

XI.—A NORTHUMBERLAND CHARTER OF KING HENRY I

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While working on the Alnwick Castle muniments in 1965 Miss S. D. Thomson discovered a torn and crumpled scrap of parchment which she identified as a charter of King Henry I. With one possible exception,¹ this is the earliest royal charter known still to survive in Northumberland. This fact by itself would be sufficient justification for publishing it; but the document is interesting also for the light it throws on an obscure corner of Northumbrian feudal history. All the credit for the discovery is due to Miss Thomson, but my efforts to persuade her to publish it herself have been unavailing. I am most grateful to her for her generous assistance with the charter, and to its owner, the Duke of Northumberland, for his permission to print it.

The charter is now numbered Alnwick Castle ms. X. II. 1(2), and measures 7.25" × 3.25", excluding the seal tongue. It has suffered much hard treatment over the centuries: the seal has disappeared; most of the seal tongue has been torn away; and parts of the nine lines of text have been lost as the result of rubbing and tears. The scribe used unruled parchment. The hand appears very like that of a scribe known to have been active in the royal chancery late in Henry I's reign and into Stephen's. He is designated as Scribe XIII by Mr. Bishop, who gives 1127-1139 as the narrowest limits of his chancery career.² The charter is not endorsed. It has now been expertly repaired.

¹ That is, the Society's Ravensworth Deed no. 2, deposited at the Northumberland County Record Office. This too is a Henry I charter though it is concerned with lands in Co. Durham. Its date is probably August 1127; cf. P. Chaplais, *EHR* 75 (1960), 275.

² T. A. M. Bishop, *Scriptores Regis* (Oxford, 1961), pls. V(c) and XVII(a).

In the text which follows contractions in the original have been expanded without comment when there is no doubt what was intended; expansions about which any doubt can be felt have been put within parentheses and italicized. Conjectures to complete the mutilated text stand within square brackets.

H. rex Anglorum episcopo Dunelmensi et justic' et vic' et baronibus et omnibus m[inistris] et fidelibus suis de Norhu-
(*m*)berlant françis et anglis, salutem. Sciatis me concessisse Radulfo de Chalgio in feodo et hereditate sibi et heredibus eius post eum terram Ellingeh(*am*) et Dochesf(*ord*) et Osburwic, quas Nic(*olaus*) de Grainuilla ei dedit cum nepte sua, sicut ipse eas ei dedit et [conce]ssit. Et volo et precipio quod bene et in pace et quiete teneat in bosco [et] plano, in pratis et p[ascuis,] in ecclesiis et molendinis, et cum omnibus earum [app]nditiis, cum omnibus quie[tationibus] et libertatibus illis pertinentibus sicut [Nic(*olaus*) unquam] melius et quietius et hon[or]ificentius eas tenuit.] T(*estibus*) W(*illelmo*) de Alb-
(*ineio*) et E[.] et R(*oberto*) de Brus. Apud Wint
(*oniam*).

Translation:

Henry king of the English to the bishop of Durham and his justiciar(s) and sheriff(s) and barons and all his officials and faithful men of Northumberland, both French and English, greeting. Know that I have granted to Ralph de Gaugy in fee and inheritance to him and his heirs after him the land Ellingham and Doxford and *Osburwic*, which Nicholas de Grenville gave him with his niece, just as Nicholas gave and [granted] them to him. And it is my will and command that he (Ralph) holds (them) well and in peace and without disturbance, in woodland and open field, in meadows and [pastures], in churches and mills and with all their [appurtenances], with all the immunities and franchises belonging to them, just as [Nicholas ever held them] best and most peaceably and [honourably]. Witnessed by William de Albin and E[.] and Robert de Brus. At Winchester.

No precise date can be suggested for this charter. William de Albini attests very frequently under Henry I, and Robert Brus not rarely; they witnessed at least one other royal charter together at Winchester, probably in the spring of 1121.³ Just possibly the fact that the Bishop of Durham is given neither name nor initial indicates a date when the see was vacant, between the death of Bishop Rannulf in September 1128 and the appointment of Bishop Geoffrey Rufus in May 1133. But there are no really substantial grounds for narrowing the dating limits between c. 1120 and August 1133, when the king crossed over to Normandy for the last time. Nicholas's niece was Mabel, the elder daughter of his brother Walter. *Osburwic*, as Edward Bateson argued,⁴ has probably been absorbed into what today is Newstead.

This discovery adds something to our knowledge of the tangled early history of the barony of Ellingham or Jesmond. As its alternative names suggest, this was a scattered fee, of which the northern members (Ellingham, Doxford and *Osburwic*/Newstead) lay far apart from the southern lands in Cramlington, Jesmond, Heaton and Hartley. One result of this has been that the barony has been discussed in at least three volumes of the *Northumberland County History*: by Edward Bateson in 1895, by H. H. E. Craster in 1909 and by Miss Hope Dodds in 1930.⁵ It is common ground to them all that at the death of Henry I in 1135 the original grantee, Nicholas de Grenville, held the barony from the crown by service of three knights; they have good authority for this, as it seems, in the returns made by Nicholas's heirs to Henry II's enquiries in 1166.⁶

Miss Thomson's discovery shows, however, that by 1135

³ *Regesta Regum Anglo-Normannorum* II, ed. C. Johnson and H. A. Cronne (Oxford, 1956), no. 1279.

⁴ *NCH* II, 225.

⁵ *NCH* II, 225 ff.; IX, 97 ff., XIII, 309 ff. There is a compact survey of the barony in I. J. Sanders, *English Baronies* (Oxford, 1960), p. 41.

⁶ *Red Book of the Exchequer*, ed. Hubert Hall (Rolls Series, 1896), I, 438 (*carta* of Hugh de Ellington), 443 (*carta* of Ralph II de Gaugy). The editor's confusion about the text of Ralph's *carta* is not cleared up in his note. Ralph was claiming "esneey" as son of the first-born sister,

Nicholas's immediate control was limited to the southern parts of his barony. Without knowing this evidence, Sir Edmund Craster inferred that Ellingham and its northern adjuncts must have been subinfeudated to Ralph I de Gaugy before 1161, though he supposed that this had happened in the time of Nicholas's nephew and heir William de Grenville.⁷ Henry I's charter demonstrates that this enfeoffment had been carried out by 1133, as part of a marriage arrangement between Ralph and Nicholas's niece Mabilia. Ralph's title as a mesne tenant to Ellingham, Doxford and *Osburwic* was, then, clearly established by 1133; certainly the Gaugy claim to these lands was not just the result of the inheritance of the barony by Mabilia de Gaugy and her sister Alice on the death of their childless brother William de Grenville c. 1161-2.⁸

At this point a complication must be faced. On succeeding his father Eustace Fitz John as lord of Alnwick in 1157, William de Vesci secured from Henry II confirmation of the lands and fiefs which he claimed Eustace had held. Among them was "the whole fief of Ralph de Gaugy, that is to say Ellingham and Doxford and Osberwick and Heaton with their appurtenances".⁹ What lay behind this claim that Ralph held his lands (including Heaton, part of the southern complex of the barony) not under Grenville, but under Alnwick? Craster's solution was to suggest that Ralph I de Gaugy must have died shortly before 1157, leaving an heir, Ralph II, under age, the wardship of whom came "by grant from Grenville or otherwise" to Eustace Fitz John.¹⁰ Though this suggestion disposes very neatly of a difficulty, doubts may be felt about it. The crucial problem is the year

⁷ *NCH IX*, 97.

⁸ On the date of this succession, see Sir A. M. Oliver, *Early Newcastle Deeds* (Surtees Society vol. 137, 1924), p. 36, note. William accounted at the Exchequer at Michaelmas 1161: *PR 7 Henry II*, p. 23. The representatives of Mabilia and Alice, Ralph (either I or II) de Gaugy and Hugh de Ellington, accounted for relief at Michaelmas 1162: *PR 8 Henry II*, p. 11.

⁹ *The Percy Chartulary*, ed. M. T. Martin (Surtees Society vol. 117, 1911), no. dclxix, p. 292.

¹⁰ *NCH IX*, 97.

of Ralph I's death. He was certainly alive in 1154, which is the earliest possible date for his grant of Ellingham church to the convent of Durham;¹¹ he was dead by 1166, when it was his son, Ralph II, who made the return for the fee.¹² But the mentions of Ralph de Gaugy on the Pipe Rolls for 1162 and 1165 might apply to either father or son; the suggestion that Ralph I died in 1161 or 1162 is no more than reasonable conjecture.¹³ Sir Edmund's theory demands not only that Ralph died five or six years before this, but also that his heir was under age at the time of his death. On the evidence of Henry I's charter, Ralph's marriage to Mabel de Grenville may have taken place in the 1120's; there would thus have been plenty of time for an heir to have reached full age before 1156/7. These considerations make the suggestion of Vesci wardship over Gaugy seem less attractive. But even if this suggestion is rejected, the evidence that Gaugy held under Alnwick is not confined to the royal confirmation of William de Vesci's claims in 1157.

The Grenvilles were benefactors of St. Cuthbert's monastery at Durham. At an early date Nicholas granted to the monks the church of Ellingham together with land in Cramlington and a fishery in the Tyne.¹⁴ The grant of Ellingham church did not take effect; it was not included in Pope Eugenius III's confirmation of the monks' possessions in 1146, though the other items in Nicholas's grant were.¹⁵ Henry I's charter suggests the reason: Ralph de Gaugy had become established at Ellingham and kept the church under his own control. Nicholas de Grenville must have survived

¹¹ Durham, Treasury of the Dean and Chapter, 4.2. Spec. 2: printed in *Feodarium Prioratus Dunelmensis*, ed. William Greenwell (Surtees Society vol. 58, 1872), p. 100, note; *NCH* II, 228, note 5. The dating limits are given by the attestation of Prior Absalon and the inclusion of Ellingham church among the monks' possessions confirmed by Pope Hadrian IV on 3 February 1157: W. Holtzmann, *Papsturkunden in England* II (Berlin, 1935), no. 94, p. 276.

¹² *Red Book* I, 443.

¹³ *PR* 8 Henry II, p. 11; 11 Henry II, p. 28; Oliver, p. 37.

¹⁴ Durham, 4.2. Spec. 7: printed in *Feodarium*, p. 99, note; *NCH* II, 226, note 3.

¹⁵ Holtzmann, *Papsturkunden* II, no. 51, pp. 205-7.

for some years into Stephen's reign, for he secured from Henry, son of King David of Scotland, confirmation of his grant to Durham of the Tyne fishery and the land in Cramlington, and it seems safe to assume that this was after Henry had become Earl of Northumbria in April 1139.¹⁶ Again there was no mention of Ellingham church: presumably because by this time Ralph was its lord, not Nicholas. But the monks persisted in their aim of acquiring St. Maurice's church at Ellingham. Between 1154 and 1156 they succeeded in persuading Ralph I de Gaugy to give it to them, though the grant was hedged round with various safeguards for the rights of the existing incumbent and the reversion of the living was secured to whichever of Ralph's sons should be most suitable for it.¹⁷ Most significantly, this grant was confirmed "so far as pertains to me" by William de Vesci, presumably in or soon after 1157, in a charter which implies his position as feudal superior over Ralph I rather than as guardian of Ralph II during the latter's nonage. Immediately after printing this document nearly a hundred years ago William Greenwell wrote: "Ellingham, when it was possessed by Gaugy, was held under Vesci."¹⁸

For the 1150's, at any rate, Greenwell seems right. On the other hand, Miss Thomson's discovery shows that by 1133 Ralph de Gaugy had been enfeoffed with Ellingham, Doxford and *Osburwic* to hold from Nicholas de Grenville. How had this change in his tenure taken place? Probably we shall never know in detail. In general there come to mind the exposed situation of the small Gaugy fief, so close to the strong Alnwick field of influence, and also the disordered conditions in the north-east during much of Stephen's reign. Small tenants like Grenville and Gaugy were liable to intense pressures from a local magnate of the standing of Eustace

¹⁶ Durham, 4.2. Spec. 46: printed in *Feodarium*, p. 103, note.

¹⁷ See note 11 above. The conditions were set out by Bishop Hugh du Puiset in a separate document, Durham, 3.1. Pont. 11: printed in *Feodarium*, p. 100, note; *NCH* II, 268, note 1.

¹⁸ Durham, 4.2. Spec. 3: printed in *Feodarium*, p. 101, note. It seems clear that this document refers to Ralph I's grant in c. 1154-6, rather than to that by Ralph II c. 1172-4, on which see note 24 below.

Fitz John; they had little to hope from the king after 1139, and much to fear from the illwill of Eustace, especially after he had quarrelled with Stephen.¹⁹ Though the fashion escapes us, there is no doubt about the fact: by some means or other Eustace acquired the service of Gaugy, and in 1157 William de Vesci was prepared to claim, and apparently was able to gain, recognition of this superiority as a matter of right. Nicholas de Grenville's barony seemed hopelessly split, and Gaugy fated to dependence on Alnwick.

In the event, matters took a different turn: the barony of Ellingham was reunited in the hands of Ralph de Gaugy's descendants. As we have seen, Nicholas's heir, William de Grenville, who can never have enjoyed more than the southern part of his uncle's barony, died childless in 1161-2. The inheritance which his sisters, Mabel (either already or soon to become the widow of Ralph I de Gaugy) and Alice (wife of Hugh de Ellington),²⁰ divided between them was the whole original Grenville fee, including the northern members once subinfeudated to Ralph. Mabel and her son, Ralph II de Gaugy, left the southern estates to the Ellingtons, and took Ellingham, Doxford and *Osburwic* for themselves.²¹ In the capacity, it seems probable, of his mother's representative rather than of his father's heir, Ralph II contrived to step out of dependence on Vesci and into the position of tenant-in-chief occupied by his Grenville uncle and great-

¹⁹ Cf. R. H. C. Davis, "What happened in Stephen's reign", *History* 49 (1964), 4.

²⁰ On Alice, see Oliver, pp. 36, 67.

²¹ There was a complication caused by Nicholas de Grenville's enfeoffment of a knight called Galo or Golo with a third (or perhaps a quarter) of a fee: *Red Book I*, 443, 438. Robert the son of Gualo witnesses a charter by William de Grenville: *Feodarium*, p. 104, note. As Craster argues (*NCH IX*, 98), it is likely that Galo's fee was Hartley in Earsdon chapelry, and that this was the purpresture or concealed escheat for which William de Vesci accounted as sheriff in 1166, when it was called "terra Radulfi de Calgi" and was held by William himself: *PR 12 Henry II*, p. 76, cf. *PR 13 Henry II*, p. 73; these entries, it seems, misled Dr. Sanders into thinking that Ralph II de Gaugy was a minor until c. 1168 (*English Baronies*, p. 41). Hartley remained in the hands of the crown until 1176-7, when it was returned to Ralph II de Gaugy and Hugh de Ellington in exchange for their claims in Newburn: *PR 23 Henry II*, p. 82.

uncle. This phase of the story ends about 1180. By Michaelmas of that year Hugh de Ellington was dead; his wife Alice had predeceased him; his two daughters, the wives of Ralph Beard and Robert Bulmer, were, it is surmised, the children of another marriage, and did not inherit from Alice.²² By paying a fine of 5 marks for 1½ fees Mabel and Ralph II de Gaugy gained possession of the southern members and so reconstructed the barony as it had once been held by Nicholas de Grenville.²³

There is a small final puzzle. When Ralph II granted (or rather confirmed) Ellingham church to the monks of Durham c. 1172-4, he did so "with the consent and will of my heir Ralph".²⁴ Ralph II had died by Michaelmas 1184, and his heir Ralph III, because he was under age, did not acquire the fief until 1194.²⁵ This makes it almost impossible to identify him with Ralph the heir in c. 1172-4. The latter may have been a collateral rather than a son of Ralph II; if he was a son, he may have died early, so that his name became available for a younger son, perhaps by a later marriage, who inherited as Ralph III in 1194.

²² *NCH* XIII, 311.

²³ *PR* 26 Henry II, p. 142; cf. 27 Henry II, p. 49; 28 Henry II, p. 48.

²⁴ Durham, 4.2. Spec. 1: printed in *Feodarium*, p. 100, note; *NCH* II, 228, note 2. The limits of date are given by the attestations of Archdeacons John and Burchard; cf. *AA*⁴ 33 (1955), 63-4.

²⁵ *PR* 31 Henry II, p. 10; 34 Henry II, pp. 5, 100; 2 Richard I, pp. 20-1; 6 Richard I, p. 124