

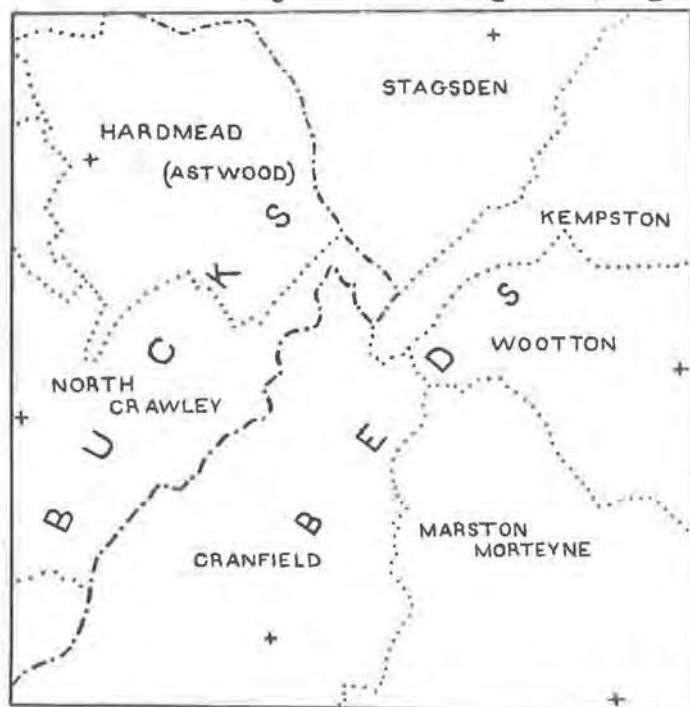
AN EARLY BOUNDARY DISPUTE

BY G. HERBERT FOWLER

A small group of documents, interesting for the side lights which it throws on life and customs in the twelfth century, has failed to attract notice, mainly because the place to which it refers, North Crawley co. Bucks., has been wrongly identified with the nearby Husborne Crawley co. Beds.; the story thus became unintelligible. The mere fact, however, that the latter village does not and did not touch Cranfield at any point, is enough to rule it out. These documents refer to a quarrel by neighbouring landholders over a tract of land which apparently lay where North Crawley, Stagsden, Kempston, and Cranfield meet; the settlement of the dispute seems to have produced a curious kink in the county boundary and a crazy interlocking of parish boundaries, which have persisted till our own day and long ago roused the curiosity of the present writer. From Domesday Book we get, unfortunately, little direct help in the matter; Astwood is not referred to, and was included under Hardmead; of Crawley, only its church of St. Firmin is mentioned. About 40 years later than Domesday our documents begin; from them we learn that the land in dispute interested (1) Simon de Beauchamp, Baron of Bedford, as overlord of Stagsden, (2) Walter de Bolebec, apparently as lord of part of Hardmead, (3) the Abbot of Ramsey, as lord of Cranfield, (4) David, King of Scots, as overlord of Kempston and of part of Hardmead.

The story opens with a writ of Henry I., dated by the late Dr. Farrer as 1127; this ordered William de Houghton (Hoctone) to survey and to settle by the

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oath of a jury of the Hundred of Moulshoe the boundary disputed by the Abbot and by the King of Scotland. The latter, as Earl of Huntingdon, had succeeded to the lands recorded in Domesday Book as belonging to the Countess Judith. Of William de Houghton (apparently Houghton Parva co. Northants) little seems to be known; he was Chamberlain of Henry I., and attested the King's charters in 1105—1134, remunerated by temporary grants of land in several counties.

i. "Henry, King of the English, to William de Hoctone, greeting. I command you to perambulate the boundaries between Cranfield the land of the Abbot of Ramsey, and the land of the King of Scotland, and that you cause each to have what is rightly his by the oath of honest men of the Hundred, like as the King of Scotland commanded you by his writ, so that I may hear no further complaint of the want of justice. And if you shall not have made this clear, let the Sheriff cause it to be done. Witness the Chancellor, at Eling."

[Cartulary of Ramsey Abbey, i, 247/8].

In the next document, apparently in consequence of no. i and therefore probably of 1127/28, three brothers of the Northamptonshire family of Foliot renounce to the Abbey of Ramsey their rights in the disputed land; they were dependents of the Earldom of Huntingdon, and probably were undertenants of Will. de Houghton. The witnesses to this notification (so far as they can be identified) were all Beds. or Bucks. men, and nine out of the twelve jurors bear Saxon names.

ii. "Know all the faithful of Holy Church that Robert Foliot, and Payn and Elias his brothers, remitted to God and St. Benedict and the Abbot of Ramsey their claim upon the boundaries of Cranfield

and Crawley, as sworn to by men of three demesnes nominated for this purpose, namely:—four from Cranfield of the Abbot's men, Edwin, Siward, Leofwine, and Theodoric: four from Crawley of the men of Walter de Bolebec, Aluric, Seman, Godric, and Norman: four of the men of Simon de Beauchamp and his mother Maud, John the smith, Godmer, Leofric, and Sewi. Further we hold it useful to notify to you that the proof of right in this land, and the settlement of the claim on those boundaries between the Abbot of Ramsey and Robert. Foliot and his brothers, were made on the order of Henry King of the English, and the order of David King of Scots who is head of that land next after the King of the English, and the order of the Bishop of Salisbury the Justice of all England, and by consent of William de Houghton to whose fee that land belonged—These are witnesses of this—Hugh son of Richard, Robert de Broi, Ralf de Borhard, Ebroin, Hugh Hayrun, Robert son of Brien, Hugh de Faldho, Ordric, Alan, Hugh son of Harlewin, Robert son of Aschetil, and others. Whoever may have violated this and have in aught diminished this or other land of St. Benedict, let him be excommunicated by the authority of God the Father omnipotent and of the Son and of the Holy Spirit and of St. Mary ever Virgin and of all the chosen of God, and be cut off for ever from their company. So be it. So be it. Amen. Amen.”

[Cartul. Ramsey, i, 143].

In the third document another claimant appears; this writ, dated by Dr. Farrer as 1130, shows that the Abbot of Ramsey had proved his right in the King's Court to some of this Crawley land against Simon de Beauchamp; and it confirms the Abbot in peaceable possession. There is a long list of very eminent witnesses.

iii. “Henry King of the English, to the Bishop of

Lincoln, and to the Sheriff and all his barons and liege men of Bedfordshire, French and English, greeting. Know ye that Reinald the Abbot of Ramsey in my Court has proved his right against Simon de Beauchamp to a wood at Crawley and the land appurtenant, which were in dispute between them, for the use of the church of Ramsey; on the terms that the said Abbot gave to Simon twenty marks of silver and two palfreys, in order that Simon should make the grant in love and should thereon renounce his claim. And I will and firmly enjoin that the said church of Ramsey may hold that wood and the land appurtenant to that wood fairly peaceably honourably and of perpetual right. Witnesses:—Roger Bishop of Salisbury, Alexander Bishop of Lincoln, David King of Scotland, Geoffrey Tancarville, Robert Earl of Leicester, Adam de Port, Hugh Bigod, William de Albini the Butler, Geoffrey de Clinton, William de Albini Brito, William Peverel, Payn Peverel, Walter Espec, Robert de Bruce, William de Pont de l'Arche, Hervey le Moine, Henry son of William, and Berenger son of Reiner. At Brampton."

[Cartul. Ramsey, i, 244].

Apparently during the troubled reign of Stephen, when law and order were in abeyance and men seized what they could, Robert de Broy of Bletsoe occupied some part of Crawley against the Abbot of Ramsey and was excommunicated for his trespass. On his deathbed he seems to have foreseen that seizure of church lands in this world did not promise happiness in the next. In no. iv therefore he rendered the land into the hand of Robert de Chesney, bishop of Lincoln (whose diocese then included Beds. and Bucks.), for restitution to the Abbey. As this surrender has not been printed, the original version is appended here. Nos. iv and v can be dated as between the Bishop's consecration in 1148, and the

death in 1154 of Robert Grelly the lord of Manchester, who is a witness to no. v.

iv. "Robert by the grace of God Bishop of Lincoln, to all the faithful of Holy Mother Church throughout the bishopric of Lincoln, greeting. Be it known to you all that Robert de Broy, by the hand of Walter de Broy his son, has rendered into our hand the land of Crawley (which he had unjustly occupied and for which he had been fettered by the chain of anathema), free for ever from all claim by him and his heirs, for the Church of Ramsey. Walter de Broy likewise divested himself and his heirs of all claim on the said land of Crawley. Witnesses: Geoffrey the chaplain, Nicholas of Hamton, Gilbert the Almoner, Laurence de [Buckden], Walter chaplain of [Buckden], Osmund priest of Brampton, Master Roger of Huntingdon, William the Sheriff, Burred of Huntingdon, Ralf son of Bernard."

"R. dei gracia Lincolniensis episcopus omnibus sancte matris ecclesie fidelibus per episcopatum Lincolniensem constitutis salutem Uniuersitati uestre notum sit Rodbertum de Broi per manum Walteri de Broi filii sui terram de Craweleia quam contra iustitiam occupauerat pro qua eciam idem Robertus uinculo anathematis innodatus fuerat ecclesie Ramesiensi quietam in perpetuum ab omni reclamacione sua uel heredum suorum in manum nostram reddidisse Walterus uero de Broi similiter dimisit se et heredes ipsius ab omni calumpnia predicte terre de Crawele Testibus Gaufrido capellano Nicolas de Hamt' Gisleberto elemosinario Laurencio de Bucend' Waltero capellano de Bucend' Osmund presbitero de Brant' magistro Rogero [de] Huntendone Willelmo uicecomite Burred [de] Huntendone Radulfo filio Bernard."

[P.R.O., Anc. Deed, A 13659].

The last notification records the penitence of Robert de Broy—how he sent hairs of his own head to be offered on the altar of Ramsey by the hand of his son Walter, and how they both renounced all claim on the land at Crawley of which they had bereft the Abbey. This family de Broy (Brouai in Normandy) has been sketched in *Publ. Beds. Hist. Rec. Soc.*, xiii, note 340 h; it continued to hold lands in Crawley for at least 60 years more. The witness Philip de Broi, the son of Robert, was a man of some notoriety in his time; he was a Canon of the collegiate church of St. Paul at Bedford; having killed a knight, he was tried by an ecclesiastical court, purged himself of his offence, and made his peace with the dead man's kin. At this time, however, the quarrel between Henry II. and Archbp. Becket as to the relative jurisdiction of civil and ecclesiastical courts over clerical criminals was sharp; this was made a test case; and, though Philip escaped being hung for the knight's death as the King wished, he was heavily punished for insulting the royal Justiciar before whom he had been brought for a civil trial at Dunstable; all his revenues were seized by the Crown for two years, and he presented himself naked before the Justiciar to be beaten; he seems however eventually to have recovered his Canonry. The original of no. v is at the Public Record Office, and it is somewhat disconcerting to find, on comparison with the Ramsey Cartulary, that the 15th century scribe of the latter made three serious errors in copying, and altered the spelling of personal and place names to suit the usage of his own time.

v. "Be it known to all children of the universal Mother Church that Robert de Broy when in the article of death, seeing that he had heedlessly sinned against St. Benedict and the church of Ramsey, sent hairs from his own head to Ramsey by Walter his son, and rendered to that church the land of Crawley,

which he had forcibly entered and in cruel manner held contrary to the church's right, to be free and quit from every kind of claim by all his heirs; and, having rendered it craved pardon for his rashness. His son Walter, bearing the said hairs and laying them on the altar, craved pardon for his dying father; and at the same time and place quitclaimed and abjured that land for his own part in the presence of the Abbot and brethren. In course of time Walter, coming to Ramsey once again, in the sight and presence of the whole chapter, touched the Holy Gospels and abjured the same land, and thereon renounced it to St. Benedict and the church, free from himself and from all his heirs to succeed him for ever. And for this quit-claim and abjuration he received at the same hour from Lord Walter the Abbot five marks of silver by the hands of Oliver and Philip knights [of the Abbey], his brother Philip the clerk standing by and consenting to the abjuration and quit-claim. By witness of these:—master Richard, master Geoffrey, master Michael, master Ralf, John priest of Wistow, Robert Grelly and Albert and Bernard his sons and Gilbert his chaplain [with six others]; also of these—Philip brother of Walter de Broy, Roger Spink to whom Walter handed in the Chapter the marks received, William Travail, Oliver Herlouin and Philip knights" [with eighteen others].

[Cartul. Ramsey, i, 257/8;
P.R.O. Anc. Deed, A 7873].

The lands in dispute lay on a little tongue of high ground between two brooks, a long way from all of the villages concerned. All these villages appear to be of the nucleated Saxon type, the nucleus being shown on the map by the cross which marks a church. The quarrel clearly arose (as such quarrels must have done in hundreds of cases from which no record persists), when Saxon townships or later

Norman manors, expanding outwards from their original centres as population grew, met in what had been no man's land till then. My attempt to reconstruct earlier boundaries by natural features failed, probably because such recognised boundaries did not exist before the period of our documents. As the Saxon settlements were made centuries before our two counties were instituted, the decision of the dispute probably also fixed the county boundary at this point in its present shape.