

WALTER OF HENLEY RECONSIDERED

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It was suggested many years ago by Mr. F. G. Gurney that the author of Husbandry was a Walter de Hanleia who attested a number of charters in the Missenden Cartulary, most of which relate to Great Kimble.¹ The positive evidence, however was of the flimsiest, and Mr. Woodman, who took the matter up again in 1958, could offer little that advanced the claim.² Dr Oschinsky found a Walter of Henley in the Glastonbury Cartulary whom she considered an eligible candidate.³ Dr Denholm Young, surveying the problem in 1962, referred to a Walter de Henle who attended at Borley in Essex on the business of Isabella de Fortibus, and was confident that there went Walter of Henley in propria persona, a judgement with which the writer respectfully concurs. But as to the Sir Walter of the Missenden Cartulary, he said that he could not be traced to any tenement, assigned to any family, or connected with any MS.⁴ It is the purpose of this paper to challenge each of these statements.

Three generations are represented in the Missenden Cartulary, Walter I the grandfather, Nicholas I and Martin his sons,⁵ and Walter II his grandson. That Walter I was the father of Nicholas I there is, as will be seen, sufficient proof; that Walter II was the heir of Nicholas I is beyond doubt, but no direct proof of parentage has yet turned up; it will be convenient none the less to refer to them as father and son, as I believe they were, without repeating the reservation.

Walter II occurs only three times in these charters, once in an abutment of lands in Great Kimble, and twice as a witness to charters dated by the editor c.1270 and 1272-6.⁶ In 1272 he conveyed his lands in Kimble to Thomas son of Ralf de Deyvile and Agnes his wife,⁷ who in 1295 sold them to Robert de Merse and Isabel his wife (sister to Thomas), subject to a corrody of 12 marks yearly to the vendors for their lives.⁸ From the charter that records this second transaction we learn the nature of the Henley fee in Great Kimble. It was usual in the villages which lay along the Icknield Way for the newer hamlets that were established there to form fees separate from the parent village. The Henley fee lay mostly in Marsh, a composite hamlet – West Marsh lying in the parish of Stone and in the lordship that the family of de Sancto Claro held of the Muntchensy honour, and East Marsh lying in Great Kimble. Walter II was evidently lord of East Marsh, holding that too of de Sancto Claro. He also held an estate called La More in Great Kimble itself, which can reasonably be identified with 'The Downe' mentioned in 1584,⁹ and with the Longdown of today. Great Kimble had by 1086

1. *Records of Buckinghamshire*, XIV, 256-60.

2. *Ibid.*, XVI, 216-17.

3. D. Oschinsky, *Walter of Henley* (1971), 147.

4. Reprinted in *Collected Papers* (Cardiff 1969), 227-35.

5. There was probably an intermediate son Walter, who came to a sad end. It was alleged that he had hanged himself at a house in Wycombe, and that he had no chattels P.R.O. JUST 1/62, m.6. (1232).

6. *The Cartulary of Missenden Abbey*, ed. J. G. Jenkins, Bucks Record Soc. 2, 10, 12, (1938-62), i. nos. 105, 111, and ii, no. 499.

7. P.R.O. KB 26/60, m.14d.

8. Bucks Arch. Soc. 15/57; facsimile in *Records* XVI, 216.

9. Will of Richard Wigge, who had lived there, proved 18 January 1583/4. Bucks County Record Office D/A/Wf/304. This must be the estate for which Nicholas de Hanleia had paid 19d quitrent to the manor (*Missenden*, ii no. 450).

been subinfeudated by Walter Giffard to Hugh de Bolebec, whose descendant Isabel carried it into the family of the earls of Oxford, though in the early twelfth century it had again been subinfeudated to Giffard Palefridus, whose descendants continued there for a century and a half.¹⁰

During the wars Walter II sided against the king, and his lands in Kimble were taken into the King's hand by the earl of Oxford; they were said to be worth 10s. We find him a bachelor in the service of the earl of Gloucester, accompanying the earl to London, for which transgression he later obtained a pardon.¹² When the justices came to Newport Pagnell in 1271, they accused him of having been at enmity with the king, which indeed he admitted, with the plea that the king had given his lands in the vill of Eltham in Kent to Thomas de Clare (the earl's brother) according to the Dictum,¹³ and in the following year Thomas came to Aylesbury and warranted him.

The justices also gave him a day to answer, together with Robert de Ludham and William de Stokes, to Queen Eleanor, for 'robbery etc.'¹⁴ The likely explanation of this charge is that these three had raided the manor of Hartwell, next to Stone, which the queen had obtained when Walter de Hertwell became unable to meet his commitments in Jewry. Robert de Ludham had also been against the king;¹⁵ he was probably a friend of Walter II, for it was at his house¹⁶ that Walter undertook to meet a debt which he had recognised before the justices.¹⁷ The last occasion on which Walter II appears in the public records is in the Easter term of 1275, when he and several of his neighbours were impleaded by John le Waleys for wrongfully depasturing his land and forcibly resisting lawful distraint.¹⁸ At this point we may take leave of him for a while and pass on to his father and grandfather, from whose lives we shall learn more about his lands in Kent, and his other interests.

His father was dead in 1255, when Joan, late the wife of Nicholas de Hanleya brought suit before the itinerant justices against Richard de Clare, earl of Gloucester, for her dower in 3 carucates of land, 60 acres of wood, and 20s. rent in Eltham.¹⁹ It may be inferred that Walter II was, as we would have expected, below age, and that he and his lands had passed into the custody of the earl, who held a fee in Eltham of the honour once of Eudo Dapifer. Little has come to light about Nicholas; we find him suing the abbey of Missenden by writ of mort d'ancestor for a small parcel of land in Kimble of which his father had died seised, and after recovering it selling to the abbey.²⁰ When the assets of Abraham of Berkhamsted were liquidated, Nicholas was found to owe £4; it was the sheriff of Essex and Hertfordshire who was bidden to distraint him in favour of the earl of Cornwall.²¹

Joan the wife of Nicholas may reasonably be identified with Joan d'Aubervill, who brought suit in the Hilary term of 1238 against Emma de Kenesbell and Gilbert her brother, who have been taken to be the widow of Walter I and Gilbert de Sancto

10. The descent is clear from the charters in *Missenden*, vol. ii.

11. *Chancery Inquisitions Miscellaneous*, i. 194.

12. *Calendar of Patent Rolls*, 1266-72, 146.

13. JUST 1/59 m.23.

14. *Ibid.*, m.22.

15. *Select Cases in the Exchequer of Pleas*, ed. H. Jenkinson (Seiden Soc. 48), lxxxii.

16. Loudhams Farm in Chalfont St. Giles.

17. JUST 1/60, m.5.

18. P.R.O. CP 40/9, m.42.

19. JUST 1/361. mm. 12d, 22d, 26, recording interlocutory proceedings only.

20. JUST 1/56, m.21; *Missenden*, ii, no. 487.

21. *Calendar of Close Rolls* 1254-6. 171.

Claro, for wardship of William son of Richard de Upton, whose land Joan claimed to be held of her.²² It will later appear that the wardship of William de Upton's son belonged to Walter II, so it may be inferred that Joan had bought the wardship of Nicholas and married him. The marriage must have taken place a couple of years before for Walter II was of age in 1258. Joan was in all likelihood the widow of Hugh d'Aubervill, who had died about 1227, holding 6½ fees in Kent and others in Bedfordshire and the Eastern Counties.²³ In 1234 she had not only come to a suitable settlement of her dower with William d'Aubervill the heir, but was also about to receive 24 marks in respect of arrears, so that she was in a position to make an investment of this sort.²⁴

Walter I died in 1232, probably at Kimble, for Nicholas fell into the custody of the countess of Oxford, who in the Trinity term of that year was called to warrant in court on his behalf a grant of land that Walter I had made in Charlton, in the Eltham fee.²⁵ Thirty of the Missenden charters bear the attestation of Walter I; no. 452 is dated in 1220/1; none of the rest is demonstrably, or very probably, earlier.²⁶ It seems most likely that he obtained Marsh by a marriage with Emma, daughter of Simon, and sister to Gilbert de Sancto Claro. Since Nicholas was not of age early in 1238, the marriage could have taken place around 1216-17.

Before that time, Walter can be found in Kent, dealing with lands that lay in the Eltham fee. At an unknown date, he had subinfeudated some of these lands to his nephew William II, or to his brother Robert, who may be assumed to have been William II's father. When William II was dead, and during the minority of William III his son and heir, Walter sold some meadow in Charlton to Peter Dagon, a citizen of London: his charter survives with its seal, both in prime condition.²⁷ The transaction gave rise to trouble: litigation over it is recorded as early as 1225²⁸ and recurred from time to time. William III was of age in 1232 and died in 1252.²⁹ Apart from the Eltham fee, he held a half fee in Layer Breton in Essex,³⁰ and a fee in Henley in Suffolk,³¹ both of which, it will be seen, were held of Walter.

In 1204, Walter I occurs with Emma his wife,³² but this can scarcely be the wife that bore him three sons in and after 1217. The name-sequence that he introduced into his family when he named his heir Nicholas gives rise to speculation. Now Walter was on John's side during the troubles of the king's later years, and he was given for a short time the custody of the lands of Nicholas de Kenet in Lamberhurst in Kent.³³ It may well be that he had sought that grant because he had allied himself with Nicholas by a marriage with his daughter. The surmise gains force from the fact that it was concerning a rent in Eversden, a Kenet fee, and also for lands in Kent that Walter and Emma were impleaded by Petronilla de Crevequer.³⁴

22. KB 26/119, m.12d.

23. *Book of Fees*, Index, s.v. 'Aubervill, William de,'.

24. *Curia Regis Rolls* XV, 993.

25. *C.R.R.* XIV, 2029; 2425.

26. The Kimble charters are printed in *Missenden*, ii, nos. 433-534; no. 379 should be dated c.1225, as the editor dated many others with similar witness lists.

27. Westminster Abbey Muniments (W.A.M.) 14,252.

28. JUST 1/358, mm. 4 and 6; *ibid.*, 1/229, m.1d. William III came to terms with Peter in 1236 (*Calendar of Feet of Fines Kent*, ed. I. Churchill and others, Kent Arch. Soc. (1955), p.126).

29. *Exc. e rot. fin.*, ii, 275. Sarah and his wife survived him. He was succeeded by another William (*F.F. Kent*, 295), who shortly afterwards entered religion in the Hospital, of which he later became the Preceptor in England (c.f. Inq. P.M. of Gilbert de Clare, (I.P.M., v. no. 538, mentioning a rent-charge created by Sarah de Polsted in favour of the hospital).

30. *F.F. Kent*, p.249.

31. *Book of Fees*, 608, 915.

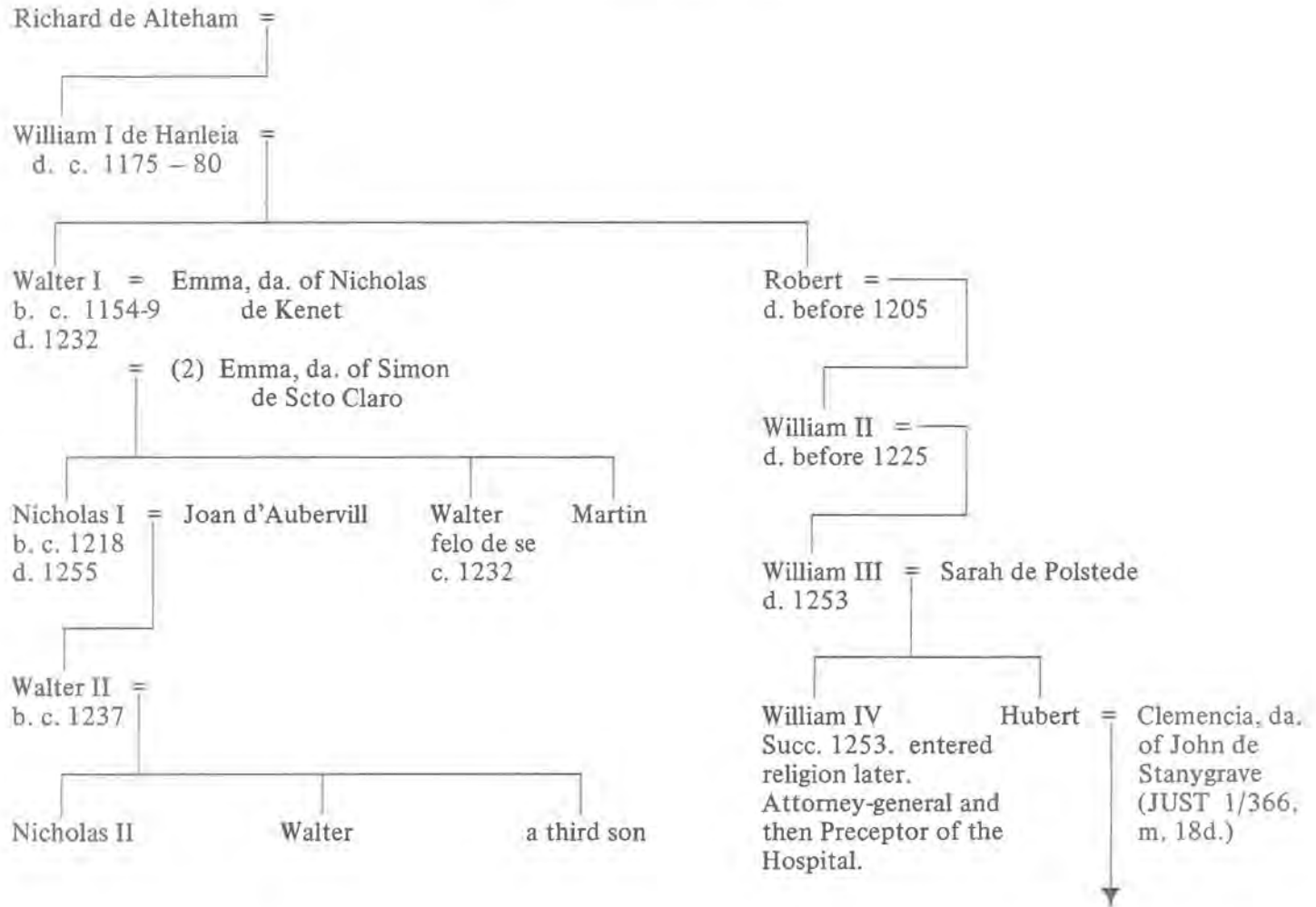
32. *C.R.R.* ii, 210, 238, 262.

33. *Rotuli Litterarum Clausarum*, i. 23, 234b.

34. The mother of Nicholas de Kenet was Emma de Crevequer (Bayham Cartulary, MS Otho ii, f.32v, no. 189).

SUGGESTED PEDIGREE

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Many years after these wars were ended, Walter I was in Hertfordshire, and he was taken there for felony: it was said that the men of the county hated him for his outrageous conduct towards them during the wars. It was even alleged that he had been outlawed in consequence, though upon the rolls being searched they yielded no such record, and Walter was quit.³⁵

We may now take our final step backwards; in 1166 William son of Richard, whom we can safely follow Farrer in identifying with William de Hanleia, held a half fee de veteri of Henry Fitzgerold.³⁶ William de Hanleia also held a fee de novo in Sevenhampton in Wiltshire, of which he had been enfeoffed by Warin FitzGerold, who is thought to have died in 1159.³⁷ He further held an unnamed fee of the bishop of Ely in Suffolk.³⁸ He is not mentioned in Kent, but it is possible that the Richard de Altenham who occurs in the earl of Gloucester's carta of his Kent fees was his father.³⁹

When death drew near, William I bequeathed his body to the abbey of St. John at Colchester, and with it he gave the land that Adam the piper held of his fee in Layer, for the welfare of his soul and those of his forerunners, of Warin FitzGerold and Henry his brother, and of his own wife and heirs.⁴⁰ Among the twelve attestations to his charter are those of Walter and Robert de Hanleia, whom we need not hesitate to accept as his sons – our Walter I and Robert his brother. The date of this charter has not been worked out, but Walter and Robert witnessed, side by side, an important charter of William II de Mandeville (d. 1189) bearing the earlier of his two known seals,⁴¹ so that a tentative dating of c.1175-80 might be acceptable for the death of William I. Walter I must therefore have been in his seventies when he died.

We have now set up a pedigree covering five generations, and a sixth will presently be added. We have found these men holding fees in five counties of the honour of Eudo Dapifer that descended through the FitzGerolds and Margaret Redvers to Isabella de Fortibus. There may also have been a holding in Hertfordshire – perhaps in Sawbridgeworth, where the place name of Henley's Herne is still observable. We know from the charter already cited that William I held Warin and Henry FitzGerold in affectionate remembrance, and he was especially beholden to Warin for putting him into a fee in Wiltshire, for which grant there may have been consideration other than the military service. The story of Walter I's notorious unpopularity in Hertfordshire would scarcely have been related of a man who merely held land there too insignificant for mention of it to have survived: one feels that he must have controlled lands there not his own. The marriages of Walter I and his son Nicholas show that these were men of good social standing; the Missenden charters give the same impression: Walter I always takes a senior, sometimes the first place, among men of high local standing. One might wonder too, how Walter II could afford, or why he should wish to afford to take up knighthood, his lands being mostly subinfeudated to his cousin Hubert, with only Marsh and the demesne at Eltham left to him. One is disposed to conclude that he had other interests beyond the farming of his lands.

35.C.R.R., xi, 2311.

36.Red Book of the Exchequer, ed. Hubert Hall, p.355., Farrer *Honors and Knights' Fees*, i, 213.

37.Red Book, p. 356.

38.Ibid., p.366. Henley in Suffolk, where William de Henley held one fee in 1242-3 (*Book of Fees*, 915).

39.Red Book, p. 190; This was probably the Henley fee. From it William de Hanleia took his name.

40.*Cartularium Monasterii Sancti Iohannis Baptiste de Colecestria*, ed. S. A. Moore, Roxburgh Club 1897, i. 225.

41.W.A.M. I am most grateful to Mr. Nicholas MacMichael for calling my attention to this charter and to its seal.

42.P.R.O. SC 11/1118/14, 17.

And so we return to 'Dominus Walterus de Henle', who paid an official visit to Borley in 1267, to the horse that was supplied to him, and his expenses that the bailiff paid,⁴² and we cannot doubt that here indeed was our Walter II, rendering to Isabella de Fortibus services such as his ancestors had rendered to hers for upwards of a hundred years. The indications are that we have here a family of honorial sergeants, holding lands in the Eudo honour in return for carrying out the duties of stewards and administrators. How lightly or heavily the military service bore on the lands mentioned above, no attempt has been made to find out; there may well have been socage holdings, or small fees of which no record has been discovered, bearing no knightly burden.

Whether Walter II or his forbears rendered similar services to the earls of Gloucester of whom they held the Eudo fee in Eltham, there is not enough evidence to form a firm opinion. Two incidents, however, may be mentioned. In 1272, Walter owed Richard Alisman 100s.⁴³ The creditor is unknown by that name in Bucks, and was presumably the servant of Alice, on whose behalf he was to receive that considerable sum; Alice could very well have been Alice de Lusignan, the first wife of Gilbert IV de Clare. In the following year, Walter was sued in the Exchequer for a debt alleged to be owing to the executors of Richard earl of Gloucester.⁴⁴ His personal connexion with the Clares is clear from what has gone before, and it would be surprising if they had never made use of his professional abilities.

Shortly before the death of William de Brackley, prior of Luffield at the close of the year 1262, the priory is seen disposing of a small tenement in Hartwell, which adjoined Stone and lay in part intermingled with it.⁴⁵ The transaction is not mentioned in the cartulary, nor does any of its muniments record the acquisition of this land. The estates of the house clustered fairly closely round it, and this was a tiny outlier – a cottage with four acres of land and a parcel of meadow – which we may be sure had come to them as a gift rather than by purchase. None of the local landowners came into the orbit of Luffield; their connexions were mainly with Missenden and Oseney.

In 1289 Gilbert de Merse – Gilbert of Marsh – was elected prior though he was never instituted, for he resigned after five days.⁴⁶ He had previously served as cellarer and was therefore a man of business, conversant with the administration of the estates of the house. It seems likely that the Marsh that he came from was the Marsh that Walter II was lord of and that the little property in Hartwell was the gift he had brought with him when he made his profession.

In the Michaelmas term of 1258 it was alleged in the king's court that Walter II had had the custody of William son of William de Upton, whose father had held of him by military service, and had sold it.⁴⁷ Upton (in Dinton) is almost adjacent to Marsh, and it was held by the abbot of Oseney, who now claimed the custody. The de Uptons of Marsh were a cadet branch of those of Upton; they were Walter's principal tenants, and men of good local standing. It is difficult to suppress the conjecture that Gilbert de

42.P.R.O. sc 11/1118/14, 17.

43.JUST 1/60, m.5, cited above.

44.P.R.O., E 13/2, m.7.

45.Luffield Priory Charters, ed. G. R. Elvey, Bucks Rec. Soc. (1968-75), ii no. 347a.

46.Ibid., ii. xxvi.

47.KB26/160, m. 48., he sold the wardship to the boy's mother.

Merse was a younger son of William son of Richard de Upton, named after Gilbert de Sancto Claro, between whom and his father Walter II was mesne. His father may have bequeathed the little holding to him, or it may have been acquired by his guardian for his endowment at Luffield. But whether or not this was Gilbert's precise identity, he must, if he came from Marsh in Kimble, have been acquainted with Walter II, and the presence at Luffield of a copy of Husbandry may well have been due to this acquaintance.

There is less evidence to connect Walter with Canterbury and his MSS there, but it is not difficult to put forward a plausible explanation. Adjacent to Great Kimble along the south-westerly course of the Icknield Way is Monks Risborough; it would have been a ride of about two miles from Walter's house at Longdown to its courthouse. Further away long the same road in the other direction, but then only seven miles, lay Halton. The ancient lands of Monks Risborough (the newer hamlets belonged to the barony of the archbishop) and the manor of Halton were of the liberty of the monks of Christ Church. In the fourteenth century, these two manors combined with Brightwell and Newington in Oxfordshire to form an administrative unit; whether this was so in the thirteenth does not seem certain, but it is likely that the two Bucks manors were grouped together; it may well be that Walter served as steward in both. In 1262 he acquired an estate which lay partly in Halton, and perhaps within the Christ Church manor.⁴⁸

Walter's marriage is as yet unknown, but his wife bore him three sons, of whom the eldest was named Nicholas after his grandfather, and the second Walter. In a charter which survives at Westminster, Nicholas II conveys to Walter his brother a rent of 6s. paid by Peter Dagon (presumably the son or grandson of the Peter who had it from Walter I) for meadow in Lozymed, rendering 6d yearly, or a pair of gilt spurs.⁴⁹ In a second charter, Walter conveys this rent, together with his entire holding in Eltham, to the abbey. He follows his grant with this singular covenant:

Et eciam totam terciam partem terre cum pertinenciis tocius hereditatis Walteri de Hannle patris mei que michi aliquo iure de gaelicunde aliquo tempore accidere possit in predicta parochia.⁵⁰

The charter of Nicholas appears to belong to the 1270s, but how long afterwards the second transaction took place is not easy to say.

It is perplexing to read that Walter hoped at an unspecified future date to obtain a larger share of his father's lands than he had when he came to terms with the abbey. If he had made no claim since his father's death, then his having lain by might well prove a fatal obstacle to the success of any claim he might in the future advance. If he had been unable to lodge his claim, what can have stood in his way? What indeed, unless his father were yet alive?⁵¹ In that event, Walter II had divided the inheritance to his sons, the gift to Nicholas being followed on the same occasion by gifts by Nicholas to his two brothers according to their father's wishes. Agnes, the wife of Thomas de

48. CP 25(1)/16/38, no. 23; he paid 100 marks for it.

49. W.A.M. 17,407.

50. W.A.M. 14,253. Three of the witnesses to Nicholas's charter occur in the Kent assize roll JUST 1/365 (1271), namely Elias Ragulf (m.69d) John son of Nigel of Eltham (m.75d), and Robert le Mac (m.80d.)

51. It might be thought that if Walter II had been dead the draftsmen would have followed standard practice in putting a 'quondam' before *patris mei*.

Deyville, who with her husband had received the gift of the Kimble property, may have been Walter II's daughter. However that may be, the clause that has been cited is at least consistent with the tradition that Walter of Henley entered religion, and may well be deemed to support it.

Agnes occurs again in the public records from time to time, the last observed occasion being in 1326.⁵² No sustained effort has yet been made to pursue the sons of Walter II any further. There is a probability that his professional practice in Bucks and his estate at la More passed to Walter de Upton knight, whom perhaps he had trained.⁵³

52. JUST 1/1393b, m.27d.

53. In 1270 Walter de Upton was suing Walter II for warranty of a messuage and curcuate in Kimble, (KB 26/199, m.29). From the 1270s and for thirty years or so, Walter de Upton appears very frequently in local business. His appearance in Monks Risborough charters suggests his having been steward there, as Walter II had probably been (C 146/806, 1506, 2942; Bucks Arch. Soc. 201/24).