

IX.—CHARTER OF HENRY II TO THE BURGESSES OF NEWCASTLE, 1175.

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King John, by charter dated 9 February, 1201,¹ granted to the burgesses of Newcastle upon Tyne the liberties which had been given to them by a charter of Henry II, his father. The original charter of Henry II is lost, and it has been thought that no copy has survived. Bourne² and Brand³ refer to it, but they found neither original nor transcript. Ballard in his *British Borough Charters*⁴ reproduces the tenor of the document by reference to the terms of king John's grant.

There is a copy of this long lost charter in a volume among the Stowe manuscripts in the British museum, which contains a collection of miscellaneous Durham documents.⁵ On a fly-leaf of the volume is written "Bibl. Thom. Astlei Arm." The copy of the charter is among a set of transcripts of Newcastle charters in a handwriting of the fifteenth century, followed by a copy of a record relating to the dispute between the burgesses and the prior

¹ *Charter Roll*, 2 Jno. n. 12; Brand II, p. 133.

² Bourne, p. 184, citing the *De rebus Novicastroi* of Sir Robert Shafto (ob. 1705). As to the authorship of this MS., see Bourne, p. 51. Although Bourne was unable to trace the greater part of the historical collections of Shafto (see his Preface, p. vi) he undoubtedly had possession of this important manuscript, which he frequently cites.

³ Brand II, p. 131.

⁴ p. 185.

⁵ Brit. Mus., Stowe MS. 930, fo. 161.

of Tynemouth relating to the foreshore of the Tyne. It reads as follows :

Henricus dei gracia Rex Anglie⁶ Dux Normannie et Aquitanie et comes Andegavie Archiepiscopis Episcopis Abbatibus Comitibus Baronibus Justiciariis Vicecomitibus et omnibus ministris et fidelibus suis tocius terre sue citra mare et ultra. Salutem. Sciatis me concessisse et presenti carta confirmasse Burgensibus meis de Novo Castro (*read* Castello) super Tinam et omnibus eorum rebus quas ipsi poterunt assecurare suas esse dominicas quietanciam et (*read* de) theolonio et passagio et pontagio et de Ansa et omnibus aliis consuetudinibus per totam terram meam Et prohibeo ne quis eos vexet vel disturbet super forisfacturam meam. Testibus Ricardo Episcopo Winton' Johanne decano Sar' Ricardo de Lucy Ricardo de Humer (*read* Humez) constabulario Willelmo filio Audeline dapifero Johanne de Solmero (*read* Solineio) Stephano (*read* Sahero) de Qvyncy Ricardo filio Stephani apud Winton' &c.

[*Translation*]

Henry, by the grace of God king of England duke of Normandy and Aquitaine and earl of Anjou, to his archbishops, bishops, abbots, earls, barons, justiciars, sheriffs and to all his servants and faithful people of all his land on this side of the sea and beyond, Greeting. Know ye that I have granted and by this present charter have confirmed to my burgesses of Newcastle upon Tyne, and to all their things which they can assure to be their own, acquittance from toll and passage and pontage and from the Hanse and from all other customs throughout all my land. And I prohibit all persons from vexing or disturbing them therein upon forfeiture to me. Witnesses, Richard, bishop of Winchester, John dean of Salisbury, Richard Lucy, Richard Hommet, constable, William fitz Audeline, seneschal, John of Soligny, Saher of Quency, Richard fitz Stephen. At Winchester.

Richard, bishop of Winchester, the first witness, was consecrated on 6 October, 1174, and John of Oxford, the second witness, who in the charter is styled dean of Salisbury, was consecrated bishop of Norwich on 14 December, 1175. The charter was given at Winchester, and as the king was in France until May, 1175, the date must lie between May and December, 1175.

⁶ *Anglie*. The word is not abbreviated in the MS.

Of the other witnesses, Richard Lucy, justiciar, retired to his abbey of Westwood, at Erith, early in 1179, where he died in July of the same year; Richard Hommet, constable of Normandy, also took the habit of religion in 1180, retiring to the abbey of Aunay in Bayeux diocese; William fitz Audeline, king's marshal and justiciar, who in the charter is styled seneschal, had in 1175 only recently assumed the duties of that office; Saher of Quency, father of Saher, earl of Winchester, lived to about the end of Henry's reign.

"*Novo Castro super Tynam*" in the charter is almost certainly a mistake of the copyist, which may be due to a faulty extension of an abbreviation. Although the erection of the "*castrum*," or keep, which led to the change of the name of the borough, had been begun in 1172, it was not completed in 1175, and the name of the town remained *Novum Castellum* for several years after that date.