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**Notes on Milo de Gloucester, and his connection with the Forest of  
Dene**

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NOTES ON MILO DE GLOUCESTER,  
AND HIS CONNECTION WITH THE FOREST OF DENE.

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THE history of the Forest of Dene during the reigns of the earlier Norman kings is very obscure. In Domesday Survey this Forest is very briefly, and apparently incidentally, alluded to in connection with William Fitz Norman, who is noted as holding the lands in Dene of three thanes who got them from King Edward the Confessor, tax free for guarding the forest, which would seem to have been considered by the Commissioners as appurtenant to, or situated within, the limits of the great Manor of Dene. This forest was a favourite hunting ground of all the Norman kings; and Ordericus Vitalis states that William the Conqueror was hunting there when he received news of the sack of York by the Danes.<sup>1</sup>

Hunting was a favourite pastime of the Conqueror and his sons; and all the royal forests in England, including the Forest of Dene, were preserved with such strictness as to earn for the Norman forest-laws a terrible and historical notoriety.

One of the first acts of Henry I. on his accession to the throne in A.D. 1100 was to issue a Charter of Liberties, containing a special article whereby he expressly retained in his own hands, with the common consent of the Barons, the Royal Forests as they were in the Conqueror's time.<sup>2</sup> This article doubtless included the Forest of Dene, in Gloucestershire; and bearing in mind the jealous way in which the royal rights in these forests were maintained, and the fact that Henry I. inherited all his father's passion for the chase, it is probable that the Forest of Dene

<sup>1</sup> Freeman's Norman Conquest, Vol. IV., p. 251.

<sup>2</sup> Stubbs, Vol. I., p. 305.

remained in the king's hands during the whole of this reign. At some time or another during Henry's reign the Camp and Castle of St. Briavels were built on a commanding site in the Forest of Dene adjoining the Welsh border. The exact time or circumstances under which the castle was built are not clearly known; but according to Camden<sup>1</sup> it is "said to have been built by Milo Earl of Hereford to curb the Welsh." Modern research has hitherto failed to add anything material to this statement. Milo de Gloucester, afterwards created Earl of Hereford, was Sheriff of Gloucestershire in A.D. 1131,<sup>2</sup> as appears from the earliest Pipe Roll now extant, and this date has been accepted by the Rev. W. T. Allen, Vicar of St. Briavel's, as the approximate date of the completion of the camp and castle.<sup>3</sup>

It is certain from the Pipe Roll that the castle was in existence at that date; but when it was first erected is, I believe, unknown.<sup>4</sup>

The castle does not seem to be mentioned by name by any of the Chroniclers on whom we are dependent for the events of Henry's reign; but the king in person made two expeditions into Wales in the years 1114 and 1121; and the final subjugation of that province is usually dated from 2nd March, 1121, when the second expedition came to an end.<sup>5</sup> Professor Freeman notes that the king returned in peace from the first expedition in A.D. 1114, after the usual precaution of *building castles*; and it is, I think, tolerably certain that St. Briavels Castle was constructed on the English frontier against Wales about this period, and probably in connection with one or other of the Welsh expeditions referred to. No account or notice of the building of St. Briavels

<sup>1</sup> Britannia, by Gough, Vol. I., p. 268.

<sup>2</sup> He may have been sheriff some years before. We have no record, nor have we afterwards until 1155-6, when his son Walter de Hereford was sheriff and held the county in old farm of £8 11s. 5d. And Nigellus filius Arturi rendered an account of *censu* of the Forest of Dene. Walter de Hereford continued Sheriff the following year.—Ed.

<sup>3</sup> Transactions, Vol. III., p. 363.

<sup>4</sup> Conf. "Mediæval Military Architecture," by G. T. Clarke, F.S.A., 2 vols.

<sup>5</sup> Freeman, Vol. V., p. 212.

Castle has yet been discovered. In the Pipe Roll of A.D. 1131, above referred to, we find Milo de Gloucester, as sheriff, accounting to the king, *inter alia*, (I) for certain expenses connected with the payments of the establishment employed at the Castle of St. Briavels; (II) for the rent<sup>1</sup> (*censu*) of the Forest of Dene, which appears to have been farmed of the crown by the descendant of William Fitz Norman, the Domesday tenant already referred to. This entry would seem to confirm the view that the Forest of Dene, including the Castle of St. Briavels, was in the king's hands when the sheriff's account was rendered in the year above stated.

Dugdale, however, states, on the authority of some ancient records printed in the *Monasticon*, that Milo de Gloucester received from Henry I. a grant of the royal Forest of Dene, and became by virtue of this grant the feudal Lord of the Forest. It is necessary to examine briefly the grounds on which this assertion is made; and to see how far it is supported by the principal authorities on whom we are dependent for what we know of the history of Milo de Gloucester.

These authorities are, I believe, as follow:—Sir Wm. Dugdale's *Barcnage* and *Monasticon*; Camden's *Britannia*; Selden's *Titles of Honour*, Brooke's *Catalogue of Kings and Nobility*, Vincent on *Brooke*; Milles' *Catalogue of Honour*. Dugdale's *Baronage*<sup>2</sup> contains an account of Earl Milo's family, commencing with his father Walter, Constable of England, derived chiefly from John of Hexham and Gervase of Dover, better known as Gervase of Canterbury. John of Hexham's work is a continuation of the Chronicle of Simeon of Durham, published in the Rolls Series. The works of Gervase of Canterbury, who is styled in the Twysden collection "Monochus Dorobornensis sive Cantuarensis" have been also republished in the Rolls Series.

Besides the authorities mentioned, Dugdale also refers to the "Itinerarium Cambriæ" of Giraldus Cambrensis, the Tewkesbury Annals, to Roger of Hoveden's Chronicle, and to *Gesta Stephani*.

<sup>1</sup> This was not *rend* as the author supposes, but the *Census-Forestæ*=the profits of the forest, for which the sheriff accounted.—Ed.

<sup>2</sup> Vol. I, p. 536.

All these works have also been published in the Master of the Rolls Series. The historical introductions and excellent indexes of this Series greatly facilitates research, and I find that Dugdale and Selden have practically exhausted all the principal information available relating to Milo de Gloucester.

Selden's "Titles of Honour"<sup>1</sup> contains a history of the Earldom of Hereford; and one or two additional facts relating to Milo are quoted from Florence of Worcester. Camden, Brooke, Vincent, and Milles do not add anything material to the accepted accounts of the public events of Earl Milo's life. For his family and genealogical history we are, however, at present largely dependent on two monastic chronicles or papers which are printed in Dugdale's "Monasticon." The first of these is the well known Llanthony Chronicle, printed under Dugdale's account of Llanthony Priory, near Gloucester; and the second is the similar Abergavenny Chronicle under Dugdale's account of Bergavenense Cœnobium, and taken from an old manuscript said to have been with Hamo le Straunge, of Hunstanton, in Norfolk.<sup>1</sup> The Llanthony and Abergavenny Chronicles both purport to give an account of the founder's pedigree, and both agree in stating that the whole Forest of Dene was granted by Henry I. to Milo and his heirs. The writer of the Abergavenny Chronicle specifically states that Milo was created Earl of Hereford by Henry I., who granted to him the Forest of Dene "in augmentum" of his dignity of Earl. But the alleged creation by Henry I. is, I believe, unknown to historians; and it would seem that the writers of the Llanthony and Abergavenny Chronicles have both confounded the well known creation of the Empress Maud and her grant to Earl Milo of the Forest of Dene, cir. A.D. 1139, with an apocryphal creation and grant of Henry I.

In Dugdale's account of Fitz Herbert<sup>2</sup> the same apparent error seems to be repeated in another shape; and the Forest of Dene is there stated to have been given to Herbert on the occasion of his marriage with Lucie, third daughter of Earl Milo.

<sup>1</sup> Selden's Titles of Honour, page 648.

<sup>2</sup> Mon. Angl. (1025) Vol. IV. p. 615.

<sup>3</sup> Baronage, Vol. I. p. 621.

But "for some transgression, as 'tis said," Herbert surrendered the Forest of Dene to King Henry II.

Holinshed<sup>1</sup> says of Herbert Fitz Herbert that he was, in right of his wife Lucia, "Lord of the Forest of Deane;" and on this point he is followed by Atkyns.<sup>2</sup>

Of the alleged grant of the Forest of Dene to Milo by Hen. I., and of the grant of that forest to Fitz Herbert on the occasion of his marriage with Earl Milo's daughter Lucia, I can find no confirmation of any kind; and apart from the facts already quoted, which seem to throw great doubt on the alleged grant, there are one or two additional points which seem further to dispose of the theory. By the charter, which is printed by Sir John Maclean at Vol. VI. p. 199, of the Transactions, as an appen. to his Paper on the Manors of Deane Magna and Abbenhall, Roger Earl of Hereford grants to William de Dene the same "Ministerium" of the Forest of Dene, as his own father Earl Milo had held. The natural inference to be drawn from this charter seems to be that Earl Milo was *not* the Lord of the Forest of Dene as stated by the authorities already quoted. He was merely the King's custodian or "Minister," who accounted to the Crown for the proceeds of the forest, and who, in virtue of his office, held the King's Castle of St. Briavels.

Again, there is evidence to show that Henry I. granted to Milo de Gloucester, the Constable, the fee and inheritance of the land of English Bicknor, which belonged to Ulric de Dene. This charter is also printed in extenso by Sir John Maclean in the Transactions of this Society, Vol. IV., page 319. English Bicknor is a well known parish of the Forest District, and is included in what is now the Hundred of St. Briavels, but it appears under the Hundred of Westbury in Testa de Nevil. The fact of this grant seems also to militate against the view that Milo was himself Lord of the whole Forest of Dene, in virtue of a special grant by King Henry I.

I cannot find that Milo de Gloucester, Constable of England, was ever *eo nomine* styled "Constable of St. Briavel's Castle."

<sup>1</sup> Chron., Vol. III. p. 866, edn. 1587.   <sup>2</sup> Hist. of Glouc. 2nd edit. p. 199.

as his successors in office appear to have been. But I think that Mr. Allen is undoubtedly right in treating him as the first Constable of that Castle ; and if this view be correct, it seems to dispose of the alleged royal grant of the forest which we have been considering. It is not improbable that Milo de Gloucester may, perhaps, have obtained from Henry I. a recognition of his office as hereditary Warden of the forest and Constable of St. Briavel's Castle. We know that Milo was sheriff of the County of Gloucester in A.D. 1131 ; and it is tolerably certain that the Castle of St. Briavel's was erected by him at the instance of the King to support the royal authority at an exposed point near the Welsh March. Dr. Stubbs specially notes that some of the chief offices of the King's Court had a tendency to become hereditary in particular families. In illustration he has pointed to the fact that the office of Constable of England was, for several generations, held by the family of Walter the Constable, father of Earl Milo. Similarly the office of High Steward became hereditary in the house of Leicester ; that of Chamberlain in the family of Vere ; and the Butlership in that of d'Albini.<sup>1</sup> I am also reminded that the Mastership of the Buckhounds was hereditary in the family of Brocas, which is another strong case in point.<sup>2</sup>

If Milo de Gloucester was considered as the hereditary guardian of the royal forest of Dene and Constable of St. Briavel's Castle, it is not unlikely that he might be regarded, in popular phrase, as lord of the Forest of Dene. But this, of course, is very different from the feudal dominium derived from a public royal grant.

As regards the alleged grant of the forest to Herbert fitz Herbert on the occasion of his marriage to Lucia, daughter of Earl Milo, I have been unable to find the exact date of this marriage ; or any confirmation of the alleged grant. In the absence of direct evidence I should feel disposed to doubt the existence of any such grant, though it is possible that some portion of the royal dues accruing from the forest may have been granted to Herbert Fitz Herbert on the occasion of his marriage. We

<sup>1</sup> Stubbs' Const. Hist. Vol. I. p. 345.

<sup>2</sup> The family of Brocas of Beaurepaire and Roche Court, Hereditary Masters of the Royal Buck Hounds. (Longmans, Green & Co., 1886.)

know that these royal dues were of various kinds. They were assessed and collected by the verderers, or as they were afterwards called, "the Coroners of the Forest."<sup>1</sup> Nicholl's<sup>2</sup> in fact specifically asserts that the grant made to Herbert Fitz Herbert in 5th of Stephen consisted of the royal quit rents of the forest. No authority for the statement has been quoted; and its accuracy has been questioned.<sup>3</sup>

Henry I. died in the night following 1st December, 1135, and the whole country was very soon plunged into anarchy consequent on the rivalry of Stephen and the Empress Maud.

Milo de Gloucester appears, at first, to have temporised and played a double part. He succeeded in obtaining from Stephen a restitution in fee of the whole Honour of Gloucester with the custody of the Tower and Castle there, which he had held as his patrimony in the time of Henry I., and likewise the Barony of Brecknock with all the offices and lands pertaining to that dignity.

The record of this grant I cannot find in the Public Record Office; but amongst the royal charters of King Stephen in the Register of the Duchy of Lancaster Records are the following:—

(a) Confirmation to Earl Milo of the grant made by Henry I. to Walter the Constable of the land of Edric, the son of Ketel.

(b) Grant to Earl Milo of all the land which the Bishop of Exeter held in Gloucester, and had given to Milo.

It is clear, however, that these grants did not satisfy Milo, who (according to Dugdale) "expecting through the interest he had with Maud, the King's sole daughter and heir, to attain to the Earldom of Hereford, subtilly used all his power on her behalf, and went with some strength to his "Castle at Gloucester, where she then was, and fetched her with honour thence."

On this occasion the Empress Maud is said to have bestowed on Milo St. Briavel's Castle and the whole Forest of Dene; which grant so obliged him to her that he entered into a league with Robert Earl of Gloucester, her brother, to aid him in keeping his castles and all his inheritance.

<sup>1</sup> Transactions, Vol. X., p. 224. A Gloucestershire Jury List of the 13th century, by Sir Henry Barkly, K.C.B., &c.

<sup>2</sup> Forest of Dean, p. 8.

<sup>3</sup> Transactions, Vol. III. p. 367.

This grant of the Empress Maud is, for my present purpose, one of special importance to the county history ; and it is much to be regretted that the original grant is no longer to be found. Dugdale's authority is stated to be some paper in the Duchy of Lancaster Records which is thus quoted : " Ex magno Registro in officio ducatus Lanc." Mr. Walford D. Selby, of the Record Office has been kind enough to assist me in searching for this paper, but unfortunately without success. The missing grant appears to be one of those which were recorded in the last volume of the Great Cowcher. I am indebted, however, to Mr. J. H. Round for the information that the text of the missing charter is known, and that he proposes to publish it.

In the Register of Royal Charters, Duchy of Lancaster Records, the following grants of the Empress to the Earl Milo are recorded :

(a) 1141, St. Albans. Grant from the Empress Maud to Milo de Gloucester of the house which belonged to Gregory the Sewer at Westminster.

(b) 1141. Oxford. Grant from the Empress Maud to Milo, Earl of Hereford, of the Castle and Honour of Abergavenny.

(c) 1141). Oxford. Charter of Empress Maud, creating Milo de Gloucester Earl of Hereford. This charter is printed *in extenso* in Rymers' *Fœdera*, Vol. I., page 8, Selden's *Titles of Honour*, page 648, and in Vol. V., App. 5, to the Report on the Dignity of a Peer of the Realm. This charter of the Empress Maud has been hitherto considered as the authority for the Norman Earldom of Hereford.<sup>1</sup>

Milo, Earl of Hereford, died on Christmas Eve, 1143, being accidentally killed by an arrow of one of his followers while hunting in the Forest of Dene. His death is noticed by several of the chroniclers besides John of Hexham and Gervase of Canterbury, who are quoted by Dugdale. We owe to Leland the tradition that Flaxley Abbey was founded as the spot where a brother of Roger is said to have met his death. I have discussed this tradition in my book entitled *Cartulary and Historical*

<sup>1</sup> Stubbs' *Const. Hist.*, Vol. I., pp. 360-362.

*Notes of Flaxley Abbey*, and I have given my reasons for thinking that the tradition has been wrongly associated by Leland with one of Earl Roger's brothers instead of with Milo father of Roger. The tradition in question seems to have been derived from Giraldus Cambrenses, who in his well known *Itin. Cambriæ*, and in another work entitled *Speculum Ecclesiæ* has noticed the circumstances of Earl Milo's death. The monastery of Flaxley or Dene is described in the latter work as standing in limbo forestæ de Dene, non procul a Newenam fundatum olim, in loco ubi Comes Herefordiæ Milo ictu sagittæ casuali, ad feram missæ, perforatus lethaliter fuit."<sup>1</sup>

Flaxley Abbey was shortly after Earl Milo's death founded by his eldest son and successor Roger, doubtless, I think, to commemorate his father's fate. Roger, we may well suppose, aspired to succeed his father in all his dignities and possessions, including, of course, the Castle of St. Briavel's and the Forest of Dene. We do not, however, hear of any confirmation to Roger during Stephen's reign. From Stephen himself no confirmation could, of course, have been expected by Roger; and the Empress Maud was herself in no position after Earl Milo's death to guarantee to Roger his father's possessions. I find it, however, stated as follows in Brooke's "Catalogue of Kings and Nobility" in the account given by Roger Fitz Milo under the head of Earldom of Hereford.

"He was also Constable of England, Lord of Brecknock, Caer Went, Gover, and of the Forest of Deane, all which (sayth Somerset Glover) were confirmed unto him by King Henry the Second his letters Patent, bearing date at Warwicke the 12th day next after the conclusion of peace between King Stephen and him."

The letters patent referred to apparently bear date A.D. 1153, while Stephen was still nominally King.

In Milles' "Catalogue of Honour," (1610) Roger is styled "Lord of the Forest of Dean." Brooke's reference to the Collections of Glover, Somerset Herald, I have been unable to verify, nor could I find any trace of the letters' patent referred to.

<sup>1</sup> Giraldus Cambrensis Rolls' Series, Vol. IV., p. 219.

Prima facie it seems not improbable that Roger did receive from Henry before his accession some guarantee that his father's possessions and dignities would be restored to him. It was of the greatest importance to Henry to pacify and attach as many of the Empress' adherents as possible, and the son and heir of Earl Milo was not a man who could safely be overlooked. Roger appears, from several public instruments, to have assumed his father's title of Earl of Hereford at least as early as A.D. 1144. He founded the Abbey of Flaxley within the forest limits, and he made some important grants to the abbey and monks of forest land and privileges. This fact of itself appears to suggest that Roger claimed to be Lord of the Forest in the full sense of the grant made to Earl Milo by the Empress Maud. But by the peace of Wallingford and Westminster, made between Stephen and Henry of Anjou in A.D. 1153 the following amongst other imputations were made, in that the royal rights, which had everywhere been usurped by the Barons, were to be resumed by the King. Stephen died on 25th October, 1154,<sup>1</sup> and on 19th December the same year Henry II. was crowned at London. On this occasion he issued, like Henry I., a Charter of Liberties, the text of which is published at p. 128 of Stubbs' Select Charters. This charter, coupled with the terms of the Wallingford settlement, gave Roger Fitz Milo and the other principal Barons very clear notice of the course which the King was expected to take. Roger may have relied on the letters patent already referred to; but if so, he was speedily undeceived; and, smarting, we may suppose, under a sense of injustice, he at once prepared for resistance, and fortified against the King the Castles of Hereford and Gloucester. According to Gervase of Dover his resistance was, however, very short; and before the 13th March, 1155, he had, through the intercession of his relation Gilbert Foliot, Bishop of Hereford, made his formal submission to the King, and was thereupon confirmed by Henry II. in his father's title of Earl of Hereford. He at the same time received from Henry II. a grant of all the royal demesne which Henry I. had held between the Severn

<sup>1</sup> Henry's reign does not reckon until 19th December, the day of his coronation.—ED.

and the Wye in Gloucestershire, except the Castle of St. Briavel's, the vill of Newenham, and the Forest of Dene. These important exceptions were expressly retained in the King's own hands.

The transcript of this charter is set out at length in Vol. V., App. 5 of the Lords' Report on the Dignity of a Peer of the Realm.

With this charter of King Henry II. I come to the end of the limit which I have proposed for this paper. A general review of the evidence leads, I think, to the probable conclusion that the Forest of Dene remained continuously in the King's hands from the time of the Conquest until its alleged grant by the Empress Maud to Milo de Gloucester, c. 1139. Making due allowance for the precarious character of titles derived from the Empress, Milo could doubtless claim to be Lord of the Forest of Dene in virtue of this grant from the date of receiving it in 1139 until his own death on Christmas Eve, 1143. From this last date until 1155, when the Forest of Dene was formally resumed by King Hen. II., Roger Fitz Milo probably claimed to be Lord of the Forest of Dene on the same footing as his father; but his tenure was doubtless of a most precarious kind, being dependent entirely on the weakness of the King; and, as already shewn, Henry II. took the first opportunity after his accession of formally resuming possession of this royal forest.

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