. He mounted a valuable horse, suddenly opened the castle gates and with a few companions cut his way through the besiegers. 'And he ceased not to ride till he came complaining to his lord the king of Scotland, who punished the rebels and established the earl peacefully in his possession.'[4] For the second time the earl and the king had to make common cause in suppressing revolt in the south-west. Yet even Galloway had its peaceful moments: the earl's men /

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1. Annales Monastici, iv, 121; CR, 1256-59, p. 474.

2. R.F. Treharne, The Baronial Plan of Reform, 1258-63 (Manchester, 1932), p. 84.

3. M. Paris, Chron. Maj., iv, 563. On the location of these properties, see below, Chapter II, p. 67.

4. Paris, op. cit., iv, 653; Anderson, Scottish Annals, 359.

men Richard Ruffus and Erkyn, merchant of Kirkcudbright, were in 1237 trading between Galloway and Ireland, and in 1248 Roger himself had permission from the English government to load two ships with wine and victual in any Irish port and sail them overseas, perhaps to his ports at Kirkcudbright or Irvine in Ayrshire.[1]

Towards the end of his life Earl Roger again took a special interest in Scotland, not merely as a great landowner and as constable of the youthful Alexander III, but also as a diplomatic representative of his other overlord, the king of England. During the years 1257-61 he travelled frequently to Scotland on Henry's behalf.[2] In his diplomatic relations with Scotland since the marriage of his daughter Margaret to Alexander III in 1251, Henry had aimed at protecting the interests of the young king and queen, but had also hoped to exercise some supervision over Scottish affairs.[3] A powerful grouping of Scottish magnates, including the principal members of the Comyn family, resented Henry's interference and on 4 February 1257 Alexander III wrote to Henry III complaining about pressure from this group.[4] About 30 March, Earl Roger left England to go to Scotland 'for the affairs of Alexander, king of Scotland'. He was present in Alexander's court at Stirling on 24 June.[5] Henry then appointed the archbishop /

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1. CPR, 1232-47, pp. 178, 204; CR, 1247-51, p. 51.

2. CPR, 1247-58, pp. 547, 609; CR, 1256-59, p. 300; CPR, 1258-66, pp. 41,69, 152.

3. Powicke, Thirteenth Century, pp. 582, 592-3.

4. CDS, i, no. 2077.

5. CPR, 1247-58, p. 547; J. Hodgson, History of Northumberland, pt. III, vol. i, pp. 12-13.

archbishop of York, the bishop of Durham, Earl Roger and others to attend Alexander's council at Stirling on 29 August in order to determine disputes between Alexander and certain magnates of his realm.[1] But efforts at conciliation failed and in September the Comyn faction seized the king and queen at Kinross and took control of the government. About the end of December, Earl Roger again left England for Scotland on the service of Henry III.[2] In March 1258, the Comyns and their supporters made an alliance with Llywelyn of Wales and his followers for mutual support against England; and once more Roger travelled to Scotland, along with the abbot of Bury St Edmunds and John de Balliol, charged with attending Alexander's parliament at Stirling on 24 April and delaying its meeting until Henry could send some of his magnates to it.[3] Although both Henry and the Scottish government under the Comyns assembled their military forces, war was avoided and mediation produced a compromise. A new council of regency was established, including both Comyns and English sympathisers. Henry accepted the position in November 1258, and the crisis was over.[4] That Earl Roger was one of the mediators is very clear. He was well qualified for this position, as a major tenant-in-chief of both the Scottish and the English crowns, and also as the father-in-law of Alexander Comyn, earl of Buchan. Lacking further details of /

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1. CPR, 1247-58, p. 571.

2. Chron. Melrose, 114; M. Paris, Chron. Maj., v, 656; CPR, 1247-58, p. 609. Probably as a result of this visit, Henry III granted a pardon to Richard of Daventry at the joint request of King Alexander and Earl Roger (CPR, 1247-58, p. 612).

3. Foedera, I, i, 370; CR, 1256-59, p. 300.

4. Powicke, op. cit., p. 592.

of the negotiations, we cannot be more precise about Roger's part in them; but as in the English crisis of 1258-59 he appears rather as one of the supporting players than as a principal actor in the drama.

One of Roger's last important public acts in Scotland was to serve, in October 1260, with John de Balliol, as the conductor of King Alexander and Queen Margaret who were journeying to England, where, in February 1261, the queen bore her first child.[1] Roger was here again following a family tradition, for his father Saher had performed the same service on the occasion of William the Lion's visit to King John in 1200, when Roger himself was very young.[2]

A hint of Roger's advancing years occurs in 1259, when he had a grant from Henry III promising that the earl's will should be allowed to stand and that on his death his executors should have free administration of his goods.[3] Roger's doctor, Mr Robert, witnesses acts dating from the last years of the earl's life.[4] If he was born, as already suggested, about 1195, he must have been close to seventy when he died on 25 April 1264:[5] a very advanced age in medieval times. We do not know where he died; and it is not quite certain where he is buried. He had bequeathed his body to Brackley hospital; but a cartulary of Garendon abbey states that he is buried there.[6] We can at least be sure that - lacking a son - the old earl died a very disappointed man.

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1. CPR, 1258-66, p. 90.
2. See above, Chapter I, p. 15.
3. CPR, 1258-66, p. 9.
4. Nos. 15, 18.
5. CIPM, i, nos. 587, 732, 776.
6. Nos. 45, 96; BM, Lansdowne MS. 415, fo. 38r. Matthew Paris (Chron. Maj., v, 341) says that Roger chose to be buried at Brackley. Perhaps as with Countess Margaret the corpse was buried in one place and the heart in another.

CHAPTER II

THE ESTATES

THE NATURE OF THE EVIDENCE

Earl Roger had estates in both Scotland and England.[1] Those in Scotland north of the Forth were mainly in Perthshire and Fife, while south of it one block was in Midlothian, East Lothian and Berwickshire and another was in Galloway. In England, there were only a few in the northern counties: Cumberland, Yorkshire, Lincolnshire and Derbyshire. The principal grouping of estates was in the Midlands, in Leicestershire, Warwickshire, Northamptonshire and Huntingdonshire. To the south-east of this main group there were others in Cambridgeshire, Bedfordshire, Buckinghamshire, Hertfordshire and Essex. To the south-west, they extended through Oxfordshire, Berkshire, Gloucestershire and Wiltshire down to Dorset on the south coast.

Since no block of family or estate archives has survived, the evidence about the estates has to be drawn from less direct sources. For England, these are extensive, but for Scotland they are much less complete.

Two lists of the earl's English lands have survived, one dateable to the period between 1235 and 1238,[2] the other belonging to the year 1277 /

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1. Detailed evidence about the lands described in this chapter, and supporting references, will be found in Appendix D, which should be consulted if no reference is here quoted in support of a statement about particular lands.

2. Hastings, i, 331-4. (For this dating, see App. D.)

1277 and arising from the final partition of the estates among his three daughters, his co-heiresses.[1] These lengthy surveys are the main source of evidence about the location of the English lands, but they can be supplemented by information from the public records. Following the earl's death in 1264, inquisitions post mortem were held in various counties, the results of which have been collated with the two lists.[2] The series of official surveys collected in the Exchequer Book of Fees produces further evidence and the Hundred Rolls contain a number of references to enfeoffments made by the earl. Lastly, the texts assembled in the present collection reveal some of the earl's own dealings with his estates.

For Scotland, no lists of lands survive and the public records of the thirteenth century are almost non-existent. We therefore have to rely heavily on the texts of the earl's acts, which are thus a major source of information about Scotland although much less important in England. By a fortunate chance, Helen la Zouche, one of the earl's daughters, died in 1296 while Scotland was under the administration of Edward I and the inquisitions taken on her death have survived among the English public records.[3] From them, we can extract details about lands which probably belonged to the earl before descending to his daughter. Notes from some early Scottish Exchequer Rolls were made in the seventeenth century. By a further stroke of luck, these cover the years 1264-6, when the earl's Scottish estates were in the hands of the crown, and provide a few mentions of his lands /

1. Hastings, i, 323-30.
2. CIPM, i, nos. 587, 732, 776.
3. CDS, ii, no. 824.

lands, which were then held by keepers whom the king had appointed.[1] When Scottish public record makes its appearance again in the reign of Robert I, the Register of the Great Seal produces a number of references to lands forfeited by members of the families of Comyn, Ferrers and Zouche, and it is sometimes possible to infer from the fact of joint ownership that these lands had originally belonged to Earl Roger.

From these materials it has been possible to construct a feodary of the earl's estates. But what kind of picture of the estates can we draw from it? Although the English evidence is bulky and apparently very detailed, it has several limitations. It does not include manorial accounts and it is therefore impossible to carry out the kind of survey of the administration and economic working of the estates which scholars have undertaken for other estates from the late thirteenth century onwards.[2] Although the two main lists of lands are very elaborate, that of 1277 was made thirteen years after the earl's death and in some ways we know more about what happened to the estates when they passed to others than we do about what the earl did with them in his lifetime. Both the lists of lands and the inquisitions post mortem can be notably unreliable. There are frequent variations between items of evidence from different sources, particularly about the sizes of fees. It is difficult to believe that the land in Waltham, Leicestershire, which Philip Daubeny held of the /

1. ER, i, 33.

2. E.g. Robert Somerville, History of the Duchy of Lancaster, vol. i (London, 1953); Levi Fox, Administration of the Honor of Leicester in the Fourteenth Century (Leicester, 1940); Holmes, Higher Nobility.

of the earl and granted in alms to the abbot of Croxton was only half a fee before 1238, became a full fee by 1270 and shrank to half a fee again by 1277. It is therefore unwise to rely too closely on particular details drawn from the evidence about the English estates.

On the other hand, a good deal can be learned from these voluminous lists and inquisitions. When the various sources are collated, they confirm one another at many points and it is possible to make a detailed study of where the estates lay, which were the most important manors and which were the holdings of the principal tenants. A good picture of the tenurial structure can be built up. Occasionally, the texts of the earl's acts add sufficient detail to show some of his dealings with individual estates. This is specially true for his borough of Brackley, in Northamptonshire, about which twenty charter texts happen to have survived. By studying our feodary against the background of the earl's career, we can also trace chronologically the growth of this agglomeration of properties.

The much less comprehensive Scottish evidence produces a correspondingly incomplete picture. Far fewer details are available, even about the basic facts of where the estates were situated. For example, there are no early cartularies for any of the monasteries of Galloway and consequently no texts survive for that area. As the texts are the main source of information about the Scottish estates, the result is a distressingly short list of lands in the south west, where we know from a remark by Matthew Paris that the earl had considerable properties.[1] Other areas are not quite so bare, but even /

1. M. Paris, Chron. Maj., iv, 563.

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even in Fife, for which nearly twenty places are listed, we must assume that the earl possessed other individual estates in the vicinity of those for which we do have evidence. A few documents have survived about the holdings in Fife of one tenant, John of Kinloch, and these alone mention no less than five rather scattered properties; but there is no similar group of texts for any of the earl's other Scottish lay tenants. In general, we lack the detailed knowledge of the location of the Scottish estates which could have been gleaned from a fuller body of texts, and there is of course no hope of revealing the elaboration of the tenurial structure as we can do in England.

Yet the materials available for a study of the Scottish estates are fuller than those for the estates of most of Roger's Scottish contemporaries. Professor G. W. S. Barrow has made a survey of the Steward estates down to 1241,[1] and it would be possible to study the lands of the earls of Fife in a similar fashion,[2] but less light can be shed on the estates of the other major barons of the period. It is therefore fortunate that we can at least point out Roger's principal properties and catch some glimpses of both lay and ecclesiastical tenants and their holdings. And it is particularly valuable for the study of feudal society in thirteenth-century Scotland that we can trace the links which some of these tenants had with the earl's English estates.

GEOGRAPHICAL SURVEY /

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1. 'The earliest Stewart fief', The Stewarts, x (1956), pp. 162-78.
2. See extent of lands of the earldom of Fife and accounts of keeper of same, 1293-4, in Stevenson, Documents, i, 407-18.

GEOGRAPHICAL SURVEY

The most northerly of Earl Roger's estates lay in Perthshire. At Gask, eight miles WSW of Perth, he held land in demesne. In Perth itself, he held the feudal superiority of at least two tenements and granted annualrents to tenants from lands in the burgh.

The Fife estates were widespread, but included two main blocks of lands. One of these centred on Leuchars, in north-east Fife, which he may have held as a knight's fee. Tenants of the earl had lands at Bruckly, Fetters and Swanliemire, in Leuchars parish, and at Cruvie, in the neighbouring parish of Logie. The other group of lands lay in central Fife, in the broad valley of the River Eden known as the Howe of Fife. Here, in the parish of Collessie, the earl possessed the moors of Edensmuir and Kinloch, and the unidentified lands of 'Monagrey' and 'Thoreston' may have lain in this area. In the same parish, Lindores abbey held the church by grant from the earl and one of his tenants had shielings at Kilwhiss. South of Collessie, in the parish of Kettle, Lathrisk is described as being in the earl's territorium.

Scattered elsewhere in Fife were other properties. There was one tenancy in the north, at Over Naughton, another in the extreme west of the county, in Strathmiglo parish, and another lying south-west of the estates grouped in the Eden valley, across the Lomond hills at Strathenry, in Leslie parish. Further south still, the earl possessed Dysart, on the coast. The only other property north of the Forth which remains to be mentioned was at Clackmannan, where, near the castle, the earl had land which belonged to the constableship of Scotland.

South /

South of the Forth, in East Lothian, his estates lay in the north-west of the county, in the coastal area through which runs the modern A1 road. The only lands in Prestonpans parish of which we have evidence were granted away in alms: to Holyrood abbey land at Preston and to Newbattle abbey the grange from which Prestongrange took its name. But in the contiguous parish of Tranent there was a more important unit. Here the earl had a chief messuage, a mill and a colliery, along with tenancies in Tranent itself, at Falside and probably at Myles. In Gladsmuir, the neighbouring parish on the east, the earl had lands with a mill at Longniddry. There was one more piece of property in the county: a toft in Haddington granted in alms to Dryburgh abbey.

There were three properties in Midlothian. In the north-west of the county, the earl probably held East Calder and also acquired one oxgang at Hermiston, five miles to the north-east. At the other extremity of the county, the earl had land in Heriot parish, which lies at the head of the valley of the Gala Water. In the neighbouring county of Peeblesshire were two minor pieces of property. 'Kulmad', granted away in alms, remains unidentified. In Eddleston, the earl and his first wife Helen resigned to the bishop of Glasgow any rights in the fee accruing from their predecessors.

The Heriot estate lay at the head of a valley leading south by the Gala Water to Tweeddale. But in early times the most important route to the south into Berwickshire followed the direction of the Roman Dere Street. This route crossed the Lammermuir hills by Soutra and descended through Lauderdale, at the south end of which the River Leader meets the Tweed two miles east of Melrose. The earl /

earl had considerable properties in Lauderdale, probably holding as a tenant-in-chief of the crown half of the valley itself and half of the toun of Lauder. Individual properties lay at Glengelt, in Channelkirk parish, on the northern boundary of Berwickshire, at Newbigging, two miles north of Lauder, and at Redpath, one mile NE of the junction of Leader and Tweed. A southward continuation of the Lauderdale estates lay in Mertoun parish, on the north bank of the Tweed, including land at Gladswood and Dalcove.

The remaining Scottish estates lay in the south-west, in Kirkcudbrightshire, Wigtownshire and Ayrshire. Information about them is meagre and is almost entirely derived from our knowledge of what lands were later possessed, and sometimes forfeited, by the earl's descendants. In the north-east of Kirkcudbrightshire lay Troqueer and Drumsleet. The earl's three properties at Colvend, Kelton and Senwick appear in conjunction in the fourteenth century. In spite of this link, they are widely separated: Colvend is a coastal parish, near Urr Waterfoot; Kelton lies across the Urr, eight miles away to the NW; and Senwick is about twelve miles SW of Kelton, across another major river, the Dee. The earl had land at Kirkcudbright itself and also further west at Girthon, two miles south of Gatehouse of Fleet. In Wigtownshire, the only places which can be listed are Cruggleton Castle, three miles NE of Whithorn, and 'Mauhirton', which has not been identified. The Ayrshire estates were all in Cunningham. One group lay at Irvine and Dreghorn. A later conjunction consisted of Grougar, in the parish of Kilmarnock, and Lambroughton, in the neighbouring parish of Stewarton.

The /

The most northerly of the English estates were in Cumberland.[1] One of these, Liddell, was just across the Border, about nine miles north of Carlisle. It was about thirty miles from the nearest Scottish estate, at Troqueer, in Kirkcudbrightshire. The earl's other Cumberland estate was at Torpenhow, about eighteen miles SW of Carlisle.

At this point there is a large gap in the chain of estates: there were none in Westmorland at all. In Yorkshire there were seven fees, out of which only two manors are now identifiable, both in the West Riding: Scholes, about five miles NE of Leeds, and Kippax, about nine miles SE of it. The distance from Scholes to the nearest Cumberland estate, Torpenhow, is about 100 miles. The earl later exchanged Kippax and Scholes for the manor of Elmsall, about twelve miles SSE of Kippax. There was one valuable manor in Nottinghamshire, at Kneesal, but the Lincolnshire estates consisted of fractional fees held by tenants.

With Leicestershire, we reach the most important county of all, which was central to the economic thinking and estate planning of the earl and his servants. Here were over one-third of the English estates,[2] including three of the thirteen demesne properties which he held at his death. These three manors lay near the fringes of the forest of Charnwood, a large hilly area some eight miles NW of Leicester /

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1. The English estates are here described more summarily than the Scottish ones, for the reasons stated above, Introduction, p. 4.

2. Appendix D lists under Leicestershire 80 of the 212 units of property in England which can be identified by county.

Leicester, a considerable part of which was held by the earl.[1] To the south of the forest was the valuable manor of Groby, where one of the earl's courts was held,[2] and near which there still exists the deer park of Bradgate, in which the earl had hunting-rights acquired from the earl of Arundel in 1242. To the north of the forest lay the less valuable manor of Shepshed, close to which was Garendon abbey, which benefited from the earl's patronage. The third demesne manor was Whitwick, lying at the north-eastern extremity of Charnwood Forest, and linked to Groby by 'the road which comes from Whitwick to Groby'.[3] The estates so far described all lay in the NW of the county and the earl's territorial influence in this area was considerable, based as it was on an area of forest and three demesne manors. Tenants' fees were scattered fairly evenly throughout the county, from Hemington in the north to Swinford in the south. The fees of the earl's principal tenants were fairly concentrated. The least compact were the fees of Ernald de Bois, which were widespread in the east and south of the county from Thorpe Arnold in the NE to Claybrooke in the SW. The fees of the Zouche family were centred on Ashby, in the NW, with outliers at Oadby, Carlton Curlieu and Rolleston in the SE. The Burdet family had a tight grouping of fees /

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1. Although one of the earl's acts refers to 'our forest of Charnwood' (No. 52), there were other proprietors: '... early in the thirteenth century the Earl of Chester possessed a considerable area in the eastern part of the forest [and] the greater part of Charnwood Forest was divided from the thirteenth century onwards between the lords of several manors adjacent to the forest' (VCH Leicestershire, ii, 268).

2. No. 52. References in Nos. 65 and 69 to the earl's court are probably to the court at Groby.

3. Fine made in 1240 between Earl Roger and Hugh, earl of Arundel (Trans. Leicestershire Archaeological Soc., xv, 1927-8, pp.22-23).

fees about seven miles ESE of Leicester, at Frisby, Galby, Stretton Magna and Norton, with two others SW of the town, at Huncote and Braunstone.

In Warwickshire, the earl's properties were almost all in the eastern half of the county, which borders on Leicestershire and Northamptonshire. Although twenty-three units of property are listed for the county, none was a demesne manor and some were 'outliers' of tenants' estates whose centres lay elsewhere. At Bulkington, for example, which is close to the boundary with Leicestershire, Ernald de Bois had an important fee, with which were associated lands at Weston in Arden and Ryton, in the same parish.

The Northamptonshire estates lay in two main blocks. At the southern tip of the county, the earl's borough of Brackley and his nearby manor of Halse formed another key point in estate administration.[1] Some eight miles to the N of Brackley were a few tenants' fees: the Bassets at Woodford and Thomas Kynne of Northampton at Maidford. In the middle of the county lay a block of eight tenants' fees and also a small demesne manor at East Farndon, on the Leicestershire border. In the vicinity of these fees was Long Buckby, the original home of the Quincys in England. The demesne manor of Wadenhoe lay apart from these two blocks, in the northern part of the county.

There /

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1. Brackley may have been the caput of Earl Roger's honour. The inquisition post mortem taken in 1296 on the death of his daughter, Helen la Zouche, records that there was at Brackley 'a foreign court called the honour of Wyncestre' (CIPM, ii, no. 363).

There were two demesne manors in Huntingdonshire: Eynesbury, to the S of St Neots, and Southoe to the NW of it. Associated with Southoe was property at Stirtlow, including one of the earl's woods. The five remaining properties in the county were held by tenants, that at Keyston being of particular interest, since there are signs that the earl's demesne there had been converted into tenancies.

Geographically, the core of Earl Roger's estates lay in the central midlands of England: Leicestershire, Warwickshire, Northamptonshire and Huntingdonshire account for 135 out of a total of 212 units of property in England. Only one demesne manor lay to the S of these counties: Chinnor, in Oxfordshire, another jurisdictional centre, where the earl held his 'great court' which exercised view of frankpledge.[1] All the remaining fees to the SE and SW of the main block were tenancies. Some were held by members of the family, such as Colne Quincy, in Essex, and Ware, in Hertfordshire, both of which were tenanted by the earl's brother Robert de Quincy III. The manor at Ware, some twenty-five miles N of London, would be a convenient staging-post on journeys to the capital. In most of these peripheral counties, the fees were held by a number of minor tenants, but one exception to this pattern is Gloucestershire, where all but two of the twelve fees were held by Ernald de Bois.

CHRONOLOGICAL SURVEY /

1. No. 142.

CHRONOLOGICAL SURVEY

As Roger was not the eldest son of Earl Saher, but merely the eldest surviving son, it is unlikely that he was provided in early youth with much landed property. But on the death of his brother Robert II, in 1217, he became his father's heir and it was probably after he acquired this position of importance within the family that his father granted to him a number of fiefs on the English estates of the family. Following his father's death in 1219, reference was made to the lands which Saher had already given to Roger in the counties of Oxfordshire, Huntingdonshire, Cambridgeshire and Cumberland.[1] It is not possible to discover which lands in the first three counties were in Roger's possession before his father died. But the records are more specific about Cumberland, and narrate that William de Valognes had bequeathed land at Liddell to Earl Saher, his father-in-law, who granted it to Roger.[2] The estate was that of Eustace de Stuteville, then a minor, whose wardship Roger obtained about the same time. Through his possession of the same wardship, he purchased in 1223, for fifty marks, property at Torpenhow, also in Cumberland.[3] Neither estate is certainly recorded in Roger's possession at any later date, but he did hold lands in Cumberland in 1229 and may have retained interests in the county as late as 1252, when he was fined for /

1. CR, 1204-24, p. 423. Saher may also have given Roger a moiety of the manor of Pimperne, Dorset (CR, 1204-24, pp. 441, 457).

2. Ibid., pp. 448-9.

3. CDS, i, nos. 840, 847-8.

for forest transgressions there.[1]

There are indications that Roger may have possessed lands in Scotland before his father's death. On one occasion he was certainly closely associated with the issue of one of his father's Scottish acts. In a charter dateable between 1217 and 1219 Earl Saher granted to the canons of St Andrews a rent of three marks from his mill of Leuchars.[2] The grant is made with the assent of Roger, his son and heir, who heads the witness list as 'Rogero de Quinci, herede meo'. Roger issued a separate confirmation of his father's charter, almost certainly at the same time, as the witness lists are nearly identical.[3] Such precautions to associate the grantor's heir with his own acts were commonplace, but there is also a suggestion that Roger may already have had some share in the administration of his father's Scottish properties. Both charters are witnessed by William of Shelford, who is designated in both 'senescallo meo'. This could be a slip of the pen, made by a clerk who was copying one witness list from the other. But William of Shelford is independently described as Roger's steward in two charters issued by the brothers Saher and Roger of St Andrews, which apparently also belong to the period before Earl Saher's death.[4] In one of these the designation is actually 'senescallo R. de Quenci in Scocia'. It is possible that there was a form of joint ownership of some of the Scottish estates, which involved one steward who acted for both Roger and his father.

At /

1. CDS, i, nos. 1876-7; CR, 1227-31, p. 152.
2. St Andrews Liber, pp. 255-6.
3. No. 22.
4. App.A, nos.12,13.

At Earl Saher's death in 1219, Roger succeeded to certain of the Quincy family estates, but not to those lands of the honour of Leicester which his mother had brought to the family. These did not pass to Roger until her death in 1235. It is nearly as difficult to discover accurately which lands Roger inherited from his father as it was to say which he had already acquired from Earl Saher. The Close Rolls refer to lands in Cumberland, Cambridgeshire, Huntingdonshire, Northamptonshire, Oxfordshire and London.[1] The Cumberland fiefs were those at Liddell and Torpenhow, already described. About the London properties we can say nothing, for none of the records of Roger's own landholding mentions any land which he held there.[2] There are a few references to specific lands in the remaining counties as being in Roger's possession before 1235. These must have descended from his father, not his mother. We can also discover which properties of the Quincy family, turning up at a later date in Roger's hands, must therefore have reached him through his father.

The fullest statement about Roger's inheritance from Earl Saher appears in a family settlement reached in 1230 by means of a fine between Roger, as plaintiff, on the one hand, and John de Lacy, constable of Chester, later earl of Lincoln, and Margaret, his wife, Roger's niece, on the other.[3] John and Margaret admitted that Saher's /

1. CR, 1204-24, pp. 423, 448-9.

2. No. 155 includes a reference to a messuage held of the earl in 'Flesmangerstrete', in a town not specified, but possibly London or Winchester.

3. App. A, no. 14.

Saher's inheritance in England, Scotland, Flanders and Normandy belonged to Roger, who granted to them from the English properties four manors: Bradenham, Norfolk, Grantchester, Cambs., Long Buckby, Northants., and Hardwick, Hunts. This grant was something of a formality, since these manors were the dower of Margaret's mother, Hawise, countess of Lincoln, to whom Saher had granted them on her marriage to his son, Robert II.[1] As Hawise was still alive in 1230, and was a party to the fine, Roger held no more than the feudal superiority of these manors and the Long Buckby fee at least descended in the line of the earls of Lincoln[2] and was not listed as belonging to Roger at his death. The same fine details other properties as part of the inheritance. In Huntingdonshire, Saher had held, Keyston, Southoe and Eynesbury. The latter was certainly in Roger's hands by 1236-7 and was to become one of his demesne manors. But his mother not only retained her share of the honour of Leicester, but also received, as part of her due third of her late husband's estates, this manor of Eynesbury, over which Roger's control was thus for the time being purely nominal.[3] Southoe, however, may have been in Roger's own hands, since associated property at Stirtlow was certainly in his possession by 1231.[4] Keyston, likewise, was under Roger's control by about 1230.[5] The last of Saher's possessions mentioned on the occasion of this settlement was Chinnor, in Oxfordshire. King John had granted to Saher twenty-seven librates in Chinnor and Sydenham /

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1. App. A, no. 2.
2. HKF, i, 33.
3. CR, 1204-24, p. 424.
4. ČDS, i, no. 1135.
5. Liber de Bernewelle, p. 266.

Sydenham, the property of a Norman.[1] Roger received a royal gift of deer for his park at Chinnor in 1233, that is, during his mother's lifetime.[2] Roger's patrimony, as described on the occasion of this fine, was therefore more imposing on parchment than on the ground. To add to his Cumberland estates, Roger got Southoe, Keyston and Chinnor, but the rest was a handful of feudal superiorities.

A few other superiorities not mentioned in the 1230 settlement may have been included in Earl Saher's inheritance. In Cambridgeshire, the lordship of lands at Arrington and Orwell held by the family of Dive passed to the Quincy family, but whether to Saher or directly to Roger does not appear.[3] In the same county, a fee at Wimpole tenanted by the Bassingburn family had been in Quincy hands since Henry II's reign and passed to Roger, presumably through his father.[4] The Quincy interest in Colne, Essex, also dated from the time of Henry II, but the land there which was later held of Roger by his brother, Robert II, had passed to Robert directly, by gift of Earl Saher.[5]

Even allowing for gaps in our knowledge, we can hardly describe Roger's English estates at this time as an impressive honour. The Scottish properties descending to him from his father were at least as extensive as those in England and might prove to be the more important fief if only our evidence about them were fuller. One feature /

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1. Fees, i, 613.
2. CR, 1231-4, p. 266.
3. Farrer, Cambridgeshire, pp. 237-8, 254-5.
4. Ibid., 251-2.
5. Pipe Roll 21 Henry II, p. 126; CR, 1204-24, p. 432.

feature at least of that evidence is striking. The present collection includes seven, or possibly eight, acts which Roger issued before he was recognised as earl of Winchester in 1235.[1] All of these concern Scotland. In spite of the stronger chances of survival which his English acts seem to have had, we have no text of any charter about the English estates issued before 1235. The Scottish properties were no mere appendage to an English honour, but were a vital source of profit and prestige for the prospective earl. And if it is true, as the documents hint, that Roger and his father had controlled some of their Scottish territories jointly, this arrangement also must be significant of the importance which they placed on their northern possessions.[2]

The major part of the lands which now came under Roger's sole authority in Scotland had been acquired by his grandfather, Robert de Quincy I, as a result of his marriage to Orabile, daughter and heir of Ness son of William. The lands at Gask, Leuchars, Lathrisk, Strathenry, Tranent, Prestongrange and Falside were certainly part of this ancestral heritage,[3] and we may conjecture that other Fife properties such as Collessie, Edensmuir, Kinloch and Dysart had also been among the curiously scattered possessions of the mysterious Ness. But /

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1. Nos. 1, 2, 7, 22, 28, 30, 36 and possibly No. 27. Two lost acts dateable before 1235 also concern Scotland: Nos. 24, 31.

2. On her husband's death, Countess Margaret could have claimed from the Scottish crown her due third of his estates in Scotland. If she ever did so, no record of this has survived; and it seems a distinct possibility that, by a family arrangement, she had resigned to Roger her rights in the Scottish estates.

3. CP, XII, ii, 747, note j; Ritchie, Normans in Scotland, pp. 284-5; Inchcolm Chrs., p. 3.

But no grouping of estates was ever entirely static and parts of the Quincy domains had been granted away before Roger took possession. The site of the old castle at Forfar, given to Robert de Quincy I by King William I, was acquired by Mr Roger de Argentan[1] and the lands which Ness had held at Deuglie, in the SE corner of Perthshire, passed by the gift of Earl Saher to the abbey of Cambuskenneth.[2] Yet there had been gains as well as losses: the toft in Haddington which William I had given to Robert de Quincy descended intact to Roger.[3] The land in the burgh of Perth which Roger described as being part of Earl Saher's barony[4] may have been one of Saher's own acquisitions: part of his 'conquest', in the Scots legal phrase, not of his heritage. However accumulated, the Scottish barony which became Roger's in 1219 was sufficient to give him standing as a well-endowed tenant-in-chief of the Scottish crown.

Roger's next addition to his estates lay midway between his properties in central Scotland and his manors in the English midlands. On his marriage to Helen of Galloway, before 1233, he received as her marriage portion seven fees in Yorkshire,[5] apparently part of the marriage portion which had come to Helen's father Alan of Galloway on his marriage to a member of the Lacy family.[6] Only two Yorkshire manors /

1. St Andrews Liber, p. 354.
2. Cambuskenneth Registrum, nos. 70-73.
3. No. 27.
4. No. 10.
5. Hastings, i, 334.
6. CRR, vii, 86; SP, iv, 141; M. Paris, Chron. Maj., iii, 364.

manors, Kippax and Scholes, can be identified as part of Helen of Galloway's dowry. Roger still held his Yorkshire fees on 21 November 1245, and Helen was then alive, but she was dead by 5 June 1250.[1] In 1254, Roger returned Kippax and Scholes to the Lacy family in exchange for Elmsall and other manors.[2] No Yorkshire properties except Elmsall are listed in the inquisitions on Roger's death in 1264 and the remainder of the marriage portion may similarly have reverted at some point to the Lacys.

Through this connection by marriage with the lords of Galloway, Roger now acquired his largest block of lands so far. His wife Helen was the eldest of the three surviving daughters of Alan of Galloway, amongst whom Alan's lands were divided after his death in 1234.[3] It is difficult to discover exactly where these new estates lay and how extensive they were. According to Dr R. C. Reid, 'it has been generally assumed that the three divisions [of Alan's lands] were definite units and not scattered groupings. [Helen of Galloway's] share must have been the most westerly and may have covered most of Wigtownshire. Dervorgilla, [wife of John de Balliol], received the eastern portion, probably from Nith to Fleet. Between these must have been the portion of Christina who married the earl of Albemarle. But there may have been odd estates or particles of land outwith the clear-cut divisions.'[4] Further complications /

1. CR, 1242-7, p. 371; CP, XII, ii, 753.
2. Yorkshire Fines, 1246-72, p. 193; No. 43.
3. M. Paris, Chron. Maj., iii, 365; Chron. Melrose, pp. 83-84.
4. Wigtownshire Charters, p. xxxix.

complications came with the death of Christina in 1246, when her part of Galloway fell to Roger, as husband of the eldest sister.[1] A petition to Edward I in 1305 claimed that the Balliol family had received more than their share of the Galloway lands,[2] and it is likely that family arrangements had involved exchanges of property which altered the lines of the original tripartite division. It is certain that on Roger's own death the royal keeper who was appointed to hold two thirds of his Galloway lands was Alexander, earl of Buchan, his son-in-law, and that he held office at the same time as sheriff of Wigtown.[3] This suggests that Roger's principal interest was in Wigtownshire. His influence there may have centred on the castle at Cruggleton which evidently passed from Alan of Galloway through Roger to John Comyn, earl of Buchan, his grandson. But further east, in Kirkcudbright, his estates at Girthon, Senwick, Kelton, Colvend, Troqueer and Drumsleet were hardly negligible, although scattered.

The estates of the lords of Galloway extended well beyond their enclave in south-west Scotland. Alan of Galloway's father Roland had the wisdom, like Roger himself, to marry an heiress, Helen de Moreville, who became the owner of her family's considerable estates when its last male member died in 1196.[4] From her, there descended to Roger holdings in Lauderdale, which were described as one half of the toun of Lauder and one half of the valley, probably reckoned as /

1. M. Paris, Chron. Maj., iv, 563. 2. CDS, ii, no. 1541.
3. ER, i, 22. 4. SP, iv, 139.

as six knights' fees.[1] From the same source he acquired his Ayrshire properties, lying in the lordship of Cunningham which King David I had granted to Hugh de Moreville,[2] and also lands at Heriot, in Midlothian.[3] Completing the list of former Moreville estates is the fief of Eddleston, in Peeblesshire, in which Roger and Helen of Galloway resigned their interests in favour of the church and bishops of Glasgow, as the Balliol and Aumale heirs did too.[4]

There descended also from the Morevilles the office of constable of the king of Scots, which passed to Roger in right of his wife, together with the properties attached to it. The 'constable lands' which are recorded in Roger's possession are not extensive. In addition to a further tenement in Perth, 'pertaining to the constableship of Scotland',[5] the office brought him land in Clackmannan, which he granted to Nicholas, the king's brewer, who in return agreed to build for him there a stable for twelve horses and a wooden camera of specified dimensions.[6] But as usual the Scottish evidence is like /

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1. Roger's daughter, Helen la Zouch, held one-third of half of the toun and valley for the service of one knight (CDS, ii, no. 824(2)). The other half of the lordship of Lauder passed to the Balliol family through Dervorgilla (Dryburgh Liber, nos. 9-13, 137). For a survey of the Moreville lordship see G.W.S. Barrow, 'The beginnings of feudalism in Scotland', BIHR, xxix (1956), pp. 16-18.

2. ESC, p. 273.

3. Heriot is shown as Moreville property in the maps of xii-xiii century Scotland prepared by the late D.W. Hunter Marshall (now in Glasgow University Library); but I have been unable to trace the source of his information.

4. Glasgow Registrum, i, nos. 44-45, 167-71.

5. No. 9.

6. No. 26.

like an iceberg: much more is concealed beneath the surface than appears above it. From later sources, we can trace constable lands in other burghs. In 1405, a later constable, William Hay, first earl of Erroll, granted his constable lands in Inverness to Thomas Cuthbert, a burgess, who undertook to provide thereon a sufficient stable for twelve horses, for the use of the constable and his heirs.[1] The parallel with Clackmannan is striking. In 1367, there was a 'hostilage' of the Lord Constable, beside that of the Lord Steward, in the toun of Cowie, near Stonehaven, in Kincardineshire.[2] We know that the steward had received from Malcolm IV 'one full toft for his lodging in every burgh and every demesne lodging of the king'[3] and the constable must have been similarly endowed. The pattern which emerges suggests that the crown had provided the constable with tenements in a number of royal burghs for his use as lodgings in the course of his peregrinations.

Roger's possessions were now widely spread throughout Scotland, perhaps even as far north as Inverness. He was no longer merely a landowner of some standing in Perthshire, Fife and Lothian. He had become one of the great magnates of the realm and had added to his scattered fiefs not only burghal properties throughout the kingdom but also two notable centres of influence in Lauderdale and Galloway. His Scottish estates had now reached their greatest extent and he was to hold them for a generation to come.

These /

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1. Spalding Misc., ii, 211-12.
2. Ibid., p. lxxxix.
3. RRS, i, no. 184.

These new Scottish properties had come to Roger on the death of his father-in-law and within a year the death of his mother, in 1235, brought him even greater landed wealth in England. Since Earl Saher's death, Roger's expectancy of his mother's property had been safeguarded in the course of a number of transactions, such as the family settlement with the Lacys in 1230,[1] and the grant to her in 1229 of all lands belonging to Norman rebels on her estates, which included a clause of remainder in favour of her son.[2] For fifteen years Roger's prospects in England had been greater than his possessions, but now, an earl at last, he entered upon his full patrimony.

The inheritance of Countess Margaret was that half of the honour of Leicester which had fallen to her on the partition of the honour in 1206-7. The other half had gone to the Montfort family and after some difficulties came in 1232 under the control of Simon de Montfort, later earl of Leicester.[3] The Montfort half retained the name 'honour of Leicester' and, becoming attached to the earldom of Lancaster, was merged in the duchy of Lancaster which became a crown appanage in 1399.[4] The Quincy half has attracted less attention, but was, like the other, of considerable extent. Each half was reckoned by the crown in 1231 to be 60½ and one-fifth knights' fees,[5] but this official figure is much smaller than the actual number of fees /

1. App. A, no. 14.
2. CPR, 1225-32, p. 256.
3. Levi Fox, 'The honour and earldom of Leicester: origin and descent, 1066-1399', EHR, liv (1939), pp. 393-6.
4. Ibid., 397-9.
5. Pipe Roll, Michaelmas, 1231, quoted in CP, vii, 544.

fees held. The main block of Roger's new estates was in Leicestershire and included the demesne manors of Groby, Shepshed and Whitwick. No lands in the borough of Leicester are known to have belonged to Roger, but he received profits from the borough court. There were demesne manors at Brackley, Halse and Farndon in Northamptonshire, and in Huntingdonshire the Eynesbury manor, his mother's dower, was now added to those at Southoe and Keyston which Roger already held. Tenants' fees were spread widely over the midland and southern counties of England.[1] The new earl's English possessions were now even greater than his Scottish fiefs and thus in England also he had become a powerful and wealthy magnate.

Roger acquired little property during the remainder of his life. The dowry of his second wife, Maud, daughter of Humphrey de Bohun, earl of Hereford and Essex, apparently included land at Brockhampton, Gloucestershire, which she transferred to Brackley hospital, where she wished to be buried.[2] He had an interest in her attempt in 1250 to obtain lands in Gloucestershire and elsewhere as the dower due to her from the estates of her first husband, Anselm Marshal, earl of Pembroke.[3] But she died in 1252 and that interest lapsed. It is doubtful if he received any dowry with his third wife, Eleanor de Vaux, whom he married in great haste and without royal licence. She had interests in Ireland, also arising from a relationship with the Marshals, earls of Pembroke, but no Irish lands became part of the Quincy /

1. For ease of identification, fees which had formed part of the honour of Leicester are marked with an asterisk in Appendix D.
2. No. 151; App. A, no. 9. The fact that her father consented to the grant suggests that the land was Bohun property.
3. CDS, i, nos. 1777, 1778.

Quincy inheritance.[1] Also temporary was his possession of six acres at Acaster, in Yorkshire, part of the lands of a wardship, which Richard, earl of Cornwall, granted to him at some time before 6 October 1251.[2] But another northern transaction did result in permanent acquisitions. When in 1254 Roger transferred his Yorkshire manors of Kippax and Scholes to Edmund de Lacy, he received in exchange the manors of Elmsall, in the West Riding, Kneesal, Nottinghamshire, and Wadenhoe, Northamptonshire. Before 1250, Roger had acquired the manor of Stevington, Bedfordshire, from his brother, Robert de Quincy III, and this also formed part of the earl's estates at his death.

When Roger died, on 25 April 1264, the process of accumulation of property was reversed and disintegration of the inheritance began. In England, we can follow the procedure in some detail, but about Scotland we know less.[3] The break-up of the English estates was a slow and complex business, which took thirteen years to accomplish. Just over a month after his death, the lands were committed to Richard of Shyreburn, king's clerk, but this appointment was cancelled and by 17 August 1264 Richard of Hemington and Richard of Wix were acting as keepers /

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1. CR, 1254-6, pp. 159, 439; CDS, i, no. 2033.

2. Yorkshire Fines, 1246-72, p. 24n.

3. Joseph Bain, after describing the inquisitions on the English estates, lamented: 'Would that a similar collection had been preserved of inquisitions of the Scottish possessions of this great noble, for such must have once existed. In them and those of his kindred the Balliols, we should have had a picture of the tenures of Galloway, over which time has thrown impenetrable obscurity' (CDS, i, p. lxvii).

keepers of the lands.[1] Writs were issued ordering extents of the lands to be made and the first of these, for the manor of Kneesal, was taken on 31 August.[2] By 24 September, the two keepers had extended the earl's demesne manors and the king was able to assign to Countess Eleanor as dower the manors of Southoe, Shepshed and Eynesbury and a total of twenty-two and a half knights' fees.[3] The grant of dower included a provision that the earl's lands, tenements and fees should be extended again and that the countess's dower should be adjusted if it was then found to be too large or too small.[4] But no order was given for the new extents until 1268 and the inquisitions were not made until 1270 and 1271.[5] These are mainly concerned with the tenancia, that is, the fees held of the earl by his tenants, and it may have been because the tenurial structure was so complex that the procedure was so slow. The heirs repeatedly appointed attorneys to receive their purparties of the inheritance, but it was not until 22 May 1277 that the division was finally made.[6] Even in 1279 there is still an echo of old disputes, when the Comyns complained that Helen la Zouche had received more than her share of the tenants' fees.[7] Although the inheritance had outlived the earl, it was now following the name of Quincy into oblivion.

In /

1. CPR, 1258-66, p. 320; CR, 1261-4, pp 358.
2. CDS, i, no. 2360; CIPM, i, no. 587.
3. CR, 1261-4, pp. 407-8.
4. Ibid., 408.
5. CPR, 1266-72, p. 374; CIPM, i, nos. 732, 776.
6. CR, 1268-72, pp. 89, 389; CCR, 1272-9, p. 236; Hastings, i, 323-31.
7. CCR, 1272-9, p. 553; see also CDS, ii, nos. 91-92.

In Scotland, the king appointed keepers of the earl's lands. Alexander Comyn, earl of Buchan, the earl's son-in-law, was keeper of two-thirds of the Galloway estates and of two-thirds of each of the Lothian estates, which are listed as Tranent, Longniddry, Lauder, Heriot and Mertoun. He held this appointment by 1266, or perhaps earlier.[1] Although we know nothing about other keepers or other estates, and have no details of the procedure of partition in Scotland, it is worth noticing that custody of the estates went not to royal clerks but, in part at least, to a great magnate who was also an interested party. This is entirely in accord with what we would expect in Scotland, where the influence of great families often carried more weight in affairs than did the operations of royal bureaucrats.

DEMESNE LANDS AND ESTATE OFFICIALS

Having discovered where the estates were and how Earl Roger acquired them, we must now ask how they were organised. A basic distinction has to be drawn between the demesne lands, which he 'cultivated himself with the labour services owed by his tenants',[2] and the lands in tenancia, which his free tenants held of him and cultivated for their own profit.

About five months after the earl's death the two royal clerks who were keepers of his lands in England completed an extent of his demesnes. /

1. ER, i, 22, 31, 33.

2. Painter, Feudal Barony, p. 73.

demesnes. For the lands forming the Quincy inheritance itself, no original inquisitions have survived and we have merely a figure of total value for each estate.[1] Inquisitions do exist for four manors, which were to revert to other families and were not to pass to the earl's heirs. These manors were Stevington, Beds., which went to the two daughters of his late brother, Robert de Quincy III, and Kneesal, Notts., Wadenhoe, Northants., and Elmsall, Yorks., all of which returned to the possession of the Lacy family.[2] If we had inquisitions for all the demesne lands, it might be possible to comment on details such as total acreage, profits of courts and numbers of tenants, but in the absence of full information we can only draw attention to the relative values of the different manors, which give an indication of the importance of each in the structure of the estates. The figures are as follows:[3]

<u>Leicestershire</u>	
Groby (manor)	£88
Shepshed	34
Whitwick	7
Leicester (profits of borough court)	10
	£139
<u>Northamptonshire</u>	
Halse (manor)	94
Wadenhoe (manor)	23
Brackley /	

1. <u>CR, 1261-4</u>, pp. 407-8.

2. <u>CIPM</u>, i, no. 587; for details see also <u>CDS</u>, i, nos. 2360, 2363-5, 2367.

3. Shillings and pence have been ignored for the purposes of this list.

Brackley	9	
Farndon	9	
		£135
Huntingdonshire		
Southoe (manor)	60	
Eynesbury	32	
		£92
Oxfordshire		
Chinnor		£55
Bedfordshire		
Stevington		£55
Nottinghamshire		
Kneesal		£42
Yorkshire		
Elmsall		£16
		£534

It was clear from our geographical survey of the lands that the Leicestershire estates held a pre-eminent position and this is confirmed by the value of the demesne lands in that county, which were more lucrative than those in any other county. But the Northamptonshire domains were almost as valuable. It is noticeable that in each of these two counties the estates were dominated by a principal manor: Groby, Leics., and Halse, Northants. These two were the earl's richest English manors, with Southoe, Hunts., next in value. The same three manors are prominent among the places from which the earl issued charters.[1] These were key points both in the structure of the estates and in the earl's personal and public life.

The /

1. See below, Chapter IV, p. 208.

The numerous charter texts about Brackley provide some details about that particular property and provide a reminder that a low valuation of a demesne estate may be caused by the owner depleting his own resources through making grants in free alms. The Brackley texts reveal that at least £25-30 annually was lost from that estate, mainly to Brackley hospital.[1] This helps to account for the surprisingly low figure of £9 at which the Brackley demesnes were valued in 1264. In addition, the earl's principal profits in the area came from the immediately adjacent manor of Halse, which was administered in close relation with Brackley. Another text reveals the arrangements for supplying an annual gift of corn to Brackley hospital, which was to come from the grange of Halse, failing which it was to be provided from corn bought from the rents of Brackley.[2] In other words, it was only when there was a deficiency in the demesne lands of Halse, that resort was necessary to the rents of the lesser unit at Brackley.

As no inquisitions have survived for the demesne lands in Scotland, it is necessary to work back from later evidence in order to reach some estimate of their value. The inquisitions taken on the death in 1296 of Helen la Zouche, Roger's daughter, list her demesne properties and reveal that each of these estates, with the exceptions of Tranent and Longniddry, was a third part of an original estate. /.

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1. Nos. 91, 92, 93, 95, 98, 100, 101, 103, 105, 106, 108, 109 and 112 reveal rents granted away to a total annual value of £29 1s. 0½d.; but a few references to the same rent may be repeated in these texts and others may also have existed about which no texts have survived.

2. No. 116.

estate.[1] For an approximate valuation of Roger's demesnes, it therefore seems permissible to multiply the 1296 figures by three, accepting Tranent and Longniddry alone at the 1296 figures, since they appear to have descended to Helen entire. A few figures have even then to be estimated, but the final list is as follows:[2]

<u>Kirkcudbright</u>		
Girthon, Senwick	£102	
Troqueer, Drumsleet	12	
		£114
<u>Lothians</u>		
Heriot[3]	[39]	
Tranent	23	
Calder	20	
Longniddry	14	
		£96
<u>Berwickshire</u>		
Mertoun[3]	[39]	
Lauder	35	
		£74

<u>Wigtownshire</u> /

1. <u>CDS</u>, ii, no. 824.

2. Shillings and pence have been ignored for the purposes of this list.

3. Heriot and Mertoun are omitted from the 1296 inquisitions, but were certainly demesne lands in 1264, for they are mentioned in the Exchequer Rolls (<u>ER</u>, i, 33), where two parts of Tranent, Longniddry, Lauder, Heriot and Mertoun are said to have produced £101. These estates entire must therefore have produced about £150 and if we subtract from that sum the estimated values of Tranent, Longniddry and Lauder there remains the sum of £78 to be allocated between Heriot and Mertoun, say, £39 each.

Wigtownshire		
'Mauhirton'		£54
Fife		
Dysart } Strathenry }	23	
Leuchars[1]	[20]	
Collessie[2]	[10]	
		£53
Ayrshire		
Irvine		£20
Perthshire		
Gask[3]		£10
		£421

The above valuations are rough and approximate. The value of particular estates may have changed considerably between 1264 and 1296. The estimated figures may be wrong and in particular the figures for Heriot and Mertoun may be too high, since they are based on the receipts for a single year and not on a valuation. Some of Roger's demesnes may have passed entire to one of the other heirs and so have been omitted from the 1296 inquisitions on Helen's estates. But /

1. Leuchars appears to have been subinfeudated to Oliver la Zouche by 1296, and no valuation is specified for it; but it was an important estate (see below, p. 82) and a valuation of £20 seems a reasonable estimate.

2. It is highly probable that the earl had demesne lands in the parish of Collessie (see App. D, Fife, Collessie, Edensmuir and Kinloch) and £10 has therefore been allowed for this estate.

3. The demesne of Gask, worth 15 marks annually, was alienated to Brackley hospital for a time, but apparently recovered by 1242 (see Nos. 1-3).

But it seems safe enough to estimate that the annual value of Earl Roger's demesne lands in Scotland was in the region of £400. Adding to this the figure of £534 for the English demesnes, we have a total of between £900 and £1,000 for all the earl's demesne properties.[1]

Two blocks of property dominate the Scottish list: the Galloway lands and the Lothians/Berwickshire lands; and at totals of £168 and £170 respectively the two blocks were also more or less equal in value. The Fife properties were much less valuable and the scattered holdings in that county may have been largely tenancies held of the earl. It is at first sight rather surprising that the most valuable single estates were in Galloway: Girthon and Senwick at £102 and 'Mauhirton' at £54. But these high values may reflect the power and wealth which the lords of Galloway had built up for themselves in their south-western enclave. And the wealth of these lands should remind us that areas such as Galloway and the Highlands, which to the modern eye may seem remote or backward, may in fact have flourished within the economy of thirteenth-century Scotland.

The Scottish evidence is not detailed enough or firm enough to reveal with the certainty which is possible in England a group of prominent demesne manors comparable with Groby, Halse and Southoe. The only places in Scotland at which the earl is known to have issued charters are Leuchars, Dysart, Haddington, and Tranent.[2] But a variety of sources do indicate that particular estates were important. In /

1. Painter, Feudal Barony, p. 174, gives the annual income of the Quincy earls of Winchester, based on land values, as approximately £400; but he took no account of the Scottish estates and omitted those English estates which did not remain part of the Quincy inheritance.

2. See below, Chapter IV, p. 208.

In a revealing charter about Leuchars, Saher de Quincy, Roger's father, provided that St Andrews priory should receive an annualrent from his mill of Leuchars, that anyone who held the mill at rent or had control of it under Saher, his heirs, or his steward, should be bound to pay this annualrent and that if Saher took the mill into his own hands the annualrent would be paid by his steward or by whoever held oversight for him of his manor of Leuchars ('qui summam curam manerii mei de Loucres pro me habuerit').[1] It is likely that Roger and his stewards supervised this estate just as closely and we know that he held there a court ('plena curia') in which Richard the crossbowman resigned to him land at Fetters, in the parish of Leuchars. On the same estate in 1258 the earl bought corn from Philip Lovel, formerly his steward.[3] That Leuchars was an important base for Roger is also shown by the fact that he appointed constables of that place, of whom three are known by name;[4] and the surviving mote-hill at Leuchars is almost certainly the site of his castle there.[5] A manor controlled by a steward, a court for tenants, the lord's mill, a castle with the lord's constable - all these are sure indications of a demesne estate which held a crucial place in the structure of Roger's landholding.

Tranent was probably the centre of the Lothian estates. Helen la Zouche had a chief messuage and a colliery there, Roger himself had a mill there and he granted to Holyrood abbey the teind of his corn /

1. St Andrews Liber, pp. 255-6. 2. No. 95.
3. No. 153. 4. See below, Chapter II, p. 93.
5. Hist. Mon. Comm. (Fife), pp. 197-8.

corn and his hay in Tranent.[1] All these are signs of domainal activity. We know less about the Berwickshire estates, and we can only assume that Lauder, which was probably the caput of the great lordship of the Morevilles, continued to serve as a centre for estates in Lauderdale, even after the partition of the Moreville lordship between Quincy and Balliol.[2] For the Galloway lands also we must resort to surmise and suggest that Cruggleton Castle was probably his principal seat in the area and that the unidentified but valuable estate of 'Mauhirton' probably lay in the vicinity of the castle.[3]

The duty of administering these widely scattered demesne properties fell upon the earl's estate officials, a number of whom are named either in the witness lists of his acts or in other sources. We know little of their day-to-day activities and can only glean from the public records a few facts about the careers of the more prominent among them and illuminate by means of the texts of the acts a few aspects of their duties. But even by examining a bare list of names and studying the different kinds of officials who appear we can at least discover how far they fit into the pattern of contemporary estate organisation.[4]

The /

1. CDS, ii, no. 824 (3); Nos. 29-31.

2. BIHR, xxix (1956), pp. 17-18; Dryburgh Liber, nos. 9-13, 137.

3. See App. D, Wigtownshire.

4. For general works, see Denholm-Young, Seignorial Administration, and Painter, Feudal Barony. A recent study of a particular group of estates is Pipe Roll of the Bishopric of Winchester, 1210-11, ed. N. R. Holt (Manchester, 1964).

The official most frequently mentioned is the earl's steward. In the acts he is always called senescallus: the earlier word dapifer has fallen out of use. Eleven men are known to have served Earl Roger in this capacity.[1] What we can see of them in action suggests that they were the stewards of the earl's estates and not the less important stewards of the household who are traceable in the appanages of other magnates.[2] Two precepts directed by the earl to his stewards have survived. One orders Sir Ralph Chamberlain to put the abbey of St Mary de Prato, Leicester, in seisin of 'husbote', 'heybote' and timber for repairs within the estate of Shepshed.[3] The other orders Richard of Moulton to maintain the same abbey in receipt of tithes from certain of the earl's woods in Northamptonshire.[4] We have already noted the supervisory duties assigned to Earl Saher's steward at Leuchars, and we find one of Roger's stewards, Roger Abbot, present in the same parish at a settlement of the boundaries between Roger's lands and those of the abbot of Balmerino in Over Naughton.[5] The earl's steward had heavier responsibilities within /

1. Roger Abbot (witnesses No. 21); Sir Ralph Chamberlain (witnesses No. 94; recipient of No. 61); Sir John of Cranford (witnesses Nos. 57, 64, 108, 109, 115, 142, 156; see also CIPM, i, no.339); John Grey (witnesses No. 38); Morin of Kinloch (witnesses Inchaffray Chrs., no. 64); sir Philip Lovel (witnesses Nos. 68, 93, 102); Sir John le Moyne (witnesses No. 143); Richard of Moulton (recipient of No. 122); William of Shelford (witnesses No. 22; witnesses App. A, nos. 12, 13); sir Peter of Syresham (witnesses Nos. 54, 123, 107, 151); Robert le Waleys (witnesses Nos. 103, 152; witnesses Brackley Deeds, D.141 (Magdalen College, Oxford); see No. 104).
2. Denholm-Young, Seignorial Administration, pp. 67-68.
3. No. 61. 'Husbote' and 'haybote' were the rights of gathering wood for purposes of house-building and hedge-making.
4. No. 122.
5. See above, Chapter II, p. 82; No. 21.

within the borough of Brackley, where he had to decide cases which could not be settled in the borough court and had to hold the annual view of frankpledge.[1] The earl might have several stewards, for the precept to Richard of Moulton just quoted is also addressed 'to all his stewards and bailiffs'; and there is definite evidence that he had a separate steward for his Scottish estates. Not only is William of Shelford specifically described as his steward in Scocia,[2] but it is also noticeable that four of the stewards witness acts of Scottish provenance only: William of Shelford, Roger Abbot, John Grey and Morin of Kinloch.[3] Conversely, the seven other stewards witness only in England. Denholm-Young has noted that 'from the thirteenth century great men often have more than one estates steward' and it is not surprising to find that a great Anglo-Scottish magnate had a steward in each country.[4]

Who were these stewards? What were their position in society as a whole and in the entourage of Earl Roger? Denholm-Young remarks /

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1. No. 90.

2. App. A, no. 13. William of Shelford was previously steward of Earl Saher (Inchaffray Chrs., no. 38; St Andrews Liber, p.256).

3. See above, p. 84, n. 1.

4. Denholm-Young, op. cit., p. 68. Anglo-Norman magnates would similarly have separate stewards in England and Normandy. A grant by Robert IV, earl of Leicester (1191-1204), to the abbey of Lire, dep. Eure, of land called 'Champ Motrix', was witnessed by Thomas of Eastleigh, 'senescallo meo in Anglia' (Evreux, Archives Départmentales de l'Eure, H.438, no. 11). Roger may have had only one steward at a time for his English estates: Sir John of Cranford witnesses as steward deeds about Shepshed, Brackley and Chinnor and thus seems to be covering Leicestershire, Northamptonshire and Oxfordshire estates (Nos. 57, 64, 108, 109, 115, 142).

remarks: 'The land-stewards were a distinct class. They were knights, themselves men of landed wealth.... They came of families in which public service was already a tradition....'[1] Among Roger's English stewards, knights and landed men are prominent. Sir Ralph Chamberlain, recipient of the precept mentioned above, had lands at Shawston, Illston, Reresby and Othorpe, Leics., in 1242.[2] Sir John of Cranford's estate was at Ashby Cranford, Northants.[3] Sir John le Moyne held the manor of Great Shelford, Cambs., in chief of the king (by the sergeanty of supervising the making or repair of the royal crown); he had land at Grantchester, Cambs., in right of his wife and he pursued against Hawise de Quincy a claim to land at Hardwick, Hunts.[4] Robert le Waleys was apparently not a knight when about 1259-60 he witnessed as steward two of Earl Roger's acts, but he was lord of Swithland in Leicestershire, where he held twenty-seven yardlands of the earl.[5] He was head of the family of Waleys of Swithland /

1. Denholm-Young, op. cit., pp. 69-70.
2. Fees, ii, 949; CPR, 1272-81, p. 349.
3. Fees, ii, 939, 1289.
4. CIPM, ii, no. 106; CR, 1262-78, p. 575; CR, 1259-61, pp. 376-7; CRR, vol. xii, nos. 139, 202, 947, 1021, 1401, 2471, vol. xiii, no. 1489, vol. xiv, no. 412. Philip le Moyne, who was steward of David, earl of Huntingdon, in 1202, may have been a relation (CRR, ii, 135); and Sir Bartholomew le Moyne, a prominent adherent of Earl David, may have belonged to the same family (Lindores Chartulary, no. 13; Arbroath Liber, i, no. 83; BM, Cotton Ch., xvii, 23; BM, Lord F. Campbell Ch., xxx, 4; CPR, 1327-30, p. 95; Reg. Antiq. of Lincoln, iii, no. 655).
5. Nos. 103, 152; Hastings, i, 324. In 1274, Robert, as lord of Swithland, witnessed a deed about land in Littlemore, Oxon., gifted to Sandford priory by Roger of St Andrews, a cousin of Earl Roger (Sandford Cartulary, no. 98). By an act of which the text is lost, Robert le Waleys received 'divers liberties and privileges' from Earl Roger (see No. 67).

Swithland, which flourished from the latter part of the reign of Henry III until the late fourteenth century.[1] About Richard of Moulton, recipient of the other surviving precept to a steward, nothing has emerged from the records. Curiously, he witnesses none of the earl's acts and appears only in this document. The two remaining English stewards were not knights, but clerks. Nothing is known of Peter of Syresham except that he was rector of Syresham, Northants., and of Laughton, Leics.[2] But the other clerk, Philip Lovel, reached a higher rung in the ladder of promotion than any other servant of Earl Roger. He left the earl's service for the king's and became Treasurer of King Henry III, holding this post from August 1252 to October 1258.[3] Earl Roger's English stewards therefore fit into the general pattern which Denholm-Young has observed, but may remind us that it was still possible for a clerk to enter upon a successful career as an estates steward.

Regarding the prospects which lay before these men, Denholm-Young has pointed out that the office of estates steward 'was the first step along the path which led to a judgeship or administrative office under the Crown'.[4] 'Having acquired professional training and sound practical experience in estate management, it was probably a simple matter for the estate steward to pass from private into royal service, either as sheriff or itinerant justice.'[5] The career of Philip Lovel /

1. Nichols, Leicestershire, III, ii, 1047.
2. Nos. 54, 94, 107, 108, 109, 123; Nichols, Leicestershire, II, ii, 695.
3. British Chronology, p. 100.
4. Denholm-Young, Seignorial Administration, p. 70.
5. Holt, Pipe Roll of the Bishopric of Winchester, 1210-11, p.xli.

Lovel provides an excellent example of such an avenue of promotion. He witnesses as the earl's steward in the decade 1240-49.[1] But he 'was summoned from the stewardship of the earl of Winchester to the king's service';[2] and in 1249 he began to be active in royal household administration and was appointed a justice of the Jews in the same year.[3] In 1250, he was officially described as a king's clerk, he began to take a greater share in royal administration and he received the expected perquisites of office such as grants of wardship and gifts of deer from the royal forests.[4] His appointment as royal Treasurer followed in 1252 and before his removal from office by the baronial reformers in 1258 he had reached such heights that he had his own household and had built himself a London residence, made of royal freestone.[5] Ascending also the ladder of ecclesiastical promotion, he had become archdeacon of Coventry.[6] When he died in 1259, he was a very wealthy man.[7]

Service to the crown could be rendered in wider fields than that of the royal household itself and the career of Sir John le Moyne, another /

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1. See below, Chapter II, p. 91, n.1.

2. '... a senescalcia comitis Wintoniae ad servitium domini regis vocatus' (M. Paris, Chron. Maj., v, 261).

3. C. Lib. R., iii, 243; CR, 1247-51, pp. 203, 234.

4. CPR, 1247-58, p. 60; CR, 1247-51, p. 312; C. Lib. R., iii, 299, 314.

5. CR, 1254-6, p. 298; CR, 1256-8, p. 163.

6. British Chronology, p. 100.

7. M. Paris, Chron. Maj., v, 731. Earl Roger describes Lovel as his kinsman (cognatus) in No. 153, but there is no evidence of a blood relationship.

another of Earl Roger's stewards, shows that the opportunities were many. As the earl's steward, he witnessed an indenture between 1235 and 1237.[1] In 1235, he acted as the earl's attorney in a plea about the church of Chinnor, Oxon.[2] In the same year, he was named as the earl's steward when paying scutage for his lord's vill of Ware, Herts.[3] In 1237, he was deputed to collect a tax of a thirtieth in Huntingdonshire, Essex and Hertfordshire, along with Sir William of St George and Sir John of Littlebury, both of whom witness acts of Earl Roger.[4] He served as sheriff of Cambridgeshire and Huntingdonshire from 1253 to 1255 and again from August to September 1265.[5] He may by that date have left the service of Earl Roger, since in 1261 he is described as a knight of Ingram de Fenes.[6] From 1265 he held various official positions, as justice of the Jews, guardian of the vacant see of Worcester, sheriff of Northamptonshire, escheator south of the Trent and commissioner to enquire into the sea walls of Lincolnshire. He went twice to Gascony on the king's business, 'was a benefactor both to the scholars of Merton and to the friars preachers of Cambridge, and died in 1275'.[7] In the social order, he holds a place as 'the man of county family who goes farther afield and serves the king in different capacities in various regions'.[8]

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1. No. 143.
2. CR, 1234-7, p. 174.
3. Fees, i, 478.
4. Ibid., pp. 547, 558.
5. H.M. Cam, Liberties and Communities in Medieval England (London, 1963), p. 40.
6. CR, 1259-61, p. 456.
7. CR, 1264-8, pp. 235, 451; CR, 1268-72, p. 16; Cam, op. cit., pp. 40-41.
8. Cam, op. cit., p. 48.

Yet not all the earl's stewards achieved the rewards to be found in royal service. Of the five other English stewards, none is recorded participating in the king's government, with the exception of Sir Ralph Chamberlain, who once delivered Warwick gaol.[1] The brilliant career of a Philip Lovel or the busy life of a royal administrator such as John le Moyne were not the lot of all estates stewards and more modest figures like Sir John of Cranford or Robert le Waleys gave their service at a lower social level. The rewards of being steward to the earl of Winchester were not negligible, for the steward held a prominent place in the earl's entourage.[2] He was certainly no longer the holder of an inherited position: there is no sign that any heritable stewardship existed in Earl Roger's household. Nor was he normally a prominent feudal tenant of the earl, as the steward of a twelfth century honour might well have been. Of the seven English stewards, only Robert le Waleys of Swithland actually held any property of Earl Roger. The steward was likely to be a professional administrator, who might move on to gain wider administrative experience under another lord.[3] The fact that Earl Roger had at least seven English stewards in the period of nearly thirty years from 1235 to 1264 suggests that the steward's tenure of /

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1. Cal. Fine R., iv, 30.

2. See below, Chapter III, pp. 122, 136.

3. Painter, Feudal Barony, p. 140; Denholm-Young, Seignorial Administration, pp. 70-71.

of his office was not usually very long.[1] But in the context of the earl's household and his demesnes his steward was a man of note, who could also become involved in the earl's social activities. While still Earl Roger's steward, Philip Lovel was on friendly terms with King Alexander II and his queen, and the young King Alexander III later described Lovel in a petition to Henry III as a faithful man, indispensable in the difficult affairs of the earl of Winchester.[2]

Although little more than their names can be discovered about the earl's four Scottish stewards, there is just enough evidence to permit some suggestions about their origins and social positions. The four are Roger Abbot, John Grey, William of Shelford and Morin of Kinloch, and the most noticeable feature of their names is that the first three are probably English and only the last is Scots.[3] Roger Abbot was perhaps a member of the family called Abbot which held land of Earl Roger at Farthinghoe, Northants., although no connection has been proved.[4] John Grey possessed a combination of Christian /

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1. The succession of Roger's English stewards was as follows:

1235 x 1237	Moyne
1240 x c.1249	Chamberlain Lovel
c.1249 x 1252	Syresham
1253 x 1259	Cranford
1259 x 1264	Waleys

For details, see dating of acts listed above, Chapter II, p. 84, n. 1. There is insufficient evidence to fit Richard of Moulton into the list.

2. M. Paris, Chron. Maj., v, 270-1. Paris here records that, as the earl's steward, Lovel stayed for a short time in Galloway, which suggests that the spheres of activity of the earl's Scottish and English stewards may occasionally have overlapped.

3. For their appearances as witnesses, see above, Chapter II, p.84, n. 1.

4. See App. D, Northants., Farthinghoe; and HKF, iii, 245. William Abbot of Farthinghoe witnessed the charter inspected in No. 102.

Christian name and surname so distressingly common in England that it is difficult to identify him securely, but his surname at least hardly existed in Scotland before the second half of the thirteenth century.[1] In 1252, John de Grey received custody from the crown of the lands of Eleanor, countess of Winchester, which had been seized by Henry III since she had married Earl Roger without licence;[2] Grey must therefore have been one of Roger's English estate administrators at that date.[3] William of Shelford belonged to a family closely connected with the earl which took its name from Shelford in Cambridgeshire.[4] Morin of Kinloch may possibly be connected with John of Kinloch, tenant of the earl on various estates in Fife, but certainly took his name from Kinloch in the parish of Collessie in that county.[5] The earl therefore tended to recruit his Scottish stewards from England, probably from his own English estates. This habit reveals how mobile the earl's servants could be. We know nothing of the backgrounds or careers of these Scottish stewards, but they seem to have been less important socially than most of their counterparts on the English estates. From their positions in witness lists and from the absence of any designations with their names we may conclude that none of them was either a knight or a clerk and that they must belong to the category of minor laymen who were numerous in the retinue of a great earl.[6] There is no trace of any of them in the service of the /

1. Black, Surnames, p. 325.
2. CR, 1251-3, p. 289.
3. John de Gray who held ¼ fee of the earl at Bletchley, Bucks., and held Water Eaton, Bucks., in sergeanty of the king (Fees, ii, 822) may be identical with the earl's Scottish steward.
4. See below, Chapter II, p. 102.
5. See Nos. 23, 25; Inchaffray Chrs., p. 276; SHR, ii, 179.
6. For their appearances as witnesses, see above, Chapter II, p. 84, n. 1.

the king of Scots, either as sheriffs or as royal clerks and their opportunities for advancement in Scotland may have been less striking than those which opened before the earl's English stewards.

The earl also tended to use Englishmen in an official capacity in Scotland when he appointed his constables and it is therefore convenient to consider here the position of this obscure but interesting officer. The baronial constable is difficult enough to trace in twelfth century England, where he is usually associated with garrison duty at a particular castle.[1] In the thirteenth century, he seems to have suffered the same eclipse which had overtaken the baronial steward and he may eventually have had more to do with holding courts than with commanding a garrison.[2] But historians have said little about him and he deserves some attention. If Earl Roger had constables on his English estates, none was of sufficient importance to be designed as such in witness lists. But in Scotland three men are known to have held the position of constable of Leuchars: Peter Basset, Elias Sweyn and Robert of Walcot.[3] Once more their names proclaim their English origin, but it is difficult to say much about the details of their backgrounds. Richard and Roger Basset held English lands of the earl, but no link with Peter Basset is traceable.[4] Robert of Walcot could have taken his name from any one of /

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1. Stenton, English Feudalism, p. 78.

2. Painter, Feudal Barony, pp. 138-9; Denholm-Young, Seignorial Administration, p. 33.

3. See Nos. 20, 21, 25.

4. See App. D, Northants., Woodford; Leics., Lockington; Warwicks., Harbury.

of the numerous English places so called: there is a Walcot in Leicestershire and another in Northamptonshire. But Elias Sweyn is slightly better documented. He witnessed three of the earl's English acts without designation, but in another he is called 'of Shepshed'.[1] He appears in 1247 as defendant, along with the earl himself, Philip Lovel and John of Cranford, in a case about a marl-pit on land at Swannington, Leics., which belonged to the earl's manor of Whitwick, three miles SW of Shepshed.[2] Richard Sweyn, who witnessed a charter by the earl about Shepshed, may have been a relative.[3] Clearly, the earl had provided himself with a constable at Leuchars, his principal manor-place in Fife, by translating to Scotland a man of some local position at Shepshed, one of his demesne manors of Leicestershire. What the constable did at Leuchars we do not know. But he could have both commanded a castle and held a court, for both existed there. We see a constable in action only once, when Peter Basset was present at the fixing of boundaries between the earl and the abbot of Balmerino near Over Naughton.[4] In the document concerned, the constable is twice named before Roger Abbot, the steward, and he may therefore have been the more important official of the two within the area of his own jurisdiction.

The lower levels of estate administration need little comment, since there are few references to those who actually administered the estates /

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1. Nos. 57, 101, 111, 112.

2. Nichols, Leicestershire, III, ii, 1112, where for 'Muntford' we should probably read 'Cranford'.

3. No. 64.

4. No. 21.

estates under the control of the steward. There were sergeants named Walter and Roger at Halse and the sergeant of Stevington was called Sewal.[1] The words serviens and ballivus were practically interchangeable and the bailiff of Halse who was to provide corn for support of the sick poor in Brackley hospital may in fact have been a sergeant.[2] On the other hand, Richard the crossbowman, described as the earl's sergeant, was important enough to hold land of him at Fetters, near Leuchars, and close enough to the earl to merit a grant for Richard's soul of two marks annually to Brackley hospital.[3] Richard may have been a sergeant in the military rather than in the civil sense. At a lower level still were the reeves on individual manors, some of whom are mentioned in the inquisitions taken on the earl's death.[4] Last of all are a few of the host of minor officers who helped to run the estates. There are passing references to the earl's foresters, both Scottish and English, and Brian and Christopher the foresters were sufficiently prominent to be mentioned in witness lists.[5] And the earl's park-keeper of Bradgate, Leics., makes his brief appearance in an agreement with Roger de Somery, who undertakes when entering the earl's park in pursuit of a wounded deer to sound a horn-blast for the park-keeper, 'if he wishes to come'.[6]

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1. No. 98; App. A, no. 10.
2. No. 101.
3. No. 95.
4. CDS, i, nos. 2360, 2363-5.
5. For foresters, see Nos. 1, 52, 60; for Brian and Christopher, see No. 63 and App. A, nos. 1, 8, 11.
6. No. 50.

The pattern of administration on the earl's estates, so far as it is sketchily revealed to us through the names and activities of his officials, is at nearly all points a conventional one. The earl's particular problem of managing properties scattered over an immense area of Scotland and England was solved by having an estates steward in each country. Perhaps the emphasis on the single constable of Leuchars suggests a slight unorthodoxy in the structure at that point; and it is clear that the earl's Scottish stewards were men of less substance than those who controlled his English domains. But the administrative system as a whole fits well with what is already known about the customs and habits of the time.

TENURIAL STRUCTURE

It is unnecessary here to discuss in detail the elaborate structure of tenants' fees on the estates. But we must draw attention to the main features of this structure, and consider the position within it of both lay and ecclesiastical tenants.

There were five principal lay tenants on the English estates. The largest holding was that of Ernald de Bois, consisting of seven fees in Leicestershire, seven in Gloucestershire and four in Warwickshire, which, in spite of making a total of eighteen, were reckoned as nineteen and a quarter fees in the period 1235-38. Ernald was a tenant-in-chief of the crown.[1] The second-largest holding belonged to William Burdet of Huncote, who had a total of nine and a half fees in /

1. CIPM, ii, no. 222.

in Leicestershire, Northamptonshire and Warwickshire. There is no evidence that he was a tenant-in-chief, but he performed occasional official duties, such as serving as a keeper of the peace in Leicestershire in 1242.[1] The three remaining important tenants all held approximately four fees. The fees of the Harcourt family, centred on Market Bosworth, Leicestershire, were reckoned as four fees when held by William de Harcourt, but as three fees only when held by Richard de Harcourt, his son. Richard was a tenant-in-chief.[2] Adam of Napton had four fees in Warwickshire and Leicestershire, but was not a tenant-in-chief. The Zouche family, represented first by Roger la Zouche and after his death in 1238 by his son Alan,[3] had four fees, centred on Ashby, Leicestershire. Alan was a tenant-in-chief.[4] Three out of the five major tenants were therefore also tenants-in-chief of the crown. As such they owed homage and service to the king and their loyalty to Earl Roger was a secondary one. This does not suggest that there was attached to the earl a powerful honorial baronage, but rather the reverse, that the bonds between Roger and his foremost tenants were formal rather than personal.

The remainder of the English lay tenants held smaller properties, perhaps one or two fees, or a fractional fee. Such tenants were very numerous, but were not necessarily of minor importance as landowners: many /

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1. HKF, ii, 331-2, q.v. also for his holdings of other lords.
2. CIPM, i, no. 411.
3. CR, 1237-42, p. 53.
4. CIPM, i, no. 735. On the history of the family, see Dugdale, Baronage, i, 688-9.

many of them were also tenants-in-chief.[1] There are several indications that they were likewise of importance to the earl for technical rather than personal reasons. There are specific references in the acts to the feudal incidents of wardship, relief and escheat arising from tenants: these could be granted away as an entity without the transfer of the lands which the tenants held.[2] There is a clear implication here that profit from the tenants by way of these feudal dues was a significant feature of the system. The list of fees partitioned among the earl's three co-heiresses in 1277 divides each third into two classes: those which belonged to tenants-in-chief of the crown, and over which the earl had therefore no rights of wardship and marriage, and the remainder, for which rights of marriage are specified, if they existed.[3] As the value of revenues from land rose in the thirteenth century, the rights of wardship and marriage became more valuable.[4] Once again, profit from tenancies was the important factor.

One other feature of the tenurial structure also underlines its formal nature. It is noticeable that most of the estates where the earl had demesne lands contained very few fees of lay tenants. There were ecclesiastical fees or rents at the demesne estates of Groby, Shepshed, Halse, Brackley, Eynesbury and Stevington, but the only lay fees /

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1. Hastings, i, 323-30.

2. No. 52; cf. App. A, no. 8, a charter by Countess Margaret which reserves the homages and reliefs due from tenants. See also No. 95.

3. Hastings, i, 323-30.

4. Painter, Feudal Barony, pp. 84-85, where there is mention of a similar division of the fees of the earl of Gloucester made in 1263.

fees known to have existed alongside demesne lands were at Shepshed (thirteen acres and half a yardland held by Alan of Shepshed), at Farndon (two or three fractional fees) and at Eynesbury (quarter of a fee held by Thomas of Barkby in 1277). Whether this situation was the result of deliberate policy or not, it emphasises a division between the functioning of the earl's demesnes and the economic activities of his lay tenants.

'From the beginning of the thirteenth century the military resources of the English barons ceased to be feudal in the sense that they consisted of services performed by fief-holders.... A baron's ... feudal rights were important only as they served to swell his revenue.... The change from hereditary feudal to paid professional administrators cut the last personal bond between the baron and his vassals.'[1] Professor Painter's description of the end of true feudalism in English baronial society exactly fits the situation on Earl Roger's estates.

The scanty Scottish evidence will permit no such generalisations about the state of Scottish feudalism as revealed on Roger's estates. References to tenures are extremely meagre. John of Kinloch owed homage and service for his lands in Fife, and Nicholas of Clackmannan owed the same, plus 4s. annually, for the constable land in Clackmannan. Saher of Seton owed service for an annualrent in Tranent and rendered in addition an ox-yoke and a collar for a hunting-dog.[2] It is impossible to say whether a real feudal bond existed between such tenants /

1. Painter, op. cit., pp. 136, 140.
2. Nos. 16, 26, 33.

tenants and the earl. But at least one tenant had a multiplicity of lords among whom his feudal loyalties had to be shared. David de Graham, who held of Earl Roger at Dalcove and Mertoun, in Berwickshire, had nineteen overlords scattered throughout Scotland, including the earls of Fife, Dunbar, Lennox and Carrick.[1] The complexities of this situation suggest formal rather than genuinely feudal relationships. The Scottish acts include one of the few contemporary references to rights of wardship and marriage in Scotland. The earl granted to Mr Adam of Seton the wardship of the land of a deceased tenant, Allan of Falside, along with the marriages of his heir and his widow.[2] The fact that the earl was disposing of these rights to another, presumably for money, suggests that in Scotland also the profit motive may at times have exerted an influence.[3] Publication of wider surveys of Scottish tenurial relationships than is possible on the Scottish estates of Earl Roger is urgently required. But at least it can be said that nothing is evident in their structure which would contradict the claim of Dr Isabel Milne that 'it is doubtful whether the outlook and behaviour of the inhabitants of twelfth and thirteenth century Scotland was truly feudal, whether, for instance, the /

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1. Fraser, Lennox, ii, 13-15; No. 41.

2. No. 34.

3. There is a rare survival in the Erroll Charters of the evidence for payment of money for purchase of land. Malcolm of Kilspindie granted the land of Kilspindie, Perthshire, to Nicholas Hay by a charter in normal feudal form (Spalding Misc., ii, 312). The receipt, dated 19 May 1295, granted by Malcolm for the sum of eighty marks paid by Nicholas, has remained unprinted. Both documents are in the possession of the Countess of Erroll, Old Slains, Aberdeenshire.(Erroll Muniments, nos. 21, 23).

the lord-vassal relationship was a deep-rooted social reality as it was a legal one'.[1]

It is of particular interest for the purposes of the present study to consider which of the earl's lay tenants in Scotland had English affiliations and to discover how these links had arisen. A majority of the known tenants were Scots. Roderic son of Gillecrist, who held at Strathenry, in Fife, had a Gaelic name and William Strangessone and David de Graham, tenants at Cruvie, Fife, and Dalcove, Berwickshire, bore Anglo-Norman surnames well-established on the Scottish scene.[2] John of Kinloch, Nicholas of Clackmannan, Allan of Falside and Saher of Seton took their surnames from their estates and there is no reason to assume that they had English connections. Seven of the Scottish lay tenants can therefore be described as indigenous. But there remain five who have proven links with England. Of these the most important within the earl's milieu were Saher and Roger of St Andrews, cousins of the earl, both of whom held at Collessie, in Fife. Both were English landowners of modest status and Saher was a prominent member of the earl's household.[3] An even higher position on the social scale was held by Philip Lovel, successively steward of Earl Roger and treasurer of King Henry III.[4] He was a tenant on the Leuchars estate. Also associated /

1. Isabel A. Milne, 'Land tenures in Scotland in the twelfth and thirteenth centuries' (unpublished Edinburgh University Ph.D. thesis, 1953), p. 21.
2. Black, Surnames, s.v. 'Graham' and 'Strang'.
3. For details of the St Andrews family, see below, Chapter III, pp. 130-4.
4. For details of his career, see above, Chapter II, p. 88, and below, Chapter III, p. 123. Lovel was actually a clerk, not a layman, but his secular interests were so considerable that he may appropriately be considered along with the lay tenants.

associated with administration on the earl's estates was Richard the crossbowman, the earl's sergeant, who had land at Fetters, in Leuchars parish. Richard's English origin is suggested by the fact that the earl made a grant for his sergeant's soul to Brackley hospital, Northants.[1]

The fifth lay tenant who had English connections presents a complex problem of genealogy. Simon of Shelford was the earl's free tenant at Naughton, Fife. Presumably related to him were William of Shelford, steward of both Earl Saher and Roger himself, and Mr Eustace of Shelford, a graduate who occurs within the earl's familia.[2] The family name derives from Shelford in Cambridgeshire, which, although not itself a Quincy fee, was held by John le Moyne, who was Roger's steward during the period 1235-7.[3] Two principal members of the English branch of the Shelford family are identifiable in the records. John of Shelford appears as early as 1220, in an action over a wardship which had belonged to Earl Saher.[4] John was a tenant of the abbey of St Albans at Croxley, Oxhey and Micklefield, Herts., and acted as attorney for the abbey on several occasions.[5] He held of Earl Roger at Croxton, Lincs., and had other English holdings at Boxworth and Knapwell, Cambs., and possibly also at Shelford itself. /

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1. No. 95.

2. See below, Chapter III, p.128.

3. See above, Chapter II, pp. 86-89. On the family of Moyne, established at Great and Little Shelford since the twelfth century, see Farrer, Cambridgeshire, pp. 208-11.

4. CRR, ix, 66.

5. CPR, 1247-58, p. 557; CRR, xiii, nos. 161, 2766, 2774, xiv, no. 513.

itself.[1] John of Shelford was killed in his house at Croxley, early in 1255, by his own son, William of Shelford, who was hanged for this offence.[2] This William is presumably a different person from the William who had earlier served the two earls as a steward. A clerical member of the family was also part of the Quincy circle: Gilbert of Shelford was rector of Eynesbury and witnessed charters of Saher and Roger of St Andrews and of Margaret, countess of Winchester.[3]

It is not possible to construct a satisfactory genealogy linking all these members of the family, which seems, however, to have had Scottish and English branches.[4] But it is manifest that Simon of Shelford belonged to an English family introduced into Scotland under the aegis of the Quincys. The link can have lasted for two generations only, for the name did not survive in Scotland.

Merely because five out of twelve of Earl Roger's lay tenants in Scotland are known to have had English connections, it would be wrong to conclude that this is a true picture over the whole of his Scottish estates. The evidence is too scrappy for that. But links did exist and it is noticeable that those involved usually had a fairly close /

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1. Fees, ii, 1015; CPR, 1247-58, p. 657; Rot. Fin., ii, 213, 221.
2. CPR, 1247-58, p. 431; Rot. Fin., ibid.
3. App. A, nos. 5, 12, 13.
4. A John of Shelford witnessed a Midlothian charter, of date 1221 x 1238, in company with William of Shelford, probably the steward, but there is nothing to indicate whether this John was the man who was killed in 1255 or another of the same name (Midlothian Chrs., p. 21). Black, Surnames, p. 148, on the basis of this charter erroneously derives the family name from Chelford, Cheshire.

close relationship with the earl. In two instances the earl's steward was involved: Philip Lovel and William of Shelford. Two of the tenants were relatives of the earl: Saher and Roger of St Andrews. Richard the crossbowman, the earl's sergeant, was an estate official. There is no sign of transplantation of tenants from the relatively settled English estates to lands across the border. Scotland can hardly have been in the mid-thirteenth century quite the land of opportunity that it was in the twelfth century when Roger's grandfather, Robert de Quincy I, settled there in the wake of Anglo-Normans such as the first Robert Bruce and Hugh de Moreville, who had received their vast tracts of territory from David I.[1] But the possibility of a share in the earl's Scottish properties remained open for those who were in his service. Some of his adherents might also expect to be moved to Scotland as estate administrators, and some of his English clerks might acquire Scottish livings.[2] All these men, whether tenants or not, form part of a channel of English influence upon Scottish society.

As a footnote to this topic, we may refer to two other families of foreign origin which, although only presumptively tenants of the earl, owed their advancement to his interest. A cleric bearing the distinctive name of Milo Cornet witnessed in the late twelfth and early thirteenth centuries charters of Robert de Quincy I and Earl Saher.[3] He also witnessed one of Earl Roger's acts, dated 1222, in /

1. Ritchie, Normans in Scotland, pp. 186, 188.
2. E.g. Elias Sweyn (see above, Chapter II, p. 94) and Brian the clerk (see below, Chapter III, p. 123).
3. St Andrews Liber, p. 354; Dunfermline Registrum, no. 155. For additional details, see Black, Surnames, p. 171.

in which he is described as prior of St Germains, a Bethlehemite hospital one and a half miles NE of the earl's demesne estate at Tranent, in East Lothian.[1] He does not occur again in any of the earl's later acts; but his surname survived. In 1284, at a royal colloquium held in the church of Holyrood, Symon Cornet, son and heir of the deceased John Cornet, resigned to Alexander Comyn, earl of Buchan, his superior, the land of Myles, one and a half miles SW of Tranent, which had belonged to Milo Cornet, so that Symon's relative William Preston could be infeft therein.[2] The prior had evidently acquired land on a Quincy estate, which had passed to a descendant, who in order to dispone it had first to resign it to the earl of Buchan, a co-heir, in right of his wife, of Earl Roger. The name Cornet is of course French in origin, deriving from the name of the musical instrument like a horn, and it occurs in England in the twelfth century.[3] One Saher Cornet witnessed a grant by Earl Roger to Brackley hospital of a rent in Brackley.[4] Later documents produce no echoes from the Scottish Cornets, but the family's career in Scotland covers about a century.

A family taking its name from Clapham, in the West Riding of Yorkshire, settled in Lauderdale in the twelfth century as vassals of the Morevilles.[5] One of its members, Alan de Claphan, described as sheriff /

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1. No. 30; Easson, Religious Houses, p. 155.
2. SRO, Crown Office Writs, no. 6.
3. P.H. Reaney, Dictionary of British Surnames (London, 1958),p.78.
4. No. 95.
5. APS, vii, 153; and see, for other details, Black, Surnames, p. 154, who is, however, wrong in deriving the family name from Clapham in Surrey; cf. CDS, i, no. 195.

sheriff of Lauder, witnessed in 1203 a judicial decision by Alan, lord of Galloway, whose father had succeeded by marriage to the Moreville inheritance.[1] No members of the family are recorded on Earl Roger's estates, and none are mentioned in his acts. But in 1296 Mark de Clapham was a tenant of the bishop of St Andrews in Fife,[2] and it was in this county that the Clephanes, as they became, eventually settled. They were established as lairds of Carslogie, just W of Cupar, before about 1300.[3] Andrew Clephane, who in the mid-sixteenth century held part of Pitcorthie, two miles W of Crail, bore three mascles on his shield of arms, possibly a relic from the period in the family's history when the Quincys were their overlords.[4] As a great part of Lauderdale fell to Earl Roger as a result of his marriage to Helen of Galloway, and as he already possessed extensive estates in Fife, he is the obvious means whereby the Clephanes were translated from the one area to the other about the mid-thirteenth century.[5]

Fees /

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1. Kelso Liber, i, no. 143. For comment on the office of sheriff of Lauder, see G.W.S. Barrow, 'The beginnings of feudalism in Scotland', BIHR, xxix (1956), p. 17.

2. CDS, ii, p. 205.

3. Sir Robert Douglas, Baronage of Scotland (Edinburgh, 1798), p.317.

4. Stevenson and Wood, Seals, ii, 287. For details of the Quincy arms, which included mascles, see below, Chapter IV, p. 161. Members of the Kinloch family likewise bore mascles in their arms, probably also by derivation from the Quincys (see No. 25).

5. I am indebted to Professor G.W.S. Barrow who first drew my attention to the significance of the Clephane family history.

Fees held by ecclesiastical tenants are numerous on the earl's estates and the evidence about such fees is voluminous. We need not illustrate in detail the earl's munificence to churches and religious houses, for in this he follows the conventional pattern of his age.[1] In return for gifts in alms he received the expected benefits: prayers for his soul, the right of burial at Brackley hospital for himself and one of his wives and, at Dryburgh abbey, the privilege of a special service, as for an abbot of the Premonstratensian order, on the day when he died and annually on the anniversary of his death.[2]

Two features of the system of ecclesiastical fees on the estates call for comment. It is noticeable that many of them are not recorded in official lists or inquisitions but are known only from the records of the ecclesiastical tenants themselves. The abbey of St Mary de Prato at Leicester, for example, held fees of the earl at twenty-one different places in Leicestershire, Warwickshire and Northamptonshire. Only one of these fees is mentioned in the inquisitions taken on the earl's death, but they are recorded in detail in a rental of the abbey. These gaps in official records are evidence of the inability of laymen to exercise control over property which had been granted away in mortmain, a subject which was a constant source of baronial complaint in England in the thirteenth century.[3]

The /

1. See, in general, S. Wood, English monasteries and their patrons in the thirteenth century (London, 1955).
2. Nos. 38, 52, 101; App. A, no. 9.
3. See T.F.T. Plucknett, Legislation of Edward I (Oxford, 1949), pp. 94-96; E. Miller, 'The state and landed interests in thirteenth century France and England', Trans. Royal Hist. Soc., fifth series, vol. 2 (1952), p. 126.

The Anglo-Scottish interests of a great magnate such as Earl Roger were reflected in grants to ecclesiastical tenants, just as they were in the perquisites acquired through him by certain laymen. Two English churches held Scottish estates through their connection with the earl. The priory of St Andrew at Northampton received from him a confirmation of its possessions in Lauderdale acquired in previous generations from members of the Moreville and Galloway families.[1] To Brackley hospital, a small and unimportant house which did not survive to the end of the middle ages, the Quincys were lavish benefactors, and this largesse naturally included land in Scotland. The hospital received in alms Roger's demesne at Gask, Perthshire, along with mills, a brewhouse and two minor pieces of property there, and Roger also granted to it an annualrent in Perth and land near Heriot, Midlothian.[2] The demesne of Gask later reverted to the earl, but a significant transaction concerning the other properties at Gask took place in the year before the earl's death. By an agreement made on 31 May 1263, the hospital leased these properties to a local clerk, Colman of Nesgask, for the sum of twenty marks, to be collected annually at Gask by an agent of the hospital.[3] The inconvenience of administering property at a distance was thus considerably minimised. This problem was a troublesome one for a church or religious house, which was a static establishment and could not supervise small, far-distant properties in a foreign land /

1. No. 39.
2. Nos. 1-4, and notes; No. 103.
3. App. A, no. 15.

land as easily as could a peripatetic earl or his estates steward.

Ecclesiastical ownership of properties across the border was a definite feature of Anglo-Scottish society in the twelfth and thirteenth centuries and some other institutions applied solutions of the difficulty similar to that employed by Brackley hospital. Dryburgh abbey held the church of Bozeat, Northants., probably by gift of the Morevilles, and drew from it a pension payable by the abbey of St James at Northampton. The abbot and convent of Dryburgh, explaining that they 'had often been troubled by the length of the journey to collect the pension in person' from St James's, arranged that it should be paid to the abbey of Sulby, Northants., which belonged like Dryburgh to the Premonstratensian order.[1] In 1284-5 the canons of Holyrood similarly put an end to the troubles caused to them in collecting a pension from the church of Great Paxton, Hunts., by selling the pension for 200 marks to the dean and chapter of Lincoln. The canons complained of the dangers of the roads and the distance of the place, and accused the ecclesiastics at Lincoln of hoping that the canons would through weariness consider the pension as lost.[2] This situation had grown out of David I's grant of the church of Paxton to Holyrood, made about 1124.[3] The canons of Holyrood acted just in time, for the Wars of Independence usually put /

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1. BM, Cotton Tiberius E.v, fo. 91v ('sepius enim gravaremur ex longinquitate itineris eandem pensionem per nosmet ipsos ab eis accipere'). This document is not dated, but if it is the deed confirmed (ibid., fo. 88r) by Richard de Moreville, it must be earlier than 1189, when he died.

2. Reg. Antiq. of Lincoln, iii, nos. 837-45.

3. Ibid., no. 800.

put an end to such international holdings, although the priory of Durham, which probably held larger Scottish properties than any other English church, was still struggling to retain control of its priory of Coldingham and its Berwickshire estates as late as the 1470s.[1] The snapping of bonds with Scotland was brought home to Brackley hospital when in August 1314 the master and brothers received into their care a man who was incapacitated, 'the Scots rebels having inhumanly cut off his hand', presumably at the battle of Bannockburn.[2] Times had changed.

To conclude this survey of the earl's tenancies, we must refer briefly to the special case of the earl's own borough, at Brackley. It is certain that the borough received from him its privileges, detailed in its charter,[3] and it is probable that it also owed to him a physical re-organisation of properties, designed to encourage its growth. The 'old town' of Brackley, now isolated from the borough itself, was abandoned in favour of a new site, laid out in the time of Henry III.[4] These re-arrangements are reflected in references in the acts to the site of the earl's castle precinct, which he abandoned and handed over to Brackley hospital. By the 1250s the borough contained at least ninety-seven houses.[5] To Earl Roger and his advisers goes credit for a piece of early town-planning.

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1. Correspondence ... of the Priory of Coldingham, ed. J. Raine (Surtees Society, 1841), pp. 220-36.
2. CCR, 1313-18, p. 192. 3. No. 90.
4. M.W. Beresford and J.K. St Joseph, Medieval England: an Aerial Survey (Cambridge, 1958), p. 209; Baker, Northamptonshire, i,567. The vetus villa of Brackley is mentioned in No. 98.
5. Nos. 98, 111, 112. There is a wealth of information about the history and topography of the borough in the Brackley deeds at Magdalen College, Oxford, from which the acts of Earl Roger have been extracted for presentation in the texts below.

CHAPTER III

THE FAMILIA

Like the king himself, the medieval baron was the centre of a complex organisation which was both an administrative and a social unit. It is possible to discover a certain amount about some of those who surrounded Earl Roger and to reveal something of their relations with the earl and with the rest of the world.

None of the earl's household accounts has survived and it is therefore impossible to draw a detailed picture of the administration of the household or to describe its daily life, as can be done for a few other thirteenth-century households.[1] There are no references to officials such as the steward of the household, the wardrober and the receiver-general, who are named in other households and doubtless existed in Earl Roger's. Some minor officers make occasional appearances. In Mr Robert, the earl's doctor, who occurs twice as a witness, we have an official seldom mentioned in documents, yet of some importance to the household.[2] Geoffrey the cook and Richard 'of the kitchen' (de coquina) appear as witnesses and a Brackley deed reveals that at least one burgess of Brackley contributed the sum of 1½d. annually in support of the earl's kitchen.[3] One of the earl's /

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1. M. W. Labarge has recently given a good, popular account of the subject in A Baronial Household of the Thirteenth Century (London, 1965), based mainly on the household roll for 1265 of Eleanor, countess of Leicester, wife of Simon de Montfort. See also Denholm-Young, Seignorial Administration, pp. 6-31.

2. Nos. 15, 18.

3. Nos. 39, 52; Brackley Deeds, pp. 27-28.

earl's tenants, Robert de Noveray, held his fee of Burton Overy, Leics., by the service of setting the first dish on the earl's table.[1] Such scraps of information are more tantalising than helpful. Equally frustrating is the absence of any specific reference to a baronial council, a body known to have existed in England as early as the twelfth century.[2] In the preamble of a charter about a disputed presentation to the church of Lathrisk, in Fife, Earl Roger states that he and his familiares considered that the patronage of the church belonged to him.[3] This suggests little more than the informal consultation about business affairs which was part of everyday routine and provides no proof that a council existed by that name.

The word familiares is significant, for if the evidence is insufficient for a survey of household administration, it is certainly more abundant for a study of those who were intimate with the earl. A great man's familia was not merely his own family, although it might include some of his relations; and it was not the same as his household: some household officers would be familiares, but household servants at the level of the laundress and the pantry-boy would not be. Some of Roger's familiares can be traced in the extensive public records of England. But even here there are problems, for individuals closely attached to the earl may have had few occasions to deal with the central government and therefore few opportunities of being noted in the records by the ever-busy royal clerks. And it is often difficult to identify people. Was William de Bois who held half a knight's /

1. Nichols, Leicestershire, II, ii, 531.

2. Denholm-Young, op. cit., pp. 25-31. 3. No. 19.

knight's fee in Theydon Bois, Essex, in 1236 the same as William de Bois who held Nash, Bucks., in 1237-40?[1] Or the same as William de Bois who held one-third of a knight's fee at Finmere, Oxon., of the earl of Gloucester in 1242?[2] And was any one of them the same as Sir William de Bois, brother of Ernald de Bois, a frequent witness to charters by Earl Roger? It has proved difficult to establish a coherent sequence of biographical facts about some members of the familia. There is sometimes nothing to indicate whether a person with a particular name is in fact identical with a member of the familia so named or is some entirely different individual.

In the absence of household accounts, we must turn to the texts of Roger's acts for an answer to the question, Who were the important members of the familia? The charters are witnessed by a total of 311 persons; and it is a reasonable assumption that the clerks who drafted the charters named in the witness lists persons who bore a significant relation to the earl on the occasion of his legal act which each charter records. The witnesses must frequently have been present when the act passed, although the physical presence of a witness was not a necessity.[3] The clerks no doubt had a variety of motives in selecting appropriate witnesses. At the simplest, we find that John the chaplain of Tranent, who witnesses only one act of Earl Roger's, is witness to an agreement about teinds in the parish of Tranent.[4] It was convenient here to include a local cleric in /

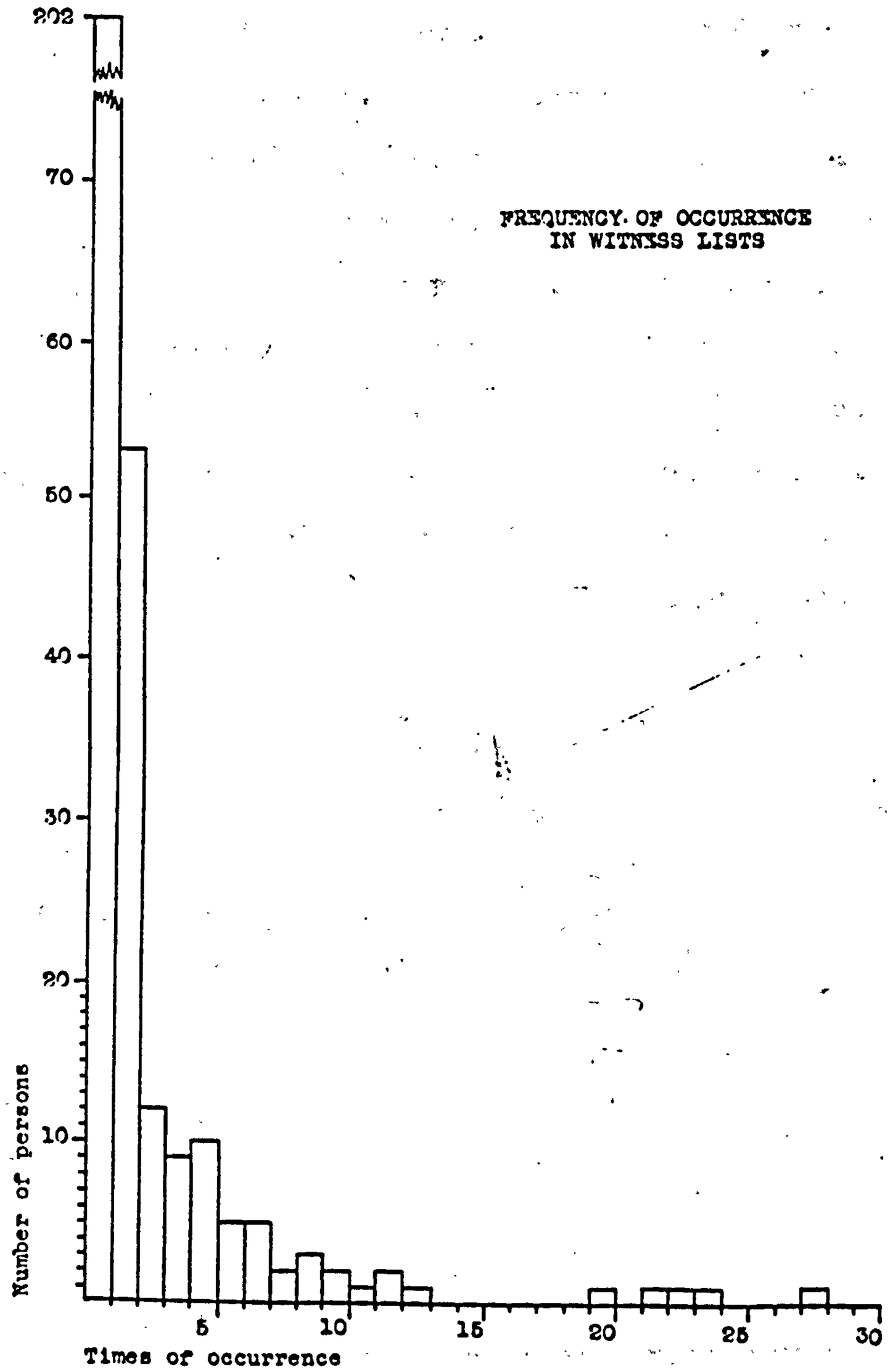
1. Fees, i, 478, ii, 1447. 2. Ibid., ii, 836.

3. RRS, i, pp. 78-79; E.L.G. Stones, 'Two points of diplomatic', SHR, xxxii (1953), pp. 47-51.

4. No. 30.

in the list; but no other clerk of any surviving charter chose to include John on any other occasion. His significance as part of Earl Roger's world was small, at least in the eyes of the clerks. On the contrary, those who witnessed frequently may be assumed to be those whom the clerks held to be significant personages in the context of the granting of the earl's charters. And on a practical level, those who appear often as witnesses must often have been present with the earl. It follows that by discovering the names of those who regularly witnessed his charters we can reveal the important members of the familia.

The frequency of occurrence of witnesses is shown in the following chart.


FREQUENCY OF OCCURRENCE
IN WITNESS LISTS
202
70
60
50
40
30
20
10
Number of persons
5
10
15
20
25
30
Times of occurrence

The chart covers a range from 202 persons who witnessed once only to one person, Saher of St Andrews, who witnessed twenty-eight times. It suggests that three groups of witnesses may conveniently be distinguished. Those who witnessed once or twice only are insignificant for the present purpose. Those who witnessed three, four or five times (twelve, nine and ten individuals respectively) have some importance; but the most significant group consists of those who occur six or more times. These last two groups can be labelled respectively the outer circle and the inner circle of the familia. The members of these circles can be listed in a table showing for each person his name, social position and number of appearances as a witness.

INNER CIRCLE

Sir John Becard	knight	20
Sir Henry Bisset	knight	8
Sir William de Bois	knight	24
Andrew Bonvallet	[burgess][1]	7
sir Brian[2]	clerk	23
Sir Philip of Chetwynd	knight	8
Sir John of Cranford	knight	22
Roger of Faffington	[uncertain]	6
Ernald le Goer	[burgess]	6
Sir Robert of Hereford	knight	6

sir /

1. Burgesses are not specified as such in the witness lists, but can be identified by the fact that they occur only in charters about the borough of Brackley. Some are described as 'of Brackley', 'bailiff of Brackley', etc.

2. The prefix 'dominus' applied to clerks has been translated 'sir', while 'Sir' has been reserved for knights.

sir Philip Lovel	[clerk]	11
John Mace	[burgess]	7
Mr Thomas of Man	graduate	10
Sir William de Montgomery	knight	9
sir Eustace de Montivilliers	chaplain	12
Sir John le Moyne	knight	9
Ralph de Nevill	[uncertain]	6
Sir Peter le Potter	knight	6
Sir Robert de Quincy	knight	7
Sir Robert of St Andrews	knight	12
Sir Saher of St Andrews	knight	29
Ranulf Sweyn	[burgess]	7
sir Peter of Syresham	clerk	7
Sir Warin of Thunderley	knight	9
Robert of Trafford	clerk	13
Sir Richard of Wix	knight	10

OUTER CIRCLE

Sir Robert de Betun	knight	5
Sir Ernald de Bois	knight	5
Sir John of Carlisle	knight	4
Sir Ralph Chamberlain	knight	4
Sir Gilbert of Colvend	knight	4
Sir Henry Engayne	knight	3
Henry of Faffington	[uncertain]	5
Robert Francis	clerk	5
Richard of Glen	[burgess]	3
Sir Richard de Harcourt	knight	3
Sir William de la Hay	knight	5
Mr Hugh	graduate	3
John of London	[burgess]	3
Sir William Lovel	knight	3
Roger of Luton	[burgess]	5
Mr Adam of Makerstoun	graduate	4
Hugh of Manby	clerk	3

sir Maurice /

sir Maurice	chaplain	3
Simon de Noisy	clerk	3
Sir William de Oyly	knight	4
Richard of Radwell	clerk	3
Sir Bernard of Ripley	knight	3
Robert the vintner	[burgess]	4
Sir Michael de la Rose	knight	4
Mr Eustace of Shelford	graduate	5
Sir Duncan Sibald	knight	4
Elias Sweyn	[uncertain]	5
Roger of Trafford	clerk	5
Sir Everard of Trumpington	knight	5
Ernald Waryn	[burgess]	4
Thomas Waryn	[burgess]	3

The two circles can also be classified according to social positions, as follows:

	Inner circle	Outer circle
Knights	14	14
Clerks/graduates	5	8
Burgesses	4	6
Chaplains	1	1
Uncertain	2	2
	26	31

The method here employed to isolate the important members of the familia does have certain defects. The surviving charters are only a fraction of those originally issued by the earl. We have no certain information about how long a particular individual remained within the familia. One man could have had considerable importance but /

but only for a short period; and such a person would probably not appear within the inner circle as defined above. The division into inner and outer circles is of course merely a convention, introduced here simply for purposes of study. But this analysis is at least based on figures, not on guesswork, and it provides a skeleton which can now be clothed with flesh by examining the people involved, their social status and their activities.

The social proportions of the inner and outer circles are very similar. In each case about half of the persons listed are knights. Among the remainder, clerks and graduates predominate, burgesses are next in importance and chaplains are the least prominent of all. In looking more closely at these classes, it will be convenient to deal with the chaplains first and then to work up the scale to the knights.

The two chaplains, sir Eustace de Montivilliers and sir Maurice, were evidently members of the household. Eustace, who witnessed twelve times, appears at least as early as 1238 and as late as 1257.[1] What brought him into contact with the earl was the manor of Arrington, Cambs. Earl Roger was mesne lord of a fee held there by Saher of St Andrews. In 1228, the abbess of Montivilliers, dep. Seine-Maritime, claimed one quarter of the manor from Saher of St Andrews and others.[2] It may be imagined that Eustace was a French clerk who first /

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1. No. 92. (If not specified in footnotes, details of occurrence of witnesses can be found in Appendix B.) Eustace witnessed an agreement made in the earl's presence in Scotland in 1238 (Inchaffray Chrs., no. 64).

2. CRR, xiii, nos. 1009, 2365. Eustace witnessed No. 101 as 'de Musteruilers', i.e. Montivilliers (A. Dauzat and Ch. Rostaing, Dictionnaire étymologique des noms de lieux en France, Paris, 1963, p. 463).

first came to England on the affairs of the abbess. Maurice the chaplain witnessed thrice only and the extreme limit-dates of these texts are 1245 and 1260.[1] The two men overlap as members of the household and witness together in Nos. 89 and 94. Both men served as rectors of the church of Laughton, Leics., where Eustace was in possession in 1235 and Maurice in 1250.[2] (It is possible that this benefice was a regular perquisite of members of the household, for the rector of Laughton about 1248-50 was sir Peter of Syresham, who was the earl's steward from about 1249 to 1252; and the rector in 1240 was Elias 'de Raveley', perhaps to be identified with Elias of 'Radeborg', who twice witnessed charters by the earl.)[3] Eustace may have been the principal household chaplain from 1235 and in the 1240s and was, perhaps replaced in this office by Maurice towards the end of the earl's life. It seems that the household normally included at least one chaplain, perhaps occasionally two.

There is also a hint that the household may have had another chaplain, one taken on the strength, as it were, when the earl moved to Scotland. 'William, our chaplain', witnessed two charters of Scottish provenance, dateable respectively between 1234 and 1235 and between 1257 and 1264. William of St Edwards, chaplain, who witnessed another Scottish act, dateable shortly before 1262, may be the same man, although the Christian name is too common to permit definite identification.[4] Yet another William could also be the same /

1. Nos. 92, 98, 151.
2. Nichols, Leicestershire, II, ii, 695.
3. Ibid.; Brackley Deeds, pp. 31-32; Nos. 68, 116.
4. Nos. 15, 18, 36.

same man: William, parson of Heriot, in Midlothian, who witnessed a Brackley deed about 1240, and who must have come south as part of the earl's entourage.[1] If these various Williams could be proved to be identical, it would appear that the earl had a chaplain in Scotland, presumably, from his surname, of English origin, who was remunerated by his possession of the church of Heriot, of which the Quincy family held the patronage, just as the English chaplains were supported by the church of Laughton.[2]

It is at first sight surprising to find so many burgesses forming part of the earl's familia: four appear in the inner circle and six in the outer circle. But their presence is explained when we discover who they were. They occur as witnesses only in those texts which concern the earl's borough of Brackley, Northants.[3] The borough tenements of three of them are mentioned in No. 98: the houses of Robert the vintner and Ernald Waryn, and the four houses of Ernald le Goer. These were men important in their own locality, farmers and bailiffs of their borough, and it was natural that they should attend upon the earl when he stayed at Brackley, or nearby at Halse, as he frequently did, and that they should act as witnesses when he granted charters about borough property, which he also frequently did. There is no means of knowing whether any of them lived /

1. Brackley Deeds, p. 23.

2. On Heriot, see App. D, Midlothian.

3. Nos. 90-117, 152. There are two exceptions: Richard of Glen, who was a bailiff of Brackley, witnesses Nos. 63 and 78, which are about lands at Shepshed and Whetstone, Leics. These charters could have been granted at Brackley.

lived in the earl's manor-house at Halse when he was there, but their presence in witness lists is so frequent that they must often have received entertainment in his hall as they waited upon him to discuss with him the affairs of his borough. They were, in fact, a significant part of the familia, but they did not itinerate with the household.

Clerks, on the other hand, are numerically more prominent in the list of familiares than the burgesses, and some of the clerks were certainly itinerant. Their share in the production of the earl's written acts will be discussed in Chapter IV, but analysis of their social positions is also rewarding. (For convenience, university graduates have been included along with the clerks.) Five clerks belong to the inner circle of the familia. These five include men who witnessed the earl's charters very frequently indeed: Brian the clerk witnessed twenty-three times, Robert of Trafford thirteen times and Philip Lovel eleven times. Slightly less frequent are the appearances of Mr Thomas of Man (ten times) and Peter of Syresham (seven times). Such men are the household servants closest to the earl in matters of business and administration, and it is no surprise to find that Philip Lovel and Peter of Syresham rose to be stewards of the earl's English estates and that Robert of Trafford acted as the earl's attorney in the king's courts.[1] It is particularly difficult to discern the social origins of people at this level of society, but obscure origins may well be humble origins. Robert of Trafford presumably took his name from Trafford, in the parish of Chipping /

1. See above, Chapter II, p. 87; CR, 1256-9, pp. 125-6.

Chipping Warden, Northants. The background of Mr Thomas of Man is a complete blank; but Philip Lovel, who was to have a remarkable career as Treasurer of King Henry III after he left Earl Roger's service, may have had backing from prominent families in his early days. In 1253 he acted as a pledge for John Lovel of Minster Lovel, Oxon., when John did homage to Henry III, and this suggests that Philip may have belonged to that family.[1] Philip's first appearance on record is in 1231, when he was rector of Lutterworth, Leics., on presentation by a member of the Verdun family. Land in Lutterworth belonged to Rose de Verdun who was a tenant of Earl Roger at Bittesby, in the neighbouring parish of Claybrook.[2] It is exceedingly difficult to delineate with certainty the early career of a clerk such as Philip Lovel, but it may not be too fanciful to conjecture that he was born of the Lovels of Minster Lovel, received his first advancement through the Verduns and moved from their circle into the household of their feudal superior, Earl Roger.

Some of these clerks within the inner circle were, like the earl's chaplains, supported by livings in the earl's gift or under his influence. Peter, rector of Syresham, was also rector of Laughton about 1248-50.[3] Brian the clerk was rector of 'Dersford' (perhaps Durford, Sussex), parson of Syston, in Leicestershire, and parson of Leuchars, in Fife.[4] It is impossible to say whether clerks who /

1. Rot. Fin., ii, 149; CIPM, i, no. 269. On Lovel's career in royal service, see above, Chapter II, pp. 87-88.

2. Nichols, Leicestershire, IV, i, 247, 265; Hastings, i, 331.

3. Nichols, Leicestershire, II, ii, 695. 4. Nos. 52, 64, 69.

who thus appear in possession of several benefices were pluralists or simply moved rapidly from one to another. But the grant to a household clerk of a Scottish living, such as Leuchars, suggests that such clerks must frequently have been non-resident. Perhaps a clerk could look forward to semi-retirement on one of the earl's livings. This may have been what was planned for Robert of Trafford, whose career as a clerk began in the 1220s and who, about 1256-7, was presented by Earl Roger to the church of Lathrisk, in Fife. But if so the earl had to change his plans, for the prior and convent of St Andrews claimed that the patronage of the church was theirs and Roger had to revoke his presentation of Robert of Trafford.[1]

Since few of the earl's charters carry a place-date it is difficult to demonstrate explicitly that these important clerks travelled about with the household. But the charters which they witness refer to a wide range of places and are unlikely all to have been granted at one place. The clerks are quite unlike the burgesses of Brackley who witness only charters about Brackley. Robert of Trafford and Mr Thomas of Man witness Scottish as well as English texts and Philip Lovel is known to have accompanied the earl to Galloway.[2] The advancement of important clerks such as Philip Lovel and Peter of Syresham to the office of steward was a natural progression, for the steward also itinerated round the estates, sometimes joining the household, sometimes departing from it on a circuit of his own.

The /

1. No. 19.

2. Nos. 10, 17, 26; see above, Chapter II, p. 91, n. 2.

The eight clerks who fall within the outer circle of the familia do not form so homogeneous a group as those who were part of the inner core. Nothing has appeared in the records to illuminate the activities of Hugh of Manby or Richard of Radwell. The only known fact about Mr Hugh the clerk is that he was parson of Leuchars in 1238.[1] Roger of Trafford was the brother of Robert of Trafford, mentioned above, and on three of Roger's five appearances as a witness he is in company with his brother.[2] The choice of the names Robert and Roger for the two brothers suggests a compliment paid by the Trafford family to the Quincys, who may have been their overlords or patrons. Roger of Trafford appears to have been a less important figure in the household than his brother. He also apparently travelled with the household, for he witnessed two acts of Scottish provenance, one of which was issued at Dysart, in Fife.[3]

The remaining four clerks of the outer circle have strong local connections and this has not been a characteristic of any of the clerks so far discussed. Robert Francis, who witnessed five times, is an important figure, since his handwriting appears oftener in the earl's surviving charters than that of any other clerk, but one.[4] Between about 1240 and 1260 his name, as a witness, and his handwriting occur /

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1. Inchaffray Chrs., no. 64. No evidence is available to indicate whether Mr Hugh and Hugh of Manby are the same person. Mr Hugh, parson of Leuchars, may be identical with Mr Hugh of Melbourne, who served in the households of William Malvoisin and David de Bernham, bishops of St Andrews (St Andrews Liber, pp. 157, 161, 163-8, 170, 306).

2. Nos. 17, 26, 78.

3. Nos. 17, 26.

4. See below, Chapter IV, p. 167.

occur very frequently in the deeds of Brackley hospital.[1] He is once described, by another clerk, as the son of Hugh Francis, who was the owner of a house in Brackley.[2] Although Robert Francis wrote for the earl charters about various estates, he witnessed only texts which relate to Brackley. The evidence suggests that he was a Brackley man, perhaps attached to the hospital there, and that he regularly gave professional service as a clerk when the earl came to Brackley.

The local connections of the last three clerks in this group are all with Scotland and they give the impression of being quite important individuals who were drawn within the familia in Scotland just as Robert Francis was at Brackley. The most prominent of the three in contemporary society was Mr Adam of Makerstoun, who was four times a witness, always in Scottish texts. In 1241 and 1246 he was a member of the household of David de Bernham, bishop of St Andrews, and he held office as official of the diocese of St Andrews in 1259.[3] He was provost of the church of St Mary of St Andrews in 1262 and 1267; and his appointment as a papal chaplain by Urban IV, about 1262, may have been a reward, at the instigation of King Alexander III, for Adam's services on an embassy to England during the Anglo-Scottish dispute of 1257-58, in which Earl Roger took part as an ambassador /

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1. Brackley Deeds, pp. 25-56, passim.

2. Ibid., p. 57.

3. St Andrews Liber, pp. 168-9; Lindores Chartulary, no. 110.

ambassador of Henry III.[1] Adam of Makerstoun's closest link with Earl Roger was his tenure of the parsonage of Collessie, in Fife, to which he had probably been provided by the earl. When Roger proposed, about 1262, to grant this church to Lindores abbey, arrangements had to be made for Adam to resign his possession of the church.[2] By 1263 he had become parson of Ceres, in Fife.[3] When the earl and his entourage arrived in Fife, the household could expect to be joined for a time by this busy ecclesiastic.

Simon de Noisy, who witnessed three of Roger's acts, is so often mentioned in contemporary documents that one historian has suggested that there must have been two persons so named. His name is French, but his origins are unknown.[4] He was a clerk of William Malvoisin, bishop of St Andrews, and presumably a member of his household.[5] Simon frequently witnessed the bishop's acts during William's tenure of the see from 1202 to 1238.[6] There are signs that Simon was a pluralist /

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1. Ibid., no. 142; St Andrews Liber, p. 311; Lindores Chartulary, no. 143; Cal. Papal Letters, i, 391; CDS, i, nos. 2126-7. Another of the Scottish ambassadors was William de la Hay, a knight who occurs in the outer circle of Roger's familia (see below, Chapter III, p. 144).
2. No. 15; Lindores Chartulary, nos. 142-3. It should be noted that Makerstoun is the neighbouring parish to Mertoun, Berwickshire, in which Earl Roger had property (see App. D).
3. Cal. Papal Letters, i, 391.
4. In the départments of Seine-et-Oise and Seine-et-Marne there are six place-names which include the element Noisy (Nusiacum) (A. Dauzat and Ch. Rostaing, Dictionnaire étymologique des noms de lieux en France, Paris, 1963, p. 498). Charter evidence does not support the contention of D.E. Easson (Coupar Angus Chrs., i, 60) that there was more than one Simon de Noisy.
5. Arbroath Liber, i, no. 151.
6. St Andrews Liber, pp. 161, 266; Cambuskenneth Registrum, no. 46; Holyrood Liber, no. 47; Arbroath Liber, i, no. 151.

pluralist: in 1220 he was parson of Dysart, in Fife, which was in the bishop's patronage, and he held too half of the parsonage of the church of Lauder, Berwickshire.[1] He was also parson of Leuchars church.[2] As Earl Roger had land at Dysart, possessed half of the town of Lauder and had one of his principal Scottish estates at Leuchars, it is evident that Simon de Noisy's career advanced under the earl's patronage. A fourth benefice in Simon's possession was the parsonage of Ormiston, East Lothian, which he held in 1238, and it again provided a link with the earl, as Ormiston is the neighbouring parish to Tranent, where Roger was the principal landowner.[3] Simon's social position is similar to that of Mr Adam of Makerstoun: both were men of many interests, who combined their other activities with occasional attendance in Earl Roger's hall.

Mr Eustace of Shelford, in contrast, is rather meagrely documented. He witnessed five acts, four Scottish and one English. No other facts about him are known, but it can safely be assumed that he was a member of a family of English origin which had settled on Earl Roger's Scottish estates.[4] Simon of Shelford, who was the earl's free tenant at Naughton, in Fife, witnessed twice in the company of Mr Eustace.[5] William of Shelford served as steward of Earl Saher and /

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1. Dunfermline Registrum, nos. 111, 125; Dryburgh Liber, no. 88.

2. No. 25. Simon de Noisy must be distinguished from Simon de Quincy, also parson of Leuchars (No. 22). On the career of Simon de Quincy, whose relationship to the Quincy family is unknown, see Coupar Angus Chrs., i, 44.

3. Inchaffray Chrs., no. 64.

4. See above, Chapter II, pp. 102-103.

5. Nos. 19, 20, 21.

and also of Roger himself.[1] Mr Eustace of Shelford perhaps reflected the Anglo-Scottish interests of his own family by sometimes joining the earl's household on one of its Scottish circuits and sometimes journeying with it back to England.

The clerks who are to be found in Roger's familia have a variety of reasons for their presence there. Some are his closest advisers and busiest administrators; some are the men who wrote the acts by which his will was expressed on parchment; some are men whose principal interests lay elsewhere but who were drawn from time to time within the ambit of an earl.

However important the household chaplain was for saying prayers or the household clerks for conducting the earl's business, the mere physical presence of the earl's knights must surely have been to the eye of a stranger the most impressive feature of Roger's entourage. Fourteen knights occur in the inner circle of the familia and another fourteen in the outer circle. These men were not like the clerks or the burgesses: Roger and his knights belonged to the same social class. Who were these knights?

Among the knights in the inner circle we can distinguish two groups. Some were landed men and this group included two of the earl's relatives and two of his estates stewards. The other group was composed of landless knights, an important but poorly documented body of men.

Sir Robert de Quincy III, the earl's brother, was the one close relative within the familia. Robert witnessed seven of the earl's acts /

1. See above, Chapter II, p. 61; App. A, nos. 12, 13.

acts and possessed the manors of Colne, Essex, and Ware, Herts.[1] But the other relative was a more distant one and his affairs were more complex. This was Sir Saher of St Andrews, who witnessed twenty-nine times. The links which bound this important man and his family to the Quincys require investigation in some detail.

Sir Saher of St Andrews had a brother named Sir Roger and the two were nephews of Earl Saher.[2] Their names suggest a close family connection with the Quincys and this is confirmed by Saher's seal, which bears the mascles which form the Quincy arms, plus a label to mark a junior branch of the family.[3] Saher and Roger were presumably the sons of a sister of Earl Saher, whose name is unknown, by an equally mysterious father who used de Sancto Andrea as a surname. We shall return later to the question of the family origins of the two brothers; but we must look now at their careers and their landed possessions. Their names first appear on record in the second decade of the thirteenth century. Both joined the baronial revolt against King John and Roger was imprisoned in 1216-17.[4] Saher returned to the king's faith in 1217 and recovered seisin of his lands in Northamptonshire and Nottinghamshire.[5] He had acquired these lands by marrying Matilda de Dyve, daughter and co-heiress of William de Dyve, who died before 1185 and who was the representative of an old Anglo-Norman /

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1. For details of his career, see above, Chapter I, p. 24.
2. App. A, nos. 10-13.
3. Ibid., no. 11.
4. PR, 1201-16, p. 189b; CPR, 1216-25, p. 19.
5. CR, 1204-24, p. 327b.

Anglo-Norman family.[1] In Northamptonshire Saher got part of the manor of East Haddon, previously forfeited by the earl of Leicester and granted by the crown to William de Dyve before 1185.[2] The next parish to East Haddon was Long Buckby, where lay the original English estate of the Quincys, which Earl Saher granted to his eldest son, Robert II, between 1207 and 1217.[3] The influence of Earl Saher is perhaps visible here in an arrangement for marrying his nephew, who bore his name, to an heiress in the neighbouring parish. Saher's other acquisition along with his wife was part of the manor of Gotham, Notts.[4] On the death about 1228 of his wife's grandmother, also called Matilda de Dyve, Saher succeeded to lands at Hinxton, Cambs., held in chief of the crown, at Arrington, Cambs., held of Roger de Quincy as mesne lord, and apparently also to property in Sussex.[5] In Scotland, he acquired by some means not recorded land at Collessie, in Fife, including an interest in the buildings and holding belonging to the parsonage of the parish church.[6] In 1230 he served along with Roger /

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1. For pedigree of Dyve family, see Farrer, Cambridgeshire, p. 160; and see also Loyd, Anglo-Norman Families, p. 37. For pedigree (with some inaccuracies) of St Andrews family, see Baker, History of Northamptonshire, i, 160-1.

2. CRR, xi, no. 2085; Rot. de Dominabus (Pipe Roll Society, vol.xxv, 1913), p. 27 and note.

3. See above, Chapter I, pp. 9, 23. 4. CRR, xi, no. 2085.

5. CRR, xiii, nos. 1009, 2365; Rot. Fin., i, 167-8; CR, 1227-31, p. 18. See also App. D, Cambs., Arrington. Saher later acquired land at Comberton, Cambs., and Corby, Lincs. (Farrer, Cambridgeshire, p. 226; CR, 1251-3, p. 445).

6. Lindores Chartulary, no. 91, where 'Serlo' is probably a scribal error for 'Seherus'. This quitclaim by Saher of St Andrews is witnessed by Earl Roger and members of his household.

Roger de Quincy in the royal expedition to Brittany and was described on this occasion as a knight of Margaret, countess of Winchester.[1] He was still alive in 1253, when he was involved in litigation about Dyve property at Corby, Lincs., but was probably dead by 1256, certainly by 1260, when his widow had quittance of common summons in Cambridgeshire.[2]

Saher's brother, Sir Roger of St Andrews, also acquired English property through Quincy influence. Before 1224 Countess Margaret granted to him all her land at Littlemore, Oxon., for one knight's service.[3] He was troubled by debts in 1227 and 1228 and it may have been for this reason that he granted the manor to the Templars, probably soon after 1235.[4] He had already, before 1235, made grants of Littlemore property to Garendon abbey and Brackley hospital. His brother Saher evidently also had interests in Littlemore, for he confirmed Roger's grant to Garendon and himself gave to the nunnery of Sandford, Berks., an annualrent of 5s. from his vill of Littlemore.[5] The two brothers' Scottish estates likewise overlapped: Roger too had land at Collessie, from which he granted an annualrent of 40s. to Brackley /

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1. CPR, 1225-32, p. 358; CR, 1227-31, p. 450.

2. CR, 1251-3, p. 445; CR, 1259-61, p. 454. J. Maitland Thomson stated (Inchaffray Chrs., p. 281) that Saher was dead by 1256. I have not traced the evidence for this statement, but have no reason to doubt its accuracy.

3. Sandford Cartulary, pp. 67-68. For fuller details of Roger's tenure of Littlemore, see VCH Oxfordshire, v, 208.

4. CR, 1224-7, p. 191b; CR, 1227-31, p. 81; Sandford Cartulary, i, no. 91; App. D, Oxfordshire, Littlemore.

5. App. A, nos. 10, 11; Dugdale, Mon. Angl., i, 482.

Brackley hospital. Before 1235 the hospital surrendered this rent to Roger de Quincy, in exchange for his demesne at Gask, Perthshire.[1] Few details emerge from the records about the career of Roger of St Andrews. He is not known to have married. He served in the Brittany expedition of 1230. He is not heard of again after he transferred his Littlemore estate to the Templars and he was almost certainly dead by 1249.[2]

The relations of the two brothers to Earl Roger, who was their cousin, present a contrast. Saher of St Andrews was evidently one of the earl's closest confidants: his frequent appearances as a witness cannot be explained solely on the ground that they were near neighbours in Northamptonshire. Roger of St Andrews, on the other hand, did not witness any of the surviving acts. The contrast helps to illuminate the nature of the earl's familia: some men, such as Saher of St Andrews, were virtually permanent members of it, some joined it occasionally, but others, such as Roger of St Andrews, although perhaps attached to the earl by tenure and by blood as he was, had not, whatever the reason, any place within it.

The origins of the St Andrews family are an unsolved puzzle. Roger of St Andrews made grants in alms for the souls of Earl Saher and Robert de Quincy II, and of his own father and mother, whom he does not name.[3] This reticence is curious, and equally odd is the care which Saher of St Andrews took to confirm his brother's acts.[4] This /

1. App. A, no. 12; No. 1.
2. CPR, 1225-32, p. 358; CR, 1227-31, p. 450; No.141.
3. App. A, nos. 10, 12.
4. App. A, nos. 11, 13; Sandford Cartulary, i,no.93.

This suggests that they may have feared dispute over their possessions. The marriage of their parents may have been in some way irregular. The place from which the family derived its name is also obscure. This might have been St Andrews in Scotland, a well-known city and a place prominent in the affairs of the Quincys. But the name occurs frequently in France: the town of St-Andre de l'Eure, for example, is only fifteen kilometres from Pacy, dep. Eure, the caput of the Norman honour of the earls of Leicester.[1] That the St Andrews family rose to be Anglo-Scottish barons through Quincy influence is clear enough, but from whom this branch of the Quincys took its origin we may never know.

We can now examine those other knights in the inner circle who possessed land but who were not related to the earl. There are four altogether and two of these served the earl as stewards: Sir John of Cranford, who witnessed twenty-two times, and Sir John le Moyne, who witnessed nine times. We have already discussed the activities of these semi-professional administrators.[2] Their presence in the familia is of course to be expected. They were close to the centre of affairs, along with the clerks who shared with them the tasks of estate administration. One other landed knight also possessed professional expertise in estate matters: Sir Richard of Wix, who witnessed ten times. He was in the earl's service as early as 1248, when /

1. Loyd, Anglo-Norman Families, pp. 28-29. A search has been made in charters granted in France by the earls of Leicester for witnesses named de Sancto Andrea, but has been unsuccessful.

2. See above, Chapter II, pp. 86-90.

when he witnessed an act issued in Scotland, at Dysart.[1] The fact that in 1261 he served along with Richard of Hemington as steward of the bishop of Lincoln suggests that he had moved to another household, as estate administrators frequently did.[2] But he again took an important place in the running of Earl Roger's estates when, on the earl's death in 1264, Richard of Hemington and he were appointed by the crown to be joint keepers of the late earl's English lands. They acted in this capacity from July to November 1264 but were replaced early in 1265 by one of the king's escheators.[3] Sir Richard supported Simon de Montfort in the rebellion of 1265 and during the troubles of that time seized various manors in Suffolk. But he was pardoned in 1266 and his person, lands and possessions were taken into the king's peace. In the same year he returned to the profession of estates steward, taking office in that capacity with Edmund Crouchback, son of Henry III.[4] Although Sir Richard of Wix is not on record as a steward of Earl Roger, he belongs to the same category within the familia as those who were stewards: Sir John of Cranford and Sir John le Moyne. But the last landed knight within the inner circle was a less prominent figure: Sir Peter le Potter, who witnessed six times. He held a fee of the earl at Sibson /

1. No. 17.

2. CPR, 1258-66, p. 144. On movement of stewards, see Denholm-Young, Seignorial Administration, p. 70.

3. Rot. Fin., ii, 410; CR, 1261-4, pp. 358, 407-9; CPR, 1258-66, p. 403.

4. CR, 1264-8, pp. 218-9; Cal. Inq. Misc., i, nos. 882, 884, 898, 899; CPR, 1258-66, p. 555; C. Lib. R., v, 241.

Sibson, Leics., and is specifically described as 'our knight' in one of Roger's acts.[1] The known facts of his career are few. In 1252 he had an exemption from service on assises and in 1258 served as a knight from Leicestershire on one of the baronial commissions of that year.[2] In 1272 he was threatened with loss of his lands at Sibson on suspicion of disloyalty to the crown, but proved that he was faithful and retained his property.[3]

These are the six men who represent the landed interest in the inner circle of the earl's intimates: two relatives, Robert de Quincy III and Saher of St Andrews; two stewards, John of Cranford and John le Moyne; plus Richard of Wix, an administrator, and Peter le Potter, apparently a simple tenant. Two features of their landholding are noticeable. They were not major landowners: none possessed more than a few scattered manors. And their importance as landowners did not depend entirely on lands which they held as tenants of Earl Roger.[4] The links which bound them to the earl were either personal, as with relatives, or presumably, financial: the estates steward, for example, would receive a regular fee.[5]

The /

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1. No. 65.

2. CPR, 1247-58, pp. 137, 646.

3. Abbrev. Placit., p. 183.

4. Saher of St Andrews held Arrington, Cambs., of the earl; Robert de Quincy III held of him Ware, Herts., and Colne, Essex; John le Moyne may have held of him land at Hardwick, Hunts.; Peter le Potter held of him a fee at Sibson, Leics. John of Cranford and Richard of Wix are not known to have held any land of the earl. For details of landholding, see App. D.

5. Denholm-Young, op. cit., p. 71, note 2.

The other eight knights in the inner circle are apparently men who held no land, either of the earl or of anyone else. But they present a considerable problem, because the evidence available about their activities is extremely sparse. About Sir William de Bois, for example, who witnessed twenty-four times, we know only that he was the brother of Sir Ernald de Bois of Thorpe Arnold, Leics., one of Earl Roger's principal tenants.[1] Presumably a younger brother of Ernald, William had followed the course taken by many landless younger sons by entering on service in the household of a major baron. Other knights apparently landless are difficult to identify with certainty. William de Montgomery witnessed nine of the earl's acts, but we have no means of proving that he was the knight of this name who is well attested as a landowner in Derbyshire, Nottinghamshire, Northamptonshire and Staffordshire between 1232 and 1269.[2] Similar doubts surround the names of Warin of Thunderley,[3] Henry Bisset,[4] Philip /

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1. No. 143. As Sir William de Bois was still alive on 6 March 1253 (No. 57), he is not identical with Sir William de Bois of Finmere, Oxon., who was dead by 29 October 1252 (Oxon. Fines, p. 166). There is no evidence to suggest that Sir William de Bois was the owner of land in Essex or Bucks. (See above, Chapter III, p. 113).

2. CR, 1231-4, p. 124; CR, 1264-8, pp. 262, 270, 339; CR, 1268-72, p. 142; CPR, 1247-58, p. 385.

3. Not identifiable as Warin of Thunderley who had lands in Essex, 1217 (CR, 1204-24, p. 340) and was a knight of Herefordshire in 1221 (CRR, x, 171).

4. Presumably identical with Henry Bisset, a knight of Countess Margaret, who at one time held of her six yardlands in Whetstone, Leics., later granted to Stephen de Segrave (Nichols, Leicestershire, II, i, app., p. 117). There is no record of any holding there by Henry Bisset of Earl Roger. Presumably not identical with Henry Bisset who appears in Yorkshire in 1268 (CR, 1264-8, p. 499).

Philip of Chetwynd[1] and Robert of Hereford.[2]

What can be said of such men, about whom the evidence is so negative? If they did hold land at all, they must have held very little, for the voluminous records of English government in the thirteenth century surely omit the names of very few landowners of any importance. We can be fairly certain that none of them held knights' fees of Earl Roger, for they do not occur in the feodary of his estates which it has been possible to compile.[3] It seems a reasonable assumption, admittedly based on negative evidence, that these semi-anonymous individuals close to the centre of affairs were in fact the earl's own household knights. 'The household knight is an elusive person. As he held no land, he naturally does not appear in the records from which our knowledge of feudal organisation is mainly drawn.'[4] But of his existence within the social structure there need be no doubt. Messrs Richardson and Sayles maintain that there were 'a good many landless knights of superior status, ready ... to take service with the king or anyone else willing to reward them for their service in an honourable employment'.[5] We can claim with some /

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1. A Philip of Chetwynd who appears 1277-96 must be another (CPR, 1272-81, pp. 246, 430; Cal. Fine R., i, 290; Cal. Chanc. W., i, 54; Abbrev. Placit., p. 237).

2. Possibly identical with Robert of Hereford who acted as attorney for the abbot of Waltham and others in 1220, 1223 and 1234 (CRR, ix, 59, xi, no. 222; CR, 1231-4, p. 599).

3. Even here a caution is necessary: the fee held by Peter le Potter (above, Chapter III, p. 135) would have remained unknown if the text in No. 65 had not been discovered.

4. Stenton, English Feudalism, p. 139.

5. H.G. Richardson and G.O. Sayles, The Governance of Medieval England (Edinburgh, 1964), p. 132.

some confidence to have identified a body of such men within the household of a great earl.

Two more landless knights have yet to be mentioned and the known facts about them illuminate in a striking fashion our picture of the household knights. What reward could the household knight expect, in addition of course to the food, clothing and shelter supplied by his lord? Sir Robert of St Andrews, who witnessed twelve of the earl's acts, was a son of Saher of St Andrews, and received from Earl Roger, for homage and service, an annual fee of 100s. from the office of provost of the borough of Brackley, to be held until the earl gave him 100s. of land or rent in Scotland.[1] This grant is apparently a fief-rente, that is, 'a fief of which the object constitutes a yearly income assigned on a source of revenue other than an estate of land and of which the instalments are actually paid in kind or in money by the lord of the fief'.[2] Payment of household knights by this means was well-known in the Low Countries and not unknown in England in the thirteenth century.[3] It was an eminently convenient method of providing salaries for those knights who were permanently in attendance on their lord and who had not yet succeeded in acquiring land. We do not know if Robert of St Andrews ever exchanged his fief-rente for land or rent in Scotland. By 1256 he had taken service /

1. No. 91.

2. Lyon, Fief to Indenture, p. 16.

3. Ibid., pp. 184-8. Lyon's statement (p. 187) that 'not a record of this period shows the English barons granting fiefs-rentes to household knights' is contradicted by the example described above. He also maintains that by the thirteenth century household knights had all but disappeared in England. The two sources which he quotes in support of this statement contain no such suggestion; and the evidence discussed above points in the opposite direction.

service in the household of Edmund de Lacy.[1] It is not known whether he was the eldest son of Saher of St Andrews or not, but he presumably succeeded to some of his father's lands, for at his own death in 1274 he held lands in Nottinghamshire, perhaps the family estate at Gotham, in that county.[2]

One other landless knight was the possessor of a rather similar rent. This was John Becard, who witnessed the earl's acts nineteen times. He was killed at the battle of Evesham in 1265. He received from the abbey of Thame, in Oxfordshire, an annual rent of 100s., which passed on his death to his son and heir, Peter Becard.[3] There is no reference in the Thame cartulary to John Becard's annual rent and we cannot prove conclusively by whose grant it originated or from which lands it was paid.[4] But two parallel grants by Earl Roger are suggestive. He gave to Reginald de Duno, who does not appear within the familia but did witness one of the acts, a yearly rent of 100s. in Sydenham, Oxon., to be paid by the abbot and convent of Thame.[5] Roger also instructed the abbot and convent to pay to Roger of Bushey five marks of annual rent due to himself, since he had granted it to Roger by charter.[6] The grant to Duno specifies rent from /

1. CR, 1254-6, p. 450.
2. Cal. Fine R., i, 23. The important charter, No. 91, which records his fief-rente, although now lost, was apparently preserved in the eighteenth century in the archives of a Nottinghamshire family.
3. CPR, 1266-72, p. 297.
4. Thame Cartulary, ed. H.E. Salter, 2 vols. (Oxfordshire Record Soc., 1947-8).
5. No. 148. Duno witnesses No. 69 as 'Reginaldo Daunou'.
6. No. 145. Roger witnesses one of the acts: No. 58.

from Sydenham, but the grant to Roger of Bushey mentions no place. But Sydenham is the only place in which Thame abbey is known to have held land of the earl: in a complex series of transactions he gradually transferred to it all that he held in an estate where in 1241 his demesne was worth at least £20.[1] He employed arrangements made with the abbey to remunerate Duno from Sydenham, and to remunerate Roger of Bushey, perhaps also from Sydenham. It seems a reasonable guess that the rent which John Becard, a prominent household knight, held from Thame abbey was the result of a grant by Earl Roger, possibly from Sydenham. These grants may not have been fiefs-rentes, in the strict sense; but the evidence suggests that the earl made use of rents which lay within his control to remunerate certain followers, perhaps including one of his household knights.[2]

The fourteen knights of the inner circle of the familia present an entirely comprehensible picture. Some were the earl's relations, others were his stewards and administrators; some were landed men in a modest way, others were landless men perhaps receiving a form of salary. Some were transient figures who moved on to other households, others were fixtures who served in the earl's household for many years. What they were not is equally significant: none of the earl's major tenants was a knight within this circle of the familia.

Another /

1. No. 149. For details of transfer of the Sydenham estate to Thame abbey, see VCH Oxfordshire, viii, 117-18.

2. There is one example (No. 33) of an annualrent granted to one of the earl's Scottish tenants, Saher of Seton, from lands at Tranent, East Lothian.

Another fourteen knights occur in the outer circle. The same categories can be discerned within this group and the numbers within these categories are similar. Only one of these fourteen was a relative of the earl. This was Sir Richard de Harcourt, who by marrying Orabile de Quincy II became Earl Roger's brother-in-law.[1] Besides being a prominent landowner in Leicestershire, Oxfordshire and Staffordshire, Richard was one of the earl's principal tenants, holding of him three fees in Leicestershire.[2] Richard witnessed only three of the acts, two of which are from the period before 1235, and although part of the familia he cannot have been more than an occasional member of the household.

Within the inner circle it was possible to distinguish six landed knights out of fourteen. In the outer circle the landed interest is represented by eight knights out of fourteen. Sir Richard de Harcourt was one of these and a figure of equal prominence in contemporary society was Sir Ernald de Bois, who witnessed five of the earl's acts. Brother of William de Bois, one of the landless knights of the inner circle, Ernald was the head of an Anglo-Norman family and was Earl Roger's principal tenant, holding some eighteen fees of the honour of Winchester in Gloucestershire, Leicestershire and Warwickshire.[3] Two more landed knights in the outer circle were, like Harcourt and Bois, tenants of the earl, but these two were much less distinguished than the two Anglo-Norman magnates. Sir William Lovel, who witnessed three /

1. See above, Chapter I, p. 22. 2. See above, Chapter II, p.97.
3. See above, Chapter II, p. 96; Loyd, Anglo-Norman Families, p.51.

three times, and Sir Everard of Trumpington, who witnessed five times, each had half a fee at Chalton, Beds., held of the earl in 1242-3.[1] Everard of Trumpington also held of the earl two and a quarter fees at Trumpington and Girton, Cambs.[2] William Lovel's activities have proved impossible to trace, since his name is so common, but the public records reveal that Everard of Trumpington was a Cambridgeshire landowner of some substance. He had lands at How House and Madingley, in that county, as well as property in Bedfordshire and Leicestershire. He was active from the early years of the thirteenth century until at least 1251, when he was involved in a dispute with Henry of Bath, the justiciar, about a manor.[3] He occasionally took part in royal administration: as a justice in Cambridgeshire and Bedfordshire, as collector of a thirtieth in Cambridgeshire, and as one of those appointed to extend and partition the lands of John, earl of Huntingdon and Chester, who died in 1238.[4] Everard is found once in Scotland, when he witnessed a charter of Alexander II, dateable between 1215 and 1220, confirming a grant by Earl Saher.[5] Earl Roger may have been his principal feudal superior, whom he served as one of the familiares, but Sir Everard had too many other activities on hand to be a permanent member of the earl's household.

The /

1. Fees, ii, 870. 2. Hastings, i, 333.

3. CRR, viii, 70-71, xiii, nos. 1276, 1298; CR, 1204-24, p.326b; HKF, iii, 262; M. Paris, Chron. Maj., v, 213.

4. CPR, 1225-32, pp. 216, 295, 449, 525; CR, 1234-7, p. 547; Rot. Fin., i, 318; CPR, 1232-47, p. 234.

5. Inchaffray Chrs., app., no. ivb.

The other four landed knights in the outer circle were apparently not tenants of the earl. Two of the four were English and two were Scots. Sir Ralph Chamberlain, who was the earl's steward at some time during the 1240s, witnessed four times. He was a Leicestershire landowner of moderate status, holding lands in that county as a tenant of the Basset family.[1] Sir Henry Engayne, who witnessed three times, was a tenant-in-chief of the crown, holding a knight's fee at Chalfield Parva, in Wiltshire,[2] a county where Earl Roger was the chief lord of numerous fees. The two Scots were Sir William de la Hay and Sir Duncan Sibald, who witnessed five and four times respectively. Hay was the brother of Gilbert de la Hay, third lord of Erroll, in Perthshire. William de la Hay received from his brother two carucates in Erroll before 1251 and was the founder of the family of Hay of Leys. He was an ambassador sent by Alexander III to England during the Anglo-Scottish crisis of 1257-8, in which Earl Roger was also closely involved.[3] Duncan Sibald witnessed, along with William de la Hay and other members of Earl Roger's household, a grant by William de Malerbe to John of Kinloch, a tenant of the earl, about land near Pitlochie, in Fife. Duncan Sibald, along with William de la Hay, was one of forty-one Scottish knights who about 1244 took an oath of good behaviour towards England on behalf of Walter Comyn, earl /

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1. Fees, ii, 949. See above, Chapter II, p.86. 2. Fees, ii, 736.

3. SP, iii, 557; NLS, Adv. MS. 34.6.24, pp. 430-1; CR, 1256-9, pp. 300, 329. A William de la Hay held of the honour of Winchester in 1277 two yardlands in Burton Overy, Leics. (Hastings, i, 326); but there is no evidence to show whether this man was the Scottish knight of that name. The surname existed in England and William Hay was sheriff of Oxfordshire in the 1240s (CDS, i, nos. 1603, 1626).

earl of Menteith.[1] Sibald may possibly be identified with an Angus landowner of that name who made a grant to Coupar Angus abbey in 1286.[2]

The eight landed knights of the outer circle of the familia were mainly landowners of lesser standing. Richard de Harcourt and Ernald de Bois are the exceptions. Four of the eight, including Harcourt and Bois, were tenants of the earl. We found that in the inner circle all the landowners were of lesser standing and only two were tenants of the earl. The conclusions are clear. The landed knights who were closest to the earl were men of modest substance and were not invariably his own tenants. Those two of his major tenants who appear within the familia were not particularly prominent members of it.[3]

The outer circle of the familia also included a group of apparently landless knights, again identifiable as household knights. Two of them had Scottish connections. Sir Gilbert of Colvend, who witnessed four times, took his name from a parish in Kirkcudbrightshire, near the mouth of the river Urr, in which Earl Roger probably had land.[4] In 1262 Gilbert witnessed a charter about the church of Urr in the company of Sir Hugh de Beaumais, who was a witness to one of /

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1. SHR, ii, 173-4; CDS, i, no. 2672.

2. Coupar Angus Rental, i, 344.

3. Only one of the earl's English stewards does not occur in the lists of members of the familia given above. This is Robert le Waleys of Swithland, who witnessed twice only. His infrequency in witness lists may be due to the fact that he served as steward for a short period only, from 1259 to 1264 (see above, Chapter II, p. 91, n.1).

4. Black, Surnames, p. 191; App. D, Kirkcudbright.

of Earl Roger's acts.[1] Although there is no sign that Gilbert himself possessed land, he presumably belonged to a family named Colvend which in the second half of the thirteenth century apparently possessed estates on both sides of the Solway Firth, as did Earl Roger himself.[2] Unlike Gilbert, Sir Bernard of Ripley, another household knight, had an English name but a Scottish background. He must have been a descendant of Bernard of Ripley who flourished in northern England in the late twelfth century.[3] The name comes from a parish near Ripon, in the West Riding of Yorkshire. The Yorkshire family which bore this name had already produced a Scottish offshoot in William of Ripley, to whom William the Lion had granted the estate of Dallas, in Moray, and this link may help to account for the later Bernard of Ripley's Scottish interests.[4] He witnessed three of Earl Roger's acts, but probably ceased to be a member of the earl's household on taking service in the household of Alexander II. Sir Bernard regularly witnessed Scottish royal acts from 1245 until the king's death in 1249;[5] but his attendance in the royal household /

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1. Holyrood Liber, no. 81; No. 18.

2. Register and Records of Holmcultram, ed. F. Grainger and W.G. Collingwood (Cumberland and Westmorland Antiquarian and Archaeological Soc., Record series, vol. vii, 1929), pp. 19-22, 88.

3. EYC, i, 404-5, x, 97-99.

4. SRO, Register House Charters, no. 58; J. Dallas, History of the family of Dallas (Edinburgh, 1921), pp. 22-28.

5. Raine, North Durham, no. 73; Fraser, Southesk, ii, no. 25; Scone Liber, no. 81; Arbroath Liber, i, no. 266; Melrose Liber, i, no. 266; Coupar Angus Chrs., i, no. 53; Aberdeen-Banff Coll., p. 299; Anderson, Oliphants, no. 5; Dunfermline Registrum, no.77; Cambuskenneth Registrum, no. 53.

household may then have ceased, for he witnessed none of the acts of Alexander III.

The remaining household knights of the outer circle are four in number and biographical details about them are almost entirely lacking. The name of Sir Robert de Betun brings before us again the place of origin of the Quincy family at Cuinchy, which is close to Béthune, dep. Pas-de-Calais. Another Robert de Betun witnessed a charter of Robert de Quincy I, Roger's grandfather, and the appearance in the Quincy family circle of two men bearing this surname suggests the possibility that the family still had an attachment of some kind to the area from which they originally sprang.[1] Sir John of Carlisle, who witnessed one of the acts as late as about 1259-60, seems unlikely to be identical with the man of that name who had his lands in Cumberland restored to him by the crown in 1217.[2] But it is possible that John of Carlisle, the household knight, was drawn into the earl's circle through contact with Roger's Cumberland properties. Sir William d'Oyly occurs only once in the public records, on receiving a protection when crossing with the king to Gascony in 1253.[3] The last household knight, Sir Michael de la Rose, is a complete cipher.

Having identified, so far as possible, the knights within the earl's familia, and differentiated the landowners from the rest, we can /

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1. See above, Chapter I, p. 9; St Andrews Liber, p. 354.
2. No. 152; CR, 1204-24, p. 374b.
3. CPR, 1247-58, p. 235. An important family named d'Oyly held Hook Norton and South Weston, Oxon., and died out in the male line about 1233 (Dugdale, Baronage, i, 459-61; HKF, ii, 244-6). South Weston is three miles SW of Sydenham, where Earl Roger had land in demesne; and Hook Norton is only fourteen miles from the earl's borough of Brackley, Northants.

can apply one more test to the documents which will help to illuminate the actions of these knights. As the earl's acts seldom record the places at which they were issued, we cannot normally discover which members of the familia were present at particular places. But the acts of English and of Scottish provenance are nearly always readily distinguishable by their subject-matter.[1] The habits of both landed and landless knights in witnessing in England or Scotland, or in both, can be tabulated as follows:[2]

	Inner circle			Outer circle		
	Eng.	Scot.	Eng./ Scot.	Eng.	Scot.	Eng./ Scot.
Landed knights	3	-	3	5	2	1
Landless knights	-	-	8	1	-	5

The figures suggest two conclusions. The landed knights did not in general cross the border frequently, although those in the inner circle did so more than those in the outer circle. On the other hand, the landless knights, with one single exception, are found with the earl in both countries. This is striking confirmation, from independent testimony, that these knights, about whom the sources reveal so little, are the household knights in the strict sense. Their /

1. Subject-matter is not an infallible guide to place of issue. For example, the terms of No. 39, which concerns lands in Lauderdale, imply that it was issued at Halse, Northants., and this is confirmed by the presence of the rural dean of Brackley in the witness list.

2. These figures are obtained by checking the provenance of every text in which each knight appears as a witness. For details see Appendix B. It is curious that all but one of the twenty-nine occurrences of Saher of St Andrews in the earl's acts are in documents of English provenance. But Saher did in 1238 witness an agreement of Scottish provenance made in the presence of Earl Roger and members of his household (Lindores Chartulary, no.64).

Their ties were not to estates but to the earl's person. Like him and with him they were peripatetic. They were the core of his personal retinue.

We have now investigated all the categories to be found in both circles of the familia. What are the outstanding features of this body? Its composition is fluctuating and its members are mobile. At its centre is a small group of long-serving retainers, of whom the most prominent is Saher if St Andrews. Study of witness-lists will not reveal exactly how many men normally served within the earl's household, but the evidence analysed above suggests that at the heart of affairs there would regularly be at least half-a-dozen knights, two clerks and a chaplain.[1] To these would be added local estate officials, a few tenants and important local personages. Just as the king's court changed its character as it travelled up and down the country, so the earl's household drew in local men as it went on its way.[2] At Brackley, the important burgesses put in an appearance. In Scotland, prominent ecclesiastics such as Mr Adam of Makerstoun or Simon de Noisy joined the entourage. The household lived physically on the move. But some members of the familia were also mobile socially. Several departed to other spheres. Philip Lovel entered royal service, with outstanding success. Sir Richard of Wix became steward of the bishop of Lincoln. Sir Robert of St Andrews /

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1. With the earl himself, this makes a total of at least ten and this figure accords reasonably with the figure of twelve horses which could be accommodated in his stable at Clackmannan on his visits there (No. 26).

2. For a description of fluctuations in the curia of Henry II and John, see J.E.A. Jolliffe, Angevin Kingship (London, 1955), pp. 139-65, esp. 146-9, 156-7.

Andrews entered the household of Edmund de Lacy and Sir Bernard of Ripley that of the king of Scots. Indeed, some of those who belonged to the familia may have been mere birds of passage. It is singular that the only knight who is noted in official records as belonging to the earl's familia does not occur in our lists above. This was Sir Guy Pipard, a Worcestershire landowner, who in 1250 had a grant of freedom from service on assises, juries or inquests so long as he belonged to the familia of Earl Roger.[1] He witnesses only two of the earl's acts and one of Countess Maud's.[2] The pattern of the familia is kaleidoscopic and changes constantly as men are drawn into it and pass beyond it.

Tenants of the earl take only a small place within his familia. A few members of the inner circle were his tenants, but not all. Of his five major tenants, only two, Harcourt and Bois, were members of the familia, and they are in the outer not the inner circle. The great majority of tenants never appear in our lists at all and many do not witness even a single act. Robert de Noveray, a tenant who had the privilege of setting the first dish on the earl's table and might therefore be expected to occur as a member of the household, witnesses only one act.[3] His privilege must have been a formality, a piece /

1. CR, 1247-51, p. 260; CR, 1234-7, p. 467.

2. Nos. 94, 107; App. A, no. 9. The earl's marriage to Maud lasted from before 1250 until 1252 and, as Guy is described as belonging to the familia in 1250, it is possible that he was originally in Maud's service, joined the earl's service for a brief period only, and thus came to seek the short-term exemption in which his name is mentioned.

3. No. 78; Nichols, Leicestershire, II, ii, 531.

a piece of ceremonial for special occasions. So far as the evidence will take us, it appears that the familia and the tenantry were in separate categories which overlapped a little, but not much. The earl may have seen and heard his tenants in his courts, if he ever held these in person, but his daily companions and his trusted administrators were a different group of men. Times had changed. Sir Frank Stenton has pointed out that in the eleventh and twelfth centuries 'there can rarely have been need for a lord to take his knights, as such, into counsel. The advice which he needed, in time of peace, was not the advice of a military entourage, nor of the knights whom he had provided with land sufficient for their maintenance alone, but that of tenants with a substantial interest in his honour... It was such tenants who formed the honorial baronage.'[1] Earl Roger's relations with his tenants were on a more formal basis than this. The feudal structure remained, but the habits of an earlier age had decayed.

'The importance of the household knights is perhaps the most striking feature of the whole organisation. Some were landowners, some were not, but all were closely attached to the earl and his 'meinie', his menage. A similar body of men can be seen in other households of the period: in 1267, there were eighteen 'bachelors' in the service of Gilbert de Clare, earl of Gloucester and Hertford.[2] Apart from a few hints that some of them were remunerated with rents, such /

1. Stenton, English Feudalism, pp. 94-95.

2. CPR, 1266-72, pp. 146-7. For an analysis of these bachelors, who may have been knights of lesser standing, see E.F. Jacob, Studies in the Period of Baronial Reform and Rebellion (Oxford, 1925), pp. 127-33.

such as fiefs-rentes, we do not know the exact terms on which such men were retained in Roger's household. The earliest indentures of retinue recording the terms of service to be rendered to a magnate date from the late thirteenth and early fourteenth centuries.[1] But that Earl Roger supported a retinue cannot be doubted. 'The practice became a disease in later times, when it was systematized as "livery and maintenance".'[2] It is a long way from Earl Roger's household knights to the livery roll of Lady Elizabeth de Burgh, compiled in 1343, which listed fifteen knights, ninety-three esquires, twenty-one clerks and numerous others.[3] But the two organisations look similar. Earl Roger's household has developed from the simpler customs of the twelfth century and glances forward to the fossilized feudalism of the fourteenth century. Indeed, a recent student of the fourteenth-century retinue system has maintained that what has been stigmatized as bastard feudalism 'may be most accurately described as the later medieval version of a more permanent feature of English social organisation: the grouping of servants and followers, household and retinue, noble and servile dependents, around the great estate, supported and attracted by its wealth and influence'.[4] Earl Roger's household and retinue, knightly in character but not over-elaborate, is /

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1. Denholm-Young, Seignorial Administration, pp. 23-24, 167-8.

2. Powicke, Thirteenth Century, p. 152.

3. Holmes, Higher Nobility, p. 58. In 1313-14, Thomas, earl of Lancaster, granted liveries to seventy knights, twenty-eight esquires and smaller numbers of clerks and others (ibid., p.72).

4. Ibid., p. 83.

is at a half-way stage of development.[1]

One further characteristic of the familia is important: its members were mainly English. It is dangerous in a study of thirteenth century society to decide a man's nationality on the basis of his name alone. But certainly in the inner circle of the familia prominent names such as Chetwynd, Cranford, Hereford, Potter, Trafford and Wix can be nothing but English. Only one member of this circle has through his name a specific French connection: Mr Eustace de Montivilliers, the earl's chaplain. The obscurity which surrounds the origins of the St Andrews family leaves it uncertain whether they should be credited to Scotland, England or France; but Saher of St Andrews' marriage and landownership gave him a particular attachment to England. Mr Thomas of Man is altogether an outsider, who presumably originated in the Isle of Man, which was a semi-independent kingdom during Earl Roger's lifetime but was added to the kingdom of Scotland in 1266. In the outer circle of the familia, Englishmen are still in the majority, but a little more national variety can be observed. Ernald de Bois and Richard de Harcourt were the heads of families which remained Anglo-Norman until the loss of Normandy in 1204; and Robert de Betun bore a name of French origin. The Scottish element is a little more prominent in this circle. William de la Hay and Duncan Sibald were landowning knights of Scottish birth. Gilbert of Colvend had a Galloway name; and Mr Adam of Makerstoun took /

1. Cf. Denholm-Young, Seignorial Administration, p. 30: 'private households had not yet developed into the complicated organisms which were common in the fourteenth century'.

took his name from a parish in Roxburghshire. Three of the Scots had rather mixed national backgrounds. Bernard of Ripley and Mr Eustace of Shelford had English names but Scottish careers and must be labelled Anglo-Scots. Similarly, Simon de Noisy can only be called a Franco-Scot.[1] The mixture of Scottish, English and French elements which was part of the Quincy family tradition is reflected in the composition of Earl Roger's familia. But, as was natural for an English earl whose richest manors lay in the English midlands, Englishmen predominated among his familiares.

1. On the Chaumonts, a Franco-Scottish family also associated with the Quincys, see No. 30, notes.

CHAPTER IV

THE ACTS

THE SURVIVAL OF ACTS

In the series of 157 acts presented below there are seventy-nine full, or almost full, texts, of which forty-three are from traced and accessible original documents. There are also seventy-eight *notitiae*, representing acts about which only fragmentary information has survived.[1] In other words, almost as many lost acts are known as there are surviving acts. This situation contrasts with the collected acts of King Malcolm IV, in which 161 are full texts and fifty-two are lost acts, and with those of Archbishop Stephen Langton, in which 139 are full texts and twenty-one are lost acts. The fuller documentation of Earl Roger's acts is mainly a result of the greater quantities of English public record which survive from the reign of Henry III onwards.

Yet it remains true for the acts of Earl Roger, as for any collection of the acts of a medieval dignitary, that what survives is a very small proportion of what was originally issued. This can be proved by examining the proportions of acts for laymen and acts for ecclesiastical beneficiaries.[2] Among the full texts, twenty are for laymen (including individual clerks), fifty-nine are for ecclesiastical institutions. /

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1. No. 156 consists of a witness list which lacks a text and it has been left out of account for statistical purposes.

2. For details see App. C.

institutions. But among the lost acts, twenty-nine are for laymen and clerks, compared with forty-seven for ecclesiastical institutions. These proportions suggest that, overall, laymen are distinctly under-represented. As a large church or monastery was an undying corporation, its archives had a much better chance of survival than had those of a family, which was subject to the dangers of civil disruption, social decline or even extinction.

There is further evidence of loss in what has survived from the Brackley hospital archives. These produce so many original charters that one might reasonably assume that the records of the hospital had survived in their entirety. Yet there is evidence of eight other acts in favour of the hospital, of which the texts are lost. Another indication of losses is given by the relatively meagre survivals from Scotland. It must not be assumed that in Scotland at Earl Roger's time there was necessarily as much veneration for ink and parchment as there was in the highly-organised world of English administration. But it is inconceivable that a magnate as wealthy as Earl Roger, who had numerous holdings in Fife, particularly at Leuchars, should have issued during a long life no more than three acts for the priory of St Andrews, the premier cathedral chapter in Scotland. The complete absence of acts for the monasteries of Galloway, many of them founded by Countess Helen's ancestors, must be a result of the troubled conditions of the area and not of any lack of interest on Earl Roger's part.

Finally, different types of document had differing chances of survival. The vast majority of the acts are grants in perpetuity, preservation /

preservation of which was vital for the maintenance of the rights or possessions which the beneficiary had received from the earl. But those ephemeral documents which have survived were part of a routine of administration which has left behind only the merest fragment of its original output of parchment. There survive two examples of precepts to the earl's steward instructing him to put, or maintain, a beneficiary in possession of rights.[1] There is one instance of a receipt issued on payment by a tenant who had purchased from the earl a grant of view of frankpledge.[2] Administrative needs would result in the issue of many such acts, but, once executed, their usual fate was to be destroyed. The surviving acts of Earl Roger can give no more than a very partial view of the administration which produced them.

PHYSICAL FEATURES

It is unnecessary to describe in detail all the physical features of the surviving originals. But comment on some of these features will draw attention to significant habits of the clerks who created them.

Sizes of course vary from very large to very small. The largest document, No. 98, measures 12.9 by 17.4 inches (32.8 by 44.2 centimetres). There is evidence of the versatility of the clerks in the fact that Robert Francis, the clerk who wrote this huge sheet of parchment, also penned one of the smallest documents in the collection, No. 145 /

1. Nos. 61, 122.

2. No. 154.

No. 145, letters patent addressed to the abbot and convent of Thame. This is a narrow strip of parchment 8.5 by 2.3 inches (21.6 by 5.8 centimetres). The smallest original, however, is a charter, not a writ. This is No. 117, which measures 5.8 by 3.2 inches (14.7 by 8.1 centimetres). Shape is of interest as well as size. It was normal for the clerk to write parallel to the longer sides of his piece of parchment, but in four instances the writing is parallel to the shorter sides, thus giving rather the appearance of a roll. One of these is No. 98, the large document mentioned above. Two others are indentures, Nos. 49 and 50; the fourth, No. 100, is almost square, at 6.0 by 6.4 inches (15.2 by 16.3 centimetres). It is obvious in the case of No. 98 that the extraordinary length of the text was the reason for adopting this unusual shape. The habit of writing across the breadth, not the length, has been observed in one continental collection to be not uncommon down to the second quarter of the thirteenth century.[1]

In the layout of the text, the clerks normally employed very small margins. The left-hand margin is the one usually observed most carefully. On average it is about three-tenths of an inch; the right-hand margin may be even less. The margins were occasionally ruled, sometimes with double lines.[2] In one document, No. 103, the left-hand margin has been made by folding the parchment before writing /

1. Actes Pontieu, p. xv. The scribes of English episcopal acts were almost invariably writing on the longer way of the parchment by the end of the twelfth century (Cheney, Bishops' Chanceries, p. 46).

2. Nos. 52, 92, 98, 107 bis, 134, 151.

writing upon it. It is likely that this method was quite commonly employed, but traces of it are naturally difficult to see unless the document is very well preserved. Similarly, many of the documents must originally have carried rulings as guide-lines for the clerk: the lines of text are often although not invariably written with a considerable degree of regularity. Traces of rulings do survive: seven times in ink,[1] four times in dry-point[2] and twice in pencil.[3] There is no certain instance in this collection of an endorsement, a note on the back of the parchment, which has been written by the clerk who wrote the text, although a number of endorsements in contemporary hands do exist.[4] The clerks did not conceive endorsement to be one of their regular duties; any endorsement required would be added by a clerk of the beneficiary, when the document lay in his archives.

The bulkiest physical feature of an act, as originally produced, was the seal. Three methods of attaching the seal to the document were in use. The commonest was a doubled tag of parchment passed through slits in a fold at the foot of the sheet of parchment.[5] These slits could be made in two ways. Most usually, one incision only was made in the fold and into this the tag was inserted before the seal was hung upon it. In six cases, three incisions were made (the /

1. Nos. 52, 92, 98, 100, 107 (text A), 108, 151.

2. Nos. 26, 38, 68, 99.

3. Nos. 107 (text B), 134.

4. One charter by Countess Margaret (App. A, no. 5) does have an endorsement in the same hand as that of the text.

5. Some scholars prefer to use the terms <u>sur double queue</u> and <u>sur simple queue</u> in describing the two basic methods of sealing, but I can see no advantage in perpetuating foreign phraseology in this matter and shall describe these methods as tag and tongue respectively. The average depth of the fold in Earl Roger's acts is about one inch.

(the lowest one usually at the point of the fold) and the tag was threaded through these.[1] This method gave greater strength. A contemporary French collection, the acts of the counts of Ponthieu, shows that the regular usage there in the thirteenth century was that employing three slits.[2] The more usual Anglo-Scottish practice, at least as revealed in the present collection, was to employ the simpler system of one slit only.

The second method of attaching the seal was to use cords, often coloured, in place of a parchment tag. There are two examples of this among the originals. In one case, No. 2, the four cords have been threaded through a normal single slit in the fold. In the other case, No. 90, there are again four cords, but they are inserted into four holes made in the fold. The use of cords may be intended on some occasions to give a ceremonious air to an important document: No. 90 is the earl's charter to his borough of Brackley. But this is not invariably so: No. 2 is an agreement of no particular importance.[3]

The third mode of attachment was the simplest of all and had been much in use in the twelfth century. This was to cut from the foot of the parchment a strip forming a tongue, which remained attached at the left-hand bottom corner. In royal and episcopal practice, this method had come, by the early thirteenth century, to be employed solely /

1. Nos. 1, 49, 68, 95, 99, 100. 2. Actes Pontieu, p. lxxiii.

3. The drawn facsimile which is the only available source for No.43 shows that its seal was attached by two cords threaded through three holes in the fold. This act is a simple enfeoffment.

solely for administrative mandates and similar ephemeral documents.[1] Two of the three examples in this collection of the use of the tongue are documents of this kind: a letter to the abbot and convent of Thame (No. 145) and a quitclaim in a financial transaction with Philip Lovel (No. 153). The third example is a notification about return and cancellation of charters (No. 3, text B); and it may well be because this mode of sealing was felt to be abnormal for a document of permanent value that another copy of the text was made, bearing its seal by the more regular means of a tag (No. 3, text W).

The seals themselves are objects of considerable interest, both administrative and artistic. The earl had three seals.[2]

First seal

Obverse. On horseback to sinister, figure in chain armour, with surcoat, cylindrical helmet, sword in right hand and a shield suspended from the neck bearing arms: masculy. Horse with caparisons bearing the same arms. Legend: [SIGILLVM] R◇O◇G◇E◇R◇I [DE QVE]N◇C/I (stroke between C and I is point of sword). Diameter 2.4 in (6.1 cm). Reverse. Counterseal: an antique gem showing a satyr seated, between two mascles, top and bottom, and two wyverns, left and right. Legend: SIGILL' : ROGERI : D' : QVENCI (the N is reversed, in error). Diameter 1.6 in (4.1 cm).

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1. On this change of practice, see RRS, i, 88, and Cheney, Bishops' Chanceries, p. 49.

2. The descriptions of the first and second seals are based on Stevenson and Wood, Seals, iii, 551, but details have been checked by study of the seals themselves. Stevenson and Wood numbered these two seals as second and first respectively, but the opposite convention is here adopted, to indicate that one is earlier in time than the other. The privy seal was unknown to Stevenson and Wood.

Second seal[1]

Obverse. On horseback to sinister, figure in chain armour, with cylindrical, flat-topped helmet, latticed in front, sword in right hand and a shield on left arm bearing arms: masculy. Horse with caparisons bearing the same arms; between its legs, a wyvern. Legend (between beaded borders): SIGILL : ROGERI : DE : QVINCI : COMITIS : WINCESTRIE : Diameter 3.0 in (7.6 cm).

Reverse. On foot, figure in chain armour, surcoat, cylindrical, flat-topped helmet, latticed in front and with a wyvern for crest, with sword in right hand and shield on left arm bearing arms: masculy; combating a lion on dexter; between them a rose of six petals. Legend (between beaded borders): SIGILL : ROGERI : DE QVINCI : CONSTABULARII: SCOCIE. Diameter 3.0 in (7.6 cm).

Privy seal

Between branches of foliage at sides, shield bearing arms: seven mascles (three, three and one). Legend: SIGILL ROGERI DE QVINCI. Diameter (approx.) 1.3 in (3.3 cm).

The /

1. This seal has been frequently reproduced: Sir Henry Spelman, Aspilogia (in Nicholas Upton, De Studio Militari, 1654), notes, p. 105; Holyrood Liber, plate i; J.G. Nichols, 'Seals of the earls of Winchester', Proceedings of the Archaeological Institute of Great Britain ... at Winchester (London, 1846), p. 105; H. Laing, Descriptive Catalogue of ... Ancient Scottish Seals (Bannatyne and Maitland Clubs, 1850), plate 11; W. de G. Birch, Catalogue of Seals in the ... British Museum, vol. ii (London, 1892), plate x; C.H. Hunter Blair, Catalogue of Durham Seals (Newcastle upon Tyne, 1921?), plate 21; Hatton's Book of Seals, plate iii. See illustration above, Frontispiece.

The seals are fragile objects, which have suffered greatly from damage over the years. Only one example of the first seal has survived, on No. 2 in the collection. The only extant example of the privy seal, on No. 153, is damaged at the edges; but the description can be completed from a sketch made by Sir James Balfour of Denmilne from a Seton charter.[1]

The administrative uses of the three seals are fairly obvious. The first seal belongs to the period before Roger became, successively, constable of Scotland and earl of Winchester. The second seal was his principal means of authenticating documents for the remainder of his career, and at least twenty-two specimens of it are extant.[2] The small seal, which it is convenient to call a privy seal, was certainly used on a financial quitclaim and probably also on a simple receipt.[3] But the principal seal could equally well be used on an administrative document. It appears on a tongue on No. 145, the letter to the abbot and convent of Thame already mentioned as one of the smallest documents in the collection. Use of the privy seal on this act would have been more natural and physically more convenient. But it seems that administrative rules were sufficiently fluid in the earl's secretariat to permit either seal to be used on an administrative act. Simon de Montfort, earl of Leicester, and two contemporary earls of Chester similarly used a small as well as a great /

1. BM, Harl. MS. 4693, fo. 17r.

2. Nos. 3, 29, 52, 63, 68, 78, 90, 92, 94, 95, 98, 107, 108, 109, 112, 113, 116, 143, 145, 149, 151, 153.

3. Nos. 153, 154.

great seal, and it may be that most major barons of the period would have two seals at their command.[1]

In another sphere also rules were unsettled: the colours of wax used for the seals. In the Scottish and English royal chanceries, and elsewhere in Europe, particular colours of wax came to be used for different types of document.[2] From surviving examples, and from information about seals now lost, we can tell that three colours of wax were used by the clerks who attached seals to the earl's acts. Twenty were in natural or brownish wax;[3] thirteen were in green wax;[4] and three in pink or red wax.[5] There is no evident correlation between these colours and the types of document concerned.

The second seal in particular is a fine example of thirteenth-century seal engraving. Both the horse on the obverse and the lion on the reverse are lively beasts. The suggestion has been made that the lion is an emblematical representation of Scotland;[6] but this seems far-fetched and illogical. Why should the constable of Scotland appear in battle against Scotland itself? A simpler and more acceptable explanation is that the scene of a knight fighting a lion represents courage. The same motif appears on the seals of Roger /

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1. Bémont, Simon de Montfort, p. 286; Duggan, 'Earls of Chester', pp. 12-13.

2. [Sir Hilary Jenkinson,] Guide to Seals in the Public Record Office (London, 1954), pp. 13-14; David Murray, The Black Book of Paisley (New Club Series, Paisley, 1875), pp. 78-79.

3. Nos. 2, 3, 25, 52, 58, 63, 68, 78, 102, 105, 108, 109, 112, 113, 116, 117, 145, 151, 152, 154.

4. Nos. 29, 43, 90, 92, 94, 98, 100, 107, 119, 134, 143, 149, 153.

5. Nos. 32, 57, 95.

6. Nichols, art. cit., pp.106-7.

Roger de Berkeley and Bertram de Verdun in the twelfth century and on the seal of Hugh de Neville, chief forester of King Henry III.[1] The knight and the lion again appear in a carving on the fifteenth-century choir screen of Glasgow Cathedral and the same meaning has been suggested for the scene.[2]

CLERKS AND HANDWRITINGS

One further physical feature of the acts remains to be examined: the handwritings upon them. But these may most appropriately be considered as part of a study of the clerks who produced the documents. It should be said of the handwritings in general that they are without exception typical small, business-hands of the period. Within this general field there are varieties to be seen, ranging from chancery hands of an official type to less regular scripts displaying idiosyncrasies which would hardly have been tolerated in official circles. No. 50, for example, which was drawn up in the presence of a group of royal justices itinerant, is written in a well-formed court hand which is likely to have been that of a royal clerk who was in their company. The writer of No. 117, by contrast, makes excessive use of the 'long i' (=j), both within and at the ends of words, and adds an elaborate curl to the tail of h, n and m which produces overall an unpleasing effect. This clerk also displays incompetence by squeezing /

1. Nichols, art. cit., pp. 106-7.

2. James S. Richardson, The Medieval Stone Carver in Scotland (Edinburgh, 1964), p. 51 and plate 102 (a).

squeezing a dating clause in at the foot of the text of this act and allowing this addition to blot on the underside of the fold.

The main objective in studying the handwritings on the documents must be to identify the hands and then, so far as possible, to discover the names of the clerks thus identified. The information collected in this way will permit some conclusions about the administrative system which produced the acts. It is important to discover whether Earl Roger had a 'chancery' or not.

Of the forty-three originals which are available for examination, twelve are in different hands which remain unidentified.[1] But among the remaining thirty-one the hands of six different clerks can be identified. There is a range from a clerk who produced nine documents to one who produced two only. The clerks, their identification and the characteristics of their hands, will be discussed in order, beginning with the most prolific.

It has proved impossible to identify by name the clerk who wrote these nine originals[2] and he has been allotted the name 'Scribe A'. His handwriting has few very outstanding characteristics, but is notable for a tendency to backhand, for rather heavy tails on g and s, for the use of an open r, and for a certain angularity visible especially in the signs for et (7) and for -orum. The fact that this clerk frequently attached the seal to a charter by means of treble slits helps to identify him; five of these nine originals have /

1. Nos. 3 (text W), 21, 26, 29, 38, 50, 90, 99, 113, 117, 142, 153.
2. Nos. 1, 2, 49, 68, 95, 100, 116, 143, 149.

have this characteristic. Handwriting, of course, cannot be considered in isolation and attention to such small tricks of charter-production may produce evidence which can clinch an identification. Clerks can sometimes be identified by name from their habit of mentioning themselves as the last person named in the witness list. In two of these nine originals the last witness is Brian the clerk and in another two the last witness is Mr Thomas of Man. But two occurrences are not enough to produce certainty and this important clerk must remain anonymous.

Eight originals were produced by a clerk who can be confidently identified since he conveniently named himself as the writer in a grant made in 1247 by Ranulf le Cras of Astwick to Brackley hospital.[1] He was Robert Francis (usually spelt Fraunceys in the texts). His handwriting is readily recognisable. It is a good court hand, of regular appearance, with heavy ascenders on a and d. A number of orthographic habits are prominent: he is restrained in his use of the sign for et and careful in using t in words such as donatio, where many contemporary clerks would have used c. Robert Francis writes the word aliis, occurring at the end of the witness list, in a highly characteristic manner by enlarging the a and l into majuscules and ending the word with an elaborate, beaver-tailed capital S. In preparing his sheet of parchment, he frequently ruled it in ink, including the margins, and continued the rulings to near the foot of the /

1. Oxford, Magdalen College, Evenley and Astwick 50 (Macray's Catalogue, no. 146). The eight originals are Nos. 52, 64, 92, 98, 103, 107 (text A), 145, 152.

the sheet, so that they now appear under the fold.[1]

One other clerk similarly named himself in a Brackley hospital deed. This is Robert of Trafford, who wrote six of the originals in this collection.[2] He produced a neat hand, with a tendency towards backhand, showing rather prominent hair-ticks on i, in words such as aliis, and sometimes on e at the end of a word. On four occasions, when writing the word in full, he uses the abnormal spelling constabilarius in the earl's style.

The three remaining clerks are represented by only a few documents. Three are apparently in the hand of Roger of Trafford, brother of Robert of Trafford.[3] Roger is the last witness in two of these. The hand is small, sharp and clear, with very short descenders on f and long s. A further three documents were the work of another clerk who is not identifiable by name, here called 'Scribe B'.[4] The last witness in two of these is Brian the clerk, but the hand is sufficiently unlike that of Scribe A, who might be Brian the clerk, to make a definite identification hazardous. The hand of Scribe B has numerous heavy downstrokes, short descenders on n and h and a characteristic form of the sign for et lacking any tail at the foot. He also adds an unusually long tail to a capital Q. Finally, two documents may be ascribed to Hugh the clerk, who is the last witness in each.[5] His hand is marked by a heavy back-sloping ascender on d /

1. Nos. 52, 92, 98, 107 (text A).

2. Oxford, Magdalen College, Evenley 64A (Macray's Catalogue, no. 144); Nos. 3 (text B), 94, 105, 107 (text B), 109, 134. For a specimen of Robert of Trafford's handwriting, see above, Frontispiece.

3. Nos. 63, 78, 101. 4. Nos. 93, 102, 112. 5. Nos. 108, 151.

ascender on d and a noticeably curled mark of suspension at the ends of words.

Having identified six clerks who wrote charters for the earl with some degree of regularity, we must compare these findings with what we already know of the clerks in the earl's familia.[1] We might again be tempted to identify Scribe A with Brian the clerk, since he was a regular member of the familia, witnessing twenty-three times; but more evidence, perhaps from a thorough combing of the Brackley hospital charters, would be needed to turn this possibility into a certainty. Robert and Roger of Trafford travelled with the earl's household, in Scotland as well as England, and can safely be accepted as household clerks whose duties included the issue of the earl's written acts. Robert Francis, on the other hand, has strong links with Brackley and fits into the picture as a local clerk, situated at one of the earl's administrative centres, who was frequently employed there on the earl's business. He wrote so many of the earl's acts that we must conclude that he was paid for his services, either pro rata or by means of a retaining fee. As Scribe B is unidentified and as Hugh the clerk wrote only two acts, their evidence is unhelpful.

The evidence as a whole accords well with our previous conclusion that the earl employed only two or three permanent clerks in his household for dealing with administrative business.[2] It would be over-dignifying these arrangements to say that the earl had a 'chancery' /

1. See above, Chapter III, pp. 122-6.

2. See above, Chapter III, p. 149.

'chancery', that is, a body of clerks specifically organised under a chancellor to produce written instruments according to strict rules.[1] Although more than two-thirds of the surviving originals were the work of clerks regularly employed by the earl, it was not unusual for one of his acts to be written by any clerk who was at hand, perhaps a clerk of the beneficiary concerned, or a royal clerk on eyre with the king's justices, as on the occasion of producing No. 50, already mentioned. Nor is there much to suggest that an official performing the functions of a chancellor was part of the system. It is possible that a graduate such as Mr Thomas of Man could have held such a position. But it is certain that no 'authority for issue' was ever named in the earl's acts. A clause 'Dat' per manum ...', mentioning a datary by name, was used in English and French royal and episcopal diplomatic before the end of the twelfth century, and is found in the acts of lay magnates in France.[2] In this and in other respects the organisation of Earl Roger's secretariat was simpler and less sophisticated.

On the continent, princes and even kings employed ecclesiastics in local abbeys as clerks and chancellors.[3] In thirteenth-century Burgundy, the duke drew his clerical staff from a college of chaplains founded for this purpose.[4] There are two hints that Earl Roger's secretarial /

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1. Duggan, 'Earls of Chester', p. 54.
2. Cheney, Bishops' Chanceries, pp. 86-87; G. Tessier, Diplomatique Royale Française (Paris, 1962), p. 223; Actes Pontieu, pp.lxvi-viii.
3. Duggan, op. cit., p. 59.
4. J. Richard, Les Ducs de Bourgogne et la Formation du Duché du xie au xive siecle (Paris, 1954), pp. 398-9.

secretarial arrangements may have borne a slight resemblance to this system. The first is the prominence among the clerks of Robert Francis, certainly a Brackley clerk, and very likely to have been attached to the hospital there, in which the earl took much interest. In return for the earl's benefactions, the master and brothers of the hospital could very suitably have provided him with certain clerical services. Another ecclesiastical institution certainly played a part in the earl's administrative system. He deposited at Leicester abbey for safe custody a chest, closed with his seal, which contained acquittances, tallies and bonds, to which his executors required access after his death.[1] As well as the expertise provided by a local clerk, the security provided by the walls of a local abbey seemed advantageous to the earl.

The clerks who wrote Earl Roger's acts always wrote in Latin. Although by about 1250 it was not uncommon for a French clerk to write in French, the French language, in its Anglo-Norman form, was not used for English or Scottish documents until the later thirteenth century.[2] Very occasionally, one of the earl's clerks might use a vernacular word: the clerk of No. 26, a Scottish text, used the Scots word 'wodeleve', meaning permission to cut wood, rather than employ a periphrasis in Latin.

Finally, one slightly surprising feature of the activities of the clerks must be noted. None of the identified clerks, who are presumably /

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1. CR, 1264-8, p. 33.

2. Boüard, Diplomatique, i, 250; L.C. Hector, The Handwriting of English Documents (London, 1958), p. 21. The earliest Scottish royal act in French is dated 28 March 1270 (Nat. MSS. Scot., i, no. 61).

presumably all English, wrote any of the surviving Scottish acts. Robert and Roger of Trafford certainly travelled to Scotland with the earl and could have written acts there. But there is no need to postulate a separate Scottish secretariat. The surviving Scottish originals, only four in number, are too few to permit generalisation. And as we shall see by analysing the diplomatic of the acts, one of the earl's English clerks would find no problems in drafting one of his Scottish acts.

CLASSIFICATION AND SUBJECT-MATTER

Those acts which survive in full can be classified according to types of document.[1] The commonest is of course the charter: there are forty-two examples.[2] But there is also another group of documents in charter form, which cannot be classified simply as charters. There are six examples of this type, which has been described as a 'grant', since the dispositive verb is usually concessisse alone.[3] These grants usually confer minor rights or exemptions. The form is slightly clumsy in use and a more convenient type of document for this purpose would have been letters patent, which were so employed in /

1. Acts surviving as notitiae have been excluded, since information about them is often too fragmentary to permit conclusions about the exact type of document concerned.

2. Nos. 1, 15, 17, 18, 20, 21, 26, 27, 29, 37, 38, 40, 43, 52, 63, 64, 68, 69, 78, 90-95, 98-101, 103, 105, 107-9, 111-13, 116, 117, 119, 141, 151.

3. Nos. 19, 56, 58, 110, 118, 123.

in the chancery of the earls of Chester.[1] But the charter still had a powerful influence on contemporary diplomatic usage.[2]

Also common is the confirmation, in ten examples.[3] It may be coincidence that these are all for ecclesiastical beneficiaries, or this fact may reflect the greater care which ecclesiastical institutions took to have their rights recorded on parchment. There are seven agreements, all in the physical form of indentures.[4] There are also seven examples of the quitclaim, in England later called a release.[5]

Some types of document were in common use but have less commonly survived, for example the bond, of which there is one specimen.[6] Similarly, administrative acts in the form of letters patent were everyday objects, but only two examples appear here.[7]

There is one example of an inspeximus or inspection, confirming and reciting in full the charter of an inferior.[8] This form of document /

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1. Duggan, 'Earls of Chester', p. 46.
2. In English conveyancing practice, a distinction of usage developed between the charter, or gift, and the grant. The gift was used to convey corporeal hereditaments, that is, tangible landed property, while the grant was employed for incorporeal hereditaments, such as an easement or a rent. (Calendar of Antrobus Deeds, ed. R.B. Pugh, Wiltshire Archaeological and Natural History Society, Records Branch, vol. iii, 1947, pp. xxv-vii.) That the forms of the two types of document remained closely similar is evident in the present collection (cf. Pollock and Maitland, Hist. Eng. Law, ii, 132).
3. Nos. 7, 9, 10, 22, 28, 39, 42, 127, 134, 138.
4. Nos. 2, 30, 49, 50, 57, 143, 149.
5. Nos. 36, 65, 83, 89, 115, 142, 153.
6. No. 152.
7. Nos. 145, 154. Nos. 61 and 122, described below as precepts, are likely to have been letters patent, but we cannot be certain of this on account of textual defects.
8. No. 102.

document developed during the twelfth century in English episcopal chanceries. By the early thirteenth century private individuals in England and France were making use of it, and in 1227 it took its final form in the English royal chancery.[1] As frequently happened, episcopal practice here led the way, but it is less usual to find the royal chancery lagging behind the habits of private clerks.

One act has been classified as a notification.[2] Although it ends with a volumus et concedimus clause, it seems to be mainly concerned to narrate pre-existing agreements between the earl and Brackley hospital which are now cancelled. Its form is somewhat irregular, but it serves to exemplify the habit of loosely stringing a number of clauses together, which a clerk might adopt when drafting a deed in unusual circumstances.

Since an ecclesiastical bias is evident in the survival of the acts, it is natural that many of them should be benefactions to ecclesiastical institutions, particularly grants in free alms. These are too stereotyped to warrant detailed discussion here.[3] Of greater general interest are a few acts which illuminate aspects of daily life: the details of hunting arrangements in Charnwood forest (No. 50), the rules applied on common pastures at Shepshed (Nos. 57, 58), the arrangements for the monks of Lindores bringing heather and peats from /

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1. Cheney, Bishops' Chanceries, pp. 90-96; Actes Pontieu, p. xli. The usage first appears in the Scottish royal chancery in 1248-9 (Melrose Liber, i, no. 237; Cambuskenneth Registrum, no. 53); but it did not take root there in the thirteenth century.

2. No. 3.

3. On the phraseology of grants in elemosinam, see below, Chapter IV, pp. 188-90.

from Kinloch moor (No. 17), and a description of the earl's fish-pond at Brackley, on which his swans swam, and from which he took eels as well as fish (No. 107).

One other subject occurs often in the English acts: the granting to others of the earl's right to hold view of frankpledge. No less than eighteen acts, including lost acts, convey this privilege.[1] In two instances there is record of the sum paid to the earl to purchase the jurisdiction: the abbey of Delapre, Leicester, paid 33 marks (£22) for quitclaim of view of frankpledge over lands at Thurmaston, Leics., and Thomas Kynne of Northampton paid 10 marks (£16 13s. 4d.) for the same in respect of his lands at Maidford and Adstone, Northants.[2] The eighteen grants of which we know, along with others of which the record has no doubt been lost, represent a considerable financial profit for the earl. By the reign of Henry III, the frankpledge system was entering upon a decline and like some other jurisdictions was looked upon primarily as a source of revenue.[3] The earl found it more useful to capitalise this income rather than continue to exercise the jurisdiction through his own officials. This habit is yet another instance of that formality of relationships which we observed in the English feudal structure of Earl Roger's time.[4]

DIPLOMATIC ANALYSIS /

1. Nos. 47, 52, 53, 65, 72, 73, 75, 80, 81, 84, 89, 114, 119, 123, 136, 138, 142, 144.

2. Nos. 75, 119, 154.

3. W.A. Morris, The Frankpledge System (New York, 1910), pp.151-66.

4. See above, Chapter II, pp. 98-99.

DIPLOMATIC ANALYSIS

A thorough understanding of the acts can only be reached by carefully dissecting their construction, by closely analysing their internal features. We must reverse the processes by which Robert Francis, the brothers Trafford and their colleagues produced the written acts which expressed Earl Roger's will. So far as possible, we must set our findings against the background of contemporary diplomatic practice, royal, episcopal and private, in both Scotland and England. This is difficult, for the whole field of study is a largely uncharted sea.[1]

The general address. This seems at first sight to have within it a great variety of expressions, but examination shows that the variety arises from the use of a number of phrases more or less interchangeable with one another, while the basic constructions are nevertheless very few. These can in fact be reduced to two, which in skeleton form are as follows; (1) Omnibus presens scriptum visuris vel audituris; (2) Omnibus ad quos presens scriptum pervenerit. Universis may appear for omnibus, and hanc cartam, presentem cartam, hoc scriptum or has literas for presens scriptum. (There is, however, no example of Omnibus ad quos presens carta pervenerit.) Such variations seem to have little if any significance, but two other qualifying phrases which are common imparted a different character to /

1. Cheney, Bishops' Chanceries, covers episcopal practice down to 1250. H. Hall, Studies in English Official Historical Documents (Cambridge, 1908) is occasionally useful but hardly detailed enough for the present purpose.

to the address. These are Omnibus sancte matris ecclesie filiis and Omnibus christi fidelibus, which are used interchangeably, but which both carry an obvious ecclesiastical significance.

The four basic forms of the general address may therefore be grouped, with figures to show how often they occur:

(1a) Omnibus presens scriptum visuris vel audituris	19[1]
(1b) Omnibus christi fidelibus presens scriptum visuris vel audituris	26[2]
(2a) Omnibus ad quos presens scriptum pervenerit	4[3]
(2b) Omnibus christi fidelibus ad quos presens scriptum pervenerit	7[4]

The construction using visuris vel audituris (1a and 1b) is therefore much commoner than the other, and in each case the phrase specifying Christians is more frequently included than omitted. But there is only one instance of its use in a document of purely secular significance.[5] On the other hand, in documents touching ecclesiastical matters its use was not obligatory: of the twenty-three cases in which it is not used (i.e. forms 1a and 2a), thirteen are of ecclesiastical import.[6]

There /

1. Nos. 15, 26, 38, 40, 42, 52, 64, 56, 83, 94, 101, 107, 110, 116, 117, 123, 127, 151, 152.

2. Nos. 3, 9, 10, 17-22, 29, 36, 37, 39, 58, 68, 69, 92, 93, 95, 98, 99, 100, 103, 113, 134, 142.

3. Nos. 109, 119, 153, 154.

4. Nos. 1, 7, 78, 105, 108, 115, 118.

5. No. 69.

6. Nos. 15, 38, 42, 52, 56, 83, 101, 107, 109, 116, 117, 123, 127. Nos. 15, 42, 83, 123 and 127 are cartulary copies, where the phrase may have been omitted by a copyist.

There are a few exceptional forms of the general address. In three instances the address has been reduced by cartulary scribes to an Omnibus etc.[1] One text, otherwise unremarkable, has Omnibus hominibus audituris hoc scriptum vel visuris, to which no parallel appears.[2] But a more significant form occurs in the charter to the borough of Brackley:[3] omnibus hominibus suis Francis et Anglis tam presentibus quam futuris. The use of racial addresses had become much less common by the early thirteenth century,[4] and the appearance of this phrase in a document of date about 1260 is therefore remarkable. The explanation is probably the desire for ceremonious language in a particularly important document. (One other instance of a racial phrase does occur in the texts: in No. 83 the witness list ends with multis aliis presentibus Francis et Anglis.)

With one exception, the words of general address always precede the grantor's name - a change of order which appeared, in episcopal acts at least, towards the end of the twelfth century.[5] The exception is again the Brackley borough charter (No. 90) which once more employs an antique usage. The clerk may also be imitating royal practice, which retained the habit of stating the king's name as the first words of the text.

There /

1. Nos. 27, 89, 141. 2. No. 65. 3. No. 90.

4. See e.g. Hatton's Book of Seals, index s.v. 'address', where the forty-one examples of racial addresses are all of dates before 1200 except no. 444 (1212-14) and no. 445 (shortly after 1214).

5. Cheney, Bishops' Chanceries, p. 69.

There is of course no address in an indenture of agreement, which usually opens with a simple statement. An address was also considered unnecessary with the form of notification Sciant presentes et futuri.[1]

The particular address. This occurs in only three instances. The two surviving precepts to the earl's stewards are addressed dilecto et fideli suo domino R. Chamburleyn senescallo suo[2] and dilecto et fideli suo Ricardo de Multon senescallo suo et omnibus senescallis suis et ballivis.[3] The twelfth century habit of addressing a charter of general interest to particular individuals had now died out. The only other case of a particular address is in letters patent notifying one of the earl's grants to the abbot and convent of Thame, who are Viris religiosis et discretis et amicis in christo karissimis.[4] The relative positions of the earl's name and the name of the addressee are in accordance with 'the usual medieval practice of putting [the grantor's] name first when addressing an inferior ... and second when addressing a superior'.[5] The earl therefore names himself before his stewards, but the abbot and convent are given place before him.

The style. Three basic styles correspond to Roger's situation at three periods of his career. At first he was simply Rogerus de Quinci /

1. For instances of this, see below, Chapter IV, p. 184.
2. No. 61.
3. No. 122.
4. No. 145.
5. Acta Langton, p. xxv.

Quinci,[1] although on one occasion he was Rogerus de Quinci filius Seyri comitis Wintonie when in his father's presence he confirmed one of his father's charters.[2] His first seal bore the legend SIGILL' ROGERI DE QVENCI.[3] His second style occurs after he acquired the constableship through his marriage to Helen, daughter of Alan of Galloway. This style was Rogerus de Quency constabularius Scoc'. It occurs only once,[4] which is not surprising since there was a very short period between Roger's succession to the constableship on the death of Helen's father in 1234 and Roger's recognition as earl of Winchester on his mother's death early in 1235.

The third style is that which occurs in the majority of the acts and represents Roger as both earl of Winchester and constable of Scotland. Its basic form may be given as Rogerus de Quency comes Winton' constabularius Scotie. Similarly, Roger's second seal describes him as both Comitis Wincestrie, on the obverse, and Constabularii Scocie, on the reverse.[5] The basic form of this style was varied by the clerks. Six forms of the surname occur and by far the commonest spelling in originals is 'Quency'.[6] The place-name also appears as Wintonie, Wynton' and Wynt', but never Wincestrie as on /

1. Nos. 1, 7, 27, 28.

2. No. 22.

3. See description above, Chapter IV, p. 161.

4. No. 36.

5. See description above, Chapter IV, p. 162.

6. The variants and number of occurrences are: Quenc' (5), Quenci (2), Quency (30), Quinci (1), Quincy (2), Quyncy (1).

on the seal. The most interesting variants are those of the word Scotie, which may be grouped, with figures to show how often they occur:

(1) Rogerus de Quency comes Winton' constabularius Scotie (or Scocie) 35[1]

(2) Rogerus de Quency Comes Winton' constabularius Scot' (or Scoc') 17[2]

(3) Rogerus de Quency comes Winton' constabularius Scott' 11[3]

The meaning of the first form, the commonest, is unequivocal: Roger was normally thought of as constable 'of Scotland'. His second seal gives the same description. The second form of this style introduces a problem; for, although Scoc' can only be extended as Scocie, it is possible to extend Scot' either as Scotie or as Scotorum. We cannot know what either Roger's clerks or later copyists intended by this usage. But the third form can only be extended as Scottorum - in eleven cases Roger was thought of as constable 'of the Scots'. Two features of this variant are notable. None of these eleven texts is a document of Scottish provenance; and all of them are originals. From an English background, it was still natural for a clerk to think of 'the Scots' rather than 'Scotland'. The usage must surely have occurred in other originals, now /

1. Nos. 10, 15, 17-21, 38-40, 42, 52, 58, 64, 69, 83, 89, 91, 92, 98, 99, 103, 107, 108, 110, 111, 112, 113, 119, 123, 127, 138, 151, 153, 154 (including seventeen originals).

2. Nos. 9, 26, 29, 37, 56, 63, 65, 78, 93, 94, 102, 115, 117, 141, 142, 145, 152 (including twelve originals).

3. Nos. 3, 43, 68, 90, 95, 100, 101, 105, 109, 116, 134 (eleven, all originals).

now lost, but no cartulary scribe saw fit to copy this wording exactly. To a later generation of clerks the distinction can have meant nothing. The point is a small one, but such minutiae of diplomatic reveal the ideas of the times.

A few minor features of the style remain for comment. On two occasions only the word et is included before constabularius.[1] There is one instance of the replacement of Rogerus by an initial R.[2] With one exception,[3] the style is never preceded by the word dominus, although this usage may occur in the body of the text in documents such as agreements.[4] The grantor need not refer to his own knightly status, but others frequently did him this honour.

The salutation. Only five forms of salutation occur:

(1) salutem	34[5]
(2) salutem in domino	13[6]
(3) salutem eternam in domino	7[7]
(4) eternam in domino salutem	6[8]
(5) salutem in domino sempiternam	3[9]

It /

1. Nos. 90, 101.
2. No. 145.
3. No. 113. This document is not in the hand of any of the six regular clerks identified above.
4. Nos. 30, 49, 57, 113, 149.
5. Nos. 1, 3, 7, 9, 10, 22, 27, 29, 61, 65, 68, 83, 89, 90, 93, 94, 95, 100, 101, 105, 107, 108, 109, 110, 113, 116, 117, 119, 123, 134, 142, 145, 151, 154.
6. Nos. 18, 36, 37, 52, 56, 58, 69, 78, 99, 103, 127, 141, 153.
7. Nos. 19, 20, 39, 64, 92, 98, 152.
8. Nos. 15, 21, 26, 38, 40, 42. These are all documents of Scottish provenance.
9. Nos. 17, 115, 118.

It is interesting to compare the frequencies with which these salutations occur in the acts of Archbishop Langton:[1]

(1) Salutem	4
(2) salutem in domino	82
(3) salutem eternam in domino	8
(4) eternam in domino salutem	11
(5) salutem in domino sempiternam	1

Eleven other salutations, nearly all more elaborate, also occur in the archbishop's acts. The greater emphasis in Earl Roger's acts on the simple salutem suggests that practice may have been changing as the thirteenth century progressed.

The notification. As there is no example in the acts of a rhetorical preamble or harangue, the notification has now to be analysed. The three commonest forms are:

(1) Noverit universitas vestra	39[2]
(2) Noveritis	18[3]
(3) Sciant presentes et futuri	9[4]

The first form is normally followed by an accusative and infinitive, although quod occurs in three cases.[5] This form is also the commonest in Langton's acts, but in these there is only one instance of the brief /

1. Acta Langton, p. xxvii.

2. Nos. 1, 3, 7, 9, 10, 15, 20, 21, 27, 38-40, 42, 52, 64, 65, 68, 69, 89, 90, 92-95, 98-102, 107, 113, 115-18, 141, 151-3.

3. Nos. 17, 18, 22, 26, 37, 56, 58, 78, 83, 105, 108-10, 119, 127, 134, 142, 154. There is one example of Sciatis: No. 145.

4. Nos. 28, 43, 63, 91, 102, 111, 112, 138, 143.

5. Nos. 3, 42, 153.

brief Noveritis,[1] which is much commoner in this collection. Noveritis also introduces an accusative and infinitive construction. The third form includes within itself a kind of general address, which is not, therefore, expressed separately. Sciant presentes et futuri in fact usurps the position of the general address and is consistently placed at the beginning of the act. Langton's acts provide no example of Sciant presentes et futuri, but the Sciant construction, with a variety of subject phrases, occurs in fifty of the acts of Malcolm IV.[2] Nine out of twenty-two acts of Hamelin, earl of Warenne (1159-1202), use Sciant presentes et futuri.[3] Its relative infrequency in Earl Roger's acts suggests that it may have been less used in the thirteenth century than it was in the twelfth.

Three other forms of notification occur in one example each. Universitati vestre notum facio[4] and Ad universitatis vestre noticiam volumus pervenire[5] are both in acts of Scottish provenance. Noverint universi hoc scriptum visuri vel audituri[6] provides a curious mixture of notification and general address. In addition to indentures, four acts have no notification. Two of these are precepts to the earl's stewards;[7] two are grants of privilege in charter form.[8]

The text. /

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1. Acta Langton, p. xxviii.
2. RRS, i, pp. 75-76.
3. EYC, viii, nos. 54-84.
4. No. 29.
5. No. 36.
6. No. 49.
7. Nos. 61, 122.
8. Nos. 19, 123.

The text. Subject-matter and types of document have already been discussed,[1] but within the main body of the document several formal features recur which are worth examination.

(a) Nos/ego. In twenty-four cases, Earl Roger's acts refer to him in the singular,[2] but examples of the plural number forty-seven.[3] In four texts there are clerical errors regarding number.[4] But in No. 101 a change from plural to singular in one phrase is clearly deliberate. In the course of this text, Earl Roger bequeathes to Brackley hospital for burial before the high altar in the church corpus nostrum quod ego delego, concedo et confirmo deo et prefatis fratribus. This important personal statement gains emphasis from the change of number. There is some tendency for ego to be used in Roger's earlier acts, nos in later. This may reflect both Roger's rise in social status and a change in contemporary scribal habits.

The general lines of the change in habit from singular to plural in European documents are clear enough, although there seems to be no detailed study of this significant topic in the diplomatic literature. The use of nos spread from the papal chancery to other ecclesiastical chanceries and the change was complete in English episcopal /

1. See above, Chapter IV, pp. 172-175.

2. Nos. 1, 7, 22, 27-29, 39, 43, 56, 63, 89, 91, 95, 102, 105, 111, 112, 119, 127, 134, 138, 141, 151, 154.

3. Nos. 3, 9, 10, 15, 17-21, 26, 37, 38, 40, 42, 52, 58, 61, 64, 65, 68, 69, 78, 83, 90, 92-94, 98-101, 103, 107-10, 113, 115-18, 122, 123, 142, 145, 152, 153.

4. Nos. 63, 69, 127, 134.

episcopal chanceries by about 1180.[1] So far as England and Scotland are concerned, the practice then spread to the royal chanceries; for in England the alteration to nos came in 1189,[2] and in Scotland it appeared gradually in the latter part of the reign of William I.[3] It did not, however, occur in the acts of lay magnates on this side of the Channel until the thirteenth century. In H. E. Salter's Facsimiles of Early Charters in Oxford Muniment Rooms (Oxford, 1929), covering documents from about 1097 to about 1200, the only examples of the use of nos are in episcopal acts.[4] In Sir Christopher Hatton's Book of Seals, the earliest instance of the use of nos by a lay magnate is in a document dateable between 1233 and 1237,[5] and examples also appear from the 1240s and 1250s.[6] Among laymen, therefore, the change was probably taking place in Earl Roger's own lifetime and the present collection illustrates the case of an important lay magnate in whose acts nos is twice as common as ego.

(b) Dispositive terms. There is a good deal of variety in these terms, both in the grammatical constructions employed and in the words themselves. The accusative and infinitive is commonest, but /

1. Cheney, Bishops' Chanceries, p. 58.

2. Op. cit., p. 59.

3. This can be shown by checking texts listed in G.W.S. Barrow and W.W. Scott, Handlist of the Acts of William the Lion, 1165-1214 (Regesta Regum Scottorum, 1958).

4. See nos. 25, 62, 63, 69, 70, 72, 79.

5. Hatton's Book of Seals, no. 470.

6. Op. cit., nos. 7, 51, 323, 412, 432.

but the perfect tense is also found. For purposes of analysis, we shall concentrate on the verbs employed, or their combinations, without distinguishing in detail the grammatical constructions: the verbs are the most important part of the dispositio, which is itself the core of any formal text.

The phrase in most frequent use is dedisse, concessisse et hac presenti carta nostra/mea confirmasse, which, with variants, occurs thirty-six times.[1] Next in order of frequency is concessisse et hac presenti carta nostra/mea confirmasse, appearing ten times.[2] Dedisse is dropped where it would be inappropriate: eight of the instances are confirmations. The two others are original grants where the construction following the dispositive verbs is a clause beginning with ut or quod.[3] An identifiable subject, therefore, is said to be 'given', but a permission or right is only 'granted'.[4] The phrase remisisse et quietumclamasse, with variants, occurs six times.[5]

Apart from these three phrases, no others are discernible as standard usage, but there remains a considerable variety of forms, ranging from the simple concessisse[6] to such elaborate usages as concessisse /

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1. Nos. 1, 15, 17, 18, 20, 21, 26, 27, 29, 37, 38, 40, 43, 52, 63, 64, 68, 69, 78, 92-95, 99, 100, 101, 103, 105, 107-9, 111-13, 116, 119.

2. Nos. 7, 9, 22, 28, 39, 58, 90, 127, 134, 138.

3. No. 58 grants to the abbot and convent of Garendon abbey that they may enclose a wood. No. 90 grants to the burgesses of Brackley that the borough may be free.

4. The distinction corresponds to that between two types of document, the gift and the grant (cf. above Chapter IV, p. 173, n.2).

5. Nos. 65, 89, 115, 142, 143, 153.

6. Nos. 56, 110, 118.

concessisse, dedisse, relaxasse, quietumclamasse et hac presenti carta nostra confirmasse.[1] But only a few particular verbs are used: in addition to those already mentioned the only others which occur are dimisit and resignavimus, which appear once each, both in Scottish contexts,[2] along with vidi et inspexi, which is used in the only inspection among the acts.[3]

(c) In elemosinam. The phrase normally used to describe a grant in alms is in liberam, puram et perpetuam elemosinam, of which there are twenty-one examples.[4] The adjectives usually appear in that order but in two other cases are inverted.[5] There are therefore twenty-three instances in which all three adjectives are used. On thirteen occasions, the word liberam is omitted, giving puram et perpetuam elemosinam.[6] In only two cases is puram omitted, to give liberam et perpetuam elemosinam.[7]

The possible significances of these three variant forms must be measured by testing each against the incidence of the services required by the grantor from those in receipt of his alms. Among the twenty-three instances of free, pure and perpetual alms, thirteen mention no service at all.[8] In six cases, the services of a chaplain or /

1. No. 98. 2. Nos. 30, 36. 3. No. 102.

4. Nos. 15, 17, 21, 28, 38, 40, 52, 58, 68, 78, 89, 92, 98, 103, 105, 108, 109, 113, 127, 134, 143.

5. Nos. 1, 95.

6. Nos. 2, 3, 7, 20, 58, 93, 95 (note f), 111, 112, 116, 117, 141, 151.

7. Nos. 99, 100.

8. Nos. 15, 17, 21, 28, 40, 78, 89, 95, 103, 105, 113, 127, 143.

or chaplains are specified.[1] Other ecclesiastical services noted are the saying of prayers, the upkeep of a lamp and a mass on the anniversary of the earl's death.[2] The secular demands of view of frankpledge and reasonable aids are mentioned once.[3] Once, provision is made for the performance of forinsec service, and in another the grantees are bound to pay the earl 6d. annually for the two great suits pertaining ad regale.[4] Turning secondly to the thirteen occurrences of pure and perpetual alms, we find no service specified in eight cases.[5] Ecclesiastical services are the provision of chaplains and saying of prayers.[6] The one secular service is a rent of 20s.[7] Lastly, the two cases of free and perpetual alms relate to the upkeep of a lamp and a rent of 6s.[8]

No fixed rule can be discovered in these usages. Secular services are demanded in connection with all three forms of the phrase. Maitland noted that 'there was no contradiction between a gift in "free and perpetual alms" and the reservation of a temporal service' and that 'a donor sometimes stipulates for secular service, though he makes his gift not only in free but even in pure alms'.[9] The fact that the full phrase - free, pure and perpetual alms - is the most frequent to appear shows that it was indeed 'the perfected formula /

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1. Nos. 1, 68, 92, 98, 108, 109.
2. Nos. 38, 52, 58.
3. No. 98.
4. Nos. 52, 134.
5. Nos. 7, 20, 93, 95, 112, 116, 117, 141.
6. Nos. 2, 3, 58, 151.
7. No. 111.
8. Nos. 99, 100.
9. Pollock and Maitland, Hist. Eng. Law, i, 245-6.

formula of the thirteenth century'.[1] But such alms were not necessarily free or pure. Their only constant characteristic was their perpetuity.

It is interesting to note in passing that a sample of roughly contemporary Scottish texts containing grants in alms produces a broadly similar pattern of occurrence. Among the Melrose Charters of the reign of Alexander II there are forty-nine private acts which employ the three variants discussed above.[2] The following are the frequencies of occurrence, with the figures already quoted for this collection given in brackets:

In liberam, puram et perpetuam elemosinam	32	(23)
In puram et perpetuam elemosinam	11	(13)
In liberam et perpetuam elemosinam	6	(2)

(c) Holding clause. 'In the perfected charter of the thirteenth century words are always inserted to define the tenure by which the grantee should hold the land ... the normal formula runs, "To have and to hold of me and my heirs ..." The clause itself is derived in the last resort from the formal words in which the kings of the eleventh and twelfth centuries enjoined the observance of their writs.'[3] In the present collection there are three instances, all in texts of Scottish provenance, in which the details of tenure are inserted in a clause beginning 'Volumus quod (or ut)', which is a relic of the older /

1. Stenton, Gilbertine Houses, p. xxvii.
2. Melrose Liber, i, nos. 173-308.
3. Stenton, op. cit., p. xxviii.

older formula.[1] But use of the gerunds habendum and tenendum is much commoner and also much neater.[2] Both verbs were normally employed,[3] but the order in which they appear is not constant. In twenty-two cases the phrase is habendum et tenendum: seventeen of these are in acts of English provenance, while five are Scottish.[4] Tenendum et habendum is less frequent, appearing on twelve occasions, eight English and four Scottish.[5]

These figures suggest a tendency in English texts to prefer the form habendum et tenendum and this feature seems worthy of fuller investigation by the testing of contemporary practice in other collections. But first the figures from this collection must be adjusted, since only original charters can be admitted as evidence of contemporary habits of drafting: any copyist is liable to emend phrases to accord with the practice of his own period. Applying this criterion to the English acts of Earl Roger, we find thirteen originals which use habendum et tenendum[6] while seven have tenendum et habendum.[7] A collection /

1. Nos. 10, 20, 21.

2. The phrase survives in the modern world in the words of the Anglican marriage service: '... to have and to hold from this day forward ...'

3. No. 7 has tenendas only; No. 57, an indenture of agreement, has habendam only.

4. Nos. 15, 17, 37, 38, 40 (Scottish); 43, 52, 63, 64, 68, 69, 78, 90, 95, 98, 103, 108, 109, 111, 112, 141, 143 (English).

5. Nos. 9, 10, 26, 27 (Scottish); 58, 94, 99, 100, 105, 113, 127, 134 (English).

6. Nos. 43, 52, 63, 64, 78, 90, 95, 98, 103, 108, 109, 112, 143.

7. Nos. 58, 94, 99, 100, 105, 113, 134.

A collection of fifty Lincoln deeds of dates about 1220 to 1258 produces almost equal numbers of the two phrases.[1] Turning to Scottish collections, we find among the original Melrose Abbey charters of the reign of Alexander II only two cases of habendum et tenendum against fifteen of tenendum et habendum.[2] In the artificial collection of originals known as Register House Charters, the documents for the period from about 1240 to 1264 produce eight cases of tenendum et habendum, but only one of habendum et tenendum, which happens to be in an act of Earl Roger.[3]

These figures suggest that English clerks may still have been of indifferent opinion on this point, but Scottish conveyancing practice during the lifetime of Earl Roger shows a trend in one direction, and examination of later practice confirms it. The surviving Register of the Great Seal for the reign of Robert I has only one example of habendas et tenendas, against eighty-five of the other form.[4] Any collection of fourteenth-century English deeds reveals the dominance of habendum et tenendum.[5] The point can also be /

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1. Reg. Antiq. Lincoln, iii, nos. 1121-1413.

2. Melrose Liber, i, nos. 178, 204, 210-13, 217, 223, 227, 232, 234-6, 260, 291 (tenendum et habendum); nos. 273, 296 (habendum et tenendum). (Royal acts have not been included in these figures.) No. 296, an act of William de Vesci, a Northumberland baron, is actually of English provenance.

3. SRO, Register House Charters, nos. 34, 35, 38-40, 51b, 52, 54 (tenendum et habendum); no. 46 (habendum et tenendum) (= No. 38 in this collection).

4. RMS, i, nos. 1-96. The exception is no. 54.

5. E.g. the private deeds in T. Madox, Formulare Anglicanum (London, 1702).

be illustrated from a text in the present collection. The fifteenth-century Scottish clerk who compiled the cartulary of Dryburgh abbey took the liberty of altering habendum et tenendum in one of Earl Roger's charters into the more familiar tenendum et habendum.[1]

One possible explanation can be offered, based on the ideas of modern legal commentators, of the significance of these apparently national differences. An eighteenth-century expert on Scottish diplomatic, Walter Ross, analysed both the English and the Scottish forms of an original charter and quoted Coke in explanation of the English habendum.[2] This is said to limit the certainty of the estate granted, that is, it states whether the grant is for a term or for life, whether in fee-simple or tail. The tenendum, or mode of holding, states of whom the subject is to be held. Ross emphasised that 'To have and to hold had formerly different meanings', and points out that in England the tenendum became merely formal, since the statute Quia emptores ensured that lands could only be held of the chief lords of the fee, 'whereas the tenendum continues with us to be material because it describes the nature of the tenure of the lands, which, in Scotland, may still be various ...'[3]

It is clearly dangerous to place too much reliance on the ideas of Ross and Coke for an explanation of thirteenth-century legal theory. To discover the full significance of these differences would require a more /

1. No. 38, note b.

2. Walter Ross, Lectures on the History and Practice of the Law of Scotland (Edinburgh, 1822), ii, 141.

3. Ibid., p. 159.

a more detailed investigation than can be undertaken here. But we have discovered that the acts of Earl Roger fit into a pattern of some interest. On this point of conveyancing practice his acts illuminate both the Scottish and the English legal backgrounds.

(d) Clause of warranty. This clause 'was intended to commit the grantor to the duty of proving his title, if required, to the lands which were the subject of his gift.'[1] It was common in charters by the end of the twelfth century, and by the end of the thirteenth century had become almost universal.[2] It occurs regularly in the numerous charters of enfeoffment in the present collection. Only four such charters lack a clause of warranty. Two of these are abbreviated texts from late copies, in which the clause may have been omitted by a clerk.[3] The two others are cases in which warranty would be inappropriate or unnecessary: the earl's grant to his wife of land in Brockhampton to be given by her along with her body to the hospital of Brackley;[4] and the earl's charter of freedom to the borough of Brackley.[5] Other minor grants of freedom or release from duties similarly lack clauses of warranty.[6] The charter of enfeoffment was not, however, the only type of document to carry a clause /

1. Stenton, Gilbertine Houses, pp. xxviii-xxix.
2. W.S. Holdsworth, History of English Law, iii (1923 edn.), 160-1.
3. Nos. 27, 91.
4. No. 151.
5. No. 90.
6. Nos. 29, 110.

clause of warranty and the clause occurs occasionally, although not regularly, in confirmations,[1] quitclaims[2] and agreements.[3]

It was to the advantage of the grantee that his warranty should be as extensive as possible and this is reflected in the terms employed to define its scope. The commonest phrase is the comprehensive contra omnes gentes, which appears twenty-one times.[4] There are eight instances of contra omnes homines[5] and six of the more specific contra omnes homines et feminas.[6] The remaining variants are infrequent: contra omnes mortales and contra omnes, in three instances each.[7] One text, of Scottish provenance, employs a tautologous phrase contra omnes gentes et feminas[8] This phrase does not appear in any of the English texts; and no Scottish text employs contra omnes mortales. With these minor exceptions, the variants already listed all occur indifferently in both Scottish and English documents.

The extent of the warrantor's obligation may be defined by the words used in undertaking it and Bracton explains the different meanings to be taken from the words warantizabimus, acquietabimus and /

1. Nos. 28, 138. 2. Nos. 65, 142. 3. Nos. 143, 149.

4. Nos. 15, 17, 37, 38, 43, 52, 63, 64, 68, 69, 78, 92-94, 103, 105, 107, 108, 111, 113, 119.

5. Nos. 1, 28, 58, 65, 99, 100, 109, 142.

6. Nos. 26, 40, 98, 112, 141, 149.

7. Nos. 101, 138, 143; and Nos. 21, 95, 116. The examples of contra omnes are all in originals and the words are therefore not a mere scribal abbreviation of a longer phrase.

8. No. 18.

and defendemus.[1] Contemporary practice as revealed in the present collection does not always follow the Bractonian precept of including all three verbs. Certainly, the commonest phrase, appearing eighteen times, is the full one: warantizabimus, acquietabimus et (in perpetuum) defendemus.[2] But also common is the simple warantizabimus, of which there are fifteen examples, ten of them in originals.[3] Less frequent is warantizabimus et defendemus, which occurs seven times.[4] One text, of Scottish provenance, employs the phrase warantizabimus, manutenebimus et defendemus.[5]

An older system of guaranteeing the security of a grant involved the ceremony of clasping the hand of a third party.[6] This procedure is recorded in No. 149, at the making of which Earl Roger and Sir John de Nevill each pledged his faith in the hand of Anketil, the vicar of Ware.

The clause of corroboration. In periods earlier than that covered by the acts of Earl Roger, it was not always thought necessary to mention in a formal document the fact that it had been corroborated by /

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1. Bracton, De Legibus, f. 37, para. 10.

2. Nos. 17, 26, 37, 38, 40, 43, 52, 58, 63, 78, 92, 98, 103, 105, 108, 109, 112, 113. The words in perpetuum are omitted in Nos. 105 and 112.

3. Nos. 1, 15, 65, 69, 93, 95, 99-101, 111, 116, 119, 141, 143, 149.

4. Nos. 18, 28, 64, 68, 107, 138, 142.

5. No. 21.

6. See Pollock and Maitland, Hist. Eng. Law, ii, 188-92; Stenton, Gilbertine Houses, pp. xxix-xxx; EYC, iv, xxxi.

by the application of the grantor's seal. The habit of mentioning the presence of the seal appeared on the continent in the twelfth century,[1] but was a much later growth on this side of the Channel. Among the acts of Malcolm IV, only three refer to his seal. The occurrence of the clause is said to be a matter of common form in English private and episcopal diplomatic by the second quarter of the thirteenth century.[2] Only eleven texts in this collection lack a clause of corroboration. Of these, seven are copies, some of which are clearly abbreviated and the remainder of which could have been abbreviated.[3] But the other four texts are originals: two charters, a notification and an inspection.[4] As with other mid-thirteenth century rules of draftsmanship, the habit of including corroboration was not so fixed that the clause could not occasionally be omitted.

Grammatically, the clause of corroboration consists of two parts. The first, but subordinate, part states the purpose of the corroboration by seal in giving strength and evidential value to the act. The second part indicates the fact of corroboration, normally by referring to the attachment of the seal.[5]

Two different grammatical constructions occur as introductions of the first part of the clause. The commoner of the two is a phrase beginning with the words 'Et ut (autem) hec mea donacio ...' or /

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1. Boüard, Diplomatique, i, 292n.
2. RRS, i, p. 60; Stenton, op. cit., p. xxx; Cheney, Bishops' Chanceries, p. 76.
3. Nos. 9, 10, 28, 39, 61, 91, 122.
4. Nos. 3, 43, 102, 116.
5. Boüard, op. cit., i, 292.

or similar phraseology. This phrase, with its variants, occurs thirty-nine times.[1] The other construction uses fewer words and is in the form of an adjectival clause linked to the text itself. This begins 'In cuius rei testimonium ...' and, with a few variants, it occurs in twenty-nine cases.[2] Of the two constructions, the first was an older formula, which was eventually to give way to the shorter and more convenient usage. But at the period of Earl Roger's acts both were still in common use.[3]

The structure of the clause of corroboration, with its two parts and its two possible introductory phrases, can be clearly seen in the texts. But there is within this framework a great variety of expression which it is impossible to analyse. Two words, however, recur frequently, usually in the second part of the clause. These are, first, the verb roborare in its various parts, with its noun robur; and, second, the verb apponere, with the noun appositio. The second word-usage merely records the fact of the application of the seal, whereas the first underlines the purpose of the corroboration in strengthening the force of the act itself. One or other of these words appears in nearly every instance of the clause. Another almost /

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1. Nos. 1, 2, 7, 20, 22, 27, 30, 36, 57, 58, 64, 65, 68, 69, 89, 90, 92, 95, 98-101, 103, 107, 111-13, 117, 123, 138, 141 (main phrase); Nos. 19, 29, 37, 49, 93, 142, 143, 151 (variants).

2. Nos. 17, 18, 26, 38, 50, 56, 63, 78, 83, 94, 105, 108-10, 115, 118, 119, 127, 134, 149, 153, 154 (main phrase); Nos. 15, 21, 40, 42, 52, 145, 152 (variants).

3. Bracton, De Legibus, f. 38, para.12, gives as alternatives 'Quod ut ratum sit et firmum, etc.' and 'In cuius rei testimonium huic scripto sigillum meum apposui'.

almost constant element in the clause is of course a mention of the seal. But in two instances, both in letters patent, the seal is not referred to,[1] and the clause follows a form such as 'In cuius rei testimonium has litteras meas ei feci patentes'. This usage, found also in contemporary episcopal acts, is 'evidently copied from the wording of royal letters patent since the early years of King John'.[2]

The witness list. Of the full texts collected here, all but eight have either a list of witnesses or an indication that such a list existed before it was abbreviated by a copyist. The exceptions are two precepts,[3] two letters patent,[4] a quitclaim, an indenture of agreement, a notification and a charter.[5] Witnesses are unnecessary in precepts and letters patent and the quitclaim in this case is merely a discharge on the payment of money. The indenture was made before the king of England's justices in eyre, whose names are given and whose presence probably made other witnesses superfluous. Notifications frequently had witness lists, but there are examples of thirteenth-century notifications which did not,[6] and the instance here is therefore not without parallel. But the single case of a charter without a witness list (No. 29) is difficult to parallel and its drafter would have incurred the censure of Henry Bracton, who advises /

1. Nos. 145, 154.
2. Cheney, Bishops' Chanceries, p. 76.
3. Nos. 61, 122.
4. Nos. 145, 154.
5. Nos. 3, 29, 50, 153.
6. E.g., Hatton's Book of Seals, nos. 51, 412, 432.

advises that 'Debent etiam testes ad hoc vocari ... et eorum nomina debent in charta comprehendi'.[1] This text, however, has one other uncommon feature of drafting, in its notification, which has already been noticed.[2] It is a document of Scottish provenance and may have been drafted by a clerk of the grantees, the canons of Holyrood, and not by one of Earl Roger's own clerks.

The normal form of the witness list is an ablative absolute clause, introduced by the words hiis testibus, with some word such as 'presentibus' understood. In five cases, the word hiis is omitted, but these are all copies and the omission is probably scribal.[3] One text is irregular in introducing the witnesses with the words in presentia, followed by the witnesses' names in the genitive.[4] The same text is unusual in concluding the witness list with a reference to the presence of Frenchmen and Englishmen: multis aliis presentibus Francis et Anglis. The list normally ends with a simple et multis aliis. One text, of Scottish origin, elaborates on this slightly by using multis aliis boni testimonii viri.[5]

The number of witnesses named can vary considerably. But for the purpose of studying these numbers only original documents can be allowed as evidence of the practice of the clerks of the period. Cartulary and other copies frequently carry abbreviated witness lists. One text (No. 37) carries only two witnesses, but this is merely because /

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1. Bracton, De Legibus, f. 38, para. 12.
2. See above, Chapter IV, p. 184, n. 4.
3. Nos. 20, 27, 40, 42, 65.
4. No. 83.
5. No. 30.

because the scribe of the Newbattle cartulary added only enough of the witness list to take him to the end of a line. The smallest number of witnesses in an original is five (No. 49) and the largest number is twenty-three (No. 98). There may be an occasional correlation between the size of the witness list and the importance of the text preceding it - No. 98, in fact, concerns nearly 100 properties in the town of Brackley. Yet the text with the next longest witness list, which contains seventeen names, is a simple charter of enfeoffment (No. 43). And the charter of freedom to the borough of Brackley (No. 90) has only thirteen witnesses - not an unusually large number. Practice as regards the number of witnesses listed varied according to the ideas of the clerk concerned.

The average number of witnesses in the original charters in this collection is just over eleven. The only British collection for which comparable statistics have been worked out is The Acts of Malcolm IV, in which 'the large majority of the acts have fewer than ten witnesses'.[1] An English formulary written about the year 1300 recommends that a charter should have six witnesses, or five at least.[2] It will not be possible to draw conclusions about changes from period to period in the practice of naming witnesses until many more collections of texts have been studied.

Witness lists can unconsciously reveal features of the social background of the times and one instructive but rather neglected aspect of /

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1. RRS, i, p. 78.

2. Legal and Manorial Formularies ... in memory of J.P. Gilson, ed. S.C. Ratcliff et al. (Oxford, 1933), p. 1.

of the study of such lists is the order in which the names appear. It would be possible, but exceedingly laborious, to work out in detail the rules of precedence which were normally applied. It is sufficient to give a general impression of the order usually followed in the texts here collected. The most important dignitaries external to Earl Roger's own familia were bishops and earls, who always head any witness list in which they appear.[1] Abbots and priors usually have precedence next, normally coming before knights.[2] It is natural that in this collection knights should occupy a prominent place and the earl's steward occurs either among them, if he was a knight, or soon after them. Following the knights are deans and archdeacons,[3] whom it is perhaps surprising not to find further up the list. Parsons and rectors also follow the knights, usually quite closely.[4] The earl's own chaplains tend to appear next and after them may come a mixture of minor officials, such as sergeants, foresters and cooks. The burgesses of Brackley who appear frequently among the documents concerning /

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1. Although during the first half of the twelfth century, at least, kings of England and Scotland occasionally witnessed charters issued by private persons, no king of England or Scotland ever witnessed an act of Earl Roger's. (Cf. RRS, i, p. 79.)

2. Nos. 36, 38, 102. But in No. 30 the prior of St Germains, East Lothian, is preceded by three others, of whom two were probably knights.

3. Nos. 39, 83. In No. 18, William Wishart, archdeacon of St Andrews, occurs before the knights, but this was clearly on account of his importance as chancellor of Scotland.

4. Nos. 1, 25, 52, 64, 69, 108, 109. Exceptionally, a parson of Leuchars occurs second in the list in No. 22; but he was Simon de Quincy, who was doubtless privileged as a member of the family. In No. 101, the parson of Croxton is the last witness named (possibly as writer of the deed?).

concerning that borough may be placed either before or after chaplains, but they certainly precede the clerks, who are usually at or near the end of the list.[1]

Not every witness list contained all these persons, of course, and quite minor individuals could come fairly close to more important personages in a short witness list.[2] It is therefore useful to look at the position which an individual might expect to occupy, by studying the average position of his known appearances. Saher of St Andrews was an important figure in Earl Roger's household and a relative of the earl himself and his average is second or third place in a witness list of ten or eleven persons.[3] Eustace the chaplain, however, could only hope to be eighth or ninth in a witness list of thirteen or fourteen. Robert of Trafford, a clerk named in thirteen witness lists, and the author of six of the original charters in this collection, was normally ninth in a witness list of nine or ten. (This may not reflect his importance quite accurately, since there was a convention whereby the clerk of a deed would sometimes name himself as the last witness.)

It is occasionally possible to trace through witness lists the rise in social position of a particular individual. In the present collection, Philip Lovel, steward of Earl Roger and later treasurer of King Henry III, appears in witness lists on eleven occasions.

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1. Nos. 99 and 100 reveal two scribes who had different ideas about where clerks should be placed in a witness list.

2. E.g. No. 7, in which the witness list consists of an earl, his two sons, two knights and two other laymen.

3. For details see index of witnesses (App. B).

In five cases, he occurs after the knights, but always immediately after them.[1] On three occasions, he appears among the knights, although he was certainly not a knight himself.[2] In two instances, he precedes the knights and himself heads the witness list.[3] Finally, in one witness list, in which he is described as the king's treasurer, he again appears before the knights and comes immediately after an earl and a member of the Quincy family.[4]

Evidence from witness lists has already been used in examining the composition of Earl Roger's familia, but it may be remarked here that the lay element in these lists of names preponderates to a remarkable degree. In the seventy witness lists surviving, clerics outnumber laymen in only three, and one of these has probably been abbreviated.[5] In one case the two elements are equal.[6] In all the other lists laymen are the larger group and there are even six instances in which no clergy at all appear.[7]

The date. There are nineteen documents in this collection which carry a date.[8] The dated texts consist of seven charters, five indentures of agreement, two letters patent, two grants, a confirmation a quitclaim /

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1. Nos. 68, 93, 102 (as steward); and Nos. 111, 141.
2. Nos. 54, 91, 123.
3. Nos. 56, 110.
4. No. 43.
5. No. 28 (abbreviated); No. 36, note d; and No. 108.
6. No. 94.
7. Nos. 7, 49, 58, 90, 142, 143.
8. Nos. 3, 17, 19, 29, 30, 33, 34, 49, 50, 57, 92, 117, 118, 123, 138, 145, 149, 153, 154.

a quitclaim and a notification. It is possible that indentures were more likely to be dated than other types of document, but there are nevertheless two undated examples among the acts.[1] Less than one quarter of the full texts are dated and the habit of dating private documents was only slowly becoming more common.[2] In No. 117, the dating clause has been added as an afterthought, and in a clumsy manner, as it runs under the fold and has blotted upon it.

The dating clause is always placed near the end of the text, except in the five indentures of agreement, in which it comes at the beginning.[3] In ten instances there is also a witness list in the text. In eight of these the date follows the witness list.[4] In the other two texts it precedes the witness list, but these are both cartulary copies and are therefore not absolutely reliable.[5]

The word used to introduce the dating clause may be either Dat' (in ten cases)[6] or Act' (in three cases).[7] But there is no sign of any /

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1. Nos. 2, 143.

2. 'Private charters rarely bear a date before the last years of the thirteenth century' (Stenton, Gilbertine Houses, p. xxii). 'About 1290 it was becoming general to date private charters' (N. Denholm-Young, Handwriting in England and Wales, Cardiff, 1954, p. 34). In Scotland, undated private charters are far from uncommon in the fourteenth century.

3. Nos. 30, 49, 50, 57, 149. No. 57 is slightly irregular in having both a date by regnal year, at the beginning, and a date by the year of grace, at the end.

4. Nos. 17, 19, 33, 34, 57, 92, 117, 123.

5. Nos. 118, 138.

6. Nos. 3, 17, 19, 29, 92, 117, 123, 145, 153, 154.

7. Nos. 57, 118, 138.

reveals a further significant difference in habit between English and Scottish clerks; for in Scotland in this period, and much later also, it was most unusual for a private charter to be dated by reference to the regnal year of the king of Scots. The Scottish administrative and legal systems in the thirteenth century may have lacked the all-pervasive influence which in England was exercised by a governmental machine hammered into shape by the Angevin kings and used with vigour throughout the realm by the industrious justices and sheriffs of Henry III and Edward I. An English clerk might be expected to know the current regnal year and could use it as the only, or as an additional, means of specifying the year. But his Scottish contemporary, even if he knew the regnal year of his own king, did not find it worth quoting if he felt that a date was necessary at all.

The day within the year was almost always specified by reference to a saint's day or ecclesiastical festival. There is one exception in the use in No. 138 of the Roman calendar. Apart from that instance, the months of the year are not referred to. The days of the week are mentioned only in relation to saints' days and festivals, in order to specify a day by reference to the nearest saint's day or festival.

The time-date, therefore, shows that there was strong ecclesiastical influence on this aspect of the diplomatic of private acts. But, in England at least, royal influence is also visible in the use of the king's regnal year on a significant number of occasions.

Turning to the date of place, we find that this is slightly less common than the date of time: there are three full texts which have time-dates /

time-dates but no place-dates.[1] The place is regularly introduced by the preposition apud, omitted in only one instance.[2] Place-names are given in their vernacular form, with occasionally a mark of suspension as a purely formal Latinisation of the name. The ten places named in place-dates occur as follows:[3]

Scotland		England	
Leuchars	1	Groby	2
Dysart	1	Leicester	2
Haddington	1	Halse	3
Tranent	1	Southoe	2
		Ware	1
		London	2

Internal evidence suggests that Nos. 1, 2 and 39 were also issued at Halse.[4] It was a key point in the administrative system - a fact already shown by our study of the demesne estates, which also indicated, as do the acts, the importance of Leuchars and Tranent in Scotland and of Groby and Southoe in England.[5] These were the manor-houses to which the earl proceeded on his itinerary and at which his clerks often issued his acts.

Conclusions. /

1. Nos. 30, 49, 138.

2. No. 153.

3. See Nos. 3, 17, 19, 29, 33, 50, 57, 92, 117, 118, 123, 145, 149, 150, 153, 154.

4. See notes on these texts.

5. See above, Chapter II, pp. 77, 82.

Conclusions. Earl Roger's acts were the productions of a few household clerks working regularly together, supplemented on occasion by outsiders. In these circumstances, and in the absence of any elaborate 'chancery' organisation, the acts do not display the homogeneity which can be expected in acts emanating from a royal or episcopal chancery, or from a centralised administrative system such as that of the earls of Chester. The acts present a conspectus of the habits of some clerks in the drafting of private deeds. These habits were usually less advanced than those of royal and episcopal clerks, who often led the way in innovations. Earl Roger's acts are less frequently dated than those of kings and bishops.[1] The earl's clerks adopted the form of English royal letters patent and occasionally copied a royal practice, such as placing the earl's style at the beginning of his charter to Brackley borough. They adopted the habit of naming the earl in the plural, which had become common among English kings and bishops some fifty years before. This change, and the increasing use of a simple salutem in the salutation, may have been taking place in the earl's lifetime; and the beginnings may also be discernible of fixed ideas about the order of habendum et tenendum. Further conclusions about diplomatic cannot be drawn until the acts of other barons have been collected and analysed.

There are very few, if any, significant differences between the earl's Scottish and English acts. Certainly, occasional phrases have /

1. Cheney, Bishops' Chanceries, pp. 81-90.

have been noticed which occur in Scottish acts alone; but the twenty surviving full texts of acts of Scottish provenance are too few to permit final judgment on this point. More studies in purely Scottish diplomatic are required. Maitland's dictum still stands: a man who crossed the Tweed and was served with a writ 'might notice the name of Henry where he was accustomed to see Alexander, or the name of some Scottish burgh in place of the familiar Westmonasterium; but nothing else in the writ would seem strange. If the proper names be omitted, we shall hardly now tell a Scottish charter of feoffment from an English ...'[1] All this is proof of a certain Anglo-Scottish unity of thought in legal matters. Differences of subject-matter existed: there was, for example, no view of frankpledge in Scotland. But influence on diplomatic habits was flowing from south to north. Scottish clerks worked in a tradition which was Anglo-Norman in origin and their customs were more international than local. At the same time, this very fact is a snare which may entrap the historian who tries to delineate Scottish society in the thirteenth century. The inclinations of the clerks were to suit their descriptions of Scottish conditions to the language of their charters, to iron out the differences rather than elaborate upon them.

1. Pollock and Maitland, Hist. Eng. Law, i, 222.

CHAPTER V

CONCLUSIONS

Earl Roger was the representative of a great family and study of his activities has shown that family affairs and family traditions had a pre-eminent place in his life. In his own marriage to Helen of Galloway and in the marriages of his daughters, he displayed that ability to make a 'good marriage' which several of his ancestors had also been fortunate enough to possess. Indeed, there is no record that Roger acquired any land by gift of the crown, either in England or in Scotland. It was by marriage that he extended the family's landed wealth beyond even the considerable levels achieved by his father and mother. Every noble family had an 'inheritance of property in land and jurisdiction which [it] passed on and hoped to augment from generation'.[1] Roger not only preserved but also increased the heritage of the Quincys. But on two counts his career as head of the family was a failure.

Firstly, he produced no male heir, in spite of his three marriages and a very long life. For the family, this was a disaster. His estates were divided among his three daughters and their husbands, and, perhaps because no one of the heirs inherited enough land to support comital rank, the earldom of Winchester lapsed. 'An earldom's death from natural causes was ... unusual. The heirs of the Quincy earls of Winchester had exceptionally bad luck.'[2]

Earl /

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1. Holmes, Higher Nobility, p. 7.
2. K.B. McFarlane, 'Had Edward I a "policy" towards the earls?', History, vol. 1 (1965), p. 147.

Earl Roger's other departure from family tradition concerned the link with France. His failure here was not personal, but was forced on him, and on many others, by a political circumstance: England's loss of Normandy in 1204. The Norman contacts of the Quincys had remained close: Roger's grandfather, the earl of Leicester, had probably spent most of his life in Normandy,[1] and Roger's father had served there. Although Philip Augustus confiscated the French lands of the earls of Leicester in 1204, Saher's right to a share of the Leicester lands in Normandy was still admitted by the Montfort co-heirs in 1206/7.[2] And a family agreement of 1230 still mentioned Saher's inheritance in Normandy and Flanders as belonging by right to his son Roger.[3] The loss of Normandy split many Anglo-Norman families into English and Norman branches;[4] but this did not happen to the Quincy family. It retreated to its English and Scottish possessions, but apparently kept alive a traditional claim to French estates. It would be wrong to suppose that those who had to choose in 1204 between submitting to the French or to the English king felt that the decision was a final one. Many /

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1. Sir Maurice Powicke, The Loss of Normandy (2nd edn., Manchester, 1961), p. 305n.

2. See above, Chapter I, p. 18.

3. App. A, no. 14. No trace has been found of Quincy lands in Flanders, but the reference may be to the original family possessions at Cuinchy, dep. Pas-de-Calais, since in early times Flanders included part of what is now northern France. The remarks above on Quincy lands in Normandy are subject to the qualification that further research on this topic in French archives would be desirable (see above, Introduction, p. 8).

4. Powicke, op. cit., p. 328.

Many families, like the Quincys, would preserve the hope of recovering their rights. A very few may even have been able to achieve this in later years. At the end of the thirteenth century the Balliol family still had estates in Normandy, England and Scotland.[1] But the loss of Normandy brought about a change in the attitudes of the greater barons of England, who were now inclined to devote more attention to English affairs.[2] Indeed, the picture of Earl Roger and his friends in 1242 withdrawing from Henry III's expedition in Gascony and retreating through France to the accompaniment of French mockery suggests that the days of truly international chivalry belonged to the past. Roger was the head of an Anglo-Scottish family which had lost its French possessions but retained memories and hopes from its Norman past.[3]

Earl Roger's status in society can be observed by looking at his relations with his overlords and at his position among his peers. In both Scotland and England he was in general a faithful supporter of /

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1. I have found no explanation in print of how the Balliols succeeded in retaining, or re-acquiring, the estates at Bailleul-en-Vimeu and elsewhere in Picardy to which John Balliol, the deposed king of Scots, retired about 1302 (see B.J. Scott, The Norman Balliols in England, London, 1914, p. 346).

2. Powicke, op. cit., p. 303.

3. Norman contacts were of course maintained in confirmations and new grants to Norman monasteries of properties in England, e.g. the grant to St Evroult in 1233 by Margaret de Quincy, countess of Winchester (App. A, no. 8). As late as 1286, Roger's daughter Helen, widow of Alan la Zouche, confirmed the grants of her predecessors to St Evroult of tithes of pannage in part of the forest of Leicester (Archives Departmentales de l'Orne, Alençon, series H, file 907). See in general Donald Matthew, The Norman Monasteries and their English Possessions (Oxford, 1962), pp. 72-105.

of the crown. He took part in the English baronial revolt in the years 1258-9, but remained rather in the background during the disturbances. He was never prominent in political affairs. He served Henry III in expeditions to Brittany, in 1230, and to Poitou, in 1242, and his withdrawal from the latter campaign was an expression of a general baronial reluctance to serve beyond the realm, rather than an act of personal rebellion. In Scotland, amid the upheavals of Galloway politics, he supported, and was supported by, King Alexander II. His office of royal constable was honorific and, at least after 1236, he was not a regular member of the Scottish royal court. When during he diplomatic crisis of the years 1257-61 he served as one of Henry III's ambassadors to Scotland, his position as a great baron in both kingdoms was no embarrassment and may have strengthened his powers as a mediator. The day had not yet come when it would be impossible to do double homage to the king of England and the king of Scots.

The one obvious method of revealing Roger's position among his fellow-barons is to study baronial incomes. Figures for these can only be approximate, since they do not normally take account of irregular revenue from feudal sources such as wardship and marriage. We have already estimated that the annual value of Roger's demesne properties was between £900 and £1,000, about £400 in Scotland and over £500 in England.[1] Allowing for other sources of revenue, including for example the sale of view of frankpledge to tenants,[2] we /

1. See above, Chapter II, p. 81.

2. See above, Chapter IV, p. 175.

we may guess that Roger had a total income of about £1,000 per annum.[1] Professor Sidney Painter estimated the revenues of the great English barons in the second half of the thirteenth century.[2] Richard, earl of Cornwall, and Walter Marshal, earl of Pembroke, had annual incomes of well over £3,000. Late in the century, Isabel de Fortibus, countess of Devon and Aumale, had £2,500 a year. Within the £1,000-£2,000 limits were the earl of Gloucester and Hertford, the earl of Richmond and the Earl Ferrers. From figures given in the early fourteenth century, Denholm-Young has estimated that 'an average earldom, if it could be imagined, would be worth £1,600 a year in cash'.[3] Although these figures put Earl Roger financially into the second rank of the earls, he was still among about a dozen of the wealthiest laymen in England.[4]

Details of baronial incomes in Scotland are harder to discover. Only one complete account of annual income has survived: this shows that in 1294-5 Duncan, earl of Fife, then a minor, had an income from all sources of about £525.[5] Alexander, steward of Scotland from 1241 to 1283, was wealthy enough to purchase from the Lord Edward the wardship of Skipton in Craven, Yorkshire, for £1,500. The steward /

1. Annual value and annual income are not of course necessarily identical, but in the absence of manorial accounts this figure must be used as an approximation.

2. Painter, Feudal Barony, p. 174.

3. Denholm-Young, Seignorial Administration, p. 23.

4. Painter, op. cit., omitted the Quincy revenues from Scotland from his calculations and therefore gave the earls of Winchester too low a position in his list of incomes.

5. Stevenson, Documents, i, 412-5.

steward also had sufficient credit to obtain a loan of £200 from a Jew in 1262.[1] Among the Anglo-Scottish baronage, of whom Earl Roger was one, John Balliol, father of the king, had owing to him during the period from about 1251 to 1266 debts totalling about £770.[2] As the earl of Fife was the premier Scottish earl, it is possible that Earl Roger was wealthier than any of the Scottish earls and perhaps his only financial equal in Scotland was the steward. Roger's income may have been similar to that of other great Anglo-Scottish magnates such as John Balliol and the earls of Huntingdon. We may not be far wrong if we guess that Roger was one of the four wealthiest barons of Scotland.

Another useful indicator of social position exists in the witness lists of charters, especially royal charters. In Scottish royal charters of the period 1226-36, Roger is usually named near the beginning of the list, immediately after the earls, but occasionally takes precedence over Walter the Steward.[3] (He was not himself an earl until 1235.) In the only Scottish royal charter which he witnessed thereafter, a confirmation issued at Stirling in 1257, he headed the list and took precedence over the earls of Dunbar and Strathearn.[4] In English royal charters, by contrast, he is not first in /

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1. CDS, i, no. 2319, ii, no. 61; PRO, Ancient Deeds, series D (E.210), no. 18.

2. Oxford Deeds of Balliol College, ed. H.E. Salter (Oxford Historical Society, vol. lxiv, 1913), pp. 324-8.

3. See above, Chapter I, p. 33.

4. J. Hodgson, History of Northumberland, pt. III, vol. i, pp.12-13.

in the witness list of any surviving charter, and was usually in the second half of the list of earls named.[1] The evidence of witness lists confirms what baronial incomes suggest, namely that Earl Roger stood on a higher rung of the social ladder in Scotland than in England.

Earl Roger's estates are notable for the unity of their administration and the disunity of their physical structure. To the earl and his estate administrators, the Scottish and English lands were one block. It can have mattered little whether the profits of a demesne manor, the revenue from a wardship or a fine in the earl's court accrued from a Scottish or an English source. It was an administrative convenience to have separate Scottish and English stewards, but their aims were identical: efficient administration of the earl's properties in land and jurisdiction in order to produce profit for the earl. And the fact that the Scottish estates had an annual value of some £400, as against some £500 for the English ones, is a reminder that the earl's possessions in Scotland were not mere barren northern acres. The earl's use of Englishmen as estate administrators in Scotland again shows that the national frontier had little effect on the thoughts of those concerned, whose aim was to govern /

1. CDS, i, no. 1358 (in 1237, last of five English earls); CPR, 1232-47, p. 322 (in 1242, second of three earls); ibid., p.323 (in 1242, second of two earls); Calendar of Documents relating to Ireland preserved in ... Public Record Office, vol. i, ed. H.S. Sweetman (London, 1875), no. 2771 (in 1245, third of four earls); Royal ... Letters illustrative of the Reign of Henry III, ed. W.W. Shirley (Rolls Series), ii, 120 (in 1256, third of five earls); Annales Monastici, i, 456 (in 1258, last of five earls); Cal. Chart. R., ii, 16 (in 1259, second of four earls). Earl Roger headed the witness list in two private deeds: CR, 1231-4, p. 320 (in 1233); Records of the Borough of Leicester, vol. i, ed. M. Bateson (London, 1899), p. 50 (in 1255).

govern the earl's estates well, wherever they lay. There is little sign of any movement of tenants from Scottish to English estates or vice versa, with the exception of a few household figures such as Philip Lovel, the steward, and Richard, the crossbowman, who both possessed land at Leuchars.[1] But this does not invalidate the contention that the estates were conceived of as a unity, for, at least in England, the tenurial structure was exceedingly formal and tenants were looked upon as a source of profit, most of them lacking the personal contact with their lord which might have led to gifts of land on another of his estates.

The scattered situation of the estates is most striking. Few of his contemporaries had lands as widespread. It was possible for Earl Roger to travel from Perthshire to the English Channel and, except for a stretch of about 100 miles in the north of England, never be more than thirty or forty miles from some piece of property in which he had an interest. Yet this great honour, like similar agglomerations of property held by other English magnates, was a wastefully organised economic unit. English medieval landlords suffered because 'their estates were by no means always constructed according to the dictates of economic convenience: on the contrary, they were apt to be haphazard accumulations created by the Norman Conqueror's distribution of land, success in winning political rewards and skilful exploitation of the marriage market'.[2] Nor is there much /

1. Nos. 95, 153.

2. Edward Miller, 'The English economy in the thirteenth century: implications of recent research', Past and Present, no. 28 (July, 1964), p. 31.

much indication that the earl and his administrators made efforts to reorganise estates into more compact blocks.[1] On the contrary, Roger's personal exploitation of the Scottish marriage market in his own first marriage may have had as one of its objects the acquisition of property in new areas altogether. Certainly the first effect of this marriage was to bring to Roger seven fees in Yorkshire, which, when added to his Cumberland properties, strengthened his landholding in northern England. And its second effect, in 1234, was to bring in large estates in Galloway and Berwickshire which helped further to fill the gap between his Quincy lands in Scotland, nearly all north of the Forth, and his properties in the English midlands. We cannot know whether Roger was pursuing a deliberate policy of bridging the gap, but he and his advisers were not incapable of sophisticated planning of this kind, within the framework of the ideas of their time.

Earl Roger was the head of a family, a man of high social rank and the possessor of vast estates. But he exercised his greatest influence on others simply because he was a great lord. Lordship of one man over others was a lynch-pin of the whole social structure. The great magnate was a source of wealth and power for those who served him. Earl Roger's relations with many of his tenants were formal, but he was the centre of a familia, an assemblage of relatives, minor landowners, estate administrators, household knights, clerks and /

1. The exchange with Edmund de Lacy, whereby Earl Roger gave up Kippax and Scholes, Yorks., and received Kneesal, Notts., Wadenhoe, Northants., and land in Elmsall, Yorks., may be one example (No. 43).

and others, whose interests and careers he was able to further by the exercise of his lordship. It is one of the principal objectives of the present study to point out that in doing this Roger transcended the Anglo-Scottish frontier. It is not sufficient to say merely that he was himself an Anglo-Scot. He was also responsible for creating Anglo-Scottish contacts at social levels lower than his own. The total of such contacts which the records reveal may not appear to be very impressive: a few Englishmen as estate administrators in Scotland, a few Scots within a familia which was largely English in composition, a few of the earl's intimates who became Anglo-Scottish landholders, a few English clerks who got Scottish livings. But there is enough to show that Anglo-Scottish social links existed and flourished under the patronage of this particular great lord.

It is now time to widen the scope of this enquiry and to ask how far Earl Roger was typical of the Anglo-Scottish baronage in his time. But here we must proceed with caution, for little detailed research on similar Anglo-Scottish families of the thirteenth century is in print.

The most prominent Anglo-Scottish landowners were the kings of Scots themselves. There is no need to rehearse in detail here the origins of this situation, which arose partly from intermarriages between the royal houses of England and Scotland and partly from political manoeuvring over claims to lands and titles. Professor Ritchie has explored these subjects in the first half of the twelfth century, Professor Barrow has delineated them in the reign of Malcolm IV and Dr Margaret F. Moore, in a strangely-neglected book, has given /

given a factual account of where in England these Scottish royal lands lay.[1] It is sufficient to point out that members of the Scottish royal family held lands in England more or less continuously from before 1100 down to 1296, a period of 200 years.

As kings and barons, in both Scotland and England, were linked in a closely-knit society based on marriages and acquisition of land, many great barons were able to follow in the wake of the kings of Scots and themselves become Anglo-Scottish landowners. In the twelfth century, many Anglo-Norman families acquired property in Scotland, just as the Quincys did. Some founded a new branch in Scotland, which retained no English or French lands. But there still existed in the thirteenth century other families which, like the Quincys, owned property in both countries. One example of how the relationship between king and barons could work is in the history of the honour of Huntingdon, originally granted in 1113 to the Scottish prince who became King David I. When, in 1237, John, earl of Huntingdon, a cousin of King Alexander II, died childless, the lands of the honour were divided among female co-heirs and thus passed to three barons: John Balliol, the elder, Robert Bruce, a competitor for the crown of Scotland in 1291-2, and Henry Hastings.[2] As with the Quincys, fortunate or politic marriages had here led to increased landed wealth and higher social position. Marriage to a royal /

1. Ritchie, Normans in Scotland; RRS, i; Margaret F. Moore, The Lands of the Scottish Kings in England: the Honour of Huntingdon, the Liberty of Tyndale and the Honour of Penrith (London, 1915).

2. Moore, op. cit., pp. 11-12.

royal princess was one stepping-stone to success. Marriage to a countess was another, and one of the principal instances of this mode of social climbing was the marriage, before 1214, of William Comyn, already an Anglo-Scottish baron holding lands in Tyndale and in Peeblesshire, to Marjory, countess of Buchan.[1] The Comyns later added Badenoch to their inheritance and acquired further land and prestige, as we have already seen, by the marriage of Alexander Comyn, earl of Buchan, to Elizabeth, a daughter of Earl Roger.[2]

Huntingdon, Balliol, Bruce, Comyn and Quincy: these were the great Anglo-Scottish landowning families of the thirteenth century. They were all related and could all be displayed, with many others, in one family tree. The Anglo-Scottish baronage was headed by this tightly-knit group of wealthy and powerful men. Such research on other families as has been possible during the preparation of the present study suggests that these other four families belonged to the same social level as the Quincys, and that to a greater or lesser extent the heads of these families shared the outlook and ideas of Earl Roger, which we have tried to delineate above. This assertion cannot be proved in detail here, but two examples will illustrate, although inadequately, the general picture. In the early thirteenth century, David, earl of Huntingdon, who died in 1219, granted Rescivet, in Chapel of Garioch parish, Aberdeenshire, to David de Audree, whose family held in Northamptonshire a fee of the honour of Huntingdon. /

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1. SP, i, 504-5, ii, 252.
2. See above, Chapter I, p. 41.

Huntingdon.[1] Earl David was translating a retainer from England to Scotland as the Quincys translated the Shelford family, probably the St Andrews family and possibly the Cornet family. In the late thirteenth century, the head of the Balliol family, then King John of Scotland, was able to advance the career of a graduate attached to the Balliols, just as Earl Roger had opened the way to high office for Philip Lovel and had rewarded his English clerks with Scottish livings. The first known chancellor of Scotland after John Balliol's accession to the throne in 1292 was Mr Thomas of Hunsingore.[2] The name is derived from that of a village in the West Riding of Yorkshire, and Mr Thomas had been an attorney for Dervorgilla de Balliol, John's mother, and latterly her executor.[3] In 1268-9, Robert of Hunsingore had similarly been an attorney for Hugh de Balliol.[4] Mr Thomas was promoted by means of patronage dispensed by the head of the Balliol family. It was Mr Thomas's good fortune that the head of that family was now also the king of Scots, who could award to his retainer one of the highest offices of state in Scotland.

Such instances could be multiplied; and the trend of the argument is clear. Each of these five colossi among Anglo-Scottish families /

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1. BM, Cotton Ch. xviii.23; Hatton's Book of Seals, nos. 200, 220. For comment, see G.W.S. Barrow in BIHR, xxix (1956), pp. 18-19.

2. British Chronology, p. 174.

3. CDS, ii, nos. 274, 535; Stevenson, Documents, i, 124, 214.

4. CDS, i, nos. 2516, 2538. The family supported Dervorgilla's foundation, Balliol College, Oxford, to which in 1321 Mr Richard of Hunsingore granted property near Oxford (E.B. Fryde and J.R.L. Highfield, 'An Oxfordshire deed of Balliol College', Oxoniensia, xx, 1955, pp. 40-45).

families involved others in its Anglo-Scottish interests. Their familiae, their relatives, their servants, all were bound up in a world which transcended the national frontiers. It will not do to say that the Anglo-Scottish barons were mainly a few great men, who were untypical of the Scottish baronage as a whole; for by the exercise of lordship great men drew to themselves lesser men who came to share their concerns. These five major families represent a host of less prominent individuals.

There were other families which, quite independently of this group of magnate families, developed their own Anglo-Scottish contacts. While the general tendency was for Anglo-Norman, or English, barons to marry Scottish heiresses, at least two Scottish earls during the thirteenth century married English wives. Malise, fifth earl of Strathearn, married Marjory, daughter and co-heir of Robert de Muschamp, and thus acquired lands in Northumberland.[1] Duncan, ninth earl of Fife, who was murdered in 1288, had married Joanna de Clare, daughter of Gilbert de Clare, earl of Gloucester and Hertford.[2] As a result of this marriage, the family acquired at Glapthorn, Northants. a fourth part of a knight's fee, held of the earl of Gloucester.[3] As late as 1302, Duncan, son of Duncan, earl of Fife, still held property there.[4] Below the level of earls, there were still others. The Douglases /

1. SP, viii, 246; Inchaffray Chrs., p. lxiii. 2. SP, iv, 11.

3. Bridges, Northamptonshire, ii, 459.

4. See charter, 20 August 1302, by Duncan de Fyf, son of Duncan, earl of Fyf, to Walter de Shirburn, grantor's chamberlain, of a messuage and croft in Glapthorn (Northamptonshire Record Office, Brudenell Muniments, K.x.4).

Douglases, who did not yet hold the pre-eminent position in the Scottish baronage which was to be theirs in the fourteenth century, had Fawdon in Northumberland and Stebbing, in Essex.[1] The Riddels who had held Wittering, Northants., and Cranston Riddel, Midlothian, in the twelfth century continued in possession of both estates at least until the outbreak of war in 1296.[2] Again in Northamptonshire, where Scottish contacts were numerous on account of the Scottish kings' possession of the honour of Huntingdon, we find the Pinkneys of Weedon Pinkney, who also held Ballincrief, in East Lothian, through marriage to a Lindsay.[3] Anglo-Scottish contacts spread far beyond the English midlands: the Lovels of Castlecary in Somerset also had Hawick in Roxburghshire.[4]

It is possible to plot on a map the holdings of identifiable Anglo-Scottish landowners. This reveals that their lands were geographically very widespread. In all but a few English counties, Anglo-Scottish barons existed. The exceptions are the counties on the Welsh marches, Cheshire, Staffordshire, Shropshire, Herefordshire and Worcestershire, plus Devon and Cornwall. In Scotland, every major /

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1. CDS, i, nos. 2436, 2452, 2538; ii, no. 736(7); iv, no. 1770.
2. Ibid., i, p. xxiii, no. 1890; ii, no. 736(15), iv, no. 1770; cf. RRS, i, 101 and note.
3. Hatton's Book of Seals, no. 264.
4. CDS, i, p. lxv and note. The fullest information about Scots in England in the late thirteenth century is in the English sheriffs' returns of 1296, listing adherents of the deposed John Balliol (CDS, ii, no. 736). But this is not a complete list of Scots holding land in England, since those who were still faithful to the English crown, e.g. the Bruces, were not included.

major county south and east of the Highland line is represented. The Comyns, whose landholding was as extensive in the second half of the century as Earl Roger's had been in the first, carried links with England into the heart of the Highlands of Scotland by their possession of Badenoch, in Invernessshire.

The Anglo-Scots who thus covered Britain from Inverness to the Channel coast can therefore be divided into two social groups: on the one hand, the five great families, who held most of the land concerned, and on the other a body of lesser baronial families, whose activities are more difficult to trace and to whom histories of Scotland in the thirteenth century have paid little attention. These two groups were of course only a part of the whole Scottish baronage, which existed in its own right as a body of men dependent, directly or indirectly, on the king of Scots, drawing their wealth and influence in the main from purely Scottish estates. There were Scottish earls, notably those of Lennox, Ross and Sutherland, whose affairs seldom involved them in any connection with England or Englishmen. But at all levels the Scottish baronage had within its ranks men whose outlook was international as well as national.

It is possible to discover who the Anglo-Scottish barons were and where they held their lands. But it is precisely when we try to discover in detail how they looked upon their own situation that the formality of the sources is likely in the end to defeat us. For the greatest barons, on a level with Earl Roger, an answer in general terms is fairly clear. Maitland made the point when, in discussing the inter-relation of the Scottish and English legal systems in the thirteenth /

thirteenth century, he remarked that 'The two nations, if two nations we must call them, had been good friends; the two kingly families had been closely allied. Many a great baron can hardly have known to which nation he belonged'.[1] Earl Roger could not have answered the apparently simple question of whether he was a Scotsman or an Englishman. To him, the idea would have been nonsense. We can certainly show that Earl Roger was far from being an absentee landlord, who left the care of his Scottish estates to his officials;[2] and the same could probably be shown for the other great families. About the attitudes of the smaller men, we cannot be so sure; but as they differed from the magnates only in the scale of their possessions, they also may have been uncertain or indifferent in any thoughts they may have had about their international status. We can come closest to the ideas of the Anglo-Scottish barons in studying the work of the clerks who produced their written acts. Those who wrote Earl Roger's acts were certainly imbued with the notion that Scottish and English formal documents should be drawn up according to one homogeneous body of conventions. Written acts present only one aspect of the life of a medieval baron, but at this formal level international ideas may have been uppermost in the minds of the clerks who served the Anglo-Scottish barons.

Two races, Scots and English, there certainly were; and two nations there were coming to be. Patriotism and rivalry existed on /

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1. Pollock and Maitland, Hist. Eng. Law, ii, 223.

2. See itinerary of Earl Roger in Appendix E. Considering the relative poverty of Scottish sources, it is remarkable that Roger's appearances in Scotland, as recorded in this list, are so frequent.

on both sides of the border. When in 1244 relations between Henry III and Alexander II were strained and each assembled military forces, the English magnates mocked at the help brought to their cause by the count of Flanders, 'for England was sufficient without him even to extirpate Scotland'; and on the other side the numerous Scottish foot-soldiers 'were not in the least afraid to die, since they were inspired by the consolation of those who preached that they were about to do battle justly, for their fatherland'.[1] Yet any picture of Scottish society in the thirteenth century must also take account of the feelings of the Anglo-Scottish barons, a minority of the whole class, but a minority which included a few very eminent families. When crises broke, their views were perplexed rather than patriotic. To claim that in the years after 1296 'the Scottish nobility as a body were not true to Scotland'[2] is not only an inaccurate generalisation, it is also a remark which totally misconceives the outlook of at least one part of that nobility. The loyalties of Bruces, Balliols and Comyns, of Douglases, Riddels and Pinkneys, were first of all to a family inheritance and a family tradition, and only secondly to remoter abstractions such as the Scottish or English nations.

No historian has yet grasped the nettle and traced in detail from the sources the origin and growth of Scottish national feeling. The task is delicate and difficult, for few topics are more open to the peril of reading history backwards, and nationalist historians have already confused the issues. Professor Barrow has recently maintained /

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1. M. Paris, Chron. Maj., iv, 378, 380.
2. Stevenson, Documents, i, p. lii.

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1. M. Paris, Chron. Maj., iv, 378, 380.
2. Stevenson, Documents, i, p. lii.

maintained that, in 1296, 'Already between the English-speaking Scot and the English-speaking Englishman, subjects of different kingdoms, a mental and emotional line of division was fixed which ran as clear as those ancient boundaries the Tweed and the Redden Burn'.[1] Even these carefully-chosen words may present a picture which appeals to the modern reader more than it would have done to the men of 1296. When a full survey comes to be undertaken of the lay element in Scottish society of the thirteenth century, it should not ignore the Anglo-Scottish barons, among whom Earl Roger held an eminent place.

1. Barrow, Robert Bruce, p. 99.

NOTES ON METHODS OF EDITING[1]

General presentation. In order to bring together texts about the same estate, the documents are presented in geographical order of counties, from north to south. Notitiae, giving details of acts known to have existed but of which no texts survive, have been included with the full texts in one series, which is numbered in Arabic numerals. Within counties, the estate headings are in alphabetical order. Under each estate heading, acts in favour of ecclesiastical beneficiaries precede those for laymen and full texts normally precede notitiae.

Following the serial number, there are given in the case of notitiae details of all that the act is known to have contained, a statement of the source of this information, printed references, if any, and notes, if required. In the case of full texts, the serial number is followed by a summary of the act. In each summary, the grantor is Earl Roger and his name is to be understood accordingly. The words 'he', 'his' and 'the earl' normally refer to Earl Roger. These summaries are reasonably full and the only features regularly omitted are formal clauses, minor personal or place-names and witness lists. In a few instances where the act contains numerous, very detailed, provisions, these have not been included in the summary. In the summaries, identified place-names are given in their modern form, others are stated within quotation marks.

After /

1. The methods followed, and these descriptive notes, owe much to the methods outlined by Professor G.W.S. Barrow, in RRS, i, pp. 126-8.

After each summary there follows the place of issue of the act, if known, and either its date, if it bears one, or the date-limits which have been assigned to it. The reasons for fixing these limits are normally explained in the notes which follow the text. But three fixed points in the dating scheme have been assumed and are not explained on each occasion when one of them is used. These are as follows: 1235, the year in which Roger de Quincy was recognised as earl of Winchester, 1256, the year of death of Saher of St Andrews, a very frequent witness, and 1264, the year of Roger's death. In a few instances among the Brackley hospital charters, where close date-limits could not be discovered, the limits stated in W. D. Macray's typescript catalogue of the Magdalen College deeds have been adopted. These dates are based upon knowledge of the careers of Brackley men mentioned in witness lists, but Macray tended to date a little roughly, usually by decades, and some caution is necessary in accepting his datings. Where his dates have been adopted, reference to this fact is made in the notes. On all occasions, dates within a year are stated according to the modern computation, by which the New Year begins on 1 January.

After the date there follows the text, transcribed according to the rules stated below. For originals, the text is followed by the endorsements, if any. These are given an approximate date if earlier than the eighteenth century; otherwise they are described as modern. There follows a description of the physical features of the document. The first measurement is the breadth, i.e. horizontal measurement, the second is the length, i.e. vertical measurement. The method of sealing /

sealing, and state of the seal, if any, is then described. Next comes a statement about the handwriting, which is either ascribed to an identified scribe or is described as 'not identified'. For copies, the notes of endorsement, physical description, sealing and handwriting are replaced by a note of the rubrics and other marginalia.

For both originals and copies, the next information stated is the source or sources of the text. Where a text survives in an original and also in a copy or copies, the text reproduced is that of the original. A cross-reference is made to the copy, but it is not normally collated with the original. Where only copies survive, what appears to the editor to be the best text is reproduced and variants in other copies are noted. Where duplicate originals survive, one has been transcribed and the other is collated with it; full physical descriptions of both are given. A few texts have had to be taken from printed editions and in these cases the printed work is treated as the source.

There follow details of the works in which the document has been printed. The form of publication is indicated by the words 'full text', 'calendar', 'translation' or 'note'. If there is no entry here, it may be assumed that no printed text or reference is known to the editor.

Finally, there are given, if required, two sets of notes. Under the heading 'Variae lectiones' there are textual notes, such as variant readings and explanations of textual defects. Under the heading 'Notes' are given more general comments. These notes are normally restricted to questions involved in dating the act, comment on /

on its relationship to other texts and explanations of difficult or unusual terms. Place-names are not discussed unless they raise problems. No attempt has normally been made to identify field-names.

Orthography and abbreviated forms. The spelling of words and proper names in the source has been followed exactly. Capitals are normally reproduced as found in the source, whether this is an original or a copy. The exception to this rule is that all personal and place-names have been given initial capitals by the editor. The variant forms i and j, u and v have been reproduced as found in the source. The Tironian signs for et and est have been reproduced in originals and are represented respectively by ⁊ and ÷. These signs have been extended in copies. The Anglo-Saxon 'thorn' (þ) has also been reproduced in originals. Dots or accents on i and y have not been reproduced. All abbreviations and suspensions are normally extended and the extension is marked for italics only if it is doubtful. Exceptionally, extensions in the earl's style in originals have been marked for italics. An apostrophe is used where extension is impossible, e.g. in Scot' occurring in the earl's style, or in place-names such as Brakkel'.

Punctuation and lacunae. Punctuation is reproduced as closely as possible in originals. In copies, it is normally reproduced from the source when this is of medieval date. All points or full stops have been represented as immediately following a word, since it proved impossible to distinguish with certainty those cases in which the scribe intended to place a point equidistantly between words. Insertions /

Insertions are shown by the use of oblique strokes. Lacunae are shown by dots, each dot representing approximately three letters. Words supplied by the editor are placed in square brackets.

Technical terms. In the summaries and notes, and elsewhere throughout this thesis, it has been necessary to decide upon the correct translation for certain Latin words now represented in Scotland and England by divergent technical terms. Some of the differences are matters of spelling only, e.g. burgus = burgh (Scotland) or borough (England). But in all cases the principle adopted has been to use a Scottish term in a Scottish context and an English term in an English context. It must, however, be emphasised that use of these modern terms is conventional only and gives no warrant for any assumption that Earl Roger and his contemporaries necessarily thought of one term as having different connotations in Scotland and in England. Other terms concerned are: bailie/bailiff, infeftment/enfeoffment, sasine/seisin, warrandice/warranty (Scots term precedes English). In the case of villa, the modern English word vill has been used in English contexts, but for purposes of differentiation the Scots vernacular word toun has been employed in Scottish contexts.

T E X T S

PERTHSHIRE

Gask

(See also No. 112)

1

Charter by Roger de Quincy to Brackley hospital of his demesne of Gask, in arable land, with pasture for 24 oxen, 15 cows and 100 sheep, with 4 acres of meadow and with what they require from his wood of Gask, by view of his forester, for fuel and construction of dwellings, to be held in free alms for upkeep of three chaplains, in exchange for 40s. annualrent which Roger of St Andrews gave to the hospital in Collessie (Fife). (Before 1234)

Vniuersis Sancte Matris ecclesie filiis Ad quos presens Scriptum peruenerit Rogerus De Quency salutem. Nouerit uniuersitas uestra me pro Salute anime mee 7 antecessorum 7 successorum meorum. Dedisse. Concessisse. 7 presenti carta mea confirmasse Deo 7 Domui hospitalis Apostolorum Jacobi 7 Johannis De Brackele., 7 fratribus Ibidem deo seruientibus: totum dominicum meum de Gasc In terra arabili cum pastura vigintiquatuor Boum. Et quindecim vaccarum. 7 centum ouium. 7 cum quatuor acris prati quod Iacet in occidentali parte capelle sancte Fyndoce uersus molendinum De Gasc. 7 cum rationabilibus necessarijs ad focum 7 ad domos construendas In bosco meo de Gasc per uisum forestarij mei In puram 7 perpetuam 7 liberam elemosinam ad sustentacionem trium capellanorum Qui In perpetuum pro anima mea 7 antecessorum 7 successorum meorum debent celebrare. 7 In escambium quadraginta solidorum Redditus annuj! Quem Rogerus de Sancto Andrea dedit dicto hospitali In Colessin. scilicet Duas marcas ad ornatum ecclesie /

ecclesie ⁊ vnam marçam ad recreacionem Infirmorum. Ego uero ⁊ heredes mei warantizabimus predictum tenementum predictis fratribus In perpetuum contra omnes homines. Et ego ⁊ heredes mei successiue ad presentacionem Dicti Prioris ⁊ fratrum In dicto hospitalj dictos tres capellanos constituemus. Et ut hec mea Donacio Rata sit ⁊ stabilis presens scriptum sigilli mei munimine Roborauj. Hijs testibus Ricardo de Herecurt. S. de Sancto Andr'. Radulfo de Neuill' Michaele Grimbaut. Magistris. R. de Rotteshale. ⁊ Reginaldo de Haush'. T. persona de Brackele. Willelmo Marscallo. Ricardo Mace. G. Tchanewambe. G. Selueyn ⁊ H. Byset. Et multis alijs.

Endorsed: Modern numeral endorsement.

Description: 6.7 x 5.3 in (17.0 x 13.5 cm). Fold at foot of .9 in (2.3 cm).

Sealing: On tag, 6.0 x .5 in (15.2 x 1.3 cm), through treble slits. Seal missing.

Hand: Scribe A.

Source: Original, Magdalen College, Oxford, Brackley C.127 (Macray's Catalogue, no. 58).

Printed: Brackley Deeds, p. 14 (cal.); A. P. Forbes, Kalendars of Scottish Saints (1872), p. 352 (note).

Notes: Roger's style indicates that the above act was issued before he became constable of Scotland in 1234 (see above, Chapter I, p. 36). Although the act concerns property in Scotland, the witnesses are English and the presence of Mr Reginald of Halse and the parson of Brackley suggests that it was issued at the manor of Halse, near Brackley, Northants. The results of the arrangements described in Nos. 1 and 2 were that Roger acquired an annualrent of 40s. in Collessie formerly paid to the hospital by Roger of St Andrews (see App. A, no. /

no. 12) and the hospital established three chaplainries which were supported by the annual profits from Roger's demesne of Gask, viz. 15 marks. The arrangement was cancelled in or before 1242 (see No. 3). It should be noted that an editorial convention has been adopted throughout in referring to the hospital of SS. James and John at Brackley simply as Brackley hospital. There was another hospital at Brackley, dedicated to St Leonard (see D. Knowles and R. N. Hadcock, Medieval Religious Houses: England and Wales, 1953, p. 257).

2

Indenture of agreement with Brackley hospital that brothers of the hospital shall pay to him annually 15 marks of silver for the demesne of Gask, granted to them for upkeep of three chaplains, as in No. 1, above, with provision for cessation of 5 marks' payment on establishment of each chaplain. (Before 1234)

C I R O G R A P H V M

Hec ÷ Conuentio facta Inter Rogerum de Quency ⁊ Priorem ⁊ fratres Hospitalis Apostolorum Jacobi ⁊ Johannis de Brackele. Scilicet quod dicti fratres debent reddere annuatim Dicto Rogero quindecim marcas argenti pro Dominico De Gasc quod dictus Rogerus dedit dictis fratribus In puram ⁊ perpetuam elemosinam: ad sustentacionem trium capellanorum qui In perpetuum pro anima dicti Rogeri ⁊ antecessorum ⁊ successorum suorum celebrabunt: cousque dictus .R. capellanos predictos In dicto hospitali apposuerit. Cum autem dictus .R. unum capellanum Ibidem apposuerit Dicti fratres cessabunt a solucione quinque marcarum predicti annui redditus. Cum autem duos capellanos apposuerit /

apposuerit cessabunt a solucione decem marcarum Cum autem tres capellanos apposuerit Quieti erunt a solucione quin[decim][a] . . marcarum In perpetuum. Concedunt autem dicti fratres quod si contra istam conuencionem uenir[e] . . . . . compellat per predictam terram de Gasc ad conuencionem tenendam. ⁊ ut hec conue[ncio] . . . . . alter alterius scripto sigillum suum apposuit. Hijs testibus Ricardo de Harecurt .S. de [Sancto Andr'. R]adulfo de Neuile. Michaele Grimbaud. Magistris .R. de Rotteshale. ⁊ R. de Haush'. Willelmo M[arsca]llo ⁊ multis alijs.

Endorsed: Modern numeral endorsement.

Description: 6.5 x 4.0 in (16.5 x 10.2 cm). Indented at top. Fold at foot of .8 in (2.1 cm).

Sealing: On four cords, blue and white, about 8.0 in (20.3 cm) in length, knotted between document and seal, and threaded through single slits, first seal of Earl Roger, with counter-seal, in natural wax. For description of seal, see above, Chapter IV, p. 161.

Hand: Scribe A.

Source: Original, Magdalen College, Oxford, Brackley D. 164 (Macray's Catalogue, no. 69).

Printed: Brackley Deeds, p. 16 (cal.).

Var. lect.: a. Gaps in following passage caused by hole in parchment.

Notes: The witness list is similar to that in No. 1 and this act may likewise have been made at Halse and at the same time as No. 1, q.v.

3

Notification that Brackley hospital undertook the upkeep of three chaplains in exchange for an annualrent of 40s. from Collessie (Fife), in return for which Earl Roger granted to the hospital his demesne of Gask, as in No. 1 above; that the hospital had a charter from him of an annualrent of 8s. from Hangingshaw in Heriot (Midlothian) for provision of a candle before altar of B.V.M. in the hospital chapel; that an indenture was made between the parties about the demesne of Gask, as in No. 2 above, and that, as these agreements and grants have been annulled by consent of the parties, the hospital has returned to him the foresaid two charters and indenture. Groby, 13 February 1242.

Vniuersis christi fidelibus has litteras visuris vel audituris.

Rogerus de Quency Comes Wynton' Constabilarius Scott' salutem. Nouerit vniuersitas vestra. quod prior 7 fratres hospitalis beatorum Apostolorum Jacobi 7 Johannis de Bracel'[a] fecerunt nobis vnam cartam de sustentacione trium Capellanorum In dicto hospitali In perpetuum. 7 de Escambio quadraginta solidorum Annui redditus. quem Rogerus de Sancto Andrea dedit dicto hospitali. In Culaþyn.[b] 7 pro dicta sustentacione et dicto Escambio nos Concessimus 7 dedimus predictis priori 7 fratribus. totum dominicum nostrum de Gask In terra arabili. cum pastura viginti quatuor boum. 7 quindecim vaccarum 7 centum ouium. 7 cum quatuor acris prati quod Iacet In occidentali parte Capelle sancte Fyndoce versus molendinum de Gasc. 7 Cum rationabilibus necessariis ad focum 7 ad domos construendas in bosco nostro de Gasc. Preterea predicti prior 7 fratres reddiderunt nobis Cartam quam habebant. de octo solidatis annui redditus percipiendis annuatim In /

In Hangindeshaue In Hereyet. pro quibus octo solidatis tenebantur Inuenire luminare Cereum Coram altari beate ⁊ gloriose virginis Marie In Capella predicti hospitalis. preterea predicti prior ⁊ fratres reddiderunt nobis. partem Cyrografi Inter nos ⁊ eosdem Confecti. de dominico nostro de Gasc. quod eisdem priori ⁊ fratribus dederamus. in puram ⁊ perpetuam elemosinam ad sustentacionem trium Capellanorum. tali condicione quod Ipsi redderent nobis singulis annis pro dicto dominico. quinque marcas. pro quolibet sacerdote. donec eis predictos sacerdotes presentaremus videlicet quando vnum presentaremus tunc non redderent nisi decem marcas. quando duos tunc nisi quinque marcas. quando tres tunc nullam marcam. Et quia predicte conuenciones ⁊ Concessiones. ⁊ dictum escambium comuni concilio ⁊ propria uoluntate nostri ⁊ dictorum prioris ⁊ fratrum ad nichilum sunt redacta. predicti prior ⁊ fratres reddiderunt nobis duas cartas Predictas ⁊ partem suam dicti Cyrographi. Et nos similiter tenemur reddere dictis priori ⁊ fratribus omnia scripta que habemus de eis. super Conuencionibus ⁊ Concessionibus ⁊ Escambio antedictis. Et uolumus ⁊ Concedimus quod si talia scripta. Apud nos uel apud heredes nostros amodo sint Inuenta: nullius autoritatis[c] ⁊ nullius momenti sint. Immo pro nichilo reputantur Dat' Apud Groby. In crastino sancti Valentini. Anno gracie. m[o].cc.xli.

Endorsed: Modern numeral endorsement.

Description: 7.7 x 5.3 in (19.6 x 13.5 cm).

Sealing: On tongue, 5.7 x .9 in (14.5 x 2.3 cm), second seal in natural wax, lower half only surviving. For description of seal, see above, Chapter IV, p. 162. Below tongue, tie of 4.7 x .3 in (11.9 x .8 cm).

Hand /

Hand: Robert of Trafford.

Source: Original, Magdalen College, Oxford, Brackley 167 (Macray's Catalogue, no. 139) = B.

* * *

Endorsed: (i) Carta de toto dominico de Gasc. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 8.3 x 5.2 in (21.1 x 13.2 cm). Fold at foot of .9 in (2.3 cm).

Sealing: On tag, 7.5 x 1.1 in (19.1 x 2.8 cm), through single slits, second seal, in natural wax, rubbed, damaged at edges, but good impression. Seal now torn off and preserved apart.

Hand: Not identified.

Source: Original, Magdalen College, Oxford, Whitfield 71 = W.

* * *

Printed: Brackley Deeds, p. 28 (cal.). Above text taken from B, with variants noted from W.

Var. lect.: a. Brackel', W.
b. Sic. Mistranscription of Culassin.
c. auctoritatis, W.

Notes: In spite of the terms of this deed, the arrangements for the restoration to the earl of the cancelled deeds were not carried out, for Nos. 1 and 2, above, remained in the archives of the hospital.

4 - 5 /

4 - 5

Charters (2) to Brackley hospital of:

(4) the mills of Gask ('Nesgasc'); and
(5) (Nether) Keir ('la Ker'), the 'Kur' and brewhouse of same.

Source: Magdalen College, Oxford, Brackley 28 (Macray's Catalogue, no. 325).

Notes: The present Mill of Gask lies 1¼ mls. SW of Gask House. Nether Keir lies 1¾ mls. ESE of Gask House, close to the River Earn (Middle English 'kerr' = bog). 'Kur' has not been identified. The above source refers to the balneo (bath) of 'Kur' in error for bracino (brewhouse). The conjunction of the 'Kur' and brewhouse occurs in an agreement made in 1263 by which the hospital leased these and neighbouring properties to a local clerk (see App. A, no. 15). On the brewhouse, see also No. 112.

6

Charter to Brackley hospital of land of Clathybeg ('Kulluthi Beg') [in Gask].

Source: Magdalen College, Oxford, Brackley 28 (Macray's Catalogue, no. 325).

Notes: Clathybeg is one mile N of Gask house. The hospital later granted a lease of the mill at Clathybeg (see App. A, no. 15).

7 /

7

Confirmation to Inchaffray abbey of 10 acres in territory of Gask, with pasture for 10 cows in common pasture of Gask, to be held in free alms in accordance with charter of the earl of Winchester, his father, and in exchange for 7 acres which canons of Inchaffray had claimed from his father. (Before 1221)

Vniuersis cristi fidelibus ad quos presens scriptum peruenerit Rogerus de Quinci Salutem. Nouerit vniuersitas vestra Me pro salute mea et antecessorum meorum concessisse et hac carta mea presenti confirmasse in puram et perpetuam elemosinam deo et beate Marie et Ecclesie de Incheafran. et Canonicis ibidem deo seruientibus et seruituris decem acras terre in territorio de Gasc. scilicet. illas quas prudentes homines domini patris mei Comitis Wintonie perambulauerunt et pasturam .x. vaccarum. In communi pastura de Gasc. tenendas inperpetuum libere et quiete ab omni seculari seruitio et exactione. sicut carta patris mei quam habent testatur. Et ut hec concessio et confirmatio Rata et inconcussa permaneat Huic scripto sigillum meum apposui. Et sciendum est quod predictam terram. scilicet. x acras prenominatas concessi canonicis prenominatis in escambium vjj acrarum quas idem canonici uersus patrem meum Calumpniauerunt. Hiis Testibus. Gilberto Comite de Stratherne. Roberto et Fergus filiis suis Euerardo de Trumpitune. Willelmo de Selforde. Morino de Kyndelouth et W. de Fore et multis aliis.

Sealing: Seal lost, tag remains.

Source /

Source: Inchaffray Chrs., no. 42 (full text). (Print of original charter, Dupplin Muniments, no. 141 (i), now penes Messrs Condie, Mackenzie & Co., Perth. It has not been possible to gain access to this document.)

Notes: This charter can be dated only from the erection of Inchaffray as an abbey, which took place in 1220 or 1221 (Inchaffray Chrs., pp. 250, 276). Earl Saher's grant, which this act confirms, is extant (ibid., no. 38). J. Maitland Thomson considered that Earl Saher's grant was made about 1218 and that Roger's confirmation followed in about 1220 (ibid., pp. 31, 36, 276). But the terms of the confirmation do not rule out the possibility that it was made during Earl Saher's lifetime.

8

Deed relating to bond by archdeacon of Dunblane to pay to abbot and convent of Inchaffray 20s. annually for teinds which they were accustomed to receive from land called 'Pettynefiue' (?Pittendynie) by reason of their church of Trinity Gask ('Gask Cristi') and which the archdeacon possessed by reason of his church of Gask ('Nesegasc').

Source: Inchaffray Chrs., no. 132.

Notes: This act is referred to in a notification issued by the archdeacon of Dunblane in 1358 and was part of a series of agreements concerning the parsonage and vicarage revenues of the church of Gask, in which Inchaffray abbey, Brackley hospital, the bishops of Dunblane and the archdeacons of Dunblane were all involved (Inchaffray Chrs., pp. xlviii-l; App. A, no.15). 'Pettynefiue' is elsewhere spelt 'Petneweue' (Inchaffray Chrs., no. 64) and may be Pittendynie, in Moneydie parish, Perthshire.

Perth /

Perth

9

Confirmation to Scone abbey of land in toun of Perth, including a stone house, and a garden outside the walls, which land formerly pertained to the constableship of Scotland, was granted to William of Lynn by charter of Alan son of Roland, constable, with power of assignation, and was granted by said William to the abbey, to be held of Earl Roger and his heirs in perpetuity for 10s. silver annually, under provisions that (i) the abbey can have no claim to the land of John Spartund which similarly pertains to the constableship, (ii) Earl Roger and his heirs and their bailies shall have right of lodging in the house and shall have easement in its courtyard when they are entertained in the house, (iii) his court to be held in the land shall be reserved to him and his heirs, with pleas, amercements and escheats, (iv) the abbey shall undertake upkeep of the house, and (v) any claim to the land shall be settled by law and assise of the land in his court. (1235 x 1246)

Uniuersis fidelibus has litteras visuris vel audituris Rogerus de Quinci Comes Wintonie. Constabillarius Scoc' salutem. Nouerit vniuersitas vestra nos concessisse 7 hac presenti Carta nostra confirmasse abbati de Scona et canonicis ibidem deo seruientibus et seruituris in perpetuum terram que quondam fuit Willelmi de Len in villa de Perth ad constabillariam Scocie pertinentem quam dictus Willelmus eis contulit sicut in Carta predicti Willelmi dictis Canonicis inde confecta plenius continetur. et sicut Carta Alani filii Rolandi bone memorie quondam constabillarii[a] Scocie predicto Willelmo inde confecta prefato Willelmo plenariam faciendi assignatos contulit /

contulit potestatem. videlicet. terram illam cum domo lapidea in vico qui procedit de magna via. aquilonari tendente versus insulam que iacet inter dictum vicum et aquam de Tay. videlicet. domum lapideam et totam terram inter ipsam domum et aquam ad eandem domum pertinentem et gardinum extra muros de Perth quod pertinet ad predictam terram. Predicti vero canonici nullam clamium vel calumpniam habere poterunt in terra Johannis Spartund que similiter pertinet ad constabulariam Concedimus igitur dictam terram et domum lapideam et gardinam superius nominatum predictis abbati et canonicis tenenda et habenda sibi et successoribus suis de nobis et heredibus nostris in perpetuum. libere. honorifice. plenarie et quiete. Reddendo inde nobis et heredibus nostris annuatim decem solidos argenti. scilicet. v. solidos ad Pentecostes. et. v. solidos ad festum sancti Martini in yeme. pro omni seruicio consuetudine et demanda. saluo nobis 7 heredibus nostris 7 balliuis nostris et heredum nostrorum hostilagio competenti in predicta domo lapidea et in omnibus aliis domibus habebimus aisiamentum nostrum que domus erunt in predicta terra. videlicet. infra Curiam dicte domus cum nos vel heredes nostri vel balliui nostri vel heredum nostrorum in predicta domo lapidea erimus hospitati. et salua nobis et heredibus nostris Curia nostra in eadem terra tenenda et saluis placitis et misericordiis. et si que fuerint escaete. Predicti vero Canonici predictam domum lapideam et alias domus in predicta terra honorifice sustinebunt. Si vero aliquis Clamium vel calumpniam in dicta terra voluerit mouere saluo cuiuslibet iure causa inter litigantes mota per Rectam legem et assisam terre in Curia nostra[b] finem debitum sortietur. Hiis testibus etc.[c]

Rubric /

Rubric: Concessio cuiusdam (?) cum domo lapi[deo] in Perth (xiv cent.).

Source: NLS, Adv. MS. 34.3.29, fo. 22r-v.

Printed: Scone Liber, no. 80 (full text).

Var. lect.: a. MS. constabillari.
b. MS. curiam nostram.
c. Witness list omitted by cartulary scribe.

Notes: The later limit-date is fixed by the date of a royal confirmation, on 12 November 1246, of this act and No. 10, below (Scone Liber, no. 81). By provision (iii) the earl reserves his feudal jurisdiction over the property, although it is situated within a burgh. Provision (v) impliss a distinction between the ordinary law of the land and the law observed within the burgh. On both these points see Early Records of Aberdeen, 1317, 1398-1407, ed. W. Croft Dickinson (S.H.S., 1957), pp. xxxvi, lxiv-v. On the 'constable lands' in other Scottish burghs, see above, Chapter II, pp. 69-70.

10

Confirmation to Scone abbey of land in burgh of Perth which pertained to the barony of Earl Roger's father, the earl of Winchester, which William of Lynn held of Earl Roger by charter, and which said William gave to the abbey, to be held of Earl Roger and his heirs for half a mark of silver annually, under exception of the right of lodging which Earl Roger has remitted in favour of the abbey, and with provision that any claim to the land shall be settled by law and assise of the land in his court. (1236 x 1246)

Uniuersis /

Uniuersis fidelibus has literas visuris vel audituris Rogerus de Quinci Comes Wyntonie constabillarius Scocie salutem. Nouerit vniuersitas vestra nos Ratam et gratam habere donacionem Willelmi de Len quam fecit abbati de Scona. et canonicis ibidem deo seruientibus et seruituris in perpetuum Super terra illa que fuit de baronia patris mei Comitis Wyntonie infra burgum de Perth. que iacet inter terram que fuit quondam Henrici Baldi. et terram que fuit galeatoris. quam scilicet terram idem Willelmus tenuit de nobis per Cartam. Concedimus etiam et confirmauimus predictam terram predictis abbati et canonicis et eorum successoribus tenendam et habendam de nobis et heredibus nostris sicut Carta nostra exinde confecta dicto Willelmo a nobis prestita plenius attestatur. Excepto hostilagio quod dictis abbati et canonicis ad eandem terram remisimus. volumus itaque quod predicti abbas et canonici supradictam terram habeant et teneant. libere honorifice et quiete. Reddendo inde nobis et heredibus nostris annuatim dimidiam marcam argenti videlicet quatraginta denarios ad Pentecosten. et quatraginta denarios ad festum sancti Martini in yeme pro omni seruicio et consuetudine et demanda saluo iure cuiuslibet. Ita tamen quod si aliquis clamium vel calumpniam in dicta terra mouere voluerit causa inter litigantes mota: per Rectam legem et assisam terre in Curia nostra finem debitum sortietur.[a] Hiis testibus dominis Galfrido et Clemente de Dunkeldyn et de Dunblan Episcopis. Laurencio de Abirnethi. Johanne et Willelmo de Haya. Willelmo de Bosco. Duncano et Sibaldo filiis Walteri. Symone de Nysi. magistro Adam de Malcaruister magistro Symone de Carniwyth'. magistro Yuone.[b] Henrico filio Galfridi Jacobo de Neuilla. Ricardo de Leycest'. magistro Thoma de Man[c] 7 aliis.

Rubric /

Rubric: Donatio Willelmi Len in Perth (xiv cent.).

Source: NLS, Adv. MS. 34.3.29, fo. 25r.

Printed: Scone Liber, no. 79 (full text).

Var. lect.: a. MS. sortiatur.
b. MS. ynoie.
c. MS. Mar.

Notes: The earlier limit-date is fixed by the appearance as a witness of Geoffrey, bishop of Dunkeld, who was consecrated bishop in December, 1236 (British Chronology, p. 288). The later limit-date is fixed by the royal confirmation mentioned in the notes to No. 9, above.

11

Grant to Brackley hospital of annualrent of 24s. in toun of Perth.

Source: No. 103.

12

Charter to William of Lynn of land in burgh of Perth.

Source: No. 10.

13 /

13

Charter to John Sparetunt, burgess of Perth, for his homage and service, of 24s. [annualrent] in toun of Perth, including 6s. 8d. from land lying before the chief messuage of the constable (capitali messuagio . . . bular') to the south, which William of Lynn gave in marriage with Clarissa his daughter, and other sums [details of which are fragmentary on account of damage to text].

Source: Scone Liber, no. 108.

Notes: The above details are derived from a royal confirmation of the act, dated 16 October 1258.

FIFE /

FIFE

Balmerino

14

Precept to abbot of Balmerino to cause stakes to be erected at a point on the bounds of Over Naughton [in Balmerino].

Source: No. 21.

Collessie

(See also Nos. 1, 3)

15

Charter to Lindores abbey of church of Collessie in free alms, with power, on resignation or death of Mr Adam of Makerstoun, to seek conversion of the church in proprios usus, but under provision that failing such conversion advowson is to revert to grantor or his heirs. (Before 1262)

Omnibus presens scriptum visuris vel audituris Rogerus de Quency Comes Wynton' Constabularius Scocie eternam in domino salutem. Nouerit vniuersitas vestra nos caritatis intuitu et pro salute anime nostre et pro animabus antecessorum et successorum nostrorum dedisse concessisse et presenti carta nostra confirmasse deo et beate Marie et ecclesie sancti Andr' de Lundors et abbati et conventui ibidem deo servientibus /

servientibus et inperpetuum servituris Ecclesiam de Culessin cum omnibus suis pertinenciis. Habendam et tenendam dicto abbati et conventui et eorum successoribus in liberam puram et perpetuam elemosinam libere quiete bene et in pace inperpetuum Sicut aliqua ecclesia melius liberius et quiecius in Regno Scocie dari poterit et concedi videlicet quod cedente vel decedente magistro Ada[a] de Malcarrestona Rectore dicte ecclesie liceat predictis abbati et conuentui et eorum successoribus pro nobis et heredibus nostris in dictam ecclesiam pacifice intrare et possidere et in vsus proprios conuertere si eandem in vsus proprios aliquatenus possint impetrare. Et si eandem ecclesiam in vsus proprios conuertendam possint impetrare et optinere nos vel heredes nostri nichil juris seu clamii in dicta ecclesia de cetero exigemus seu vendicabimus nec contra suam impetracionem in aliquo veniemus. Et nos et heredi nostri dictam donacionem concessionem et confirmacionem dicte ecclesie de Culessyn cum omnibus suis pertinenciis vt prenominatum est dictis abbati et conuentui et eorum successoribus contra omnes gentes inperpetuum warantizabimus. Set si dictam ecclesiam in vsus proprios conuertendam non possint impetrare jus aduocacionis in dicta ecclesia ad nos et heredes nostros expresse et sine alicuius contradiccione reuertetur. In cuius rei testimonium et securitatem presentem cartam sigilli nostri impressione duximus Roborandam. Hiis testibus, Dominis Willelmo de Oyly, Johanne Becard, militibus, Magistro Ada[a] de Malcarrestona, Magistro Eustacio de Scelford, domino Ricardo de Radeswelle, Magistro Roberto tunc phisico nostro, domino Willelmo de Sancto Edwardo capellano, Saero de Setuna, Rogero Raboc, Alexandro de Setona, Rogero Bourc clerico, et aliis.

Rubric /

Rubric: Carta ecclesie de Cullessy (xiii cent.).

Source: MS. Lindores cartulary, fo. 5v-6r, penes Captain R. Fergusson-Cuninghame, Caprington Castle, Kilmarnock, Ayrshire. Another copy of this text in the same MS., at fo. 14v-15r, has only minor verbal variants from the above.

Printed: Lindores Chartulary, no. 131 (full text). (See also ibid., no. 141.)

Var. lect.: a. MS. Adam.

Notes: On Mr Adam of Makerstoun, see above, Chapter III, p. 126. Gamelin, bishop of St Andrews, granted the church in proprios usus to the abbey on 5 June 1262 (Lindores Chartulary, no. 142). The above act was probably issued shortly before that date.

Cruvie

16

Charter to William Strangessone and his heirs of toun of Meikle Cruvie ('Magna Croyn').

Source: Fraser, Southesk, ii, 481.

Notes: The above act is inferred from a charter by Helen la Zouche, daughter of Earl Roger, to John of Kinloch of the land specified, which had been resigned by William Strangessone who held it by charter of Earl Roger. A family of Kinlochs held Cruvie in the mid-fifteenth century (Stevenson and Wood, Seals, iii, 442). It lies in the parish of Logie, 2½ mls. NW of Leuchars, and Wester Cruvie was part of the barony of Leuchars in /

in the late fourteenth century (RMS, i, app. ii, no. 1734). The form 'Croyn' has not been traced elsewhere, but it might be a mangled form of 'Crovyn'. Altogether the identification with Cruvie seems most probable.

Kinloch

17

Charter to Lindores abbey, in free alms, of 200 cart-loads of heather annually from his moor of Kinloch and as many peats as they need for their wants from his peatmoss of 'Monagrey', with one acre of land for drying their peats adjoining the place where they dig the peats, and a messuage of two acres in field of 'Thoreston' to which they can draw their heather and peats, the keeper of which messuage and fuel may pasture 2 cows and 10 sheep in the common pasture of Earl Roger's moor of Kinloch; granting also right of way for the monks and their men, with oxen and carts, to the moor for heather and across the moor for peats, and returning from there to the messuage, and common pasture on the moor for their oxen drawing the fuel, from the time when they begin to draw until Nativity of B.V.M. (8 September), but not for their other draught-animals or oxen. Dysart, 8 March 1248.

Universis Sancte Matris ecclesie filiis presens scriptum visuris vel audituris Rogerus de Quency Comes Winton' Constabularius Scocie Salutem in domino sempiternam. Noveritis nos caritatis intuitu pro salute anime nostre et pro salute animarum antecessorum et successorum nostrorum /

nostrorum dedisse concessisse et hac presenti Carta nostra confirmasse in liberam puram et perpetuam elemosinam deo et ecclesie Sancte Marie de Lundor' et Monachis ibidem Deo servientibus et inperpetuum servituris ducentas Carratas bruere in mora nostra de Kyndoloch annuatim inperpetuum percipiendas in loco nobis et heredibus nostris minus nocivo et dictis Monachis competenciori. Et si ducente Carrate bruere eis non sufficiant volumus quod ipsi propinquiores sint omnibus aliis ad brueram eandem[a] quantum necesse habuerint in eadem bruera. Dedimus eciam eisdem monachis et eorum successoribus pro nobis et heredibus nostris ad sustentacionem domus sue de Lundor' licenciam fodiendi et percipiendi annuatim imperpetuum tot petas in petaria nostra que vocatur Monegre quot voluerint ad sufficienciam sustentacionis sue. Ita videlicet quod nullus alius in dicta petera nostra petas fodiat sine licencia et voluntate dictorum monachorum nec ipsi de predicta petera dabunt nec vendent nec aliquo alio modo alienabunt nec conuertent nisi in usus proprios predicte domus sue. concessimus eciam eisdem Monachis longitudinem et latitudinem unius acre in dicta mora eis annuatim assignande proximo adjacente loco in quo dictas petas fodient In cujus quidem acre longitudine et latitudine predictas petas suas sine alicuius inpedimento licite possint desiccare. Dedimus preterea dictis monachis unum mesuagium adjacens proximo vado quod vocatur Ethyweyn ex parte orientali in campo de Thorestona continens duas acras terre ad quod quidem mesuagium attractum suum de bruera et petis facere possunt et custos eorum qui predictum mesuagium et focale custodiet quicunque pro tempore fuerit duas vaccas et decem oves in communi pastura /

pastura more nostre de Kyndeloch habeat pascentes. Volumus eciam quod predicti monachi et eorum homines cum suis bobus et carris liberum chiminagium habeant per rectum usque moram pro bruera et per mediam moram pro petis et abinde ad mesuagium suum redeundo sine alicujus inpedimento vel contradictione. Concedimus eciam eisdem monachis pro nobis et heredibus nostris quod eorum boves qui predictum focale attraxerint communem pasturam habeant in dicta mora nostra de Kyndeloch a tempore quo inciperint ad trahendum usque ad Nativitatem beate Marie virginis annuatim. Ita tamen quod nullatenus causa istius nostre donacionis seu concessionis aliquod de suis averiis nec aliquem de suis bobus in dicta pastura ponere possint nisi solummodo boves suos dictum focale attrahentes per tempus prenotatum. Habendum et tenendum de nobis et heredibus nostris predictis monachis inperpetuum libere quiete et solute secundum quod aliqua elemosina liberius quiecius et honorificencius dari potest vel concedi. Nos vero et heredes nostri predictas ducentas carratas bruere et dictam peteram cum omnibus aliis superius notatis predictis monachis et eorum successoribus contra omnes gentes warantizabimus acquietabimus et inperpetuum defendemus. In cujus rei testimonium presens scriptum sigilli nostri munimine fecimus roborari. Hiis testibus, dominis Ricardo de Wykes, Johanne Berkard, Johanne de Wemes, Roberto de Hereford et Philipo de Chetewind, militibus, Johanne de Kyndeloch, Stephano[b] de Setona, Alexandro filio suo, Roberto et Rogero de Trafford clericis et aliis. Dat' apud Dysart' prima dominica quadragesime Anno domini M[o] Ducentesimo Quadragesimo Septimo.

Rubric /

Rubric: Carta super bruera in mora de Kyndloch et petera de Monegrey (in red; xiii cent.).

Source: MS. Lindores cartulary, fo. 10r-11v, penes Captain R. Fergusson-Cuninghame, Caprington Castle, Kilmarnock, Ayrshire.

Printed: Lindores Chartulary, no. 137 (full text).

Var. lect.: a. MS. eamdem.
b. Christophero in print.

Notes: 'Monagrey' and 'Thoreston' have not been identified. The non-existent Christopher of Seton, created by the transcriber of the Lindores cartulary, should be deleted from accounts of that family (SP, viii, 563n.).

18

Charter to Lindores abbey of right of way for the monks and their men, with oxen, horses and carts, going through his wood of Kinloch and all his land to Edensmuir for heather, and across that moor to the peatmoss of 'Monagrey' for peats, and returning to their monastery. (1257 x 1264)

Omnibus christi fidelibus presens scriptum visuris vel audituris Rogerus de Quency Comes Wynt' et constabularius Scocie Salutem in domino. Noueritis nos diuine caritatis intuitu dedisse concessisse et hac presenti carta nostra confirmasse deo et Monachis de Lundors' vt tam ipsi quam eorum homines cum suis bobus, equis et carris liberum Cheminagium habeant per medium Boscum nostrum de Kyndelohc, si sibi viderint expedire, Et per totam terram nostram, ubi melius et proprius sibi /

sibi visum fuerit, usque ad moram de Edyn pro Bruera et per ipsam moram mediam usque ad pethariam que[a] Monagrey pro Pethys Ac abinde ad Monasterium suum eundo et redeundo Sine inpedimento vel contradiccione alicujus ballivi nostri vel heredum seu successorum nostrorum inperpetuum. Nos vero et heredes nostri predictis monachis et eorum successoribus predictum Chiminagium sicut supra scriptum est contra omnes gentes et feminas inperpetuum warendizabimus et defendemus. In cujus rei testimonium presens scriptum sigilli nostri munimine roboravimus. Hiis testibus, Magistro W. Wyscard Archidiacono Sancti Andr', tunc Cancellario Scocie, Magistro A. de Malcaruestona preposito Sancti Andr', Dominis Willelmo de Holy, Johanne Bekard, Roberto de Sancto Andr', Malcolmo Butyler, Hugone de Bevmys et Rogero de Forfar, militibus, Willelmo capellano nostro, domino Ricardo de Redwell' clerico, et Magistro Roberto medico nostro, et multis aliis.

Rubric: Liberum chymnachium per totam terram Domini R. de Quinc' (in red; xiii cent.).

Source: MS. Lindores cartulary, fo. 8r-v, penes Captain R. Fergusson-Cuninghame, Caprington Castle, Kilmarnock, Ayrshire.

Printed: Lindores Chartulary, no. 135 (full text).

Var. lect.: a. Word omitted, e.g. dicitur.

Notes: The earlier limit-date is fixed by the appointment of William Wishart as chancellor of Scotland in or after 1257 (British Chronology, p. 174). This act is a separate grant, in slightly fuller form, of the right of way already granted in 1248 by No. 17.

Lathrisk /

Lathrisk

19

Grant narrating that it had seemed to Earl Roger and his familiares that by the death of Roger of Huntingfield the church of Lathrisk, in the earl's territory, was vacant and that the right of patronage pertained to him by reason of the foundation, although they were in ignorance of the right of the prior and convent of St Andrews and the gift of the earl's predecessors, Nes son of William, and Orabile, his daughter and heir, wherefore the earl has confirmed the church, with the chapel of Kettle, and particularly the right of patronage, and the said gift, as is more fully contained in No. 20 below, granting to the prior and convent his firm peace in this matter, and revoking his presentation of Robert of Trafford, his clerk. Leuchars, 22 September 1257.

Vniuersis sancte matris ecclesie filiis presens scriptum uisuris uel audituris. Rogerus de Quency comes Wintonie constabularius Scocie. salutem eternam in domino. Cum per mortem Rogeri de Huntingfeld uisum fuisset nobis et aliquibus familiaribus nostris ecclesiam de Losresc in territorio nostro sitam de iure fuisse uacantem. et ius patronatus dicte ecclesie ad nos ratione fundi pertinuisse. certa cognicione non habita super iure prioris et conuentus sancti Andree apostoli in Scocia. ac donacione et concessione predecessorum nostrorum. scilicet. Nesii filii Willelmi. et Orabilis filie sue. et heredis. necnon et confirmacionum Ricardi et Willelmi episcoporum sancti Andree. Nos ad animum redeuntes de consilio proborum dictam ecclesiam de Losresc cum capella de Katel quatenus in nobis est. et maxime /

maxime ius patronatus eiusdem ecclesie et donacionem predictorum predecessorum nostrorum plenarie confirmauimus. prout plenius per confirmacionem nostram eis factam liquere potest. non obstantibus quacumque presentacione. siue aliis impedimentis a nobis et nostris super premissis factis. seu faciendis. fideliter concedentes dictis priori et conuentui et suis de cetero super premissis firmam pacem nostram pro nobis et heredibus nostris. et successoribus nostris. Adicientes presentacionem a nobis factam de Roberto de Trafford[a] clerico nostro irritam esse et inanem. et quatenus in nobis est eam reuocamus. Et ad hec omnia fideliter et firmiter obseruanda. presens scriptum sigilli nostri munimine roborauimus. Hiis testibus. Domina Alyenora comitissa sponsa nostra. Dominis. Willelmo de Haya. Gilberto de Culwen. Roberto de Herford militibus. magistro Eustachio de Shelford. Symone de Shelford. Rogero Brian. Roberto de Walkot. Alexandro de Lambirtun. 7 multis aliis. Dat' apud Lokres. die sancti Mauricii sociorumque eius. anno gracie. m°.cc°.l°.vij°.

Rubric: De Katil et Losresch (in red; xiii cent.).

Source: SRO, Dalhousie Muniments, sec. 27, no. 8 (MS. St Andrews cartulary), fo. 150r.

Printed: St Andrews Liber, p. 336 (full text).

Var. lect.: a. MS. Strafford.

Notes: On Robert of Trafford, a clerk in the earl's household, see above, Chapter III, pp. 122-5, and Chapter IV, p.168.

20

Charter to church and canons of St Andrews of church of Lathrisk, with chapel of Kettle, in free alms, including right of patronage, with confirmation of gift of same by his predecessors, Nes son of William, and Orabile, his daughter and heir. (Probably 22 September 1257)

Vniuersis sancte matris ecclesie filiis presens scriptum uisuris uel audituris. Rogerus de Quency comes Wyntonie et constabularius Scocie salutem eternam in domino. Nouerit uniuersitas uestra. nos caritatis intuitu et pro salute anime nostre et sponse nostre Aelionore. et pro animabus predecessorum nostrorum et successorum dedisse concessisse. et hoc presenti scripto nostro confirmasse. deo et ecclesie beati Andree apostoli in Scocia. et canonicis ibidem deo seruientibus et inperpetuum seruituris in puram et perpetuam elemosinam ecclesiam de Losrech cum capella de Katel. et cum omnibus pertinenciis suis nominatim super iure patronatus dicte ecclesie. Ratum et gratum habentes. et quatenus in nobis est pro nobis et heredibus nostris et successoribus plenarie ratificantes donationem et collacionem factas super dicta ecclesia. per predecessores nostros. scilicet Nesium filium Willelmi et Orabilem filiam dicti Nesii et heredem. Quare uolumus ut predicti canonici dictam ecclesiam de Losrech cum capella de Katel et omnibus pertinenciis suis habeant et possideant libere et quiete. et sine omni exactione de nobis et heredibus nostris et successoribus. Et ut hec nostra concessio et confirmatio robur perpetue firmitatis obtineant. presens scriptum sigilli nostri munimine roborauimus. Testibus. /

Testibus. Domina Aelyenora comitissa et sponsa nostra. Dominis. Willelmo de Haya. Gilberto de Kulwen. Roberto de Herford. militibus. Magistro Eustachio de Shelford. Symone de Shelford. Rogero Brian. Roberto de Walkot constabulario de Lochris. Alexandro de Lambertun. Johanne filio Johannis de Kynros. Alexandro de Setun. Reginaldo de Crauford. Patricio de Oggiluil et multis aliis.

Rubric: De Losresch (in red; xiii cent.).

Source: SRO, Dalhousie Muniments, sec. 27, no. 8 (MS. St Andrews cartulary), fo. 150r-v.

Printed: St Andrews Liber, p. 337 (full text).

Leuchars

(See also Nos. 95, 153)

21

Charter to Balmerino abbey of part of his peatmoss in his marsh of Swanliemire' [in Leuchars], by bounds specified, to be held in free alms, with free entry and exit for carrying peats through lands of himself and his men. (1255 x 1264)

Omnibus christi fidelibus presens scriptum visuris uel audituris Rogerus de Quency Comes Wynton'. Constabularius Scocie eternam in domino salutem. Nouerit vniuersitas vestra nos pro nobis 7 heredibus nostris dedisse concessisse et hac presenti Carta nostra confirmasse deo 7 ecclesie beate Marie de Balmurynah' 7 abbati 7 monachis ibidem deo /

deo seruientibus et in perpetuum seruituris pro salute anime nostre 7 animabus antecessorum 7 successorum nostrorum in liberam puram 7 perpetuam elemosinam in marisco nostro de Swannismire quandam partem petarie nostre per has diuisas. scilicet. ab illo loco quo Riuulus qui exit de Aldaniswel! cadit in Swannismire in transuersum uersus aquilonem usque ad diuisas de Auirnachtan. diuidendo inter nos 7 Symonem de Scelforde liberum tenentem nostrum. et sic per diuisas de Auirnachtan uersus occidentem usque ad illum locum quo Abbas de Balmurynach' per preceptum nostrum fecit palos figere in presencia Petri Basset tunc Constabularii de Lokris. Rogeri Abboth. senescalli nostri. Willelmi Stransune 7 Alani Surale. Et sic per eosdem palos defixos uersus austrum usque ad terram arridam subtus viam. Et ab illo loco uersus orientem! usque ad locum ubi Riuulus exiens de Aldaniswel cadit in mariscum supradictum. volumus eciam vt Abbas 7 conuentus de Balmurynach'. dictam petariam per dictas diuisas cum vsibus 7 asiamentis. 7 cum libero introitu 7 exitu per terras nostras 7 hominum nostrorum ad cariandas petas suas pro vt melius 7 vtilius sibi viderint expedire.[a] Et Jure perpetuo habeant. teneant 7 possideant predictam petariam cum diuisis prenominatis adeo libere. quiete. integre. pacifice. 7 honorifice sicut aliqua elemosina.in Regno Scocie. liberius. quiecius. plenius 7 honorificencius dari poterit 7 concedi. Nos vero 7 heredes nostri dictis Abbati 7 conuentui de Balmurynach'. dictam petariam cum suis pertinenciis contra omnes in perpetuum warantizabimus manutenebimus 7 defendemus. In Cuius Rei securitatem! presentem Cartam sigilli nostri inpressione roborauimus. Hiis Testibus. Domino Gamelino tunc sancti Andr' Episcopo. /

Episcopo. Dominis. Petro de Maule. Johanne Becarde. Willelmo de Oyly. militibus. Domino Ricardo de Radiswel. magistro Eustachio de Scelforde. Petro Basset tunc Constabulario nostro de Lokris. Rogero Abboth' tunc senescallo nostro. Willelmo Strangsune. Ricardo de Lascelis. Alano Surale 7 multis aliiS.

Endorsed: Carta de Swanmyre (xiv. cent.).

Description: 10.5 x 7.3 in (26.7 x 18.6 cm). Fold at foot of 1.5 in (3.8 cm).

Sealing: Single slits survive; seal and tag torn off.

Hand: Not identified.

Source: Original, Muniments of the Earl of Southesk, Kinnaird Castle, Brechin, box 1, no. 24.

Printed: Fraser, Southesk, ii, 476-7 (full text).

Var. lect.: a. Word omitted: possideant?

Notes: The Swanliemire, now drained, lay between Egyptmuir and Pickletillem, across the boundary between the parishes of Leuchars and Forgan (J. B. Mears, Historical notes on Leuchars, 1925, p. 11). It is shown as the Swan Loch on Blaeu's Atlas (1654). 'Avirnachtan' (= Over Naughton) was presumably part of the estate of Naughton, 3½ mls. W of Swanliemire, in the parish of Balmerino. 'Aldaniswel' has not been identified. The earlier limit-date of the act is fixed by the consecration of Gamelin as bishop of St Andrews in 1255 (British Chronology, p. 300).

22

Confirmation to church and canons of St Andrews of gift by his father of 3 marks annually from mill of Leuchars, in pure and perpetual alms, as is contained in his father's charter. (1217 x 1219)

Uniuersis sancte matris ecclesie filiis presens scriptum uisuris uel audituris Rogerus de Quinci filius Seyri comitis Wintonie salutem Noueritis me concessisse et hac presenti carta \ mea / confirmasse deo et ecclesie sancti Andree apostoli in Scocia et canonicis ibidem deo seruientibus et seruituris donacionem trium marcarum quas pater meus in presentia mea per uoluntatem et consensum meum eis contulit in molendino de Louchres pro animabus omnium predecessorum suorum et meorum per manum molendinarii[a] ipsius molendini uel quicumque illud molendinum ad firmam uel alio modo habuerit annuatim ad duos terminos percipiendas. scilicet uiginti solidos ad pentecosten ut uiginti solidos ad festum sancti Martini in puram et perpetuam elemosinam adeo libere quiete plenarie et honorifice sicut in carta patris mei super hoc eis collata continetur. vt autem hec mea confirmacio donacionis patris mei Rata et illibata et sine aliquo scrupulo duplicitatis in perpetuum permaneat Huic scripto sigillum meum in testimonium apposui. Hiis testibus Domino Seyro patre meo comitis Wintonie. Symone de Quinci persona de Louchres. Patricio filio Nesii. Euerardo de Trunpitun. Willelmo de Seleford' senescallo meo. Radulfo capellano. Murino de Kindelouc. Ricardo Fleccario Thoma de Seleford'. Ricardo capellano Gilleberto clerico Symonis de Quinci. Henrico clerico Symonis de Quinci et multis aliis.

Rubric /

Rubric: Conf' (in red; xiii cent.).

Source: SRO, Dalhousie Muniments, sec. 27, no. 8 (MS. St Andrews cartulary), fo. 117v.

Printed: St Andrews Liber, pp. 256-7 (full text).

Var. lect.: a. MS. molendinari.

Notes: Earl Saher's charter is extant (St Andrews Liber, pp. 255-6). Its witness list begins with 'Rogero de Quinci, herede meo' and is almost identical with the witness list of Roger's confirmation. These facts suggest that the charters were granted simultaneously, sometime between the death of Roger's elder brother, Robert II, in 1217, and Saher's own death in 1219. On William of Shelford, who served as steward of both Roger and Earl Saher, see above, Chapter II, p. 102.

23

Charter to John of Kinloch ('Kindeloue') and his heirs of all the lands of 'Brekinge'/'Birking' [? Bruckly, in Leuchars] for his homage and service. Witnesses: Sir Duncan Sibaut, Sir Wal de Burge [? Walter de Burgo], Sir Robert de Betun, Mr A. Malcarwestun, Patrick de Petglassin.

Source: SHR, ii, 174 (note of original penes W.S. firm in Edinburgh, 1905); Nisbet, Heraldry (1st edn.) ii, app., p. 27 (note of original penes Hamilton of Wishaw).

Notes: Original untraced (see No. 25, below). The modern name Bruckly appears in the thirteenth century in the forms 'Borkelin' and 'Burkelyn' (St Andrews Liber, pp. 86, 164) and this may be the place to which the act refers.

Strathenry /

Strathenry

24

Charter to Roderic son of Gillecrist, of Strathenry, in fee and heritage.

Source: SHS Misc., iv, 314.

Notes: The above details are derived from a royal confirmation of the act, dated 14 April 1226.

Miscellaneous

25

Charter to John of Kinloch ('Kyndelouh') and his heirs, for homage and service, of a free mill within his lands of Pitlochie ('Petclokyn') [in Strathmiglo] to grind his grain of the lands of Pitlochie which Ness son of William gave to Ucthred, John's grandfather, quit of multure, which grant Earl Roger confirms with the additional lands of 'Petbaudoc' and 'Galwel' and the shielings which Ness gave to Ucthred for his sheep in Kilwhiss ('Kalcos') [in Collessie]. Witnesses: Sir Warin de Tundurle, Sir Yvo de Nauntun, Sir John de Carle, sir Symon de Noysiac, parson of Locres, Patrick de Petglassyn, Elyas Sweyn, then constable of Locres, Ralph de Byseth, Robert de St Andrews. (Seal in brown wax, damaged.)

Source: SHR, ii, 174 (note of original penes W.S. firm in Edinburgh, 1905); Nisbet, Heraldry (1st edn.) ii, app., p. 27 (note of original penes Hamilton of Wishaw).

Notes /

Notes: In the 1920s the originals of this act and No. 23, above, were seen by the late Professor W. Croft Dickinson in the office of Messrs Dundas and Wilson, W.S., Edinburgh, but they cannot now be found there. Various members of the Kinloch family in the fifteenth century and later bore mascles on their shields of arms and may have derived these from the Quincy arms through the link illustrated above (Stevenson and Wood, Seals, iii, 442-3). 'Petbaudoc' and 'Galwel' remain unidentified.

CLACKMANNAN

26

Charter to Nicholas of Clackmannan, brewer of the king of Scotland, for homage and service and 2 marks sterling given as grassum, of all the land of the constableship in Clackmannan, to be held in perpetuity by Nicholas and his heirs or assignees for 4s. silver annually, under provision that Nicholas shall build on the land, nearest to the castle, a stable to accommodate 12 horses of Earl Roger or his heirs when they are being entertained there, and shall also build at the earl's expense, having received his permission to cut wood, a chamber 40 feet long by 24 feet broad, with a wardrobe and private chamber, to be similarly for the earl's use there. (About 1248 x 1264)

Omnibus hoc scriptum visuris vel audituris Rog<u>er</u>us de Quenc' Comes Wynton' Constabular<u>ius</u> Scoc' eternam in domino salutem. Noueritis nos pro nobis ⁊ heredibus nostris dedisse concessisse ⁊ hac presenti carta nostra confirmasse Nicholao de Clacmanan Braciatori domini Regis Scoc<u>ie</u>. pro homagio ⁊ seruicio suo ⁊ pro duabus marcis sterlingorum quas nobis dedit in gersumma totam terram de constabularia nostra In Clacmanan. cum omnibus suis pertinenciis tam in Tofto. quam in Crofto. Tenendam ⁊ habendam de nobis ⁊ heredibus nostris vel nostris assignatis. sibi ⁊ heredibus suis vel suis assignatis Inperpetuum. vel cuicumque eam dare. vendere vel legare voluerit. Ita videlicet quod Idem Nicholaus edificabit. in illa terra propinquiore Castro vnum stabulum ad hospitandum duodecim equos nostros vel heredum nostrorum quocienscumque nos vel heredes nostros ibidem hospitari contigerit. ⁊ cum eidem. Nicholao habere fecimus /

fecimus wodeleue edificabit ad custum nostrum super predictam terram vnam cameram de longitudine quadraginta pedum ⁊ de latitudine viginti quatuor pedum cum garderoba ⁊ camera priuata similiter ad opus nostrum cum ibidem venerimus hospitaturi. Reddendo Inde annuatim nobis ⁊ heredibus nostris: quatuor solidos argenti scilicet ad festum Pentecost' duos solidos ⁊ ad festum sancti Martini duos solidos. Et nos ⁊ heredes nostri vel nostri assignati ⁊ eorum heredes. dictum tenementum cum suis pertinenciis dicto Nicholao ⁊ heredibus suis vel suis assignatis ⁊ eorum heredibus contra omnes homines ⁊ feminas warantizabimus acquietabimus ⁊ defendemus Inperpetuum. In cuius rei testimonium huic carte sigillum nostrum fecimus apponi Hiis testibus. Dominis Ricardo de Wykes. Roberto de Hereford Philippo de Chetewind militibus Johanne de Kindeloch. Saero de Seton' Willelmo de Faffinton' Roberto ⁊ Rogero de Trafford clericis nostris Et AliiS.

Endorsed: Modern numeral endorsement only.

Description: 7.7 x 6.8 in (19.6 x 17.3 cm). Fold at foot of .9 in (2.3 cm). Ruled in drypoint.

Sealing: Seal and tag torn off; single slits remaining.

Hand: Not identified.

Source: Original, SRO, Register House Charters, no. 54.

Notes: The detailed description given here of the earl's wooden lodging at Clackmannan is unique among Scottish documents of this period. On 'constable lands' in other Scottish burghs and similar arrangements made later for the constable's stable at Inverness, see above, Chapter II, pp. /

pp. 69-70. This act is dateable only by the appearance as witnesses of Sir Richard of Wix and Sir Philip of Chetwynd, neither of whom certainly witnessed any act earlier than 1248 (No. 17).

EAST LOTHIAN /

EAST LOTHIAN

Haddington

27

Charter to Dryburgh abbey of a toft in toun of Haddington, which William, king of Scotland, gave to Sir Robert de Quincy, Roger's grandfather, to be held in free alms for one piece of wax or 40d. annually. (Probably before 1234)

[O]mnibus[a] has etc.[b] Rogerus de Quincy salutem Nouerit vniuersitas vestra me caritatis Intuitu pro salute mea et pro salute animarum antecessorum et successorum meorum dedisse concessisse et hac presenti carta mea confirmasse deo et Beate Marie de Driburgh et canonicis Ibidem deo seruientibus totum toftum meum quod habui In villa de Hadyngtoun Illud scilicet quod dominus Willelmus quondam Rex Scotie domino Roberto de Quincy auo meo dedit Integre cum pertinentiis suis In liberam et perpetuam elemosinam Tenendum et habendum sibi Inperpetuum de me et heredibus[c] libere quiete Integre pacifice et honorifice Reddendo Inde mihi et heredibus meis annuatim vnam petram cere[d] vel quadragenta denarios ad festum sancti Mychaelis pro omni seruitio et exactione vt autem hec mea donatio Rata permaneat et Inconcussa presens scriptum sigilli mei munitione Roboraui Testibus etc.[b]

Rubric: Super vno tofto in villa de Hadyngtoun.

Source /

Source: NLS, Adv. MS. 34.4.7, fo. 44v.

Printed: Dryburgh Liber, no. 141 (full text).

Var. lect.: a. Capital omitted for rubrication.
b. Words omitted by copyist.
c. meis omitted.
d. partem terre, MS.

Notes: The style 'Rogerus de Quency' indicates a date before Roger became constable of Scotland in 1234 (see above, Chapter I, p. 36); but the scribe of the Dryburgh cartulary is exceedingly careless and it is not impossible that he has omitted part of the earl's style.

Tranent, Prestongrange,
Falside and Longniddry

28

Confirmation to Newbattle abbey of grange of Preston, in territory of Tranent, in free alms, as given by Robert de Quincy, grandfather of Earl Roger, and confirmed by charters of said Robert and of Earl Roger's father. (Before 1234)

Sciant presentes et futuri. Ego Rogerus de Quency Intuitu pietatis et pro salute anime mee et animarum omnium antecessorum et successorum meorum. concessi et hac presenti Carta mea confirmaui deo et Ecclesie Beate Marie de Neu' et monachis ibidem deo seruientibus grangiam de Preston de territorio de Trauernent. in liberam et puram et perpetuam elemosinam. cum omni terra adiacente. et omnibus pertinenciis suis. et /

et omnibus aysiamentis. et incrementis que auus meus Robertus de Quency dedit illis. et Carta sua confirmauit. cum carbonario et quarrario. et omnibus aliis rebus eidem grangie donatis et additis per omnia sicud Carte et confirmaciones predicti aui et patris mei proportant. Hanc prefatam grangeam cum omnibus pertinenciis suis. et aysiamentis. et incrementis. et omnibus aliis rebus ad eam spectantibus vel spectare debentibus! Ego et heredes mei predictis monachis de Neu warantizabimus et defendemus contra omnes homines. Hiis testibus. Magistro Alexandro de Sancto Martino. tunc Officialis Laudon'. Radulpho Nigro tunc decano. Willelmo de Golyn. tunc senescallo domini Episcopi Sancti Andr'. Magistro Hugone clerico meo. et aliis.

Source: NLS, Adv. MS. 34.4.13, item xvi(e).

Printed: Newbattle Registrum, no. 68 (full text).

Notes: The witness list may have been abbreviated by the scribe of the Newbattle cartulary. On dating, see No. 27, above.

29

Charter to Holyrood abbey and its tenants in Preston of freedom from suit to his mill of Tranent and from multure of corn of all the land of Preston which pertains to the abbey's church of Tranent. Tranent, 24 October 1250.

Uniuersis /

Uniuersis christi fidelibus presentem cartam visuris uel Audituris. Rogerus de Qvenc' Comes Wynton' Constabularius Scoc' Salutem. Vniuersitati uestre notum facio me dedisse Concessisse. ⁊ presenti Carta mea confirmasse pro salute anime mee ⁊ predecessorum meorum Abbati ⁊ conuentui De sancta Cruce de Edenburg'. ⁊ tenentibus eorum in Prestona quod quieti sint In perpetuum de sequela molendini mei de Trauernent. ⁊ de multura omnimodi Bladi tocius terre de Prestun' ad ecclesiam suam de Trauernent spectantis. Qvod: ut perpetue firmitatis robur optineat: presentem cartam sigilli mei munimine. Roborandam Dignum duxi. Datum apud Trauernent. die Lune proxima ante festum apostolorum Symonis ⁊ Jude. Anno Gracie. millesimo. Ducentesimo. Quinquagesimo.

Endorsed: (i) Carta Rogeri Quinci de multura (xiv cent.).
(ii) Modern numeral endorsements.

Description: 8.5 x 2.9 in (21.6 x 7.4 cm). Fold at foot of .8 in (2.0 cm).

Sealing: On tag, 8.0 x .8 in (20.3 x 2.0 cm), through single slits, second seal in green wax, badly chipped at right and left sides, but good impression.

Hand: Not identified.

Source: Original, SRO, Dalhousie Muniments, sec. 13, no. 262.

Printed: Holyrood Liber, no. 79 (full text, with illustration of seal in plate I).

Notes: The drafting of this act has two irregular features: the use of an unusual form of notification and the omission of a witness list. For comment, see above, Chapter IV, p. 199.

30

Indenture of agreement with Holyrood abbey whereby he grants to the canons thereof all teinds of corn pertaining to him in the parish of Tranent, provided (i) that they shall take one third free of multure to whomsoever they wish, but shall grind two thirds at the mill(s) of Tranent and [Long]niddry for as long as someone can grind for them, paying the sixteenth measure as multure and grinding next after the corn in the hopper except that of the lord, and (ii) that they shall grind the rest of the corn which they cannot grind there at the mill called 'Shireuis milne'; and he grants to them also the teinds of his mills of Tranent and [Long]niddry. 1222.

C Y R O G R A P H U M

Anno ab Incarnacione domini. m°.cc°.xx°.ij°. Conuenit inter. W. Abbatem de Sancta Cruce de Edinburc ⁊ eiusdem loci Conuentum ex una parte. ⁊ Dominum Rogerum de Quinci ex altera. scilicet quod Dominus. R. de Quinci dimisit ⁊ concessit predictis canonicis caritatis intuitu omnes decimas bladi ad se spectantes de parrochia de Trauernent liberas. Ita quod terciam partem ducent liberam quocumque uoluerint sine multura. Duas uero partes molent ad molendinum[a] de Trauernent ⁊ de Nodrif quamdiu aliqui molere possunt semper ad. xvi. uas. Et predicti Canonici molent proximiores blado quod est in tramello post dominum. Residuum uero bladi quod ibi molere non possunt. molent eodem modo ad molendinum quod uocatur Shireuis milne. preterea predictus Rogerus dedit ⁊ concessit predictis Canonicis pro salute anime sue ⁊ antecessorum ⁊ successorum suorum decimam molendinorum suorum de Trauernent ⁊ de Nodrif liberam ⁊ quietam. Et ut ista conuencio rata in posterum permaneat: alterutra pars alterius /

alterius scriptum sigilli sui apposicione confirmant.[b] Hiis testibus. Willelmo de Selford. Willelmo de Chaumunt. Dauid Giffard. Milone Cornet. priore de Sancto Germano. Roberto de Auinion. Aluredo de Prestona. Johanne de Trumpenton. Johanne Sauuage. Johanne Capellano de Trauernent. Et multis aliis boni testimonii uiris.

Endorsed: De compositione inter nos ⁊ Rogerum de Quinci de multura ⁊ decimis bladi de Trauernent.

Source: Holyrood Liber, no. 62, printed from original which was penes Lord Panmure in 1840, but was not among the Holyrood Charters deposited in SRO by Lord Dalhousie in 1955.

Printed: Holyrood Liber, no. 62 (full text).

Var. lect.: a. More correctly molendina?
b. More correctly confirmavit?

Notes: The exact meaning of the phrase 'quamdiu aliqui molere possunt semper ad xvi vas' is obscure. William de Chaumont who witnesses this act and No. 36 also witnessed an act of Earl Saher's (Dunfermline Registrum, no. 155). In 1216-17 William held land, probably of Earl Saher, at Chalton and Moggerhanger, Beds., and also lands in Warwickshire, Leicestershire and Northamptonshire (CR, 1204-24, pp. 289, 327). Other members of his family were connected with William Malvoisin, bishop of St Andrews: in 1208, King John released Andrew de Chaumont from prison at the bishop's request, and Mr Gilles de Chaumont witnessed one of the bishop's charters (PR, 1201-16, p. 87; St Andrews Liber, pp. 156-7). The family may have derived its name from Chaumont, arr. Argentan, dep. Orne (Black, Surnames, p. 148).

31

Charter to canons of Holyrood abbey of (i) teind of his hay of Tranent, (ii) 22 acres of cultivated land [in Tranent], in exchange for an oxgang of land which Richard son of Aldwin gave to the canons beside Gogarburn in Hermiston (Midlothian), and (iii) meadow and marsh beside the (cultivated) land, being 2 acres as far as they extend (quantum pertendunt se) towards the west, to the nearer bounds of that land.

Source: Holyrood Liber, no. 63.

Notes: The details of this act are derived from a royal confirmation of it, dated 7 February 1233. The language used is rather compressed and it is implied rather than stated that the 22 acres are in Tranent. The description of the 2 acres of meadow and marsh suggests that they were in the form of strips of land. Richard son of Aldwin's gift to Holyrood of land at Hailes, beside Gogarburn, was made before 5 December 1225 (Holyrood Liber, app., no.3).

32

Confirmation to Saer [of] Seton, kt., of lands of Tranent, in sheriffdom of Haddington.

Source: BM, Harl. MS. 4693, fo. 10r (note by Sir James Balfour of Denmilne).

Notes: The original charter is unlikely to have mentioned the sheriffdom, which has been interpolated by Sir James Balfour. /

Balfour. Nisbet, Heraldry (2nd edn.), vol. II, part iv, p. 15, describes Earl Roger's seal, in red wax, as appended to a charter in favour of Saher of Seton, which could be either the above document or No. 33. Saher's Christian name may have been given to him as a compliment to Saher de Quincy. In 1264, Saher of Seton was attorney for Alexander Comyn, earl of Buchan, as keeper of two parts of Earl Roger's lands in Lothian (ER, i, 33). On the confusing early generations of the Seton family, see SP, viii, 559-63.

33

Charter to Sayer of Seton, son of Dugall, of 5 shillings 6 pence and 8 pence [recte £5 6s. 8d.] sterling from mill and mill-lands of Tranent, pertaining to grantor, at two terms of the year, for grantee's service and one yoke for oxen (bonum [recte boum] ligamen), with a collar for one hunting-dog (cum colerio ad unum bersitium [recte berselettum]), for all other service. Witnesses: 'Villielmo de Bosco, Bernardo de Repill, Duncano Sybald, Willielmo de Haya et Roberto de Bettone, militibus'. Haddington, 5 August.

Source: BM, Harl. MS. 4693, fo. 10v (summary by Sir James Balfour of Denmilne).

Notes: On Saher of Seton, see notes to No. 32, above.

34

Charter to Mr Adam of Seton of wardship (varda) of (i) all land which belonged to Allan of Falside ('Fausyde') and which he held of grantor, /

grantor, (ii) marriage of said Allan's eldest son and heir, and (iii) marriage of Agnes, his relict. Witnesses: 'Domino Alexandro de Settone, milite, Bernardo de Rippell, Villielmo de Bosco, Duncano (MS. Donato) Sybald, Gilberto de Thirnby'. 1246.

Source: BM, Harl. MS. 4693, fo. 13v. (summary by Sir James Balfour of Denmilne).

Notes: This act is, for Scotland, an early instance of a grant of wardship and marriage by a tenant-in-chief of the crown. Mr Adam of Seton cannot be satisfactorily fitted into the pedigree of the Seton family (see SP, viii, 563n.).

MIDLOTHIAN /

MIDLOTHIAN

Heriot

35

Charter to Brackley hospital of annualrent of 8s. from Hangingshaw in Heriot, for provision of a candle before altar of B.V.M. in the hospital chapel.

Source: No. 3.

Hermiston

See No. 31

PEEBLESSHIRE /

PEEBLESSHIRE

Eddleston

36

Resignation and quitclaim by Roger and Helen, his wife, daughter of Alan of Galloway, to church of Glasgow and William, bishop of Glasgow, of toun of Eddleston, which they acknowledge to belong to the church and bishop, although said Alan and certain others of their predecessors, constables of Scotland, had unjustly withheld it for some time; made under oath on the evangels that they will not contravene this grant in future and will not trouble the church or bishop or his successors in any way in respect of the said fee of Eddleston. (1234 x 1235)

Omnibus christi fidelibus presens scriptum visuris uel audituris. Rogerus de Quency[a] Constabularius Scoc'. et Elena vxor eius filia quondam Alani. de Galweya salutem in domino. Ad vniuersitatis vestre noticiam volumus peruenire. quod nos[b] attendentes et recognoscentes quod villa de Edeluestun cum suis pertinentiis pleno iure pertineat ad ecclesiam et episcopum Glasg' licet dictus Alanus de Galweya et quidam alii predecessores nostri constabularii Scocie eandem villam per aliquod tempus minus iuste detinuerint. Nos pro salute animarum nostrarum et heredum nostrorum dictam villam de Edeluist' cum omnibus pertinentiis suis et siquid iuris in eadem villa ex quacumque causa habuimus uel habere potuimus. Deo et beato Kentegerno ac ecclesie Glasguensi Necnon et venerabili patri Willelmo episcopo Glasguensi et successoribus suis pro nobis et heredibus nostris in presencia venerabilis /

venerabilis patris Willelmi Episcopi et Henrici Prioris sancti Andree resignauimus et inperpetuum quietumclamauimus. Jurauimus et tactis sacrosanctis quod contra hanc nostram resignacionem ac quietam clamacionem nullo tempore veniemus. Nec ecclesiam Glasguensem Aut prefatum Episcopum uel suos successores super Dicto feodo de Edeluestun aliquo modo per nos uel per alios inquietabimus[c] uel Ab aliquo inquietari per nostram procuracionem faciemus.[c] Et ut hec nostra resignacio et quietaclamacio perpetue Robur optineat firmitatis presenti scripto sigilla nostra vna cum sigillis dictorum Episcopi et Prioris sancti Andree fecimus apponi. Hiis. Testibus. Willelmo Episcopo sancti Andree. Henrico Priore sancti Andree.[d] Domino Serlo de sancto Andrea. Domino Willelmo de Chaumunt. Domino. W. de Haya. Domino Mauricio Luuel. Magistro Dauid de Bernham. Ricardo de Kelch'. Roberto de Aun' et multis aliis.

Rubric: Quietancia Rogeri de Quinci et Elene vxoris sue de Edeluestun duplicata et vna consignata quatuor sigillis.

Source: Scottish Catholic Archives, 16 Drummond Place, Edinburgh, MS. Registrum Vetus of Church of Glasgow, fo. 61r-v, = A.

Printed: Glasgow Registrum, i, no. 168 (full text).

* * *

Rubric: Renunciacio Rogeri de Quinci de villa de Edeluestun.

Source: Registrum Vetus, as above, fo. 62v-63r = B.

Printed: Glasgow Registrum, i, no. 169 (witness list only). Above text from A, with variants noted from B.

* * *

Var. lect. /

Var. lect.: a. Quenci, B.
b. Omitted, B.
c-c. nec aliquo ingenio ab alio uel ab aliis inquietari procurabimus, B.
d. In B, remainder of witness list reads: Roberto capellano Episcopi Sancti Andree. Mauricio Luuel. Ada et Willelmis Capellanis Rogeri de Quinci. Magistro Dauid de Bernham. Simone de Nuisi. Richardo de Kelko. Domino Serlone de Sancto Andrea. Domino Willelmo de Chaucmunt. Domino Willelmo de Haya. Roberto de Auno. Et multis Alijs.

Notes: As Roger's style in this act is that of constable of Scotland, but not earl of Winchester, the act belongs to the period between the deaths of Alan of Galloway in 1234 and of Roger's mother in 1235 (see above, Chapter I, pp. 36-37). Helen of Galloway alone granted a resignation in similar terms, the witness list of which is identical with that of B, above (Glasgow Registrum, i, no. 167).

'Kulmad'

37

Charter to Newbattle abbey of land of 'Kulmad', in alms. (1235 x 1264)

Omnibus christi fidelibus presens scriptum visuris vel audituris. Rogerus de Quency Comes Wyntton'. Constabularius Scoc' salutem in domino. Noueritis nos pro salute anime nostre et animarum antecessorum et /

et successorum nostrorum. dedisse. concessisse et hac presenti Carta nostra confirmasse. deo et Ecclesie Sancte Marie de Neu' et monachis ibidem deo seruientibus et in perpetuum seruituris totam terram de Kulmad Nos contingentem. Habendam et tenendam dictis monachis et eorum successoribus. libere et quiete plenarie et solute de nobis et heredibus nostris in perpetuum. sicud aliqua elemosina plenius quiecius liberius et honorificencius dari potest et concedi. Nos vero et heredes nostri dictam terram de Kulmad dictis monachis et eorum successoribus contra omnes gentes warantizabimus acquietabimus et in perpetuum defendemus. Et ad maiorem huius rei securitatem presens scriptum sigilli nostri munimine fecimus roborari. hiis testibus. domino Alexandro Ouyot'. Willelmo de Montgomery et aliis.

Source: NLS, Adv. MS. 34.4.13, item xxix(c).

Printed: Newbattle Registrum, no. 133 (full text).

Notes: 'Kulmad' has not been identified, but this act is recorded in the Peeblesshire section of the Newbattle cartulary. The witness list has been abbreviated by the cartulary scribe, who has inserted only two names since these were sufficient to bring him to the end of a line in his manuscript.

BERWICKSHIRE /

BERWICKSHIRE

Gladswood

38

Charter to Dryburgh abbey of wood of Gladswood, in free alms, with provision that on day of his death and annually on anniversary thereof the abbot and canons will celebrate a full service for his soul, as for an abbot of their order. (1252 x 1264)

Omnibus presentem cartam visuris uel audituris Rogerus de Quency Comes Wynton' Constabularius Scocie eternam in domino salutem. Nouerit vniuersitas vestra nos diuine pietatis Intuitu et pro salute anime nostre. et Alienore sponse nostre. et pro animabus Alani de Galweya et Elene filie sue quondam sponse nostre et pro animabus antecessorum et successorum nostrorum. dedisse concessisse. et presenti carta nostra confirmasse pro nobis et heredibus nostris deo et Ecclesie beate Marie de Dryburg. et abbati et canonicis ibidem deo seruientibus et Inperpetuum seruituris in liberam puram et perpetuam elemosinam totum boscum nostrum de Gledeswode per suas rectas diuisas sine aliquo retenemento cum solo eiusdem bosci.[a] et cum pastura. et omnibus alijs pertinentijs et aysiamentis ad dictum boscum pertinentibus. Habendum et tenendum[b] de nobis et heredibus nostris dictis abbati et canonicis et omnibus eorum [successoribus inperpetuum][c] adeo bene. libere. et quiete: sicut aliqua elemosina in regno Scocie melius. liberius et quiecius [dari potuerit et concedi. Dicti] autem abbas et canonici et eorum successores /

successores die obitus nostri et singulis annis die [anniversarij nostri pro anima nostra divine caritatis intuitu plenarium] facient seruicium inperpetuum sicut pro vno abbate sui ordinis. Et nos et heredes nostri dictum boscum [cum solo ejusdem et pastura] et omnibus pertinentijs sicut predictum est: dictis abbati et canonicis et eorum successoribus contra omnes gentes inperpetuum warantizabimus aquietabimus et defendemus. In cuius rei testimonium. presenti carte sigillum nostrum duximus apponendum. Hijs testibus.[d] domino Alexandro abbate de Eglestun'. dominis Petro de Mauule. Johanne Becard militibus. Johanne Grey tunc senescallo nostro. Rogero Raboc. Johanne de Elfinnestoun. Rogero Bourc clerico nostro et alijs.

Endorsed: (i) Carta de Gladiswode (xv cent.).
(ii) The charter of Gladswood (modern).
(iii) Modern numeral endorsement.

Description: 8.5 x 6.5 in (21.6 x 16.5 cm). Fold at foot of 1.1 in (2.8 cm). Ruled in drypoint.

Sealing: On tag, 5.5 x .9 in (14.0 x 2.3 cm), through single slits. Seal missing.

Hand: Not identified.

Source: Original, SRO, Register House Charters, no. 46; cf. NLS, Adv. MS. 34.4.7, fo. 43v-44r (Dryburgh cartulary).

Printed: Dryburgh Liber, no. 138 (full text, from cartulary).

Var lect.: a. boscy, MS.
b. tenendum et habendum in cartulary.
c. Parchment damaged; passages in square brackets from cartulary.
d. Cartulary omits witness list.

Notes /

successores die obitus nostri et singulis annis die [anniversarij nostri pro anima nostra divine caritatis intuitu plenarium] facient seruicium inperpetuum sicut pro vno abbate sui ordinis. Et nos et heredes nostri dictum boscum [cum solo ejusdem et pastura] et omnibus pertinentijs sicut predictum est: dictis abbati et canonicis et eorum successoribus contra omnes gentes inperpetuum warantizabimus aquietabimus et defendemus. In cuius rei testimonium. presenti carte sigillum nostrum duximus apponendum. Hijs testibus.[d] domino Alexandro abbate de Eglestun'. dominis Petro de Mauule. Johanne Becard militibus. Johanne Grey tunc senescallo nostro. Rogero Raboc. Johanne de Elfinnestoun. Rogero Bourc clerico nostro et alijs.

Endorsed: (i) Carta de Gladiswode (xv cent.).
(ii) The charter of Gladswood (modern).
(iii) Modern numeral endorsement.

Description: 8.5 x 6.5 in (21.6 x 16.5 cm). Fold at foot of 1.1 in (2.8 cm). Ruled in drypoint.

Sealing: On tag, 5.5 x .9 in (14.0 x 2.3 cm), through single slits. Seal missing.

Hand: Not identified.

Source: Original, SRO, Register House Charters, no. 46; cf. NLS, Adv. MS. 34.4.7, fo. 43v-44r (Dryburgh cartulary).

Printed: Dryburgh Liber, no. 138 (full text, from cartulary).

Var lect.: a. boscy, MS.
b. tenendum et habendum in cartulary.
c. Parchment damaged; passages in square brackets from cartulary.
d. Cartulary omits witness list.

Notes /

Notes: The earlier limit-date of this act is fixed by its reference to Roger's third wife, Eleanor de Ferrers, whom he married in 1252 (see above, Chapter I, p. 39). Egglestone was a small Premonstratensian abbey in the North Riding of Yorkshire. Alexander is not mentioned in the list of its abbots printed in V.C.H. Yorkshire, iii, 251. As Dryburgh was also a Premonstratensian house, it seems likely that the above act was granted at Dryburgh when Abbot Alexander happened to be present there on a visit.

Lauderdale

39

Confirmation to St Andrews priory, Northampton, of 3 marks from rent of Redpath, 20s. from rent of Glengelt and ½ mark from rent of 'Grombelau', by gift of Alan son of Roland; a carucate in Lauderdale, in toun called Newbigging, by gift of Helen de Moreville; and rent of 2 marks in toun called 'Newland' in Tweeddale, by gift of Thomas son of Roland, earl of Atholl; to be held in terms of their charters which he has inspected at Halse (Northants.). (1235 x 1250)

[O]mnibus[a] sancte matris ecclesie filiis presens scriptum uisuris uel audituris. Rogerus de Quency comes Wint' Constabularius Scocie salutem eternam in domino. Nouerit vniuersitas uestra me caritatis intuitu et pro salute antecessorum et successorum meorum assensu Helene uxoris mee [con]cessisse[b] et hac presenti carta[c] quantum ad me /

me pertinet confirmasse deo et ecclesie sancti Andree [de] Norhampton' et monachis ibidem deo seruientibus omnes terras et redditus quos habeant [ex] donis antecessorum meorum. videlicet ex dono Alani filii Rollandi tres marcas de firma de Redepeth et viginti solidos de firma de Langeld. et dimidiam marcam de firma de Grombelau.[d] dimidiam ad festum sancti Martini. et dimidiam ad Pentecosten.[e] De dono autem Helene de Moruilla vnam carucatam terre de dominio suo in ualle de Louedere. in uilla que uocatur Neubigging cum toftis et croftis que fuerunt Liulfi et Gledewis. et cum communi pastura quantum ad tantum terre pertinet et cum omnibus libertatibus et aysiamentis in pascuis. in bosco. in prato in plano et omnibus locis. De dono uero Thome filio[f] Rollandi comitis Attholl' redditum duarum marcarum in uilla que uocatur noua terra in ualle de Tuede de terra que fuit Ricardi de Moruille. Quare uolo et concedo et precipio ut predicti monachi omnes predictas terras et redditus cum omnibus pertinenciis suis habeant et possideant inperpetuum honorifice libere et quiete ab omni exactione et consuetudine sicut carte predictorum donatorum quas inspexi apud Hausho melius [et] liberius protestantur. Hiis testibus. Seero de Sancto Andrea. Johanne monaco. Bernardo de [Rypel']. Ada decano de Brackele. Philippo seruiente. Ricardo de Elinton'. Simone Page. [Ricardo de] coquina. et multis aliis.

Source: BM, Royal MS. 11.B.ix, fo. 103v = R.
BM, Cotton Vespasian E.xvii, fo. 256r-v = V.
Text above from R, with variants from V noted.

Var. lect.: a. Initial omitted for rubrication.
b. /

b. MS. damaged: letters in square brackets here and throughout text have been supplied from V.
c. carta mea confirmasse quantum ad me pertinet, V.
d. Gronbelau, V.
e. ad festum Pentecost', V.
f. Sic; filii, V.

Notes: As this act was granted with the assent of Countess Helen, it must be earlier than 1250, by which date she was dead (see above, Chapter I, p. 38). Helen de Moreville's gift, confirmed by this act, is extant in BM, Royal MS. 11.B.ix, fo. 253r. Redpath is in the parish of Earlston, 2 miles S of Earlston. Glengelt is in the parish of Channelkirk, 7 miles NNW of Lauder. Newbigging is in the parish of Lauder, 2 miles N of Lauder. 'Grombelau' and 'Newland' have not been identified. Like Nos. 1 and 2, above, this act was evidently issued at Halse, Northants., although it concerned Scottish properties.

Mertoun and Dalcove

40

Charter to Dryburgh abbey of his fishing in the loch of Mertoun, in free alms, saving to Earl Roger and his heirs the catching of fish in the loch when they come to that area. (1252 x 1264)

[O] mnibus[a] presentem cartam visuris vel audituris Rogerus de Quyncy Comes Wintonie constabilarius Scotie eternam In domino salutem Nouerit vniuersitas vestra nos diuine pietatis intuitu et pro salute anime /

anime nostre et Alienore sponse nostre et pro animabus antecessorum et successorum nostrorum dedisse concessisse et hac presenti carta nostra confirmasse pro nobis et heredibus nostris deo et ecclesie Beate Marie de Driburgh et abbati et canonicis. et omnibus eorum successoribus ibidem deo seruientibus et Inperpetuum seruituris totam piscariam nostram de Myertoun In lacu eiusdem quantum ad nos et heredes nostros[b] cum omnibus pertinentiis suis sine aliquo retenemento Habendam et tenendam In liberam puram et perpetuam elemosinam de nobis et heredibus nostris Inperpetuum adeo libere bene et quiete Sicut aliqua elemosina melius liberius quietius dari poterit et teneri cum omnibus pertinentiis libertatibus et aysiamentis ad dictam piscariam pertinentibus vel pertinere debentibus Saluis tamen nobis et heredibus nostris captionibus piscium in dicto lacu pro voluntate nostra quocienscumque nos vel heredes nostros In partibus de Myertoun venire contigerit Et nos et heredes nostri dictam piscariam In dicto lacu quantum ad nos vel heredes nostros pertinet Sicut predictum est dicto abbati et conuentui et omnibus eorum successoribus contra omnes homines et feminas warantizabimus aquietabimus et defendemus inperpetuum In cuius rei testimonium et securitatem presentem cartam sigilli nostri Inpressione duximus roborandam Testibus etc.[c]

Rubric: Super piscaria in lacu de Mertona.

Source: NLS, Adv. MS. 34.4.7, fo. 44r.

Printed: Dryburgh Liber, no. 139 (full text).

Var. lect.: a. Initial omitted for rubrication.
b. pertinet omitted in MS.
c. Witness list omitted by copyist.

Notes /

Notes: The earlier limit-date of this act is fixed by its reference to Roger's third wife, Eleanor de Ferrers, whom he married in 1252 (see above, Chapter I, p. 39).

41

Grant to David de Graham of a piece of land in territory of Dalcove and Mertoun.

Source: Fraser, Lennox, ii, 13.

Notes: This act is mentioned in a royal confirmation, dated 27 December, 1253, listing nineteen grants of land made in favour of David de Graham by various magnates. In the mid-fourteenth century, Dalcove lay in the lordship of Lauder (SRO, Register House Charters, no. 155).

Miscellaneous: Dryburgh abbey

42

Confirmation to Dryburgh abbey of all its lands, rents and tenements in his fee, in accordance with charters thereof.. (1235 x 1264)

[O]mnibus[a] presentem cartam visuris vel audituris Rogerus de Quincy Comes Vintonie constabularius Scotie Eternam In domino salutem Nouerit vniuersitas vestra quod canonici de Driburgh de pluribus terris redditibus et tenementis per diuersa loca In feodo nostro per plures cartas /

cartas feofantur[b] Nos pro nobis et heredibus nostris omnes donationes et feofamenta terrarum Reddituum[c] et tenementorum In feodo nostro[d] obtentorum dictis canonicis et omnibus eorum successoribus secundum vires et articulos In cartis suis contentos[e] quas de dictis terris redditibus seu tenementis habent Concedimus quietum clamauimus et presentis carte nostre tenore confirmauimus In cuius rei testimonium et securitatem presentem cartam sigilli nostri Inpressione duximus Roborandam Testibus etc.[f]

Rubric: Generalis confirmatio Rogeri de Quincy super omnibus donationibus suis.

Source: NLS, Adv. MS. 34.4.7, fo. 44r-v.

Printed: Dryburgh Liber, no. 140 (full text).

Var. lect.: a. Initial omitted for rubrication.
b. MS. feotestantur.
c. MS. Reddentium.
d. MS. nostro.
e. MS. contemptos.
f. Witness list omitted by copyist.

YORKSHIRE /

YORKSHIRE

Kippax and Scholes

43

Charter to Edmund de Lacy, his kinsman, for homage and service, of manors of Kippax and Scholes, and advowson of church of Kippax, to be held in fee and heritage, for one pair of gloves furred with miniver, annually at Michaelmas. (1252 x 1256)

Sciant presentes 7 futuri quod Ego Rogerus de Qvency Comes Wynton'. Constabularius Scott' dedi concessi 7 presenti Carta mea confirmaui pro me 7 heredibus meis Eadmundo de Lascy Consanguineo meo et heredibus suis pro homagio 7 seruicio suo maneria mea de Kypex 7 de Scales cum omnibus pertinentiis suis 7 libertatibus 7 liberis consuetudinibus 7 aisiamentis homagiis 7 seruitiis libere tenentium 7 aliorum 7 omnibus aliis ad predicta maneria pertinentibus et cum aduocacione ecclesie de Kypex. habenda 7 tenenda de me 7 heredibus meis sibi 7 heredibus suis Inperpetuum In feodo 7 hereditate. libere. pacifice. honorifice 7 quiete predicta maneria cum omnibus pertinentiis sine aliquo retenemento. In bosco 7 plano. In viis 7 semitis. In pratis 7 pascuis. In parcis 7 stagnis. In aquis 7 molendinis 7 in omnibus aliis pertinentiis ad predicta maneria pertinentibus. Reddendo Inde annuatim mihi 7 heredibus meis ille 7 heredes sui vnum par cirotecarum grisio furratarum ad festum sancti Michaelis pro omnibus seruiciis sectis curie. consuetudinibus 7 demandis ad me uel ad heredes meos pertinentibus Et ego 7 heredes mei predicta maneria cum omnibus pertinentiis predicto Eadmundo 7 heredibus suis contra omnes /

omnes gentes inperpetuum warantizabimus acquietabimus ⁊ defendemus. Hiis testibus dominis Ricardo de Clare Comite Glouernie ⁊ Herdfordie. Roberto de Qvency. Philippo Luuell tunc domini Regis thesaurario Henrico Engayne. Sahero de Sancto Andr'. Waltero de Loudeham. Willelmo de Bosco. Johanne de Cranford. Johanne de Hoderode tunc senescallo de Pontefr'. Johanne Bekard. Willelmo Engayne. Johanne Engaynne. Warino de Tunderle Roberto de Sancto Andr'. Oseberto tunc persona de Doningnton'. Briano Clerico. Roberto Noel Clerico ⁊ aliis.

Endorsed: It is not known whether this charter was endorsed.

Description: 7.2 x 7.0 in (18.3 x 17.8 cm). Fold at foot of 1.3 in. (3.3 cm).

Sealing: On cords through three holes in fold, second seal in green wax, in excellent preservation.

Source: Northamptonshire Record Office, Finch-Hatton Muniments, no. 170, item 418 (drawn facsimile of original). This original has not been traced but may be extant. It was formerly in the possession of the late C. H. Hunter Blair, Esq. (see his Catalogue of Durham Seals, Newcastle upon Tyne, 1921?, i, no. 2045: Greenwell Deed B 10). It was sent by him for sale at Sotheby's, where it appeared on 15-17 December 1930, lot 395, and was bought by Messrs Maggs (information from marked copy of sale catalogue in British Museum Department of Manuscripts). Messrs Maggs have no record of its subsequent sale.

Printed: Hatton's Book of Seals, no. 418 (full text). See plate III for illustration of seal, which is also illustrated in C. H. Hunter Blair, op.cit., plate 21.

Notes: The limit-dates of this act are provided by the appointment of Philip Lovel as Henry III's treasurer in 1252 (British /

(British Chronology, p. 100) and the death of Saher of St Andrews in 1256. The act may have been issued about the same time as a fine, dated 10 May 1254, by which Roger granted Kippax and Scholes to Edmund, who granted to Roger the manors of Kneesal, Notts., and Wadenhoe, Northants., and 15 librates of land in Elmsall, Yorks., for term of Roger's life only (Yorkshire Fines, 1246-72, p. 193). The manors of Kippax and Scholes were part of the dowry of Roger's first wife, Helen of Galloway (see above, Chapter II, pp.66-67); but Kippax had belonged to the Lacys from early times (see notes to Hatton's Book of Seals, no. 418).

LEICESTERSHIRE /

LEICESTERSHIRE

Anstey

(See also No. 84)

44

Quit-claim of stabila which he exacted from abbey of St Mary de Prato, Leicester, and its tenants of Anstey.

Source: Bodleian Library, MS. Laud misc. 625, fos. 6r, 13v.

Printed: Nichols, Leicestershire, I, ii, app., 56; Dugdale, Mon. Angl., ii, 310.

Notes: The meaning of stabila is obscure. It may be an error for stabilia, the right to spread nets for catching deer.

45

Gift to Garendon abbey of 5 marks of rent in Anstey, Cropston, Groby and Ratby.

Source: Cal. Chart. R., iv, 473-4.

Belgrave

46 /

Belgrave

46

Grants (2) to Garendon abbey, as follows:

(46) gift of 5 yardlands in Belgrave which Ralph de Gouteby, Gilbert the sergeant (serviens), Sweyn, William in Lane, John Black (niger), Geoffrey son of Siward and Walter Sahere held, with said men and their families;

(47) quit-claim of view of frankpledge, and all suit of his court and all forinsec service, of 5 yardlands in Belgrave, with men holding same and their families.

Source: Dugdale, Mon. Angl., i, 768-9; cf. Cal. Chart. R., iv, 473-4, Rot. Hundredorum, i, 238.

Bradgate

48

Gift to Garendon abbey of 8 marks of rent in Bradgate, with villeins there and all land that they held of the earl with their villeinages, chattels, families, tofts and crofts; and all rents that the earl received of his free tenants in that town, with homages, wards, reliefs and escheats.

Source: Cal. Chart. R., iv, 473-4.

49

Indenture of agreement between Earl Roger and Hugh de Aubeney, earl of Arundel, whereby Earl Roger quitclaims to Earl Hugh the wood and hunting-rights of Southwood, which pertains to the manor of Barrow, so that he may enclose the wood, and Earl Hugh quitclaims to Earl Roger hunting-rights in the park of Bradgate, which he may enclose likewise. 30 January 1242.

C I R O G R A P H V M

Nouerint vniuersi hoc scriptum visuri vel audituri quod die Jouis proxima ante purificacionem beate Marie anni regni regis Henrici filii regis Johannis vicesimi sexti Ita conuenit Inter dominum Rogerum de Quency Comitem Wynton'. ⁊ Hugonem de Albinico Comitem Arundell'. Scilicet quod dictus Rogerus de Quency concessit ⁊ quietum clamauit totum Jus quod habuit uel habere potuit. In bosco ⁊ venacione de Suthwude. quod [pertinet?][a] ad manerium de Barewe pro se ⁊ heredibus suis dicto .H. de Albinico comiti Arundell' [ut possit] claudere ⁊ habere clausum Sibi ⁊ heredibus suis illud boscum de Suthwude per eas[dem diuisas] per quas fuit clausum die confectionis istius cir[ographi] Ita quod dictus .R. de Quency nec he[redes] sui In venacione illius clausi aliquid possint clam[are] Dictus vero. Hugo de Albinico concessit ⁊ quietum clamauit pro se ⁊ heredibus suis totum Jus quod habuit uel habere potuit capiendi feras In parco de Bradegate dicto Rogero de Quincy ⁊ heredibus suis. ⁊ quod dictus .R. de Quincy ⁊ heredes sui possint claudere ⁊ habere clausum! parcum de Bradegate prenominatum. vbi dictus .H. clamabat ire ⁊ capere feras cum Nouem arcubus ⁊ sex berseretis. per easdem diuisas. per /

per quas dictum parcum claudebatur die confectionis istius Cirographi. Omnia autem prescripta adinuic[em] concesserunt non obstante Cirographo Inter eosdem prius facto. In curia domini regis super eadem foresta Leycestr' Ita tamen quod In omnibus aliis punctis maneat. ⁊ valeat Cirographum prehabitum: nisi In duobus clausis prenominatis. Et ad maiorem securitatem. vtraque pars huic scripto sigillum suum apposuit vicissim. Hiis testibus. domino Willelmo de Ferar' Comite Dereb'. Rogero Le Bigot Comite Norfolk' Hugone de Ver Comite Oxon'. Johanne filio Galfridi. Thoma Grelleye. ⁊ ALiiS.

Endorsed: (i) Boscum de Bradgat' (xv cent.).
(ii) Barowe, inter dominum marchionem Dorset pro parco de Bradgate Et pro domino comiti Huntyngdon (xv cent.).
(iii) A releas from th'earl of Winchester to th'earl of Arundell of all his right in a woode [then?] belonginge to the manner of Barow and of his right in Bradgate. An°. 26°. Henr. King. (xvi cent.)

Description: 6.0 x 7.3 in (15.2 x 18.6 cm). Indented at top. Fold at foot of 1.1 in (2.8 cm).

Sealing: Seal and tag torn off, but originally through treble slits.

Hand: Scribe A.

Source: Original, Huntington Library, California, Hastings deeds, HMC no. 129. This original has not been examined and the details above are from a photostat.

Printed: Hastings, i, 23 (cal.).

Var. lect.: a. Parchment damaged here and later in text.

Notes /

Notes: The agreement in the king's court here mentioned may be a fine, dated 20 January 1240, which is described in George F. Farnham, Quorndon Records (privately printed, London, 1912), p. 34.

50

Indenture of agreement made before royal justices itinerant between Earl Roger and Roger de Somery whereby said Roger de Somery grants that the earl may have his park of Bradgate enclosed, and the earl grants that said Roger may hunt in the earl's forest with nine bows and six hunting-dogs, according to the terms of an indenture made in the king's court at Leicester between Earl Roger and Hugh de Aubeney, earl of Arundel, and according to various other detailed provisions. Leicester, 22 January 1247.

C Y R O G R A P H V M[a]

Hec est concordia facta apud. Leycestr'. die sancti Vincentii martiris anno regni Regis Henrici filii Regis Johannis tricesimo primo Coram Domino Rogero de Thurkilby magistro Symone de Walton'. Domino Gilberto de Preston' ⁊ domino Johanne de Cobham. Justiciariis tunc ibidem Itinerantibus Inter Rogerum de Quency Comitem Winton' ⁊ Rogerum de Somer' videlicet quod predictus Rogerus de Somer' concessit pro se ⁊ heredibus suis. quod predictus comes ⁊ heredes sui habeant ⁊ teneant parcum suum de Bradegat' Ita inclusum sicut Inclusus fuit· In octabis sancti Hyllarii anno predicti Regis Henrici tricesimo primo. cum saltoribus tunc in eo factis. ⁊ pro hac concessione ⁊ concordia! Idem Comes concessit pro se ⁊ heredibus suis /

suis quod Idem Rogerus de Somer' ⁊ heredes sui quacumque hora ueniant In forestam ipsius comitis ad bersandum in ea cum nouem arcubus ⁊ sex berselettis secundum formam cyrographi prius facti Inter predictum Rogerum comitem Wint' ⁊ Hugonem de Albeniaco comitem Arundell. In curia domini Regis apud Leycestr'⁝ Et si[b] aliqua fera per aliquem predictorum nouem arcuum uulnerata⁝ Intrauerit predictum parcum per aliquem saltorem uel alibi⁝ bene licebit predicto Rogero de Somer' ⁊ heredibus suis mittere vnum hominem uel duos ex suis qui sequuntur predictam feram cum canibus illam feram sequentibus infra predictum parcum sine arcu ⁊ sagittis ⁊ eam capiant eo die quo uulnerata fuerit⁝ sine lesione aliarum ferarum In predicto parco existencium. Ita⁝ quod si sint pedes⁝ intrabunt per aliquem saltorem uel hayam. ⁊ si sint eques⁝ intrabunt per portam⁝ si aperta fuerit. ⁊ aliter non intrabunt. Et antequam intrauerint⁝ cornabunt pro parcario si uenire uoluerit. Et preterea idem comes concessit pro se ⁊ heredibus suis. quod ipsi de cetero quolibet anno capi facient duos damos tempore pinguendis ⁊ duas damas tempore firmacionis ⁊ eos liberari facient ad portam predicti parci alicui hominum predicti Rogeri de Somer' ⁊ heredum suorum litteras patentes ipsorum deferenti pro predictis damis. Concessit ⁊iam predictus comes pro se ⁊ heredibus suis. quod ipsi de cetero nullum parcum facient nec parcum augmentabunt infra metas bersacionis predicti Rogeri ⁊ heredum suorum preter antiqua clausa predicte foreste. Et predictus Rogerus de Somer' concessit pro se ⁊ heredibus suis quod ipsi de cetero numquam intrabunt predictam forestam ad bersandum⁝ nisi cum nouem arcubus ⁊ sex berselettis.' ⁊ quod forestarii sui non portabunt in bosco predicti /

predicti Rogeri de Somer' ⁊ heredum suorum sagittas barbelatas. sed pilettos. Et quod homines sui de Barewe ⁊ forestarii infra octabis sancti Michaelis ad uadium parci fidelitatem facient quolibet anno balliuis predicti comitis ⁊ heredum suorum: quod uenacionem predicti comitis ⁊ heredum suorum fideliter seruabunt ⁊ alia que ad predictam forestam pertinent secundum proportum predicti cyrographi inter predictos comites Winton' ⁊ Arundell' prius confecti. Et hec concordia facta est inter predictum comitem ⁊ predictum Rogerum de Somer' saluis eidem comiti ⁊ heredibus suis ⁊ predicto Rogero de Somer' ⁊ heredibus suis. omnibus articulis in predicto Cyrographo confecto inter predictos comites Winton' ⁊ Arundell contentis. Et preterea idem comes concessit pro se et heredibus suis quod vnus uel duo hominum predicti Rogeri de Somer' ⁊ heredum suorum qui sequentur predictam feram uulneratam cum canibus eam sequentibus infra predictum parcum cum predicta fera si eam ceperint uel non: cum predictis canibus per portam predicti parci libere exeant ⁊ sine impedimento. ⁊ predictus Comes ⁊ heredes sui scire facient per aliquem de suis predicto Rogero de Somer' ⁊ heredibus suis apud Barewe quo die mittent pro supradictis damis ad predictum Locum predictis temporibus. ⁊ hoc scire eis facient per sex dies ante predictum diem. In cuius rei testimonium alter alterius scripto sigillum suum apposuit Et sciendum quod tempus pinguendis hic cómputatur inter festum beati Petri ad vincula: ⁊ exaltacionem sancte crucis. ⁊ tempus firmacionis: inter festum sancti Martini ⁊ purificacionem beate Marie.

Endorsed /

Endorsed: (i) Pro domino de Baro (xv cent.).
(ii) xv cent. endorsement, largely illegible.
(iii) A composition between th'earle of Winchester and Roger de Somer for the huntyng [of] Chernewoode and Bradgate (xvi cent.).

Description: 7.2 x 9.2 in (18.3 x 23.4 cm). Indented at top. Fold at foot of .6 in (1.5 cm).

Sealing: On tag, through single slits, seal of Roger de Somery, damaged.

Hand: Not identified.

Source: Original, Huntington Library, California, Hastings deeds, HMC no. 130. This original has not been examined and the details above are from a photostat.

Printed: Thomas Blount, Fragmenta Antiquitatis (London, 1679), pp. 126-9 (full text); Nichols, Leicestershire, iii, 661 (translation); Hastings, i, 23 (cal.).

Var. lect.: a. Inverted.
b. Word omitted in MS.

Notes: This agreement has no witnesses, probably because the presence of royal justices made the mention of witnesses unnecessary. On the agreement in the king's court between Earl Roger and the earl of Arundel, see notes to No. 49, above. For details of litigation in the king's court between Earl Roger and Roger de Somery about Bradgate park, see George F. Farnham, Quorndon Records (privately printed, London, 1912), pp. 38-39. On the Somery family, see Hatton's Book of Seals, no. 58. Blount, op. cit., gives the following explanations of technical terms: sagitta pileta, an arrow with a round knob in the shank about two inches above the head, to prevent the arrow going too far into the deer's body; tempus pinguendis, the buck-season; tempus firmacionis, the doe-season.

Charnwood /

Charnwood

51

Gift to Garendon abbey of common pasture through all the earl's forest of Charnwood for one bull and 24 cows with their young of 3 years, for a cow-house belonging to the abbey's grange of Swannington.

Source: Cal. Chart. R., iv, 473-4.

Cropston

See No. 45

Glenfield

See No. 84

Groby

See Nos. 45, 55, 137

Hathern

See No. 80

Hemington

See Nos. 55, 84

Lockington /

Lockington

See No. 84

Markfield

52

Charter to Brackley hospital of one yardland in vill of Markfield, with a serf, and one acre outside the vill for making a cow-pasture, plus 40 cows with common pasture in his forest of Charnwood, 6 mares, and 20 pigs free of pannage in the forest; and of feudal incidents from Thomas Weteman of Brackley and his yardland therein and from Sarra Thollard and Alice, her sister, and their yardland in same, with provision that Thomas, Sarra and Alice shall be free from suit to his courts of view of frankpledge twice yearly at Brackley, for payment of 2d. silver annually; to be held in free alms for upkeep of a lamp to burn day and night in the church of the hospital, hanging above his tomb after his death; under provisions that (i) the hospital's tenant in Markfield shall come twice yearly to the earl's great court of Groby, and (ii) if the hospital holds the yardland and cow-pasture in demesne it shall be free of all suits of court except foreign suits. (1250 x 1260)

Omnibus presentem cartam Inspecturis vel audituris Roger<u>us</u> de Quency Comes Wynton' Constabulari<u>us</u> Scotie salutem in domino. Nouerit vniuersitas vestra nos pro salute anime nostre et pro animabus antecessorum et successorum nostrorum dedisse. concessisse et hac presenti carta nostra confirmasse pro nobis et heredibus nostris deo et beate Marie et magistro et fratribus hospitalis apostolorum Johannis /

Johannis et Jacobi de Brackel' ibidem deo seruientibus et eorum successoribus inperpetuum deo seruituris: vnam uirgatam terre cum tofto et crofto et cum omnibus suis pertinentiis In villa de Merkenefeld. videlicet illam virgatam terre quam Radulfus de Baggewurthe de nobis tenuit. et dictum Radulfum natiuum nostrum cum tota sequela sua et omnibus catallis suis. Et etiam dedimus eisdem vnam acram terre extra villam de Merkenefeld ad quamdam vaccariam faciendam. que acra iacet continue Juxta croftum Galfridi coci ex vna parte. et iter quod vocatur Sladeshyteweye ex altera. et abutiat super croftum Nicholai Malebraunche. et quadraginta uaccas in eadem vaccaria cum suis tauris et sequela trium annorum In communi pastura totius foreste nostre de Charnewude. et sex Jumenta cum suis stalonibus et sequela trium annorum In eadem pastura. et viginti porcos quietos de pannagio in eadem foresta. et communem pasturam ad alia aueria sua que ipsos habere contigerit. et husbote et heybote et fyrbote per visum forestariorum nostrorum ad tantam terram et ad dictam vaccariam pertinentem sine vasto. Preterea dedimus eisdem magistro et fratribus homagia. wardas. releuia. et eschaetas que aliquo tempore poterunt accidere de Thoma Weteman de Brackel' et de heredibus suis. et de illa uirgata terre quam de nobis tenuit. et etiam homagia. wardas. releuia et eschaetas que possent aliquo modo prouenire: de Sarra Thollard et Alicia sorore sua et heredibus earundem. et de illa virgata terre quam de nobis in eadem villa tenuerunt. et quicquid nos uel heredes nostri aliquo modo de ipsis habere possemus seu exigere. et quod dicti Thomas. Sarra et Alicia et eorum heredes quieti sint inperpetuum de sectis ad curias nostras de /

de visu franciplegii bis per annum apud Brackel' et de sectis aliarum quarumlibet curiarum nostrarum. et de omnibus aliis que ad nos pertinebant uel possent pertinere pro duobus denariis argenti annuatim ad festum sancti Michaelis nobis et heredibus nostris reddendis. Habenda et tenenda omnia predicta cum omnibus suis pertinentibus ut prenominatum est dictis magistro et fratribus et eorum successoribus de nobis et heredibus nostris in liberam puram et perpetuam elemosinam sicut aliqua elemosina melius liberius et quietius! dari poterit seu concedi. libere pacifice honorifice et quiete cum omnibus libertatibus liberis consuetudinibus et aysiamentis ad omnia supradicta pertinentibus. In boscis et planis. in viis et semitis. In pratis et pascuis. In communibus et pasturis. In aquis et molendinis et In omnibus aliis aysiamentis ad omnia prenominata pertinentibus. pro sustentatione vnius lampadis ardentis die ac nocte inperpetuum In ecclesia predicti hospitalis. et pendentis supra tumbam nostram post decessum nostrum pro omni seruitio seculari. exactione. consuetudine et demanda. et sectis curie cuiuslibet. Ita tamen quod eorum tenens In Merkenefeld ueniat bis per annum ad magnam curiam nostram de Groby. Et si dictam uirgatam terre et vaccariam in eadem uilla teneant in dominico! quieti sint de omnibus sectis cuiuslibet curie et de qualibet alia demanda! saluo forinseco. Nos vero et heredes nostri omnia supradicta ut prenominatum est per predictum seruitium dictis magistro et fratribus et eorum successoribus contra omnes gentes warantizabimus aquietabimus et inperpetuum defendemus. In cuius rei securitatem! presentem cartam sigilli nostri inpressione roborauimus Hiis Testibus. Dominis. Roberto de Sancto /

Sancto Andrea. Willelmo de Muntgomer'. Ricardo de Wykes. Johanne Becard. Johanne de Craunford. Willelmo de Blumvill' militibus. Domino Bryano persona de Sythestun' Roberto de Meynil. Radulfo falconario. Johanne de Anesty. Johanne de Wytewyk. Nicholao Malebraunche. Thoma balistario. Galfrido coco. Roberto Fraunceys clerico 7 ALiiS.

Endorsed: (i) C. domini Comitis de terris et tenementis Weteman et tollard et de terra de merkefeld (xiii cent.).
(ii) Brackley (xiv cent.).
(iii) Modern numeral endorsement.

Description: 11.8 x 7.1 in (30.0 x 18.0 cm). Fold at foot of 1.7 in (4.3 cm). Ruled in ink, with ruling continued under fold. Left and right margins ruled.

Sealing: On tag, 9.0 x 1.1 in, tapering to .5 in at foot (22.9 x 2.8 to 1.3 cm), through single slits, second seal in natural wax stained brown, slightly chipped and rubbed, preserved in bag of black and purple cloth, now torn.

Hand: Robert Francis.

Source: Original, Magdalen College, Oxford, Brackley 6A (Macray's Catalogue, no. 169); cf. Magdalen MS. Lat., fo. 14r-15r.

Printed: Brackley Deeds, pp. 34-35 (cal.).

Notes: Dating derived from Macray's Catalogue.

Mountsorrell /

Mountsorrell

53

Charter of confirmation and quitclaim to Gilbert, son and heir of Stephen de Segrave, and his heirs, of land called 'Hunchant', in Mountsorrell, and of view of frankpledge and suit of court, and everything pertaining to view of frankpledge, of all men dwelling on the earl's fee of Mountsorrell, for service of 12d. per annum.

Source: Nichols, Leicestershire, II, i, app., p. 116 (from Segrave cartulary, BM Harl. MS. 4748).

Notes: This act must be earlier than 1254, by which date Gilbert de Segrave was dead (CIPM, i, no. 334). 'Hunchant' has not been identified.

Ratby

See No. 45

Shearsby

54

Confirmation of charter by Margaret, countess of Winchester, his mother, to canons of Chacombe priory (Northants.) of eight yardlands in town of Shearsby ('Senesby'), which they have by gift of Hugh of Chacombe, with villeins holding said land and their followings, including quitclaim of scutages, wards and reliefs, under reddendo of /

of 10s. annually and 12d. for view of frankpledge. Witnesses: 'Gilberto de Segrave, Philippo Luvell, Willelmo de Bosco, Radulfo Camerario, Roberto de Sancto Andrea, Johanne [de] Cranford, Ricardo de Ivetott, domini omnes et milites, Petro de Syresham, senescallo meo, etc.'

Source: BM, Cotton Julius c.vii, fo. 195v (with drawing of second seal, obverse and reverse, damaged).

Printed: Nichols, Leicestershire, I, i, app., p. 40 (with first witness only).

Notes: This act is certainly earlier than 1254, when Gilbert de Segrave died (see notes to No. 53, above) and belongs to the stewardship of Peter of Syresham which began about 1249 and ended in 1252 (see above, Chapter I, p.91n.).

55

Charter to abbey of St Mary de Prato, Leicester, of 10s. annually at Shearsby from the prior of Chacombe, for land which he held of Earl Roger, and 3s. 4d. annually at Hemington from the heirs of Hugh of Derby and his portioners (participibus), with power to distrain tenants of said prior and Hugh for said rent, in return for quit-claim by the abbey of fishing in the great fish-pond of Groby four times annually, viz. on vigils of four feasts of B.V.M.

Source: Bodleian Library, MS. Laud misc. 625, fos. 6r, 66v, 67v, 125r.

Printed: Nichols, Leicestershire, I, ii, app., 56 (in part); Dugdale, Mon. Angl., ii, 310.

Notes: The rent of 10s. is presumably that specified in No. 54 above.

Shepshed /

Shepshed

(See also Nos. 84, 120)

56

Grant to Garendon abbey that he will defend the abbot and monks against his own tenants of Shepshed who shall not pasture the monks' fields of Garendon and Dishley with cattle except in the season when the fields are open and neighbours ought to have intercourse with each other, provided that his tenants' beasts shall not at that season be ejected by authority of the monks but may wander in these places without guard if they come there according to the custom of the countryside, granting also that until 15 October each year the monks may gather the straw cut down for gathering by the damage caused by his tenants' beasts. (1235 x 1256)

Omnibus hoc scriptum visuris vel audituris. Rogerus de Quenc'. Comes Wynton' Constabularius Scoc' salutem in domino. Noueritis me pro salute anime mee et animarum antecessorum et successorum meorum concessisse. Abbati de Gereuendon' et Monachis ibidem deo seruientibus. quod ego defendam eos contra omnes tenentes meos de Sepeheued quod ipsi tenentes nunquam cum aueriis suis pascere possint campos dictorum monachorum de Gereuendon' Dixele . . . .[a] cum warda facta. set in seysona quando campi aperti sunt et vicini cum vicinis communicare debent. Ita tamen quod in dicta seisona bestie dictorum hominum per vires dictorum Abbatis et Conuentus uel suorum non eiciantur. Quin in predictis locis sine warda facta vadant si ibi veniant secundum quod moris est patrie. Et quod predicti Monachi stipulas suas colleccioni deputatas destruccione aueriorum predictorum tenentium /

tenentium colligere possint usque ad quindenam sancti Michaelis In perpetuum. In cuius rei testimonium. hanc presentem cartam sigillo meo feci sigillari Hiis testibus. Dominis Philippo Luuell'. Sehero de Sancto Andr' Willelmo de Bosco. Petro Potar'. Michaele de Preston'. Gilberto de Colewen. Roberto de Trafford clerico et aliis.

Endorsed: It is not known whether this charter was endorsed.

Description: 6.5 x 4.0 in (16.5 x 10.2 cm). Fold at foot of 1.0 in (2.5 cm).

Sealing: Probably on a tag, but no evidence of slit on fold.

Source: Northamptonshire Record Office, Finch-Hatton Muniments, no. 170, item 18 (drawing, with first sixteen words in facsimile, of original formerly penes Katherine, duchess of Buckingham).

Printed: Hatton's Book of Seals, no. 18 (full text).

Var. lect.: a. Blank of about one inch in MS.

Notes: The name missing at the blank in the MS. is probably 'Henele', on which see No. 57, below. As Nos. 56 and 57 concern the same topic, No. 56 may be about the same date as No. 57, i.e. 6 March 1253.

57

Indenture of agreement made in presence of Earl Roger between Leicester abbey and Garendon abbey containing detailed provisions about common pasture in 'Henele' [in Shepshed], Garendon and Dishley. Leicester, 6 March 1253.

Anno /

Anno regni Regis Henrici filii Regis Johannis tricesimo septimo facta fuit ista conuencio Inter Abbatem et Conuentum Leyrcestr' ex vna parte. Et Abbatem et Conuentum Geredon ex altera coram domino Rogero de Quency Comite Wynton' Constabulario Scocie tunc presente. Ita quod per consilium et prouisionem eiusdem Comitis dicti Abbas et Conuentus Geredon' concesserunt dictis Abbati et Conuentui Leyrc' communem pasturam inperpetuum habendam in campis suis et pratis de Henele Geredon' et Dixele tempore aperto. scilicet quod postquam dicti Abbas et Conuentus Geredon' bladum suum messuerint et pratum suum in dictis campis defalcauerint statim incepto tempore cariacionis dictum bladum et pratum continue de die in diem si tempus hoc permittat: cariabunt. Ita quod statim post quindenam a tempore quo vicini proximi autumpniauerint uel cicius si dicta bladum et pratum cariauerint: licebit Abbati et Conuentui Leyrc' cum aueriis suis cum libero introitu et exitu sine warda facta dictos campos et prata libere ingredi et quiete depascere tamquam suam pasturam communem. Si uero dicti Abbas et conuentus Geredon' in nocumentum et fraudem dicte pasture Abbatis et Conuentui Leyrc' in Henele seminauerint uel bladum et pratum seu stipulam in predictis campis stare permiserint et cariare distulerint. licebit Abbati et Conuentui Leirc' post quindenam sicut predictum ÷ predictos campos et prata cum aueriis suis communiter intrare et libere depascere. Et quod per clausturam circa Henele ingressus et exitus aueriorum Abbatis et Conuentus Leyrc' tempore pascendi non impediantur. Et si contingat quod aueria Abbatis et Conuentus Leyrc' exeant de communi pastura per eschapium in bladum uel in pratum dictorum Abbatis et Conuentus Geredon' ipsi ea /

ea achaciabunt in communem pasturam predictam sine dampno et inparchacione. Item dicti Abbas et conuentus Geredon' facient propriis sumptibus pontem competentem ultra ductum molendini et illum cum necesse fuerit competenter reparabunt. Ita quod equi et carecte cum oneribus suis sine dampno et periculo possint ibidem pertransire. Item Abbas et conuentus Geredon' mundari facient cursum ductus descendentem de dicto molendino Ita quod per defectum mundacionis ductus prenominati in dicto molendino uel terris prope adiacentibus abbas et conventus Leyrc' dampnum non incurrant. Et si forte quod absit pro defectu mundacionis ductus predicti dampnum incurrant subiecerunt se abbas et conuentus Geredon' districtioni Comitis Wynton' et heredum suorum seu senescalli uel balliuorum suorum qui pro tempore fuerint ad compellendum eos ad mundacionem ductus predicti infra quindenam a tempore quo dicti Abbas et conuentus Leyrc' rationabiliter conquesti fuerint faciendum. quod si infra dictum tempus non fecerint inde emendacionem: licebit dictis Abbati et conuentui Leyrc' facere liberacionem aque predicti ductus in suo solo sicut solebant: Dicti uero Abbas et conuentus Leyrc' obstupari facient aquam fluentem de badiis molendini de Sepeheued ut aqua versus Geredon' suum plenum cursum habeat sine impedimento eorundem Abbatis et conuentus Leyrc' et suorum sicut predictum est. Omnia uero dampna que dicti Abbas et conuentus Leyrc' occasione dicti pontis non facti uel non reperati sustinuerint: memorati Abbas et conuentus Geredon' eisdem plene restaurabunt. Si uero dicti Abbas et conuentus Gered' tenorem huius scripti penes se non obseruauerint. subiecerunt se cohercioni Comitis Wynt' et heredum suorum et senescalli./

senescalli et balliuorum suorum qui pro tempore fuerint vt eos possint compellere ad obseruacionem omnium predictorum. Et si dicti Comes et heredes sui seu senescalli uel balliui sui dictos Abbatem et conuentum Geredon' cohercere neglexerint: licebit dictis Abbati et conuentui Leyrc' ius suum contra eos impetrare prout melius et commodius sibi viderint expedire. Et vt hec omnia supradicta perpetue firmitatis robur optineant. vtraque pars scripto alterius in modo cyrograffi confecto. sigillum suum vicissim apposuit. Hiis testibus. dominis Willelmo de Bosco. Johanne de Cramford tunc senescallo. Saero de sancto Andrea. Johanne Bechard. Petro le Poter militibus Magistro Ricardo persona de Hauthern. Petro filio Rogeri de Leyrc'. Radulfo de Bredon. Waltero de Euinton'. Ricardo de Cley. Matheo venatore. Elya Swayn de Sepeheued'. Symone de Osolueston'. Rogero de Twyford. Henrico de Linc' et aliis. Acta fuerunt ista apud Leyrc' die Jouis proxima ante festum sancti Gregorii anno gracie millesimo Ducentesimo quinquagesimo secundo.

Endorsed: It is not known whether this indenture was endorsed.

Description: 8.8 x 10.9 in (22.3 x 27.7 cm). Fold at foot of .8 in (2.1 cm). Indented at top.

Sealing: On tags, two seals, pink: (i) fragment of obverse and counterseal of Leicester abbey; (ii) central fragment, obverse and reverse, of second seal of Earl Roger.

Source: Northamptonshire Record Office, Finch-Hatton Muniments, no. 170, item 15 (drawing, with first thirteen words in facsimile, of original formerly penes Katherine, duchess of Buckingham).

Printed /

Printed: Hatton's Book of Seals, no. 15 (full text).

Notes: This document has been included as an act of Earl Roger since his seal was appended to it. Rather illogically, the clause of corroboration mentions the seals of the two abbeys but not Earl Roger's seal. The name 'Henele' is now lost (Hatton's Book of Seals, index, s.v.).

58

Grant to Garendon abbey, in free alms, of right to enclose its wood of 'Kut' [in Shepshed] and the site where the abbey was founded, by bounds specified, so that the abbot and monks may assart, sell or do what they like therewith, granting also the hunting of game and woodland beasts within these bounds, but without a deer-leap; to be held under no reservation except prayers to the Lord. (1252 x 1260)

Omnibus sancte matris Ecclesie filiis hanc cartam visuris. uel audituris. Rogerus de Quency Comes Wynton'. Constabularius Scotie salutem in domino. Noueritis nos concessisse ⁊ hac presenti carta nostra confirmasse. Abbati ⁊ monachis de Geroudon'. ⁊ eorum successoribus in liberam. puram. ⁊ perpetuam elemosinam pro salute anime nostre ⁊ domine Alienore dilecte sponse nostre. ⁊ omnium antecessorum nostrorum. quod possint claudere ⁊ pro voluntate sua clausum habere. haia ⁊ fossato. uel quocunque alio modo voluerint ad maius comodum suum. totum boscum suum de Kut ⁊ totam placiam ab haysa in occidentale[a] parte caprarie sue usque ad capud de le Thweit uersus forestam. ubi abbatia eorum antiquitus fuit fundata ⁊ totum le /

le Thweit. ⁊ de le Tweit. totam placiam in transuerso le Rakes. usque le Brende ⁊ sic inter le Brende ⁊ boscum eorundem monachorum. usque ad boscum domini Ricardi militis de Thorp ⁊ sic per fossatum. inter boscum eorundem monachorum. ⁊ boscum dicti domini Ricardi usque ad campum Geroudon'. Concessimus etiam predictis Abbati ⁊ monachis. quod possint totum predictum boscum cum predictis placiis. assartare vendere ⁊ maius comodum suum quocunque modo voluerint pro voluntate sua inde facere. preterea. Noueritis nos dedisse. concessisse. ⁊ hac carta nostra confirmasse in puram. ⁊ perpetuam elemosinam. predictis abbati ⁊ monachis ⁊ eorum successoribus. totam sauuaginam ⁊ omnes bestias siluestres cuiuscunque generis sint. quas habuerint. uel in posterum habere poterunt. uel voluerint. uel que aliquo modo inuente fuerint in dicto clauso infra omnes diuisas supradictas. ad bersandum venandum. capiendum. quocunque modo voluerint uel quicquid inde voluerint faciendum. per se uel per homines suos. sine nostra uel heredum nostrorum contradictione. Ita quod nullam habeant salturam. Tenendum ⁊ habendum dictis Abbati ⁊ monachis ⁊ eorum successoribus inperpetuum adeo bene. libere. quiete ⁊ pacifice. sicut aliqua elemosina melius liberius quietius. dari potest teneri ⁊ haberi. nichil nobis uel heredibus nostris de dicto clauso. uel de dicta sauuagina reseruantes preter orationes in domino speciales Nos vero ⁊ heredes nostri totum predictum clausum per omnes diuisas supradictas totam predictam sauuaginam sicut predictum est. predictis Abbati ⁊ monachis ⁊ eorum successoribus contra omnes homines inperpetuum warantizabimus. defendemus ⁊ acquietabimus. Et ut maiori Gaudeant securitate: hanc presentem cartam eisdem fecimus ⁊ /

7 illam sigilli nostri impressione corroborauimus. Hiis testibus Dominis Gilberto de Calewenne Willelmo de Oelli. Johanne de Cardoill'. Johanne Bechard. Rogero de Forfare militibus. Rogero Kalbot. Willelmo de Wydinton' Dauid de Betun. Rogero de Bisegge Hugone de Faffinton'. Willelmo de Faffinton' 7 aliis.

Endorsed: It is not known whether this charter was endorsed.

Description: 9.8 x 7.8 in (24.9 x 19.8 cm). Fold at foot of 1.3 in (3.3 cm).

Sealing: On tag, 1.0 in (2.5 cm) wide, [length unknown], second seal in yellow wax, well preserved, but legends possibly damaged.

Source: Northamptonshire Record Office, Finch-Hatton Muniments, no. 170, item 7 (drawn facsimile of original formerly penes Katherine, duchess of Buckingham).

Printed: Hatton's Book of Seals, no. 7 (full text).

Var. lect.: a. MS. occidentali.

Notes: The grants of game and of power to assart are mentioned individually in a royal confirmation of Garendon charters (Cal. Chart. R., iv, 473-4) and may have been the subject of separate deeds at an earlier date, latterly combined in the above text. 'Kut' has not been identified. The earlier limit-date of this act is fixed by its reference to Roger's third wife, Eleanor de Ferrers, whom he married in 1252 (see above, Chapter I, p. 39). The later limit-date of 1260 is derived from evidence in Hatton's Book of Seals, nos. 7, 19.

59

Gift to Garendon abbey of rent of Robert Chapeleyn of Shepshed with a yardland which he held of the earl, with toft, croft, homage and service, ward and relief.

Source: Cal. Chart. R., iv, 473-4.

60

Grant to abbey of St Mary de Prato, Leicester, of husbote and haybote in Shepshed, and of timber for support of its mill of Shepshed from his wood of Shepshed, as often as there is need, to be taken by view of his foresters.

Source: Bodleian Library, MS. Laud misc. 625, fos. 6r, 125r; Cal. Chart. R., iii, 381.

Notes: For explanation of husbote and haybote, see above, Chapter II, p. 84, n.3.

61

Precept to Sir R[alph] Chamberlain, his steward, to give seisin to abbey of St Mary de Prato, Leicester, in terms of No. 60, above. (About 1240 x 1249)

Rogerus de Quency comes Wynt' etc.[a] dilecto et fideli suo domino R. Chamburleyn senescallo suo salutem. Mandamus vobis firmiter precipientes /

precipientes quatinus ponatis abbatem et conuentum Leyc' in seysinam plenam de housbote et haybote in Schepished et de meremio ad emendacionem et sustentacionem molendini sui de Schepished et de visu franciplegii etc.[a]

Source: Bodleian Library, MS. Laud misc. 625, fo. 6r.

Printed: Nichols, Leicestershire, I, ii, app., 56 (full text); Dugdale, Mon. Angl., ii, 310 (full text).

Var. lect.: a. Passage omitted by copyist.

Notes: This act is dateable from the fact that Sir Ralph Chamberlain was the earl's steward during part of the period 1240-49 (see above, Chapter II, p. 91).

62

Grant by exchange to abbey of St Mary de Prato, Leicester, of a piece of land, with pertinents, in vill of Shepshed, which contains 5 perches, 6 ft. in breadth, beside the road opposite the building of Geoffrey the smith, and extending by the same breadth to the garden of Matthew Edwyn.

Source: Bodleian Library, MS. Laud misc. 625, fo. 123v.

63

Charter to Alan of Shepshed, for homage and service, of 3 acres of arable land in the fields of Shepshed, in augmentation of 10 acres which /

which he previously granted to Alan; to be held hereditarily, for payment of 12d. annually for all secular services except foreign service of the king. (About 1248 x 1264)

Sciant presentes 7 futuri Quod Ego Rogerus de Quenc' Comes Wynton' Constabularius Scoc' dedi Concessi 7 hac presenti Carta mea. confirmaui. Alano de Sepeheued pro homagio 7 seruicio suo tres acras terre arabilis cum pertinenciis in campis de Sepeheued per perticam mensuratam octodecim pedum 7 dimidium In accresum decem acrarum quas eidem antea donauimus. 7 Iacent dicte tres acre inter predictas decem acras 7 assartum nostrum quod vocatur Derbyntonehawe. Habendas 7 Tenendas de me 7 heredibus meis sibi 7 heredibus suis libere 7 quiete. solute 7 hereditarie. Imperpetuum. Reddendo Inde annuatim michi 7 heredibus meis duodecim denarios. predictus Alanus 7 heredes sui. scilicet ad Pentecoste' quatuor denarios. ad festum sancti Michaelis quatuor denarios. 7 ad purificacionem beate Marie quatuor denarios. pro omnibus seruiciis secularibus exactionibus consuetudinibus 7 demandis saluo forinseco seruicio domini Regis quantum pertinet ad tantam terram Ego vero 7 heredes mei. dictas tres acras predicto Alano 7 heredibus suis contra omnes gentes warantizabimus aquietabimus 7 Imperpetuum defendemus. In cuius rei testimonium presens scriptum sigilli munimine roboraui. Hiis testibus. Dominis Johanne Bekard. Johanne de Craunford Ricardo de Wykes Philippo de Chetewynd 7 Roberto de Hereford militibus. Domino Briano clerico Christoforo forestario Ricardo de Glen Roberto falconario. Thoma Balistario Willelmo coco Rogero de Trafford clerico 7 aliis.

Endorsed /

Endorsed: Sheppeshed (xvi cent.).

Description: 7.3 x 4.5 in (18.6 x 11.5 cm). Fold at foot of 1.3 in (3.3 cm).

Sealing: On tag, .6 in (1.6 cm) broad [length unknown], through single slits, second seal in cream wax, one third missing. Illustrated in Nichols, Leicestershire, I, i, pl. xii, fig. 12.

Hand: Roger of Trafford.

Source: Original, Huntington Library, California, Hastings deeds, HMC no. 214. This original has not been examined and the details above are from a photostat.

Printed: Hastings, i, 37 (cal.); Nichols, Leicestershire, III, ii, 1011 (incomplete text).

Notes: This act is dateable only by the appearance as witnesses of Sir Richard of Wix and Sir Philip of Chetwynd, neither of whom certainly witnessed any act earlier than 1248 (No. 17). At 'donavimus' and 'assartum nostrum' the scribe has accidentally described the grantor in the plural: elsewhere the singular is used. On the significance of singular and plural, see above, Chapter IV, pp. 185-6.

64

Charter to Alan of Shepshed, for homage and service, of half a yard-land in the fields of Shepshed, to be held hereditarily, for payment of half a mark of silver annually for all secular services except foreign service. (1253 x 1259)

Vniuersis /

Vniuersis presentem cartam Inspecturis uel audituris Rogerus de Quency Comes Wynton' Constabularius Scotie salutem eternam In domino. Nouerit vniuersitas uestra nos pro nobis et heredibus nostris dedisse concessisse et hac presenti carta nostra confirmasse Alano de Shepesheued pro homagio et seruitio suo vnam dimidiam virgatam terre cum pertinentiis in campis de Shepesheued. illam scilicet quam Galfridus Wydde quondam tenuit cum tofto et crofto et cum omnibus aliis pertinentiis. Habendam et tenendam de nobis et heredibus nostris sibi et heredibus suis inperpetuum Libere. quiete. bene et in pace. integre et hereditarie cum omnibus Libertatibus in boscis et planis. pratis et pascuis. communibus et pasturis. viis et semitis. aquis et molendinis. et omnibus aliis aysiamentis. Reddendo inde annuatim nobis et heredibus nostris vnam dimidiam marcam argenti ad tres anni terminos. scilicet ad Penthecosten' duos solidos duos denarios et obolum. ad festum sancti Michaelis duos solidos. duos denarios et obolum. et ad Purificationem beate Marie duos solidos et tres denarios pro omnibus seruitiis secularibus. exactionibus. consuetudinibus et demandis. saluo seruitio forinseco. Et nos et heredes nostri dictam dimidiam uirgatam terre cum omnibus pertinentiis ut prenominatum est. predicto Alano et heredibus suis contra omnes gentes warantizabimus et defendemus imperpetuum. Et ut hec nostra donatio. concessio. et presentis carte nostre confirmatio perpetue firmitatis robur optineant: presentem cartam sigilli nostri impressione duximus roborandam. Hiis Testibus. Dominis Roberto de Sancto Andrea. Willelmo de Muntgomer' Johanne Becard. Johanne de Craunford tunc senescallo. Philippo de Chetewynd. Johanne Tuchet: militibus. Domino Bryano rectore /

rectore ecclesie de Lokres. Petro filio Rogeri. Roberto de Meynyl. Johanne de Rauenestun'. Rogero pistore. Willelmo Adam. Johanne carpentario. Ricardo Sweyn. Hugone Byset. et ALiiS.

Endorsed: Shepeshed (xvi cent.).

Description: 8.8 x 4.7 in (22.3 x 12.0 cm). Fold at foot of 1.5 in (3.8 cm).

Sealing: Tag and seal missing: formerly through single slits.

Hand: Robert Francis.

Source: Original, Huntington Library, California, Hastings deeds, HMC no. 213. This original has not been examined and the details above are from a photostat.

Printed: Hastings, i, 37 (cal.).

Notes: The limit-dates of this act are fixed by the appearance of John of Cranford as the earl's steward (see above, Chapter II, p. 91). The script of this document is of unusual interest. The pen which Robert Francis used gradually deteriorated and produced very heavy strokes. After writing the phrase 'ad tres anni terminos' he must have paused to sharpen the pen, for the writing beginning at 'scilicet' is as neat as the first line of the charter. But the pen again deteriorated and was producing the same heavy strokes by the end of the text.

Sibson

65

Quitclaim in favour of Peter le Potter, his knight, for service, of all suits due to the earl's court by Peter's men of Sibson, granting also /

also to Peter view of frankpledge of his fee of Sibson, for payment of 2s. sterling annually at the earl's first court after Michaelmas, on the summons of his bailiff. (1235 x 1253)

Omnibus hominibus audituris hoc scriptum uel uisuris Rogerus de Quency. Comes Winton Constabularius Scoc' salutem. Nouerit vniuersitas vestra nos remisisse et quietum clamasse pro nobis et heredibus nostris Petro le Poter militi nostro et heredibus suis. pro seruicio suo omnimodas sectas Curie nostre que per nos uel heredes nostros ab ipso uel ab heredibus suis uel [etc.][a] ab hominibus suis de Sibbesdun tam liberis quam aliis exigi poterunt. Dedimus etiam et concessimus pro nobis et heredibus nostris dicto Petro et heredibus suis visum franciplegii tocius feodi sui de Sibbesdun. cum omnibus que ad visum franciplegii secundum consuetudinem regni pertinent. Reddendo inde annuatim nobis ⁊ heredibus nostris ipse et heredes sui inperpetuum duos solidos sterlingorum ad primam Curiam nostram post festum sancti Michaelis ad summonitionem Balliui nostri et heredum nostrorum. Nos uero et heredes nostri warantizabimus dicto Petro et heredibus suis dictas remissionem ⁊ quietam clamacionem dictarum sectarum Curie nostre cum predicto visu franciplegii sicut predictum est contra omnes homines inperpetuum. Et ut hec donacio nostra concessio et quieta clamacio robur optineant firmitatis presens scriptum sigilli nostri munimine fecimus roborari. Testibus Radulfo Camerario. Shaero de Sancto Andr'. Willelmo de Bosco. Willelmo Burdeth de Hunecot'. Johanne de Cranford. Roberto de Sancto Andr'. Warino de Tundurl' et aliis.

Source /

Source: PRO, Charter Roll, 37 Henry III (C. 53/45), memb. 6.

Printed: Cal. Chart. R., i, 429 (cal.).

Var. lect.: a. Phrase omitted by copyist.

Notes: This act must be earlier than 17 April 1253, the date of its entry on the Charter Roll.

Staunton Harold

(See also No. 84)

66

Charter granting to abbey of St Mary de Prato, Leicester, licence to build a byre and a sheepfold in its territory of Staunton [Harold], with free entry and exit, with oxen, to common pasture of his forest.

Source: Bodleian Library, MS. Laud misc. 625, fo. 6r.

Printed: Nichols, Leicestershire, I, ii, app., 56; Dugdale, Mon. Angl., ii, 310.

Stoughton

See No. 84

Swithland

67 /

Swithland

67

Grant of 'divers liberties and privileges' to Robert Waleys of Swithland.

Source: Nichols, Leicestershire, III, ii, 1047 ('from a note in the Visitation of 1619', i.e. visitation by heralds inspecting use of coats of arms).

Syston

68

Charter to Brackley hospital, in free alms, for support of two chaplains celebrating for souls of himself and Lora, his sister, of 6½ yardlands and a cottage in Syston, with specified villein tenants thereof, and their families, under provision that on death of one of the chaplains the earl or his heirs may substitute another. (About 1240 x 1249)

Vniuersis christi fidelibus has litteras uisuris uel audituris: Rogerus de Quency Comes Wynton' Constabularius Scott'. salutem. Nouerit vniuersitas vestra nos caritatis Intuitu ⁊ pro salute anime nostre ⁊ anime Lore sororis nostre. ⁊ animarum antecessorum ⁊ successorum nostrorum dedisse concessisse ⁊ presenti carta nostra confirmasse: deo ⁊ fratribus hospitalis beatorum apostolorum Jacobi ⁊ Johannis de Brakel'. In liberam puram ⁊ perpetuam elemosinam ad sustentacionem /

sustentacionem duorum capellanorum pro anima nostra ⁊ animabus predictis ibidem celebrantium. sex virgatas terre ⁊ dimidiam ⁊ vnum cotagium in uilla de Sidheston' cum omnibus pertinenciis suis ⁊ uillanis dictam terram ⁊ cotagium tenentibus ⁊ tota eorum sequela videlicet Hugonem filium Thore cum eius sequela ⁊ vna uirgata terre. Et Simonem filium Radulfi cum eius sequela ⁊ vna uirgata terre. Et Radulfum filium Radulfi cum eius sequela ⁊ sua uirgata terre. Et Rogerum fabrum cum eius sequela ⁊ vna uirgata terre. Et Willelmum Elyot cum eius sequela ⁊ sua uirgata terre. Et Robertum Randulf cum eius sequela ⁊ sua uirgata terre. ⁊ Hugonem Fraunceis cum eius sequela ⁊ sua dimidia uirgata terre. ⁊ Willelmum Primerose cum eius sequela ⁊ suo cotagio. Habendas ⁊ tenendas. de nobis ⁊ heredibus nostris Imperpetuum cum omnibus pertinenciis suis. libertatibus liberis consuetudinibus ⁊ aisiamentis. ad predictam terram pertinentibus. ⁊ cum predictis uillanis ⁊ tota eorum sequela: dicte domui ⁊ fratribus eiusdem domus. libere pacifice honorifice ⁊ quiete. ab omni seculari seruicio. ⁊ consuetudine ⁊ demanda. Nos vero ⁊ heredes nostri: dicte domui ⁊ fratribus eiusdem domus predictam terram cum omnibus antedictis contra omnes gentes Imperpetuum warentizabimus ⁊ defendemus. Ita tamen quod cum aliquis dictorum capellanorum decederit: nos vel heredes nostri sine aliqua contradiccione fratrum dicte domus vnum alium capellanum loco eius substituemus. vt autem hec nostra donacio. concessio ⁊ confirmacio robur obtineant firmitatis: presenti scripto sigillum nostrum apposuimus. Hiis testibus Dominis. Ricardo de Harecurt. Ernaldo de Bosco. Willelmo de Bosco. Thoma de Alneto. Willelmo Louel. Sehero de Sancto Andr'. Johanne de Hersy. Radulfo de Neuill' /

Neuill' Henrico Byseth militibus. Domino Philippo Louel tunc senescallo nostro. Domino Eustachio capellano nostro magistro Thoma de Man. magistro Eustacio de Selford. Elya de Radeberge. Briano clerico [7] aliis.

Endorsed: (i) Carta de vj virgatis terre 7 vno cotagio in Sitheston pro ij capellanis celebrantibus pro anima Rogeri de Quynci 7 Lore. (xiii cent.)

(ii) Sine dat'. (xiv cent.)

(iii) Modern numeral endorsement.

Description: 8.3 x 7.0 in (21.1 x 17.8 cm). Fold at foot of 1.0 in (2.5 cm). Ruled in drypoint and ruling continued under fold.

Sealing: On tag, 5.8 x.7 in (14.7 x 1.8 cm), through treble slits, second seal in natural wax, about one-third missing at top and sides, surface rubbed and crumbling.

Hand: Scribe A.

Source: Original, Magdalen College, Oxford, Whitfield 159 (Macray's Catalogue, no. 29).

Notes: Dating derived from Philip Lovel's tenure of office as steward (see above, Chapter II, p. 91).

69

Charter to Peter son of Roger of Leicester, for homage and service, of 22½ yardlands and a cottage in vill of Syston, with 27 villeins (named), and their families, occupying that land, which Normans formerly held of the earl's ancestors, of the honour of Leicester; to be held hereditarily by service of one-eighth part of the fee of one /

one knight for all demands and suits of court, except suit to the earl's first court after Michaelmas and his first court after Easter annually. (About 1248 x 1257)

Omnibus christi fidelibus presentem cartam inspecturis uel audituris Rogerus de Quency Comes Wynton' Constabularius Scocie salutem in domino. Nouerit vniuersitas vestra me dedisse concessisse et hac presenti carta nostra \ confirmasse / Petro filio Rogeri de Leyc' et heredibus suis pro homagio et seruicio suo viginti et duas virgatas terre et dimidium cum vno cottagio et cum omnibus pertinentiis suis in villa nostra de Sideston' cum omnibus villanis dictam terram tenentibus et totam eorum sequela. videlicet Rogerum Woderoue cum eius equela et vna virgata terre quam ipse tenet et Hugonem Aunsel cum eius sequela et sua virgata terre et Johannem Semer cum eius sequela et sua virgata terre et Walterum Hendeman cum eius sequela et sua dimidia virgata terre. et Stephanum Bernard cum eius sequela et sua dimidia virgata terre et Walterum Bolle cum eius sequela et sua dimidia virgata terre et Robertum le Blund cum eius sequela et sua dimidia virgata terre. et Johannem Yongebonde cum eius sequela et sua virgata terre et Gilbertum Godith' et eius sequela et sua dimidia virgata terre et Willelmum de Salorne cum eius sequela et sua dimidia virgata terre et Ricardum Aunsel cum eius sequela et sua virgata terre et Rogerum filium Semer cum eius sequela et sua virgata terre et Johannem le Petyt cum eius sequela et sua virgata terre et Willelmum de Dalby cum eius sequela et vna virgata terre et dimidium quam terram ipse tenet. et Wygod filium Godwyni cum eius sequela et sua dimidia virgata terre et Rogerum Godblod cum eius sequela /

sequela et sua virgata terre. et Alanum fabrum cum eius sequela et sua virgata terre. et Rogerum de Knytton' cum eius sequela et sua virgata terre et Johannem de Thormaneston' cum eius sequela et sua virgata terre et Hugonem filium Thor' cum eius sequela et sua virgata terre. et Simonem filium Radulfi cum eius sequela et sua virgata terre et Radulfum filium Radulfi cum eius sequela et sua virgata terre et Rogerum fabrum cum eius sequela et sua virgata terre. et Willelmum Elioth cum eius sequela et sua virgata terre et Robertum Randolf cum eius sequela et sua virgata terre et Hugonem Franceys cum eius sequela et sua dimidia virgata terre. et Willelmum Primerose cum eius sequela et suo cottagio quam terram predictam totam quondam tenuerunt Normanni de antecessoribus nostris. scilicet de honore Leycestr'. Habendam et tenendam predicto Petro filio Rogeri et heredibus suis de nobis et heredibus nostris imperpetuum cum omnibus pertinentiis libertatibus liberis consuetudinibus et aysiamentis ad predictas terras et villanos cum eorum sequelis infra villam de Sideston' et extra pertinentibus libere. quiete. pacifice. honorifice et hereditarie. faciendo inde nobis et heredibus nostris ipse et heredes sui seruicium octaue partis feodi vnius militis pro omni seruicio. exactione consuetudine et demanda et pro omnibus sectis curie cuiuscumque exceptis duabus curiis curie nostre per annum videlicet proxime[a] curie post festum sancti Michaelis et alterius curie proxime post Pasch'. Nos vero et heredes nostri predictam terram cum cotagio et villanis predictis et totis eorum sequelis cum omnibus pertinentiis antedictis prefato Petro et heredibus suis inperpetuum warantizabimus contra omnes gentes. vt autem hec nostra donacio concessio et confirmacio firmitatis robur semper optineant. huic /

huic scripto sigillum nostrum duximus apponendum. Hiis testibus Dominis Ricardo de Hauering'. Johanne Bekard. Willelmo de Mungomery. Roberto de Hereford. Ricardo de Wykes. Philippo de Chedewynd Johanne de Reygate et Radulfo le Chamberleng militibus. Briano rectore ecclesie de Dersford'. Roberto de Trafford'.[b] Simone de Aneta. Reginaldo Daunou. Roberto de Scotton'. Willelmo le Waley et aliis.

Source: PRO, Charter Roll, 41 Henry III (C.53/47), memb. 7.

Printed: Cal. Chart.R., i, 464 (cal.).

Var. lect.: a. MS. proximis.
b. MS. Stratford.

Notes: The earlier limit-date is provided by the appearance as witnesses of Sir Richard of Wix and Sir Philip of Chetwynd, neither of whom certainly witnessed any act earlier than 1248 (No. 17). The later limit-date is fixed by the entry of this act on the Charter Roll on 27 March 1257. In the phrase 'Nouerit vniuersitas vestra me dedisse' the word 'me' is a clerical error for 'nos', as the grantor is described in the plural throughout the rest of the text.

70

Gift to Peter son of Roger of Leicester of 10 yardlands in Earl Roger's vill of Syston, with all the villeins holding the land and all that goes with them.

Source: Cal. Chart. R., i, 367.

Notes: This act must be earlier than 15 October 1251, the date of its entry on the Charter Roll.

71 /

71

Gift to Peter of Leicester and his heirs, for homage and service, of 16 yardlands in Syston, with all the villeins [holding them] and all that goes with them, to be held of Earl Roger by service of eighth part of fee of one knight.

Source: Cal. Chart. R., i, 419.

Notes: This act must be earlier than 17 February 1253, the date of its entry on the Charter Roll.

Thorpe Acre

See No. 80

Thurmaston

(See also No. 84)

72

Charter to abbey of St Mary de Prato, Leicester, of homage and service of Elias of Lyndesey and Alice, his wife, of 4 yardlands in Thurmaston, which said Elias and Alice gave to the abbey with their bodies, with all liberties, easements and free customs, with view of frankpledge, homage, service and all other escheats.

Source: Bodleian Library, MS. Land misc. 625, fos. 6r, 139r.

Printed: Nichols, Leicestershire, I, ii, app., 56 (in part); Dugdale, Mon. Angl., ii, 311 (in part).

73 - 75 /

73 - 75

Charters (3) to abbey of St Mary de Prato, Leicester, as follows:

(73) charter granting certain lands in Thurmaston with suit of tenants holding them, and view of frankpledge of four men of the prior of Caldwell;

(74) confirmation of 4 yardlands in Thurmaston given to the abbey by Henry Anlep, with tofts, crofts and all other pertinents;

(75) quit-claim of view of frankpledge, with all liberties pertaining to same, of tenants of various lands in Thurmaston, viz., 4 yardlands of Henry Anlep, 4 yardlands formerly belonging to Elias Lynsey, and 4½ yardlands of the prior of Caldwell, and of other free tenements in same; which liberties were purchased by Abbot Henry from the earl for 33 marks.

Source: Bodleian Library, MS. Laud misc. 625, fos. 6r, 139r, 140v.

Notes: The above descriptions may refer to more than three separate acts.

76

Gift to Garendon abbey of 20s. of rent in Thurmaston.

Source: Cal. Chart. R., iv, 473-4.

77 /

77

Quit-claim to Henry Anlep of wardship of forest called 'Northahe' (?) [in Thurmaston], which pertained by right to the yardland which said Henry bought from Robert son of Thurstan.

Source: Bodleian Library, MS. Laud misc. 625, fo. 139v.

Whatton

See No. 84

Whetstone

(see also No. 84)

78

Charter to Catesby nunnery (Northants.), in free alms, of rent of half a mark annually owed to him by Saher of Trumpington for land in vill of Whetstone. (About 1248 x 1264)

Omnibus sancte matris ecclesie filiis ad quos presentes litere peruenerint Rogerus de Quency Comes Wynton' Constabularius Scoc' salutem In domino Noueritis nos pro salute anime nostre 7 pro salute animarum antecessorum 7 successorum nostrorum dedisse Concessisse. 7 hac presenti Carta nostra Confirmasse deo 7 beate Marie 7 beato Eadmundo 7 monialibus apud Catesby deo seruientibus. In liberam puram 7 perpetuam elemosinam dimidiam marcatam annui Redditus de Sehero de /

de Trumpinton' ⁊ heredibus suis pro terra quam de nobis tenet In villa de Westan annuatim percipiendam. videlicet ad festum sancti Michaelis duos solidos ⁊ tres denarios. ⁊ ad purificacionem beate Marie duos solidos ⁊ tres denarios ⁊ ad Pentecosten duos solidos ⁊ duos denarios. Habendam ⁊ Tenendam de nobis ⁊ heredibus nostris predictis monialibus ⁊ earum successoribus libere. quiete. ⁊ solute Inperpetuum. Et nos ⁊ heredes nostri dictum Redditum predictis monialibus ⁊ earum successoribus Contra omnes Gentes warantizabimus aquietabimus ⁊ Inperpetuum defendemus. In Cuius rei testimonium sigillum nostrum apponi fecimus huic scripto. Hiis Testibus Dominis Ricardo de Wykes Johanne de Craunford. Johanne Bekard Philippo de Chetewynd ⁊ Willelmo de Montegomorri militibus. Domino. Briano clerico Ricardo de Glen. Martino le Baille. Roberto de Noueray Roberto de Trafford ⁊ Rogero fratre suo clericis ⁊ multis aliis.

Endorsed: (i) Carta Comitis Wynton' de dimidia marcata redditus in Weston'. (xiii cent.)
(ii) Carta Rogeri de Quency Comes Wynton Constabularius Scotiae jure uxoris Hellenae filiae et heres Alani Domini de Galoway. (Modern.)
(iii) Hoc sigillum extat in Upton. (On tag; modern.)

Description: 8.3 x 4.2 in (21.1 x 10.7 cm). Fold at foot of 1.2 in (3.1 cm).

Sealing: On tag, .7 in (1.8 cm) broad (end lost in seal), through single slits, fragment of second seal, about one half, in natural wax, rubbed.

Hand: Roger of Trafford.

Source: Original, BM, Lord Frederick Campbell Charters, iv.10; cf. BM, MS. Cotton Julius c.vii, fo. 191v (with drawing of seal, obverse and reverse).

Notes /

Notes: This act is dateable only by the appearance as witnesses of Sir Richard of Wix and Sir Philip of Chetwynd, neither of whom certainly witnessed any act earlier than 1248 (No. 17).

79

Charter to abbey of St Mary de Prato, Leicester, of one yardland in Whetstone which Richard Kyrke held, and common pasture for the abbey's animals of all kinds in his purparty of the forest of Leicester, in wood, plain, etc.

Source: Bodleian Library, MS. Laud misc. 625, fos. 6r, 143v.

Printed: Nichols, Leicestershire, I, ii, app., 56; Dugdale, Mon. Angl., ii, 311.

80

Grant to Garendon abbey of a mill and a site of a mill, 5 yardlands and a piece (placea) of meadow in Whetstone, Hathern and Thorpe Acre ('Thorp juxta Geraudon'), and of men holding that land and all their families; with remission and quit-claim of view of frankpledge, all suit of his court and all forinsec service due from said lands or men holding them.

Source: Dugdale, Mon. Angl., i, 768-9; cf. Cal. Chart. R., iv, 473-4.

81 /

81

Charter of confirmation and quitclaim to Gilbert de Segrave, son and heir of Stephen de Segrave, and his heirs, of view of frankpledge and suit of court, and of everything pertaining to view of frankpledge, of all Gilbert's men dwelling on the earl's fee in the vill of Whetstone ('Wheston'), which the countess, Earl Roger's mother, gave to Stephen, to be held for 12d. annually.

Source: Nichols, Leicestershire, II, i, app., p. 117 (from Segrave cartulary, BM,Harl. MS. 4748).

Wigston

82

Grant to Hawise de Quincy, his sister, of £40 of land in Wigston, in free marriage with Hugh de Vere, earl of Oxford.

Source: CIPM, i, no. 776 (p. 257).

Notes: This act must belong to the period of Hawise's marriage, which took place about 1223 (see above, Chapter I, pp. 21-22).

Miscellaneous: Garendon abbey

83 /

Miscellaneous: Garendon abbey

83

Quitclaim in favour of Simon de Montfort, earl of Leicester, his kinsman, of all right to advowson of the abbacy of Garendon and its site, with adjacent lands and wood, which all belong to Simon's fee and to the honour of Leicester. (1236 x 1252)

Omnibus hoc scriptum visuris vel audituris Rogerus de Quency Comes Wynton' Constablarius [Scocie][a] salutem Noueritis nos concessisse et hoc scripto remisisse et omnino de nobis et heredibus nostris quietum clamasse imperpetuum Domino Simoni de Monte forti Comiti Leyc' karissimo consanguineo nostro heredibus et assignatis \ suis / Comitibus Leyc' totum Jus et clameum que umquam habuimus habemus seu habere poterimus in aduocacione abbacie de Geroldon' et situ eiusdem cum terris circumiacentibus et suis pertinenciis et bosco cum solo predicte abbacie pertinente que omnia predicta sunt de feodo predicti consanguinei nostri et honoris Leyc' Ita quod nec nos predictus Rogerus nec heredes nostri nec aliquis alius nomine nostro aliquod Jus vel clameum decetero in aduocacione predicte abbacie et situ eiusdem nec in terris cum appendiciis suis vniuersis nec in bosco cum solo et omnimodis prouentibus nec in aliqua alia re predicte aduocacioni seu alicui predictorum pertinente sicud predictum est quicquam in dominio nec in dominico exigere poterimus vel vendicare imperpetuum In cuius rei testimonium sigillum nostrum huic scripto est appensum In presentia domini Roberti Lyncoln' Episcopi Domini Hugonis /

Hugonis \ Dispensar / Domini Thome de Estleg' domini Seeri de Sancto Andrea Domini Willelmi de Monte Gomery militum Magistri Johannis archidiaconi Leyc' Magistri Henrici de Braunceston' Johannis de Craumford Johannis Becard multis aliis presentibus Francis et Anglis.

Source: BM, Lansdowne MS. 415, fo. 35r.

Printed: Nichols, Leicestershire, III, ii, 827 (full text). Notes and Queries, 4th series, vol. xii (1873), pp. 290-1 (incomplete text).

Var. lect.: a. MS. faded: probable reading.

Notes: The earlier limit-date is provided by Simon's assumption of the style 'earl of Leicester' in 1236 (British Chronology, p. 435n.). The later limit-date is fixed by the death of John of Basingstoke, archdeacon of Leicester, in 1252 (M. Paris, Chron. Maj., v, 284).

Miscellaneous: Leicester abbey

84

Quit-claim of his right to view of frankpledge and other suits from abbey of St Mary de Prato, Leicester, and its men in Anstey, Glenfield, Hemington, Lockington, Shepshed, Staunton [Harold], Stoughton, Thurmaston, Whatton, Whetstone (Leics.); Brackley, Farthinghoe, Halse, Syresham (Northants.); Barnacle, Bramcote, Bulkington, Burton [Hastings?], Clifton and Wibtoft (Warwicks.).

Source /

Source: Bodleian Library, MS. Laud misc. 625, fo. 6r; Cal. Chart. R., iii, 381.

Printed: Nichols, Leicestershire, I, ii, app., 56; Dugdale, Mon. Angl., ii, 310 (incomplete).

Notes: MS. Laud has 'Sutton' for Whatton and omits Shepshed and Burton. There are also separate references to quit-claims in respect of Brackley, Farthinghoe and Thurmaston (ibid., fos. 33v, 64v, 139v), which may represent separate documents or may merely be cross-references.

85 - 88

Charters (4) to abbey of St Mary de Prato, Leicester, as follows:

(85) charter granting quitclaim of all its churches and suit of courts for it and its men in his fee;

(86) confirmation of all gifts in charter of Countess Margaret, his mother;

(87) charter granting 2 carts, with 2 horses in each, for drawing wood to burn in the forest;

(88) charter granting 4 carts of wood, from the Annunciation to Michaelmas.

Source: Bodleian Library, MS. Laud misc. 625, fo. 6r.

Printed: Nichols, Leicestershire, I, ii, app., 56; Dugdale, Mon. Angl., ii, 310.

WARWICKSHIRE /

WARWICKSHIRE

Barnacle, Bramcote, Bulkington, Burton Hastings, Clifton and Wibtoft

See No. 84

Wolvey

89

Remission and quitclaim to Combe abbey, in free alms, of suit of court or view of frankpledge for manor of Wolvey. (1235 x 1264)

Omnibus etc.[a] Rogerus de Quincy Comes Wynt'. Constabularius Scocie salutem. Nouerit vniuersitas uestra me pro salute anime mee et omnium antecessorum et successorum meorum remisisse et quietumclamasse pro me et heredibus meis imperpetuum Deo et ecclesie beate Marie. de Cumba et monachis. ibidem deo seruientibus. in liberam puram et perpetuam elemosinam totum jus et clamium quod habui uel habere potui in aliquali secta curie. uel visu franciplegii pro manerio de Wllueya exigenda de abbate et conuentu de Cumb' et eorum successoribus et omnibus eorum hominibus liberis et seruis. Ita quod nec ego nec aliquis heredum meorum nec aliquis per nos siue pro nobis possit dictum manerium de Wllueya ingredi ad aliquam districtionem faciendam pro aliquali secta curie uel uisu franciplegii mihi uel heredibus meis pertinente de dicto manerio. Et ut hec mea remissio et quieta clamatio rata et stabilis imperpetuum permaneat presenti scripto sigillum meum apposui. Hiis testibus.[a]

Rubric /

Rubric: Quieta clamatio R. Comitis Wynt' de francip' (in red).

Source: BM, Cotton Vitellius A.i, fo. 90r.

Var. lect.: a. Passage omitted by copyist.

NORTHAMPTONSHIRE /

NORTHAMPTONSHIRE

Adstone

See No. 119

Brackley

(See also Nos. 84, 115, 116)

The borough

90

Charter to his burgesses of Brackley that the borough shall be free and that the burgesses dwelling there shall be free, confirming all their liberties and free customs within and without the borough, in perpetuity, and specifying these liberties in detail. (About 1260)

Rogerus de Quincy Comes Winton' Et Constabularius Scott'. Omnibus hominibus Suis Francis ⁊ Anglis. Tam presentibus quam futuris. Salutem. Nouerit vniuersitas vestra nos Concessisse. Et Hac presenti Carta nostra Confirmasse. Burgensibus nostris de Brackel'. vt Burgum de Brackel' liberum sit. Et Burgenses ibi manentes Liberi sint. Item Concedimus ⁊ Confirmauimus Dictis Burgensibus ⁊ Heredibus suis Omnes libertates ⁊ liberas Consuetudines suas Infra Burgum ⁊ Extra. Illis ⁊ Heredibus suis de nobis ⁊ heredibus nostris Inperpetuum. Habeant autem has libertates subscriptas. Uidelicet. quod unusquisque Burgensium liberam habeat potestatem uendere. dare uel legare Burgagia /

Burgagia sua ubicumque uel Cuicumque uoluerint.[a] Saluo plenarie redditu suo domino Comiti 7 heredibus suis. Concessimus autem eisdem Burgensibus nostris de Brackel' ne pro aliqua Summonitione facta a nobis uel heredibus nostris uel a Bailliuis nostris Inperpetuum exeant a Burgo de Brackel'. Et si Ita Contigerit quod congregari debeant coram nobis casu fortuito hoc fieri debeat per rationabilem summonitionem octo dierum ad minus 7 In uilla. Nisi per guerram. Quando dominus Rex submonet burgos suos quatinus venient ad auxilium domini Regis. Sicut alij burgi. Et si Ita euenerit quod aliquod placitum oriatur In burgo quod non possit deduci uel determinari per curiam eiusdem burgi. debent mandare senescallum nostrum ut ueniat ad curiam ad illud placitum determinandum Salua misericordia preposito uel Bailliuo Burgi. vel Bailliuo domini Comitis. Si uilla sit in manu dicti Comitis. Et secundum legem Burgi. Concessimus autem eisdem Burgensibus nostris ut quieti sint ab omnibus tailagio 7 auxilio nisi bona 7 spontanea uoluntate sua fecerint. Et nisi quando dominus rex tailiauerit omnes burgos suos tocius Anglie. Et tunc per preue domini Regis rationabiliter 7 communiter per burgenses uille: sicut facere debent. Saluo nobis 7 heredibus nostris auxilio ad primogenitum filium nostrum militem faciendum. Et ad primogenitam filiam nostram maritandam semel. Et ad corpus nostrum redimendum de prisonna. quod absit. Et hoc secundum legem regni. Et si Ita contigerit quod aliquod debitum debeatur nobis uel heredibus nostris In posterum quod debeatur a Burgo. nulla fiat districtio extra burgum sed In burgo. Et per burgenses uille: secundum legem Burgi. Concedimus etiam predictis burgensibus nostris ut molant blada sua ubicumque uoluerint 7 quandocumque uoluerint ad placitum eorum. 7 sine /

sine aliquo Impedimento nostrorum. heredum. uel bailliuorum nostrorum. Preterea Concedimus eisdem burgensibus nostris ne uisum francplegii aliquo modo fiat. nisi semel In anno. Et hoc Infra quindecim dies post festum sancti Michaelis. Et tunc per rationabilem summonitionem quindecim dierum ad minus. antea factam. Et uisus ille fiat sine mali occasione. Et hoc fiat per senescallum nostrum. uel per bailliuum quem Ibi miserimus: cum litteris nostris. Preterea. Concedimus eisdem burgensibus nostris quod nullum scothale fiat de cetero In burgo nostro. Concedimus etiam burgensibus nostris. 7 heredibus eorum pro nobis 7 heredibus nostris Imperpetuum ut quicumque bailiuus fuerit In inItio anni. videlicet ad festum sancti Michaelis faciat assisas panis 7 ceruisie secundum legem regni 7 burgi. Et siquis conuictus fuerit Iuste In curia antedicti burgi. quod assisam fregerit pro primo delicto det quatuor denarios. Si secundo conuictus fuerit. det octo denarios. Si tertio conuictus fuerit. det duodecim denarios. Si quarto conuictus fuerit: ulla capiatur misericordia quin faciat Justiciam. Concedimus autem dictis burgensibus nostris 7 heredibus eorum ne aliquis amercietur pro aliquo delicto nobis uel heredibus nostris uel bailliuis nostris pertinenti. nisi per pares suos 7 secundum modum delicti. Has autem Omnes libertates 7 liberas Consuetudines superscriptas 7 Omnes alias libertates In carta domini Regis Contentas predictis Burgensibus nostris 7 heredibus eorum Imperpetuum concedimus. Habendas 7 tenendas Illis 7 heredibus eorum liberas. 7 quietas ab omni uexatione 7 demanda. Ut autem hec nostra Concessio rata 7 stabilis imperpetuum perseueret: Hanc fecimus presenti Carta Confirmari nostri sigilli munimine roborata. Hiis Testibus. /

Testibus. Domino Willelmo de Bosco. Domino Michaele de Rosa. Domino Henrico Biset. Domino S[cim]one[b] de Toruill'. Domino Scimone de Pinkeni. Domino Henrico de Pinkeni. Domino Roberto de Pinkeni. Domino Radulfo de Hinton'. Petro Foliot. Ricardo Foliot. fratribus. Radulfo de Euenl'. Rogero de Claxeby. Rogero de Fafinton'. 7 ALiis.

Endorsed: Modern numeral endorsement.

Description: 13.0 x 5.8 in (36.0 x 14.8 cm). Fold at foot of 1.2 in (3.1 cm).

Sealing: On four pleated cords, blue and brown, about 12.0 in (30.5 cm) in length, laced through four holes in fold, second seal in green wax, slightly chipped at one side and slightly rubbed.

Hand: Not identified.

Source: Original, Magdalen College, Oxford, Brackley 8 (Macray's Catalogue, no. 58).

Printed: Brackley Deeds, p. 41 (cal.).

Var. lect.: a. Sic.
b. MS. stained.

Notes: No trace has been found of the royal charter mentioned near the end of the text. The witness list of this act is slightly unusual, since only the first three of its eleven witnesses belonged to the earl's familia. It was apparently thought inappropriate that any of the burgesses of Brackley should witness this grant of liberties to their own borough. Dating derived from Macray's Catalogue.

91

Charter to Robert of St Andrews, son of Saher of St Andrews, for homage and service, of 100s. sterling annually from office of provost from the earl's rent of Brackley, [until the earl gives him 100s. in land or rent in Scotland]. (1235 x 1256)

Sciant presentes et futuri quod ego Rogerus de Quincy Comes Winton' Constabularius Scotiae dedi Roberto de Sancto Andrea filio Seiheri de Sancto Andrea pro homagio et seruitio suo centum solidos sterlingorum Annuatim recipiendos de prepositura[a] de firma mea de Brackley etc.[b] Hijs testibus Domino Willelmo Mauduit, Willelmo filio suo, Ernardo de Bosco, Ernaldo filio suo, Radulfo Bassett de Draiton, Radulfo filio suo, Seihero de Sancto Andrea, Philippo Louell, Willelmo de Bosco, Warino de Tunderley.

Source: BM, Harl. MS. 1555, fo. 65r; cf. Harl. MS. 1400, fo. 36v-37r. (With drawing of seal, obverse and reverse, legends missing.)

Printed: Visitations of the county of Nottingham, ed. G. W. Marshall (Harleian Society, vol. iv),p. 78 (note); Robert Thoroton, Antiquities of Nottinghamshire, ed. John Throsby (1797), i, 39-40 (cal.), from original 'penes Ger. Pigot, Ar.'

Var. lect.: a. parpresenta, MS.
b. Passage omitted by copyist.

Notes: The phrase in square brackets in the above summary is given by Thoroton, op. cit., but is omitted in Harl. MS. For examples of grants of money from the prepositura of Leicester, see Hastings, i, 336-7. On the meaning of prepositura /

prepositura in Scotland, see Early Records of Aberdeen, 1317, 1398-1407, ed. W. Croft Dickinson (S.H.S., 1957), pp. lxxvii-viii. On the significance of the above act, see above, Chapter III, p. 139.

92

Charter to Brackley hospital in free alms of annual rent of 10 marks from issues of borough of Brackley, for upkeep of two chaplains celebrating divine service in the hospital for souls of Sir Robert de Quincy, his brother, and of Lady Helen, countess of Winchester, his deceased wife, with provision that, if the hospital fails to support the chaplains, such transgression shall be corrected by himself and his heirs. Halse, 28 January 1257.

Omnibus christi fidelibus presentem cartam Inspecturis vel audituris Rogerus de Quency Comes Wynton' Constabularius Scotie salutem eternam In domino. Nouerit vniuersitas uestra nos pro salute anime nostre et precipue pro salute animarum Domini Roberti de Quency fratris nostri. et Domine Elene Comitisse Wynton' quondam vxoris nostre dedisse. concessisse et hac presenti carta nostra confirmasse deo et Beate Marie et magistro et fratribus hospitalis beatorum apostolorum Jacobi et Johannis de Brackel' et eorum successoribus In liberam puram et perpetuam elemosinam. sicut aliqua elemosina liberius. melius et quietius alicui domui religiose dari potest uel concedi. decem marcas annui redditus de Burgo nostro de Brackel'. de redditibus. terris. foro. nundinis. et aliis perquirendis tam de amerciamentis quam aliis prouentibus per manum cuiuscumque tenentis ad terminos uille /

uille consuetos recipiendas. videlicet ad sustentationem duorum capellanorum qui celebrabunt perpetuo diuina In predicto hospitali. scilicet vnus precipue pro anima dicti Roberti. et alius pro anima dicte Elene et pro animabus antecessorum nostrorum. Nos autem et heredes nostri predictum annuum redditum decem marcarum predictis magistro ⁊ fratribus et eorum successoribus contra omnes gentes inperpetuum ut prenominatum est: warantizabimus acquietabimus et defendemus. volumus etiam quod si predicti magister et fratres uel eorum successores In exhibendis capellanis predictis defecerint: quod excessus ille per nos et heredes nostros corrigatur. Et ut hec nostra donatio concessio et presentis carte nostre confirmatio rate ⁊ stabiles inperpetuum permaneant: presenti carte sigillum nostrum apposuimus. Hiis testibus. Dominis Willelmo de Bosco. Willelmo de Dyue. Willelmo de Muntgomery Johanne de Craunford. Johanne Becard. Ricardo de Wykes: militibus. Domino Eustachio capellano. Domino Mauricio capellano. Johanne Mace de Brackel'. Thoma Waryn. Willelmo Lambert Rogero de Luton'. Ernaldo Waryn. Johanne de London' et Willelmo le Ryche tunc firmariis et Balliuis de Brackel' Roberto Fraunceys clerico ⁊ ALiiS. Dat' apud Hauso die dominica proxima ante purificationem beate Marie anno gratie. m°.cc°. Quinquagesimo sexto.

Endorsed: (i) Carta domini Rogeri de Quency de x marcis annui redditus duobus capellanis celebrantibus pro animabus Roberti de Quy[nci] fratris dicti Comitis et Elene comitisse uxoris eius. (xiii cent.; in two hands, second beginning at duobus.)
(ii) ij Capellani. (xiii cent.)
(iii) Modern numeral endorsement.

Description /

Description: 9.4 x 9.0 in (23.9 x 22.9 cm). Fold at foot of 1.9 in (4.8 cm). Ruled in ink and ruling continued under fold. Left and right margins ruled.

Sealing: On tag, 11.6 x .8 in (tapering to .2 in) (29.5 x 2.1 cm to .5 cm), through single slits, second seal in dark green wax, badly damaged at edges, but good impression.

Hand: Robert Francis.

Source: Original, Magdalen College, Oxford, Brackley 4A (Macray's Catalogue, no. 187); cf. Magdalen MS. Lat. 273, fo.15r-v.

Printed: Brackley Deeds, p. 37 (cal.).

Notes: The earl's brother Robert mentioned in this act was Sir Robert de Quincy III and the act must have been issued about the time of his death which took place in 1257 (see above, Chapter I, p. 24).

Brackley: borough tenements

93

Charter to Brackley hospital of two messuages in vill of Brackley gifted to the hospital by Alice daughter of Osbert 'le blodlatere', recluse of the church of St Peter of Brackley, with quitclaim to the hospital, in free alms, of annual rent of 12d. due to Earl Roger from these messuages. (1240 x 1250)

Omnibus christi fidelibus presens scriptum uisuris uel audituris. Rogerus de Quincy Comes Wint' Constabularius Scoc' salutem. Nouerit vniuersitas uestra nos dedisse concessisse ⁊ hac presenti carta nostra confirmasse deo ⁊ beate. Marie. ⁊ Priori ⁊ fratribus hospitalis beatorum /

beatorum apostolorum Jacobi ⁊ Johannis de Brackell'. mesuagium illud in uilla de Brackell' cum pertinenciis suis quod fuit quondam Walteri Kemese. ⁊ mesuagium illud cum pertinenciis suis quod fuit quondam Ade furensis. in eadem uilla. Quequidem duo mesuagia cum pertinenciis suis dicti prior ⁊ fratres habuerunt de dono Alicie filie Osberti le blodlatere recluse ecclesie sancti Petri de Brackell'. Nos uero pro nobis ⁊ heredibus nostris ⁊ pro salute anime nostre ⁊ animarum antecessorum ⁊ successorum nostrorum concessimus ⁊ quietum clamauimus. in puram ⁊ perpetuam elemosinam dictis Priori ⁊ fratribus duodecim denarios annui redditus quos de predictis mesuagiis annuatim percipere solebamus. ⁊ nos ⁊ heredes nostri dictis Priori ⁊ fratribus dictum donum dictorum duodecim denariorum annuorum cum pertinenciis contra omnes gentes warantizabimus inperpetuum. Et ad maiorem securitatem presens scriptum sigilli nostri impressione fecimus roborari Hiis testibus. Dominis. Dauid de Prendergest. Warino de Tundurl'. Philippo Louell tunc senescallo. Magistro. Thoma. de Mann'. Helya de Badeber'. Rogero de Faffint'. Briano clerico ⁊ aliis.

Endorsed: (i) Carta Comitis de Domo recluse de Brack'. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 8.8 x 3.3 in (22.4 x 8.4 cm). Fold at foot of .7 in (1.8 cm).

Sealing: Tag and seal missing; single slits in fold.

Hand: Scribe B.

Source: Original, Magdalen College, Oxford, Brackley D.207 (Macray's Catalogue, no. 130).

Printed /

Printed: Brackley Deeds, p. 26 (cal.).

Notes: Dating derived from Macray's Catalogue.

94

Charter to Roger the goldsmith of the piece of ground which he has built upon in the market-place of Brackley, in front of the stalls, near the house which belonged to Mr Reginald of Halse, to be held by Roger and his heirs in perpetuity, in free burgage, for 1d. annually, with freedom from tallage in the community of the borough of Brackley, unless personally imposed by Earl Roger or his heirs. (1240 x 1250)

Omnibus has literas visuris vel audituris. Rogerus de Quency Comes. Wynton' Constabularius. Scoc'. salutem. Nouerit vniuersitas vestra nos dedisse. concessisse. 7 presenti carta nostra confirmasse. Rogero aurifabro. placiam illam quam Ipse Herbergiauit. in foro de Brackel'. ante stallos prope domum que fuit magistri. Reginaldi de Hausou in liberum Burgagium. sibi 7 heredibus suis. Tenendam 7 Habendam. de nobis 7 heredibus nostris sibi 7 heredibus suis Inperpetuum. Libere. Pacifice. Honorifice. 7 quiete. Reddendo nobis 7 heredibus nostris predictus Rogerus 7 heredes sui vnum denarium ad festum sancti Michaelis. annuatim. pro omni seruitio. exactione. consuetudine 7 demanda. volumus eciam quod dictus Rogerus 7 heredes sui. quieti sint de Tallagio In communitate Burgi de Brackel' nisi nos uel heredes nostri. personaliter 7 in presentia nostra predictum Rogerum uel heredes suos Tailliauerimus. Nos uero 7 heredes nostri warantizabimus prefato Rogero 7 heredibus suis prefatam placiam 7 quietanciam Talliagii /

Talliagii sicut predictum est contra omnes Gentes. In Cuius rei testimonium presenti scripto sigillum nostrum apponi fecimus. Hiis Testibus. Dominis. Seero de Sancto Andrea. Radulfo. Camerario tunc Temporis Senescallo. Johanne de Cranford. Roberto de Sancto Andrea. Guidone Pipard. magistro Thoma de Man Eustachio Capellano. Petro de Syresham clerico. Briano 7 Roberto de Trafford. clericis. 7 multis aliis.

Endorsed: (i) Carta comitis facta Rogero Aurifabro de placea in medio fori de Brack' ten' pro j denario. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 7.3 x 5.2 in (18.6 x 13.2 cm). Fold at foot of 1.3 in (3.3 cm).

Sealing: On tag, 11.7 x 1.0 in (29.7 x 2.5 cm), through single slits, second seal in green wax, complete except for chip at one side, surface rubbed, traces of two lugs close together at foot.

Hand: Robert of Trafford.

Source: Original, Magdalen College, Oxford, Brackley 10 (Macray's Catalogue, no. 134).

Printed: Brackley Deeds, p. 27 (cal.).

Notes: For grant by Roger the goldsmith to Brackley hospital of 6d. annual rent from his house near the market-place, the site of which Earl Roger gave him 'pro sua libertate' see Brackley Deeds, p. 36 (= Brackley B.34). Dating derived from Macray's Catalogue.

95

Charter to Brackley hospital, for soul of Richard the crossbowman, his sergeant, of two marks of annual rent in vill of Brackley, in free alms, granted for quitclaim by Richard to Earl Roger in his full court at Leuchars of the land which Richard held of the earl in the toun of Fetters (in Leuchars, Fife). (About 1250)

Omnibus christi Fidelibus presentem Cartam Inspecturis uel audituris: Rogerus de Quency Comes Wynton' Constabularius Scott': salutem. Nouerit vniuersitas vestra me Intuitu dei ⁊ pro salute anime mee ⁊ antecessorum ⁊ successorum meorum. Et pro salute anime Ricardi Balistarii seruientis mei. dedisse concessisse ⁊ presenti carta mea confirmasse pro me ⁊ heredibus meis: deo ⁊ Fratribus hospitalis beatorum apostolorum Jacobi ⁊ Johannis. de Brakeley: duas marcas annui redditus. In uilla de Brakeley: videlicet vnam marcam quam Radulfus In le Wyþeges ⁊ heredes sui: mihi [a]⁊ heredibus meis:[a] solebant reddere annuatim. Et vnam marcam quam Willelmus filius Roberti filii Hawisie In le Wyþeges ⁊ heredes sui: mihi ⁊ heredibus meis solebant reddere annuatim.[b] pro tenemento quod ipsi ⁊ heredes sui de me ⁊ heredibus meis tenent In uilla de Brakel'. per cartam. Retentis mihi ⁊ heredibus meis omnibus escaetis que de predictis Radulfo ⁊ ⁊[c] Willelmo ⁊ eorum heredibus: mihi ⁊ heredibus meis preter dictas duas marcas annuas accidere poterunt In futuro.[b] Habendas ⁊ tenendas:[d] Fratribus predicti hospitalis ⁊ eorum successoribus. de me ⁊ heredibus meis[e] In puram. liberam[f] ⁊ perpetuam elemosinam.[g] Et ego ⁊ heredes mei: Fratribus dicti hospitalis ⁊ eorum successoribus[h] predictas duas marcas annuas warentizabimus Imperpetuum contra omnes. /

omnes.[h] Et vt hec mea donacio. concessio. 7 confirmacio perpetuum robur optineant firmitatis! presentem cartam sigilli mei munimine roboraui. Et pro ista donacione concessione 7 confirmacione! prenominatus Ricardus reddidit et quietum clamauit In plena curia apud Lochres! mihi 7 heredibus meis sine aliqua reclamacione 7 sine aliquo retenemento! totam terram suam quam de me tenuit In uilla de Fotheros. Hiis testibus! Dominis! Willelmo Luuel. Johanne le Moyne. Johanne de Alneto. Henrico Byset. militibus. Ernaldo le Goher.[i] Andrea Bonuallet. Roberto vinetario. Johanne Mace. Rannulfo filio Sweyn'. Domino Eustachio capellano. Sehero Cornet. Roberto le Scot. Briano clerico 7 aliis.

Endorsed: (i) Ista carta vacat quia melior est pro nobis est[j] in alio loco. (xiii cent.)
(ii) Sine dat'. (xv cent.)
(iii) Modern numeral endorsement.

Description: 6.5 x 6.3 in (16.5 x 16.0 cm). Fold at foot of 1.0 in (2.5 cm).

Sealing: On tag, 8.5 x .6 in, tapering to .3 in (21.6 x 1.5 cm to .7 cm), through treble slits, second seal in pink wax, chipped at both sides, but good impression.

Hand: Scribe A.

Source: Original, Magdalen College, Oxford, Brackley 5A (Macray's Catalogue, no. 156) = A.
Magdalen MS. Lat. 273, fo. 27v-28r = B.
Text above from A with B's variants noted.

Printed: Brackley Deeds, p. 31 (cal.).

Var. lect.: a-a. Three words omitted, B.
b-b. Forty-nine words omitted, B.
c. Sic.
d. /

d. Habendum et tenendum, B.

e. B adds here: predictos redditus cum omnibus pertinentiis et escaetis qui de dictis tenementis uel de dictis hominibus uel heredibus eorum euenire poterunt.

f. Liberam omitted, B.

g. B adds here: preterea concedo et uolo pro me et heredibus meis ut predicti Radulfus et Willelmus et eorum heredes habeant liberum introitum et exitum in forum meum de Brackel' ad emendum et vendendum [? bona omitted] que ad proprios suos usus sunt sine aliquo clamio uel impedimento balliuorum de Brackel'.

h. Omnia predicta contra omnes gentes. warantizabimus inperpetuum, B.

i. B gives the name Domino Eustacio capellano here and omits it later in the list.

j. Sic.

Notes: As endorsement (i), above, indicates, the text B, now available only from the cartulary, was a reissue of the act in a fuller form which was more advantageous to the hospital. In A the earl reserves his right to tenants' escheats, but in B these are included in the grant. On Richard the crossbowman, see above, Chapter II, p. 85. Dating derived from Macray's Catalogue.

96

Charter to William son of Robert son of Hawise in the Wytheges and his heirs of tenement in vill of Brackley, for one mark annually.

Source: No. 95.

97 /

97

Charter to Brackley hospital of a messuage in Brackley.

Source: Magdalen College, Oxford, Brackley D. 130.

98

Charter to Brackley hospital of rent of 5 marks and a halfpenny annually, formerly paid by the hospital, viz. 26s. 8d. for the castle mill of Brackley, and 40s. ½d. for its tenements in Brackley, listed in detail, to be held in free alms, for support of a chaplain celebrating mass for soul of Sir Richard de Yvetot, kt., reserving to Earl Roger and his heirs (i) view of frankpledge and reasonable aids from these tenements, and (ii) power to distrain the master and brothers of the hospital until they admit another chaplain in place of a deceased chaplain. (1250 x 1260)

Omnibus christi fidelibus presentem cartam Inspecturis uel audituris Rogerus de Quency Comes Wynton' Constabularius Scotie salutem eternam In domino Nouerit vniuersitas uestra nos pro salute anime Domini Ricardi de Yuetot militis et pro animabus omnium fidelium defunctorum: concessisse. dedisse. relaxasse. quietumclamasse. et hac presenti carta nostra confirmasse deo et beate Marie. 7 Magistro 7 fratribus beatorum apostolorum Jacobi 7 Johannis de Brackel' et eorum successoribus redditum Quinque marcarum annuarum et vnius oboli. quas nobis predicti Magister et fratres annuatim reddere solebant pro tenementis suis In Brackel' et molendino Castri de Brackel'. videlicet ad sustentationem vnius capellani qui celebrabit missam /

missam perpetuo pro animabus omnium fidelium defunctorum et precipue pro anima dicti Domini Ricardi de Yuetot. quem redditum propriis et subscriptis duximus exponendum uocabulis. videlicet de molendino castri viginti sex solidos et Octo denarios. et de aliis tenementis burgi de Brackel' subscriptis Quadraginta solidos et vnum obolum. scilicet de Welheyes croft quondam: vnum denarium et vnum obolum. De domo quondam Michaelis fullonis sex denarios. De domo quondam Nicholai heued In venela castelli sex denarios. De proxima domo quam Willelmus caretarius tenuit: sex denarios. De domo quam Philippus carectarius tenuit: sex denarios. De proxima domo quam Hugo cissor tenuit: sex denarios. De proxima domo quam Robertus Baseby tenuit: sex denarios. De tribus domibus super angulum dicte venele ex opposito Capelle sancti Jacobi sex denarios. De domo quam Ricardus Le Goer tenuit Juxta predictas domos: sex denarios. De domo quam Ricardus Pykeleys tenuit Juxta domum que fuit Arnaldi Kyrye tres denarios. De domo quam Willelmus filius Yuonis tenuit: sex denarios. De domo quam Willelmus de Hethe tenuit: tres denarios. De domo In venela que fuit Radulfi Wylde iuxta domum Prioris de Chaucumbe: tres denarios. De domo In dicta venela quam Johannes Godyld tenuit: tres denarios. De domo quam Symon Martyn tenuit In dicta uenela Juxta domum Benedicti: sex denarios. De domo quam Alditha In Le Cleye tenuit: tres denarios. De domo quam Adam Horn tenuit Juxta domum Abbatis de Butlesden': tres denarios. De domo quam Lambertus tenuit: Juxta domum Ricardi de Hyntun': tres denarios. De domo quam Henricus Horn tenuit Juxta domum Matilde de Leytun': tres denarios. De domo In superiori venela quam Willelmus messarius tenuit Juxta domum Willelmi Bunt: sex denarios. De domo quam Thoma sclatier tenuit: sex /

sex denarios. De domo In inferiori venela inter domum quondam Ade Wygod et Abbatis de Butlesden: tres denarios. De domo que fuit Alicie Purs Juxta domum Wydonis: vnum denarium et vnum obolum. De domo Juxta domum Ricardi de Turuystun'. et alia domo proxima Juxta domum Hugonis de Halsam: sex denarios. De domo quam Adam pistor tenuit Juxta domum Johannis London': nouem denarios. De domo quam Relicta Jordani fabri tenuit: nouem denarios. De domo quam Johannes Le Plumer tenuit: tres denarios. De domo quam Philippus Ywayn tenuit Juxta domum Henrici Cementarii: sex denarios. De domo quam Ywanus mercator tenuit Juxta domum Andree bonvadlet: sex denarios. De domo quam Lucas Capellanus tenuit: sex denarios. De domo quam Symon Le Tannur tenuit: sex denarios. De domo quondam Roberti vinetarii: duodecim denarios. De venela et vna roda Juxta domum Johannis Myst: sex denarios. De domo quam Willelmus de Mortimer tenuit: sex denarios. De domo quam Rogerus summonitor tenuit: sex denarios. De domo quam Hugo Fraunceys tenuit: sex denarios. De domibus quas Thomas Le Ryche et Gilbertus page tenuerunt de Henrico Kyterel: duodecim denarios. De domo quam Aluredus Serewynd tenuit: septem denarios et obolum. De domo quondam Henrici pistoris: duodecim denarios. De domo que fuit Walteri Kabbel: sex denarios. De domo quam Hugo messarius tenuit: sex denarios. De domo quam Osbertus pistor tenuit: sex denarios. De domo quam Robertus de Cotesford tenuit Juxta domum Ricardi Dunyng: sex denarios. De domo quam Walterus Bonechose tenuit: sex denarios. De domo quam Hugo Dunyng tenuit: sex denarios. De domo quam Hugo filius Capellani tenuit: sex denarios. De domo quam Matilda ancilla Marie tenuit: sex denarios. De vna acra terre quam Petrus Capellanus tenuit: duodecim denarios. De /

De domo quam Walterus Tyard tenuit: tres denarios. De domo quam Thomas Skytun tenuit: tres denarios. De vna roda quam Ricardus Baldewyn tenuit: tres denarios. De vna roda quam Willelmus Mayn tenuit: tres denarios. De vna roda quam Elyas tenuit: tres denarios. De vna roda quam Elyas de Chaucumbe tenuit In venela de Goldewelle: tres denarios. De vna roda ibidem quam Robertus de Wauerkwurthe tenuit: tres denarios. De vna roda quam Gregorius tenuit Juxta venelam: tres denarios. De domo quam Ernaldus Waryn tenuit Juxta domum Symonis de Cotesford: tres denarios. De domo Juxta domum Ade Wygod que fuit Ricardi clerici: duos denarios. De quatuor domibus quas Ernaldus Le Goer tenuit: octodecim denarios. De duabus domibus quas Henricus de Dunestaple tenuit: nouem denarios. De dimidia roda de burgo et dimidia roda de Snakewelle Juxta aulam que fuit Galfridi molendinarii: tres denarios. De domo que fuit Galfridi Brayn: duodecim denarios. De domo que fuit Ricardi Swelle: duodecim denarios. De domo Juxta domum quondam Johannis Capellani: nouem denarios. De domo abutante In viuarium que fuit Willelmi Bastard: sex denarios. De domo In eadem venela quam Ricardus Pykeleys tenuit: sex denarios. De duabus rodis In eadem venela proximis: sex denarios. De dimidia acra de burgo et dimidia acra de Snakewelle quas Willelmus de Turuystun' tenuit: duodecim denarios. De tertia parte vnius acre abutantis In viuarium quam Philippus de Stanes tenuit: quatuor denarios. De vna domo quam Symon Brun tenuit in veteri uilla Juxta domum quam Gilbertus Pyrk tenuit: duos denarios. De duabus ueteribus purpresturis ex opposito hospitalis: nouem denarios. De vna domo quam Adam filius Willelmi tenuit: tres denarios. De domo quondam Hugonis fabri: sex denarios. De domo Ricardi Aldred: tres denarios. De /

De domo Henrici Grenechese: sex denarios. De domibus Osegod: octodecim denarios. De vna domo In noua terra que fuit Osberti Stoyl: sex denarios. de vna domo que fuit quondam Galfridi Fyleben: octodecim denarios. De medietate quondam domus Yngald': tres denarios. Habendum et tenendum totum predictum redditum et predicta tenementa sine aliquo retenemento ut prenominatum est predictis magistro et fratribus et eorum successoribus In Liberam puram et perpetuam elemosinam. sicut aliqua elemosina melius. quietius et Liberius dari poterit seu concedi. Saluis tamen nobis et heredibus nostris visu francplegii et rationabilibus auxiliis pro predictis tenementis faciendis: secundum consuetudinem et Legem predicti burgi. Et sciendum quod cum Capellanus in dicto hospitali apostolorum Jacobi et Johannis de Brackel' pro anima dicti Domini Ricardi de Yuetot specialiter diuina celebrans: viam uniuerse carnis fuerit Ingressus: Licebit nobis et heredibus nostris sine alicuius contradictione seu impedimento: dictos magistrum et fratres et eorum successores distringere: donec loco capellani defuncti alius capellanus pro anima dicti domini Ricardi diuina celebraturus: In dicto hospitali admittatur. Et nos et heredes nostri totum predictum redditum et predicta tenementa ut predictum est: predictis magistro et fratribus et eorum successoribus inperpetuum warantizabimus aquietabimus et contra omnes homines et feminas: defendemus. Et vt hec nostra concessio. donatio. relaxatio. quietaclamatio. 7 presentis carte confirmatio: rate et stabiles inperpetuum perseuerent: presentem cartam sigilli nostri Inpressione duximus roborandam. HiiS testibus. Dominis Willelmo de Bosco. Willelmo de Dyue. Willelmo de Muntgumery. Ricardo de Wykes. Johanne de Craunford. Henrico de Balleolo. Johanne Becard. /

Becard. Ricardo de Buselyngthorp! militibus. Domino Eustachio capellano. Domino Mauricio capellano. Domino Bryano clerico. Ricardo de Glen tunc Balliuo. Sewallo tunc seruiente de Styuentun'. Waltero tunc seruiente de Hauso. Johanne Mace de Brackel'. Thoma Waryn. Rogero de Lutun. Ernaldo Waryn. Ricardo Horn. et Johanne London' et Willelmo Le Riche tunc Balliuis de Brackel'. Radulfo Aylbryht. Roberto Fraunceys clerico et ALiiS.

Endorsed: (i) Carta Comitis de v marcis annui redditus pro anima Ricardi de Iuetoft. De quibus duo marce sunt de molendino Castri molendini Bracley. (xiii cent.; last two words in later hand.)
(ii) Pro duabus capellanis. (xiii cent.)

Description: 12.9 x 17.4 in (32.8 x 44.2 cm). Fold at foot of 2.1 in (5.3 cm). Ruled in ink and ruling continued for three lines under fold. Left and right margins ruled.

Sealing: On tag, 9.5 x 1.3 in (24.3 x 3.2 cm), through single slits, second seal in green wax, broken at foot but good impression. Trace of one lug on obverse.

Hand: Robert Francis.

Source: Original, Magdalen College, Oxford, Brackley D.247 (Macray's Catalogue, no. 166); cf. Magdalen MS. Lat. 273, fo. 15v-17r.

Printed: Brackley Deeds, pp. 32-34 (cal.).

Notes: This act contains references to approximately ninety-seven houses in the borough of Brackley. Dating derived from Macray's Catalogue.

Brackley: other lands /

Brackley: other lands

99

Charter to Brackley hospital, in free alms, for upkeep of the poor and the sick, of one yardland in vill of Brackley, which Mr Reginald of Halse formerly held of Earl Roger, to be held for 6s. silver annually. (1235 x 1256)

Omnibus christi fidelibus presens scriptum Inspecturis uel audituris. Rogerus de Quency Comes Wynton' Constabularius Scocie salutem in domino. Nouerit uniuersitas uestra nos dedisse. concessisse. ⁊ hac presenti carta nostra confirmasse deo ⁊ fratribus hospitalis Beatorum apostolorum Jacobi ⁊ Johannis de Brack' ad sustentacionem pauperum ⁊ Infirmorum ibidem existentium vnam virgatam terre in villa de Brack' cum omnimodis pertinenciis ⁊ libertatibus suis in liberam ⁊ perpetuam elemosinam per suas diuisas. Illam scilicet quam Magister Reginaldus de Haus' aliquando de nostris antecessoribus ⁊ de nobis in eadem villa tenuit. tenendam ⁊ habendam de nobis ⁊ heredibus nostris libere. quiete. Inperpetuum[a] pro sex solidis argenti nobis ⁊ heredibus nostris annuatim soluendis. videlicet tribus solidis ad festum sancti Michaelis. ⁊ tribus solidis ad Pascha pro omnibus seruiciis. consuetudinibus ⁊ exactionibus ad nos ⁊ ad alios quoscumque pertinentibus.[a] Nos uero ⁊ heredes nostri dictam virgatam terre cum omnibus pertinenciis suis \ ⁊ dictos sex s ⁊ viij d /[b] Dictis fratribus ⁊ eorum successoribus contra omnes homines Inperpetuum warantizabimus. Et ut hec nostra donacio rata ⁊ stabilis perpetuo /

perpetuo perseueret; eam presenti scripto cum sigilli nostri apposicione confirmauimus. Hiis testibus. Domino Radulfo de Neuil'. Domino Sahero de Sancto Andr'. Domino Michaele de La Rose. Magistro Thoma de Man. Magistro Roberto de Preston'. Domino Eustacio capellano. Arnaldo Le Gohèr. Jordano filio Alvredi. Arnulpho filio Svani. 7 ALiiS.

Endorsed: (i) Carta Comitis de vna virgata terre quam Reginaldus de Hals' tenuit pro vj solidis. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 7.4 x 3.9 in (18.8 x 9.9 cm). Fold at foot of .7 in (1.8 cm). Ruled in drypoint. Left and right margins ruled.

Sealing: Tag torn off, formerly .8 in broad (2.0 cm), through treble slits.

Hand: Not identified.

Source: Original, Magdalen College, Oxford, Brackley 79 (Macray's Catalogue, no. 133).

Printed: Brackley Deeds, p. 27 (cal.).

Var. lect.: a-a. Passage deleted by another hand.
b. Interlineation in another hand.

Notes: See notes to No. 100, which is a re-issue of this act.

100

Charter to Brackley hospital, in free alms, for upkeep of the poor and the sick, of one yardland in vill of Brackley, which Mr Reginald of Halse formerly held of Earl Roger, and for which the hospital owed the earl 6s. stg. annually, granting the said 6s. for the provision of a lamp burning from evening till daybreak, in the hospital's guest-house /

guest-house for poor and sick, and granting also for the upkeep of the lamp 8d. annually from the house formerly belonging to Nicholas Roc, which has fallen to the earl. (1235 x 1256)

Omnibus christi fidelibus presens scriptum Inspecturis uel audituris: Rogerus de Quency comes Winto[n'][a] Constabularius Scott'. salutem. Nouerit vniuersitas vestra nos dedisse concessisse et hac presenti carta nostra confirmasse: deo et fratribus hospitalis beatorum apostolorum Jacobi et Johannis de Brakel' ad sustentacionem pauperum et Infirmorum ibidem existentium vnam uirgatam terre in villa de Brakeley. cum omnibus pertinenciis et libertatibus suis: in liberam et perpetuam elemosinam. per suas diuisas illam scilicet. quam magister Reginaldus de Halsou aliquando de nostris antecessoribus et de nobis In eadem uilla tenuit: pro qua dicti fratres hactenus tenebantur nobis et heredibus nostris reddere annuatim sex solidos sterlingorum. illos ettiam[b] sex solidos predictis fratribus contulimus intuitu caritatis: ad Inueniendum vnam lampadem sing[ulis][c] noctibus. de uespere usque ad mane ardentem: in hospitali pauperum et Infirmorum predicti hospitalis. Ad predictam ettiam[b] lampadem sustentandam dedimus dictis fratribus octo denarios annis singulis: recipiendos de domo que fuit Nicholai Roc. que nobis accidit. Predicta. autem. omnia predictis fratribus contulimus Intuitu caritatis. tenenda et habenda de nobis et heredibus nostris. libere quiete Imperpetuum. Nos vero 7 heredes nostri dictam uirgatam terre cum omnibus pertinenciis suis et dictos sex solidos et octo denarios: dictis fratribus et eorum successoribus. contra omnes homines Imperpetuum warantizabimus: Et ut hec nostra donacio rata 7 stabilis perpetuo perseueret. /

perseueret. eam presenti scripto cum sigilli nostri apposicione confirmauimus. Hiis testibus: Domino Radulfo de Neuile. Domino Sehero de Sancto Andr'. Domino Mychaele de la Rose. Magistro Roberto de Preston'. Arnaldo le Goer. Jordano filio Aluredi. Arnulpho filio Swani. Domino Eustachio capellano. Magistro Thoma de Mannia. et multis aLiiS.

Endorsed: (i) Carta Rogeri de Quynci de vna virgata terre que fuit Reginaldi de Hals' et viij d. ad inueniendum unam lampadem semper ardentem semper[d] in dicto hospit'. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 6.0 x 6.4 in (15.2 x 16.3 cm). Fold at foot of .8 in (2.1 cm). Ruled in ink.

Sealing: Tag, 7.5 x .8 in (19.1 x 2.1 cm), through treble slits. Seal missing, but traces of green wax remain on tag.

Hand: Scribe A.

Source: Original, Magdalen College, Oxford, Brackley D.90 (Macray's Catalogue, no. 89); cf. Magdalen MS. Lat. 273, fo. 13v.

Printed: Brackley Deeds, p. 19 (cal.).

Var. lect.: a. Document damaged at right hand side.
b. Sic.
c. Hole in MS.
d. Sic.

Notes: This act is a re-issue and amplification of No. 99, above. The witness lists of the two acts are identical, but the order of names is slightly different. In No. 100 sir Eustace the chaplain and Mr. Thomas of Man have been moved to the end of the list. The scribes of these two charters evidently had different ideas about what was the /

the appropriate position for clerks in a witness list. Macray dates No. 99 to 1240 x 1250 and No. 100 to 1230 x 1240, but No. 99 is evidently earlier than No. 100 and the wider date-limits of 1235 x 1256 have been preferred for both acts.

101

Charter to Brackley hospital of one yardland in Brackley, a piece of land in territory of Halse, two marks of silver from his mill of Brackley at the entrace to the vill on the way from Oxford, and two quarters of corn annually from his bailiff of Halse for support of the sick poor of the hospital, under provision that the hospital shall provide a candle of at least three pounds which will burn before the high altar for ever, on every day of this age, at all hours of the night and day, and at all masses celebrated in the hospital in perpetuity, and which will hang above the tombs containing the hearts of the deceased Margaret, countess of Winchester, his mother, and Sir Robert de Quincy, his brother, which are buried before the high altar, and above his own body which he bequeathes to the hospital. (About 1240)

Omnibus has litteras inspecturis uel audituris. Rog<u>er</u>us de Quenc' Com<u>es</u> Wynton' 7 Constab<u>ularius</u> Scott' Salutem. Nouerit vniuersitas uestra nos intuitu dei 7 pro salute anime nostre 7 pro salute antecessorum 7 successorum nostrorum dedisse. concessisse 7 hac presenti carta nostra confirmasse deo 7 hospitali beatorum apostolorum Jacobi 7 Johannis de Brakkel' 7 fratribus deo ibidem seruientibus vnam uirgatam terre in Brakkel' cum pertinenciis. Illam scilicet quam /

quam Henricus pistor ⁊ Emma vxor eius tenuerunt in eadem villa. ⁊ unum parcellum quod uocatur Cutelesham' quod est in territorio de Haushou. ⁊ duas marcatas argenti in molendino nostro de Brakkel' in introitu ville sicut venitur de Oxonia: percipiendas annuatim per manum cuiuscumque tenentis ad terminos subscriptos. videlicet ad Pentecost' nouem solidos: ⁊ ad festum sancti Michaelis. ix. solidos. ⁊ ad Purificationem beate Marie: octo solidos. ⁊ viij^{to}. denarios. ⁊ duo quarteria frumenti recipienda singulis annis de balliuo nostro de Haushou. quicumque fuerit pro tempore. vnum videlicet infra octabas sancti Michaelis: ⁊ unum inter festum sancti Martini ⁊ festum sancti Andree annuatim ad sustentationem pauper[um]^{a} infirmorum dicti hospitalis. Hanc autem terram. hoc parcellum cum iustis pertinenciis ⁊ has duas marcatas prescriptas ⁊ duo quarteria frumenti predicta: nos ⁊ heredes nostri dicto hospitali ⁊ fratribus deo ibidem seruientibus ⁊ pauperibus infirmis contra omnes mortales warantizabimus imperpetuum. Et magister ⁊ fratres hospitalis predicti inuenient imperpetuum vnum cereum de tribus libris cere ad minus factum qui ardebit ante magnum altare semper omnibus diebus huius saeculi ad omnes horas noctis ⁊ diei ⁊ ad omnes missas que in dicto hospitali celebrabuntur imperpetuum. Et debet pendere super tumulos cordium Margarete bone memorie Comitisse Winton' matris nostre. ⁊ domini Roberti de Quency fratris nostri que ante magnum altare in predictorum apostolorum ecclesia: tumulantur. ⁊ super corpus nostrum quod ego delego. concedo. ⁊ confirmo deo ⁊ prefatis fratribus quando deus de nobis suam faciet uoluntatem. Et ut hec nostra donacio ⁊ concessio firmitatis robur obtineat imperpetuum: hoc scriptum nostro sigillo fecimus sigillari. Hiis testibus. Dominis Sahero de Sancto Andr'. Willelmo de Bosco. Johanne Le Moyne: Ricardo Mac'. Rogero de Faffington'. /

Faffington'. Roberto Trenchefoyl'. Johanne de Craunford'. Elya Swain. Andrea bonuadlet. Ernaldo Le Guer. magistro Thoma de Mann'. Domino Eustachio de Musteruilers capellano. W. persona de Croxton' 7 aliiS.

Endorsed: (i) Carta de duobus marcis ad cereum et i[illegible] quarteriis frumenti de balliuo de Hauso. (xiii cent.)
(ii) Frumentum. (xiv cent.)
(iii) Modern numeral endorsement.

Description: 7.4 x 6.0 in (18.8 x 15.2 cm). Fold at foot of .7 in (1.8 cm).

Sealing: Tag and seal missing. Single slits through fold.

Hand: Roger of Trafford.

Source: Original, Magdalen College, Oxford, Brackley B.229 (Macray's Catalogue, no. 110); cf. Magdalen MS. Lat. 273, fo. 11v-12r.

Printed: Brackley Deeds, p. 23 (cal.).

Var. lect.: a. MS. stained.

Notes: The reference to the earl's brother Robert is to Robert de Quincy II who died in 1217 (see above, Chapter I, p.22). Dating derived from Macray's Catalogue.

102

Inspection of charter by Ernald le Goer of Brackley to Richard of Tackley, with Sibilla, Ernald's daughter, in free marriage, of all his land and rent in vill of Brackley which he holds by charter of Richard son of John son of Richard of Brackley, with 8 acres of land in the field of Evenley, and a half yardland and two acres in the field of Astwick, for sum of 50 marks of silver paid by Richard, to be held by Richard and his heirs by Sibilla, for annual service to the /

the chief lords which pertains to the land, under provision that if Sibilla dies without heir Richard may hold the aforesaid until he receives satisfaction from Ernald's heirs for the 50 marks and other expenses on constructing and repairing houses; which charter Earl Roger confirms. (1240 x 1250)

Sciant presentes 7 futuri quod Ego Rogerus de Quyncy Comes Wynton' Constabularius Scoc' uidi 7 inspexi cartam. Ricardi de Tackel' quam Arnaldus le Goer ei dedit cum Sibilla filia sua in hec uerba. Sciant presentes 7 futuri quod Ego Arnaldus le Goer de Brackel' concessi 7 dedi 7 hac mea presenti carta confirmaui Ricardo de Tackel' cum Sibilla filia mea in liberum maritagium totam terram meam 7 totum redditum meum in uilla de Brackel' quam habui de Ricardo filio Johannis filii Ricardi de Brackel' secundum tenorem carte sue sine aliquo retinemento cum omnibus pertinenciis suis ut in dominicis terris. in redditibus in releuiis 7 in omnibus aliis rebus 7 commoditatibus que aliquo casu accidere possunt de predictis terris redditibus 7 tenementis. similiter cum octo acris terre in Campo de Euenl' cum pertinenciis. 7 preterea unam dimidiam uirgatam terre 7 duas acras cum pertinenciis in Campo de Estwyc. pro quinquaginta marcis argenti que mihi pre manibus pacauit. Tenendas 7 habendas dicto Ricardo 7 heredibus suis de predicta Sibilla prouenientibus. libere quiete. bene 7 in pace pro omni seruicio seculari. faciendo inde seruicium capitalibus dominis suis per annum quod ad dictam terram pertinet. Et si ita contingat quod dicta Sibilla in fata decesserit sine herede de corpore suo licebit predicto Ricardo uel Cui assignare uoluerit. tenere 7 habere omnia predicta cum pertinenciis /

pertinenciis quousque satisfactum fuerit eis per heredes meos de quinquaginta marcis argenti 7 de omnibus aliis sumptibus quos dictus Ricardus imposuerit in domibus 7 in rebus aliis construendis 7 reperandis Et ego predictus Arnaldus 7 heredes mei in perpetuum warantizabimus prenominato Ricardo 7 heredibus suis uel suis assignatis predictas terras 7 predictos redditus 7 predicta tenementa cum pertinenciis sicut supradictum est contra omnes homines 7 feminas. vt autem hec mea concessio 7 donatio rate 7 stabiles perseuerent huic presenti scripto sigillum meum apposui in testimonium. hiis testibus domino Ricardo de Fardingeston'. domino Willelmo de Olneye. Willelmo Abbate de Faringhou. Radulfo de Euenl'. Rogero de Claxeby. Johanne Mace. Andrea Bonualet'. Ricardo clerico. Roberto uinitario. Willelmo de Pilkinton'. Thoma Warin. Ranulfo filio Swani. Waltero de Wedon'. Johanne de London'. Osberto Stoyl 7 aliis. Et ego Roger<u>us</u> de Quincy Com<u>es</u> Wynton' Constab<u>ularius</u> Scoc' pro me 7 heredibus meis predicto Ricardo 7 heredibus suis omnia antedicta secundum formam prescriptam presenti carta mea confirmaui. hiis testibus. domino. G. Priore de Brackel'. dominis. Henrico Byset. Roberto de Betun'. Philippo Luuell tunc senescallo meo. Ricardo de Fardingeston. Andrea Bonualet. Philippo de Wappel'. Briano clerico 7 aliis.

Endorsed: (i) Confirmacio comitis Wintonie de terra quam Arnaldus Goer dedit Richardo de Tackele cum Sibilla filia sua in villa de Brackele in libero maritagio. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 8.4 x 6.1 in (21.4 x 15.5 cm). Fold at foot of 1.3 in (3.3 cm).

Sealing /

Sealing: On tag, incomplete, 4.0 x .8 in (10.2 x 2.0 cm), through single slits, central fragment only of second seal in natural wax.

Hand: Scribe B.

Source: Original, Magdalen College, Oxford, Brackley 7A (Macray's Catalogue, no. 135).

Printed: Brackley Deeds, p. 27 (cal.).

Notes: The charter inspected above is Magdalen, Evenley 100A, dated 1230 x 1240 by Macray. Dating above derived from Macray's Catalogue.

103

Charter to Brackley hospital and Brother Thomas, its master, the earl's chaplain, of two marks of annual rent in vill of Brackley, from two yardlands in fields of Brackley, to be held in free alms, in return for which the master and brothers of the hospital have quitclaimed to him 24s. of annualrent which they had by his gift and infeftment in the toun of Perth, in the kingdom of Scotland. (About 1260)

Vniuersis christi fidelibus presentem cartam Inspecturis vel audituris Rogerus de Quency Comes Wynton' Constabularius Scotie salutem In domino. Nouerit vniuersitas uestra nos pro salute anime nostre et animabus antecessorum et successorum nostrorum dedisse. concessisse et hac presenti carta nostra confirmasse pro nobis et heredibus nostris deo et beate Marie et Fratri Thome capellano nostro magistro hospitalis nostri beatorum apostolorum Jacobi ⁊ Johannis de Brackel' et /

et eiusdem loci fratribus ibidem deo seruientibus et inperpetuum seruituris duas marcatas annui redditus In villa de Brackel' singulis annis ad terminos ville recipiendas de duabus virgatis terre In Campis de Brackel'. videlicet ad recipiendum vnam marcam annuatim de vna uirgata terre quam Johannes filius Hugonis Tollard quondam tenuit. et vnam marcam de illa virgata terre quam Thomas filius Nicholai Weteman tenuit. Habendas et tenendas de nobis et heredibus nostris predictis magistro et fratribus et eorum successoribus dictas duas marcatas annui redditus vt prenominatum est in liberam puram et perpetuam elemosinam adeo libere quiete bene et In pace inperpetuum sicut aliqua elemosina melius liberius et quietius dari poterit et concedi. Pro hac autem donatione concessione et presentis carte nostre confirmatione dicti magister et fratres pro se et suis successoribus nobis et heredibus nostris et assignatis dederunt et quietumclamauerunt viginti quatuor solid[os][a] annui redditus quos In regno Scotie scilicet In villa de Pert ex dono et feoffamento nostro prius habuerunt. Et nos et heredes nostri predictas duas marcatas annui redditus dictis magistro et fratribus et eorum successoribus contra omnes gentes inperpetuum warantizabimus. et ab omnibus seruitiis. consuetudinibus et demandis secularibus aquietabimus et defendemus. Et vt hec nostra donatio concessio et presentis carte nostre confirmatio perpetue firmitatis robur optineant. presentem cartam sigilli nostri Inpressione duximus roborandam. HiiS testibus. Dominis. Willelmo de Muntgomery Ricardo de Wykes. Johanne Becard. Philippo de Chetewynd militibus. Roberto Walense tunc senescallo. Johanne Mace de Brackel'. Rogero de Lutun'. Ranulfo Sweyn. Ernaldo Waryn. Rogero de Trafford. Roberto Fraunceys clericis et ALiiS.

Endorsed /

Endorsed: (i) Carta Domini R. de Quinci de terra .j. Tollard' et terra Thome Weteman. (xiii cent.)
(ii) Carta comitis de duabus marcatis annui redditus de duabus virgatis terre videlicet Weteman et Tollard in Brack' in escambium pro viginti quatuor solidis annui redditus in regno Scocie videlicet in villa de Perte. (xiii cent.)

Description: 9.6 x 6.7 in (24.4 x 17.0 cm). Fold at foot of 1.2 in (3.1 cm). Left hand margin created by folding parchment.

Sealing: On tag, incomplete, 3.0 x .7 in (7.6 x 1.8 cm), through single slits. Seal now missing.

Hand: Robert Francis.

Source: Original, Magdalen College, Oxford, Brackley 13 (Macray's Catalogue, no. 207); cf. Magdalen MS. Lat. 273, fo. 13v-14r.

Printed: Brackley Deeds, pp. 41-42 (cal.).

Var. lect.: a. Hole in parchment.

Notes: Dating derived from Macray's Catalogue.

104

Grant to Brackley Hospital of one yardland in Brackley formerly held by the mother of Adam son of Robert le Rus.

Source: Magdalen College, Oxford, Brackley D.141.

Notes: The text which specifies this act is a release by Adam, son of Robert le Rus, to the hospital of his right in the land specified. It is dated 17 January 1261 and is witnessed by Robert le Waleys, steward of the earl of Winchester.

Brackley: mills /

Brackley: mills

105

Charter to Brackley hospital, in free alms, of one mark of silver .. annually from his mill of Brackley, in exchange for the land which Henry the worker in gold-fringe held in Ware (Hertfordshire). (1235 x 1240)

Omnibus sancte matris ecclesie filiis ad quos presens scriptum peruenerit. Rogerus de Quency Comes Wynton' constabilarius Scott' salutem. Noueritis me pro salute anime mee 7 animarum antecessorum 7 successorum meorum. dedisse concessisse 7 hac presenti carta mea confirmasse. in liberam puram 7 perpetuam elemosinam. deo 7 fratribus ospitalis beatorum apostolorum Jacobi 7 Johannis de Brackel'. vnam marcam argenti annuatim percipiendam. de molendino meo de Brackel'. in escambio pro terra qua Henricus orifresarius tenuit in War'. ad festum beati Michaelis quatuor solidos. sex denarios. Et ad purificacionem beate Marie quatuor solidos quinque denarios. Et ad Pentecosten. quatuor solidos quinque denarios. Tenendam 7 habendam de me 7 heredibus meis dicte domui 7 fratribus. libere 7 quiete 7 solute ab omni seruitio consuetudine 7 demanda. Et ego 7 heredes mei dictam marcam dicte domui 7 fratribus contra omnes gentes warantizabimus aquietabimus 7 defendemus. In cuius rei testimonium presenti scripto sigillum meum apposui. Hiis testibus. dominis. Roberto de Betun'. Henrico Byset. militibus. Andrea Bonuadlet Roberto vinetario Randulfo. Sweyn. Ricardo de Tackel'. Briano clerico. Roberto de Trafford 7 aliis.

Endorsed /

Endorsed: (i) Carta comitis Winton' de donatione j marce de molendino de Brackel' in escambio terre Henrici orphresarii. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 7.3 x 3.8 in (18.5 x 9.7 cm). Fold at foot of 1.1 in (2.8 cm).

Sealing: On tag, 8.0 x .7 in (20.3 x 1.8 cm), through single slits. Seal missing, but fragments of natural wax adhere to tag.

Hand: Robert of Trafford.

Source: Original, Magdalen College, Oxford, Brackley C.113 (Macray's Catalogue, no. 88).

Printed: Brackley Deeds, p. 19 (cal.).

Notes: Macray's Catalogue dates this act 1230 x 1240, but it cannot be earlier than Roger's recognition as earl in 1235.

106

Charter to Brackley hospital of 40s. annually from the castle mill of Brackley, viz. 2 marks for upkeep of a candle before the high altar of the hospital and one mark in exchange for the land of brother Henry, the worker in gold fringe, at Ware.

Source: No. 107.

Notes: The second part of this act is evidently a re-issue of No. 105, above.

107 /

107

Charter to Brackley hospital of the castle mill of Brackley, saving to himself the fish-pond and its swans, the mill-pond and fishing, the eels and outflow of eels, both at the mill-wheel and at the sluice (which eels should be protected by his bailiffs), for £10 stg. annually less the 40s. which the hospital has from the mill by his charter; granting power to the hospital (i) to erect another mill, either a wind-mill or a water-mill, at that mill-pond or elsewhere on its land in Brackley, and (ii) to deepen the mill-pond, but not to lower it to the detriment of the fish in the fish-pond, under provision that he and his heirs may break the fish-pond and take fish and eels without disturbance of the hospital's watercourse through the fish-pond to its mill, the break to be repaired at his expense and any damage thereby suffered by the hospital to be estimated by honest and lawful men and to be allowed in payment of its rent; and granting also that no one may to the injury of the hospital erect any mill within the territory of the vill of Brackley, or have hand-mills, or have carriage to other foreign mills, otherwise than has been customary, excepting the carriage of John Mace according to his deed from Earl Roger. (About 1249 x 1252)

Omnibus hoc scriptum visuris vel audituris Roger<u>us</u> de Quenci Comes Winton' Constabilari<u>us</u> Scotie salutem. Nouerit vniuersitas vestra nos dedisse concessisse 7 presenti carta nostra confirmasse deo 7 beate Marie et fratribus hospitalis beatorum apostolorum Jacobi 7 Johannis de Brackel' molendinum nostrum Castri de Brackel' cum tota secta et cursu aque 7 omnibus libertatibus 7 consuetudinibus ad predictum molendinum spectantibus inperpetuum. saluis nobis 7 heredibus nostris viuario 7 cignis in eodem uiuario. 7 stagno et piscaria 7 piscibus illius viuarii et anguillis. 7 aualison' anguillarum /

anguillarum tam ad rotam molendini quam ad exclusam. que quidem anguille per balliuos nostros custodiri debent et saluari. Reddendo Inde annuatim nobis et heredibus nostris predicti fratres et eorum successores decem Libras sterlingorum ad terminos In villa de Brackel' constitutos pro omni seruitio exactione consuetudine 7 demanda. saluis inde predictis fratribus et eorum successoribus In eorum solutione facienda quadraginta solidis quos habent de predicto molendino per cartam nostram. scilicet duabus marcis ad sustentationem vnius cerei coram magno altari. et vna marca pro terra fratris Henrici aurifresarii In escambium apud War'. Damus etiam eis potestatem Leuandi aliud molendinum super illud stagnum et alibi super terram suam In Brackel' tam ad ventum quam aquaticum vbicumque uoluerint. Liceat etiam dictis fratribus et eorum successoribus stagnum dicti molendini exaltare et non minuere. vnde pisces dicti viuarii peiorentur. Et Licebit nobis et heredibus nostris dictum viuarium frangere et tam piscem quam anguillas capere Ita quod dicti fratres habeant libere cursum aque per medium viuarium ad molendinum suum sicuti esse consueuit eo tempore quo illud frangi fecimus. Et nos 7 heredes nostri locum fractionis stagni ad custum nostrum sicut prius esse consueuit reperabimus. Et si dicti fratres aliquod dampnum per fractionem viuarii Incurrant: illud dampnum per considerationem uirorum proborum et Legalium estimatum: eis in solutione firme allocabitur. Concessimus etiam quod nullus decetero aliquod molendinum infra territorium villate de Brackel' ad nocumentum dictorum fratrum Leuare possit nec molas manuales habere. nec aliquis villate cariagium habeat ad alia molendina forinseca aliter quam consueuit tempore nostro /

nostro aut antecessorum nostrorum. excepto kariagio Johannis Mace secundum formam scripti quod de nobis habet. Nos etiam et heredes nostri dictum molendinum cum omnibus Libertatibus 7 consuetudinibus ad dictum molendinum spectantibus fratribus dicti hospitalis pro dictis decem Libris contra omnes gentes inperpetuum warantizabimus 7 defendemus. Et ut hec nostra donatio concessio 7 presentis carte confirmatio perpetue firmitatis robur optineant! presenti scripto sigillum nostrum duximus apponendum. Hiis testibus. Dominis. Sehero de Sancto Andr'. Johanne de Craunford. Roberto de Sancto Andr'. Gwidone Pippard. militibus. Petro de Syresham tunc senescallo nostro. Johanne Mace de Brackel'. Rogero de Luton'. Gregorio de Dunestapl'. Briano 7 Roberto de Trafford clericis nostris[a] et ALiiS.

Endorsed: (i) Carta de molendino castri honeratam de viij lib. (xiii cent.; last four words in hand of (ii).)
(ii) Purificatur per alias cartas. (xiii cent.)
(iii) Modern numeral endorsement.

Description: 9.7 x 7.4 in (24.6 x 18.8 cm). Fold at foot of 1.4 in (3.6 cm). Ruled in ink and ruling continued to inside foot of fold. Left and right margins ruled.

Sealing: On tag of doubled parchment, 7.7 x .4 in (19.6 x 1.1 cm), through single slits, second seal in green wax, large central fragment, rubbed.

Hand: Robert Francis.

Source: Original, Magdalen College, Oxford, Brackley C.133 (Macray's Catalogue, no. 109) = A; cf. Magdalen MS. Lat. 273, fo. 10v-11r, 12v, and C.105, C.106 (later copies).

* * *

Endorsed /

Endorsed: (i) Carta de molendino castri. (xiii cent.)
(ii) Carta de molendino castri et cursu aque. (xiii cent.)
(iii) Brakle. (xv cent.)
(iv) Modern numeral endorsement.

Description: 9.4 x 7.0 in (23.9 x 17.8 cm). Fold at foot of .7 in (1.8 cm). Ruled in pencil. Left and right margins ruled with double lines. Document torn at foot and a few words of text missing.

Sealing: Probably on tag, now torn away.

Hand: Robert of Trafford.

Source: Original, Magdalen College, Oxford, Brackley C.114 (Macray's Catalogue, no. 108) = B.; cf. Magdalen MS. and copies, as above.

* * *

Printed: Brackley Deeds, pp. 22-23 (cal.). Above text from A, with variants noted from B.

Var. lect.: a. clericis nostris omitted, B.

Notes: For the grant to John Mace, see No. 110, below. This act is dateable to the period of Peter of Syresham's stewardship (see above, Chapter II, p. 91).

108

Charter to Brackley hospital, in free alms, for souls of Earl Roger and Jeanne de Eu, lady of Criel, countess of Brittany, of 5 marks of silver annually from the castle mill of Brackley, which the hospital previously held of him at perpetual rent, for support of a chaplain celebrating divine service in the hospital for souls of the aforesaid, (in exchange?) for 140 pounds Tournois which Jeanne bequeathed to the hospital in her will, along with a gold belt and comb for buying a chalice. (1253 x 1256)

Omnibus /

Omnibus christi fidelibus ad quos presens scriptum peruenerit Rogerus de Quency Comes Wynton' Constabularius Scocie salutem. Noueritis nos caritatis Intuitu 7 pro salute anime nostre 7 anime domine Johanne de Ew domine de Criol' Comitisse Britannie 7 animarum antecessorum 7 successorum nostrorum dedisse concessisse 7 presenti Carta nostra confirmasse priori 7 fratribus hospitalis beatorum apostolorum Jacobi 7 Johannis de Brackely In liberam puram 7 perpetuam elemosinam quinque marcas argenti annuas de molendino Castri de Brackeley percipiendas. quod quidem molendinum dicti prior 7 fratres de nobis prius ad firmam perpetuam tenuerunt. Et sciendum quod dictas quinque marcas annuas eis dedimus ad sustentacionem vnius Capellani pro animabus predictorum 7 specialiter pro anima dicte domine Johanne de Ew domine de Criol' In dicto hospitali diuina celebrantis. scilicet pro septies viginti libris Turonensibus quas dicta domina Johanna dicto hospitali In testamento suo legauit. vnacum quadam zona 7 quadam pectine aureis ad quemdam calicem emendum. habendas 7 tenendas dictas quinque marcas annuas adeo pure solute 7 Integre sicut aliqua elemosina liberius melius 7 quietius dari concedi aut teneri potest. Et nos 7 heredes nostri dictas quinque marcas annuas dictis priori 7 fratribus 7 eorum successoribus warantizabimus aquietabimus et contra omnes gentes defendemus Inperpetuum. In cuius rei testimonium presenti scripto sigillum nostrum apponi fecimus. Hiis testibus. dominis. Saero de Sancto Andrea. Johanne de Cranford[a] tunc senescallo nostro. militibus. Petro Rectore Ecclesie de Sirsham. Hugone de Manneby Clerico. Briano Clerico. Thoma de Huntingfeld. Rogero de Faffington'. Roberto de Traford Clerico. Hugone clerico. 7 aliis.

Endorsed /

Endorsed: (i) Carta de molendino castri pro anima Johanna[b] comitisse de Eu. (xiii cent.)
(ii) Pro v. marcis i. capellanus. (xiv cent.)
(iii) Modern numeral endorsement.

Description: 6.7 x 4.8 in (17.1 x 12.2 cm). Fold at foot of 1.0 in (2.5 cm). Ruled in ink. Left and right margins ruled.

Sealing: On tag, 6.5 x 1.0 in (16.5 x 2.5 cm), through single slits, second seal in natural wax with brown stain, complete except for slight chipping at edges and defacing of figures on reverse; good impression.

Hand: Hugh the clerk.

Source: Original, Magdalen College, Oxford, Brackley C.108 (Macray's Catalogue, no. 167); cf. Magdalen MS. Lat. 273, fo. 11v.

Printed: Brackley Deeds, p. 34 (cal.).

Var. lect.: a. MS. reads Crauford.
b. Sic.

Notes: On Jehanne de Eu, countess of Brittany, and her links with the Quincys, see above, Chapter I, p. 38, and CP, v, 163 note d. Criel-sur-Mer, dep. Seine-Inferieure, arr. Dieppe, cant. Eu, lies 8½ kilometres W of Eu (Loyd, Anglo-Norman Families, p. 36). The limit-dates of this act are fixed by John of Cranford's appointment as the earl's steward in 1253 (see above, Chapter II, p. 91) and Saher of St Andrews' death in 1256. It was probably issued soon after the death of Jeanne de Eu, which took place in 1252.

109

Charter to Brackley hospital, in free alms, of 5 marks silver annually from castle mill of Brackley, which the hospital previously held at perpetual /

perpetual rent, the said 5 marks to be used for support of a chaplain to celebrate for soul of Countess Maud Marshal, his spouse.
(1253 x 1256)

Omnibus ad quos presens scriptum peruenerit Rogerus de Quency Comes Winton' Constabularius Scott' salutem. Noueritis nos caritatis Intuitu ⁊ pro salute anime nostre ⁊ anime Matillis Marescalle comitisse sponse nostre ⁊ animarum antecessorum ⁊ successorum nostrorum dedisse Concessisse ⁊ presenti carta nostra confirmasse. priori ⁊ fratribus ospitalis beatorum apostolorum Jacobi ⁊ Johannis de Brackel'. in liberam puram ⁊ perpetuam elemosinam quinque marcas argenti annuas de molendino de Brackel' de castello percipiendas. Quodquidem molendinum dicti prior ⁊ fratres de nobis prius ad firmam perpetuam tenuerunt. Et sciendum quod dictas quinque marcas eis dedimus ad sustentacionem vnius capellani pro animabus predictorum ⁊ specialiter pro anima dicte Matillis in dicto ospitali diuina celebrantis. Habendas ⁊ tenendas dictas quinque marcas adeo pure. solute. ⁊ Integre sicut aliqua elemosina Liberius. melius. ⁊ Quiecius dari potest uel concedi. Et nos ⁊ heredes nostri dictas quinque marcas annuas dictis priori ⁊ fratribus warentizabimus aquietabimus ⁊ contra omnes homines defendemus In perpetuum. In cuius rei testimonium presenti scripto sigillum nostrum apponi fecimus! Hiis testibus Dominis Willelmo Maudut. Sehero de Sancto Andrea. Willelmo de Bosco. Johanne de Cranford' tunc senescallo nostro. ⁊ Petro Le Poter militibus. Petro Rectore ecclesie de Syresham. Hugone de Manneby. clerico. Thoma de Huntingfeld. Rogero de Faffinton' ⁊ Roberto de Trafford clerico nostro ⁊ Aliis.

Endorsed /

Endorsed: (i) Carta de molendino de Brackel' pro anima Matildis Marescal'. comitisse Wintonie. (xiii cent.)
(ii) Pro v marcis. (xiii cent.)
(iii) Modern numeral endorsement.

Description: 9.4 x 4.4 in (23.8 x 11.2 cm). Fold at foot of 1.0 in (2.5 cm).

Sealing: On tag, 5.5 x .6 in (14.0 x 1.5 cm), single slits, through second seal in natural wax stained brown, about half missing, remainder cracked. The seal has been preserved in a bag of blue cloth.

Hand: Robert of Trafford.

Source: Original, Magdalen College, Oxford, Brackley C.109 (Macray's Catalogue, no. 185); cf. Magdalen MS. Lat. 273, fo. 11r-v.

Printed: Brackley Deeds, p. 37 (cal.).

Notes: The limit-dates of this act are fixed by John of Cranford's appointment as the earl's steward in 1253 (see above, Chapter II, p. 91) and Saher of St Andrews' death in 1256. It was probably issued soon after the death of Countess Maud, which took place on 20 October 1252 (see above, Chapter I, p. 39).

110

Grant to John Mace son of Richard Mace and his heirs that they may collect corn in vill of Brackley and take it to their mills of 'Graveshend' or 'Crokelade' without impediment by the earl or his bailiffs. (1235 x 1252)

Omnibus has litteras visuris. uel audituris. Rogerus de Quency. Comes Winton'. Constabularius Scocie salutem. Noueritis nos concessisse /

concessisse pro nobis et heredibus nostris Johanni Mace filio Ricardi Mace et heredibus suis quod ipsi in perpetuum possint per totam villam de Brackel' colligere Blada et recipere cum vna Careta cum vno equo uel vno equo in careta si voluerit et[a] ad molendina sua de Graueshende et de Crokelade adducere sine aliqua occasione uel impedimento nostro. uel Bailliuorum nostrorum. In cuius rei testimonium huic scripto sigillum nostrum apposuimus. hiis testibus. Domino Philipo Louel. Johanne de Cranford. Saero de Sancto Andr'. Warino de Tunderle. Ricardo de Neuile.[b] Briano clerico et aliis.

Rubric: De carta Johannis Mace de cariagio.

Source: Magdalen College, Oxford, MS. Lat. 273, fo. 12v-13r.

Var. lect.: a. Omitted in MS.
b. Nouile, MS.

Notes: As this act is mentioned in No. 107, above, it cannot be later than 1252, the later limit-date of that act. 'Graveshend' is now Grove Farm, in Evenley parish (Place-names of Northamptonshire, ed. J. E. B. Gover, A. Mawer, F. M. Stenton, English Place-name Society, 1933, p. 53). 'Crokelade' has not been identified.

Brackley: fishpond
(See also No. 107)

111

Charter to Brackley hospital, in free alms, of the pool of his upper fish-pond of Brackley, with the site of his castle precinct of Brackley, for 20s. stg. annually. (1235 x about 1240)

Sciant /

Sciant presentes et futuri quod ego Rogerus de Quency Comes Winton' Constabularius Scocie dedi concessi et hac presenti carta mea confirmaui deo et fratribus hospitalis beatorum apostolorum Jacobi et Johannis de Brackel' pro salute anime mee et animarum antecessorum et successorum meorum in puram et perpetuam elemosinam totum stagnum superioris viuarii mei de Brackel'. ita plenarie sicut aqua solebat pleno uiuario refluere cum toto situ castellarii mei de Brackel'. Habenda et tenenda omnia predicta dictis fratribus hospitalis de Brack' et eorum successoribus de me et heredibus meis ita libere et quiete inperpetuum: sicut ego Rogerus de Quency melius et liberius dictum donum potui elemosinare. Reddentes tamen dicti fratres et eorum successores mihi et heredibus meis annuatim viginti solidos sterlingorum ad tres terminos anni. videlicet ad Pent' dimidium marce.[a] et ad festum sancti Michaelis dimidium marce.[a] et ad Purificationem beate Marie dimidium marce.[a] Et ego Rogerus de Quency Comes Winton' et heredes mei omnia predicta dictis fratribus et eorum successoribus contra omnes gentes warantizabimus inperpetuum. Et ut hec mea donacio concessio et confirmacio perpetuum robur firmitatis optineant. presentem cartam sigilli mei munimine roboraui. Hiis testibus. dominis Ernaldo de Bosco. Thoma de Estleya. Henrico de Alneto. Johanne le Moyne militibus.[b] domino Philippo Louel'. domino Eustacio cappellano. Ernaldo le Goer de Brack'. Andree Bonualet Roberto Vinetar'. Elia Swein. Briano clerico. Roberto le Scot. Roberto clerico de Brack'. et aliis.

Source: Magdalen College, Oxford, Brackley D.119 (fragment of xiii cent. cartulary, unfoliated) = A.
Magdalen College, Oxford, MS. Lat. 273, fo. 17v = B.
Above text from A with B's variants noted.

Printed /

Printed: Brackley Deeds, p. 19 (cal.) (from A).

Var. lect.: a. dimidiam marcam, B.
b. Word omitted, B.

Notes: As Philip Lovel is not described as the earl's steward, this act may be earlier than the period of Philip's tenure of that office, in the 1240s, and it is almost certainly prior to his entry into royal service, about 1249 (see above, Chapter II, p. 88).

112

Charter to Brackley hospital, in free alms, of 20s. stg. which the hospital paid annually for pool of the upper fish-pond and site of the castle precinct of Brackley, and of half a mark annually from his brewhouse of Gask (Perthshire). (About 1240 x 1257)

Sciant presentes 7 futuri quod Ego Rogerus de Quyncy Comes Wynton' Constabularius Scocie. dedi concessi 7 hac presenti carta mea confirmaui. deo 7 fratribus hospitalis beatorum apostolorum Jacobi 7 Johannis de Brackeleg' 7 ad sustentacionem capellanorum quos in dicto hospitali diuina celebraturos constitui. pro salute anime mee 7 animarum antecessorum 7 successorum meorum in puram 7 perpetuam elemosinam viginti solidos sterlingorum quos dicti fratres annuatim mihi reddere consueuerunt pro stangno superioris viuarii 7 pro situ castellarii de Brackel'. 7 dimidiam marcam annuatim in bracino meo de Gasc. Habendos 7 Tenendos predictos redditus dictis fratribus hospitalis de Brackel' 7 eorum successoribus de me 7 heredibus meis ita libere 7 quiete sicut Ego Rogerus de Quyncy melius 7 liberius aliquam elemosinarum potui elemosinare Ego uero Rogerus de Quyncy 7 /

7 heredes mei dictos uiginti solidos quos dicti fratres mihi reddere solebant 7 dictam dimidiam marcam in dicto bracino dictis fratribus contra omnes homines 7 feminas warantizabimus·adquietabimus 7 diffendemus. Et ut hec mea donatio 7 concessio firmitatis robur optineat presenti scripto sigillum meum apposui. Hiis testibus. Dominis. Roberto de Quincy. Radulfo de Neuill'·Willelmo de Boscho. Philipo de Kanti lupo. Warino de Tundurl'. Roberto de Betun' militibus. Eustachio capellano. Alexandro capellano. Helya Sweyn. Andrea Bonualleth Johanne Mace. Roberto vinetario de Brackel' 7 aliis.

Endorsed: (i) Carta de stagno superiori castellarii (xiii cent.).
(ii) Modern numeral endorsement.

Description: 6.1 x 4.7 in (15.5 x 12.0 cm). Fold at foot of .9 in (2.3 cm).

Sealing: On tag, 5.5 x .5 in (14.0 x 1.3 cm), through single slits, second seal in natural wax, central fragment only, badly rubbed.

Hand: Scribe B.

Source: Original, Magdalen College, Oxford, Brackley C.125 (Macray's Catalogue, no. 91); cf. Brackley 197 (xv cent. copy on paper) and Magdalen MS. Lat. 273, fo. 17v-18r.

Printed: Brackley Deeds, p. 19 (cal.).

Notes: This act must be later than No. 111, q.v. The later limit-date is fixed by the death of Robert de Quincy III in 1257 (see above, Chapter I, p. 24).

Brackley: churchyard

113

Charter to Brackley hospital of a piece of ground for enlargement of churchyard of the hospital, to be held in free alms. (1250 x 1260)

Omnibus christi fidelibus Presentem cartam visuris uel audituris Dominus Rogerus de Quency Comes Wynt' Constabularius Scocie Salutem. Nouerit uniuersitas uestra nos pro salute anime nostre 7 pro animabus antecessorum nostrorum ac heredum nostrorum dedisse concessisse 7 hac presenti carta nostra confirmasse deo 7 beate Marie 7 magistro 7 fratribus hospitalis beatorum apostolorum Jacobi 7 Johannis de Brack' ibidem deo seruientibus illam placyam que est inter cimiterium predicti hospitalis Ex una parte 7 fabricam que fuit quondam Willelmi de Martan' ex altera ad augmentacionem cimiterii hospitalis predicti Tenendam 7 habendam de nobis 7 heredibus nostris predictis magistro 7 fratribus 7 eorum successoribus In liberam puram 7 perpetuam elemosinam Inperpetuum sicut aliqua elemosina alicui domui religionis melius plenius 7 liberius dari potest uel concedi. Ego uero dictus dominus Rogerus 7 heredes nostri predictam placyam predictis magistro 7 fratribus 7 eorum successoribus ut Predictum est contra omnes Gentes Inperpetuum warantizabimus aquietabimus 7 defendemus. Et ut hec nostra donatio Concessio 7 presentis carte nostre confirmatio Rate 7 stabiles Inperpetuum perseuerent presentem cartam Inpressione Sigilli nostri duximus Roborandam. His testibus Dominis Willelmo de Blumvil'. Roberto de Sancto Andr' Johanne Beckard militibus Johanne de London'. Ranulfo Sweyn. Waltero Bonechos'. Ada Goddot' Thoma Waryn. Hugone de Tack' Ricardo Horn'. Willelmo de Pilkintona de Brack' clerico 7 ALiiS.

Endorsed /

Endorsed: (i) Carta Rogeri de Quynci de Cimiterio infirmorum. (xiii cent.)
(ii) Sine dat'. (xv cent.)
(iii) Modern numeral endorsement.

Description: 7.9 x 4.5 in (20.1 x 11.4 cm). Fold at foot of .9 in (2.3 cm).

Sealing: On tag, 7.6 x .8 in (19.3 x 2.1 cm), through single slits, second seal in natural wax, two-thirds of obverse broken away, reverse rubbed. Traces of two lugs of the seal-matrix are visible at edges of seal, in its upper half.

Hand: Not identified.

Source: Original, Magdalen College, Oxford, Brackley 9A (Macray's Catalogue, no. 168); cf. Magdalen MS. Lat. 273, fo. 28r-v.

Printed: Brackley Deeds, p. 34 (cal.).

Notes: Dating derived from Macray's Catalogue.

East Farndon

114

Grant to Roger Comyn of manor of [East] Farndon, with view of frankpledge and 'weyf'.

Source: Placita de Quo Waranto (Record Comm., 1818), p. 559; cf. HKF, ii, 306.

Farthinghoe /

Farthinghoe

See Nos. 84, 115

Halse

(See also Nos. 84, 101)

115

Quitclaim to Godstow nunnery of suits of court owed to him for lands held by the nunnery of his fee in Halse, Brackley and Farthinghoe, provided that if necessary suitors of his court shall come in full for afforcement of the court for the king's eyre, at which time the abbess on reasonable summons shall send a steward, but her tenants shall come as they have been accustomed to do. (1253 x 1256)

Omnibus sancte matris ecclesie filiis ad quos presens scriptum peruenerit. Rogerus de Quency Comes Winton' Constabularius Scoc' Salutem in domino sempiternam. Nouerit vniuersitas vestra nos pro salute anime nostre et animarum antecessorum et successorum nostrorum remisisse et quietum clamasse abbatisse de Godestowe et successoribus suis pro earum personis omnimodas sectas curiarum nostrarum quasquidem sectas nobis debent pro terris et tenementis que de nostro feodo tenent In Hausou Brackel' et Faringh'. Ita tamen quod si necesse fuerint sectatores predicte Curie nostre plenarie veniant ad efforciamentum Curie pro itinere[a] domini Regis Ibidem Judicando et[b] tunc dicta abbatissa et successores sui cum rationabiliter fuerint sumonite suum ibidem mittant certum senescallum tenentes[c] autem earum ad dictam Curiam nostram veniant sicut facere consueuerunt. In Cuius /

Cuius rei testimonium sigillum nostrum apponi fecimus huic scripto. Hiis testibus dominis Seero de Sancto Andrea Willelmo de Bosco Johanne de Craunford senescallo nostro Roberto de Punchardun et Johanne de Carleolo militibus magistro Henrico Luuel domino Briano et Roberto de Trafford[d] clericis et aliis.

Rubric: Carta Rogeri de Quency de Halse (red).

Source: PRO, Exchequer, King's Remembrancer, Misc. books, series i (E.164), vol. 20, fo. 66r (modern foliation).

Printed: English Register of Godstow Nunnery, ed. A. Clark (Early English Text Society, 1905), vol. i, no. 2[illegible] (in Middle English translation).

Var. lect.: a. berve, MS.
b. ad, MS.
c. tenestes', MS.
d. Stratford, MS.

Notes: The limit-dates of this act are fixed by John of Cranford's appointment as the earl's steward in 1253 (see above, Chapter II, p. 91) and Saher of St Andrews' death in 1256.

116

Charter to Brackley hospital, in free alms, of a coffin to lie at the right side of the heart of Lady Margaret de Quincy, his mother, filled three times annually with winnowed corn from his grange of Halse for support of the poor and sick in the hospital, under provisions (i) that term of payment shall begin at feast of St Thomas the apostle [21 December] 1240, and (ii) that, failing corn from Halse, said corn is to be taken from corn bought from his rents of Brackley /

Brackley; granting also, after his decease, four quarters of winnowed corn annually from said grange or rents. (Probably 1240)

Omnibus has litteras visuris uel audituris: Rogerus de Quency Comes Wynton' Constabularius Scott'. salutem. Nouerit vniuersitas vestra nos dedisse. Concessisse. 7 presenti Carta nostra Confirmasse pro nobis 7 heredibus nostris. In puram 7 perpetuam elemosinam pro animabus omnium antecessorum nostrorum deo 7 hospitali sancti Johannis de Brakeley vnum sarcofagum qui Jacebit ad dexteram Cordis domine Margarete de Quency matris nostre. Ter plenum frumenti vannati singulis annis Imperpetuum ad tres Terminos anni. videlicet vnum sarcofagum plenum ad festum sancti Thome apostoli 7 vnum alium ad Pascha. Et tertium: ad festum sancti Petri ad uincula. Recipiendum de Grangia nostra de Halsou. Et Terminus pacacionis dicti frumenti Incipiet ad festum sancti Thome apostoli anni Gratie millesimi Ducentesimi Quadragesimi. Si vero. Ita Contingat quod frumentum desit: apud Halsou. volumus ut dictum frumentum Capiatur de frumento empto de firmis nostris de Brakeley. ad dictos terminos: ad pauperos 7 Infirmos dicti hospitali sustinendos. Et post decessum nostrum: damus Concedimus 7 Confirmamus dictis fratribus Imperpetuum pro nobis 7 heredibus nostris Quatuor quarteria frumenti vannati annuatim recipienda de dicta Grangia: uel de dictis firmis. ad tres Terminos anni: videlicet ad Natiuitatem Beate Marie: vnum Quarterium frumenti. 7 in Crastino omnium sanctorum scilicet die animarum: duo Quarteria. Et ad Pascha: vnum Quarterium. Et sic singulis annis Imperpetuum. Nos. vero. 7 heredes nostri predicto hospitali: predictam elemosinam warentizabimus /

warentizabimus Imperpetuum contra omnes. Hiis testibus: Dominis Ernaldo de Bosco Willelmo de Bosco Ada Quatremars. Johanne de Hersi. Johanne monacho. Euerardo de Trumpinton'. Sehero de Sancto Andr'. militibus. Eustachio Capellano. Ricardo Mace de Brakel'. Andrea bonuallet. Ernaldo le Goer. Rogero de Faffinton'. Elya de Radeborg': Roberto Trenchefoill'. Waltero falconario. Magistro Thoma de Mann'. Et Multis aliis.

Endorsed: (i) Carta domini Comitis de iiij quarteriis frumenti recipiendis de Grangia de Hals'. Frumentum. (xiv cent.)
(ii) Modern numeral endorsement.

Description: 7.5 x 4.3 in (19.1 x 11.0 cm). Fold at foot of .6 in (1.5 cm).

Sealing: On tag, 6.0 x .5 in (15.3 x 1.3 cm), through single slits, second seal in natural wax, central fragment only, rubbed. A small tie of parchment, .2 in (.5 cm) in breadth, survives tied round the seal tag above the seal. A tie has existed at the top left hand corner of the bottom fold, but has been torn off at the root.

Hand: Scribe A.

Source: Original, Magdalen College, Oxford, Brackley B.183 (Macray's Catalogue, no. 107); cf. Magdalen MS. Lat. 273, fo. 27r-v.

Printed: Brackley Deeds, p. 22 (cal.).

117 /

117

Charter granting and quitclaiming to Brackley hospital and Brother Stephen, its master, Richard the smith of Halse, with his family, in free alms, under provision that the earl and his heirs cannot revoke this gift or reduce said Richard or any of his family to serfdom. Southoe, 23 February 1237.

Omnibus has litteras visuris. vel audituris. Rogerus De Quencj. Comes Winton'. Constabularius Scot' salutem Nouerit vniuersitas vestra. Nos Dedisse. Concessisse. quietum clamasse. 7 hac presentj Carta nostra confirmasse. pro Salute anime nostre. 7 pro animabus omnium antecessorum nostrorum. 7 Successorum. Deo 7 beate Marie. 7 fratrj Stephano. Magistro hospitalis beatorum apostolorum. Jacobi 7 Johannis. De Brakelay. 7 fratribus ibidem Deo Seruientibus. 7 eorum Successoribus. Ricardum fabrum De Halso. cum tota sequela sua. In puram 7 perpetuam elemosinam. ita libere 7 quiete. De nobis. 7 nostris heredibus possidendam quod nos 7 heredes nostrj. Dictam Donationem. 7 quieteclamationem. quam pro nobis 7 pro nostris heredibus facimus nullo modo poterimus reuocari. nec dictum Ricardum. vel aliquem de sequela ejus. poterimus nos vel heredes nostrj In aliquam redigere seruitatem. vt Autem hec nostra Donatio. 7 quieta clamatio Robur obtineat firmitatis eam fecimus presentibus litteris confirmarj. nostrj Sigillj Munimine Roboratis. His testibus Domino Seero d[e][a] Sancto Andrea. Domino Willelmo De Bosco. Domino Henrico Biset. Domino Alexandro capellano. Henrico De Fafinton'. Waltero falconario. Magistro Thoma de Mann'. 7 Multis alijs. Dat' apud Sutho In crastino sanctj Mathi[e][b] apostolj anno domino M°cc.xxxvj. Dominj vero Henricj Regis Anglie. Regni suj anno x°xj°.

Endorsed /

Endorsed: (i) Manumissio Ricardi fabri de Hals. (xiii cent.)
(ii) Halse. (xiv cent.)
(iii) Modern numeral endorsement.

Description: 5.8 x 3.2 in (14.7 x 8.1 cm). Fold at foot of .6 in (1.5 cm). The dating clause, from Dat' to the end, has been added by the same hand but in a different ink. It continues beneath the fold, on which it has blotted.

Sealing: On tag, through single slits. Seal and tag now missing, but Brackley Deeds, p. 21, notes 'fragment of white seal'.

Hand: Not identified.

Source: Original, Magdalen College, Oxford, Brackley B.181 (Macray's Catalogue, no. 104).

Printed: Brackley Deeds, p. 21 (cal.).

Var. lect.: a. Parchment damaged.
b. Obscured by damp stain.

Maidford

118

Grant to prior and canons of (Canons) Ashby that they may hold rent of 15s. 4d. annually from his fee in Maidford, which they have by gift of Henry de Alneto, as is contained in Henry's charter and the confirmation of Henry, his son. Halse, 8 October 1252.

Wniuersis sancte matris ecclesie filiis ad quos presens scriptum peruenerit Rogerus de Quincy Comes Wynton' [Constabularius Scotie][a] salutem in domino sempiternam Nouerit vniuersitas vestra nos caritatis intuitu /

intuitu concessisse Dilectis nobis in christo priori et canonicis ecclesie beate Marie de Esseby quod habeant et teneant bene et pacifice quindecim solidos et quatuor denarios annui redditus de feodo nostro In Maydeford quem quidem redditum de dono Henrici de Alnet' in eadem uilla habuerunt. sicut in carta dicti Henrici et confirmacione Henrici filii sui plenius continetur in cuius rei testimonium sigillum nostrum presenti scripto apposuimus. Actum apud Hausho die martis proxima post festum sancti Leodegarii. anno gratie milesimo ducentesimo Quinquagesimo secundo. Hiis testibus.[b]

Rubric: Carta Rogeri de Quency de xv solidis redditus in Maydeford.

Source: BM, Egerton MS. 3033, fo. 15v-16r.

Printed: Bridges, Northamptonshire, i, 227n (full text).

Var. lect.: a. Blank in MS.
b. Witness list omitted by copyist.

Notes: The charter by Henry, styled 'Henricus de Canneya', is in same MS., fo. 14r, and confirmation by his son is at fo. 15r.

119

Charter to Thomas Kynne of Northampton of view of frankpledge and suits to the earl's court by said Thomas and his heirs and the men both of his fee in Maidford and Adstone and formerly of the fee of Sir Henry de Alneto, kt., in said vills, paying annually 2d. silver for all services and customs pertaining to the earl, provided that Thomas and his heirs shall have free court over all their men and shall not come to the earl's court unless Thomas or his heirs personally implead someone or are impleaded. (About 30 January 1254)

Omnibus /

Omnibus ad quos presens scriptum pervenerit Rogerus de Quency Comes Wynton' Constabularius Scotie salutem. Noueritis me dedisse concessisse et pro me et heredibus meis presenti carta confirmasse Thome Kynne de Norhampton' et heredibus suis visum francplegii et quicquid ad visum francplegii pertinet tam In rebus omnibus assisis quam in hiis que per placita adquiri poterunt. et omnimodas sectas curie mee et heredum meorum de Thoma predicto et heredibus suis et omnibus hominibus quibuscunque Liberis et aliis tam de feodo dicti Thome in Maydeford et Atteneston'. quam de hiis qui fuerunt quondam de feodo Domini Henrici de Alneto militis In predictis villis de Maydeford et Atteneston'. Reddendo inde annuatim michi et heredibus meis dictus Thoma et heredes sui duos denarios argenti ad festum sancti Michaelis pro omnibus seruitiis consuetudinibus. occasionibus. et rebus omnibus michi vel heredibus meis inde pertinentibus. Et sciendum quod dictus Thoma et heredes sui plenam curiam suam liberam et integram habebunt de omnibus hominibus predictis tam Liberis quam aliis. et nec ipse nec heredes sui venient ad aliquam curiam meam vel heredum meorum debitam. nisi dictus Thoma uel heredes sui aliquem personaliter inplacitauerint. vel ab aliquo personaliter fuerint inplacitati. Et ego Rogerus et heredes mei dicto Thome et heredibus suis omnia supradicta per predictum seruitium contra omnes gentes warantizabimus inperpetuum. In cuius rei testimonium presenti scripto sigillum meum apposui. Hiis testibus Dominis Roberto de Quency fratre meo. Henrico Engayne. Warino de Tunderl'. Johanne de Craunford. Johanne Becard. Roberto de Plumpton' et Hugone de Capes militibus. Henrico de Faffynton'. Briano clerico. Ricardo de Blokeuill. Roberto de Trafford et Aliis.

Endorsed /

Endorsed: Roger de Quincy's grant of Court Leet to Thomas Kynne.

Sealing: Parchment tag with fragments of seal in green wax.

Source: Transcript by Miss Joan Wake of original in muniments of Grant of Litchborough, Northants. This original has not been examined. A copy (xv cent.) is in BM, Add. Ch. 6126.

Printed: Baker, Northamptonshire, ii, 44 (cal.).

Notes: See No. 154 for receipt on payment for above grant, dated 30 January 1254.

Oakley and Whistley

120

Charters (2) to abbey of St Mary de Prato, Leicester, as follows:

(120) grant by exchange, in return for all their arable land in the clearing of the park of Oakley ('Okley'), of 16 selions at head of Shepshed (Leics.), in 'Medwefurlong', of 3½ acres in extent, ¼ rood long and 1 perch broad; granting also (i) 6 selions at same head for tithes of 28 acres in clearing of park of Oakley, (ii) right shoulder of every deer taken in his park of Oakley ('Acle'), and (iii) tithe of cows and sheep in said clearing if he has there animals from which tithe is due;

(121) charter granting tithe of his woods of Oakley and Whistley ('Wysseley') whenever sales are made in said woods by himself or his heirs, to be received by hands of sellers or purchasers of same.

Source: Bodleian Library, MS. Laud misc. 625, fos. 6r, 123r-v.

Printed: Nichols, Leicestershire, I, ii, app., 56 (in part); Dugdale, Mon. Angl., ii, 310 (in part).

Notes /

Notes: Oakley is probably what is now Oakley Bank, in Plumpton parish (Place-names of Northamptonshire, ed. J. E. B. Gover, A. Mawer, F. M. Stenton, English Place-name Society, 1933, p. 43). Although MS. Laud, fo. 159v, refers to the wood of 'Wyseley', in Brackley parish, the place intended is presumably Whistley, in Syresham parish, which is the only such name in the county mentioned in Gover, Mawer and Stenton, op. cit.

122

Precept to Richard of Moulton, his steward, to maintain abbey of St Mary de Prato, Leicester, in receipt of tithes granted by No. 121, above. (1235 x 1264)

Rogerus de Quency comes W. etc.[a] dilecto et fideli suo Ricardo de Multon senescallo suo et omnibus senescallis suis et ballivis etc.[a] Quia dilectis nostris abbati Leyc' et conuentui etc.[b] vobis mandamus quatinus dictos abbatem et conuentum et eorum attornatos quicumque pro tempore fuerint in receptione[c] dicte decime sine impedimento contradictione etc.[a] manuteneatis et protegatis ita vt dicta decima plenarie eisdem persoluatur non permittentes eisdem aliquam iniuriam molestiam vel grauamen super predictis decimis inferri etc.[a]

Source: Bodleian Library, MS. Laud misc. 625, fo. 123r.

Var. lect.: a. Passage omitted by copyist.
b. etc. vt in predicta carta, MS.
c. preceptione, MS.

Syresham

See No. 84

HUNTINGDONSHIRE

Eynesbury

123

Grant to abbey of Warden of freedom from suit of view of frankpledge in respect of two messuages in vill of Eynesbury, held by gift of his ancestors, provided that the abbey's tenants of said messuages come twice a year to view of frankpledge to perform their duties according to law of the land and custom of the kingdom, granting also that, if said tenants are amerced for any trespass in respect of view of frankpledge, the abbey shall have that amercement, on payment of 1d. annually to him and heirs for everything relating to view of frankpledge. Southoe, 10 April 1252.

Omnibus hoc scriptum visuris vel audituris. Rogerus de Quency. Comes Winton'. Constabularius Scocie. Salutem. Quia abbas de Wardon'. recognouit nobis. quod tenentes sui quos habet in duobus mesuagiis. in villa de Eynesbur'. quequidem mesuagia. habuit ex dono antecessorum nostrorum. debent nobis. et heredibus nostris. sectam ad visum franciplegii. bis in anno. volumus et concedimus. caritatis intuitu. quod dictus abbas. et successores sui. quieti sint de secta visus franciplegii. Ita tamen quod tenentes dicti abbatis et successorum suorum. veniant bis. in anno. ad visum franciplegii. ad faciendum quod secundum legem terre. et consuetudinem regni. facere debent. verumptamen pro salute anime nostre. et animabus antecessorum. et successorum nostrorum. concedimus pro nobis. et heredibus nostris. quod si dicti tenentes amerciati fuerint. vel debeant amerciari pro aliqua /

aliqua transgressione. visum franciplegii tangente. dictus abbas et successores sui. illud amerciatum habebunt. et percipient per manus proprias. vel atturnatorum suorum. a. dictis tenentibus suis sine contradictione. vel calumpnia nostri. vel heredum nostrorum. Reddendo inde annuatim. nobis et heredibus nostris. vnum denarium ad festum sancti Michaelis. pro omnibus visum franciplegii tangentibus Et vt hec nostra concessio. robur perpetue firmitatis optineat: presenti scripto. sigillum nostrum apponi fecimus in testimonium. Hiis testibus. Dominis Roberto de Quency fratre nostro Henrico Engayne. Philippo Luuell'. Johanne de Cranford. Petro Potar Petro de Syresham senescallo nostro. Bryano clerico. Henrico de Faffinton'. et Roberto Leonard. et aliis. Dat' apud Sutho. die mercurii proxima post festum sancti Ambrosii. anno gracie. Millesimo Ducentesimo Quinquagesimo Secundo.

Rubric: Specialis relaxacio de sectis non faciendis ad francumpleg' de Eynesbur' etc.

Source: John Rylands Library, Manchester, Latin MS. 223, fo. 73r-v.

Printed: Wardon Cartulary, no. 243 (full text).

124 - 125

Grants (2) to chapel of St Thomas at Hardwick, as follows:

(124) 32 acres of arable land and 32s. annualrent in Eynesbury, in free alms;

(125) /

(125) 6d. annually from rent of Sawtrey abbey for 2 mills at Eynesbury.

Source: Rot. Hundredorum, ii, 669.

126

Charter to Joan, daughter of William de Ferrers, earl of Derby, Earl Roger's granddaughter, before her marriage to Thomas de Berkeley, of manor of Eynesbury, in fee simple, to be held by the fourth part of a knight's fee.

Source: John Smyth, Lives of the Berkeleys, ed. J. Maclean (1883-5), i, 205-6. (Note of original charter 'in castro de Berkeley'. It is not possible at present to gain access to the original documents in Berkeley Castle.)

Hail-Weston

127

Confirmation to priory of St Neots of 3 acres of land which they have by gift of Sir William of St George in fields of Hail-Weston, with a mill, to be held in free alms. (1235 x 1248)

Vniuersis et singulis presens scriptum visuris uel audituris Rogerus de Quenci Comes Wynton'. Constabularius Scotie salutem in domino. Noueritis /

Noueritis me concessisse et hac presenti carta mea confirmasse pro me et pro heredibus nostris priori et conuentui de sancto Neoto Tres acras terre cum pertinentiis quas habeant de dono domini Willelmi de Sancto Georgeo in campis de Hayllweston' cum molendino ibidem sito. Tenendas et habendas sibi et successoribus In liberam puram et perpetuam Elemosinam solutum et quietum de omnibus seruiciis. consuetudinibus exactionibus. forincecis. curiarum sectis et Turnorum 7 omnibus aliis secularibus demandis. Ita quod nec ego nec aliquis heredum meorum aliquid de supradictis nec aliquid aliud quod ad me uel ad heredes meos aliquo tempore uel casu ratione dicti tenementi pertinere possit. possimus exigere seu clamare. In cuius rei testimonium presenti scripto sigillum meum apposui. Hiis testibus etc.[a]

Rubric: Hailweston.

Source: BM, Cotton Faustina A.iv, fo. 137r.

Printed: G. C. Gorham, History of Eynesbury and St Neots (1824), ii, supp., p. liii, no. 718 (note).

Var. lect.: a. Witness list omitted by copyist.

Notes: On the assumption that the priory obtained this confirmation during the lifetime of the donor, this act must be earlier than 1248, by which date William of St George was dead (Hunts. Fines, p. 24). In the phrase 'et pro heredibus nostris' the word 'nostris' is an error for 'meis', as the grantor is described in the singular throughout the remainder of the text.

Keyston /

Keyston

128

Grant to predecessor of John de Boys of land in Keyston viz. 24 acres of the earl's demesne, 10 acres of meadow, 2¼ yardlands in bondage and 6 cottars, for half the fee of one knight, rendering forinsec service of a half fee.

Source: Rot. Hundredorum, ii, 614.

Notes: The predecessor of John de Bois may have been Ernald de Bois, his father (CIPM, ii, no. 222).

129

Grant to Walter le Fauconer of land in Keyston, viz. one acre of the earl's demesne, 2 acres of meadow, and half a yardland.

Source: Rot. Hundredorum, ii, 614.

Notes: Walter the falconer occurs as a witness in Nos. 116 and 117.

130

Grant to predecessor of Richard Kavenard of 4 acres of land and 2 acres of meadow in Keyston for 4d. annually.

Source: Rot. Hundredorum, ii, 614.

131 /

131

Grant to Serlo son of Maurice de Momartre of land in Keyston, viz. 60 acres of the earl's demesne, one quarter (quart') of land, 2½ acres of meadow and 6 cottars, for 1 lb pepper.

Source: Rot. Hundredorum, ii, 614.

Southoe and Stirtlow

132

Grant to monks of Warden abbey of the path going from their hedge of the field of 'Myddilhoo' to the town of Stirtlow ('Stert'), namely the path lying between the park of Southoe and their land of Stirtlow, provided that said path between these bounds shall have a breadth of 30 feet.

Source: Wardon Cartulary, no. 204(l).

133

Grant to monks of Warden abbey of the meadow lying beside his meadow of Southoe from their hedge of Stirtlow to the point (cornu) of his park to the north, saving to him and his heirs a road for going round his park, which is to be 6 feet in breadth from the paling of the hedge of his park from the said hedge of Stirtlow to the first corner of the property (angulum lande) 2½ feet in breadth outside the ditch from the first corner to another corner, and 6 feet in breadth from that corner to the head of the park.

Source: Wardon Cartulary, no. 204(m).

Waresley

134

Confirmation to Sawtry abbey, in free alms, of lands which the monks hold of his fee in vill of Waresley, by gift of Nicholas son of William of Waresley, Mathew son of Peter, and Alan son of William, to be held free of reliefs, wards and suits of court, provided that they pay to him 6d. annually for the two great suits pertaining to the royal prerogative. (1245 x 1252)

Omnibus sancte matris ecclesie filiis presens scriptum visuris uel audituris Rogerus de Quency Comes Winton' Constabilarius Scott' Salutem. Noueritis me de consensu 7 bona uoluntate Comitisse Matillde vxoris mee concessisse 7 hac presenti carta confirmasse. Deo 7 ecclesie. Beate Marie de Saltreya 7 monachis ibidem deo seruientibus in liberam puram 7 perpetuam elemosinam. omnes terras cum homagiis redditibus 7 seruiciis 7 cum omnibus pertinenciis quas tenent de feodo meo In villa de Weresle. ex dono Nicolai filii Willelmi de Weresle. Mathei filii Petri 7 Alani filii Willelmi. Tenendas 7 habendas libere pacifice. 7 Quiete. de Releuiis wardis 7 sectis curiarum. 7 de omni seruicio consuetudine 7 demanda. Ita tamen quod facient michi 7 heredibus meis. pro duabus magnis sectis que pertinent ad regale! sex denarios annuatim ad festum sancti Michaelis. In cuius rei testimonium presenti scripto sigillum meum apposui. Hiis Testibus. Dominis. Sehero de Sancto Andr'. Nigello de Aumundeuil'. Willelmo de Bosco. Johanne de Lutlebur'. militibus. Henrico de Faffinton'. Roberto de Aumundeuile. Oseberto de Weston'. Adam de Weston'. Rogero de Touleslau. Hugone de Manneby. Eustacio Capellano nostro. Briano 7 Roberto clericis 7 aliis.

Endorsed /

Endorsed: (i) Carta Rogeri. Comitis. Wintonye de terra de Weresl'. (xiii cent.)
(ii) Modern numeral endorsements.

Description: 6.4 x 5.6 in (16.3 x 14.2 cm). Fold at foot of .9 in (2.3 cm). Ruled in pencil, with ruling continued for one line beneath fold. Left and right hand margins ruled, both with double lines.

Sealing: On tag, 7.6 x .7 in (tapering to .3 in) (19.3 x 1.8 cm to .8 cm), through single slits, second seal in light green wax, damaged at edges, but impression very good.

Hand: Robert of Trafford.

Source: Original, BM, Harleian Charter 83.B.42.

Notes: This act falls within the period of Roger's marriage to Maud de Bohun (see above, Chapter I, pp. 38-39). In the witness list, the description of Eustace as 'our chaplain' is an error for 'my chaplain', as the grantor is described in the singular throughout the remainder of the text. This charter is illustrated above, Frontispiece.

CAMBRIDGESHIRE

Chesterton

134A

Confirmation and warranty of charter by Saher de Quincy, his father, to church of Barnwell of £10 of land, 4 sokemanni and 9 half yardlands which customary tenants hold, plus 5 cottars and a free sheepfold, in Chesterton.

Source: Liber de Bernewelle, p. 75.

HERTFORDSHIRE /

HERTFORDSHIRE

Ware

(See also Nos. 105, 106)

135

Indenture granting vill of Ware at rent to Herbert of Ware, clerk.

Source: BM, Cotton Otho B.xiv, fo. 123v.

136

Quitclaim to abbot of St Evroult (Orne) and his men [of Ware] of all leets of the earl's court, both at view of frankpledge and at other minor business of the court (minutas curie).

Source: BM, Cotton Otho B.xiv, fo. 117r.

Notes: This note does not specify the abbot's men of Ware, but the document is noted under the general heading of Ware.

137

Charter to abbot of St Evroult (Orne) of 40s. annually from the mill of Ware.

Source: BM, Cotton Otho B.xiv; fo. 123v.

Notes /

Notes: Probably connected with the above is a quitclaim (noted ibid.) by the prior of Ware to the earl, of 36s. 6d. received from the earl's chamber (camera) and of tithes of the fish-ponds of Groby, in return for which the prior received 40s. annually from the mill of Ware.

BEDFORDSHIRE /

BEDFORDSHIRE

Chalton

138

Confirmation to priory of St Neots (Huntingdonshire) of manor of Chalton, in parish of Blunham [now parish with Moggerhanger], which the priory holds at rent from the monks of St Nigasius of Meulan (Seine-et-Oise), who have held it by gift of his ancestors, with all pleas, especially view of frankpledge; granted for payment of 5 marks of silver. 26 October 1239.

Sciant presentes et futuri quod ego Rogerus de Quency Comes Winton' Constabularius Scocie concessi et hac mea presenti carta confirmaui manerium de Cherleton cum omnibus pertinentiis suis. terris. seruiciis. redditibus. homagiis. Deo 7 ecclesie sancti Neoti et monachis ibidem deo seruientibus sine aliqua reclamacione de me et de heredibus meis inperpetuum. et omnia que dicto manerio pertinent uel aliquo modo pertinere possint. Quas terras dicti monachi tenent ad firmam de monachis sancti Nigasii de Mellento quas terras dicti monachi de sancto Nigasio habuerunt de dono antecessorum meorum In parochia de Bluham. Hec omnia predicta predictis monachis de sancto Neoto concessi et quieta clamaui de me. et omnibus heredibus meis. et omnia placita et omnimodas querelas et specialiter uisum liberi plegii. sicut omnia alia genera placitorum. et ut predicti monachi de sancto Neoto omnia prenominata teneant et habeant libere et quiete de predictis monachis de sancto Nigasio sicut eorum carte testantur et peribentur. Ego siquidem predictus Rogerus comes et constabularius. et heredes mei /

mei omnia predicta dictis monachis de sancto Neoto warantizabimus. et de omnibus secularibus seruiciis consuetudinibus. et demandis et querelis plenarie contra omnes mortales dictis monachis Inperpetuum defendemus. Propter istam meam concessionem et confirmacionem et quietam clamacionem. monachi de sancto Neoto mihi v. marcas argenti conciderunt. vt autem hec mea concessio et confirmacio perpetue firmitatis vigorem habeat: presens scriptum sigilli mei munimine roboraui. Actum anno gracie. m°.cc°.xxx°ix°. septimo kal' Nouembris. Hiis testibus. Domino Seyro de Sancto Andrea. Domino Johanne le Moyne. Domino Euerardo de Trumpeton'. Domino Willelmo de Lay. Domino Willelmo de Sancto Georgio. Domino Eustachio capellano. Rogero de Subyri. Simone Bastard. Waltero de Sancto Yuone. Hendrico de Fafinton. Et multis aliis.

Rubric: Charlton.

Source: BM, Cotton Faustina A.iv, fo. 120v.

Printed: G. C. Gorham, History of Eynesbury and St Neots (1824), ii, supp., p. 1, no. 657 (note).

Notes: Robert, second earl of Leicester, granted Chalton to the priory of St Nigasius of Meulan between 1119 and 1152 (Recueil des Chartes de Saint-Nicaise de Meulan, ed. E. Houth, Soc. Hist. de Pontoise et du Vexin, 1924, no. 10). In 1225, the priory granted the manor to the priory of St Neots at a rent of 12 marks annually (ibid., no. 104); and about the same time Margaret de Quincy, countess of Winchester, granted a release of the men and lands of the monks of St Nigasius in the parish of Blunham to the priory of St Neots (Gorham, op. cit., p. xxxvii). Earl Roger's confirmation, above, is not included in Houth's Recueil.

Stevington /

Stevington

139

Grant to prioress of Harrold priory of 10 acres in Stevington in free alms.

Source: Rot. Hundredorum, ii, 331.

OXFORDSHIRE /

OXFORDSHIRE

Charlton on Otmoor

140

Quitclaim [in favour of abbey of St Evroult (Orne)] of court of the earl and his ancestors in Charlton on Otmoor and elsewhere.

Source: BM, Cotton Otho B.xiv, fo. 120r-v.

Chinnor

See Nos. 142, 149

Littlemore

141

Charter to the Knights Templars of his scutages, reliefs, demands and all other services of his fee from the land of Littlemore which they have by gift of Sir Roger of St Andrews, to be held in free alms. (About 1240 x 1249)

[O]mnibus[a] etc.[b] Rogerus de Quency Comes Winton' \ Constabularius Scoc' / salutem in d. Nouerit vniuersitas vestra me pro salute anime mee et antecessorum meorum et successorum meorum dedisse concessisse et quietum clamasse quantum ad me et ad heredes meos pertinet deo et beate Marie et fratribus milicie Templi Salomonis in Anglia pro me et /

et heredibus meis scutagia et releuia et demandas et omnia alia seruicia que ad me uel ad heredes meos pertinent uel accidere poterunt in futuro de feodo meo de terra de Littlemor quam dicti fratres habent de dono domini Rogeri de Sancto Andr' cuius anime propicietur deus Habenda et tenenda predictis fratribus milicie Templi et eorum successoribus in puram et perpetuam elemosinam ita libere et pacifice et quiete quod nec Ego nec aliquis heredum meorum de predicto feodo de Littlemor scutagium uel releuium uel aliquid aliud seruicium exigere valeamus. nec aliquid aliud quod ad dictum feodum pertinet uel pertinere poterit in futuro. Et Ego et heredes mei predictam donacionem concessionem et quietum clamacionem sicut prefatum est predictis fratribus milicie Templi contra omnes homines et feminas warantizabimus inperpetuum. vt autem hec mea donacio concessio et quieta clamacio robur obtineant firmitatis presenti scripto sigillum meum apposui. Hiis Testibus dominis Willelmo Louel. Sehero de Sancto Andr'. Johanne le Moyne. Henrico Biset. Johanne de Alneto. Henrico de Alneto militibus domino Philippo Louel. Briano clerico et Aliis.

Source: Bodleian Library, MS. Wood empt. 10, fo. 26v.

Printed: Sandford Cartulary, i, no. 94 (full text).

Var. lect.: a. Initial omitted for rubrication.
b. Passage omitted by copyist.

Notes: Roger of St Andrews' grant to the Templars (Sandford Cartulary, i, no. 91) was probably made soon after 1235 (see above, Chapter II, p. 132). As Philip Lovel occupies an inferior position in the witness list of the above act, it is most likely to have been issued before his promotion to be king's clerk, about 1249 (see above, Chapter II, p. 88).

Sydenham /

Sydenham

142

Quitclaim to nunnery of Littlemore of suit to his court of Chinnor, from 3 weeks to 3 weeks, in respect of 18 acres of land in field of Sydenham, which the nuns have by gift of Saher de Quincy, his father, and of view of frankpledge for same, for payment of 12d. silver annually, viz. 6d. at his great court at Chinnor next after Easter, and 6d. at his other great court there after Michaelmas. (1253 x 1256)

Omnibus christi. fidelibus. hoc presens scriptum visuris uel Audituris. Rogerus. de Quency Comes Winton'. Constabularius Scoc'. Salutem. Noueritis nos pro salute anime nostre. et pro animabus omnium antecessorum 7 successorum nostrorum. Remisisse. 7 Quietum Clamasse pro nobis 7 pro heredibus nostris Inperpetuum. Deo. et beate Marie. et Beato Nicholao de Litlemora. et Sanctimonialibus Ibidem deo. seruientibus Sectam Curie nostre de Chennora a tribus septimanis in [tre]s[a] septimanas quam ab eisdem monialibus exigebamus pro octodecim acris terre In campo de Sideham. quas dicte moniales habeant ex dono Seeri de Quency patris nostri. Concessimus 7iam [7][a] Remisimus eisdem monialibus 7 earum successoribus. pro nobis 7 pro heredibus nostris Sectam visus frangorum plegiorum ad perpetuam firmam. quam ab eisdem monialibus exigebamus pro eadem terra Reddendo inde nobis annuatim 7 heredibus nostris dicte moniales 7 earum successores duodecim denarios argenti ad duos terminos anni videlicet ad magnam proximam Curiam nostram post pascha apud Chennore sex denarios. Et ad aliam magnam proximam curiam nostram ibidem. post festum sancti Michaelis sex /

sex denarios. per manus alicuius ballivi. uel alicuius h[ominis ?][b] dictarum monialium. Nos vero ⁊ heredes nostri predictam sectam sic predictum ÷ predictis monialibus ⁊ earum successoribus contra omnes homines warantizabimus inperpetuum ac defendemus. Et ad maiorem huius Remissionis ⁊ quietumclamancie securitatem. et warantizacionis firmitudinem hoc presens scriptum sigilli nostri munimine Roborauimus. Hiis Testibus. Dominis Roberto de Quency fratre nostro. Seero de Sancto Andrea. Willelmo de Bosco. Warin' de Tunderl'. Johanne Becart. Roberto de Sancto Andrea. Johanne de Cranfort tunc senescallo nostro. Roberto Juuene de Chennore. Ricardo de Bokeruile. Ro[bert]o[a] de Faffinton'. Radulfo de la Pole. Roberto de Ywestan. Willelmo de Ywestan Et ALIIS.

Rubric: Pro secta de Sydeham et Cennore. (xiii cent.)

Description: 7.4 x 5.5 in (18.8 x 14.0 cm). Originally folded at foot, but fold now flattened out and document torn.

Sealing: Through single slits, but tag and seal now missing.

Hand: Not identified.

Source: Original, Bodleian Library, Oxfordshire Charters, no.24.

Printed: Dugdale, Mon. Angl., iii, 14 (full text).

Var. lect.: a. MS. stained.
b. Hole in MS.

Notes: The limit-dates of this act are fixed by John of Cranford's appointment as the earl's steward in 1253 (see above, Chapter II, p. 91) and Saher of St Andrews' death in 1256. The two 'great courts' annually were those at which the right to hold view of frankpledge was exercised (Denholm-Young, Seignorial administration, pp. 91-92).

143

Indenture of agreement between Earl Roger and Robert the abbot and the convent of Thame whereby the abbot and convent quitclaim to the earl one carucate of land in Sydenham which they had by gift of Sir Ralph of Bray, deceased, and which Ralph had by gift of the earl; for which he gives to them half of that carucate, with half of its meadow and pasture, saving to the earl the messuage with croft which belonged to said Ralph, and his grove with its pasture; and gives to them also a messuage with croft, which is situated beside said messuage, and which they previously held of the earl at rent; all to be held of the earl in free alms. (1235 x 1237)

C Y R O G R A P H V M[a]

Sciant presentes 7 futuri quod hec est conuencio facta Inter dominum Rogerum de Quincy. Comitem Winton' 7 Constabularium Scoc' 7 dominum Robertum Abbatem 7 conuentum de Tham' scilicet quod dicti abbas 7 conuentus de Tham' remiserunt 7 quieta clamauerunt dicto Rogero 7 heredibus suis vnam carucatam terre cum pertinenciis suis quam habuerunt ex dono viri bone memorie Domini. Radulfi. de Bray. illam scilicet carucatam terre quam idem Radulfus habuit de dono dicti. Rogeri. In. Sydenham. Et pro hac remissione 7 quietaclamacione predictus Rogerus dedit 7 concessit predictis abbati. 7 conuentui medietatem predicte carucate terre cum medietate prati 7 pasture ad eandem terram pertinencium saluis dicto Rogero. 7 heredibus suis mesuagio cum crofpta quod fuit dicti Radulfi de Bray. 7 graua sua cum pastura eiusdem graue. Dedit ecyam predictus. Rogerus. predictis abbati 7 conuentui quoddam mesuagium suum cum crofta quod sytum est Juxta predictum mesuagium. illud scilicet mesuagium quod dicti abbas 7 /

7 conuentus de dicto Rogero prius ad firmam tenuerunt habendam 7 tenendam dictis abbati. 7 conuentui predictam medietatem carucate terre cum predictis prato pastura 7 mesuagio cum crofpta. de dicto. Rogero. 7 heredibus suis In liberam puram 7 perpetuam elemosinam adeo liberius 7 quiecius sicut aliqua elemosina liberius 7 quiecius alicui domui religiose potest conferri. Hanc uero donacionem concessionem dictus Rogerus. 7 heredes sui dictis abbati 7 conuentui contra omnes mortales In perpetuum warantizabunt. Quod ut ratum 7 stabilem permaneat In eternum: dictus Rogerus pro se 7 heredibus suis. 7 dictus abbas pro se 7 conuentu 7 successoribus suis alterius scripto sigilla sua apposuerunt. Hiis Testibus. Domino Ernaldo de Bosco. Domino. Willelmo. de Bosco fratre suo. Domino Ricardo de Turry. tunc senescallo. Comitis Ricardi. Domino. Sahero de Sancto Andr'. Domino. Euerardo. de Trumpinton'. Domino. Johanne. Monacho tunc senescallo. Comitis Winton'. Domino. Bartholomeo. de Cnapewell'. Domino. Hugone de La. Mar'. Ada Le. Bel. Radulfo Le Pol. 7 multis. ALiiS.

Endorsed: (i) R. de Quincy. de terra que fuit Radulfi de Bray. (xiii cent.; first three words in one hand, remainder in another.)
(ii) Sydenham. (xvi cent.)
(iii) Modern numeral endorsements.

Description: 7.0 x 5.5 in (17.8 x 14.0 cm). Indented at top. Fold at foot of .8 in (2.1 cm).

Sealing: On tag, 5.3 x .8 in (13.5 x 2.1 cm), through single slits, second seal in green wax, fragment only surviving, from lower half.

Hand /

Hand: Scribe A.

Source: Original, BM, Harl. Chart. 55.B.6; cf. Northamptonshire Record Office, Finch-Hatton Muniments, no. 170, item 67 (copy of original, first nineteen words in facsimile).

Printed: Hatton's Book of Seals, no. 67 (cal.).

Var. lect.: a. Inverted.

Notes: The later limit-date of this act is fixed by an entry in the Book of Fees recording that in 1237 Thame abbey held half a carucate in Sydenham by gift of Ralph of Bray (Fees, i, 613).

144

Charter to abbot and convent of Thame of all his demesne and villeinage in Sydenham, being half a knight's fee, with villeins, copse, meadows, pastures and pertinents, and view of frankpledge of the abbot's men.

Source: Mon. Angl., i, 803; Rot. Hundredorum, ii, 43, 783-4.

Notes: This act may have been issued about the time of a fine, dated 22 July 1248, by which the earl and the abbot of Thame settled the customs and services due to the earl from the abbot's tenement in Sydenham (Oxon. Fines, p. 154).

145

Letters patent to abbot and convent of Thame, informing them that he has given by charter to Roger of Bushey ('Byssegg') son of Ralph of Bushey /

Bushey 5 marks of rent annually to be received out of the 5½ marks of rent which they pay to the earl, and requiring them to be answerable to said Roger for said 5 marks in future. Groby, 8 August 1259.

Viris religiosis et discretis et amicis In christo karissimis Domino Abbati de Tham' et eiusdem Loci Conuentui: R. de Quency Comes Wynton' Constabularius Scoc' salutem Sciatis nos per cartam nostram dedisse Rogero de Byssegg' filio Radulfi de Byssegg quinque marcas annui redditus ad duos anni terminos de vobis recipiendas de illis quinque marcis et dimidio annui redditus quas nobis reddere consueuistis. Quare vobis mandamus rogantes quatinus eidem Rogero et heredibus suis uel assignatis de predictis quinque marcis annuis ad terminos In carta sua contentos decetero sitis Intendentes et respondentes sicut nobis hactenus respondistis. In cuius rei securitatem et testimonium has nostras Literas vobis mittimus patentes. Dat' apud Groby die veneris proxima ante festum sancti Laurentii anno regni regis Henrici quadragesimo tertio. Valete.

Endorsed: (i) Rogerus de Quency Comes Wynton' et Constabularius Scotiae. (Modern.)
(ii) Modern numeral endorsements.

Description: 8.5 x 2.3 in (21.6 x 5.8 cm).

Sealing: On tongue, 6.0 x 1.0 in (15.2 x 2.5 cm), second seal in natural wax varnished brown, much damaged at edges and crudely repaired with red wax. There is a tie placed below the tongue, of 3.7 x .1 in (9.4 x .3 cm), but torn at the end. On this tie is a seal in green wax, vesica-shaped, 1.0 x .6 in (2.5 x 1.5 cm), damaged at right hand side, bearing a lion, not on a shield.
Legend: [S' ROGER]I. DE BISEG[G].

Hand /

Hand: Robert Francis.

Source: Original, BM, Harl. Chart. 55 B 7.

Notes: It may be assumed that the lands to which this act relates lay in Sydenham (see above, Chapter II, pp.140-1).

146

Charter to Roger of Bushey ('Byssegg') son of Ralph of Bushey of rent of 5 marks annually.

Source: No. 145.

147

Grant to Sir Ralph of Bray of one carucate of land in Sydenham.

Source: No. 143.

Notes: Sir Ralph had previously received half a carucate in Sydenham from Earl Saher (Fees, i, 613).

148

Grant to Reginald de Duno [or Alno] of yearly rent of 100s. in Sydenham, to be paid by abbot and convent of Thame.

Source: Hatton's Book of Seals, no. 95; Oxon. Fines, p. 154.

149 /

149

Indenture of agreement between Earl Roger and Sir John de Nevill son of Hugh de Nevill, whereby the earl gives to Hugh, son of said Sir John, £20 of land in vill of Sydenham, or in his manor of Chinnor, in free marriage with Isabel, the earl's daughter; Sir John gives to Hugh, his son, £40 of land in vill of Radway (Warwickshire), or in manor of Stogursey (Somerset), to dower Isabel, which Hugh does; the earl shall hold the £40 of land until the majority of Hugh and Isabel and shall then restore it to them, and Sir John shall hold the £20 of land on the same conditions; if Hugh and Isabel survive Sir John, and Isabel survives Hugh, her husband, she shall recover her lawful dower after his death, viz. one third of all his land, whether acquired by homage or by purchase; the earl shall warrant the custody of the £20 of land to Sir John until the majority of Hugh and Isabel, and shall warrant the land itself to Hugh and Isabel and their heirs, or, on failure of warranty shall make a reasonable exchange from his own heritage, and Sir John shall warrant the £40 of land on the same conditions; if either party contravenes this agreement, he shall pay to the other £500 sterling and may be distrained by the king, his justiciars, sheriffs and bailiffs, to make payment of this penalty within six months of a summons; each party has pledged faith in the hand of sir Anketil, vicar of Ware, and has sworn on the gospels to keep this agreement; and it is also agreed that, if Hugh or Isabel die before they produce an heir, the £20 of land shall revert to the earl and the £40 of land to Sir John.
Ware, 6 February 1241.

C I R O G R A F I[a]

Anno gracie. millesimo. Ducentesimo. Quadragesimo. Die mercurii proxima post purificationem beate Marie apud Wares Ita conuenit inter Nobiles viros Dominum Rogerum de Quency Comes Winton' Constabularius Scoc'. ex vna parte ⁊ Dominum. Johannem de Neuill' filium Hugonis de Neuill /

Neuill ex altera. videlicet quod predictus Comes [dedit][b] Hugoni filio dicti Johannis de Neuill viginti libratas terre. in villa de Sydeham. si tantum ibidem habetur. Sin autem: perficiet ei in manerio suo de Chynhore plenarie per visum proborum 7 legalium virorum Juratorum in liberum maritagium cum Isabella filia sua. Et Dominus Johannes de Neuill dedit predicto Hugoni filio suo quadraginta libratas terre in villa de Radeweye. ad dotandam Isabellam filiam dicti Comitis. Et dictus Hugo dictam Isabellam de dictis quadraginta libratis terre dotauit. si autem predictus Johannes non possit perficere plenarie quadraginta libratas terre in villa de Radeweye dicti Hugoni filio suo ad dotandam dictam Isabellam: perficiet ei plenarie in manerio suo de Stokis Curcy in loco competenti 7 propinquiori de Radeweye. Preterea conuenit inter eos quod predictus Rogerus Comes Winton' uel assignati sui tenebunt predictas quadraginta libratas terre usque ad etatem dictorum Hugonis 7 Isabelle. sine aliquo inpedimento uel contradictione. Nec dictus Johannes nec aliquis suorum exigere poterit in dictis quadraginta libratis terre pro aliqua exactione siue seculari demanda. Quando uero predicti Hugo 7 Isabella fuerint plene etatis: Dictus Comes dictam terram dictis Hugoni 7 Isabelle sine dilatione contradictione 7 cauillatione reddet. predictus autem Johannes de Neuill uel assignati sui tenebunt predictas viginti libratas terre usque ad etatem dictorum Hugonis 7 Isabelle. sine aliquo inpedimento uel contradictione. Nec predictus Rogerus Comes nec aliquis suorum aliquid exigere poterit in predictis viginti libratis terre pro aliqua actione uel seculari demanda. Quando uero predicti Hugo 7 Isabella fuerint plene etatis: dictus Johannes /

Johannes dictam terram dictis Hugoni 7 Isabelle sine alicua dilatione contradictione 7 cauillatione reddet. Si autem Hugo de Neuill 7 Isabella vxor sua superuixerint Johannem de Neuill patrem dicti Hugonis: 7 dicta Isabella superuixerit Hugonem virum suum: dicta Isabella recuperabit dotem suam legitimam post decessum dicti Hugonis viri sui. scilicet tertiam partem totius terre dicti Hugonis. siue sit de humagio siue de perquisitione. vbicumque fuerit. Conuenit 7iam inter dictos Comitem 7 Johannem de Neuill' quod dictus Comes 7 heredes sui wardam predictarum [vigin]ti^c libratarum terre dicto Johanni 7 assignatis suis usque ad legitimam etatem dictorum Hugonis 7 Isabelle 7 ipsas viginti libratas terre dictis Hugoni 7 Isabelle 7 [heredibus qui de] ipsis exierint contra [omnes homines 7 femin]as warantizabunt inperp[etuum] Et si warantizare non poterunt: facient ei rationabile escambium per visum proborum 7 legalium [virorum iuratorum de] propria her[editate sua] . . . . . 7 propinqu[iori ?]. Dictus uero Johannes 7 heredes sui wardam predictarum quadraginta libratarum terre dicto Comiti 7 assignatis suis us[que ad legitimam etatem] dictorum Hugonis 7 [Isabelle 7 ipsas quadraginta libra]tas terre dictis Hugoni 7 Isabelle 7 heredibus qui de ipsis exierint contra omnes homines 7 feminas warantizabunt inperpetuum Et si warantizare non poterunt: facient eis [rationabile escambium de] propria hereditate sua per visum proborum 7 legalium virorum iuratorum Conuenit 7iam inter dictos Comitem 7 Johannem de Neuill quod si quis eorum isti conuencioni presumpserit contra[ire] . . . . quingentas libras Sterlingorum parti qui conuencionem istam uoluerit obseruare: non obstante aliqua contradictione cauillatione occasione. priuilegio. beneficio Juris ecclesiastici uel Cyuilis. Et quod Dominus rex 7 Justiciarii /

Justiciarii sui de banco vicecomites ⁊ Balliui domini regis quicumque fuerint pro tempore possint quemlibet illorum distringere per terras ⁊ catalla sua ad dictam conuencionem nichilominus obseruandam. vbicumque terra ⁊ tenementa ⁊ catalla sua fuerint inuenta. ⁊ ad dictas quingentas libras nomine pene plenarie persoluendas. infra dimidium annum. ad tardius post summonicionem primo factam. de pena persoluenda ⁊ de dicta conuencione fideliter obseruanda. Hanc autem conuencionem sine aliquo malo ingenio impedimento. cauillatione uel scrupulo falsitatis: fideliter ⁊ firmiter obseruandam: vtraque pars affidauit in manu domini Anketili vicarii de Wares ⁊ tactis sacrosanctis iurauit. non abrenunciens prime conuencioni que facta fuit in capella de Hauso. sicut in Cyrograffo inde confecto plenius continetur. Item conuenit inter ipsos Comitem ⁊ Johannem quod si aliquis predictorum Hugonis ⁊ Isabelle obierit. antequam de se ipsis heredem habeant: quod viginti librate terre antedicte ad predictum Comitem ⁊ ad heredes suos omni occasione. dilatione. cauillatione postpositis reuertantur. ⁊ quadraginta librate terre superius nominate ad predictum Johannem de Neuill' ⁊ ad heredes similiter reuertantur. In cuius rei testimonium quilibet pars sigillum suum apposuit. parti huic Cyrographi que a parte alia possidetur. Hiis Testibus. Dominis. Seero de Sancto Andr' Hereberto de Neuill'. Willelmo de Bosco. Alexandro Gyffard'. Michaele de Rosa. Radulfo de Horkel' Johanni Monaco. militibus. Roberto de Mercinton' clerico magistro Thoma de Man. ⁊ Thoma de Hos'. ⁊ aliis.

Endorsed: (i) Conuencio [inter] Rogerum Quency Comitem Wynton. et dominum H. de Neuill de maritagio Johannis filii dicti /

dicti H. et Isabelle filie dicti Comitis. (xiii cent.)

(ii) Modern numeral endorsements.

Description: 11.2 x 8.7 in (28.5 x 22.1 cm). Fold at foot of 1.1 in (2.8 cm). Indented at top.

Sealing: On tag, approx. 4.5 x .9 in (11.4 x 2.3 cm), torn off at bottom edge of seal, through single slits, second seal in light green wax, damaged at edges and surface rubbed, appended slightly off-centre.

Hand: Scribe A.

Source: Original, BM, Cotton Chart. viii, 7.

Printed: Dugdale, Baronage, i, 688 (note).

Var. lect.: a. Inverted.
b. Omitted in MS.
c. MS. damaged here and in following passages.

Notes: On the Nevill family, see Dugdale, Baronage, i, 288-9. The marriage planned in the above agreement did not take place, but Isabel later married Alexander Comyn, earl of Buchan (see above, Chapter I, p. 41).

150

Indenture of agreement between Earl Roger and Sir John de Nevill, made in chapel at Halse [probably as preliminary to No. 149].

Source: No. 149.

GLOUCESTERSHIRE /

GLOUCESTERSHIRE

Brockhampton

151

Charter to Maud Marshal, countess of Winchester, his spouse, of 3 yardlands in Brockhampton, within manor of Southam, to give with her body to Brackley hospital in free alms for support of a chaplain to celebrate divine service for souls of himself and herself. (About 1249 x 1252)

Omnibus hoc scriptum visuris vel audituris. Rogerus de Quency Comes Winton' Constabularius Scocie salutem. Nouerit vniuersitas vestra me quantum In me est dedisse 7 Concessisse Matilde Marescall' Comitisse Winton' sponse mea tres virgatas terre cum pertinenciis In Brochampton' Infra manerium de Sutham. videlicet illam virgatam terre cum pertinenciis quam Godwinus tenuit 7 Ipsum Godwinum cum tota sequela sua Et illam virgatam terre cum pertinenciis quam Walterus filius Roberti tenuit 7 ipsum Walterum cum tota sequela sua. Et illam virgatam terre cum pertinenciis quam Juliana quondam vxor Ricardi prepositi tenuit. 7 ipsam Julianam cum tota sequela sua ad dandum cum corpore suo priori 7 fratribus hospitalis beatorum apostolorum Jacobi 7 Johannis de Brackeley In puram 7 perpetuam elemosinam ad sustentacionem vnius Capellani pro animabus nostris 7 animabus antecessorum [nostr]orum[a] diuina celebrantis. Et ad maiorem huius rei securitatem presenti scripto sigillum meum apposui. hiis testibus. dominis. Roberto de Quency. Saero de Sancto Andrea. Willelmo de Bosco. Petro Potter. Ricardo de Iuetoft. Petro de Siresham tunc senescallo. /

senescallo. Mauricio Capellano. Briano Clerico. Roberto de Traford Clerico. Hugone Clerico. 7 aliis.

Endorsed: (i) Sowtham. (xvi cent.)
(ii) Modern numeral endorsement.

Description: 8.6 x 3.4 in (21.8 x 8.6 cm). Fold at foot of .8 in (2.1 cm). Ruled in ink, with left and right margins ruled by double lines.

Sealing: On tag, 4.5 x .7 in (11.4 x 1.8 cm), through single slits, second seal in natural wax, about one third missing, surface rubbed. The tag has broken and is now attached by a pin.

Hand: Hugh the clerk.

Source: Original, Magdalen College, Oxford, Brackley 183 (Macray's Catalogue, no. 151); cf. Magdalen MS. Lat. 273, fo. 30v.

Printed: Brackley Deeds, p. 30 (cal.).

Var. lect.: a. Hole in parchment.

Notes: This act is dateable to the period of Peter of Syresham's stewardship (see above, Chapter II, p. 91). For Maud's grant of these three yardlands to Brackley hospital, see Appendix A, no. 9.

MISCELLANEOUS ACTS /

MISCELLANEOUS ACTS

152

Bond to Brother Thomas, master, and brothers of Brackley hospital for £130 sterling, to be paid on 14 January 1260, with obligation to pay their expenses resulting in case of non-payment, with subjection to compulsion by sheriff of Northampton by entry upon the earl's borough of Brackley and his manor of Halse, distraint upon his lands and goods and retention of the borough and manor in their hands, until expenses and principal debt are paid, plus 100s. silver to sheriff and his bailiffs for their service, and further subjection to jurisdiction of bishop of Lincoln for compulsion to repay the expenses and debt; under provisions (i) that partial payment of the debt before said date shall not relieve him from payment of the whole, and (ii) that in case of his death his executors are to make no distribution of his effects until this debt and expenses are paid; and with renunciation of specified privileges and legal remedies. (About 1259)

Omnibus presens scriptum Inspecturis vel audituris Roger<u>us</u> de Quency Com<u>es</u> Wynton' Const<u>abularius</u> Scoc' salutem eternam in domino. Nouerit vniuersitas uestra nos teneri Fratri Thome magistro hospitalis beatorum apostolorum Jacobi et Johannis de Brackel' et eiusdem loci fratribus et eorum successoribus In sexies viginti et decem libris sterlingorum eisdem soluendis In crastino sancti Hyllarii anno domini millesimo ducentesimo quinquagesimo nono sine dilatione ulteriori. Et si contingat nos quod absit in solutione dicte pecunie ad diem predictam deficere et dicti magister et fratres aut eorum successores occasione dicte pecunie perquirende dampnum et Jacturam incurrant aut /

aut sumptus aliquos faciant: volumus nos et heredes nostros eisdem teneri et per hoc scriptum obligari et etiam executores nostros si nos contigerit ante terminum prefatum in fata decedere: ad plenariam solutionem omnium sumptuum et expensarum et tocius dampni restaurationem. et redatur eisdem sua simplici loquela sine prestacione alicuius sacramenti ad omnia predicta penitus optinenda vna cum debito principali. subiciendo nos et heredes nostros potestati et compulsioni vicecomitis Norhampton' et eiusdem balliuorum quicumque pro tempore fuerint ad ingrediendum burgum nostrum de Brackel' et manerium nostrum de Hauso non obstante aliqua carta de libertate nobis per aliquos concessa. et ad nos pro voluntate sua distringendum per tenentes nostros omnes terras et tenementa nostra et omnia bona nostra mobilia et immobilia in predictis locis Inuenta: et predictum burgum et manerium cum omnibus fructibus et uesturis et omnibus pertinentiis et commodis vniuersis inde emergentibus In manus suas ad opus Domini Regis retinendum: donec predictis magistro et fratribus uel eorum successoribus per nos et heredes nostros uel executores de omnimodis mysis vna cum debito principali plenarie fuerit satisfactum. volentes expresse quod dictus vicecomes et balliui sui si ipsos pro dicto debito aliquas contigerit facere districtiones ad opus suum pro seruitio suo recipiant de nobis et heredibus nostris seu executoribus Centum solidos argenti sine aliquo impedimento seu contradictione. subicimus etiam nos et heredes nostros et executores Jurisdictioni domini Lyncoln' Episcopi uel eius officialis quicumque pro tempore fuerit ad nos pro uoluntate sua absque strepitu Judiciali compellendum per censuram ecclesiasticam et per excommunicationis et Interdicti /

Interdicti sententiam non obstante aliquo priuilegio a sede apostolica indulto: ad refusionem omnium sumptuum et expensarum. vna cum solutione debiti principalis et ad tocius dampni restaurationem. volentes pro nobis et heredibus et executoribus nostris quod si tota predicta pecunia die prenominato non soluatur in solidis: licet medietas uel aliquid in parte eiusdem pecunie ante diem prefatum soluatur: pro non soluto habeatur. nec infra summam predicti debiti computetur. set quod nichilhominus totum dictum debitum plenarie et expresse acsi nichil esset solutum: possit exigi et euidenter calumpniari. Et si de nobis quod absit infra terminum predictum humanitus contigit. executores nostros in periculo animarum suarum districte et firmiter inhibemus. vt nullam de rebus nostris mobilibus uel immobilibus faciant distributionem seu diminutionem: donec predictis magistro et fratribus uel eorum successoribus de toto supradicto debito vna cum aquietantia sumptuum et expensarum et restauratione dampnorum pre omnibus aliis plenarie et competenter sine aliquo retenemento fuerit satisfactum. Et ad omnia predicta fideliter obseruanda bona fide promittimus et presenti scripto nos obligamus. renunciando pro nobis et heredibus seu executoribus nostris cuiuslibet fori priuilegio canonici et ciuilis..omni dolo. fraudi. cauillationi. exceptioni. impetrationi et maxime regie prohibitioni. et omni priuilegio crucesignatis uel crucesignandis indulto seu indulgendo et omni Juris remedio quod contra h[oc po]ssit[a] opponi. In cuius rei securitatem et testimonium presenti scripto sigillum nostrum duximus apponendum. Hiis testibus. Dominis Johanne de Karleolo. Ricardo de Wykes. Henrico de Balleol'. Roberto de Pynkeny Philippo /

Philippo de Chetewynd militibus. Roberto Walense tunc senescallo Johanne Mace de Brackel'. Willelmo Lambert. Rogero de Lutun'. Ranulfo Sweyn. Osmundo Swet. Ernaldo Waryn. Roberto Fraunceys clerico et ALiiS.

Endorsed: Modern numeral endorsement and date.

Description: 8.0 x 6.4 in (20.3 x 16.3 cm). Fold at foot of 1.1 in (2.8 cm.)

Sealing: On tag, 5.5 x .9 in (14.0 x 2.3 cm), through single slits. Seal missing except for fragment of white wax adhering to tag.

Hand: Robert Francis.

Source: Original, Magdalen College, Oxford, Brackley 152 (Macray's Catalogue, no. 193).

Printed: Brackley Deeds, p. 39 (cal.).

Var. lect.: a. Hole in parchment.

153

Quitclaim to sir Philip Lovel, his kinsman, since Philip had made fine with the earl for 60 marks of silver for marriage of the daughter and heir of Robert of Flintham, of those 60 marks which the earl owed to Philip for corn which the earl took from Philip's corn at Leuchars in the kingdom of Scotland. London, 25 October 1258.

Omnibus ad quos presens scriptum peruenerit Rogerus de Quency Comes Winton' Cunstabularius Scocie Salutem in domino. Nouerit vniuersitas uestra /

uestra quod cum dominus Philippus Luuell' cognatus noster finem. fecisset nobiscum pro sexaginta marcis argenti pro toto Jure 7 clamio quod habuimus uel aliquo modo habere potuimus in maritagio filie 7 heredis Roberti de Flintham: nos eidem domino Philippo predictas sexaginta marcas remisimus 7 ipsum inde penitus quietum clamauimus pro illis sexaginta marcis quas ei debuimus pro blado quod cepimus de blado suo apud Logres in regno Scocie. In cuius rei testimonium huic scripto sigillum nostrum apposuimus. Dat'. London' die ueneris ante festum apostolorum Simonis 7 Jude Anno regni Regis Henrici filii Regis Johannis xl secundo.

Endorsed: (i) A reales of the wardeshep of Flyntham. (xv cent.)
(ii) Modern numeral endorsement.

Description: 6.4 x 3.1 in (16.2 x 7.9 cm).

Sealing: On tongue, 3.9 x .3 in (9.9 x .8 cm), privy seal in green wax, central fragment only, showing seven mascles, legend lost. For description of seal, see above, Chapter IV, p. 162. Below tongue, tie, 3.75 x .1 in (9.7 x .3 cm).

Hand: Not identified.

Source: Original, PRO, Ancient Deeds, series A (E.40), no. 13417.

Printed: Ancient Deeds, v, 508 (cal.).

Notes: This act was issued about the time of Philip Lovel's removal from the office of royal treasurer, which took place in October 1258 (British Chronology, p. 100).

154 /

154

Letters patent acknowledging receipt from Thomas Kynne of Northampton of 10 marks of silver for fine made with the earl for grant of view of frankpledge. London, 30 January 1254.

Omnibus ad quos presens scriptum peruenerit Rogerus de Quency Comes Wynton' Constabularius Scotie salutem Noueritis me recepisse de Thoma Kynne de Norhampton'. decem marcas argenti. in quibus michi tenebatur pro fine quem fecit pro visu franciplegii quem ei concessi. In cuius rei testimonium has Litteras meas ei feci patentes. Dat' apud London'. Die veneris proxima ante purificationem beate Marie anno regni Regis Henrici filii Regis Johannis tricesimo octauo.

Endorsed: Roger de Quincy E. of Winton Receipt for 10 marks for grant of court Leet to Tho Kynne 38 Hen. 3. (xviii cent.?)

Description: 5.5 x 2.0 in (14.0 x 5.1 cm), approx. (An ancient translation, on paper, is sewn to the document.)

Sealing: On tongue, with tie below, fragment in brown wax, showing a shield (? privy seal).

Source: Transcript by Miss Joan Wake of original in muniments of Grant of Litchborough, Northants. This original has not been examined.

Printed: Baker, Northamptonshire, ii, 44 (transl.).

Notes: See No. 119 for the grant mentioned in this document.

155 /

155

Charter to abbess and nuns of Preaux (Eure) of 100s. from his rents (farms) of Winchester by hand of sheriff of Hampshire, by whose hands Earl Roger receives yearly his rent of the earldom (comitatu) of Winchester, and 20d. of yearly rent from Henry the butcher (carnifex) and his successors for a messuage which said Henry holds of Earl Roger in 'Flesmangerstrete' (Winchester?); granted in conjunction with similar charter by Simon de Monte Forti, earl of Leicester, since predecessors of said earls had granted to said nuns various rents from honour of Leicester, now held in partition between the two earls.

Source: Cal. Chart. R., ii, 27; CPR, 1266-72, p. 310.

Notes: The town in which 'Flesmangerstrete' lay is not specified There was a street so named in Winchester (see Pipe Roll of the Bishopric of Winchester, 1210-11, ed. N. R. Holt, 1964, pp. 158, 160); but there is no other evidence that Roger held property in that city. London is another possibility.

156

Note of document by Earl Roger including no details of text but giving witness list as follows: 'Roberto de Quincy fratre meo et Stephano [? Sahero] de Sancto Andrea, Petro le Porter [recte Potter], Johanne de Granford [recte Cranford], tunc senescallo nostro, Roberto de Sancto Andrea et Willelmo de Mohun, militibus'.

Source: BM, Cotton MS. Julius C.vii, fo. 191v (with note that document had same seal as that attached to No. 87, which is transcribed above this note, and was in custody of Joseph Holand in 1588).

Notes: The above is not the witness list of any extant act.

A P P E N D I X E S

APPENDIX A

ADDITIONAL DOCUMENTS

1

Charter by Saher de Quincy, earl of Winchester, to Loretta, his daughter, formerly wife of William de Valognes, in exchange for her free marriage in Lothian, in the land of the king of Scotland, of £20 of land in vill of Shepshed (Leics.), any deficiency wherein will be made good from Saher's neighbouring lands, with husbote and haybote in his forest and quittance from feeding his demesne pigs, all to be held heritably of him and his heirs, under provision that in case of failure of warranty he will give her an exchange of equal value in vill of Keyston (Hunts.). (1207 x 1219)

Seherus de Quency Comes Winton' Omnibus hominibus suis 7 Amicis presentibus 7 futuris Salutem. Noueritis me dedisse concessisse 7 hac mea carta mea Confirmasse Domine Lorette filie mee Quondam vxori Willelmi de Valoniis In escambium Liberi matrimonii sui In Loeneis In terra Domini Regis Scocie viginti Libratas terre in villa de Sepeheued per uisum legalium hominum Et si quid de viginti libratis terre predictis In predicta villa ei deficiat! ego uel heredes mei perficiemus ei in terris meis predicte ville vicinioribus per visum Legalium hominum. Concessi eciam ei In foresta mea Husebote 7 haybote per visum forestariorum meorum 7 quietanciam Nutrimenti dominicorum suorum porcorum tenendum 7 habendum de me 7 heredibus meis sibi 7 heredibus suis bene 7 in pace Libere 7 quiete honorifice 7 hereditarie cum omnibus pertinenciis suis. Et si ego uel heredes mei warantizare non poterimus ei predictam terram! dabimus ei escambium ad valenciam' in villa de Ketelestun. Hiis testibus. Domino Ada abbate de Geroudon'. Domino Roberto filio Walteri. Domino Willelmo de Huntingfeld'. Domino Outinello de Albiniaco. Henrico de Braibroc'. Rogero de Sancto Andr' /

Andr' Sehero fratre eius. Willelmo de Cnapwell'. Euerardo de Trumpiton'. Petro de Sancto Edwardo. Bartholomeo filio Willelmi. Patricio filio Nesi. Briano forestario. 7 multis Aliis.

Endorsed: (i) Carta Saheri Comitis facta Lorette filie sue vxoris Willelmi de Valonibus. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 7.0 x 3.1 in (17.8 x 7.9 cm). Fold at foot of .6 in (1.6 cm).

Sealing: On tag, 7.5 x .5 in (19.1 x 1.3 cm), through single slits, fragment, about one-third, of first seal of Earl Saher (see Stevenson and Wood, Seals, iii, 550-1), in green wax perhaps varnished.

Source: Original, Magdalen College, Oxford, Brackley 12 (Macray's Catalogue, no. 40).

Printed: Brackley Deeds, p. 11 (cal.).

Notes: Limit-dates fixed by Saher's creation as earl in 1207 and his death in 1219. The later limit-date is also fixed by the fact that Adam, abbot of Garendon, resigned in 1219 and became abbot of Waverley (VCH Leicester, ii, 7; see also no. 10, below).

2

'Sayherus de Quency, earle of Winchester, confirmed unto Robert Quency, his sonne, and to his heires, to give in free dowry to Hawise, sister to the earle of Chester, wife to the sayd Robert, Buckenham, Grancester, Bradenham et Herdwick and all their appurtenances for 100 lib. lands, and if these lands afforesayd be not yerely worth one hundreth pounds I will make up to him so much of my owne proper inheritance /

inheritance in England that he may fully have 100 lib. lands, by the advise and consideracion of lawfull knights, to wit men of the earle of Chesters and of myne; and moreover I give unto the sayd Robert 2 knights fees, to wit the fee of Mathew Turpyn of Winterslowe in Wiltshire for the service of one knights fee and the fee of Richard Turvile of Helmedon for service of one knights fee, to give likewise with the lands before named to the aforesayd Hawise his wife for a free dowry. Hiis testibus, David [blank], William, earle Ferrers, Philip de Orby, Robert de Bassingham, Richard de Lindesley, Wm. de Trumpington, Henry de Braybrook, William de Gilford, David Gifford, William Picot, Hugh, Thomas and Henry Spenser, Walter de Coventre, Walter Dayvill cum multis aliis.' (1207 x 1217, perhaps about 1210)

Source: BM, Cotton Julius c.vii, fo. 190r (xvi cent. summary of original, with drawing of fourth seal of Earl Saher, for which see Stevenson and Wood, Seals, iii, 551).

Notes: The lands granted in this charter are Long Buckby, Northants., Grantchester, Cambs., Bradenham, Norfolk, and Hardwick, Hunts., on which see also no. 14, below. For dating, and details of corresponding grant by Ranulf de Blundeville, earl of Chester, see above, Chapter I, p. 22. The first witness in the above text is almost certainly David, earl of Huntingdon, who occurs in the witness list of Ranulf's charter. Philip of Orreby was justiciar of Chester from 1202 (Facsimiles of Early Cheshire Charters, ed. G. Barraclough, Blackpool, 1957, p. 22). Robert of Bassingham was steward of Earl David (HKF, ii, 409).

3 /

3

Charter by Margaret de Quincy, for soul of Saher de Quincy, her lord, to Brackley hospital of (i) two yardlands and a croft of the tenement of Halse (Northants.), formerly held of Robert, earl of Leicester, her brother, at rents of 10s. for the yardlands and 2s. for the croft, now to be held in free alms, and (ii) the mill pertaining to the tenement of Halse, formerly held at rent of 6 marks, now to be held at rent of 4 marks of silver annually. (1204 x 1207)

Vniuersis sancte Matris ecclesie filijs ad quos presens scriptum peruenerit Margareta de Quincj Salutem. Nouerit vniuersitas uestra me concessisse 7 dedisse pro amore dei 7 intuitu pietatis 7 pro salute anime dominj mej Seherij de Quincj 7 hac presentj carta mea confirmasse deo 7 fratribus hospitalis beatorum apostolorum Jacobj 7 Johannis de Brach' duas uirgatas terre cum omnibus pertinentijs 7 libertatibus de tenemento de Halso. scilicet illas uirgatas terre quas predicti fratres ad firmam pro decem solidis ante tenuerunt de Roberto Comite de Leecest' fratre meo. 7 vnam croftam quam ante tenuerunt pro duobus solidis que extendit se in longum curie predictorum fratrum in puram 7 perpetuam elemosinam habendam 7 tenendam libere 7 quiete 7 pacifice ab omnj Consuetudine 7 exactione secularj. Preterea concessi predictis fratribus Molendinum quod pertinet ad tenementum de Halso Cum sequela 7 omnibus pertinentijs tenendum de me 7 de heredibus meis ad firmam inperpetuum reddendo inde singulis annis mihi 7 heredibus meis quatuor marcas argenti ad illos scilicet terminos ad quos firma de Halso redditur pro quo molendino predicti fratres solebant ante reddere sex marcas argenti. vt autem hec mea elemosina /

elemosina 7 donacio predictarum terrarum 7 Concessio firme predicti molendini! Rata 7 firma deo 7 predicto hospitalj permaneat inperpetuum illam literarum mearum testimonio 7 sigillj mei apposicione coroborauj. his T. Willelmo priore de Hincheleio. Stephano capellano. Dauid de Quincj. Willelmo de Trumpinton'. Euerardo de Trumpinton'. Simone Sorel. Lucas Sorel. Willelmo Sorel. Radulfo Basset. Willelmo Trenchefol. Willelmo de Bracheleio. 7 pluribus alijs.

Endorsed: Modern numeral endorsement.

Description: 8.4 x 5.1 in (21.3 x 13.0 cm). Fold at foot of 1.3 in (3.3 cm).

Sealing: On tag, 10.5 x .4 in (26.7 x 1.0 cm), through single slits. Seal missing.

Source: Original, Magdalen College, Oxford, Brackley C.132 (Macray's Catalogue, no. 33).

Printed: Brackley Deeds, p. 9 (cal.).

Notes: Limit-dates fixed by death of Robert Fitz Pernel, earl of Leicester, in 1204 and creation of Saher as earl of Winchester in 1207 (see above, Chapter I, pp. 16, 18).

4

Charter by Margaret, countess of Winchester, sister of Robert, earl of Leicester, in her widowhood, and after her homage to the king for her heritage, granting to Brackley hospital in free alms, for the souls of Saher, earl of Winchester, her lord, and of Robert, Saher and John, her children, (i) two yardlands and a croft of the tenement of Halse which the hospital formerly held at rent of her brother, the earl of Leicester, and (ii) the assart called 'Littlehei', for cultivation, /

cultivation, ditching and enclosure; and confirming to the hospital all lands, tenements and liberties held by gifts of her ancestors. (1219 x 1235)

Omnibus sancte [matris ecclesie filiis Margareta Comitissa Winton' soror Roberti Comitis Legestrie salutem. Sciatis quod Ego in mea libera][a] viduitate postquam Homagium feci domino meo Regi pro hereditate mea dedi et [hac mea carta confirmaui. in liberam puram et perpetuam elemosinam deo et fratribus hospitalis beatorum apostolorum] Jacobi 7 Johannis de Braccheleia pro salute anime mee 7 pro anima domini mei Seheri Comitis Winton' Et pro [animabus filiorum meorum. Roberti Roberti.[b] et Seheri et Johannis et aliorum liberorum meorum et pro anim]abus omnibus antecessorum et heredum meorum duas virgatas terre cum omnibus pertinenciis suis et libertatibus de tenemento de H[auso. illas scilicet uirgatas terre quas predicti fratres quondam tenuerunt ad firmam] de Roberto Comite Legr' fratre meo et vnam croftam quam idem fratres prius tenuerant que extenditur In longitudine curie pre[dictorum fratrum. liberas et quietas ab omni terreno seruicio et seculari] exactione. Preterea dedi et hac mea carta Confirmaui In puram et perpetuam elemosinam pro salute anime mee predicto hospitali 7 fratribus totum assartum quod vocatur Littlehei ad sustentacionem pauperum Christi ad colendum 7 fossandum et claudendum. et quicquid uoluerint exinde faciendum! libere et quiete absque omni disturbatione Concessi eciam predictis fratribus 7 hac carta mea confirmaui pro salute anime mee omnes terras et tenementa et omnes libertates cum pertinenciis quas ipsi habeant ex donacionibus antecessorum meorum secundum tenorem cartarum quas ipsi exinde habeant. Et ego et heredes mei /

mei hec omnia prenominata predictis Inperpetuum Warantizabimus contra omnes homines sicud propriam elemosinam nostram Hiis Testibus. Willelmo de Cnapewell tunc temporis senescallo meo. Rogero de Sancto Andrea Sehero de Sancto Andrea. Simone de Aula. Gilberto Seluan'. Willelmo de Couentr'. Henrico Orfreser. Roberto pistore. Roberto filio Euerardi. Et pluribus aliis.

Endorsed: Modern numeral endorsement.

Description: 9.9 x 3.1 in (25.2 x 7.9 cm). Fold at foot of .8 in (2.1 cm). Part of document missing owing to damage by damp.

Sealing: On tag, 9.0 x .5 in (22.9 x 1.3 cm), through single slits. Preserved apart is a small fragment of seal, in natural wax, with no traces of impression visible.

Source: Original, Magdalen College, Oxford, Syresham 46 (Macray's Catalogue, no. 385) = S.
Magdalen MS. Lat. 273, fo. 30r = C.

Var. lect.: a. This and subsequent passages in square brackets are taken from C on account of damage to text of S.
b. Sic.

Notes: This charter is in part a re-issue of part of no. 3, above. Margaret's widowhood lasted from Earl Saher's death in 1219 to her own death in 1235.

5

Charter by Margaret de Quincy, countess of Winchester, for soul of Saher de Quincy, earl of Winchester, her deceased husband, to Brackley hospital in free alms of (i) one mark annually for support of the poor from the rent of her mill of Halse, viz. from the 3 marks which /

which the hospital owed as rent to her husband and herself, so that in future the rent will be two marks only, and (ii) 25 cartloads annually by view of her foresters from her wood of 'Eastwood', as fuel for the poor and sick in the hospital. (1219 x 1235)

Omnibus sancte matris ecclesie filiis ad quos presens scriptum peruenerit Margareta de Quincy Comitissa de Wynton' salutem In domino. vniuersitati vestre Notificetur me diuine pietatis Intuitu 7 pro salute anime SeHer de Quincy Comitis Wynton' quondam viri mei. 7 pro salute anime mee 7 antecessorum 7 successorum nostrorum[a] dedisse 7 hac presenti carta mea confirmasse deo 7 domui hospitalis apostolorum Jacobi 7 Johannis de Brackele 7 fratribus ibidem deo seruientibus vnam marcam annuam de firma molendini mei de Halso percipiendam. scilic7 de tribus marcis quas predicti fratres Inde Iam[b] dicto domino meo .S. de Quincy. 7 mihi reddere solebant de firma predicti molendini ad sustentacionem 7 recreacionem pauperum 7 infirmorum predicti hospitalis Ita quod de cetero predicti fratres non persoluent mihi nec heredibus meis nisi duas marcas de predicto molendino. preterea dedi predicte domui hospitalis viginti quinque Caretatas annuatim percipiendas de bosco meo de Estwde ad focum pauperum 7 infirmorum predicti hospitalis forestariorum meorum visu. tenendas 7 habendas bene 7 in pace libere 7 quiete ab omni seculari seruicio 7 exactione in liberam in puram 7 perpetuam elemosinam. sicut aliqua elemosina in regno Anglie liberius 7 quiecius tenetur uel possidetur. Et vt hec mea donacio rata sit 7 firma! eam sigilli mei. apposicione confirmaui. Hiis testibus. Rogero de Sancto Andrea. Sehero de Sancto Andrea fratribus. Willelmo de Cnapwell tunc senescallo meo. Willelmo decano /

decano de Brackele. Simone vicario de Hintun'. Gilberto de Selford' rectore ecclesie de Eynesbur'. Thoma persona de Halso. Magistro Reginaldo de Halso. Henrico Biset. Ricardo de Euerle. Galfrido Tanewomb'. Rogero de Bray. Johanne clerico de Eynesbr'. 7 multis aliis.

Endorsed: (i) H ÷ Carta de vna Marca de Molendino 7 de bosco. (xiii cent.; in same hand as text.)
(ii) Modern numeral endorsement.

Description: 8.9 x 5.3 in (22.6 x 13.5 cm). Fold at foot of .9 in (2.3 cm). Ruled in pencil.

Sealing: On tag, 5.8 x .5 in (14.7 x 1.3 cm), through treble slits. Seal missing.

Source: Original, Magdalen College, Oxford, Brackley B.182 (Macray's Catalogue, no. 74).

Printed: Brackley Deeds, p. 17 (cal.).

Var. lect.: a. Sic. Read meorum?
b. Sic.

Notes: For dating, see no. 4, above.

Confirmation by Margaret, countess of Winchester, in her widowhood and after her homage to the king for her heritage, granting in alms to Brackley hospital, for souls of her lord, Saher, earl of Winchester, Robert, her son, and others, 20s. rent in vill of Littlemore (Oxon.), belonging to her fee, which they have by gift of Roger of St Andrews, her knight, as his charter witnesses. (1219 x 1235)

Omnibus /

Omnibus Sancte Matris Ecclesie filiis. Margareta Comitissa Winton': Salutem. Sciatis me in libera viduitate mea postquam Homagium feci domino meo Regi pro hereditate mea concessisse ⁊ hac mea Carta Confirmasse in puram ⁊ perpetuam elemosinam deo ⁊ fratribus Hospitalis Beatorum Apostolorum Jacobi ⁊ Johannis de Brackeleia pro salute anime mee ⁊ patris ⁊ matris mee ⁊ pro anima domini mei Seheri Comitis Winton' ⁊ pro anima Roberti filij mei ⁊ ceterorum liberorum meorum: viginti solidos redditus in villa de Litlemore que ÷ de feudo meo quos habeant ex donacione Rogeri de Sancto Andrea militis mei: sicut Carta ipsius quam ipsi exinde habent testatur. Testibus hiis. Willelmo de Sancto Audoeno priore de Wares. Thoma monacho de Wares. Reginaldo monacho de Geroudon'. Magistro Johanne de Luton'. Sehero de Sancto Andrea. Simone de Aula. Gileberto Seluano. Et pluribus aliis.

Endorsed: Modern numeral endorsement.

Description: 5.7 x 2.6 in (14.5 x 6.6 cm). Fold at foot of .6 in (1.5 cm).

Sealing: On tag, 4.3 x .5 in (10.9 x 1.3 cm), through treble slits. Seal missing.

Source: Original, Magdalen College, Oxford, Brackley C.87 (Macray's Catalogue, no. 57).

Printed: Brackley Deeds, p. 14 (cal.).

Notes: For dating, see no. 4, above.

7 /

7

Confirmation by Margaret de Quincy, countess of Winchester, in her widowhood, to Roger of Belgrave, for his homage and service, of 2 messuages with 2 tofts in vill of Ware (Herts.), which Roger held of her ancestors, to be held hereditarily for 3s. annually. (1219 x 1233)

Sciant presentes 7 futuri. Quod Ego Margareta de Quinci Comitissa Wintonie In Libera viduitate mea Concessi 7 hac presenti Carta mea Confirmaui Rogero de Belegraue pro homagio 7 seruicio suo Duo messuagia In villa de Wares cum duobus toftis. scilicet que Idem Rogerus de antecessoribus meis tenuit. Scilicet vnum mesuagium cum tofto Quod Galfridus Le Sauener tenuit. Quod Iacet Iuxta curiam prioris uersus aquilonem. 7 aliud mesuagium cum toffto quod Turstanus a La Grene tenuit Quod Iacet Intra domum Astrude 7 La Burne. Habenda 7 tenenda Sibi 7 heredibus suis de me 7 heredibus meis Libere 7 quiete 7 hereditarie. Reddendo Inde annuatim tres solidos ad tres terminos. scilicet ad purificacionem beate Marie duodecim denarios. ad festum beati Johannis baptiste duodecim denarios 7 ad festum sancti Michaelis duodecim denarios. pro omni seruicio 7 exaccione mihi uel heredibus meis pertinente. Et Ego et heredes mei predicto Rogero 7 heredibus suis predicta dua mesuagia cum prenominatis toftis contra omnes homines warantizabimus In perpetuum. Hiis testibus. Ricardo filio Willelmi tunc senesscallo. Seherio de Sancto Andrea. Dauid Giffard. Willelmo de Sancto Jeorgio. Willelmo Falconario. Henrico clerico. Rogero Buffey. Rogero filio Seherii. Willelmo filio Ade 7 multis aliiS.

Endorsed /

Endorsed: Carta Margarete Comitisse de duobus messuagiis Rogero de Belgraue concessis In villa de Ware. (xiii cent.)

Description: 7.3 x 3.1 in (18.5 x 7.9 cm). Fold at foot of .6 in (1.5 cm). Written under the fold and now concealed by it is a 'false start' of a text as follows: Sciant presentes 7 futuri. Quod Ego Margareta de Quinci Comitissa Wintonie Concessi 7 hac presenti Carta mea confirmaui.

Sealing: On tag, 5.2 x .6 in (13.2 x 1.5 cm), through single slits, fragment of seal in green wax.

Source: Original, Archives Départmentales de l'Orne, Alençon, France, series H, file 935.

Notes: Margaret became a widow by the death of Earl Saher in 1219. This charter must be earlier than no. 8, below, which is dated November 1233.

8

Charter by Margaret de Quincy, countess of Winchester, in her widowhood, to abbey of St Evroult (Orne), in free alms, of 3s. rent in vill of Ware (Herts.) which Roger of Belgrave and his heirs owed to her and her heirs for a tenement there, as in no. 7, above, saving homages and reliefs of Roger and his heirs. November 1233.

Vniuersis sancte matris ecclesie filiis. presens scriptum uisuris. uel Audituris. Margareta de Quency Comitissa Winton'. salutem. Nouerit uniuersitas uestra me pro salute anime mee. 7 antecessorum. 7 successorum meorum. dedisse. 7 concessisse. 7 presenti carta mea confirmasse. In mera 7 libera uiduitate mea. deo 7 Abbacie. Sancti Ebrulfi. In liberam. 7 puram. 7 perpetuam elemosinam. tres solidatos Redditus. /

Redditus. In uilla de Wares. quos Rogerus de Belegraue. 7 heredes sui. debuerunt mihi et heredibus meis. pro tenemento quod idem Rogerus tenuit de me. In uilla de Wares. Scilicet de quodam mesuagio cum tofto sito iuxta curiam prioris de Wares. quod Galfridus le Sawner tenuit. 7 de alio mesuagio cum tofto quod Thurstanus ad La Grene tenuit. Situm inter la Burne. 7 domum Widonis Rustici. Saluis etiam mihi 7 heredibus meis. Homagiis 7 Releuiis. dicti Rogeri 7 heredum suorum de predictis mesuagiis 7 toftis prouenientibus. Et ut hec mea donatio. Concessio. 7 confirmatio firmitatis robur obtineant In posterum: presenti scripto Sigillum meum apposui. Act' anno uerbi Incarnati. Millesimo. Ducentesimo. Tricesimo tertio. Mense Nouembr'. Hiis testibus. Domino Alexando persona de Burton'. Rogero persona de Swithelund. Domino Willelmo de Sancto Georgio. tunc Senescallo meo. Henrico Byset. Henrico de Faffington'. Rogero Buffe. Briano Forestario. Willelmo Wakelin. Philippo Quentin. 7 ALiis.

Endorsed: Carta. M. Comitisse Wintonie de tribus solidatis datis abbatie Sancti Ebrulfi. super duobus messuagiis in Ware. (xiii cent.)

Description: 5.2 x 5.5 in (13.2 x 14.0 cm). Fold at foot of 1.1 in (2.8 cm).

Sealing: On tag, now torn, 4.5 x .5 in (11.4 x 1.3 cm), through treble slits, seal in green wax, legend damaged and surface rubbed. Vesica-shaped, 3.8 x 1.8 in (9.7 x 4.6 cm) when complete. Obverse: under a stone archway with battlements, a female figure looking to dexter, holding a fleur-de-lys and wearing a head-dress and a long cloak over a dress covered in mascles. On a tree to /

to dexter hang two shields, the upper bearing seven mascles (Quincy), the lower bearing a fess between two chevrons (Fitz Pernel). Legend: [ ] MARGARET [ ] COMITISS[ ]ON. Reverse: counter-seal, diameter 1.4 in (3.6 cm), an antique gem showing a ship with five oarsmen. Legend, between beaded borders: + A ◇ G ◇ L ◇ A ◇.

Source: Original, Archives Départmentales de l'Orne, Alençon, France, series H, file 935.

Notes: For an engraving of Countess Margaret's seal, see Nichols, Leicestershire, III, ii, pl. cxlix.

9

Charter by Maud Marshal, countess of Winchester, with consent of Roger de Quincy, earl of Winchester, her husband, and of Humphrey de Bohun, earl of Hereford and Essex, her father, granting in alms, for souls of said Roger and others, to Brackley hospital, along with her body, three yardlands in Brockhampton, within manor of Southam (Gloucs.), with tenants of same, for support of a chaplain celebrating divine service in the hospital for souls aforesaid. (About 1250)

Omnibus sancte matris ecclesie filiis ad quos presens scriptum peruenerit Matilda Marescalla Comitissa Wynton' salutem. Nouerit vniuersitas vestra me de Consensu 7 assensu nobilis viri domini Rogeri de Quency Comitis Wynton' sponsi mei 7 assensu et consensu nobilis viri domini Humfridi de Bohun Comitis Herford' 7 Essex' patris mei pro salute dicti domini Rogeri 7 anime mee 7 pro salute animarum patris 7 matris mee 7 antecessorum 7 successorum nostrorum dedisse /

dedisse concessisse 7 presenti carta mea confirmasse In puram et perpetuam elemosinam priori 7 fratribus hospitalis beatorum apostolorum Jacobi 7 Johannis de Brackeley cum corpore meo tres virgatas terre cum pertinenciis In Brochampton' Infra manerium de Sutham. illam videlicet virgatam terre cum pertinenciis quam Godwinus de Brochampton tenet. 7 ipsum Godwinum cum tota sequela sua. 7 illam virgatam terre cum pertinenciis quam Walterus filius Roberti tenet In eadem villa. 7 ipsum Walterum cum tota sequela sua. 7 illam virgatam terre cum pertinenciis quam Juliana quondam vxor Ricardi prepositi tenet In eadem villa 7 ipsam Julianam cum tota sequela sua. ad sustentacionem vnius capellani In predicto hospitale pro animabus supradictorum In perpetuum diuina celebrantis habendas 7 tenendas dictis priori 7 fratribus 7 eorum successoribus Inperpetuum libere quiete solute 7 Integre bene 7 in pace sicut aliqua elemosina liberius 7 melius dari poterit seu teneri. Et ego 7 heredes mei dictas tres virgatas terre cum pertinenciis dictis priori 7 fratribus contra omnes homines warantizabimus Inperpetuum. In cuius rei testimonium presenti scripto sigillum meum apposui. hiis testibus. dominis Waltero de Auenebyr'. Willelmo Mansel. Henrico de Harehull. Saero de Sancto Andrea. Willelmo de Bosco. Ricardo de Iuetoft. Guidone Pipart. Briano Clerico. Roberto Clerico. 7 aliis.

Endorsed: (i) Carta domine Matild' Marescal' comitisse Wintonie De terra Brochampton'. (xiii cent.)
(ii) Brochampton. (xv cent.)
(iii) Modern numeral endorsement.

Description /

Description: 7.9 x 4.4 in (20.1 x 11.2 cm). Fold at foot of .7 in (1.8 cm). Ruled in pencil. Left and right margins ruled.

Sealing: On tag, 4.3 x .5 in (10.9 x 1.3 cm), through single slits. Seal missing.

Source: Original, Magdalen College, Oxford, Brackley B.106 (Macray's Catalogue, no. 152).

Printed: Brackley Deeds, p. 30 (cal.).

Notes: Dating derived from Macray's Catalogue. For Earl Roger's confirmation of this grant, see texts, No. 151.

10

Charter by Roger of St Andrews in free alms to Garendon abbey and Brackley hospital, for souls of Saher, earl of Winchester, his uncle, Robert de Quincy and others, of all the land of his demesne in the territory of the vill of Littlemore (Oxon.), which Robert, earl of Leicester, the elder, formerly held, and of the fishing of the vill, all to be divided between them as seems most useful, to be used for support of the monks of the abbey annually during Advent and Lent, and for support of the light of the church and Christ's poor in the hospital. (Probably 1219 x 1235)

Omnibus Sancte Matris Ecclesie filiis. Rogerus de Sancto Andrea! Salutem. Sciatis me dedisse ⁊ hac mea Carta Confirmasse in liberam ⁊ puram ⁊ perpetuam Elemosinam deo ⁊ Ecclesie Sancte Marie de Geroudon ⁊ monachis ibidem deo seruientibus ⁊ Hospitali beatorum Apostolorum Jacobi ⁊ Johannis de Brackel' ⁊ fratribus ibidem deo seruientibus pro salute anime mee ⁊ patris ⁊ matris mee ⁊ precipue pro anima Seheri Comitis /

Comitis Winton! Auunculi mei 7 pro animabus Roberti de Quinci 7 fratrum suorum 7 omnium antecessorum 7 heredum meorum Totam terram de dominico meo in territorio ville de Litlemore quam Robertus Comes Leircestr' Senior quondam tenuit tenendam 7 habendam imperpetuum libere 7 quiete. integre 7 plenarie absque ullo Re[teneme]nto[a] cum Toftis 7 Croftis. cum pratis 7 pascuis 7 cum omnibus ceteris pertinentiis suis 7 libertatibus 7 aisiamentis in uilla 7 extra uillam! 7 Piscatoriam totam eiusdem ville cum omnibus pertinentiis suis sine ullo retenemento! Ita quod predicti Monachi de Geroudon' 7 predicti fratres Hospitalis de Brackel' hec omnia prenominata Tenementa inter se pro uoluntate eorum equaliter dimidiabunt sicut utilius sibi uiderint expedire! precipue ad sustentacionem eorundem monachorum annuatim in Aduentu domini 7 in Quadragesima. 7 ad sustentacionem luminis Ecclesie 7 pauperum Christi predicti Hospitalis. Et ego 7 heredes mei hec omnia prenominata Tenementa cum omnibus pertinentiis suis predictis monachis 7 predictis fratribus inperpetuum warantizabimus contra omnes homines Ita bene 7 libere 7 quiete sicut aliqua elemosina liberius 7 quietius 7 melius warantizari potest 7 donari 7 teneri. Testibus hiis. Margareta Comitissa Winton' domina mea. Rogero de Quinci. Willelmo de Aubeni. Adam abbate de Wauerleia. Willelmo de Cnapewell'. Sehero de Sancto Andrea fratre meo. Euerardo de Trumpinton'. Ricardo Capellano. Magistro Roberto de Rutesale. Magistro Reginaldo de Hausou. Thoma persona de Brackel'. Henrico B[is]et.[a] Rogero Seruiente de Hausou. Et pluribus aliis.

Endorsed /

Endorsed: (i) Carta Rogeri de Sancto Andrea facta monachis de Geroudon et fratribus hospitalis Sancti Johannis de Brack' de tota terra de dominio suo cum tota [pastura?] quam habuit de Ro[berti] Comitis Leyc' seniore [in] Lutlemor. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 6.0 x 5.5 in (15.3 x 14.0 cm). Fold at foot of 1.0 in (2.5 cm).

Sealing: On tag, 4.2 x .6 in (10.7 x 1.6 cm), through treble slits. Seal missing, but fragment of white wax adheres to tag.

Source: Original, Magdalen College, Oxford, Brackley D.103 (Macray's Catalogue, no. 53).

Printed: Brackley Deeds, p. 13 (cal.).

Var. lect.: a. Hole in parchment.

Notes: The fact that this charter was granted 'for the soul' of Earl Saher suggests, although it does not prove, that it was issued after his death. The later limit-date is fixed by the presence in the witness-list of Countess Margaret, who died in 1235. Two Adams were abbots of Waverley at this period: one from 1216 to 1219 and the second, previously abbot of Garendon, from 1219 to 1236 (VCH Surrey, ii, 88). On balance of probability and also because this is a grant to Garendon, this evidence also suggests that the above charter was issued after 1219. On Roger of St Andrews and his family, see above, Chapter III, pp. 130-4.

11 /

11

Confirmation by Saher of St Andrews to Garendon abbey of whatever the monks hold in the territory of Littlemore (Oxon.) by gift of Roger of St Andrews, his brother. (Probably 1219 x 1235)

Omnibus sanctae matris ecclesiae filiis Seherus de Sancto Andrea Salutem. Sciatis me concessisse etc. in perpetuam elemosinam ecclesiae Sanctae Mariae de Geroudon et monachis ibidem deo servientibus etc. pro salute animae meae et omnium antecessorum et haeredum meorum quicquid habent in territorio de Litlemor ex dono Rogeri de Sancto Andrea fratris mei etc. Hiis testibus Domino Radulfo de Neuile, Johanne Monacho, Willelmo de Bosco, militibus, Briano Forestario, Matheo Venatore, Rogero Buffe, Johanno de Moserne, Rogero Brian, Waltero de Anest', Mauricio de Humātro, Johanne de Craumford et aliis.

Source: BM, Cotton Julius c.vii, fo. 235r (xvi cent. transcript, with drawing of seal: a shield of arms, seven mascles (three, three and one) and in chief a label of five points, legend + S : SAHER : SANTO :. ANDREA).

Notes: For Roger's grant of his demesne in Littlemore, see above, no. 10, which also provides the limit-dates for this text. 'Mauricio de Humātro' is probably an error for Maurice de Momartre (see texts, No. 131).

12 /

12

Charter by Roger of St Andrews, for souls of Saher de Quincy, earl of Winchester, his lord, and Robert, Saher's son, to Brackley hospital of 40s. rent annually from his land of Collessie (Fife), viz. 20s. for light of the church of the hospital and 20s. for the infirmary, to be held in free alms, as freely as any alms can be held in the kingdom of Scotland. (Perhaps 1207 x 1217).

Omnibus Sancte Matris ecclesie Filiis Ad quos Presens scriptum peruenerit Rogerus de sancto Andrea Salutem In domino. vniuersitati uestre notificetur me intuitu pietatis 7 pro salute anime mee 7 antecessorum 7 successorum meorum 7 pro salute anime Seheri de Quenc' domini mei comitis Winton' 7 Roberti filii sui dedisse 7 hac presenti carta mea confirmasse deo 7 domui hospitalis apostolorum Jacobi 7 Johannis de Brackel' Quadraginta solidos Redditus de terra mea de ColeSyn scilicet uiginti solidos ad luminare ecclesie ipsius hospitalis 7 uiginti solidos ad infirmarium infirmorum ibi iacencium annuatim inperpetuum percipiendos ad duos terminos anni scilicet ad festum sancti Jacobi viginti solidos 7 ad purificacionem sancte Marie viginti solidos. bene 7 in pace libere 7 quiete ab omni seculari seruicio 7 exactione in puram 7 liberam 7 perpetuam elemosinam sicut aliqua elemosina liberius 7 quiecius In Regno Scocie teneri uel possideri poterit. 7 Ego Rogerus 7 heredes mei totum predictum Redditum scilicet quadraginta solidos predicte domui 7 fratribus ibidem deo seruientibus contra omnes homines 7 feminas inperpetuum warantizabimus. 7 ut hec mea elemosina Rata sit 7 firma huic scripto sigillum meum apposui. Hiis testibus. Domino Rogero de /

de Quenc'. Sehero de sancto Andrea fratre meo. Willelmo de Scnapwell. Euerardo de Trompeton'. Bertolomeo filio Willelmi de Scnapwell. Willelmo Schelford tunc senescallo domini Rogeri de Quenc'. Giliberto clerico de Schelford. Henrico Biset. Ricardo de Euerl'. Ricardo Mace de Brackel'. 7 Aliis.

Endorsed: (i) Hec est carta Rogeri de Sancto Andrea de redditu in Colessin. (xiii cent.)
(ii) Carta Rogeri de Sancto Andr'. (xiii cent.)
(iii) Modern numeral endorsement.

Description: 7.7 x 3.4 in (19.5 x 8.6 cm). Fold at foot of .6 in (1.5 cm). Ruled in pencil. Margins ruled; left-hand margin double-ruled.

Sealing: On tag, 3.1 x .5 in (7.9 x 1.3 cm), through single slits. Seal missing.

Source: Original, Magdalen College, Oxford, Whitfield 13 (1) (Macray's Catalogue, no. 4).

Notes: This charter is in the same hand as no. 13 below. This grant of 40s. annualrent was exchanged by Roger de Quincy for his demesne of Gask (see texts, No. 1). The fact that this charter was granted 'for the safety of the souls' of Earl Saher and his son Robert (presumably Robert de Quincy II) suggests, although it does not prove, that it was issued before Robert's death in 1217. The earlier limit-date is fixed by Saher's creation as earl in 1207. Macray's dates, based on unspecified evidence, are 1210 x 1218.

13 /

13

Confirmation by Saher of St Andrews in favour of Brackley hospital of 40s. rent annually in toun of Collessie (Fife), which Roger of St Andrews, his brother, granted to the hospital in free alms by his charter (no. 12 above). (Perhaps 1207 x 1217)

Omnibus sancte Matris Ecclesie filiis ad Quos presens scriptum peruenerit Seherus De sancto Andrea salutem In domino. vniuersitati vestre notificetur me intuitu pietatis 7 pro salute anime mee 7 antecessorum 7 successorum meorum concessisse 7 hac Presenti carta mea confirmasse Deo 7 domui hospitalis apostolorum Jacobi 7 Johannis de Brakel' 7 fratribus ibidem deo seruientibus Quadraginta solidos Redditus In villa de Colesyn annuatim inperpetuum percipiendos scilicet ad duos terminos anni ad festum sancti Jacobi viginti solidos 7 ad Purificacionem sancte Marie viginti solidos sine aliqua uexacione secularis seruicii uel exactionis Quos frater meus Rogerus de sancto Andrea eis contulit In liberam 7 puram 7 perpetuam elemosinam sicut carta fratris mei Rogeri que predicti fratres inde habent testatur. Et ne aliquis contra hanc meam confirmacionem contrauenire temptauerit huic scripto sigillum meum apposui. Hiis testibus. Domino Rogero [de][a] Quenc'. Rogero de sancto Andrea fratre meo. Willelmo de Knapwell'. Euerardo de Trompeton'. Bertholomeo filio W[illelmi] de Knapwell. Willelmo de Schelford tunc senescallo domini R. de[b] Quenc' In Scocia. Giliberto clerico de Schelf[ord. Hen]rico Byset. Ricardo de Euerleya. Ricardo Mace de Brakel'. Thoma persona de Halso. Magistro Reginaldo de [Hal]so. Galfrido Tanewombe fratre suo. W[illelmo] clerico de Brakel'. Rogero de Bray. 7 Aliis.

Endorsed /

Endorsed: (i) Hec est confirmacio Seheri de Sancto Andrea de redditu in Colessin. (xiii cent.)
(ii) Modern numeral endorsement.

Description: 7.2 x 3.6 in (18.3 x 9.2 cm). Fold at foot of .8 in (2.1 cm). Ruled in pencil. Margins ruled; left-hand margin double-ruled.

Sealing: On tag, 3.4 x .5 in (8.6 x 1.3 cm), through single slits. Seal missing.

Source: Original, Magdalen College, Oxford, Whitfield 13 (2) (Macray's Catalogue, no. 5).

Var. lect.: a. Parchment torn here and later in text.
b. The words R. de have been clumsily squeezed into a small space and may be written over an erasure.

Notes: This charter is in the same hand as no. 12, above, which it confirms. The similarity of the witness list of this charter to that in no. 12 suggests that both charters were granted at the same time.

14

Fine between Roger de Quincy, plaintiff, and John de Lacy, constable of Chester, and Margaret, his wife, defendants, concerning inheritance of Saher de Quincy, formerly earl of Winchester, in Keyston (Hunts.), Chinnor (Oxon.), Southoe and Eynesbury (Hunts.), Buckby (Northants.), Grantchester (Cambs.), Hardwick (Hunts.) and Bradenham (Norfolk), and inheritance of Margaret de Quincy, countess of Winchester, viz. a moiety of the honour of Leicester. John and Margaret, his wife, acknowledged that all these lands and moiety, all Saher's inheritance in England, Scotland, Flanders and Normandy, and all the inheritance of said Margaret de Quincy, were the right of said Roger. For this acknowledgement, Roger granted to said John and Margaret the manor of Kingston, in Dorset, and land in Wimborn and /

and Blandford (Dorset). He also acknowledged and granted to them the manors of Bradenham, Grantchester, Buckby and Hardwick, as Hawise, formerly the wife of Robert de Quincy, held them in dower, to be held by them and heirs of Margaret's body for service of five knights, saving dower of said Hawise during her lifetime. Said Margaret de Quincy was present and granted this agreement; and said Hawise was present and acknowledged that she had no claim to said four manors except as dower. If said Margaret, wife of John, dies without an heir of her body, all the lands shall revert to Roger, saving the life-interest of said John. Westminster, 6 October 1230.

Hec est finalis concordia facta in Curia domini Regis apud Westm' in Octabis sancti Michaelis. Anno Regni Regis Henrici filii Regis Johannis quartodecimo. Coram Thoma de Mulet'. Willelmo de Ralegh. Roberto de Lexint'. Willelmo de Insula. Willelmo de Lond'. 7 magistro Roberto de Sherdelawe. Justiciariis. 7 aliis domini Regis fidelibus tunc ibi presentibus. Inter Rogerum de Quency querentem 7 Johannem de Lascy Constabularium Cestr' 7 Margaretam vxorem eius deforciantes. de hereditate Saeri de Quency quondam Comitem Winton' in Ketelestan. Chennoure. Sudho. Aynisbir'. Buckby. Granteset'. Herdwik 7 Bradenham cum pertinentiis. Et de hereditate Margarete de [Q]uency[a] Comitisse Winton'. Scilicet de medietate honoris Ley[ce]str' vnde placitum conuentionis summonitum fuit inter eos in Eadem Curia. Scilicet quod predicti Johannes 7 Margareta recognouerunt omnes predictas terras 7 mediet[atem h]onoris Leycestr' cum pertinentiis 7 totam hereditatem ipsius Saeri In Anglia. [Sc]ocia. Flandria 7 in Norm[a]nnia 7 Totam hereditatem ipsius Margarete Comitisse Winton'. in Anglia 7 in Normannia esse Jus ipsius Rogeri. Et pro recog[n]itione fine et concordia idem Rogerus dedit 7 concessit [predictis] Johanni [7] Margarete /

Margarete Manerium de Kingeston' cum omnibus pertinentiis in Comitatu Dors'. Et similiter Totam terram cum pertinentiis quam Loretta quondam Comitissa Leycestr' aliquando tenuit nomine do[tis] In Wimburn'. Blanefor[d] cum [tot]a foresta 7 Chaciis de Wimburneholt 7 cum omnibus Boscis 7 Warenniis de Kingeston' 7 cum omnibus aliis libertatibus 7 aisiamentis 7 omnibus aliis rebus ad predictum manerium de Kingeston 7 ad predict[as terras de] Wimburn' 7 de Blaneford pertinentibus. Excepto Tenemento quod Nicholas de Willelegh tenuit. Et preterea Idem Rogerus recognouit 7 concessit predictis Johanne 7 Margarete Maneria de Bradeham. de Granteset' [7 de] Buckby. 7 de Herdewik cum omnibus pertinentiis suis sicut Hawisa que fuit vxor Roberti de Quency ea tenuit in dote. Et homagium 7 Totum seruicium Mathei Turpin 7 heredum suorum de feodo . . . . . pertinentiis in Winterslawe. in Comitatu Wiltes'. Habendos 7 Tenendos Eisdem Johanni 7 Margarete 7 heredibus de Corpore Ipsius Margarete procreatis. de predicto Rogero 7 heredibus suis faciendo inde seruicium quinque [militum pro] omni seruicio 7 exactione Saluis predicte Hawise que fuit vxor Roberti de Quency predictis quatuor maneriis de Bradeham. de Granteset' 7 de Buckby 7 Herdewik cum pertinentiis Tenendis Tota vita [sua in nomine] dotis. Et preterea Rogerus 7 heredes sui warantizabunt Eisdem Johanni 7 Margarete 7 heredibus ipsius Margarete de Corpore suo procreatis! omnes predictas terras [de] Kingeston'. Wimburn'. Blaneford. Bradeham. [Granteset'.] Buckby 7 de Herdewik cum pertinentiis suis 7 cum predicta foresta de Wimburneholt. 7 Boscis 7 Warenniis 7 Chaciis predictis contra omnes homines inperpetuum. Et sciendum quod predicta Margareta de Quency Comitissa Winton presens fuit in Eadem Curia 7 hanc concordiam concessit. Sciendum est eciam quod predicta Hawisa presens /

presens fuit in Eadem Curia 7 recognouit 7 concessit quod nichil clamium in predictis maneriis. Bradeham. Granteset'. Bukby 7 Herdwik[b] nisi nomine dotis. Et sciendum quod si predicta Margareta sine herede de Corpore suo procreato decesserit! omnes predicte terre cum pertinentiis suis redibunt Ipsi Rogero 7 heredibus suis sine ullo retinemento Saluis predicto Johanni Constabulario Cestr' omnibus predictis terris cum pertinentiis Tenendis Tota vita sua.

Description: 12.2 x 5.4 in (31.0 x 13.7 cm). Indented at top and right-hand side.

Source: Original, PRO, D.L.25/2336.

Printed: Transactions of Leicestershire Archaeological Society, xv (1927-8), p. 225 (abstract) (from copy in PRO, De Banco Roll, 15 Edw. IV, 1475).

Var. lect.: a. Parchment damaged here and at later points in text.
b. A word such as habet is omitted here.

Notes: For comment on the significance of this agreement, see above, Chapter I, p. 26.

15

Indenture of agreement between Brother Thomas, master, and the brothers of Brackley hospital, and Colman of Nesgask, clerk, whereby the master and brothers lease to him (i) their land of Keir (in Findogask, Perthshire), with the mill there, (ii) their mill at Clathybeg (in Findogask), (iii) the dues and pertinents of the parsonage of the church of Nesgask, and (iv) their brewhouse, with a piece of land called the 'Kur'; to be held for term of 3 years for 20 marks sterling annually at Nesgask, payment to begin in 1264. Colman will acquit /

acquit the master and brothers in relation to the bishop of Dunblane for the rights (?) pertaining to him annually from the church of Nesgask, and will give annually, as acquittance for them, [sum unknown] to the vicar of Nesgask and 20s. to the abbot and convent of Inchaffray. Colman has sealed this indenture and found as cautioners Hervey, his brother, Benedict, son of Roger Litelbond, and William [possibly spouse] of Colman's daughter, who will complete said term in the event of Colman's death. Arrangements are made [details uncertain] for payments by Colman and his cautioners to [an attorney?] of the master and brothers, who are also to receive their dues from parsonage of church of Nesgask at Whitsun, 1266. As procurators for the hospital, Brother William of Selston and Brother William Russel have appended their seals to the part of the indenture remaining with said Colman. 31 May 1263.

[C I R O G R A P V M ?][a]

Anno ab incarnacione domini [m°]cc° sexagesimo tercio die Jouis proxima post festum sancti Urbani episcopi convenit Inter fratrem Thomam magistrum [hosp]italis apostolorum Jacobi ⁊ Johannis de Brackel' ⁊ eiusdem loci fratres ex vna parte. ⁊ Colm[i]num de Nesgask clericum eius . . . ex altera. videlicet quod predicti magistri et fratres tradiderunt ac dimiserunt ad firmam predicto Colmino t[otam] terram suam [de] Ker cum molendino suo ibidem levat[o] et molendinum suum [apud?] paruum Col[lut]h[i et] omne[s] [devoria?] ac pertinentes personatui ecclesie de Nesgask ⁊ braccinum suum cum du[o]b[us] . . . cum illa part[icata?] terre quod uocatur le Kur. Habenda ⁊ tenenda omnia prenominata predicto Colmino . . pre[dict]o [usque?] ad finem trium annorum con[t]inue subsequentium. Reddendo inde annuatim dictis magistro et fratribus vi[ginti] marcas esterlingorum [ad] festum sancti Michaelis apud Nesgask. Ita quod prima [s]ol[utio f]iet die prenominat[a /

prenominat[a in anno] m°.cc°. sexagesimo quarto. ⁊ tantum die sancti Michaelis proximo sequenti ⁊ [tan]tum die sancti Michaelis [proximo] sequenti. Predictus autem Colminus quietabit predictos magistrum ⁊ fratres er[ga] dominum e[piscopum] Dumblanen[sem] de [juribus?] que ad [eum?] pertinent de ecclesia de Nesgask annuatim. Insuper ⁊ ipse dabit vicario de Nesgask pro [qu]olibet anno . . . . ⁊ abbati ⁊ conuentui de Insula Missarum viginti solidos annuatim in quietancia pro predictis magistro ⁊ fratribus [Et in huius?] conuencionis securitatem predictus Colminus scripto cirografato penes predictos magistrum et [fratres] re[sidenti sigillum?] apposuit ⁊ hos fideiussores inuenit. videlicet Heruicum fratrem suum Benedictum filium Rogeri Litelbond. Willelmum . . [?sponse]m filie predicti Colmini qui singuli corporale prestiterunt sacramentum de predicta firma ⁊ om[ni]bus aliis [?prenomin]ati[s] . . . soluendis ⁊ omnia bona sua predictis magistro ⁊ fratribus obligauerunt. Et si [de] predicto Colmino Infra [terminum?] huma[nitus] contigerit quod absit! dictus Heruicius Benedictus Willelmus predictam conuencionem usque ad exitum termini tenebunt. Et si [attornatus?] dictorum magistri [⁊] fratrum . . moram [fecerit?] ultra imum diem post festum sancti Michaelis pro soluc[ion]i non facta predictus Colminus ⁊ fideiu[ssores] sui qui diutius . . moratur . . ! eum competenter In omnibus exibebunt. Et sciendum ÷ quod predicti magister ⁊ fratres wa[rran]tu[m]ᵇ (?) su[um?] ⁊ devoria ⁊ omnes pertinent[es] personatui ecclesie de Nesgask ad se recipient ad pentecostem anno domini m°.c[c°] sexagesimo sexto. Et ad huius conuencionis securitatem fideliter pro predictis magistro ⁊ fratribus tenendam fratres Willelmus de Saldeston [⁊] Willelmus Russel procuratores [predi]cti hospitalis beatorum /

beatorum apostolorum Jacobi 7 Johannis de Brackel' pro se 7 confratribus suis scripto cirografato penes predictum Colminum residenti sigilla sua apposuerunt. Hiis testibus. Domino Adam vicario de Gask Rogero [Litel]bond Willelmo clerico 7 aliis.

Endorsed: Modern numeral endorsement.

Description: 6.4 x 4.5 in (16.3 x 11.5 cm). Indented at top edge. Fold at foot of .5 in (1.3 cm). The document is torn and the surface has been badly damaged by damp.

Sealing: Fragmentary tag only, through single slits. Seal detached, fragmentary, natural wax, originally at least 1 in (2.5 cm) in diameter, showing an eight-lobed object.

Source: Original, Magdalen College, Oxford, Brackley 179.

Printed: Brackley Deeds, p. 58 (cal.).

Var. lect.: a. All passages in square brackets supplied editorially on account of damage to text.
b. Or possibly waitingum?

Notes: For comment, see above, Chapter II, p. 108. See also texts, Nos. 4-6.

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APPENDIX C

INDEXES OF BENEFICIARIES

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Separate indexes of lay and ecclesiastical beneficiaries are given below. Texts which exist as notitiae only are differentiated by underlining. Two texts have been omitted from the indexes: No. 14, which is a purely administrative act, and No. 156, which is a defective text.

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ECCLESIASTICAL BENEFICIARIES

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APPENDIX D

LISTS OF LANDS OF ROGER DE QUINCY

An attempt has been made in these lists to record all the earl's properties in land. The lands are listed by counties, in geographical order from north to south, and alphabetically within each county. Following each place-name is a series of statements describing the earl's property in that place. Each statement includes, first, the description of the property (manor, two fees, six yardlands, etc., or simply 'land'). This is followed by details of the tenure and it is to be understood in every case that 'held by A' means 'held of Earl Roger by A'. The date applicable to this description of the property is then stated, if known. Finally, a reference is given in brackets to the documentary evidence supporting the statement. Where possible, the statements for each place are given in chronological order; undated statements are placed at the end of the entry.

Where a source lists several lands in conjunction, e.g. three carucates in Pebworth, Marston and Quinton, one of the names has been selected, more or less arbitrarily, and the information is listed under that place, with cross-references to it from the other names. The modern forms of place-names have normally been used, but the form occurring in the source is quoted also if it is so far removed from the modern form that it might mislead, e.g. Brownsover ('Wavre'). For unidentified place-names, the original form is given, in inverted commas. The modern forms of some place-names are more elaborate than those in the sources quoted and modern additions to the medieval name are placed in square brackets, e.g. Shipton [on Cherwell].

No comment is required on obvious sources of information about land-holding such as the Calendars of Inquisitions post mortem and the /

the Book of Fees. But two lists of the earl's lands which were not compiled under royal authority present certain problems. The earlier one is a list of knights' fees which survives in one text only, in a hand of the fourteenth century, on a roll which is part of the Hastings of Ashby de la Zouche Manuscripts, now in the Huntington Library, California.[1] It is not dated and dating such a document is difficult since some of the detailed information contained in it may have been out of date when it was compiled. But the earlier limit-date at least is not in doubt, since the list describes Roger de Quincy as earl of Winchester,[2] a title not accorded to him until after his mother's death in 1235. Further, the list states at this point that the rent of Winchester is divided between the earl of Leicester and the earl of Winchester. It is therefore possible that the list itself resulted from a re-arrangement of fees held of the two parts of the honour of Leicester made soon after the death of Countess Margaret. Thus it can be certainly dated after 1235, and perhaps soon after it.

The later limit-date is harder to fix, but some general considerations suggest that the list belongs to a period not long after Roger's accession to his earldom rather than to the later years of his life. Among the tenants recorded is William de Harcourt, who held four fees in Leicestershire and Warwickshire.[3] A genealogy of the Harcourt /

1. Hastings, i, 331-4.
2. Ibid., 333.
3. Ibid., 331-2.

Harcourt family preserved in the fourteenth century cartulary of Ronton priory, Staffordshire, states that William was married in the time of King John;[1] and his son Richard is known to have died in 1258.[2] Another important tenant was William Burdet, who held ten fees in five counties.[3] The date of his death is unknown, but he was active between about 1228 and 1246.[4] The list records seven fees in Yorkshire 'of the marriage of Countess Ellen'.[5] This is not, as the editor of the Hastings Manuscripts thought, Countess Eleanor, Roger's third wife, but Countess Helen of Galloway, his first wife.[6] A reference in this manner to her marriage portion seems more likely during her lifetime than after her death, which took place between 1245 and 1250.[7]

These entries suggest that the list must be dated before about 1245 at the latest. But two items enable a more precise end-date to be fixed. The Lady Hawise is said to hold two fees in Grantchester, Bradenham and Long Buckby.[8] In 1230, these lands were confirmed by Roger de Quincy to Hawise of Chester, who was widow of Robert de Quincy II.[9] She still held her fee in Long Buckby in 1236, but by 1242-3 it had passed to Walter Marshal, earl of Pembroke, the second husband of Hawise's daughter, Margaret.[10] She is described /

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1. Dugdale, Mon. Angl., iii, 54.
2. CIPM, i, no. 411.
3. Hastings, i, 331.
4. HKF, ii, 331.
5. Hastings, i, 334.
6. For details of Galloway interests in Yorkshire, see below, Yorkshire, Kippax.
7. CP, XII, ii, 753.
8. Hastings, i, 334.
9. App. A, no. 14.
10. See below, Northants.,Buckby.

described as the late Hawise on 3 March 1243.[1] The list which mentions her fees must therefore be dated before 1243. Finally, there is an entry which lists the four fees of Ashby, Blackfordby, Oadby and Barlestone, in Leicestershire, as belonging to Roger la Zouche.[2] He is known to have died shortly before 14 May 1238.[3] These two specific dates confirm our general surmises and the limit-dates of the list are therefore 1235 and 1238.

The other list which requires comment is much later in date. It records the partition of the estates made at St Neots on 22 May 1277, and survives in several manuscript copies. One of these, in a fourteenth-century hand, is on the back of the roll in the Hastings Manuscripts which carries the list of 1235-38 discussed above. This copy of the 1277 list is the only one in print,[4] and it has been used as the principal text of that list for the purpose of compiling the lists of lands which follow. Another important text, also in a fourteenth-century hand, is in a British Museum manuscript (Cotton Nero D. x, fo. 193r-197r). This is not a direct copy of the Hastings text. It contains minor items of additional information about rents and homages. Occasionally its readings of place-names are preferable to those in the Hastings text. Wherever material from the Cotton MS. has been used to supplement or correct the Hastings text, a reference to the Cotton MS. has been added. Two direct /

1. CR, 1242-47, p. 89. 2. Hastings, i, 331.
3. CP, XII, ii, 932, quoting CR, 1237-42, p. 53.
4. Hastings, i, 323-31.

direct copies of the Cotton MS. survive, but neither has any independent value and they have not been used for the lists below. One, in a fifteenth-century hand, is in British Museum Additional MS. 38,133, fo. 109v-115v. The other, in Bodleian MS. Rawlinson B. 103, fo. 96r-108v., is in a hand of the early seventeenth century and is said to be 'ex veteri libro prioratus Lecestr''.

For ease if identification, fees which had formed part of the honour of Leicester before its partition are marked with an asterisk. This information has been noted from Hastings, i, 335-42, Cal. of Documents preserved in France, ed. J. H. Round (1899), no. 653, the Book of Fees, and other incidental references.

PERTHSHIRE

CLATHYBEG [in Findogask]. Land held by Brackley hospital (No. 6).

GASK [now Findogask]. The earl's demesne, with 4 acres of meadow, held by Brackley hospital, x 1234 (Nos. 1-3). Mills and a brewhouse, held by same (Nos. 4, 5, 112). 10 acres of land, held by Inchaffray abbey, x 1221 (No. 7). The earl's wood, x 1234 (No. 1).

KEIR, NETHER [in Findogask]. Land held by Brackley hospital (No. 5).

'KUR, LA' [in Findogask?]. Land held by Brackley hospital (No. 5).

PERTH. Tenement, with stone house and garden, pertaining to constableship of Scotland, granted by Alan son of Roland to William of Lynn and by him to Scone abbey, to be held of the earl, 1235 x 1246 (No. 9) (perhaps identical with the chief messuage of the constable, mentioned below). Land pertaining to the barony of the earl's father, granted by the earl to William of Lynn and by him to Scone abbey, 1236 x 1246 (No. 10). Chief messuage of the constable and the land to south of it, held by William of Lynn (No. 13). Lands from which Brackley hospital and John Sparetunt drew annualrents (Nos. 11, 13).

PITTENDYNIE [in Moneydie]. Possibly held by Earl Roger, who was concerned in transaction over teinds from 'Pettynefiue' received by Inchaffray abbey (No. 8).

FIFE /

FIFE

BRUCKLY [in Leuchars]. Lands, possibly in Bruckly, held by John of Kinloch (No. 23).

COLLESSIE. Annualrent granted to Brackley hospital by Roger of St Andrews, probably from land held of the earl (No. 1; App. A, no. 12). Land beside the church, held by Saher of St Andrews, probably held of the earl (Lindores Chartulary, no. [illegible], where for Serlo read Saher). Church, held by Lindores abbey (No. 15).

CRUVIE [in Logie]. Land held by William Strangessone (No. 16).

DYSART. Helen la Zouche held 1/3 of land of D., 1296 (CDS, ii, no. 824 (5)).

EDENSMUIR [in Collessie]. Moor over which Lindores abbey had right of way to a peat-moss (No. 18).

FETTERS [in Leuchars]. Land held by Richard the crossbowman (No.95).

'GALWEL'. Land held by John of Kinloch (No. 25).

KETTLE. Chapel held by St Andrews priory (Nos. 19, 20).

KILWHISS [in Collessie]. Shielings held by John of Kinloch (No.25).

KINLOCH [in Collessie]. Moor and wood in which Lindores abbey had rights of way and pasture rights (Nos. 17, 18).

LATHRISK [in Kettle]. Church held by St Andrews priory (Nos. 19,20).

LEUCHARS. /

FIFE (contd.)

LEUCHARS. Helen la Zouche held Leuchars and other lands, held of her by Oliver la Zouche for service of 1/3 knight, 1296 (CDS, ii, no. 824 (5)). Mill, from which St Andrews priory had annualrent (No. 22). Land held by Philip Lovel (No. 153).

'MONAGREY' [in Collessie?]. Peatmoss, on or near Edensmuir (Nos. 17, 18).

NAUGHTON, OVER [in Balmerino]. Land held by Simon of Shelford, free tenant of Earl Roger (No. 21).

'PETBAUDOC'. Land held by John of Kinloch (No. 25).

PITLOCHIE [in Strathmiglo]. Land, with mill, held by John of Kinloch (No. 25).

STRATHENRY [in Leslie]. Land held by Roderic son of Gillecrist (No. 24). Helen la Zouche held 1/3 of land of S., 1296 (CDS, ii, no. 824 (5)).

SWANLIEMIRE [in Leuchars and Forgan]. Marsh, in which Balmerino abbey held part of a peatmoss (No. 21).

'THORESTON' [in Collessie?]. Land on which Lindores abbey held a messuage at which to keep heather and peats (No. 17).

CLACKMANNANSHIRE

CLACKMANNAN. Land pertaining to the constableship, lying near the castle, held by Nicholas of Clackmannan (No. 26).

EAST LOTHIAN

FALSIDE [in Tranent]. Land held by Allan of Falside, x 1246 (No. 34) Helen la Zouche received rent from F., 1296 (CDS, ii, no. 824 (3)).

HADDINGTON. Toft held by Dryburgh abbey (No. 27).

[LONG]NIDDRY [in Gladsmuir]. Mill, from which Holyrood abbey received teinds (No. 30). Land held by keeper of part of Earl Roger's lands, 1264-6 (ER, i, 33). Helen la Zouche held 3 carucates in lordship of N., 1296 (CDS, ii, no. 824 (3)).

MYLES [in Tranent]. Probably held by Earl Roger, since later held by the earl of Buchan (RMS, i, app. i, no. 45). Land held by Milo Cornet, probably held of Earl Roger, since later resigned by Simon Cornet to the earl of Buchan (SRO, Crown Office Writs, no. 6).

PRESTON [in Prestonpans]. Land held by Holyrood abbey (No. 29).

PRESTONGRANGE [in Prestonpans]. Grange held by Newbattle abbey (No. 28).

TRANENT. Lands and mill (Nos. 29-31, 33; ER, i, 33). Land held by Saher of Seton (No. 32). Helen la Zouche held in T. a chief messuage, 3 carucates of land, a colliery and a mill, 1296 (CDS, ii, no. 824 (3)).

MIDLOTHIAN /

MIDLOTHIAN

CALDER, EAST. Helen la Zouche held 2 carucates in tenement of C., 1296 (CDS, ii, no. 824 (3)).

HANGINGSHAW [in Heriot]. Land from which Brackley hospital received rent (No. 3).

HERIOT. Land held by keeper of part of Earl Roger's lands, 1264-6 (ER, i, 33). Helen la Zouche held advowson of H., x 1285 (Newbattle Registrum, no. 59).

HERMISTON. Land beside Gogarburn in H., granted to Earl Roger by Holyrood abbey (No. 31).

PEEBLESHIRE

EDDLESTON. Land resigned to church of Glasgow (No. 36).

'KULMAD'. Land held by Newbattle abbey (No. 37).

BERWICKSHIRE

DALCOVE [in Mertoun]. Land held by David de Graham (No. 41). (Dalcove lay in the lordship of Lauder post 1357; see SRO, Register House Charters, no. 155.)

GLADSWOOD. Wood held by Dryburgh abbey (No. 38).

GLENGELT /

BERWICKSHIRE (contd.)

GLENGELT [in Channelkirk]. Land from which St Andrews priory, Northampton, received rent (No. 39).

'GROMBELAU' [?'Grimboldslaw']. Land from which St Andrews priory, Northampton, received rent (No. 39).

LAUDER. Land held by keeper of part of Earl Roger's lands, 1264-6 (ER, i, 33). See also Lauderdale.

LAUDERDALE. Helen la Zouche held 1/3 of moiety of toun and valley of L., 1296 (CDS, ii, no. 824 (2)).

MERTOUN. Land held by keeper of part of Earl Roger's lands, 1264-6 (ER, i, 33). Loch of M., fishing of which was held by Dryburgh abbey (no. 40). Land held by David de Graham (No. 41).

NEWBIGGING [in Lauder]. 1 carucate, held by St Andrews priory, Northampton (No. 39).

'NEWLAND'. Land in Tweeddale from which St Andrews priory, Northampton, received rent (No. 39).

REDPATH [in Earlston]. Land from which St Andrews priory, Northampton, received rent (No. 39).

THIRLSTANE. Rights held by the earl in pasturage of T., which were safeguarded in agreement between Kelso abbey and Sir Richard Maitland, 1258 x 1260 (APS, vii, 138; SP, v, 278).

KIRKCUDBRIGHT /

KIRKCUDBRIGHT

COLVEND. Probably held by Earl Roger, since later forfeited, along with Senwick and Kelton, by John, earl of Buchan, William de Ferrers, Alan la Zouche and John de Balliol (RMS, i, app. ii, no. 319). (For conjunction of Colvend, Senwick and Kelton in fourteenth century, see also ibid., nos. 792, 1006, 1176.)

DRUMSLEET [in Troqueer]. Helen la Zouche held 1/6 part of D., 1296 (CDS, ii, no. 824 (4)).

GIRTHON. Helen la Zouche held 1/3 of toun of G., 1296 (CDS, ii, no. 824 (4)).

KELTON. Helen la Zouche held 1 merkland and 1 lb wax in toun of K., 1296 (CDS, ii, no. 824 (4)). See also Colvend.

KIRKCUDBRIGHT. The earl's land of K. is mentioned in 1237 (CPR, 1232-47, p. 204).

SENWICK [in Borgue]. Helen la Zouche held 1/3 of toun of S., 1296 (CDS, ii, no. 824 (4)). (For Bain's 'Sa'nayk'' original has 'Sanuayk'.) See also Colvend.

TROQUEER. Helen la Zouche held 1/6 part of T., 1296 (CDS, ii, no. 824 (4)).

WIGTOWNSHIRE

CRUGGLETON. Site existed in mid-twelfth century (Anderson, Early Sources, /

WIGTOWNSHIRE (contd.)

Sources, ii, 185). Presumably held by Alan, lord of Galloway (see Trans. Dumfriesshire and Galloway Nat. Hist. and Antiq. Soc., 3rd series, xvi, 153). Castle held by John Comyn, earl of Buchan, 1292 (CDS, ii, no. 616).

'MAUHIRTON'. Helen la Zouche held 1/3 of toun of M., 1296 (CDS, ii, no. 824 (1)). (Place-name now lost, but probably connected with the Machars, the peninsula of Wigtownshire lying between Luce Bay and Wigtown Bay.)

AYRSHIRE

BOURTRIE [in Irvine]. Possibly held by Earl Roger, since rent in feu-ferm was received from land of B. by Alan la Zouche and William de Ferrers (RMS, i, no. 50).

DREGHORN. Possibly held by Earl Roger, since later held by John de Balliol, William de Ferrers and Alan la Zouche (RMS, i, no. 41).

GROUGAR [in Kilmarnock]. Possibly held by Earl Roger, since lordship of lands and tenements of Lambroughton and Grougar was later held by Alan la Zouche and William de Ferrers (RMS, i, no. 53).

IRVINE. Helen la Zouche held 1/3 of moiety of I., 1296 (CDS, ii, no. 824 (6)).

LAMBROUGHTON [in Stewarton]. Possibly held by Earl Roger; see Grougar.

CUMBERLAND /

CUMBERLAND

LIDDELL. Land bequeathed by William de Valognes to Earl Saher, his father-in-law, till majority of Eustace de Stuteville, given by the earl to Roger, his son, and held by Roger in 1220 (CDS, i, nos. 771-2). (For details of family transactions concerning Eustace, see EYC, ix, 17.)

TORPENHOW. Land of Sibyl de Valognes, daughter of Philip de Valognes, chamberlain of Scotland, held by Roger by reason of his wardship of Eustace de Stuteville, her son and heir, 1223 (CDS, i, nos. 840, 847-8). (See also EYC, ix, 17, 125.)

YORKSHIRE

ELMSALL (W.R.). Manor (£15 land), received in exchange for manors of Kippax and Scholes in 1254, and held by Earl Roger in 1264 (CIPM, i, no. 587; No. 43).

KELFIELD [in Stillingfleet] (E.R.). 1 carucate, held by Henry of Kelfield and others of Roger of St Andrews, and by him of [the heirs of] Earl Roger, 1284-5 (Feudal Aids, vi, 35). See also Croxton, Lincs.

KIPPAX (W.R.). With Scholes, 2 manors, granted by the earl to Edmund de Lacy in exchange for Elmsall, Yorks., Kneesal, Notts., and Wadenhoe, Northants., q.v., 1254 (Yorkshire Fines, 1246-72, p. 193; No. 43); probably part of 7 fees in Yorks. which were the marriage portion of Countess Helen of Galloway (Hastings, i, /

YORKSHIRE (contd.)

i, 334), whose father, Alan of Galloway, had interests in Kippax about 1210-14 (CDS, i, no. 553; CRR, vii, 86). Advowson, 1233, 1252 x 1256 (CR, 1231-4, p. 266; No. 43).

SCHOLES [in Barwick in Elmet] (W.R.). See Kippax.

LINCOLNSHIRE

CROXTON. ½ fee, held by Richard de Kaham (possibly Croxton, Leics.), 1235 x 1238 (Hastings, i, 334). ¾ fee, with 1 carucate in Kelfield, Yorks., held by the earl, 1238-41 (Fees, ii, 1476; cf. Hastings, i, 332). ½ fee and 1/8 fee, held by John of Shelford, 1242-3 (Fees, ii, 1015). With Kirmington, 3/5 fee (remainder in Stainton and Worlaby), held by John de Albiniaco, Roger of St Andrews and Suspirus de Baiocis, 1270 (CIPM, i, no. 732). With same, 100s. land, held by John son of Odinel de Albiniaco, alias John Daubeney, 1270, 1277 (ibid., no. 776; Cott. Nero D. x, fo. 195v). With same, 6½ (or 6) marks land, held by William of St Andrews, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 325). With same, 6 marks of land, held by Amice, daughter of Richard of Buslingthorp, of Richard, son of Richard of Buslingthorp, and by him of the earl, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 329). With same, 4 bovates, held by abbot of Thornton, in alms, 1270 (CIPM, i, no. 732). Moiety of advowson, held by Mr Adam of Norfolk, 1270, 1277 (ibid.; Hastings, i, 328). See also Marden, Wilts.

KIRMINGTON. /

LINCOLNSHIRE (contd.)

KIRMINGTON. See Croxton.

STAINTON [LE VALE]. With Worlaby, 2/5 fee (remainder in Croxton and Kirmington), held by Richard son and heir of Richard of Buslingthorp, 1270 (CIPM, i, no. 732). 10 marks land, held by same, 1270, 1277 (ibid., no. 776; Hastings, i, 324).

WITHAM [ON THE HILL]. See Sibson, Leics.

WORLABY [BY BRIGG] ('Wlrikeby'). 1/12 fee, held by Andrew de Launay, 1238-41 (Fees, ii, 1474-5). 8 bovates, held by John de Launay (or Daune), 1270, 1277 (CIPM, i, no. 776; Hastings, i, 325). See also Stainton.

NOTTINGHAMSHIRE

'ALCHERTON' (?Alverton). See Kneesal.

GEDLING. 1/3 fee, held by William Engayne, 1235 x 1238 (Hastings, i, 334).

KNEESAL. £80 land, granted to the earl by Edmund de Lacy, to be held for life, 1254 (CDS, i, no. 2153; Yorkshire Fines, 1246-72, p. 193). Manor, held with wapentakes of 'Alcherton' and Plumtree, Notts., and Risley, Derbyshire, 1264 (CIPM, i, no.587).

PLUMTREE. See Kneesal.

DERBYSHIRE /

DERBYSHIRE

RISLEY. See Kneesal, Notts.

LEICESTERSHIRE[1]

ANSTEY.+ 1/20 fee (5 yardlands), held by Thomas Daunou, 1277 (Hastings, i, 323; Cott. Nero D. x, fo. 193r). Land held by Leicester abbey (Nos. 44, 84). Rend held by Garendon abbey (No. 45).

ASHBY [DE LA ZOUCHE]. With Blackfordby, Oadby and Barlestone, 4 fees, held by Roger la Zouche, 1235 x 1238 (Hastings, i, 331). With Blackfordby, Kilwardby, Cole Orton, Glen Parva, Carlton Curlieu and Rolleston, 4 fees, held by Alan la Zouche, 1270 (CIPM, i, no. 776). Same (Ashby as 2 fees, remainder as 2 fees), held by Roger la Zouche, 1277 (Hastings, i, 327, 330).

AYLSTONE. 1 fee, held by Richard de Harcourt, 1258 (CIPM, i, no. 411). See also Bosworth, Market.

BAGGRAVE [in Hungerton]. See Thorpe Arnold.

BARKBY. ½ fee, held by William Abbiney, 1235 x 1238 (Hastings, i, 333). ½ fee, held by Robert de Ros, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 325).

BARLESTONE. /

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1. A list of knights' fees in Leicestershire, contained in an inquisition of 7 Edward I (1278/9), is printed in Nichols, Leicestershire, I, i, pp. cx-cxxi. Evidence from this list has not been included above, since it largely duplicates information obtained from other sources.

LEICESTERSHIRE (contd.)

BARLESTONE. Part of 1 fee, held by Richard Fraun', 1235 x 1238 (Hastings, i, 331); cf. Ladbrooke, Warw., and Farndon, Northants. 1/3 fee, held by Richard Finery, 1270 (CIPM, i, no. 776). Same, held by William Framery and Robert le Boteler, 1277 (Hastings, i, 323; Cott. Nero D. x, fo. 193r). See also Ashby.

BARSBY. See Thorpe Arnold.

BELGRAVE.+ With Keyston, Hunts., ½ fee, a new fee, held by Ernald de Bois, 1235 x 1238 (Hastings, i, 334). See also Thorpe Arnold.

BITTESBY. 1 fee, held by Rose de Verdone, 1235 x 1238 (Hastings, i, 331). Same, held by John de Werdon, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 327).

BLACKFORDBY. See Ashby.

BOSWORTH, [HUSBAND'S]. 1 fee, held by Richard de Harcourt, 1258 (CIPM, i, no. 411).

BOSWORTH, [MARKET]. With Shenton and Aylstone, Leics., and Wolvey and 'Bichesworthe', Warw., 4 fees, held by William de Harcourt, 1235 x 1238 (Hastings, i, 331-2). Bosworth alone, 1 fee, held by Richard de Harcourt, 1258 (CIPM, i, no. 411). With Shenton and Aylstone, 2 fees, held by William de Harcourt, 1270 (ibid., no. 776). With Carlton [in Market Bosworth], Coton, Aylstone and Glen Parva, 2 fees, held by Richard de Harcourt, 1277 (Hastings, i, 330).

BRADGATE. /

LEICESTERSHIRE (contd.)

BRADGATE. Hunting-rights in park granted to Earl Roger by earl of Arundel, 1242 (No. 49). Various rents and dues held by Garendon abbey (No. 48).

BRAUNSTONE.+ ½ fee, held by Robert Burdet, 1277 (Hastings, i, 323). See also Huncote.

BURTON [OVERY]. 1 fee, held by William de Warde, 1235 x 1238 (Hastings, i, 332). 2½ yardlands held by Osbert of Berford, 1277 (ibid., 324). 2 yardlands held by William de la Hay, 1277 (ibid., 326). £10 land, held by Robert de Noveray, 1277 (ibid., 329). Lordship of Burton Overy, held in socage by Robert de Novery, by service of setting the first dish on the earl's table (Nichols, Leicestershire, II, ii, 531). See also Upton.

BUSHBY. See Thorpe Arnold.

CARLTON [in Market Bosworth]. See Bosworth, Market.

CARLTON [CURLIEU].+ See Ashby.

'CHALENG' WOOD [near Barrow]. Part of the earl's forest, in which Hugh, earl of Arundel, had hunting-rights, 1240 (Trans. Leicestershire Archaeological Soc., xv, 1927-28, p. 22).

CHARNWOOD. Forest held by the earl, in which Roger de Somery had hunting-rights and Garendon abbey and Brackley hospital had pasture-rights (Nos. 50, 51, 52).

CLAYBROOKE. /

LEICESTERSHIRE (contd.)

CLAYBROOKE. See Thorpe Arnold.

[COLE] ORTON. See Ashby.

COTTON. See Bosworth, Market.

CROPSTON.+ 7 yardlands, terrae Normannorum - 5 held by the earl, 1 held by the prior of Ulverscroft, 1 held by Ernald de Bois, 1251-2 (Fees, ii, 1282). Rent held by Garendon abbey (No. 45). See also Thorpe Arnold.

CROXTON, SOUTH. See Syston, Leics., and Croxton, Lincs.

DADLINGTON. With Higham, ¼ fee, held by Maud of Ansty, 1235 x 1238 (Hastings, i, 332). With Higham, ¼ fee, held by Henry de Hastings, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 325). 1/16 fee, held by John Spigornel, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 326).

DRAYTON. 1 fee, held by [blank] of Drayton, 1235 x 1238 (Hastings, i, 332). 1 fee, held by Ralph de Lodyngton and John Heuse, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 323).

ELMSTHORPE ('Aylmeresthorpe'). See Thorpe Arnold.

FRISBY. With Galby, 1 fee, held by Robert Burdet, 1277 (Hastings, i, 328). See also Huncote.

GALBY. See Frisby and Huncote.

GARENDON ABBEY. /

LEICESTERSHIRE (contd.)

GARENDON ABBEY.+ Rights in advowson and site of abbey, pertaining to honour of Leicester, granted by Earl Roger to Simon de Montfort, earl of Leicester (No. 83).

GLEN PARVA.+ See Ashby and Bosworth, Market.

GLENFIELD.+ 1¼ fees, held by William de Antevill, 1235 x 1238 (Hastings, i, 332). ¼ fee, held by Roger Canteville, 1270 (CIPM, i, no. 776). ¼ fee, held by Richard Dauntevill, 1277 (Hastings, i, 323). Land held by Leicester abbey (No. 84).

GROBY.+ A demesne manor; valued at £88 2s. 2½d. in 1264 (CDS, i, no. 2366). Rent held by Garendon abbey (No. 45).

HATHERN.+ 1¼ (?) fees, held by Robert son of Alan, (granted to?) the bishop of Lincoln, 1235 x 1238 (Hastings, i, 332). 5 yardlands, held by Robert le Venur, 1259 (CIPM, i, no. 438). ½ fee, held by Robert son of Alan, 1264 (CR, 1261-4, p. 407). ½ fee, held by Robert son of Alan and said to be alms, 1277 (Hastings, i, 324; Cott. Nero D. x, fo. 193r). ¼ fee, held by Hugh Nauntel, 1277 (ibid., 328). See also Hoton and Whetstone.

HEMINGTON. 1 fee, held by Thomas Burdet, 1235 x 1238 (Hastings, i, 332). ½ fee, held by Robert de Meynill and Robert de Langeton, 1264 (CR, 1261-4, p. 407). 1 fee, held by Thomas de Meynel and Robert de Langeton, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 328). Land held by heirs of Hugh of Derby (No. 55). Land held by Leicester abbey (No. 84).

HIGHAM. /

LEICESTERSHIRE (contd.)

HIGHAM.+ See Dadlington and Sibson.

HOTON. With Hathern, ½ fee, held by Richard Mallori, 1235 x 1238 (Hastings, i, 332). With Hathern, ½ fee, held by Simon Mallore and Hugh Nanetel, 1264, 1270 (CR, 1261-4, p. 407; CIPM, i, no. 776). With Swinford, ½ fee, held by Simon Malore, 1277 (Hastings, i, 328).

HUNCOTE. With Braunstone, Frisby, Galby, Stretton Magna and Norton, fees (number unknown), held by William Burdet, 1235 x 1238 (Hastings, i, 331). With same, 4 fees, held by William Burdet, 1270 (CIPM, i, no. 776); or (more accurately) by Robert Burdet, 1270 (ibid., p. 258; HKF, ii, 332). With Halford, Warw., 2 fees, held by Robert Burdet, 1277 (Hastings, i, 326).

ILLSTON [ON THE HILL].+ See Thorpe Arnold.

KILWARDBY. See Ashby.

KIRBY [MUXLOE]. 12d. *rent*, held by Matthew le Venur, 1255 (CIPM, i, no. 339).

'KUT'. See Shepshed.

LAUGHTON.+ 1 fee, held by Robert de Tylers, 1235 x 1238 (Hastings, i, 332). 1 fee, held by [Hawise de Quincy, sister of Earl Roger,] countess of Oxford, 1270 (CIPM, i, no. 776). Same, held by earl of Oxford, 1277 (Hastings, i, 330). Advowson, 1220 (sic), 1270, 1277 (Nichols, Leicestershire, II, ii, 695; Hastings, i, 328; CIPM, i, no. 776).

LEICESTER. /

LEICESTERSHIRE (contd.)

LEICESTER.+ Pleas and profits of the borough court, valued at £10 2s. in 1264 (CDS, i, no. 2366).

LOCKINGTON.+ ½ fee, held by Henry Basset [granted?] in alms, 1235 x 1238 (Hastings, i, 332). Same, held by Reginald Basset, 1264 (CR, 1261-4, p. 407). Same, held by Roger Basset, and [of him] by abbot of Leicester, in alms, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 328; No. 84).

LOUGHBOROUGH. The chase, held by Hugh de Spencer, 1277 (Hastings, i, 330).

MARKFIELD.+ Various lands and dues, held by Brackley hospital in alms (No. 52). Advowson, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 328).

MISTERTON.+ With Pulteney, 1 fee, held by Adam of Napton, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 326). See also Napton, Warw.

MOUNTSORREL.+ Manor (part), held by Gilbert de Segrave—probably in 1255 (CIPM, i, no. 334). With Whetstone, 26 yardlands, held by Gilbert de Segrave, 1277 (Hastings, i, 330).

NORTON, [KING'S].+ With Stretton Magna, 1 fee, held by Thomas de Hendeshovere, and of him by Robert of Norton, 1277 (Hastings, i, 326). See also Huncote.

OADBY ('OUTHDBY'). See Ashby and Thorpe Arnold.

PEATLING /

LEICESTERSHIRE (contd.)

PEATLING [MAGNA]. See Thorpe Arnold.

PULTENEY. See Misterton.

RATBY.+ Mill, held by Matthew le Venur, 1255 (CIPM, i, no. 339). Rent, held by Garendon abbey (No. 45).

ROLLESTON. 1 fee, held by Gilbert de Nevill, 1277 (Hastings, i, 330). See also Ashby.

SAPCOTE.+ With Stapleton, Leics., and 'La Hide' and Nuneaton, Warw., 1 fee, held by William Burdet, 1235 x 1238 (Hastings, i, 331). With 'La Hide' and Nuneaton, Warw., ½ fee, held by Thomas le Marescal, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 324).

SHEARSBY [in Knaptoft].+ ¼ fee, held by Robert of Chacombe, and granted in alms, 1235 x 1238 (Hastings, i, 333). ¼ fee, held by Robert of Chacombe, 1270 (CIPM, i, no. 776). Part of 2½ fees, possibly with Trumpington and Girton, Cambs., q.v., held by Roger of Trumpington, 1277 (Hastings, i, 324). ¼ fee, held by abbot of Chacombe, 1277 (ibid., 325). 8 yardlands, held by canons of Chacombe in alms, by gift of Hugh of Chacombe (No. 54).

SHEEPY [MAGNA]. See Sibson.

SHENTON. See Bosworth, Market.

SHEPSHED. /

LEICESTERSHIRE (contd.)

SHEPSHED.+ A demesne manor; valued at £34 3s. 10d. in 1264 (CDS, i, no. 2366). Manor, assigned to Earl Roger's widow in dower, 1264 (CR, 1261-4, p. 407). Chief messuage, held by Earl Roger's widow, 1274 (CCR, 1272-9, p. 225). Included the earl's wood (No. 60). Garendon abbey held (i) wood of 'Kut', with site where the abbey was founded, and (ii) 1 yardland and rent of Robert Chapeleyn (Nos. 58, 59). Leicester abbey held (i) mill and various rights, and (ii) land containing 5 perches (Nos. 60, 62, 84). 13 acres and ½ yardland, held by Alan of Shepshed (Nos. 63, 64). For details of nine free tenants and their holdings, 1277, see Cott. Nero D. x, fo. 194r.

SIBSON.+ With Sheepy and Higham, Leics., Seckington, Warw., and Witham, Lincs. [Warw. in error?], 2 and one-eighth fees, held by William de Ganvill, 1235 x 1238 (Hastings, i, 332). With Sheepy and Higham, 2 fees, held by Thomas de Canvile, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 323). ½ fee, held by Guy son of Robert, and of him by Thomas de Sancto Vigore and Maud, his wife, 1277 (Hastings, i, 326). A fee, held by Peter le Potter, knight of Earl Roger (No. 65).

SOUTHWOOD [near Barrow-upon-Soar?]. Wood and hunting-rights granted by Earl Roger to earl of Arundel, 1242 (No. 49).

STAPLETON. See Sapcote.

STAUNTON /

LEICESTERSHIRE (contd.)

STAUNTON [HAROLD]. Land and rights re byre and sheepfold (in or near the earl's forest), held by Leicester abbey (Nos. 66, 84).

STOUGHTON. 9 yardlands, held by Ralph Frydey, 1277 (Hastings, i, 323; Cott. Nero D. x, fo. 193r). Land held by Leicester abbey (No. 84).

STRETTON MAGNA. See Huncote, Norton, Thorpe Arnold and Syston.

SWINFORD. See Hoton.

SWITHLAND.+ 1/20 part of 1/40 part of 1 fee (27 yardlands), held by Robert le Waleys, 1277 (Hastings, i, 324).

SYSTON. With Croxton and Stretton, 2 fees, held by [blank] de Theoba, 1235 x 1238 (Hastings, i, 332). £24 land, with 8 yardlands in Croxton, (terrae Normannorum), held by the earl, 1247 (Fees, ii, 1392). £30 land (terrae Normannorum), held by the earl, 1251-2 (ibid., 1282). 10 yardlands plus 16 yardlands (1/8 fee), held by Peter son of Roger of Leicester, x 1253 (Nos. 70, 71). 1/8 fee (22½ yardlands) (terrae Normannorum), held by same, 1277 (Hastings, i, 326; No. 69). £10 land, held by Roger la Zouche, in free marriage, 1277 (Hastings, i, 325). 1/20 fee, held by Christopher of Syston, 1277 (ibid., 323). 1/20 fee (10 yardlands), held by relict of William Mauncell, 1277 (ibid., 324). Advowson, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 325). 6½ yardlands held by Brackley hospital in alms (No. 68).

THORPE /

LEICESTERSHIRE (contd.)

THORPE [ACRE].+ See Whetstone.

THORPE [ARNOLD].+ With Claybrooke, Elmsthorpe, Bushby and Peatling, part of 19¼ fees, held by Ernald de Bois, 1235 x 1238 (Hastings, i, 331). With Claybrooke, Elmsthorpe, Bushby, Peatling and Belgrave, 16½ fees, held by same, 1270 (CIPM, i, no. 776). With Claybrooke, Elmsthorpe, Bushby, Peatling, Belgrave, Thurnby, Cropston, Barsby, Baggrave, Stretton, Illston, and Oadby, 7 fees (19½ carucates [? recte fees]), held by same, 1277 (Hastings, i, 325; Cott. Nero D. x, fo. 194r).

THURMASTON.+ 4 yardlands held by Henry Anlep, 4 yardlands held by Elias Lynsey, 4½ yardlands held by prior of Caldwell, all held of Leicester abbey and by the abbey of the earl (Nos. 72-75, 84). 1 yardland, held by Henry Anlep (No. 77). Rent held by Garendon abbey (No. 76).

TH URNBY. See Thorpe Arnold.

UPTON.+ ½ fee, held by William de la Warde, 1235 x 1238 (Hastings, i, 331). With Burton, 1½ fees, held by Robert de la Warde, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 324).

WALTHAM. ½ fee, held by Philip de Abbiney, and granted in alms, 1235 x 1238 (Hastings, i, 331). 1 fee, probably held by Philip Daubeny, and of him by abbot of Croxton, in alms, 1270 (CIPM, i, no. 776). ½ fee, held by abbot of Croxton, in alms, 1277 (Hastings, i, 325).

WHATTON. /

LEICESTERSHIRE (contd.)

WHATTON.+ ½ fee, held by Ralph Basset of Drayton, 1235 x 1238 (Hastings, i, 330). ½ fee, held by William de Dive, 1264, 1270 (CR, 1261-4, p. 407; CIPM, i, no. 776). ¼ fee, held by Ralph of Bredon, 1264, 1270 (ibid.). ¼ fee, held by William of Bredon, 1277 (Hastings, i, 326). Land held by Leicester abbey (No. 84).

WHETSTONE.+ 16 yardlands, held by Gilbert de Segrave, probably in 1255 (CIPM, i, no. 334); and see also Mountsorrel. 1/40 fee, held by Martin Bayl, 1277 (Hastings, i, 328). 1/9 fee, held by Saher of Trumpington, for 6s. 8d. yearly, 1277 (ibid.); and see also No. 78, by which this annualrent was granted to Catesby nunnery. 2½ yardlands, held by Robert of Orwell, 1277 (ibid.). 1 yardland, held by Leicester abbey (Nos. 79, 84). With Hathern and Thorpe Acre, 5 yardlands and other property, held by Garendon abbey (No. 80).

WHITWICK.+ A demesne manor; valued at £7 3s. 4d. in 1264 (CDS, i, no. 2366).

WIGSTON ('Wikyngston').+ £40 land, held by Hawise, countess of Oxford, in free marriage, by gift of Earl Roger, her brother, 1270 (CIPM, i, no. 776). Same, held by earl of Oxford, 1277 (Hastings, i, 330). 2½ yardlands, held by William of Wynterburne, 1277 (ibid., 324). 2 yardlands, held by Martin Bayl, by a mesne, 1277 (ibid., 328). (On the descent of these holdings in Wigston, see W. G. Hoskins, The Midland Peasant, London, 1957, pp. 23, 32-33.)

WARWICKSHIRE /

WARWICKSHIRE

BARNACLE [in Bulkington]. Land held by Leicester abbey (No. 84).

'BICHESWORTHE' (Bedsworth Farm?). See Bosworth, Market, Leics.

BRAMCOTE. Land held by Leicester abbey (No. 84). See also Bulkington.

BROWNSOVER ('Bruneswavere/Wrunsware/Wavre'). ½ fee, 1235-6 (Fees, i, 509, 514). See also Bulkington.

BULKINGTON. With Weston in Arden, Clifton, Brownsover and Wibtoft, part of 19½ fees, held by Ernald de Bois, 1235 x 1238 (Hastings, i, 331). With same, 4 fees, held by Ernald de Bois, 1270 (CIPM, i, no. 776). With same, plus Bramcote and Ryton, part of 7 fees, held by Ernald de Bois, 1277 (Hastings, i, 330). Land held by Leicester abbey (No. 84).

BURTON [HASTINGS?]. Land held by Leicester abbey (No. 84).

CLIFTON. 1 fee, 1235-6 (Fees, i, 509, 514). Land held by Leicester abbey (No. 84).

EMSCOTE. ½ fee, 1235-6 (Fees, i, 509, 514). ½ fee, plus 1/16 fee, held by Henry de Ponte, 1235 x 1238 (Hastings, i, 333). With Milverton, ½ fee, held by John Spygirnel, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 326).

HALFORD. See Huncote, Leics., and 'Mincheneford', Northants.

HARBURY. /

WARWICKSHIRE (contd.)

HARBURY.+ 1/5 fee, held by William Humet, being 5 yardlands held by the Templars, 1 yardland held by Roger Basset and 1 yardland held by monks of 'Cenba' (Combe?), 1235 x 1238 (Hastings, i, 332-3).

'HIDE, LA'. See Nuneaton.

LADBROOKE. Part of 1 fee, held by Richard Fraun', and of him by John [of Ladbrooke?], 1235 x 1238 (Hastings, i, 331); cf. Barlestone, Leics., and Farndon, Northants. Messuage with 2½ yardlands, a mill and advowson of church, held by John of Ladbrooke, 1270 (CIPM, i, no. 776). Same, described as ¼ fee, held by same, 1277 (Hastings, i, 324).

MILVERTON. See Emscote.

NAPTON. 2 fees, 1235-6 (Fees, i, 509, 514). With Weston under Wetherley, Warw., and Misterton and Pulteney, Leics., 4 fees, held by Adam of Napton, 1235 x 1238 (Hastings, i, 331). With Weston under Wetherley, 2 fees and advowson of Napton church, held by Adam of Napton, 1270 (CIPM, i, no. 776). With same, 2 fees, held by Adam of Napton, 1277 (Hastings, i, 329; Cott. Nero D. x, fo. 196v).

NUNEATON ('Etone'). With 'La Hide' (in Nuneaton?), and Sapcote, Leics., ½ fee, held by Thomas le Marescal, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 324).

PACKINGTON /

WARWICKSHIRE (contd.)

PACKINGTON, [LITTLE]. ¼ fee, 1235-6 (Fees, i, 509, 514). ¼ fee, held by Henry Murdac, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 329).

RYTON [in Bulkington]. See Bulkington.

SECKINGTON ('Sokyndon/Segesdone'). 1/6 fee (5 yardlands), held by Thomas de Caumvile, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 326). See also Sibson, Leics.

WESTON [IN ARDEN] [in Bulkington]. 1 fee, held by Ernald de Bois, 1235-6 (Fees, i, 509, 514). See also Bulkington.

WESTON [UNDER WETHERLEY]. See Napton.

WIBTOFT. Land held by Leicester abbey (No. 84). See also Bulkington.

WOLFORD, [LITTLE]. 1 fee, 1235-6 (Fees, i, 509, 514).

WOLVEY. ¼ fee, held by abbot of Combe, 1235-6 (Fees, i, 509, 514). 2 fees, held by William de Harcourt, and of him by abbot of Combe, in free alms, 1270 (CIPM, i, no. 776). 1 fee, held by Richard de Harcourt, and of him by abbot of Combe, in alms, 1277 (Hastings, i, 325, 327). See also Bosworth, Market, Leics.; and No. 89.

NORTHAMPTONSHIRE /

NORTHAMPTONSHIRE

ADSTONE ('Atteneston!).+ See Maidford.

ASTROP [in King's Sutton]. 1 fee, held by William of Stapiltun and William Mordaunt, 1270 (CIPM, i, no. 732). ½ fee, held by William of Stapiltun, 1270, 1277 (ibid., no. 776; Hastings, i, 324).

BLAKESLEY.+ ¼ fee, held by Robert of Plumpton, of honour of Leicester, 1242-3 (Fees, ii, 940). Land held by Ernald de Bois, 1277 (Hastings, i, 328).

BRACKLEY.+ The earl's borough (No. 90). Demesne lands valued at £9 4s. in 1264 (CDS, i, no. 2366). Included the earl's mill (Nos. 105-9), his fishpond and the site of his castle (Nos. 111, 112). Land and rents held by Brackley hospital (Nos. 92-113, passim). Land held by Godstow nunnery (No. 115). Land held by Leicester abbey (No. 84).

BRAMPTON, [CHAPEL]. With Folkington and Tarring, Sussex, 7½ fees of Mortain, held by William Rocelynn, 1235 x 1238 (Hastings, i, 331). 2½ fees of Mortain, held by William Rocelin, 1270, 1277 (CIPM, i, no. 732; Hastings, i, 324).

BUCKBY, [LONG]. 1 fee, 1235-6 (Fees, i, 494, 501). 1 fee, of honour of Chokes, held by Hawise of Chester of the earl, in dower, 1236 (ibid., 604). 1 fee, of honour of Chokes, held of the earl by Walter Marshal, earl of Pembroke, second husband of Margaret, daughter of above Hawise, 1242-3 (ibid., ii, 939). (For details of descent of Long Buckby, see HKF, i, 32-3.) See also Bradenham, Norfolk.

COMBE. /

NORTHAMPTONSHIRE (contd.)

CHACOMBE. Land possibly held by Ernald de Bois, 1277 (Hastings, i, 328).

FARNDON, [EAST].+ A demesne manor; valued at £9 13s. 9d. in 1264 (CDS, i, no. 2366). Part of 1 fee, held by Richard Fraun', and of him by Thomas de Maunsel, 1235 x 1238 (Hastings, i, 331); cf. Ladbrooke, Warw., and Barlestone, Leics. ½ fee, held by Thomas Maunsel, 1270 (CIPM, i, no. 732). ½ fee, held by William of Knapwell, 1235 x 1238 (Hastings, i, 334). ½ fee, held by William of Farndon, of honour of Leicester, 1242-3 (Fees, ii, 940). Manor, held by Roger Comyn (No. 114).

FARTHINGHOE.+ 1 fee, 1235-6 (Fees, i, 494, 501). 1 fee, held by Warin son of Gerard, 1235 x 1238, 1270 (Hastings, i, 333; CIPM, i, 732). 1 fee, held of honour of Leicester by Ralph de Sancto Amando, Geoffrey of Farthinghoe, William Abbe and the monks of St Denis, 1242-3 (Fees, ii, 940). 1 fee, disputed by countess of Aumale, held by Ralph de Sancto Amando, Geoffrey Cardun and William Abbot, 1270 (CIPM, i, no. 776). 1 fee, held by countess 'de Insula', 1277 (Hastings, i, 325). Land held by Leicester abbey (No. 84). Land held by Godstow nunnery (No. 115). (For details of descent of Farthinghoe, see HKF, iii, 245.)

HALSE [in Brackley].+ A demesne manor; valued at £94 9s. 9½d. in 1264 (CDS, i, no. 2366). Included a grange and a park (No. 116; CR, 1259-61, p. 376). Land held by Godstow nunnery (No. 115). Land held by Leicester abbey (No. 84). Land held by Brackley hospital (No. 101).

HASELBECH. /

NORTHAMPTONSHIRE (contd.)

HASELBECH.+ 1 fee, 1235-6 (Fees, i, 494, 501). 1 small fee, of honour of Leicester, held by John Manse, 1242-3 (ibid., ii, 940). With Pitsford, Walgrave and Nortoft, 1 fee, held by Richard de Henred, 1270 (CIPM, i, no. 732). With 3 virgates in Pitsford, 1 fee, held by Richard de Hanred through various mesne lords, 1270, 1277 (ibid., 776; Hastings, i, 329). See also 'Minchene-ford'.

HOLDENBY.+ 1 fee, 1235-6 (Fees, i, 494, 501). 1 fee, held by Philip de Nevill and Sibyl of Holdenby, 1270 (CIPM, i, no. 732). With Spratton, 1½ fees, held by Henry de Pinkney and of him by Thomas of Arderne and Sibyl of Holdenby, 1270, 1277 (ibid., no. 776; Hastings, i, 325). Land possibly held by Ernald de Bois, 1277 (Hastings, i, 328) ('Waldby' in error for Holdenby).

MAIDFORD.+ 1 fee, 1235-6 (Fees, i, 494, 501). With 2 yardlands in Adstone, 1 fee, held by Henry de Alneto, of the honour of Leicester, 1242-3 (Fees, ii, 940). With Adstone, fee held by Thomas Kynne of Northampton, 1254 (No. 119). 1 fee, held by Thomas Kyn, 1270 (CIPM, i, no. 732). 1 fee, held by Thomas Kyn of William Burdet and by him of the earl, 1270 (ibid., no. 776). 1 fee, held by Thomas Ken, by a mesne, 1277 (Hastings, i, 327). Land held by canons of Ashby, 1252 (No. 118).

'MINCHENEFORD/MINDEFORD'. With Haselbech, Northants., Halford, Warw. ('Seleford' in error), and 'Suttone', Oxon. (recte Sutton, Northants.?), apparently 4½ fees, held by William Burdet, 1235 x 1238 /

NORTHAMPTONSHIRE (contd.)

x 1238 (Hastings, i, 331). With Haselbech, 1 fee, held by William Burdet, 1270 (CIPM, i, no. 732). See also Huncote, Leics.

NORTOFT [in Kilsby or in Guilsborough?]. See Haselbech and Walgrave.

OAKLEY [FARM]. Park and woods, including rights held by Leicester abbey (Nos. 120, 121).

PITSFORD. See Haselbech.

SPRATTON.+ 1 fee, 1235-6 (Fees, i, 494, 501). 1 small fee, held by Eustacia de Andon, of honour of Leicester, 1242-3 (ibid., ii, 940). 1 fee, held by Eustacia de Arderne and Thomas, her son, 1270 (CIPM, i, no. 732). See also Holdenby.

SUTTON, [KING'S]. 1 fee, 1235-6 (Fees, i, 494, 501).

SYRESHAM.+ Land held by Leicester abbey (No. 84).

WADENHOE. Manor, granted to Earl Roger by Edmund de Lacy, 1254 (Yorkshire Fines, 1246-72, p. 193). Manor and advowson, 1264 (CIPM, i, no. 587).

WALGRAVE. With Nortoft, ¼ fee, held by Thomas le Lord (or le Lovere, or de Loverd), through various mesne lords, 1277 (Hastings, i, 327; Cott. Nero D. x, fo. 195v; CIPM, i, no. 776).

WHISTLEY [in Syresham].+ Woods, including rights held by Leicester abbey (No. 121).

WOODFORD /

NORTHAMPTONSHIRE (contd.)

WOODFORD [in Chipping Warden hundred].+ 1 fee, 1235-6 (Fees, i, 494, 501). 1 fee, held by Richard Basset, of honour of Leicester, 1242-3 (ibid., ii, 940). 1 fee, held by same, 1270 (CIPM, i, no. 732). 1 fee, held by Ralph Basset of Drayton, 1277 (Hastings, i, 327).

HUNTINGDONSHIRE

DIDDINGTON. ½ fee, held by John of Littlebury of Earl Roger and by him of bishop of Lincoln, 1236-7 (Liber de Bernewelle, pp. 264-5). ½ fee, held by John of Littlebury, 1264, 1270 (CR, 1261-4, p. 407; CIPM, i, no. 732). ½ fee, held by same of bishop of Lincoln, 1277 (Hastings, i, 327).

EYNESBURY. 1 fee, 1236-7 (Liber de Bernewelle, pp. 264-5). A demesne manor; valued at £32 7s. 1d. in 1264 (CDS, i, no. 2366). Manor, assigned to Earl Roger's widow in dower, 1264 (CR, 1261-4, p. 407). 1 fee, held of Sir John de Balliol, of honour of Huntingdon, 1270 (CIPM, i, no. 732). Chief messuage, held by Earl Roger's widow, 1274 (CCR, 1272-9, p. 225). ¼ fee, held by Thomas of Barkby, 1277 (Hastings, i, 325). Advowson, 1270, 1277 (CIPM, i, no. 732; Hastings, i, 330). 2 watermills, held by abbot of Sawtry in free alms, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 328). 2 messuages, held by abbot of Warden, 1252 (No. 123). 32 acres, held in alms by chapel of St Thomas at Hardwick (No. 126).

HAIL-WESTON. /

HUNTINGDONSHIRE (contd.)

HAIL-WESTON. 2/3 fee, held by William of St George (the other 1/3 being held by Earl Roger in Southoe, q.v.), 1242-3 (Fees, ii, 922, 926). 1/6 fee, held by the lady of Weston, 1235 x 1238 (Hastings, i, 334). 3 acres and a mill, held by priory of St Neots, by gift of William of St George (No. 127).

HARDWICK. Land disputed between Hawise, widow of Robert de Quincy, and John le Moyne (CRR, xiii, no. 1721). See also Bradenham, Norfolk.

KEYSTON ('Quetelstone'). 1 fee, about 1230 (Liber de Bernewelle, p. 266). Land held by Margery de Ferrers, countess of Derby, 1277 (Hastings, i, 325, 327, 329). 60 acres of the earl's demesne, and other lands, held by Serlo son of Maurice de Momartre (No. 131). ½ fee (24 acres of the earl's demesne, and other lands), held by predecessor of John de Boys, i.e. Ernald de Bois (No. 128; cf. Belgrave, Leics.). 6 acres, held by predecessor of Richard Kavenard (No. 130). 1 acre of the earl's demesne, and other lands, held by Walter le Fauconer (No. 129). 8 acres of meadow, held by William son of Ranulf (Hunts. Fines, p. 29). ½ fee, in a mill, held by Geoffrey de Gaystone at 'Eymsee' (unidentified), of fee of Keyston, 1235 x 1238 (Hastings, i, 334).

SOUTHOE. A demesne manor; valued at £60 5s. 8d. in 1264 (CDS, i, no. 2366). 1/3 fee (the other 2/3 being held by William of St George in Hail-Weston, q.v.), 1242-3 (Fees, ii, 922, 926). Manor /

HUNTINGDONSHIRE (contd.)

Manor, assigned to Earl Roger's widow in dower, 1264 (CR, 1261-4, p. 407). Apparently with Hail-Weston, q.v., 1 fee, of the small fees of Mortain, held of the fee of Wigemor, 1270 (CIPM, i, no. 732). Chief messuage, held by Earl Roger's widow, 1274 (CCR, 1272-9, p. 225). Included the earl's park (Nos. 132-3). See also Stirtlow.

STIRTLOW ('Stert'). 2 carucates, in manor of Southoe, held of honour of Huntingdon, 1270 (CIPM, i, no. 732). A wood, licensed for enclosure, 1231 (CDS, i, no. 1135). Land in which John of Basingham demanded common pasture, 1231/2 (Hunts. Fines, p. 15).

WARESLEY. Lands held in alms by Sawtry abbey (No. 134).

CAMBRIDGESHIRE

ARRINGTON. With Orwell, 2 fees, held by Anselm de Watervill, 1235 x 1238 (Hastings, i, 334). 1 fee, held by Saher of St Andrews and his parceners, of the earl of Gloucester, 1236 (Liber de Bernewelle, p. 251). Without Orwell, 1/3 fee, held by John de Mucegros of the earl, and by him of the earl of Gloucester, 1266 (CIPM, i, no. 631). Without Orwell, 1 fee, held by heirs of Maud Dyve, viz. John de Asphale, Walter Denefer and Laurence of St Andrews, 1270 (CIPM, i, no. 732). With Orwell, 1 fee, held by John son of Laurence of St Andrews, 1277 (Hastings, i, 326). With Orwell, 1 fee, held by Ralph de Caymoys, 1277 (ibid., 328).

BABRAHAM. /

CAMBRIDGESHIRE (contd.)

BABRAHAM. ¼ fee, held by Gilbert de Gudeth, 1235 x 1238 (Hastings, i, 334). ¼ fee, held by Tristram de Fraxino, of Earl Roger, of honour of Fassinton, 1236 (Liber de Bernewelle, p. 255).

CHESTERTON. £10 of land, held by Barnwell priory (Liber de Bernewelle, p. 75).

GIRTON. Tenement, held by Roger de Quincy of Roger Torpel, 1223, 1225 (CRR, xi, no. 1035; xii, no. 193). 1 fee, held by Roger of Trumpington; advowson of church, held by heirs of John de Cayly, 1270 (CIPM, i, no. 732). See also Trumpington.

GRANTCHESTER. 1 fee, held by Hawise de Quincy, of honour of Mortimer, not of Roger de Quincy, about 1230 (Liber de Bernewelle, p. 252). ¾ fee, held by Walter Marshal, of Ralph de Mortimer, not of Earl Roger, 1242-3 (Fees, ii, 922). 1 fee, of fee of Roger de Mortimer, held by Henry de Lacy, 1270 (CIPM, i, no. 732). See also Bradenham, Norfolk.

ORWELL. 2 fees, held of the earl of Gloucester and Hertford, 1262 (CIPM, i, no. 530, p. 160). 1 fee, held by Ralph de Cameys, 1270 (ibid., no. 732). See also Arrington.

TRUMPINGTON. 1 fee, held by Simon de Caylly, 1235 x 1238 (Hastings, i, 334). With Girton, 2¼ fees, held by Everard of Trumpington, 1235 x 1238 (ibid., 333). 1 fee, held by Everard of Trumpington, of Ralph de Mortimer, not of Earl Roger, 1242-3 (Fees, ii, 922). 2 fees, held by Roger of Trumpington and heirs of John de /

CAMBRIDGESHIRE (contd.)

de Cayly, 1270 (CIPM, i, no. 732). With Girton, 2½ fees, held by Roger of Trumpington, 1277 (Hastings, i, 324). 1 fee and advowson of church, held by John de Cailly, 1277 (ibid., 326).

WIMPOLE. 1 fee, held by Alan of Bassingburn, 1235 x 1238 (Hastings, i, 333). 1 fee, held by Baldwin of Bassingburn, 1264, 1270, 1277 (CR, 1261-4, p. 407; CIPM, i, no. 776; Hastings, i, 326).

NORFOLK

BRADENHAM. With manors of Grantchester, Cambs., Buckby, Northants., and Hardwick, Hunts., 5 fees, held by Hawise, widow of Robert de Quincy II, in dower, and to pass to Margaret, daughter of Hawise, and John de Lacy, constable of Chester, her husband, 1230, 1235 x 1238 (App. A, no. 14; Hastings, i, 334). 1 fee, held by Hawise of Chester of Robert fitz Walter, not of Earl Roger, 1236 (Fees, i, 576).

ESSEX

COLNE [WAKES] ('Collun-Quincy'). 2 carucates, held by Robert de Quincy III, brother of Earl Roger (ob. 1257), 1270 (sic) (CIPM, i, no. 776). Land held by Hawise, daughter of Robert de Quincy, 1277 (Hastings, i, 329).

'KETENES/COKENES'. 1 fee, held by Earl Aubrey, 1277 (Hastings, i, 325; Cott. Nero D. x, fo. 194r). See also Bengeo, Herts.

HERTFORDSHIRE /

HERTFORDSHIRE

BENGEO. With Hailey, and 'Ketenes', Essex, 2 fees, held by William Nauntel (?Mauncel), 1235 x 1238 (Hastings, i, 332). With Hailey, 1 fee, held by Earl Aubrey, 1277 (ibid., 328).

HAILEY. See Bengeo.

WARE.+ ¾ fee, 1235-6 (Fees, i, 478, 483, 488). Manor, 1 knight's fee, held by Robert de Quincy III, 1253 (VCH Hertfordshire, iii, 386). 1 fee, held of honour of Leicester, 1270 (CIPM, i, no. 776). Vill held at rent by Herbert of Ware, clerk (No. 135) Land held by Henry the worker in gold-fringe (No. 105). Land held by abbot of St Evroult (No. 136).

BEDFORDSHIRE

CHALTON [in Moggerhanger].+ ¼ fee, held by Everard of Trumpington, 1235 x 1238 (Hastings, i, 333). 2 half fees, held by Everard of Trumpington and William Lovel, 1242-3 (Fees, ii, 870). Manor, held at rent by St Neots priory of abbey of St Nigasius of Meulan, 1239 (No. 138).

STEVINGTON. Manor, granted to Earl Roger by Robert de Quincy III, his brother, in 1252/3 (VCH Bedfordshire, iii, 101; CIPM, i, no. 587; CDS, i, no. 1784). 10 acres, held by prioress of Harrold priory (No. 139).

BUCKINGHAMSHIRE /

BUCKINGHAMSHIRE

BLETCHLEY. ½ fee, held by John de Gray, 1242-3 (Fees, ii, 872).

OXFORDSHIRE

CHARLTON ON OTMOOR. Manor, held by Earl Roger, 1245 (CR, 1242-7, p. 340). Land held by abbey of St Evroult (Orne) (No. 140).

CHINNOR. A demesne manor; valued at £55 8s. 11d. in 1264 (CDS, i, no. 2366). Included the earl's park, 1233 (CR, 1231-4, p. 266). With Sydenham, 1 fee (£27 land), formerly granted by King John to Saher de Quincy, 1235-7 (Fees, i, 450-1, 613). With same, 1 fee (£25 land), terrae Normannorum, held in chief, 1241, 1242-3, 1247 (ibid., ii, 828, 834, 1376, 1394). With same, 1 fee, in Wallingford honour, 1270 (CIPM, i, no. 776). Chief messuage, held by Earl Roger's widow, 1274 (CCR, 1272-9, p. 225). Advowson, claimed by Earl Roger, 1235, held by abbot of St Albans, 1270 (CR, 1234-7, p. 174; CIPM, i, no. 776).

HANWELL. ½ fee, of fee of 'Cleymore', held by William de Berum, 1235 x 1238 (Hastings, i, 334). ½ fee, held by Warin de Vernun, 1242-3 (Fees, ii, 834).

HENTON. 1/20 fee, held by Nicholas de Segrave, 1235 x 1238, 1277 (Hastings, i, 330, 334).

LITTLEMORE ('Ledmor').+ 1 fee, held by Roger of St Andrews, of honour of Leicester, 1235-6 (Fees, i, 448). 1 fee, held by 'Garos' /

OXFORDSHIRE (contd.)

'Garos' de Droys' (error for Roger of St Andrews), granted in alms, 1235 x 1238 (Hastings, i, 332). Land held by Knights Templars, by gift of Roger of St Andrews (No. 141).

SHIPTON [ON CHERWELL].+ ½ fee, of honour of Leicester, held by John de Peuton, of Wydo son of Robert, and by him of the earl, 1235-6, 1242-3 (Fees, i, 448; ii, 821, 834). See also Winterbourne, Wilts.

SIBFORD [GOWER].+ ½ fee, held by Simon de Vitor, of honour of Leicester, 1235-6 (Fees, i, 448). 1 fee, held by Simon Vitor and abbot of Oseney, 1242-3 (ibid., ii, 823, 834).

'SUTTONE'. See 'Mincheneford', Northants.

SYDENHAM. ½ fee, held by Gilbert of Selford, 1235 x 1238 (Hastings, i, 333). ¼ fee, held by Saher de Wahulle, 1235 x 1238 (ibid., 334; cf. Fees, i, 613). £20 land granted to Hugh de Nevill in free marriage with Isabel, the earl's daughter, 1241 (No.149). ½ fee, being the earl's demesne and villeinage, held by abbot of Thame, x 1248 (No. 144). ½ fee, held by abbot of Thame, 1270 (CIPM, i, no. 776). 1 carucate, held by abbot of Thame, formerly held by Ralph of Bray (No. 143). 18 acres, held by nunnery of Littlemore (No. 142). Rent of 100s., held by Ralph de Duno (No. 148). (Possibly) rent of 5 marks, held by Roger of Bushey (Nos. 145, 146). See also Chinnor.

BERKSHIRE /

BERKSHIRE

ILSLEY, WEST.+ 1 fee, held by [blank] de Beaumond, 1235 x 1238 (Hastings, i, 332). 1 fee, held by Agnes de Ponte Audomari and others, of honour of Leicester, 1242-3 (Fees, ii, 851, 857). 17½ yardlands, 1/3 held by prior of Sandleford (Berks.), 1/3 by Sir Roger de Beauchamp, 1/3 by William of Abintune, 1270 (CIPM, i, no. 776). 22 yardlands, being 1/3 fee (7½ yardlands) held by prior of Sandeford (sic), 1/3 fee (7 yardlands) held by Reynold de Beauchamp, and 1/3 fee (7½ yardlands) held by William Daubeney, 1277 (Hastings, i, 324, 326, 329).

'LOKEFRESLEY'. 1/3 fee, held by William of Wykynston, 1277 (Hastings, i, 324; Cott. Nero D. x, fo. 193v).

GLOUCESTERSHIRE

AWRE. Manor, held by the earl and Countess Maud, 1252 (but granted to heirs of Walter Marshal, brother of her first husband, Anselm Marshal, 27 December 1252, i.e. after her death) (CR, 1251-3, pp. 135, 207, 297).

BROCKHAMPTON. 3 yardlands, in manor of Southam, granted by the earl to Matilda Marshal, his wife, and by her to Brackley hospital (No. 151).

CASTLET [in Guiting Power]. See Farmcote.

CLAPTON. See Ebrington.

CONDICOTE. /

GLOUCESTERSHIRE (contd.)

CONDICOTE. See Farmcote.

EBRINGTON.+ With Guiting, Farmcote and Pebworth, part of 19¼ fees, held by Ernald de Bois, 1235 x 1238 (Hastings, i, 331). With manors of Pebworth and Clapton, 4 fees,[1] held by Ernald de Bois, rendering 2 suits at court of Leicester, 1270 (CIPM, i, no.776).

FARMCOTE [in Guiting Power]. With Guiting, Castlet and Condicote, 3 fees,[1] held by Ernald de Bois, 1270 (CIPM, i, no. 776). See also Ebrington.

GUITING [POWER]. See Farmcote and Ebrington.

MARSTON. See Pebworth.

PEBWORTH. With Marston and Quinton, 3 carucates, held by Ernald de Bois, 1277 (Hastings, i, 330; Cott. Nero D. x, fo. 197r). See also Ebrington.

QUINTON. See Pebworth.

SOUTHAM. See Brockhampton.

WILTSHIRE /

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1. The holdings of Ernald de Bois in Gloucestershire in 1277 are described in Hastings, i, 328, as 7 fees (22 carucates), in Ebrington, Pebworth, Farmcote, Guiting, Castlet and one unlocated manor. Another grouping of his lands is also described as 7 fees (ibid., 330). For details of other lands held by him, see Thorpe Arnold, Leics., and Bulkington, Warw.

WILTSHIRE

ABLINGTON [in Figheldean]+ ('Edboldyngtone/Albrintone'). 2 parts of 1 fee, held by Robert son of Ralph, 1235 x 1238 (Hastings, i, 332). 2 parts of 1 fee, held by abbot of Durford and prior of St Denis, 1242-3 (Fees, ii, 746). 2 parts of 1 fee, held by Hubert Huse, 1277 (Hastings, i, 327).

CHITTERNE ('Cettr').+ 1 fee, held by the heir of William Lungspy, 1277 (Hastings, i, 327).

COMPTON. ½ fee, held by William Burdet, 1235 x 1238 (Hastings, i, 331). ½ fee, held by Agnes Trippelane, 1277 (ibid., i, 327; Cott. Nero D. x, fo. 196r).

ELCOMBE [in Wroughton].+ ½ fee, held by John Lovel, 1277, 1287 (Hastings, i, 325; CIPM, ii, no. 622).

MARDEN ('Meridene').+ With Croxton, Lincs., 2 fees, held by Robert Bone, 1235 x 1238 (Hastings, i, 332). 1 fee, held by Robert Bone, 1277 (ibid., i, 329).

NETHERAVON.+ ½ fee, held by Geoffrey son of Peter, 1235 x 1238 (Hastings, i, 332). ½ fee, held by Robert Caunci, 1235 x 1238 (ibid.). ½ fee, held by Godfrey de Salerne, 1235 x 1238 (ibid., 334). 1 fee, held by Nicholas Trenchefoill, 1277 (ibid., i, 324, 327, 329). ½ fee, held by William de Wyggebergge, 1277 (ibid., 325). 1 fee, held by Emery de Sancto Amando, 1277 (ibid.). £15 of land, held by William Gerbert, 1277 (ibid., 327). 1 fee, held by Letitia de Cormaylis, 1277 (ibid., 329). 50s. of land, held in alms by abbot of Lire (Eure), 1277 (ibid., 330).

WILTSHIRE (contd.)

ROLLESTONE. 1 fee, held by Nicholas of Rollestone, through various mesne lords, 1242-3 (Fees, ii, 731). 1 fee, held by Gilbert de Nevill, 1277 (Hastings, i, 330).

STRATFORD [TONY].+ ½ fee, held by heir of Roger Toni, 1277 (Hastings, i, 330).

TYTHERTON LUCAS. ½ fee, held by Matthew Turpin, 1242-3 (Fees, ii, 732). ½ fee, held by Joan Turpyn, 1277 (Hastings, i, 327).

WINTERBOURNE STOKE.+ With Shipton, Oxon., 1½ fees, held by Matthew Tympyn, 1235 x 1238 (Hastings, i, 332) (?error for Winterslow, q.v.). 1/20 fee, held by Robert de Quincy, 1242-3 (Fees, ii, 731). Manor, held by Joan de Boun, 1277 (Hastings, i, 325, 327).

WINTERSLOW, [EAST]. 1 fee, held by Robert de Ponte Audomar', 1235 x 1238 (Hastings, i, 332) ('Wyncolaune', ? for Winterslow or Winterbourne). ½ fee, held by Matthew Turpin, 1242-3 (Fees, ii, 746). ½ fee, held by Matthew Turpyn (or Tympyn), 1277 (Hastings, i, 327). See also App. A, no. 14.

DORSET

BLANDFORD. See Kingston.

BRADFORD /

DORSET (contd.)

BRADFORD [BRYAN]. ½ fee, 1235-6 (Fees, i, 425). ½ fee, held by Ralph de Stopham, 1270, 1277 (CIPM, i, nos. 776, 780; Hastings, i, 327).

CRICHEL, LITTLE [in More Crichel].+ 1 fee, 1235-6 (Fees, i, 427). With Pimperne, 4¼ fees, held by Matthew Tympyn, 1235 x 1238 (Hastings, i, 332). 1 fee, held by William of Brudeport, 1270 (CIPM, i, no. 776). 1 fee, held by William of Briddeport, 1277 (Hastings, i, 329; Cott. Nero D. x, fo. 196v).

KINGSTON.+ Manor, with Wimborne, Wimborneholt Chase and Blandford, granted to John de Lacy, constable of Chester, later earl of Lincoln, and Margaret, his wife, daughter of Hawise de Quincy, 1230 (App. A, no. 14). 3 fees (unlocated), held by earl of Lincoln, 1235 x 1238 (Hastings, i, 334). 3 fees, in Kingston, held by same, 1277 (ibid., 325). 1 carucate, held by Henry son of Elias, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 324, 329).

KNOWLTON.+ See Wimborne.

PIMPERNE.+ Moiety of manor, possibly given to Roger by Earl Saher before his death in 1219 (CR, 1204-24, pp. 441, 457). 2 fees, held by Hugh de Gundevill, 1235 x 1238 (Hastings, i, 333). 1 fee, held in alms by prior of Breamore, of Ralph de Nevill and William, his brother, sometime knights, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 330). See also Crichel and Wimborne.

WAREHAM-SUPER-MARE. 2 fees, held by earl of Gloucester, 1277 (Hastings, i, 330).

WIMBORNE. /

DORSET (contd.)

WIMBORNE.+ With Pimperne and Knowlton, 3 fees, held by earl of Gloucester, 1277 (Hastings, i, 327). 1 hide land, or 1 yardland held by Robert Trenchefoyl, 1270, 1277 (CIPM, i, no. 776; Hastings, i, 324, 326, 329). See also Kingston.

SUSSEX

FOLKINGTON.+ 2½ fees, of the little fees of Mortain, held by William Rosselyn, 1277 (Hastings, i, 327, 329). See also Brampton, Northants.

TARRING [NEVILLE].+ 1 fee, held by Ralph de la Haye and Eustacia, his wife (CIPM, i, no. 301). See also Brampton, Northants.

UNKNOWN COUNTIES

'BERNARDFEUD'. ¼ fee, held by Everard of Trumpington, 1235 x 1238 (Hastings, i, 333).

'BLOTHEL'. ½ fee, held by David Gifford, 1235 x 1238 (Hastings, i, 334).

'DUTHTONE' (?Syston, Leics.). ½ fee, held by Geoffrey de Bernevill, 1235 x 1238 (Hastings, i, 334).

'LYDECOTE' (?Condicote, Gloucs.). ½ fee, held by Nicholas Loveren, 1235 x 1238 (Hastings, i, 334).

'TRUNRUGE'. Fees held by [blank] de Clive, 1235 x 1238 (Hastings, i, 333).

APPENDIX E

SKELETON ITINERARY

OF

ROGER DE QUINCY

This itinerary is not exhaustive. It has been compiled from the earl's acts, from witness lists of royal and private charters and from English public records in print. It could be extended by research in unprinted public records. But Earl Roger's movements are not traceable in the detail that is possible for a king or a major bishop; and the itinerary below merely indicates some places at which his presence is recorded.

1221, May 17	London (in Exchequer)	CDS, i, no. 804
1226, Feb. 12	Scone	Moray Registrum, cartae originales, no. 5
1226, Mar. 7	Roxburgh	Melrose Liber, i, no. 278
1226, Oct. 29	Jedburgh	Glasgow Registrum, i, no. 135
1230, May 1	To Brittany, with Henry III	CPR, 1225-32, p. 357; British Chronology, p. 34
1230, after Sept. 16	Returned to England	CR, 1227-31, p. 450
1232, Aug. 15	Edinburgh	SRO, Transcripts of Royal Charters, s.d. (from original charter at Closeburn Castle, Dumfriesshire)
1233, Nov. 7	Hereford	Cartae Antiquae Rolls 11-20, ed. J. Conway Davies (Pipe Roll Society, 1960), no.333
1234, July 18	Kinross	Coupar Angus Rental, i, 329
1234, Dec. 25	St Andrews	Arbroath Liber, i, no. 102
1235, Apr. 7	Edinburgh	Nat. MSS. Scot., i, no. 48
1236, Apr. 20	Ayr	Lindores Chartulary, no. 22
1237, Feb. 23	Southoe	No. 117

1237 /

1237, Sept. 25	York	CDS, i, no. 1358
1240, Oct. 16	Westminster	CDS, i, no. 1503
1241, Feb. 6	Ware	No. 149
1241, about Apr. 15	Huntingdon (appearance in case coram rege)	CDS, i, no. 1524
1242, Feb. 13	Groby	No. 3
1242, Sept. 6-7	Bordeaux	Rôles Gascon, i, nos. 432, 448
1247, Jan. 22	Leicester	No. 50
1248, Feb. 9	London (in parliament)	M. Paris, Chron. Maj., v, 5
1248, Mar. 8	Dysart	No. 17
1250, Oct. 24	Tranent	No. 29
1252, Apr. 10	Southoe	No. 123
1252, Oct. 8	Halse	No. 118
1253, Jan. 17	Windsor	Rot. Fin., ii, 149
1253, Mar. 6	Leicester	No. 57
1254, Jan. 27	Westminster (in parliament)	M. Paris, Chron. Maj., v, 423
1254, Jan. 30	London	No. 154
1255, Oct. 22	Westminster	M. Bateson, Records of the borough of Leicester, i (1899), p. 50
1256, Aug. 16	Woodstock	Royal Letters, Henry III, ed. W.W. Shirley (Rolls Series, 1862, 1866), ii, 120
1257, Jan. 28	Halse	No. 92
1257, after Mar. 30	To Scotland	CDS, i, nos. 2080, 2090
1257, June 24	Stirling	John Hodgson, Hist. of Northumberland, part III, vol. i, p. 13

1257 /

1257, Sept. 22	Leuchars	No. 19
1257, Dec. 21	In Scotland	CDS, i, no. 2098
1258, after Mar. 25	To Scotland	CDS, i, no. 2114
1258, Oct. 18	London	Annales Monastici, i, 456
1258, Oct. 25	London	No. 153
1259, before Feb. 2	St Omer	Annales Monastici, iv, 121
1259, Aug. 8	Groby	No. 145
1259, about Sept. 5	In Scotland	CDS, i, no. 2165
1260, about May 14	In Scotland	CDS, i, no. 2189
1260, after Aug. 17	From Scotland to England (conducting Alexander III and Queen Margaret)	CDS, i, no. 2198
1261, about May 9	In Scotland	CDS, i, no. 2255

APPENDIX F

GENEALOGICAL TABLE

OF THE

QUINCY FAMILY

Saher de Quincy I = Maud de
(d.1156x1158) (d.x116

Saher II = Asceline Peverel
(d.1190)

Saher III
(d.x1192)

Saher IV, first earl = Margaret
of Winchester 'ès Blar
(d.1219) of Leice
bishop c
of Winch

Robert II
(d.1217)
= Hawise of
Chester,
countess
of Lincoln
(d.1243)

Roger, second earl
of Winchester
(d.1264)
= (1) Helen of Galloway
(2) Maud de Bohun
(3) Eleanor de
Ferrers

Saher V

John

Robert III
(d.1257)
= Helen, widow
of John, earl
of Huntingdon
and Chester
(d.1237)

Loretta
= Willia
Valogr
chambe
of Sco
(d.x12

Margaret
= (1) John de Lacy,
constable of
Chester, earl of
Lincoln (d.1240)
(2) Walter Marshal,
earl of Pembroke

Margaret
= William de
Ferrers,
earl of
Derby

Elizabeth
= Alexander
Comyn, earl
of Buchan

Helen
= Alan la
Zouche

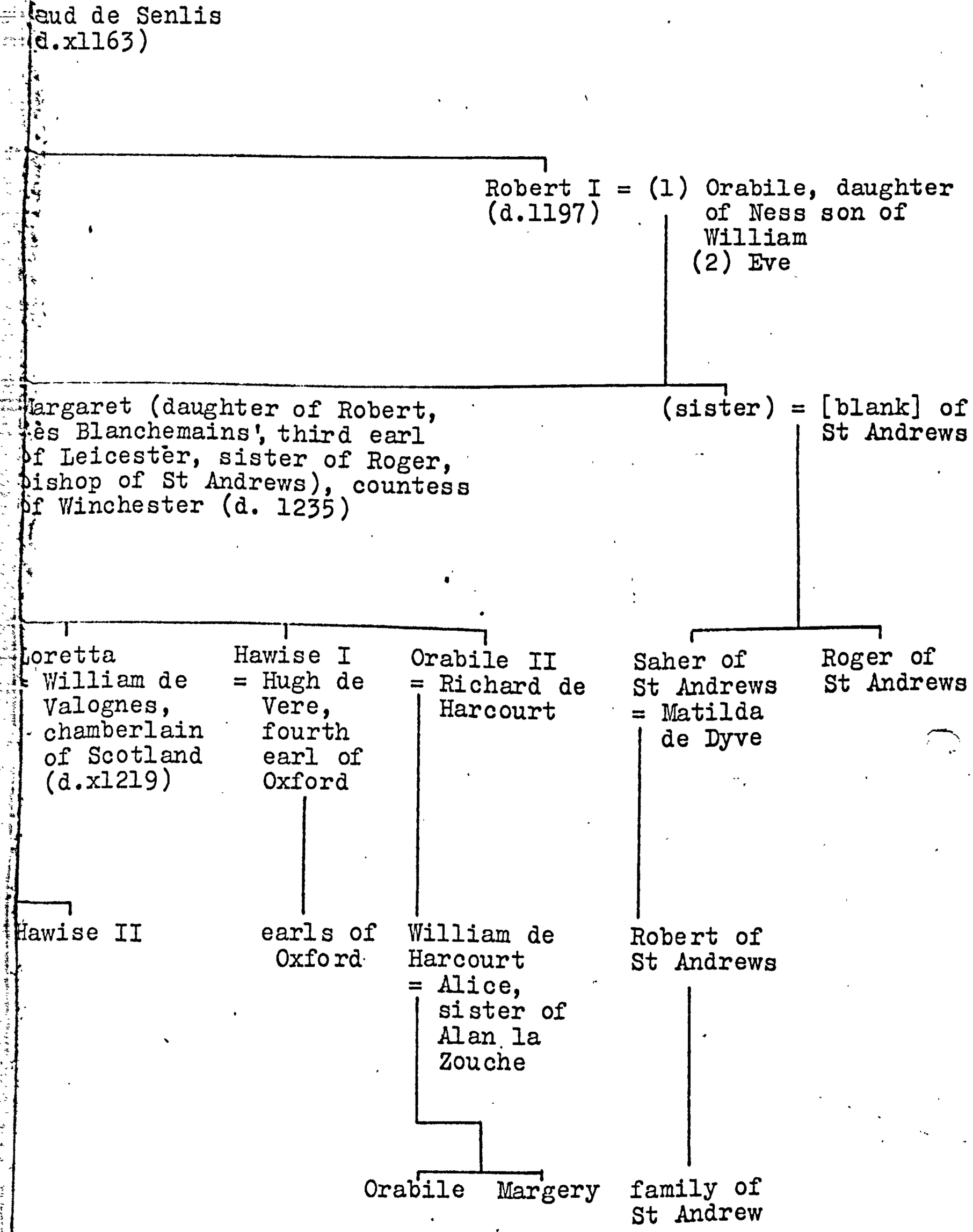
Joan

Hawise I

Edmund de Lacy

Joan
= Thomas de
Berkeley

earls of
Buchan


aud de Senlis
d.x1163)
Robert I = (1) Orabile, daughter of Ness son of William
(d.1197)
(2) Eve
argaret (daughter of Robert, ès Blanchemains', third earl of Leicester, sister of Roger, ishop of St Andrews), countess of Winchester (d. 1235)
(sister) = [blank] of St Andrews
oretta = William de Valognes, chamberlain of Scotland (d.x1219)
Hawise I = Hugh de Vere, fourth earl of Oxford
Orabile II = Richard de Harcourt
Saher of St Andrews = Matilda de Dyve
Roger of St Andrews
Hawise II
earls of Oxford
William de Harcourt = Alice, sister of Alan la Zouche
Robert of St Andrews
Orabile
Margery
family of St Andrew

APPENDIX G

MAPS SHOWING ESTATES

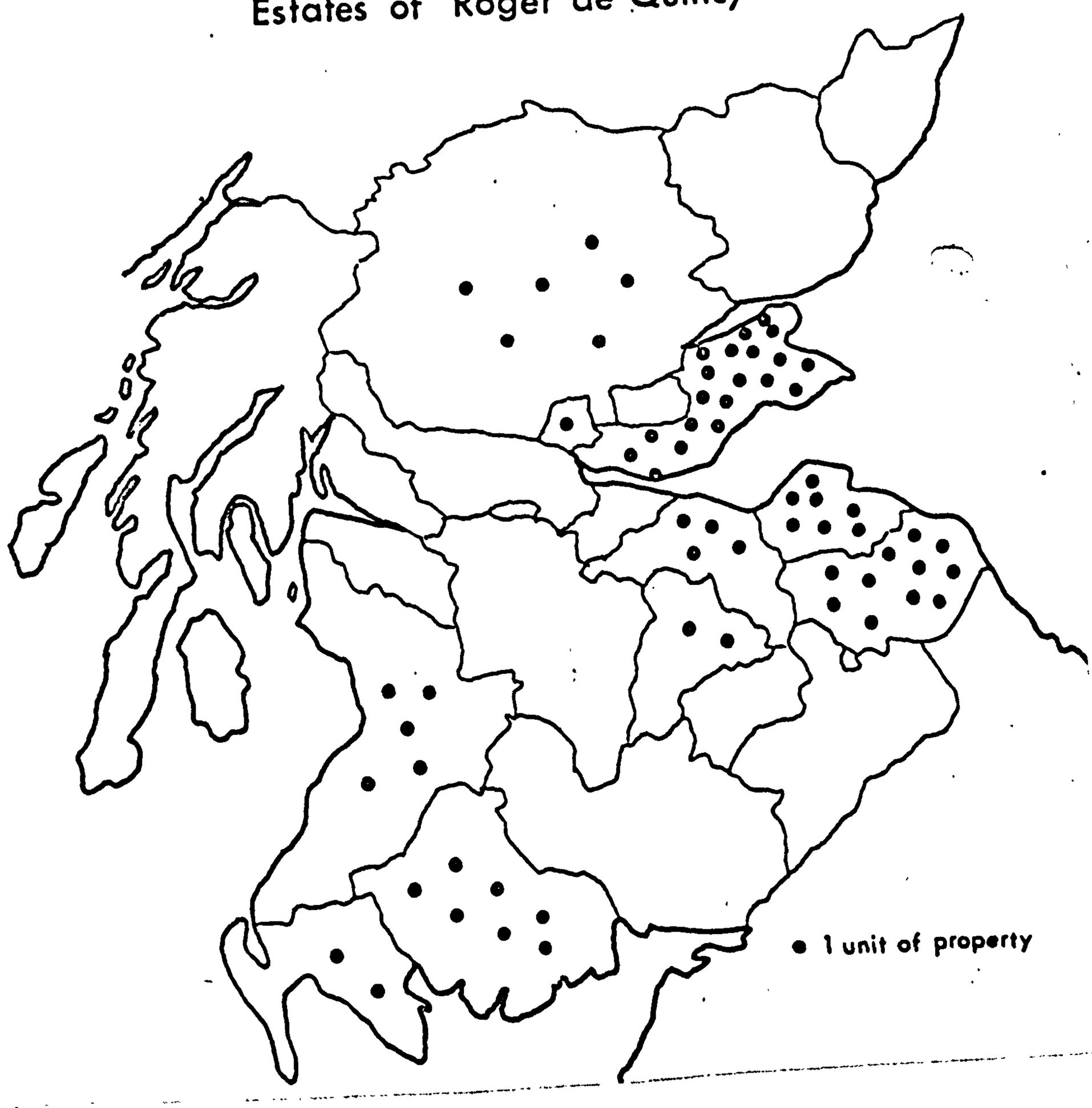
OF

ROGER DE QUINCY

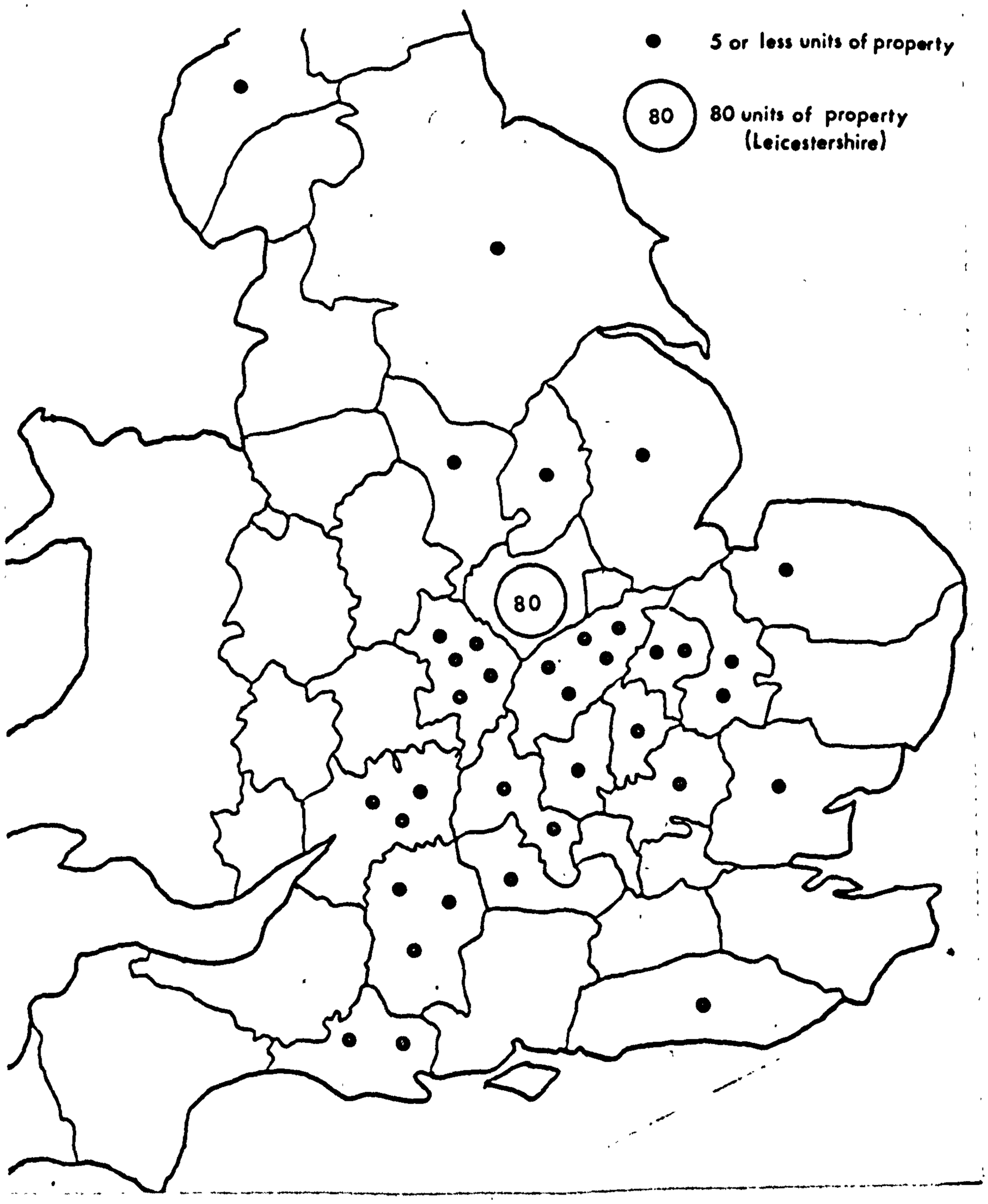
MAP I

Distribution in Scotland

Estates of Roger de Quincy



MAP II

Distribution in England

Estates of Roger de Quincy