

## GUNDRADA DE WARENNE.

By HAMILTON HALL.

The paper on "Gundrada de Warenne" by the late Mr. R. E. Chester Waters, first read in part at the meeting of the Archæological Institute at Lewes, 3rd August, 1884, and subsequently printed in the *Archæological Journal*, Vol. XLI, No. 163, September, 1884,<sup>1</sup> and published in pamphlet form also, Exeter, 1884, 8vo, appears to have passed uncriticised in the *Journal*; and it may be worth while, therefore, to examine various points, statements, and inferences in this paper; because several of these appear to be capable of bearing an interpretation differing widely from that advanced by Mr. Chester Waters.

In the first place it may be remarked generally that there is, throughout the paper, a tendency to make positively statements, often as to trivial matters, which cannot possibly be proved; and in a scientific discussion such things should be expressed as opinions, not as facts. There is for instance the assertion<sup>2</sup> that the daughter of Richard II of Normandy "married without disparagement" the advocate of St. Valerie. Very likely that may be so, but how can it possibly be known that it was "without disparagement"? A more important instance is found in the quite inaccurate statement<sup>3</sup> that "in the case of all the other marriages which were inhibited at this Council" of Rheims, October, 1049, "the canonical impediment was that one of the parties was not free to marry by reason of having a wife or husband living." This is advanced as a "singular coincidence"; but Hugo de Braina was excommunicated for having put away his wife and taken another, whereas the Counts Ingram and Eustace were excommunicated for incest, that is for having married within the prescribed degrees, namely with women not more remote from them than fifth or sixth cousins. Count Theobald again was cited for

<sup>1</sup> With a postscript in Vol. XLIII, No. 171, September, 1886.

<sup>2</sup> p. 300.

<sup>3</sup> p. 302.

having put away his wife.<sup>4</sup> Thus two of the delinquents had married within the forbidden degrees, and two others had been guilty of repudiating their lawful consorts. This leaves nothing by way of "coincidence" for inclining to the opinion that the inhibition of William's marriage with Matilda, which occurs in the same passage, was because Matilda had a husband already; or, on the other hand, that the inhibition was because Matilda had some consanguinity with the Conqueror. In truth the "coincidence" is wholly imaginary.

Another very curious statement requiring examination is conveyed in the words<sup>5</sup> "there were no Earls in Normandy outside the pale of the reigning family," and with this goes the assertion "William de Warenne is not described as an Earl in Domesday, but the four Earls mentioned in that record were all palatine Earls." That there were no *Earls* in Normandy is literally true, inasmuch as Earl is an exclusively British dignity. Since this is probably not what Mr. Waters designed to express, we must suppose that he intended to say that there was in Normandy no *Comes* "outside the pale of the reigning family." It is quite impossible to say what the meaning, and what the limitations, of this phrase may be; in the absence of any sort of definition the statement may be right or wrong. William de Warenne and Roger de Montgomeri were both descended, it is believed, from sisters of Gunnora, so the objection that these two earls in particular were "outside the pale" is sufficiently mysterious. But the darkness deepens on a second perusal. Battle Abbey Charters are quoted from the Monasticon, III 245 viz. number IX of which the date is 1086 or within a month or two later, and number X, of which the date is 1076 or just possibly 1077, to prove that in those years William described himself as Comes de Warenne. Then it is said "It is almost superfluous to remark that William . . . could not style himself Earl until after he had been invested with an English earldom." If that remark means anything at all it means that the Charter proves him to have had an English Earldom in 1076. It is a totally superfluous remark,

<sup>4</sup> Labbe, Concilia, ed. Cossart, xix: col. 742; tom. canons xj and xij.

<sup>5</sup> p. 307.

for the fact was not so, as is immediately afterwards admitted in the observation that he is not called an Earl in Domesday, *i.e.* in 1085. This very nearly amounts to a proof, if any were needed, that in 1076 William was described by his Norman title, the conclusion which the argument seemingly sought to disprove by the evidence of these Charters. This "incontrovertible evidence," as he calls it, Mr. Waters immediately discards because, as he appears to consider, these comites were "outside the pale." Manifestly either they were within "the pale," or the evidence is not incontrovertible, or the allegation is not true. Otherwise it remains only that William de Warenne was palatine Earl of Surrey, which was "never a palatine earldom." The assertion as to Domesday and the "four earls" therein named is no less difficult of comprehension. There are no earls, but many a comes, named in Domesday. Comes Goduinus, Comes Heraldus, Comes Guerd were not within "the pale." Comes Moritonensis, Comes de Ow, Comes Rogerus, were not palatine earls.

Selden certainly speaks of Earl Roger de Montgomeri as exercising very great authority in his county of Salop, but Chester was the only palatinate of the Domesday period, with true viceregal dignity and authority, palatine courts, palatine baronage, palatine justiciaries, and all the apparatus of royalty on a scale less in degree, but virtually equal with the Crown itself in power. If it is here to be understood that the expression palatine earls is to mean vaguely the more powerful Norman nobility then it does not appear why "four earls" only, and which four in particular, are indicated; and generally of these statements about earls it can only be said that the assertions are surprising, and the explanatory remarks are unintelligible. On the other hand Courthope in his *Historic Peerage* recognises as earls various personages, *inter alia* this William de Warenne, at the time of, and prior to the compilation of, Domesday. Under Albemarle—where he quotes from Domesday the "Comitissa de Albamarle"—he makes some eminently sensible remarks upon these dignities, then in a state of transition, and by no means permitting of close limitations at once arbitrary and undefined, and contrary to the facts.

On the subject of Bishop Ivo's letter<sup>6</sup> in the matter of the first marriage of Elizabeth of Vermandois there are one or two points worth noting. It is stated that Elizabeth was "for a long time" inhibited from marrying with the Count of Meulan, her third cousin once removed. The "long time" according to this version of the facts appears to have been three months at most. "So soon as Bishop Ivo heard" of it he inhibited his clergy from celebrating the proposed marriage, by a "letter evidently written in the beginning of the year 1096"; and the marriage was solemnized, after dispensation, before Hugh Magnus started for the Crusade in April, 1096. Taking these dates as correct it could more plausibly be maintained that the dispensation was obtained without delay, as soon as the necessity for this dispensation had been officially indicated.

A far more important misapprehension is involved in the assumptions which are read into this letter. It is advanced that because we know that this dispensation was obtained; and, as stated, because we do not know that any second dispensation for the marriage of Elizabeth with William de Warrenne was also obtained; that therefore:—firstly, there was no such second dispensation, or "we should be sure to have heard" of it:—secondly, therefore these parties were lawfully married without need of dispensation:—thirdly, therefore William and Elizabeth were not within the seventh degree of consanguinity. Not one of these three assumptions is warranted, the first of them is improbable, the second is impossible. We cannot expect to know of every dispensation granted in the eleventh and twelfth centuries, and we are not in the least "sure to have heard" of any one dispensation in particular. Next there is an irresistible presumption that dispensation must have been obtained for the marriage of William and Elizabeth, although we have not heard of it; because the general opinion, accepted also by Mr. Waters, is to the effect that there had been adulterous intercourse between William and Elizabeth during the lifetime of Robert her first husband. Adultery *per se* was not a dirimental impediment, but there is excellent authority for stating that it was a diriment impediment

<sup>6</sup> p. 308.

in certain special cases, *e.g.* when accompanied by a promise of marriage, or by the murder of the innocent partner by either of the guilty parties, or in the case of murder arranged by both the guilty parties, even without actual adultery committed. There is an absolute inconsistency in supposing that no dispensation was required for this marriage, and at the same time supposing it to have been a valid union. The legality of Elizabeth's second marriage has never, so far as the writer is aware, been contested; and therefore we are driven to the conclusion that the parties did succeed in making out for themselves some sort of case, and so far mitigating their conduct as to obtain a dispensation for their offence, which had raised between them an impediment distinctly graver than their kinship. That evidence of any such dispensation is not now available is no argument whatever; and the third assumption that the non-existence of such evidence demonstrates absence of consanguinity between William and Elizabeth, baseless in itself, is untenable in connection with the very strong presumption that a dispensation was absolutely necessary to them on quite different grounds. That the descendants of this union adopted for their bearing the coat of Vermandois, which is consequently familiar all over England as the chequy or and azure of Warenne, may be of no particular import in either sense, but at any rate the coat is not differenced in any manner whatever, as other continental derivatives of this coat are, even among very early examples. Lastly it only remains to remark that, deprived of these assumptions, the letter of Bishop Ivo in regard to Elizabeth's first marriage is totally irrelevant in the matter of her second union.

Exception can be taken to the way in which Stapleton's suggestion that Gundrada was daughter of Matilda and of Gherbod<sup>7</sup> is airily described as "disposed of," because this theory is only disposed of by accepting St. Anselm's letter as being absolutely right, and further deeming it to demonstrate Stapleton's explanation to be totally wrong. This is only accomplished by assuming a great deal more than appears by the evidence, as for example, that the letter states all that St. Anselm knew of the matter, and further that he knew all there was to know about it. It

<sup>7</sup> p. 309.

must be urged on the other hand that Stapleton's magnificent industry and insight explained in this instance, as in many others, much that was highly mysterious before; and that St. Anselm's letter leaves unexplained much that greatly needs elucidation. That he was precisely and exhaustively right Mr. Stapleton himself would probably not have maintained. That his explanation is remarkably plausible and has great appearance of being very near the truth many competent authorities freely admit. If Mr. Waters intended to accept the genealogical authority of Anselm the priest rather than that of Stapleton the genealogist, that circumstance of itself would not "dispose of" Stapleton and his "audacity"; and if the advantages of contemporary evidence are to be insisted upon, then it is to be observed that St. Anselm is in disagreement also with Orderic the historian, of whom, as of Stapleton, one hesitates to "dispose" on any but the most convincing evidence.

In his concluding passages Mr. Waters criticised adversely Sir George Duckett's proposed "fosterage" relationships, and gives a very apposite quotation distinctly damaging to that highly imaginative theory. He also treats with no undeserved severity Mr. Rule's equally imaginative spiritual relationships. But when Mr. Waters says<sup>8</sup> that "it is canonically impossible that a man and his wife could ever be both sponsors to the same child" he appears to be himself wrong, or at least he is in disagreement with unquestionable canonical authorities, as to the nature of the impediment arising by spiritual relationship. Leaving the case of sponsors previously married, Mr. Waters takes the case that common sponsorship, both persons sponsors in their celibacy to the same infant, are thereby inhibited, and alleges,<sup>9</sup> without quoting any authority at all, that "a marriage between" [such] "sponsors was not only prohibited but invalid." The writer is greatly indebted to the kindness of a very learned canonist<sup>10</sup> for references to definitions which show that this opinion is unfounded. Spiritual relationship was of three kinds, paternitas, compaternitas, and fraternitas. The last does not apply to the argument advanced;

<sup>8</sup> p. 311.<sup>9</sup> p. 311.<sup>10</sup> The Very Rev. Canon Lator.



compaternitas is defined in a classic treatise<sup>11</sup> to exist "inter parentes baptizati et baptizantem et patrilinos," and in like manner between the parents of the confirmed and the bishop confirming; and paternitas "inter baptizantem et baptizatum et inter confirmantem et confirmatum et similiter inter patrilinum baptizati vel confirmati et baptizatum vel confirmatum." It is impossible that language could be more explicit, but there is nothing whatever to indicate that there is cognatio spiritualis inter patrilinum et patrilinum alterum, and this is what is assumed in the passage criticised. It has been acutely observed by the previously mentioned canonist that the spiritual relationship, being as it were a spiritual adoption, and closely resembling the Roman law of adoption, we should not expect to find any impediment between the sponsors themselves, inasmuch as no such persons were to be found in that law; and further as the eminent canonical authors quoted do not mention in their definitions any such impediment, we may fairly assume that they did not recognise any between sponsors as such. This is unquestionably a very cogent argument, and makes it very difficult to accept the dilemma upon which Mr. Rule's theory is impaled, a circumstance which helps that theory in no degree whatever.

On the subject of Richard Guet, Mr. Waters again very severely criticises Mr. Rule, but again somewhat overstates his facts. The presumption that Richard Guet was a brother of Gundrada may be as contemptible as Mr. Waters indicates it to be, but various other writers do not agree that it is so. It is not particularly evident from what Mr. Waters advances in the matter that Richard Guet, or as he corrects it Goet, was of the family of Perche. If he had any evidence for that, it is unfortunate for the less well-informed that he did not state it. It is not proved that William de Warenne I. had any second wife, whether of the family of Perche or of any other. As to "his widow the countess" sending alms of 100s. to the monks of Ely, the assertion, and the tale of the Abbot who in his miraculous vision recognised the cries of the oppressive Earl being borne off by night in the clutches

<sup>11</sup> Sanchez, de Matrim., Lib. vij. Disp. 54. Schmalzgrueber and Benedict XIV concur in these definitions.

of the adversary, were both rejected by Dugdale with as little hesitation as Planché expressed in discarding the further allegation that not a monk of Ely would touch this 100s. of the money of one damned. If it is upon evidence of this thinness that Mr. Waters based his belief in a countess "not mentioned elsewhere," he cannot be thought to have had much right to scoff at Mr. Rule for supposing the Bermondsey Charters to show that Gundrada had a brother Richard Guet, which, *prima facie*, the passage does appear to suggest. It is very possible that this Richard was not a brother of Gundrada at all, and this passage from the Bermondsey Charters relating to the gift of Cowick, may admit of an explanation which is far less superficial, but it is a digression too long for the present occasion. It is at any rate very difficult to suggest whose brother he was, independent of the curious description of him as brother of the Countess Warenne. Cases in which a man is described as brother of his sister are sufficiently rare to attract attention whenever they occur. But when we find that two men, Gherbod and Richard, both comparatively unknown, are also both more or less distinguished by the fact that a woman, presumably the same woman, was their sister; a woman as to whose parentage though much has been surmised, little is known, and as to which contemporary authorities appear to differ, and lastly as to which lofty claims are advanced, and supported by mediæval forgeries; but on the other hand as to which grave suspicions have been raised and widely entertained; then it is somewhat curious that a manifestly false legend should be accepted as a solid basis for the assertion that these two Countesses Warenne were not the same lady, quite irrespective of whether they really were so or not; and it is most surprising that this story of a dream, if it was not an invention pure and simple, should be so accepted as evidence by one claiming the attention which is due to serious and scientific genealogy.

The next point is the conjecture advanced by Mr. Waters that the expression "*Stirps ducum*" of Gundrada's tombstone is a reference to the ducal house of Burgundy. Notwithstanding that Mr. Waters himself calls this a conjecture, he makes the astonishing state-



ment "All that we know about Gundred points to a Burgundian connection." From this it necessarily follows that nobody knows or ever did know anything about Gundrada, for Mr. Waters has never been accused of any plagiarism in his Burgundian conception. The literal truth is that we know absolutely nothing pointing to such a connection, and further it is impossible to accept the suggestion that Gundrada was of the house of Burgundy without rejecting all that we hitherto conceived ourselves to know, or to have good reason to believe, about her, for none of these now-to-be-rejected details point in this direction. That Gundrada had a son named Reynold is little to the point unless Burgundy had a monopoly of that prænomen. If it could be shown that the house of Burgundy had a daughter, contemporary or earlier, named Gundrada, that might be an argument, though not of a kind upon which to rely over-confidently, because a Gondrede held Garinges of King Edward.<sup>12</sup> If Mr. Waters is correct in thinking that nothing but Gundrada's ancestral ties, supposedly Burgundian, could account for this Cluniac foundation, then it would be interesting to know why William directly, and Matilda through Gundrada, made grants to the Lewes Priory. If it was not for the sake of Gundrada, then it may have been because they also had a special predilection for the Abbey of Clugni, being likewise Burgundians, if we could but know the truth. The suggestion that Gundrada was descended from the house of Burgundy is extremely unconvincing. It is advanced confessedly as a guess, supported by no evidence, merely to account for the expression "Stirps ducum" on her tombstone. This phrase, on the other hand, has already a sufficiently probable explanation; it might mean anything, and were it not for the fact that it really is in the ordinary style of the period, it might give rise to the suspicion that its vagueness was not wholly undesigned. Elsewhere<sup>13</sup> Mr. Waters refers to this description as contra-indicating Gundrada's alleged royal birth, and, not without some ambiguity, argues<sup>14</sup> that Matilda's own epitaph recognises her descent from the Kings of France in the words

<sup>12</sup> Domesday Sussex, fo. 25a, col. 1,  
line 2.

<sup>13</sup> pp. 301, 304, 305.

<sup>14</sup> p. 305.

"Germen regale." But as to Matilda herself it simply says "Regi magnifico Vvillermo juncta marito."<sup>15</sup> The argument, however stated, lacks weight, because it overlooks the fact that the Dukes of Normandy long regarded their English kingdom as quite a minor dignity; and in any case it is not possible to argue from the words of one epitaph what the expressions on another tombstone ought to be. The two inscriptions both unquestioned, are both intelligible, and both florid in style, but neither gives much information. There can be but little doubt that Gundrada's inscription did by intent convey the suggestion that she was the daughter of the Norman Duke William. If that was a false suggestion perhaps it was not the first prevarication consecrated to a pious memory.

Mr. Waters's paper contains two leading points, the letter of St. Anselm; and the suspicions raised against the Lewes charters. Taking the latter first, it is highly probable that Mr. Waters is right in his criticism<sup>16</sup> of the entry relating to Carlton in the Leiger book. His emendation consists in omitting the first "et" and reading—"Karletuna quam dedit Matildis regina mater Henrici regis [ *et* ] Gundredae Comitissae; et ipsa Gundredae dedit nobis." This is extremely plausible and it is not very likely that any will dispute the justice of Mr. Waters's criticism. His further suggestion that the so interpolated "et" may be taken to imply bad faith, or plainly that it was a deliberate alteration, made at the time of the writing of the Leiger book in the fifteenth century is also worth consideration and is probably well founded; it is certainly supported by other contemporary proceedings.

Next comes the Walton charter over which discussion has raged, and to which Mr. Waters has added a useful fact by obtaining the valuable opinion of Mr. W. H. St. John Hope<sup>17</sup> that if the faded words "pro me et heredibus meis" did follow the word Gundredae, then there was no room for the words filiae meae inserted above the line—"in a modern hand" as Mr. Waters describes it. Stapleton's description "in a modern hand of the fifteenth

<sup>15</sup> Orderic, Book VII, cap. ix.

<sup>16</sup> p. 305.

<sup>17</sup> p. 305, note.

century" is more precise and conveys a truer impression. While on this point it must be remarked that Professor E. A. Freeman was hardly justified in stating<sup>18</sup> on this passage—"Stapleton silently reads 'pro me et heredibus meis,'"—passing over the *filiae meae* that is to say, for Stapleton did not really do so. After expressly pointing out that "In the new edition of the *Monasticon* is a copy of this charter with the words *filiae meae* after *Gonfredae* as part of the original"—Mr. Stapleton on the same page<sup>19</sup> said:—"The charter of William the Conqueror is apparently as follows," and with Mr. Stapleton's use of the word *apparently* it is only fair to recognise that certain small parts of the text as printed by him are included in brackets, especially "pro anima Guillelmi de Uuarennā et uxoris sue Gon (dra) de (pro me et heredibus meis) quādam mansionem nomine Waltonam," etc. Mr. Freeman's remark might well convey to the general reader that Stapleton had evaded a difficulty; whereas he criticised the *filiae meae*, and rejected it as an interpolation so artless as not to deceive for a moment; and gave his reading of the faded words with quite sufficient reserve. His opinion has enjoyed very general acceptance, and the charter is now recognised by all as genuine itself, but altered from its original form in this very awkwardly important point. The mere fact that in the fifteenth century, accepting as conclusive Mr. Stapleton's judgment on that point also, it was thought worth while to improve this charter shows that it was then regarded as authentic; and that its custodians then regarded Gundrada as daughter of the king, or desired so to present her. Mr. Waters, however, having discarded the "*filiae meae*" drops the charter altogether, although he acknowledged it to be "beyond all dispute authentic," without pausing to consider or explain why King William should have given this manor for the soul of the Burgundian's husband.

Finally there is the "foundation charter," the confirmation charter in fact, which Mr. Waters criticises at length, in general and in detail, and to which he contrives to give a distinctly unfavourable aspect. In brief he regards it as a fabrication, remarking that the original is not forth-

<sup>18</sup> *Norman Conquest*, v. III, note N.

<sup>19</sup> *Arch. Jour.*, March, 1848, p. 2.

coming, and that the earliest copy we have is a fifteenth century transcript, made for Prior Auncell in 1444.<sup>20</sup> Supposing for a moment, merely for the purposes of argument, that this confirmation charter is absolutely false, then clearly the forger believed that Gundrada was daughter of Matilda because he explicitly calls her so, and does not in actual words call her daughter of William, although he comes so near to it in one passage as to suggest the fancy that he must have recognised the necessity for stopping short of the actual assertion. But the forging of this charter would not negative Orderic's statement that Gundrada was sister of Gherbod. At the most it only shows that in the fifteenth century the belief prevailed at the Priory that Gundrada was daughter of Matilda. Also in the fifteenth century the Walton charter was amended by the interpolation of the words *filiae meae*, in order to make it appear, or to add the information, that Gundrada was also daughter of William: and in the same fifteenth century the Leiger book was probably also amended by the before-mentioned interpolation, so as to read *Gundredae* for a genitive instead of a dative. There is thus a general suggestion that all these alterations may have been the handiwork of the same resourceful genius who, having reached the conclusion that none of the records actually called Gundrada daughter of William, adopted this method of amplifying the archives in that respect.

If such an impression as this is not ill founded, then it may be deduced:—Firstly that when the records of the Priory were still complete, intact in their original form, and all available save only the first charter to the Abbey of Clugni, and when moreover these records were not the half of their present age; that even then with all these advantages those who believed Gundrada to be the daughter of the Conqueror could find nothing in all their store to justify that belief.—Secondly that if they had their doubts about her father, they had none whatever that her mother was Matilda.—Thirdly that if although

<sup>20</sup> In his Postscript Mr. Waters noticed an earlier copy of 1417, mentioned by Sir George Duckett, bt. F.S.A., in his paper *Yorkshire Archaeol. and Topog. Jour.* Vol. IX, where, it

may be observed, the learned baronet did not correct his proofs, or else prefers to call this Prior "Amicell" more than once.

their general tradition, quite unbroken, was to that effect, then the absence of any evidence to the point in the original charters, for they must have had some genuine charters in their collection, is strongly suggestive of the explanation that the fact was not so, and that the makers of the original charters were well aware of it.

As it is not disputed that William gave Walton-Prior to St. Pancras, so it is not disputed that Matilda gave Carlton to Gundrada, nor that Gundrada gave it to the same priory. But if there is no obvious reason why William should give a manor for the soul of the Burgundian's husband still less is there any known reason why Matilda should give a manor to the Burgundian lady who was of no kinship with her. Neither of these grants is disputed by Mr. Waters, who is content simply to reject the only relationship which would amply explain them. Some counter-explanation of these gifts is, however, highly desirable. Supposing some kind of explanation to be forthcoming, there is still Orderic's statement that Gundrada was soror Gherbodi, and as Mr. Waters refuses to fritter away this soror as a foster relationship or a spiritual relationship, then it follows that Gherbod must needs be a Burgundian also. Even if we did not know perfectly well that that was not the case, we should still require, and if possible more than ever require, some sort of reason to account for the grant to Gherbod of the earldom of Chester, something to render ordinarily probable the amazing story of his elevation, and the still more amazing story of his fall. Nothing is suggested by way of possible explanation for any of these events, and in place of simple natural reasons for these grants to the Priory and to Gundrada and to Gherbod, we are left with three disconnected and totally incomprehensible freaks of favour.

Lastly, there remains St. Anselm's letter, and this, as before mentioned, has been advanced to prove that the genealogy therein indicated gives the whole and only kindred existing between William de Warenne II and the issue of King Henry I, William being son of Gundrada, and King Henry as son of Matilda being Gundrada's brother or half-brother according to one or other of the two ordinarily received opinions. Mr. Waters

read the letter in this comprehensive and exclusive sense, and he prevented any doubt that this was his understanding of the matter by saying<sup>21</sup> "it is absurd to suppose that the archbishop would have judicially inhibited first cousins from marrying on the ground that they were fifth cousins." These are his words though he gives on the preceding page a tabular pedigree showing these fifth cousins to be third cousins twice removed. Superficially this *obiter dictum* may possess a specious appearance of reason, but it is nevertheless permissible and possible to question it. The circumstance that, taken in this sense, the archbishop's letter requires the rejection of all other evidence in the matter whatever did not lead Mr. Waters to entertain any doubt as to the accuracy of his views, but it is in itself a point worth a moment's consideration. That which St. Anselm wrote, St. Anselm believed, unquestionably. This probably is the sense in which Mr. Freeman said<sup>22</sup> that St. Anselm's testimony is not to be gainsaid, for Mr. Freeman's intellect would not have allowed him to think that Anselm's moral character was a measure of Anselm's genealogical knowledge. As a matter of fact Anselm claimed no genealogical knowledge, propounded no descent, and guarded himself against any possibly erroneous statement by the words "si ita propinqui sunt." To say that this letter "proves beyond doubt that Gundred was not the daughter of Queen Matilda" is to overstate the case, and to defy the first principles of logic. All it does prove is that Anselm did believe William de Warenne II and King Henry's natural daughter to be respectively fifth and seventh in descent from a common ancestor, and therefore related on the one part in the fourth, and on the other part in the sixth, degree. If Anselm believed that to be the case then the proposed marriage would be consanguineous, and within the limits forbidden by the Canon Law, and it was a perfectly justifiable ground of inhibition, even if he had also confidently believed them to be first cousins. It may be assumed for the moment that the kinship by Gundrada did exist, and that Anselm was not ignorant of it. If it existed it is not easy to see how he can have been ignor-

<sup>21</sup> p. 304.

<sup>22</sup> *Academy*, February 1st, 1879.



ant of it, although a very few years later William of Malmesbury could make nothing of the circumstances and difficulties of Matilda's marriage, and it is not impossible that Anselm may have been equally without information on the matter. The Norman chroniclers William of Poitiers and William of Jumièges had done their best to obscure the facts, and mystify the affair, and considerable success had attended their efforts. Assuming however that Anselm knew the parties to be in fact first cousins, or first cousins of the half blood, then it must be observed that he was in this letter taking judicial ground; and inhibiting the marriage on a kinship which, if disputed, he might be under the necessity of proving. The more remote kinship would serve his purpose quite well. If the nearer kinship existed, but only surrounded by circumstances of such doubtfulness as to render possible or plausible a direct denial, that would not be a suitable ground on which to base his objections, and even if untrue, it is quite sufficiently probable that he might have had great difficulty in demonstrating the falsity of the denial.

This suggestion is not advanced as *the* reason why St. Anselm took his objections on the kindred he stated, but simply by way of showing that he may have had good reasons, and in opposition to the gratuitous statement that it is absurd to suppose that he should select the more remote degree, or that his action was absurd if some other kindred, nearer in degree, was co-existent. We cannot doubt that St. Anselm had his reasons for adopting his grounds of objection, and we cannot doubt that these were valid reasons; whatever they may have been his letter gives no clue to them. It stands as a piece of evidence, for the recognition of which we are indebted to Mr. Waters. On the face of it there is a disagreement between this and other good evidence, but the conception that either witness falsifies the other is utterly fallacious, and can only be attained by a syllogism such as this: Anselm asserts the parties are remote cousins—remote cousins are not near cousins—therefore Anselm asserts the parties are not near cousins. But with such a minor any conclusion might be reached. Having reached this conclusion, in his Postscript Mr. Waters raises the in-

tension to the statement<sup>23</sup> "We have on the one side the judicial declaration of Archbishop Anselm that Gundrada was *not* the king's daughter." The italics are *his own*, and the statement is a remarkable illustration of the extent to which we are liable to unconscious exaggeration, for in sober truth we have nothing whatever of the kind, whether she was so or not.

Apparent discrepancies between individually credible statements must be reconciled, if research can reconcile them. They can only be held to be inconsistent when they are mutually contradictory, and it is in the highest degree illogical to infer, because on one side or the other some fact is not asserted, that therefore it is denied. To presume such a denial is to strain unwarrantably the language of the record, valuable so far as it goes, but beyond that point only subject of speculation. To advance still further, and propound a theory, novel *ab initio*, to fit the supposed necessities of the presumed denial, is to pursue a path so thickly set with pitfalls as to render disaster not probable but certain.

<sup>23</sup> *Arch. Jour.* XLIII, p. 309.