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Remarks on the Liber Niger, or Black Book of the Exchequer

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REMARKS ON THE LIBER NIGER, OR BLACK BOOK,
OF THE EXCHEQUER.

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Certificates from the King's Gloucestershire Tenants in capite, in 12th Henry II., as to the number of Knights' fees holden of them, or held by them, in that county.

The Prelates, Earls, and Barons, throughout England, had been enjoined by Royal Letters Patent to send in, on or before the first Friday in Lent¹ (17th March), 1166, Returns shewing how many Knights they had of the old feoffment (*i.e.* of the time of Hen. I.); how many of the new (*i.e.* made since that monarch's death); and how many upon their Demesne.²

It has usually been taken for granted that this was done in view of the levy of the Aid to which King Henry II. would become entitled on the marriage of his eldest daughter. That event, however, did not take place till nearly three years later;³ and as the Aid then was not collected on the lines laid down in the Proclamation above cited,⁴ it is fair to suppose there were other reasons for the step, and that it was in fact the natural sequel of fiscal changes which had been for some time in progress.

When it is considered indeed that well nigh a century had elapsed since the lands of the kingdom had been redistributed after the Conquest: that sweeping forfeitures among the Norman grantees had followed the accessions both of Rufus and of his

¹ We are indebted to the late Mr. Eyton for discovering this date.

² No copy of the Writ is extant, but its language may be inferred from that of some of the replies. (See Certificates of Robert de Brinton, referred to by Dr. Stubbs.—Select Charters, p. 264.)

³ Princess Maud was married on 13th October, 1168, being even then only eleven years of age, while her bridegroom, Henry the Lion, Duke of Saxony, was nearly fifty. (See Anderson's Genealogies.)

⁴ It will be shown hereafter that in Gloucestershire the payments only accorded, precisely in three cases out of ten.

brother : and that during the protracted civil war between Stephen and the Empress further transfers and partitions of fiefs had occurred ; it may readily be conceived that the old hidage valuations recorded in Domesday had in many cases become inapplicable, and that a fresh Register of Holdings was much needed, especially when the levy of Danegheld was about to be discontinued,¹ and a new mode of assessment adopted. Without entering into the vexed question of the exact date at which the Feudal System, in its entirety, was introduced into England,² it cannot be doubted that the feoffments made on so large a scale under Henry I. through which a great proportion of the Domesday sub-Tenants, or their successors, had been confirmed in their holdings on undertaking to perform definite amounts of military service ; coupled with the still more recent commutation of such service into money payments, under the name of Scutage ; marked epochs of considerable importance in the establishment of that system in this country.

A great increase, moreover, in the number of such feoffments had taken place during Stephen's reign, with the object mainly of enhancing the fighting strength of rival Barons, and it must have become all the more desirable for the Exchequer to acquire reliable information on the present disposition of lands held of the King, so that none might escape their share of feudal burdens. This was all the more necessary because the first attempt at rating Tenants in capite for Scutage on such portion of their fiefs as they retained in hand, seems to have been opposed as an innovation,³

¹ According to Dr. Stubbs, Danegheld was imposed for the last time in 1168. It is a curious fact that the tax is only twice alluded to in these Returns of two years prior date.

² It is impossible to draw a hard and fast line on the subject. In one of these Returns (*Liber Niger*, Vol. I., p. 96) lands are said to have been given in King *William's* time to a brother "that he might, if necessary, do the service of one knight." Whilst as regards *Scutages*, Madox, when quoting Alexander de Swereford's assertion "that he had never heard nor seen an account of any more ancient than the reign of Henry II.," expresses his own belief nevertheless that they were levied, since remission therefrom is granted in Deeds of the time of Henry I.

³ For example, Humphrey de Bohun ends his certificate by declaring "for all his Demesne, and for these 9½ Knights *because they are enfeoffed in his Demesne*, he owes the King no service except that of his body (*nisi de corpore suo*).—*Liber Niger*, Vol. I., p. 3.

though they could not of course deny their liability to personal service in respect thereof. I think that this is the only inference that can be drawn from several of the certificates, as well as from the accounts of the earlier scutage which have come down to us. In the first of these on record (2nd Henry II.) the prelates alone appear as contributing 20s. per fee, for the army of Wales: in the second (5th Henry II.) for the same object at the rate of 2 marks per fee, the sheriff renders account—not for the prelates only—but for the knights of their counties: in the third, (7th Hen. II.) levied at the same rate for the army of Toulouse, the *Barons* as well as the prelates are entered as contributing,—but in respect only of their knights, (I speak especially of Gloucestershire¹) and the same thing is seen in the fourth (8th Henry II.),—it not being until the next scutage, of 14th Hen. II. (levied on the basis of these very Returns of the 12th) that the barons paid for all fees whether in their own occupation or not.

The original Certificates of 1166 have (with two exceptions)² long since disappeared, but transcripts made early in the 13th century, were fortunately entered, along with copies of other important documents, in registers known from the colour of their respective bindings, as the *Liber Rubeus* and *Liber Niger*, or Red, and Black, Books of the Exchequer, both of which still exist at the Public Record Office. The transcript in the former, as we learn from a memorandum therein, dated in 1230, owed its origin to Alexander de Swereford, then a clerk in the department,³ who having found, as he tells us, during his early period of service in King John's reign, these important public instruments in disorder, had arranged them according to counties, and "gathered them together in one volume."⁴ This he subsequently had copied into the Red Book, no doubt for facility of reference, since 250 parch-

¹ Proofs will be adduced when I come to deal with the Certificates.

² Consult "Notes on the MSS. exhibited at H.M. Public Record Office at the Domesday Commemoration." I presume the Certificate of Hilary, Bp. of Chichester, known to Dugdale, Madox and others, is one.

³ He became one of the Barons of the Exchequer in 1234, and so continued till his death in 1245 (See Madox History of the Exchequer).

⁴ "in unum recollegi volumina."

ment certificates, with seals appendant, must have been bulky and inconvenient for searchers.

The early history of the Black Book is not recorded, but I can come to no other conclusion, after a careful comparison of the Transcript of the Certificates of 1166 which it contains, than that this was not copied from that in the Red Book, but in all probability from a common original, perhaps twenty or thirty years previously, for the use of the King's Remembrancer, to whose office the Black Book always belonged. The counties follow in both in the same order, and the arrangement of the Barons' "Cartæ," from first to last, is the same, whilst similar additions and interpolations occur in each.¹ In the Black Book, however, the latter are more undisguised, and are not introduced under explanatory headings as is usually the case with the Red.

Hearne, who early in the last century, published two editions of the "Liber Niger"²—not from the original but from incorrect MSS., declared it to be "worth its weight in gold," and to contain, "with the exception of Domesday, the most ancient List of the Noblemen and Gentlemen of England." This, so far, is undeniable, but nevertheless *that* list is extremely imperfect, owing not merely to the absence in many cases of Returns, and to the omission in some of those sent in of the names of the sub-tenants, but still more to the want of that systematic arrangement which distinguishes the record of the Great Survey. Instead of the manors held by every tenant in capite in each county being, as in that, grouped together under one heading, his certificate embraces his entire holding wherever situated, often with no indication as to counties, and without the least information as to the manors comprised therein. True these Certificates were afterwards roughly classified at the Exchequer, according to the particular county in which the head

¹ Not to multiply examples, Fiefs, are in three passages at least, expressly stated to have been "of the gift of King *Richard*." Hearne was, of course, aware of this, for he remarks in his Preface "Nec tanem asseveraverim Librum integrum *Ævi* esse *Henrici II.* Paucula enim *Ricardi I., Joannis imo, et Henrici III.* *ævum* olent," but he did not take the trouble, in cases where the anachronisms do not plainly show themselves in the text, to direct attention to them by footnotes.

² "Liber Niger *Seaccarii parvus*," to give its full title, as there were others so called in the Exchequer Library.

of the Barony was supposed to be, but sub-feoffees in Gloucestershire, for example, have to be sought under Middlesex or under Derbyshire, as the case may be, and the result is a very considerable amount of doubt and confusion. The inconvenience with respect to Gloucestershire may be judged by the fact, that whereas Domesday specifies the holding of no less than 25 ecclesiastical and 52 lay tenants in capite (excluding the King's thanes from the latter) certificates from only 1 prelate, 1 earl, and 8 barons, are given under the county in the Liber Niger, the others, if they exist, being scattered about elsewhere.

My translation of these Certificates has been made from an edition of Hearne's work printed in London in 1774, doubtful readings having been collated with the original transcripts at the Public Record Office.

The single Ecclesiastical Returns runs as follows :

(1) CERTIFICATE¹ OF THE ABBEY OF WINCHCOMBE.

The church of Winchcombe has one fee of the old feoffment, and all these hold that feoffment.²

- | | |
|--------------------------------------|---------------------------------------|
| 1 Roger de Dichesdon. ³ | 7 Roger de Hela. |
| 2 William de Beauchamp. ⁴ | 8 William de Morin. |
| 3 William de Scireburne. | 9 Simon de Chulunces. |
| 4 Jordan de Brochampton. | 10 William de Dunetrope. ⁵ |
| 5 Azo de Wenrich. | 11 Gilbert de Froulinton. |
| 6 Nicholas de Toning'. | 12 Hugh de Redeford. |
| 13 William de Chiveleia. | |

¹ *Carta*, the word used throughout in the Latin, is rendered '*Cartel*' by Dr. Stubbs; and '*Charter*' in the Record Office Pamphlet, but in modern acceptance neither seems applicable. I prefer '*Certificate*' as denoting the real nature of the Returns, which are referred to in both the Red and Black Books as "*Certificationes factæ per Prelatos et Barones.*"

² This does not, I fancy, mean that they held in community, but merely that they had to furnish the service of one knight between them or pay in proportion to the extent of their holdings in the fee: a not uncommon arrangement with ecclesiastical fiefs.

³ Probably Dixton, a parish in Monmouthshire.

⁴ Presumably the great Worcestershire Baron, who seems to have been a sort of champion general of church lands, holding 1 fee of the Abbot of Pershore of the church; and half a fee at Evesham "at the cost of the Abbot," besides 7 fees of the Abbot of Westminster in Worcestershire; and 15 fees of the Bishopric of Worcester.

⁵ A William Dunetrope appears as holding a knight's fee in Kent of Walter Mamnot (Vol. I., p. 58).

Of the new feoffment—

14 Humphrey de Scireburn holds one hide. And upon the demesnes¹ 1 knight's fee.

Several of these sub-tenants took their names from manors held by the abbey at Domesday, *e.g.* Sherborne, Windrush, and Froulinton. The lands it then possessed extended in the aggregate to 73 hides, but it is added that "in the time of Edward the Confessor" the Church defended itself for 60 hides in the county." It would appear to have still made good its claim to such exemption, for the two manors for which it paid scutage in after years were, as we know,² Cow Honiburn and Adelminton, set down in the Survey as containing 13 hides. In all probability these constituted the 2 fees plus 1 hide included in their Return.

It only remains to add that they paid 2 marks towards the aid of 1168, or for precisely two hides, nothing being charged for the fraction.

It is strange that there is no certificate for the Abbey of Gloucester, but it was excused in 1168 for paying for 56 fees of the old feoffment. Tewkesbury Abbey was no doubt answered for by its patron, the Earl of Gloucester, whilst Cirencester held by a fee-farm rent.

Immediately following the certificate of the Abbey of Winchcombe,—without even a dividing line, or heading of any sort³—comes, in Hearne's edition of the *Liber Niger*,

"William Marshal, Earl of Pembroke, owes 65½ knights of the Honour of Striguil."

"The same owes 2 knights for Castle Goderich."

"The same owes for Pembroke."

As the first William Marshall was not created Earl of Pembroke until June, 1199, this notice must have been added after that date in the Exchequer Registers as a memorandum that the

¹ "Super dominia"—as enquired by the King's writ. I am not, however, quite sure of the force of "Super" in this connection. May it not have meant "over and above" their demesne lands, which they held to be exempt?

² See Trans. B. and G. Arch. Soc., Vol. XII., p. 41—Paper on Testa de Nevill.

³ In the original Black Book, however, two lines on the ruled parchment are left blank above this entry. In the Red Book it is introduced under the descriptive title—"Novum appositum de honore de Striguil."

honours in question ought to be accounted for in Gloucestershire,¹ although only three manors pertaining to them: Badgworth, Stonehouse, and Daglingworth, were situated in that county. The verbs being in the present tense, these interpolations cannot, however, have been made later than 1231, when the second and last William Marshal, Earl of Pembroke, died, consequently within a very few years of the time when the certificates of 1166 were entered.²

(2) The second Certificate is therefore properly that of *William, Earl of Gloucester*, which begins—

“This is the Roll of the Knights of William Earl of Gloucester, without his knights of Kent:”³

1. Jordanus Sorus owes for	-	-	-	15 knights.
2. Robert de Mara	-	-	-	10 knights.
3. Walter de Clavill	-	-	-	10 knights.
4. William, son of Robert, son of Roger	-			10 knights.

¹ In the returns for the Aid of 1235, the then Earl Marshal is rated at 65½ fees of the Honours of Striguil and Castle Goderich.—Trans. B. and G. Arch. Soc., Vol. XIII, p. 350, Testa de Nevill.

² In the Red Book the handwriting of the entry seems identical with that of the rest of the original Codex of 1230, and in the Black Book I can detect little difference either in the handwriting or the ink, in *this particular case*, although in most of the other interpolations there is evident discrepancy.

³ It is not apparent why a separate return was made for Kent, where the Earl (as shown at page 53 of this volume) had only 15 knights, holding 22½ fees. In the West he held not alone in the county from which he took his title, but in Herefordshire, Worcestershire, Somersetshire, Devonshire, Dorsetshire, Wiltshire, Berkshire, and Oxfordshire, and probably in other counties, his fees in all of which must be included under the heading of “Gloucestershire,” in this Roll. As regards those in Wales, two of his knights (Nos. 39 and 40) are expressly stated to hold there, and I am not sure that those said to hold a “*Gunlion*,” 65, 66, 67, should not be in *Caerleon*, but as pointed out by Mr. G. T. Clarke (Arch. Journal, Vol. 34, p. 1), the Honour of Glamorgan, inherited from Robert Fitz Hamon, his maternal grandfather, and comprising about 40 fees is not included. The sum of those under the old feoffment, which is left blank in the Roll, amounts to 256½, which with 13½ under the new, makes a total of 270. Of these I doubt whether as many as a fourth were in the County of Gloucester, but no sufficient data exist for arriving at a decision, the indications as to localities, or names of the manors held, being few and far between.

In 1221 the then Earl of Gloucester, Gilbert de Clare, was assessed upon 332 carcuauges in that county, which allowing 5 carcucates for a fee, would represent 66 fees.

5	Elias aureis testiculis	-	-	-	-	10 knights.
6	William, son of John	-	-	-	-	10 knights.
7	Richard de St. Quentin	-	-	-	-	10 knights.
8	Gilbert de Umfraville	-	-	-	-	9 knights.
9	The fief which was Robert de Gornays	-	-	-	-	9 knights.
10	The son of William, son of Baldwin	-	-	-	-	9 knights.
11	Robert de Maisy	-	-	-	-	9 knights.
12	The fief which was Richard de Grenvilles	-	-	-	-	9 knights.
13	Adam de Sumeri	-	-	-	-	7 knights.
14	The fee which was Helias de Dicton's	-	-	-	-	6 knights.
15	and Gregory has the 7th, as was adjudged before Robert Earl of Gloucester.	-	-	-	-	
16	Roger Witeng̃(ham ?)	-	-	-	-	7 knights.
17	Ponce, son of Simon	-	-	-	-	8 knights.
18	Robert de Reini	-	-	-	-	5 knights.
19	John Eskelin	-	-	-	-	4 knights.
20	Roger Waspail	-	-	-	-	5 knights.
21	The fief which was Geoffrey de Clinton's	-	-	-	-	5 knights.
22	Walter de Caisneio	-	-	-	-	5 knights.
23	Geoffrey de Traili	-	-	-	-	4 knights.
24	The son of Henry de Pomeroy	-	-	-	-	1 knight.
25	Richard de Guiz	-	-	-	-	5 knights.
26	William de London	-	-	-	-	4 knights.
27	William de Nerbert	-	-	-	-	4 knights.
28	Elias de Clifton	-	-	-	-	3 knights.
29	Roger de Jelesdona	-	-	-	-	3 knights.
30	Roger de Berkeley	-	-	-	-	2 knights.
31	Alexander de Montfort	-	-	-	-	2 knights.
32	The fief of Walter, son of Raamer	-	-	-	-	2 knights.
33	Robert Lagahit	-	-	-	-	$\frac{1}{2}$ knight.
34	The fief which was Geoffrey de Ragensfords ¹	-	-	-	-	1 knight.
35	The fief which was Walter de Fered ²	-	-	-	-	1 knight.
36	William de Einsford	-	-	-	-	1 knight.
37	Roger de Winton	-	-	-	-	1 knight.
38	The son of Richard Walensis ³	-	-	-	-	1 knight.

¹ Stanawford in Red Book. ² Faringdon ?

³ Waloā in Red Book, Valoniis ?

39	Roger, son of Herlowin	in Wales	-	1½	knights.	
40	William de Cardiff	1 knight, and in Wales	½ =	1½	knights.	
41	Roger de Rodolic	-	-	-	1¼	knights.
42	William, son of Odo the Goldsmith	-	-	-	1	knight.
43	Roger de Kimbis	-	-	-	1	knight.
44	Gilbert de Walberg	-	-	-	½	knight.
45	The fief of William de Hocton	-	-	-	1	knight.
46	Hugh Wake, of the land which Baldwin fitz Gilbert held	-	-	-	1	knight.
47	William, son of Hervey	-	-	-	1	knight.
48	Elias de Torneberia ¹	-	-	-	1	knight.
49	William Chamberlain of London	-	-	-	1	knight.
50	Nicholas fitz Harding	-	-	-	1	knight.
51	William de Clivedon	-	-	-	1	knight.
52	Simon de Nuveton ²	-	-	-	1¼	knight.
53	The fief which was Ruald Croc's	-	-	-	1	knight.
54	Roger de Villiers	-	-	-	1	knight.
55	Robert de Bolevill	-	-	-	2	knights.
56	Gilbert de Grenemare	-	-	-	2	knights.
57	Hugh de Hamtonford	-	-	-	1	knight.
58	Laudomar	-	-	-	1	knight.
59	Gilbert de Furnesham	-	-	-	1	knight.
60	Roger de Berkerol	-	-	-	1	knight.
61	Wermond de Pormont	-	-	-	½	knight.
62	Richard de Marci	-	-	-	4	knights.
63	Ralph de Marci	-	-	-	3	knights.
64	Maurice de Totenham	-	-	-	3	knights.
65	William, son of Robert	in Gunlion	-	½	knight.	
66	Azo, brother of Leomer	in the same	-	½	knight.	
67	Roger, son of Malger	in Gunlion	-	½	knight.	
68	Herbert fitz Herbert, the Chamberlain	-	-	½	knight.	
69	Roger de Bereguall	-	-	½	knight.	
70	Robert for the land which was William Torneants	-	-	1	knight.	
71	Luke, the King's butler	-	-	1	knight.	

¹ Thornbury!² Newington.

72	Milo de Cogan	-	-	-	-	2 knights.
73	Of the fief which was Robert Norensis					2 knights.
74	Osbert de Pennard	-	-	-	-	1 knight.
75	Robert de Constantini	-	-	-	-	1 knight.
76	Of the fief which was Richard Foliots, which Robert, son of Richard, holds	-	-	-	-	4 knights.
77	Osbert de Winchelsea	-	-	-	-	1 knight.
78	Jordan de Capnun, of Uंबरley and Betinton					2 knights.

And his other knights are already written in this Roll.

The sum total of these knights - - - (blank).

These written below are of the New Feoffment of Demesne—

79	Hamo, son of Geoffrey, attorns himself for the Demesne.					
80	Hugo de Gunnovill	do.		do.		
81	William de Hastings	do.		do.		for 3 knights.
82	Robert de Grainvill of the Demesne	-		-		1 knight.
83	William de Bosco	do.		-		$\frac{1}{2}$ knight.
84	Gregory de Turri	do.		-		$\frac{1}{2}$ knight.
85	Roger de Mannavill	do.		-		$\frac{1}{2}$ knight.
86	Fulk fitz Warine	do.		-		1 knight.
87	Philip de Chahaines ¹	-	-	-	-	$\frac{1}{2}$ knight.
88	Gerbodus ²	-	-	-	-	$\frac{1}{4}$ knight.
89	Peter de Salso Marisco ³	-	-	-	-	$\frac{1}{4}$ knight.
90	Richard de Chardi ⁴	-	-	-	-	$\frac{1}{2}$ knight.
91	Hamelin de Gunnoville ⁵	-	-	-	-	1 knight.

The sum total of those newly enfeoffed is 13 $\frac{1}{2}$ knight.

As the only Feodary extant of the original Honour of Gloucester, prior to the incorporation therewith of the great heritage of the de Clares, the foregoing List is of much interest, and I have felt bound to insert it at full length. It throws less light than could be desired on the early history of the county, the names of the feoffees being arranged, without reference to locality, according to the number of fees held. Representatives, however, of families which long continued to be of distinction in Gloucestershire may here and there be noted, as I proceed to point out.

¹ Cahaignes ?

² Gerboldus in Red Book.

³ Saltmarsh.

⁴ Chairdyl in Red Book.

⁵ Gundeville in Red Book.

1. Jordan Sorus, who heads the list with 15 fees, enough to have constituted a fair sized barony, was presumably son of Odo Sor, who is mentioned as one of Fitz Hamon's companions in his Welsh expedition. He, no doubt, derived his second appellation from his complexion, since the word "sorus" meant "reddish." It affords no clue to his ancestry, but his descendants, under the surname of "Le Sor," long continued to reside in Gloucestershire. In 3rd John (1201) John le Sor paid 36s. in that county in connection with 14 fees which he held of the Honour of Gloucester, then in possession of that King.² At the time of Kirby's Quest (1287) another John le Soer is recorded as holding a knight's fee at Auricone³ (Alvington?) in the Manor of Fairford, from the then Earl of Gloucester; whilst in 20th Edward III. (1356) the heirs of a John le Ser are given as having a right to the same manor; another bearer of the name appearing as paying aid for the fifth of a fee in Shenindon, Tewkesbury Hundred, "which Symunda, daughter of John le Ser, had formerly held."⁴

2 Robert de Mara, who is second on the list, with 10 knights' fees, represented a yet more distinguished Gloucestershire House, for he was grandson of William de Mara, whom Walter of Gloucester, the Constable, styles "Nephew,"⁵ and to whom large grants were made, both by him and by Robert, Earl of Gloucester, the latter including 2½ fees in Rendcombe,⁶ where the De la Mares, his posterity, long flourished.

7 Richard de St. Quentin, who also had 10 knights, held chiefly in Wiltshire, but in all probability one of his fees was in Gloucestershire, since his descendant, Herbert de St. Quentin, is found at the date of Kirby's Quest holding one in East Leach of the Honour of Gloucester.

¹ From Italian "Sauro"; French "Saure," e.g. "Harengs Saures"—"Red Herrings." In English commonly applied to a hawk with its first year's plumage, i.e. a sore-falcon.

² Rot. de oblati et finibus in anno.

³ Trans. B. & G. Arch. Soc., Vol. XI., pp. 284 and 291.

⁴ Trans. B. & G. Arch. Soc., Vol. X., p. 291

⁵ See Vol. X. of Pipe Roll Society, edited by Horace Round, Esq., No. 11, circa 1123.

⁶ See ditto, No. 45.

11 One at least of the 9 fees of Robert de Maisi, was likewise there, the Hampton-Meysey to which he gave his name.¹ I doubt, however, whether the *Robert* de Gourney who precedes him, and who is unnoticed in Dudgdale's Pedigree, had acquired a footing in the county at so early a date.

17 Ponce, son of Simon, rests on sure ground as ancestor of the Poyntz family, and we know that his 8 fees were in the county of Gloucester, 1 at Tockington, and 7 at Hailes.²

Other equally well-known surnames may be cited, as

28 Elias de Clifton, one of whose three fees was the Gloucestershire manor from which he got his name, Roger de Berkeley, whose two fees consisted of that portion of Dodington, and other lands, which his grandfather held at Domesday of Bishop Geoffrey of Coutances, whose possessions merged in the Honour of Gloucester : (38) the son of Richard Walensis (Walsh) whose fee was in Winterbourne :³ (40) Walter of Cardiff, who held the manor of Walton Cardiff, Gloucestershire, besides the half fee in Wales whence his name was derived ; and (48) Elias of Thornbury, whose surname indicates whereabouts he held—while not to dwell on (50) Simon de Newington ; (54) Roger de Villiers ; and others as to the situation of whose fees there is no certainty, the list of knights of the old feoffment winds up with (78) Jordan de Caprun (written *Caprun*, I think by mistake), of whom it is stated expressly that he held in Amberley⁴ and in Botintune,⁵ where his posterity cannot long have remained, as both were in other hands in the early part of Henry III.'s reign.

The knights of the new feoffment all held of the Demesne, but whether Earl William or his father had enfeoffed them is not stated. After the names of the first, and the second, in Hearn's

¹ See Trans. B. and G. Arch. Society, Vol. XIV., p. 35.

² See Sir John Maclean's "Memoir of the Family of Poyntz," pp. 6 and 28, and his account of Tockington.—Trans. B. and G. Arch. Soc., Vol. XI., p. 24.

³ Testa de Nevill.—See Trans. B. and G. Arch. Soc., Vol. XII., p. 28.

⁴ A dependency of Minchinhampton, held by the Earl of Gloucester.—*Vide* Atkyns.

⁵ Belonged to Te kesbury, but held of the Honour of Gloucester.—Atkyns.

work, *se alto de dominio*, is printed, which he, distrusting the MSS. he had to use, suggested in foot notes should be taken to mean “tenet iii m̄ de Dominio,” but I was very much surprised to discover on reference to the original “Liber Niger,” that the version he followed was correct, and that it is confirmed too by the text of the original Liber Rubeus. There can be no doubt that the contraction “alto” in both should be, *atto*, *i.e.* “*attornavit*,” a common enough feudal term for “undertaking to perform military service,” but the strange thing is that the scribes of the 13th century should have made such a slip of the pen, especially as they had in a previous passage, in the certificate of the Earl of Arundel (p. 65), written the word at full length.¹ I can only suppose that this part of the roll of knights of the Honour of Gloucester had become somewhat undecipherable, and I am confirmed in this idea by a further error which occurs in the Red Book (though not in the Black), after the name of the third knight, William de Hastings, where “*se tercio mil*,” follows,—“*attornavit*” being omitted, and the third part of a fee assigned, instead of the three fees—as in the Black Book—which he is known to have held. These fees were in Southrop and Farmington, and not long afterwards were, with two other fees, in Eaton, Berks, and Westwell, Oxon, formed into the barony of Eaton Hastings, held direct from the Crown.²

79 Hamo, son of Geoffrey, and 80—Hugh de Gundeville, whose holdings are not stated in the Certificate, must, to make up the 13½ fees given as a total at the end, have had between them 4½ fees. I know nothing of the former: but there was in the service of the Bishop of Winchester about this time, a Hugh de Gundeville, who became afterwards a man of some consequence, being Sheriff of Hants in 22nd, and of Devon in 23rd, Henry II. Others of the family³ will be found holding lands of Gloucestershire lords in 1166, and it seems probable that both Hugh and

¹ Et Rex Henricus dedit de suo dominio, quod Comes *attornavit* ad servicium militare, silicet, &c., &c., &c.

² See Testa de Nevill.—Trans. B. & G. Arch. Soc., Vol. XII., p. 22.

³ A sister of Hugh de Gundeville's appears on the Gloucestershire Pipe Roll at this date, as having an annual allowance of 15 shillings from Winterburn by the King's gift.

Hamelin de Gundeville (91), whose name closes the Roll, belonged to the county.

In the reign of Henry III. another Hugh de Gundeville appears as a burgess of Campden, which is confirmatory. (William de Bosco (83), Philip de Cahaignes (87), and Peter de Saltmarsh (89), bear Gloucestershire names), though I cannot identify them, but Fulk Fitz Warine (86) is a well-known personage, though I am not sure what he held of the Honour of Gloucester. His knights' fee in Alveston was always included on the Pipe Roll of the county among "lands given," £10, at which it was valued, being deducted from the ferm of the sheriff on that account;¹ but it is possible that at this period it may have been reckoned on the Roll of the Earl, as Fulk made no return of his own.

The sum of fees under the old feoffment is left blank, but it will be found on adding up the holdings of the 78 knights, that they amounted to 256½, which, with the 13½ held under the new, by the 13 knights named, makes a total of 270. In the account of the receipts for the aid of 14th Henry II., however, the Earl of Gloucester is set down as paying for 261½ only, no reason being given for his being thus excused payment for 8½ fees.

The Certificates of the Barons follow next, for though at Domesday there were three Earls connected with the county, their small holdings are not noticed. The Manor of Hampton (Maisi), then held by Earl Roger (of Shrewsbury), had, in fact, after the forfeiture of his son, Hugh de Montgomeri, under Rufus, been included in the Honour of Gloucester: the two hides in Longborough, then held by the Earl of Moretain, had in like manner been confiscated on *his* son's rebellion by Henry I., whilst, although the Manors of Campden and of Bisley were still in possession of another Earl Hugh (of Chester), (not, however, through descent), no return was sent in for any of the fees of his earldom in 1166.

Presumably the Baronial Returns stand in the order in which the originals were arranged by Alexander de Swereford at the commencement of the thirteenth century.

¹ The entry appears on the Pipe Roll for Gloucestershire, however, in this very year, but so likewise does the £14 to Walter de Ashley, whose fee, nevertheless, is returned among Margaret de Bohun's knights.

(3) CERTIFICATE OF ROGER DE BERCHLEY.

Let my Lord the King know, that I, Roger de Berchley, have two knights and a half enfeoffed of the old feoffment, whereof,

1 Michael holds	-	-	-	-	1 hide
2 William, son of Baldwin	.	-	-	-	2 hides
3 Helyas de Boivill	-	-	-	-	1½ hides
4 Hugh de Planta	-	-	-	-	½ hide

and from these you have an entire knight.

For making up the half—

5 Ralph de Yweley	-	-	-	½ hide.
6 The wife of Ralph Cantilene	-	-	-	½ hide.
7 Roger de Albamara	-	-	-	1 virgate.
8 Simon de Coveley	-	-	-	1 virgate.
9 The Prior of Stanley	-	-	-	1 virgate.

and here you have half a knight.

For making up another knight—

10 Walter de Holecumbe holds	-	-	3½ hides.
11 Gerard	-	-	3½ hides.
12 Reginald de Albamara	-	-	3 hides.

And so these three hold 10 hides, whereof they are unwilling to do service to me except for 3 virgates, viz., each for 1 virgate, and so¹ you have two knights and a half enfeoffed.

No new one have I enfeoffed in my time.

If it be pleasing to your mind to hear about my demesne,²

In my Manor of Cobberley I have two knights' fees.

At Stanley³ one knight's fee, with one hide at Codrington.⁴

In Niveton⁵ I have one knight's fee.

¹ The reasoning is unintelligible, 10 hides would have equalled 2 fees, but 3 virgates were less than the sixth of 1 fee. I suppose some compromise had been previously arranged, for Roger had paid for 2½ fees in 7th Hen. II.

² Roger de Berkeley apparently enters a sort of mild protest against the enquiry as to his demesne lands.

³ Stanley St. Leonard's, where the second Roger had founded a priory.

⁴ Codrington, in the Manor of Wapley, which had been given to Malmesbury Abbey by the de Berkeleys, excepting this single hide.

⁵ Newington-Bagpath.

In Dursele one hide.

In Osleworda¹ half a hide.

In Duddinton² three hides and a half.

In Slimbrigge³ three hides, which I, with your assent, gave to Maurice, son of Robert, whence I have no service.

Kingswood, the white monks,⁴ hold of the gift of William de Berckley, for which I do you an entire knight's service, although they wish to do none. Farewell.⁵

Not a few of the barons address the King as their "dearest Lord" or "most beloved Lord," but the foregoing somewhat brusque epistle recalls, and confirms incidentally in several respects, what is known from other sources of the history of the writer, the third Roger de Berkeley, who, for alleged lukewarmness on behalf of Henry when struggling for the throne, had been deprived of the ferm of the Royal Manor of Berkeley, as held by his father and grandfather, although allowed to retain lands pertaining to it in demesne equivalent to about 3 knights' fees, in addition to the 2½ wherein the second Roger had granted the aforementioned feoffments; which 5½ fees, together with the Manors of Coberley, Codrington, and Dodington, held in capite by his Domesday predecessors, constituted the Barony of Dursley.¹

His first complaint is, naturally enough, as to the refusal of three of his old tenants—no doubt in consequence of the forfeitures he had incurred—to do the full service they owed for their lands. Such renunciations were common after the war, and he seems to refer to a sort of compromise on his own part with the Crown, as he only debits himself with 1 knight in respect of the 10 hides in dispute, which ordinarily would represent 2 fees.

¹ Osclworth.

² Dodington, one of the Domesday manors of the first Roger.

³ Slimbridge, the marriage portion brought by Alice, Roger's daughter, to her husband Maurice, Robert fitz Harding's eldest son.

⁴ Cistercians.

⁵ Hearne's MSS. is at fault here. There is no "*Valete*" either in the Black or Red Book, the words being "*nullum servitium facere volunt.*"

⁶ See Smyth's "Lives of the Berkeleys," edited by Sir John Maclean; also "The Earlier House of Berkeley."—Trans. B. & G. Arch. Soc., Vol. VIII., p. 193.

His second allusion is to the 3 hides in Slimbridge given with the King's assent (he might have written at his suggestion) to Maurice son of Robert (Fitz Harding) who had married his daughter, from which he had no service; whilst his last grievance was the old story of the knight's fee in Kingswood given for the endowment of the Cistercian Abbey thereon by his cousin William de Berkeley without his concurrence, a gift which formed the subject of a long controversy described in the Kingswood Register.¹

Little need be said of Roger's feoffees, whose holdings were small, and none of whom belonged to families of consequence, save perhaps (7 and 12) the Albemarles. (4) Hugh de Planca, and (5) Ralph de Uley, had been among his sureties in the covenant with Robert Fitz Harding in 1154, whilst (8) Simon de Cowley is said to have been a relative of the latter. The fact of the Prior of Stanley (9) holding under the *old* feoffment, proves the foundation of that House during the reign of Henry I., whereas the gift to Kingswood Abbey (which is known to have been founded in 1139) is included at the end, among the *new*.

Besides the $2\frac{1}{2}$ fees of the old feoffment, for which the assessment of scutage seems, as I have remarked, to have been previously adjusted, Roger de Berkeley admits in this Certificate holding 5 fees, plus 9 hides, or close on 2 fees more, in demesne, making a total of $9\frac{1}{2}$ fees. He appears to have been dealt with leniently regarding the latter, as he had on the whole been in respect to the former in 1161, for we find that he only had in 1168 to pay 100s., or $7\frac{1}{2}$ marks, for the aid then levied at the rate of a mark per fee. If we suppose that he was relieved of liability for the 3 hides in Slimbridge, and for the knight's fee in Kingswood, which had passed out of his hands, it would go far to account for the reduction made. The Barony of Dursley continued to be rated at $7\frac{1}{2}$ fees till the close of the century.

(4) CERTIFICATE OF MARGARET DE BOHUN.

These knights has Margaret de Bohun, who were enfeoffed in the time of King Henry in the fief of Milo of Gloucester, her father, which she holds in capite of the King.

1	Hugh parvus, oves	.	.	4	knights
2	Philip, son of Ernulf	.	.	2	knights
3	Otoer de Sunneworthe	.	.	2	knights
4	Almaric de Lokinton	.	.	1	knight

¹ Monasticon, Vol. V., p. 424.

5 and 6	Ralph Chokerel and Elyas his brother	1 knight
7	William de Pinkeni	1 knight
8 and 9	Richard and Walter son of Robert	1 knight
10	Richard St. Quentin	$\frac{1}{2}$ knight
11 and 12	Richard Canute and Walter Moderli	1 knight
13	Walter de Esseleia	1 knight
14	William Picard	2 knights
15 & 16	Gilbert de Mineriis and Hugh de Cumdicot	$\frac{1}{2}$ knight

Of these, Isabel, wife of Henry of Hereford has 5 knights in dower. These has she (Margaret) also infest¹ in her demesnes, whom her father and her brothers enfeoffed after the death of King Henry.

17	William de Oernai	$\frac{1}{2}$ knight
18	William Torel in Cernai	$\frac{1}{4}$ knight
19	Helyas de Kokerel	$\frac{1}{2}$ knight
20	Roger, son of Alan	$1\frac{1}{2}$ knights
21	Richard Murdac	1 knight

On the decease of Earl Milo's five sons without issue, Margaret, as his eldest daughter, became heir to the family honours. She had for many years been wife of the third Humphrey de Bohun, whose own certificate for 40 knights' fees will be found under Wiltshire (Vol. I., page 109). Berta, the second daughter, had married Philip de Braose, but both she and her husband had long been dead, leaving William their son and heir, who eventually succeeded to the Honour of Brecknock, which Milo had got from his father-in-law, Bernard de Newmarch. As yet, however, William had to content himself with the Honour of Barnstaple, co. Devon (Vol. I., p. 127), to which his paternal grandfather had acquired a claim, and the only portion of Milo's inheritance which had come to him through his father was 2 knights' fees which the earl had held of the Bishop of Winchester;—Humphrey de Bohun inheriting another; (Vol. I., p. 69). Milo's third daughter, Lucy, was wife to Herbert fitz Herbert, Chamberlain of Henry I., and there is a tradition¹ that she brought him the Forest of Dean, which

¹ *i.e.* "These are also enfeoffed in Margaret's demesnes," &c., &c.

he forfeited later on, but there is no record in the Liber Niger of his holding anything that had been his father-in-law's, except, perhaps, two fees in Hants of the Bishop of Winchester (67.)

The Earldom of Hereford had been sequestrated by Henry II. upon the death of Milo's eldest son, Earl Roger, in 1155, and as neither Walter nor Henry, the brothers who succeeded, had held it, Margaret de Bohun's claim was not of course admitted, but her husband, and her son after him, both of whom she outlived, were allowed to exercise the office of Constable of England, in virtue of her tenure of the Manors of Haresfield and Newnham, and her grandson, Henry de Bohun, was eventually recognised as earl by King John, after he had executed a renunciation of his own rights over certain ancient demesnes of the Crown, which the Empress Maude, during her struggle for it, had improvidently granted to his great grandfather.

Margeret de Bohun's share of her father's lands was, as set forth in her Certificate, 17 fees of the old, and 3½ fees of the new feoffment.

The Domesday possessions of Walter Fitz Roger, Milo's father, in Gloucestershire, had only consisted of 22½ hides, and even with the 32 hides in the county held by his granduncle, Durand the Sheriff, and a small subsequent concession of the lands of Chetel, can hardly have equalled 10 fees.

It seems to follow, therefore, that at least half Margaret's fees were outside the county, probably in Herefordshire, or in Wales. In the latter, Milo's possessions had been much augmented by the Honour of Abergavenny, which his father, Walter the Constable, had acquired through marrying the daughter of Hamelin de Baalun, and there can be little doubt that the 5 fees stated to be held by Isabel, widow of Henry de Hereford, of her sister-in-law, formed part of that Honour, seeing that in the Cartulary of Abergavenny Priory² the Castle of that place

¹ See Paper by Mr. Crawley-Boevey, in the Trans. B. & G. Arch. Society, Vol. XI., p. 296. This tradition is discredited by the fact that when King John, not contented with his father's revocation of the gift of the Forest, made by the Empress Maud to Earl Milo, obtained a renunciation from the heir of the latter, it was from Henry de Bohun and not from Fitz Herbert that he exacted it.

² Monasticon, Vol. IV., p. 613.

is said to have been settled on this Henry by his grandfather nearly forty years before: a story, however, which we are not bound to believe. That the whole Honour had not passed on Henry's death, two or three years previously,¹ to his sisters, is clear, for it appears from the Certificate under Herefordshire (Vol. I. p. 153), of "William, son of Reginald" (who in the Red Book is styled "de Baalun"), that it was in the King's hand, and was claimed by this William as heir to his grandfather, Hamelin de Baalun, or, as he diplomatically puts it, "he would owe the Service for it, if it should be his Lord the King's pleasure."

Of Margaret de Bohun's knights of the old feoffment, but few are recognisable as connected with Gloucestershire.

No. 1. Hugh parvus may be supposed to have been a son of that Roger parvus who stands as third witness to Milo's second grant to Lanthony Abbey in 1139, and who was, presumably, the "Roger, son of Richard," who occupies the same position among the witnesses to his first grant. This does not help us in determining who he was, or where the 4 fees he held were situated. No family bearing the name of Le Petit, Little, or Small, was, so far as I am aware, domiciled in the 12th century in Gloucestershire.

5 and 6 should probably be Cockerel, as Helyas *Kokerel* is found holding $\frac{1}{2}$ a fee under the new feoffment, and that family was, ere this, established in the county.

8. Richard de Blechesdon bore likewise a well-known Gloucestershire name, and as the vill from which he derived it was in Westbury Hundred, he most likely occupied the half hide which Durand at Domesday held there.

10. The St. Quintins, as we have seen, held of the Honour of Gloucester, and probably Richard's half fee adjoined his East-leach Manor.

¹ The name of Henry de Hereford occurs on the Gloucestershire Pipe Rolls of 1162-3, but not later. Maihel de Hereford succeeded him, for he confirmed Henry's donation to Brecknoek Abbey, but he must have died after very brief occupation. I find no evidence that William de Hereford, the youngest and wickedest of the five brothers, lived to inherit.

13. Walter de *Ashley* held the manor of that name in the parish of Charlton Kings, Cheltenham, of the gift of Earl Milo.¹

15. Gilbert de Miners appears on the Pipe Roll of 31st Henry I. as accounting for the Pleas of Milo of Gloucester, in whose service he must have been, and his name is found in 1166 not only here, as holding under his daughter, but under the Bishop of Worcester, and the Archbishop of York, both of whom, it must be borne in mind, were large landowners in Gloucestershire. Hearne has a note suggesting that the name should be written "Mineries" or "Mineris," but surely the spelling in the text is sufficient to show that the family of Mynors, which is only just extinct in the West of England, is meant. Gilbert's partner in the half fee, (16) Hugh de Condicote, no doubt held the hide in the vill thus designated, which belonged at Domesday to Durand of Gloucester.

With regard to the tenants under the new feoffment, (17) William de Cerney, and (18) William Torel² in Cerney, must have been recently enfeoffed in that portion of the Domesday estate of Walter Fitz Roger in that manor, which had not been included in the grant by Walter de Hereford to St. Peter's, Gloucester, a grant confirmed by his brother Henry de Hereford. (19) Of Elias Cokerel I have already spoken. 20. Roger, son of Alan, has been identified as the ancestor of the family of le Rus, or Rous, who long held Harescombe of the Earls of Hereford.³ It looks indeed, from his being rated at 1½ fees, as if he held the entire 7 hides, of which Durand's principal Domesday Manor of Haresfield consisted, and so virtually performed the subordinate duties of the High Constablership.

(21) As to Richard Murdac, who had likewise lately received 1 knight's fee in the late Earl's demesne, I know not where it was situated, or who he was. The name has a Celtic sound, and was borne by sub-tenants in the north of England

¹ See Testa de Nevill.—Notes in Trans. B. and G. Arch. Society, Vol. XII., p. 45.

² See Willimus Torellus de Pencumbria, holding 2 fees of Robert D'Ewias (Hereford, p. 159).

³ See Paper by the Rev. J. Melland Hall.—Trans. B. and G. Arch. Society, Vol. X., p. 109.

before the Conquest, and in 1166,¹ a century after it, a Robert Murdac still held a similar position in Northumberland (p. 333). There was, however, likewise a Murdac among the knights of the Bishop of Chichester at Domesday, holding 3 hides, worth 30s. per annum in Sussex, and as a Richard Murdac, probably his descendant, appears in the *Liber Niger* (p. 63) as holding part of a fee in the same bishopric, the chances are that this was the man.²

It remains only to remark, that Margaret de Bohun is credited on the Pipe Roll of 14th Henry II. (1168), with payment of 17 marks for the aid, whence it would seem that she paid for her fees of the *old* feoffment alone, and was excused in respect to the $3\frac{3}{4}$ held under the new.

(5) CERTIFICATE OF RALPH DE SUDLEY.

It is to be known that Ralph de Sudley has enfeoffed in his holding, which he holds in capite of the King, so many knights of the old feoffment and of the new.

- | | | | |
|---|-----------------------|----------------------|---------------------|
| 1 | Richard de Cnietecote | of the old feoffment | 3 parts of 1 knight |
| 2 | Robert Russell | - - - - - | a fifth of 1 knight |
| 3 | Agatha | - - - - - | a fifth of 1 knight |

This is the sum total of the old feoffment, the fee of 1 knight.

- | | | | | | |
|---|---------------------------|----------------------|-----------------|----------------------------------|---------------------|
| 4 | Also William de Tracy | of the new feoffment | of his demesne | the fee of 1 knight | |
| 5 | Humphrey, son of William, | of the new feoffment | of his demesne, | and of the gift of Roger Parvus, | the fee of 1 knight |

In Domesday, Harold, son of Earl Ralph, held 10 hides in Sudley, equivalent, according to the usual rating, to 2 knights' fees, and 10 hides in Todington, equal to 2 knights more, but his descendant here makes a return of 3 fees only. I do not know whether (2)—who held a hide granted in the reign of Henry I.,—was the Lord of Kingston-Russell, Dorsetshire, who, besides holding a fee in that county of Alured de Lincoln, is accused of unjustly detaining another from the Abbot of Cerne,³ (No. 4)

¹ *Vide* List in Ellis's Introduction to Domesday.

² On the Gloucestershire Pipe Roll of 13th Henry II., "Ric. Murdac owes 5 marks for the right of the land which he has not yet had."

³ Lib. Nig. p. 77.

was Ralph de Sudley's brother, who had assumed the name of Tracy on marrying the heiress of William de Tracy, of Barnstaple, co. Devon, and had probably been enfeoffed by his father in Todington. He is generally believed to be identical with the William de Tracy, who, a few years later than the date of this Return, was foremost in the murder of Thomas à Becket.

(No. 5) Humphrey is not, I take it, meant for a son of William de Tracy but of some other William.

The donor of the fee may have been the Roger parvus alluded to under the previous Return.

It is strange, in the face of this certificate, to find Ralph de Sudley credited with payment of 15s. 4d. only towards the aid of 1168, or little over the scutage of 1 knight's fee. In 18th Hen. II., on the other hand, he paid 63s. that is to say, 3s. more than the rate for 3 fees.

(6) CERTIFICATE OF ROBERT DE SCRUPA.

It is to be known that I, Robert de Crupa, (*sic*) hold three knights' fees from our Lord the King, and after the death of King Henry I have enfeoffed no one.

The names of those knights are these—

- 1 Turstan le Despenser.
- 2 Geoffrey the Chamberlain of Glinton.
- 3 Simon de Ordington.

Farewell.

The discrepancy between the spelling of the name in the certificate, and in the heading, is not due to any flaw in Hearne's MSS., for it exists in the original Black Book, although not in the Red, where de Scrupa is found in both cases.

The question of orthography is of some interest, as bearing on the alleged descent of this Robert from "Scrob," a Norman favorite of Edward the Confessor, as well as on the attempt made in after times to identify the Gloucestershire House with the Scropes of Bolton, which Hearne, in a footnote, assumes to be incontrovertible. In a Paper, however, in Vol. XIII., p. 351. of the Transactions of this Society, I have shown that the pedigree put forward by Sir Harris Nicholas with this view, is confuted by

the irrefragable evidence of "Inquisitiones post mortem," so far as his last three or four generations are concerned. I was not aware when I wrote, that a *Robert Scrop* occurs in the Black Book (p.272) as holding a knight's fee in Lincolnshire of Earl Simon (of Northampton), who, there can be no doubt, from Mr. Poulett Scrope's researches, was the ancestor of the family of *le Scrope* of the north, and a totally different person from *Robert de Scrupa* of the south, whose name, notwithstanding this casual resemblance, is spelt "de Escropes," on the Scutage Roll of 7 Hen. II., and d'Escrupes in that of 14th, whilst in the 13th century the preliminary s is always dropped, and it become "de Crupes" or Croupes.

It seems clear from the wording of the certificate that Robert de Crupe had been in possession of these three fees prior to the death of Henry I., and was in all probability the individual to whom that King had, on sub-dividing the escheated lands held by William Leuric in Gloucestershire at the time of the Domesday Survey, granted the Manor of Whittington in Bradley Hundred; Leckhampton being at the same time given to Thurstan the Dispenser, Hayles to Tancarville the Chamberlain, while other manors of less importance fell to the Bassets.

The fact of Robert de Crupes thus appearing in company with such great officers of state, certainly suggests the idea that he was connected with the Royal Household, and this is strengthened by the circumstance of Thurstan, and Geoffrey de Clinton the Chamberlain, being found here as his feoffees. The latter is now known to have been son of another Geoffrey, who held the Manor of Glington or Clinton, in Northamptonshire, at Domesday, of Geoffrey Bishop of Coutances, and whose descendants in after days claimed that he was a scion of the great House of Tancarville—hereditary chamberlains of the Dukes of Normandy. This claim has generally been ignored by genealogists on the strength of an assertion by Ordericus Vitalis, that the second Geoffrey de Clinton, though made chamberlain by Henry I., was a man of low birth; but the writer was liberal in such imputations on that King's favourites, and it strikes me that Geoffrey's association here in the same holding with the head of the Despensers, who unquestionably were of Tancarville blood, tends to refute it in his case.

Robert de Crupes says not a word in his certificate as to his holding Whittington in demesne, which he and his posterity certainly did. Perhaps he included it with the 3 fees he returned, though his language scarcely warrants that supposition. As, however, we know for certain from Testa de Nevill that one of them, Ordestan, in Berks, was held by a Simon, son of Hugh, presumably the Simon de Ordington of the text, it would follow in this case that his third fee, Baldington, Oxon, was divided between his two other knights, Thurstan le Despenser and Geoffrey Clinton. Robert de Crupes paid 3 marks in 1168 towards the aid, but in 18th Henry II. he paid only for 2 fees, and his son in 6th Richard I. for 2 $\frac{1}{4}$. Subsequently 3 fees was the ordinary rating.

(7) CERTIFICATE OF HENRY DE NEWMARCH.

These are the knights of Henry de Newmarch of the old feoffment.

- 1 Ernald de Baillioll, and 2 Humphrey de Pancevot hold 5 knights' fees.
- 3 Richard de Malemvilier
- 4 Geoffrey, son of Roger - - - - 1 knight
- 5 Henry Luvel holds 1 knight's fee, which he does not acknowledge to hold of me, and I do the service.
- 6 Richard, son of Humphrey, $\frac{1}{2}$ a knight's fee) which Jocelin de Bailiol holds by the King's precept, nor have I any service thence.
- 7 Geoffrey de Galehampton . . . the $\frac{1}{2}$ part of a knight.
- 8 Geoffrey de Marisco . . . the $\frac{1}{2}$ part of a knight.
- 2 Walter del Cheisne, four parts of a knight, which Jocelin de Bailiol holds by the King's precept, nor have I service thence.
- 10 William, son of Alured . . . the $\frac{1}{5}$ part of a knight
- 11 Eustace Pancevot . . . four parts of a knight
- 12 Hamelin de Baalun $\frac{1}{2}$ a knight
- 13 William de Frohorne 2 knights
- 14 William Mansel 2 parts¹ of a knight
- 15 Helyas Cokerel $\frac{1}{2}$ a knight
- 16 Robert de Gundevill four parts of a hide

¹ It is clear, from the result of the calculation set out in the certificate of Ralph de Sudley, that "four parts of a knight" stands for 4 hides, or $\frac{4}{5}$ of a fee.

- 17 Humphrey de Kenebelle 1 knight
 18 Philip de Gundeville the tenth part of a knight
 19 William de Cadeberi the tenth part of a knight
 20 William de Derham the fifth part of a knight
 21 William, son of Reginald the fee of 1 knight
 but I do not acknowledge that he ought to hold of me for what I do Royal service.

Of the new feoffment—

- 22 Matthew de Baalun (holds) 1 knight of my demesne.
 23 Humphrey Blund, the fifth part of a knight of my demesne.

Upon the demesne nothing.

Although his certificate is classed under Gloucestershire, the chief seat of Henry de Newmarch's barony was at Cadbury, in Somersetshire, in which county the great majority of the fees therein referred to were situated.

The whole at Domesday belonged either to Turstin, son of Rolf, or to Wido, son of William, but in what way they had descended to Henry de Newmarch, has not been ascertained. Neither is the christian name of his father known, nor the relation in which he stood to Bernard de Newmarch the Conqueror of Brecon. All that is clear is that Turstin's manors came to Henry through his mother, daughter and heiress of Winebald de Baladon or Baalun; whether they had been acquired by the latter in marriage, or, as seems more probable, after forfeiture,¹ being uncertain. Furthermore there is no evidence to show that Wido's manors had descended in a similar mode, the donations made to the Priory of Bermondsey and to the Abbey of St. Peter's, Gloucester, by Winebald, which Henry de Newmarch confirmed, not having included any lands of Wido's.²

Henry's close connection with the de Baalun family is traceable in his certificate. The Hamelin de Baalun (14) returned as holding half a knight's fee, cannot have been a descendant of Hamelin, Lord of Abergavenny, Winebald's eldest brother, if Dugdale be right in asserting that the former died childless.

¹ Turstin's Domesday Manor of *Stanton* certainly fell to the Crown, and became known as *Stanley Regis*.

² See Dugdale's *Monasticon*.

Doubt, however, is thrown on that assertion by another certificate under Herefordshire (p. 153), in which William, son of Reginald, styled in the Red Book (though not in the Black) "de Baalun," describes himself as holding a fee in which his *grandfather*, Hamelin de Baalun, had been enfeoffed in the reign of Henry I. and even prefers a claim to the Honour of Abergavenny, which that Hamelin is stated to have bequeathed to Brian fitz Count, his nephew, from whom it passed to Milo, afterwards Earl of Hereford. There can be little doubt that this William, son of Reginald, is identical with (21) the one whom Henry de Newmarch returns as holding a knight's fee of him, but declines to acknowledge that he is responsible for the service to the King.

We likewise find a Matthew de Baalun among the Newmarch tenants. It would seem from the passage as to William, son of Reginald, as well as from earlier ones in which Jocelin de Bailiol is said to hold parts of Newmarch fees, in two cases by the King's precept, that there had been some dispute as to Henry's rights, and this, perhaps, is corroborated by his declaration that Henry Lovel refuses to recognise him as overlord in another fee, for which he has to do the Royal service. As the latter's barony of Castle Carey marched with Cadbury, this was probably an encroachment of Lovel's during the civil war, in which he had been a very active partisan of King Stephen, but if so, it is strange that he should have been allowed to retain it after the accession of Henry II. (19) William of Cadbury had the tenth part of a fee there, while (7) Galehampton, held by one Geoffrey, is in the same locality.

Henry de Newmarch's fees in Gloucestershire are not distinguished from the rest, but they consisted, as we know, from other sources¹ of Dyrham, the only manor in that county which had been held by Wido, son of William; and of Amney-Crucis, Cotes (Cokerel), Hildesley, Tortworth, Frelhorne, and Eastington, all derived from Turstin fitz Rolf. In the first, a small feoffment of one-fifth of a fee, seems to have been created in favour of a William de Derham (20), and it is not improbable that (21)

¹ Testa de Nevill.—See Trans. B. & G. Arch. Soc., Vol. XIII, for fuller details.

William fitz Reginald's fee was also there. Cotes (part of Achelai, [or Oakley] in the Survey) was the holding of (15) Elias Cokerel as half a fee; (13) William de Frehorne held in the vill from which he took his name; (12) Hamelin de Baalun probably holding in Eastington, while (14) William Mansel held in Tortworth.

(11) Eustace Pauncefote's fee was also most likely in Gloucestershire, though I am not quite sure where these 4 hides were.

(16) Robert and (18) Philip de Gundeville did not, I think, hold in that county, and (17) Humphrey de Kemble no doubt held in the vill of that name in Wiltshire.

Of the two knights whom Henry de Newmarch had recently encoffed in his demesne, Matthew de Baalun, already referred to, was presumably his cousin, and a person of some consequence, if he was the one of the name who held 10 fees in Sussex of the Earl of Eu.¹ Humphrey Blund, on the other hand, had only the fifth part of a fee, or one hide.

I am by no means sure that I have correctly interpreted the concluding sentence of the certificate, for the word "Super" has many meanings! I take it here to signify that Henry de Newmarch did not consider himself liable to pay for his demesne except in so far as he had made feoffments in it. It seems to me out of the question to suppose that the 6 hides he had thus appropriated, constituted the entire demesne of the barony. It is impossible, however, to check this view by the amount of his contribution to the aid in 1168, since in the first place there is a blank as to the number of fees held by (3) Richard de Malenvilier, which prevents our judging how many he ought to have paid for. Even setting this aside, the calculation is complicated by the minute subdivision in many cases of the fees, but I think it will be found that he held 16 fees plus $1\frac{1}{2}$ hides of the old feoffment, and of the new 1 fee plus 1 hide, altogether $17\frac{1}{2}$ fees. For these we find him credited on the Scutage Roll of 14th Henry II. with the payment of £11 14s. 2d., equal to 17 marks and a sixth, or very nearly the correct amount. For the scutage, however, of 18th Henry II., the next levied, which was at the rate of £1 per fee, he paid £18 11s. 4d., that is to say for over $18\frac{1}{2}$ fees.

¹ Hearn, Vol. I., p. 66.

Henry de Newmarch is returned by the Abbot of Westminster (p. 51) as holding 2 fees of that church in Worcestershire and Gloucestershire, 1 of these was no doubt Hasfield in the latter county, a Domesday fee of Turstin fitz Rolf's, held for many years by the Pauncefotes.¹ He likewise appears as "Henry de (Novo) Foro," in the Bishop of Worcester's certificate, as holding one fee and denying another. These, no doubt, were Turstin's Manors of Aust and Gotherington, in Gloucestershire, held at Domesday of that See, and subsequently rated at half a fee each.²

(8) CERTIFICATE OF PAGAN DE MUNDUBLEL.

These are Pagan de Mundublel's knights of the old feoffment—

1	Humphrey de Bohun holds the fees of	2 knights
2	Simon de Chelefield	5 knights
3	Adam, son of Simon	1 knight
4	Hugh de Radeñ ³	1 knight
5	John de Baha	1 knight
6	Simon de Hara	1 knight
7	Ralph Murdac	1 knight

but he does not recognise more than $\frac{1}{2}$ a fee.

8	Geoffrey de Coldrinton	$\frac{1}{2}$ knight
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The sum of these is $12\frac{1}{2}$ knights

Of the new feoffment, Pagan de Mundublel gave to Hugh de Chaurcis, his brother, one manor for which he does no service. And to Nicholas, son of Simon, his steward, a waste land near Newbury for his services, by the service of the third part of 1 knight.

A division of the same holding.⁴

It is to be known that of the aforesaid holding Geoffrey de Vere holds 7 knights' fees, which⁵ Patrick de Chaurcis, grandfather of Pagan de Mundublel, held on the day on which King Henry was alive and dead, to wit—

¹ See Testa de Nevill.—Trans. B. & G. Arch. Soc., Vol. XIII., p. 321.

² Ibid. ³ Reading?

⁴ In the Red Book there is neither separating line nor fresh heading, the words running on—"Sciendum est," &c., without interruption.

⁵ "de quorum," in Latin, which is nonsense—it should be "quæ."

9 Matthew de Torminton ¹ the fees of	5 knights
10 Humphrey Francbevalier the fee of .	1 knight
11 Henry Chevel ²	1 knight

And beyond this, Alured de Lincoln holds 1 knight's fee which Earl Patrick took during the war, and Earl Patrick holds besides, of the aforesaid holding, 20 knights' fees through the marriage³ (settlement) of his mother, and three manors of £60.⁴

And Nigel de Albini one manor of £20,⁴ similarly through the marriage of his mother,—for which they have done no service.

Pagan of Montdoubleau, so styled from a castle in France, was head of the family of Cadurcis, or Chaworth, which had acquired a footing in England towards the close of the 11th century through the marriage of Patrick de Cadurcis with one of the daughters of Ernulph de Hesding, a great Domesday baron. Another daughter was wife to Alan, son of Flaald, ancestor of the Fitz Alans of Clune. After the decease of a second Patrick de Cadurcis, late in the reign of Henry I., the bulk of Ernulph's property passed to Earl Patrick, whose father, Walter of Salisbury, had married Sibilla, daur. of the first Patrick de Cadurcis,⁵ but upon the accession of Henry II. this Pagan de Montdoubleau had obtained a charter granting to him *all* the lands in England which his *grandfather*, Patrick de Cadurcis, had held.

In 1166, however, after a struggle of 12 years, he had only succeeded in recovering the comparatively small number of fees here returned in his name.

Of these, few could have been in Gloucestershire, although from the Manor of Kempsford forming the head of his Barony, his certificate was classed under that county. Ernulph de Hesding's possessions there had, it is true, included besides, the Manors of Hatherop, Amney, and Oldbury; but these were retained, as we know, by Earl Patrick; whilst the Manors of Badminton and

² Tormarton, Gloucestershire.

¹ Cheverel? Among the tenants of Earl Patrick.

³ "de Matrimonio Matris suæ."

⁴ In the Black Book the abbreviation "*Libr*" follows the Roman numerals LX and XX, but is omitted in Hearne.

⁵ See Trans. B. & G. Arch. Society, Vol. XII., p. 14.—Paper on Testa de Nevill.

Acton, likewise part of Ernulph's Domesday holding, as well as the Manor of Tormarton, which he had subsequently acquired from Richard the legate, were now in the hands of William fitz Alan's heirs.

The 20 hides at which Kempsford was rated in the Great Survey, would not have been more than equivalent to 4 knights' fees, but possibly some subsequent increment may have brought it up to 5, which, presumably, were those held of Pagan by Simon de Chelefield, his only large tenant. If this were not the case, one would almost be driven to suppose that Kempsford was purposely left out as being held in demesne, a view which is so far supported by the fact that at the time of Kirby's Quest (1287) the then Patrick de Cadurcis held it by barony, no sub-feoffee being mentioned, while in 1346 Henry of Lancaster, who had married the Chaworth heiress, likewise retained the manor in his own hands.

Of Pagan's other knights little need be said.

Humphrey de Bohun's fees were doubtless part of the marriage portion his father had received in Wiltshire with the daughter of Walter de Salisbury, but how these two had been separated from the rest, to be held of Pagan de Montdoubleau instead of Earl Patrick, is nowhere explained. Perhaps as Humphrey was Pagan's cousin he may have concurred in the arrangement.

There are indications in respect to Pagan's other fees, that they were in Berkshire, where he had got back some of his grandfather's manors, as shown by the new feoffment he had created near Newbury in favour of his steward, Nicolas fitz Simon.

With regard to the other division of the holding of the first Patrick de Cadurcis, Geoffrey de Vere therein spoken of, had married the widow of William fitz Alan, who had the 7 fees in question in dower. He was a younger brother of the first Earl of Oxford, and a man of considerable influence. It is clear, from the name of his principal sub-tenant, Matthew de Tormarton who held 5 out of the 7, that he was a Gloucestershire man, but I am not so sure as to Humphrey Franchevalier, or Henry Cheverel, who each held one of the other fees. Alured of Lincoln's, Earl Patrick's, and Nigel de Albini's, shares of the same

holding were in Wiltshire. Who the last named was has not been ascertained.¹

It is not very easy to understand from whom this second certificate emanated, but it served as a sort of protest on behalf of Pagan de Montdoubleau against the forcible detention of his grandfather's lands, and it may have been designed by him also as a reason why he should not be rated for the whole fief. That this was in contemplation is clear from an entry which appears on the Berkshire Pipe Roll of the succeeding year,² which runs: "Pagan de Mundublel renders account of £18 13s. 4d. for knights, but it ought to be required from Earl Patrick and Geoffrey de Vere, who have these knights"—"by writ of the Earl of Leicester, by writ of the King beyond the sea."

There is not sufficient evidence³ to shew whether this order was complied with by the powerful nobles⁴ to whom it was addressed, but it sufficed at any rate to exonerate Pagan from the attempted surcharge, since, to the aid for marrying the King's daughter, he contributed but 12½ marks for as many fees. Those of the new feoffment were apparently exempted, as in the case of Margaret de Bohun and others.

It is noticeable, however, that four years later (18th Hen. II.), Patrick de Cadurcis, presumably Pagan's son, paid £19 scutage for as many fees, that is to say for 6½ more than his father had done. Possibly he had recovered that number in the interim, especially as Earl Patrick had been assassinated in France in 1168. On the other hand in the collection of the aid of 1235, Pagan de Cadurcis figures for "12¼ fees of Pagan de Mundubbel's."⁵

¹ Probably of Cainho, Bedfordshire. A charter of Robert de Albini to the Abbey of Beaulieu, in that county, is witnessed by Nigel de Albini, his brother, and Patrick de Cadurcis.—*Yeatman's House of Arundel*, p. 151.

² Publications of the Pipe Roll Society, Vol. XI., p. 6.—*Great Roll of the Pipe for 13th Henry II.*, 1166-1167.

³ There is no Returns of the Collection for the Aid in the Shropshire Pipe Roll of 14th Henry II.

⁴ Geoffrey de Vere accounts on this very Pipe Roll as Sheriff of Shropshire, Holder of the Honour of the Constable, and Receiver of the Bishopric of Hereford.

⁵ *Trans. B. & G. Arch. Soc.*, Vol. XIII., p. 351—Paper on Testa de Nevill.

(9) CERTIFICATE OF ROBERT SON OF HARDING.

To Henry, by the Grace of God, King of England, Duke of Normandy, and of Aquitaine, Earl of Anjou, Robert son of Harding, greeting. Know ye, that I owe you the service of 5 knights from Berkelai, but Roger de Berkeley holds land of the Honour of Berkelai, for which he does me¹ no service, to wit, Osemorde,² and half Neweton,³ and all the fee of Bernard the Chaplain.

As the confirmation by Henry II., shortly after his accession, of the Honour of Berkeley to Robert fitz Harding, to be held by the service of 5 knights, could in no way have invalidated the compromise previously effected, by virtue of which Roger de Berkeley (III) was to retain all lands held by military service, outside the former fee farm manor,—the allegation that the latter did no service for these to his successor, can only be attributed to pique. As regards the *whole* of Newington, as well as the land of Bernard the Priest, it is clear from Domesday that they were granted by William the Conqueror to the first Roger de Berkeley, though the half hide in Oselworth was, it must be admitted, then included in the fee farm manor. Bernard's lands had been given by the second Roger to the Priory of Stanley St. Leonard's, which he had founded, but his son apparently continued to perform the Royal service.

Robert fitz Harding appears on the Roll of 14th Henry II. as paying 5 marks towards the aid, for his 5 fees. On the Great Roll of the Pipe for the previous year he had been excused a far larger sum in respect to his lands in Gloucestershire, but, probably, this was rather a credit on account than a gift, for he seems still to have continued to act as the Royal banker, the cost of conveying from Cricklade to London the money which he lent to the King being charged by the Sheriff of Berks.

This concludes the Certificates under Gloucestershire, but there are, as previously remarked, many Gloucestershire fees in those classed under other counties. Generally there is no allusion

¹ Contracted in the text to \bar{m} , which Hearne in a note reads *modo*, but this is opposed to the sense.

² Oselworth.

³ Newington-(Bagpath).

to the fact, though, in some cases, the names of persons or of places introduced leave little room for doubt. Thus, in the county of Salop (p. 145) the guardians of William fitz Alan (11) append a list of knights holding $8\frac{1}{2}$ fees of the Wiltshire fief, which the minors had inherited from Ernulph de Hedsings, the first name being that of Robert de Turvill, who is known from other sources to have held the Manor of Acton-Turvill, in Gloucestershire, of him as 1 fee; the third, being Robert's near neighbour, Matthew de Tormarton, holding 2 fees; and the fifth, Humphrey Franchevalier with 1 fee; both of the latter having, as we have seen, been returned among the feoffees of fitz Alan's stepfather, Geoffrey de Vere, in that county. William fitz Alan's remaining $4\frac{1}{2}$ fees were most likely in Wilts, Peter de Lavington, who held 1 of them, no doubt taking his name from the vill so called.

In other Certificates there are no such indications, though it may be placed beyond doubt by later Returns that the descendants of Gloucestershire Domesday Tenants-in-Capite continued to possess the manors derived from them, notwithstanding their Returns were made elsewhere. Thus Elias Giffard must have included among the 9 fees he certified for in Wiltshire, Rockhampton, Stoke (Giffard) and Brimpsfield, in Gloucestershire, which his ancestor, Osbern, had held at the time of the Survey.

Hascoit Musard must no doubt have returned, under Nottingham, the four manors which his ancestor of the same name had in Gloucestershire at Domesday, although in the case of one only, "Eston," held by a Walter de Eston in 1166, is this discoverable; whilst under Herefordshire, though we know that Baderon de Monmouth, Hugh de Lacy, Richard de Corneilles, and Richard de Chandos—the last, successor to Hugh l'Asne's barony,—all still held the manors which their ancestors had held in the adjacent county at Domesday, there is little to guide one as to the fees in which they were comprised a century later.

The Certificates of the Prelates connected with Gloucestershire, scarcely supply more definite information as to the holdings of their tenants in that county. That of the Bishop of Hereford alludes to two fees held by Hugh de Lacy "of his demesne,"

(though he now denies the service of one); and two and a half, which Margaret de Bohun holds (but denies the service of the half), the whole four and a half being referred to as if there had been some connection between them. Margaret's, there can be little doubt, was in Sevenhampton, Gloucestershire, a part of which Durand the Sheriff had held of the Church of Hereford at the time of the Survey.¹

The See of Worcester had held since before the Conquest the Hundreds of Henbury and Cleeve, besides manors in other Gloucestershire Hundreds, and so late as the 13th century paid scutage to the King for nearly 14 fees, so that it is not surprising to find many knights of that county in the Certificate sent in by the Bishop in 1166. Both the Earl of Gloucester and Humphrey de Bohun are set down for $7\frac{1}{2}$ fees, but the former only recognised the service of 1; the latter of 4. Besides these, Elias Giffard holds 1; Henry de Foro (*i.e.* *Novo Foro*, a synonym for Newmarch) 1, and denies another; Gilbert de Mineris 1; Walter de Clifford 1; Hugh Puber $2\frac{1}{2}$; with several others who were presumptively enfeoffed in Gloucestershire.

Lastly, the Abbot of Westminster, who held the Hundred of Deerhurst of the gift of Edward the Confessor, sends in a Certificate under Middlesex (p. 51) in which, unfortunately, his fees in Gloucestershire, except in the single case of two held by the Earl of Gloucester, are bracketed with those held of the abbot by the same feoffees in the adjoining county of Worcester. Thus Hugh Puber is returned as holding 3 knights in the two counties; Reginald de Stainlinge 2; Henry de Newmarch 2; William Folet 1; and Ralph de Monmouth 1, though he refused to do the service,—following in this the example of the Earl of Gloucester,—who since the second scutage for Wales in 5th Hen. II., had, it is mentioned, repudiated the obligation.

It is impossible in most cases to identify the manors held, but de Newmarch no doubt possessed Hasfield which Turstin fitz Rolf had held of the Abbey at Domesday; and Ralph de Monmouth, Trinlie or Tirley, which William fitz Baderon had similarly held. What relation the latter was to Baderon de Monmouth, the head

¹ See post p. 329.

of the family, does not appear, but he may have been the ancestor of the Roger de Monmouth who held by serjeanty in King's Weston and in Leckhampton early in the next century.

Doubtless other Certificates may include Gloucestershire fecs, but I have not been able to trace them.

I will only, in conclusion, add, that I was surprised on looking at the original Black and Red Books of the Exchequer to find that the name of Robert de Amenevill, which appears at the end of Herefordshire in both, is an obvious interpolation, made at a period subsequent to 1166.
