

BREEDON PRIORY – 900TH ANNIVERSARY

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ABSTRACT

Breedon Hill, in the civil parish of Breedon on the Hill in north-west Leicestershire, has been a site of human occupation for thousands of years. It has yielded finds from all periods of pre-history, with an Iron Age 'hillfort' enclosing about 9 hectares (22 acres) of the hilltop. From about AD 675 it was the base for an Anglo-Saxon minster controlling many square miles of this area of Leicestershire and south Derbyshire. It seems that the hill remained occupied, including an ecclesiastic community, between the heyday of the minster and the foundation of a Priory which formally adopted the Augustinian rule in the early twelfth century. It remained based on the hilltop from then until Henry VIII's dissolution of the monasteries. The initial extent of the Priory's assets, including the additional gifts of the first Robert de Ferrers, is discussed in this article, bearing in mind the monastic / ecclesiastical legacy that preceded it. The date of its Augustinian foundation is difficult to pin down to a precise year but the documentary evidence is considered, suggesting that it was finalised by Easter 1122. This year of 2022 is therefore an appropriate one in which to celebrate the passing of 900 years since the foundation of Breedon's Augustinian Priory.

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MAIN DOCUMENTARY SOURCES

Breedon Priory Cartulary

The largest source of relevant material concerning the Priory is its cartulary, or register-book. This contains a collection of manuscripts kept and copied as necessary by the various Priors and Canons during the period up to when it was surrendered in 1539, under the process normally referred to as the Dissolution of the Monasteries. The cartulary is now held by the John Rylands Library at the University of Manchester, with the reference title of "Latin MS 222".

It consists, in essence, of 77 folios (154 sides) of manuscript containing text of one sort or another, amounting to about 180 distinct items, and was handwritten by a variety of scribes in styles which date from the thirteenth century onwards. Some of the contents are copies of charters which were dated, or involved a king or noble whose dates are known, or contained lists of witnesses which enable dates to be postulated.

In January 2020 the University of Manchester agreed to digitise the original cartulary which, in image form, may now be purchased¹.

¹ Contact the John Rylands Library at the University of Manchester.

Antiquarian Transcripts

Various antiquarians transcribed selections from the Priory's cartulary – in particular, Sir William Dugdale² and John Nichols³. Dugdale published transcriptions of 5 of the main charters that appear in the cartulary. Nichols went further. In addition to transcriptions of the main charters he published descriptions of what was included in many of the folios. These were not without their problems – misreading of the abbreviated Latin and medieval French was one, but misinterpretation of personal names and place names was another. That having been said these are exceedingly useful resources when read in conjunction with the original manuscripts.

M.A. Thesis – McKinley

A source derived from the Breedon cartulary was an M.A. thesis from 1950⁴ which appears to have transcribed the whole of the text from abbreviated Latin and Medieval French into typed unabbreviated text. Unfortunately this thesis (certainly in early 2020) was said to be missing from the Manchester University library.

Access to photocopies of some of the pages of this thesis has been possible. According to the numbering, however, there are at least 83 pages of the original missing. By reference to the available pages, as well as to some transcribed pages from Nichols referenced above, and the digitised images of the manuscripts, it is hoped that a new transcription into ASCII text will be published in the not too distant future⁵.

Ph.D. Thesis – Frost (Nostell Cartulary)

The Priory at Breedon was inaugurated into the Augustinian rule as a cell of Nostell Priory in Yorkshire. Nostell was a much-favoured Priory which was gifted extensive lands and churches in several counties and which oversaw several Augustinian cells, including Breedon. Its cartulary is consequently extensive.

The manuscripts of the Nostell cartulary have not been directly consulted in the writing of this article but a complete transcription became available via Judith Frost's Ph.D. thesis of 2005⁶. The cartulary extends to 1,328 distinct items! A good number of these include simple reference to Breedon amongst lists of Nostell's holdings. Her thesis includes eighteen documents which related more specifically to the cell at Breedon. The last two of these deal with the presentation of two late-fifteenth century priors. The other sixteen documents concern twelfth and thirteenth century events including foundation and other gifts to Breedon Priory. Some of these are paralleled by related copies in the Breedon cartulary.

² (Dugdale, 1661). pp. 39 – 41. For citations see Bibliography on page 18.

³ (Nichols, 1804). pp. 695 - 701.

⁴ (McKinley, 1950).

⁵ Fawcett as yet unpublished.

⁶ (Frost, 2005).

KING HENRY I'S CONFIRMATION CHARTER

King Henry I, to whom the first Robert de Ferrers was subject, had ultimate say over all land transfers. Both Nostell and Breedon cartularies contain copies of his confirmation. From the latter we find:

Confirmatio Henrici Regis de ecclesia de Bredon'.⁷

Henricus Rex Anglorum archiepiscopis, episcopis, comitibus, baronibus, vicecomitibus et omnibus aliis fidelibus suis salutem. Sciatis me concessisse et confirmasse Adelwaldo Priori et Canonicis Sancti Oswaldi de Nostle ecclesiam de Bredon' cum pertinentiis suis in puram et perpetuam elemosinam, quam Robertus de Ferrariis coram me predicto priori et canonicis suis dedit et concessit. Teste Thurstino Archiepiscopi Eboracensi, Wellerano Comite de Mellen, Rannulfo Cancellario, Nigello de Albeni, Willelmo Peverel de Dovra, apud Rokingeham.

A suggested translation of this is:

Confirmation of King Henry concerning the church of Breedon

May Henry King of England [literally – king of Angles], greet his archbishops, bishops, earls, barons, sherrifs and all his other faithful. May you know me to have permitted and confirmed, to Prior Adelwald⁸ and the Canons of St Oswald of Nostell, the church of Breedon with its appurtenances, in pure and perpetual alms, that Robert de Ferrers, in my presence, gave and permitted. Witnesses Thurstan Archbishop of York, Waleran Count of Meulan, Rannulf the Chancellor, Nigel of Aubigny, William Peverel of Dover, at Rockingham.

As is not unusual for that period, the charter is undated. However, the following information helps us with this. Waleran succeeded to the county of Meulan in Normandy when he came of age in late 1120. The king had been in Normandy for four years until 26 November 1120 and resumed business in England in January 1121. Waleran left England after Easter 1122 and Ranulf the chancellor died early in 1123.

From these known dates and from what is known of Henry I's movements to Northampton and Rockingham, the date of this confirmation is thought to have possibly been around Easter (26 March) of 1122⁹.

A royal confirmation charter, of course, confirms something that has been carried out by one or more of the monarch's subjects – in this case Robert de Ferrers is named as the man concerned. Although he was succeeded by a son called Robert, in 1122 this had to be the first of the two. According to the king's charter Robert, in the presence of the king, gave and permitted (*dedit et concessit*) Breedon church and its appurtenances to be under the overall control of Nostell (which was Augustinian from at least January 1120¹⁰). A charter of Robert de Ferrers is transcribed and discussed in the next section below.

While there is no formal document from this early-twelfth-century period confirming Breedon's Augustinian status, its existence as a cell of Nostell Priory presumably provides indirect confirmation. Another record dating from 1122 or 1123 is discussed beginning on page 15 below. (The original of this is still in existence and it would appear to be the oldest surviving script, rather than later copies of earlier documents, written at Breedon). It refers to the "Canons of Bredon" who, therefore, seem to have considered themselves Augustinians at that date.

⁷ Rubricated heading.

⁸ One of the spelling variations of Adelulf.

⁹ (Carpenter, D X and Sharpe, R, 2013). pp. 35,36.

¹⁰ (Frost, 2005). p. 38.

THE “FOUNDATION CHARTER”

A charter of Robert de Ferrers, copies of which appear in both the Breedon and Nostell cartularies, is transcribed in each of the academic theses mentioned above and is often termed the priory's “foundation charter”. There are minor differences in spelling, particularly of place-names, etc., but the copy in the Breedon cartulary includes the full list of witnesses, unlike the copy held by Nostell. The Latin text of the Breedon copy is therefore repeated here:

Carta Roberti de Ferrariis . primi . fundatoris nostri. [Rubricated heading]

Robertus comes de Notingh' omnibus baronibus suis et hominibus et fidelibus salutem. Sciatis me dedisse et hac mea carta confirmasse pro salute anime mee et patris mei et matris mee et heredum meorum Deo et ecclesie Sancti Oswaldi de Nostla et canonicis ibidem Deo servientibus in liberam et puram et perpetuam elemosinam ecclesiam Sancte Marie et Sancti Hardulfi de Bredona cum omnibus pertinentiis, videlicet cum quatuor virgatis terre, et cum decima mea tota et hominum meorum de Tunga et de Andreskirka et de Wyvelstona, et capellam de Wordintona, et capellam de Stauntona cum terris et decimis et pertinentiis earum, et similiter decimis de Neubolt et de Didesworda, quantum pertinent feodo meo. Preter hec dedi et concessi predicte ecclesie et canonicis predictis de acramento unam virgatam terre in Andreskirka, et unam assartam cum¹¹ occidentali parte montis, et mercatum de Bredona, et annuatim viginti solidos de molendino de Crakemers, et viginti solidos in Tonga, et viginti solidos in Wesleka, et XL solidos in soka de Stapleford, et unam herdewycam in Hethcote juxta Hertedonam in Peco. Confirmo etiam eis V solidatos reddituum in Overtona. Teste Hugone capellano, filio Sewalonis, et Ricardo capellano, Alketillo clerico, Willelmo filio Nigelli, et Henrico filio Sewalonis, et Alano dapifero, et Willelmo filio Herberti, et Roberto de Liveto, et Fulgero filio Sewalonis, et Roberto de Bakepouz.

A translation into modern English might be as follows:

Charter of Robert de Ferrers . the first . our founder

May Robert, ‘comes’ of Nottingham, wish well to all his barons, men, and the faithful. May you know me to have given, in free, pure and perpetual alms¹², for the salvation of my soul and of my father and my mother and of my heirs and, by this my charter to have confirmed, [the transfer of] the church of St Mary and St Hardulf of Breedon with all its appurtenances to God and to the church of St Oswald of Nostell and the canons serving God in that same place. [The appurtenances are] namely four virgates of arable land; all my tithes and [those] of my men of Tonge and of Andreskirk [i.e. Breedon township¹³] and of Wilson; and the chapel of Worthington and the chapel of Staunton with the land and tithes and appurtenances of those; and similarly the tithes of Newbold and Diseworth so far as they belong to my fee¹⁴. Beyond this I gave and permitted to the aforesaid church and the aforesaid canons one virgate of arable land in Andreskirk; and an assart¹⁵ on the western part of the hill; and the market of Breedon; and twenty shillings annually from the mill at Crakemars¹⁶ and twenty shillings in Tonge and twenty shillings in West Leake and forty shillings in the soke¹⁷ of Stapleford; and a herdwick¹⁸ in Heathcote next to Hartington in the Peak. I confirm also five shillings of revenues in Coleorton. By the witness of Hugh the chaplain son of Sewal, and Richard chaplain, Alketill cleric, William son of Nigel, and Henry son of Sewal, and Alan the steward, and William son of Herbert, and Robert of Livet, and Fulger son of Sewal, and Robert de Bakepouz.

¹¹ In the Nostell cartulary ‘cum’ is replaced by ‘in’, which has been used in the English translation below.

¹² The effective meaning of the phrase “*in liberam et puram et perpetuam elemosinam*” was that the gift would remain immune from temporal services to the grantor. That is to say that only spiritual services might remain, such as prayers for the donor’s soul and those of his parents etc.

¹³ (Brown, 2003)

¹⁴ Robert’s ‘fee’ means within his overlordship. It is known, for instance, that part of the current parish of Diseworth remained part of Breedon parish for many centuries after this charter.

¹⁵ A piece of cleared woodland (but not necessarily ‘wildwood’).

¹⁶ Near Uttoxeter, Staffordshire.

¹⁷ ‘jurisdiction’. West Leake, Nottinghamshire; Stapleford, Leicestershire.

¹⁸ An area of grazing land. Hartington, Derbyshire.

The Assets described in the Charter

The dating of the charter will be discussed later but let's first look at what it deals with. Robert seems to differentiate between three distinct sets of transferred rights in assets to be passed to the community at Nostell, Yorkshire.

To understand the differences between the three distinct elements of Robert de Ferrers' charter, it is first of all necessary to recall that the change of administration under the Normans meant that, by the time of Domesday Book (DB), c.1086, all rights in land in most of England were accounted for by a hierarchy of persons. At the top of this hierarchy was the king himself who, via his appointed officials, administered royal estates. King Henry I's charter was described above from page 3 onwards.

Apart from the royal estates a much larger area of land, identified by shire and, within that, by vill (or parish) and, in many cases, separate manors or estates within the vill, lay outside the direct control of the king. This was distributed under the control of 'tenants in chief' who answered to the king, directly or via officials (e.g. the shire).

This didn't mean that the tenant in chief could do as he liked with all the land within these estates. There were others who had historic rights, most notably ecclesiastical communities, freemen (sokemen), etc. The tenant in chief's powers over the rights of others were limited according to the specific detail of those pre-existing rights and the law of the day.

One thing seems probable from the wording of this charter that, when control was given to Nostell Priory, the church at Breedon Hill already had some significant 'appurtenances'. It had:

- four virgates (perhaps 120 acres, or 50 hectares) of arable land, which it would have been able to cultivate using its own workforce or to let out to tenants (probably now identifiable as several fields lying to the east of the hillfort);
- two chapels (Worthington and Staunton) plus land or property of unknown extent associated with those;
- the tithes, i.e. taxes associated with the productivity of the land, of the whole of Robert's manor of Tonge, Andreskirk and Wilson, including the land held directly by Robert himself;
- the tithes of Worthington, Staunton (Harold), Newbold and of part of Diseworth.

It is likely, bearing in mind the documents in the Priory's cartulary, that the land within the bounds of the Iron Age hillfort was also assumed to be part of the property of the church. The location and extent of the church buildings at that time is not known, as the current building (and possibly the parish church that used to extend to the west of it) dates from later. Whether a building still then existed that contained the famous carvings, dating from about 800 AD, now inset into the walls of the current building, is not known.

With such 'appurtenances' there was clearly a religious community at Breedon at the time Robert made his charter transferring control from them to Nostell Priory – administration of these assets alone would have necessitated it.

To understand more about this, and to what extent Robert de Ferrers was in a position to play a part in some sort of transfer of the church and its assets to another community, it is necessary to consider earlier events. The changes that occurred during the period between the founding (c. 675) of a minster based on Breedon Hill and the early twelfth century may help to put this in some perspective.

The last known mention of the church in Breedon before the twelfth century was in a charter of c.972 in which King Edgar granted 13 hides of land (at Breedon, Wilson, Ætheredes dun, and Diseworth) to Bishop Æthelwold "in the place which is famous by the name of Breodune". The bishop was heavily involved in the creation of Benedictine monasteries. The charter granted the land to him on the condition that "after the end of his life he shall pass it on in service of whatsoever body of men in holy orders he wishes". The king also adds the statement that "none of my successors will ever take away this portion of land from the church of God which is located in Breodune", but this wasn't to be.

There is no documentary evidence that Bishop Æthelwold, who died in 984 according to the Anglo-Saxon Chronicle, developed Breedon into a regular monastery. It is clear that, while nowhere near as

wealthy in land (66 hides) as when it was founded as a minster¹⁹ three centuries earlier, there was a church with significant appurtenances there in the late tenth century. One might imagine that, in line with the charter, the land reverted to the church at Breedon. There is the possibility, though, that some or part of the land described in King Edgar's charter passed temporarily to Wulfric Spot for the foundation of the Abbey at Burton on Trent.²⁰ Robert de Ferrers' charter indicates that, in the intervening 150 years, the land had further reduced from 13 hides to the equivalent of about 1 hide, although fairly extensive tithes were retained.

The possessions and rights of the church were supposedly defended by the monarchs of England as is evidenced by the law-codes of the period. Apart from land tenure, the right to tithes was well established and applied to all productive land regardless of who held it. The tithes were divided between minsters and (parish) churches having burial rights.

Tithes would have accrued to the ecclesiastical community at Breedon and possibly had done since the foundation of the minster. While the Norman Conquest placed all land under the administration of the King or his tenants in chief, the existing ecclesiastical rights were still respected. The continuity of this is plain from several Anglo-Saxon, Scandinavian (Cnut) and post-Conquest law-codes, including that of Henry I²¹.

It seems likely that the appurtenances and tithes attached to the church at Breedon would not have been directly touchable by Robert de Ferrers. The land of the whole of a vill was subject to tithes, rendered to the appropriate church, regardless of who occupied that land. Thus the right to tithes was not something that Robert himself was giving; it was an appurtenance that was a right of the church at Breedon.

The church (and hilltop), the chapels and the land held by the church at Breedon were possibly remnants of the land given to the minster in the seventh century as 'bookland'. If these had remained ecclesiastical property since Edgar's charter, and having been bookland pertaining to an ancient ecclesiastical holding, they would also probably have been free of temporal services to any overlord such as Robert de Ferrers – if so, he wouldn't have been able to demand any rent or other dues. The phrase in the charter "*in liberam et puram et perpetuam elemosinam*" (in free, pure and perpetual alms), although common in ecclesiastical gifts, was perhaps a reflection of this.

Such benefit as may have been due to Robert would probably have been spiritual only. However, at the time of the charter, it was probably the case that the religious establishment at Breedon

"...were not able to alienate²² their land without the lord's permission, and their lands were incorporated into a manor. Most ecclesiastical land was apparently of this type ...".²³

That is to say that Robert's permission would have been required for this ecclesiastical holding to be transferred to another. Robert would have had nothing temporal to lose since he received no benefit from the church except spiritual services which were probably still maintained after transfer to Nostell by the phrase "*pro salute anime mee et patris mei et matris mee et heredum meorum*" (for the salvation of my soul and of my father and my mother and of my heirs).

The second part of the charter, following '*preter hec*', is different in that Robert gave and conceded / allowed / permitted (perfect tense) some additional assets seemingly not hitherto part of the church's appurtenances to be transferred, as follows:

- one virgate²⁴ of arable land in Andreskirk; and

¹⁹ (Fawcett, The Land of Breedon Minster, 2019). It is known from a charter of 848 AD that Abbot Eanmund of Breedon (Breedon on the Hill) had given gold and land of 15 hides to Berhtuulf the king of the Mercians in exchange for release from certain costly obligations.

²⁰ (Fawcett, Some Tenth-Century Charters - Locating 'Stantun', 2022), pp. 18, 19, 32.

²¹ "If anyone should withhold the tithe right, let the king's steward, and the bishop's, and the land lord's go, with the priest, and take it [i.e. the tithe / tenth part] away by force, and give it back to the church to which it belongs, and they should leave the ninth part to him who refused to give the tenth; let them divide the rest into two parts, let the lord have half, [and] let the bishop have half, whether he [i.e. the transgressor] be a king's man or another." N.B. This was unchanged since at least as far back as King Edgar, over 100 years earlier.

²² i.e. sell, give away, etc.

²³ (Roffe, Brought to Book: Lordship and land in Anglo-Saxon England, 2002)

²⁴ Maybe about 30 acres (12½ hectares) in modern terminology.

- an assart on the western part of the hill; and
- the market of Breedon; and
- twenty shillings²⁵ annually from the mill at Crakemarsh; and
- twenty shillings in Tonge; and
- twenty shillings in West Leake; and
- forty shillings in the soke of Stapleford; and
- a herdwick in Heathcote next to Hartington in the Peak.

The revenues from Crakemarsh, West Leake, and Stapleford and the herdwick at Heathcote were probably never previously part of the minster's, or the later church's, assets. This group in the charter appears to be a new gift from Robert, not just a gift of permission to alienate as may have been the case with respect to the appurtenances included in the first group.

It is generally accepted that at some point after DB, Crakemarsh (held directly by the king at DB) was granted to de Ferrers. By 1129/30 it was no longer held directly by Robert de Ferrers (who is termed '*comes derbeie*' in the relevant memorandum in the Breedon Cartulary), having been given by him, as a subinfeudation, to Norman de Verdon²⁶. This change in status is reflected in later confirmations included in the Breedon cartulary. The wording of Robert's charter therefore implies that it pre-dates 1129/30, contrary to the suggestions of some commentators. In 1086 (DB), Tonge, most of East and West Leake, Stapleford, and Hartington were all held in demesne by Henry de Ferrers as tenant in chief (TiC) of the king.

The rents or revenues gifted by Robert were not inconsiderable, amounting to 100 shillings (£5) annually. In 1086 Henry de Ferrers' manor of East and West Leake had a total value of £7 annually and his manor of Stapleford was valued at £10. The revenue from the mill at Crakemarsh, by comparison with other mills, indicates that it was sizeable and lucrative.

Following '*confirmo etiam*', there is a third part to the list included in Robert's charter that needs to be distinguished:

- five shillings of revenues in Coleorton.

Just one of the manors listed in the charter was subinfeudated – it can be seen from DB that Roger (de Livet) held a manor in Overton (Coleorton) under Henry de Ferrers as TiC. None of the places named in the charter, other than this part of Overton, would appear to have had any subtenant. This would seem to be the reason that the terms '*dedisse et confirmasse*', or '*dedi et concessi*' are used in Robert's charter in relation to everywhere except Overton, where he only confirms, '*confirmo*' (I confirm), the 5 shillings of revenue. That is to say, Roger '*dedi*' (gave) this 5 shillings; Robert, as tenant in chief, confirmed his agreement to the gift in this charter.

Robert probably had little or no power regarding the assets included in the first group, Breedon church's existing appurtenances, apart from the patronage of giving agreement to their transfer. (Other aspects of the lord's patronage remained – for instance, later documents in the priory's cartulary show that he had a right to confirm the choice of any new Prior).

One implication of this is that the religious establishment at Breedon presumably wanted this transfer to the community of Nostell to happen. So what might have brought about this wish? Certainly Robert's additional gifts in the second group in the charter may have been an encouragement. It is notable that there was a similar group of gifts to Nostell when it transitioned to the Augustinian rule²⁷. But in the early twelfth century there was a fair degree of pressure, including from the ecclesiastical establishment, on existing religious communities to conform to one of the regular monastic orders. So far as the Augustinians are concerned, Frost²⁸ pointed out that:

"The first three decades of the 12th century, the time of King Henry I, saw not only the introduction of Augustinian canons to England and Wales but also the highest number of foundations: by 1128 over thirty Augustinian houses had been founded, by 1152 there were over fifty-one houses."

²⁵ These money values may have been rents from properties or other revenues due to the landholder.

²⁶ (Hagger, 1998). p. 12.

²⁷ See for instance: (Carpenter, D X and Sharpe, R, 2013).

²⁸ (Frost, 2005). p. 61.

Dating of the de Ferrers' "foundation charter"

The charter, as was quite common at the time, was undated. This means that other evidence, such as known dates of events and individuals named within, is needed in order to approximate when it was issued.

Robert de Ferrers used a past tense infinitive to list the appurtenances of the church at Breedon and added a list of gifts also using the past tense. It seems reasonable to assume that the added gifts exchanged hands at about the same time as, or not long before, the charter was written. However, it was quite common for gifts to be made and not formalised by a charter until several years later.

Some writers have taken exception to the date of Robert de Ferrers' charter being around 1122, arguing that it was later in his life or even that it was a charter of his son Robert II de Ferrers (inherited 1139). Two antiquarians, Dugdale and Nichols, stated that this key charter, and the founding of Breedon as a cell of the Augustinian priory at Nostell, dated from 1144 under the second Robert. McKinley pointed out that King Henry I's confirmation charter and Vitalis' obituary roll (see page 15 below) show that there were Augustinian canons at Breedon in 1122 and that it was the first Robert de Ferrers who had confirmed the process of transfer to Nostell in that year or earlier. Others tend to agree with this.

However, a number of these writers, including Dugdale, Nichols and McKinley, have expressed doubt that the so-called "foundation charter", as it appears in the Breedon and Nostell cartularies is that of Robert I de Ferrers from c.1122. The text in cartularies is copied by scribes, for working purposes, from the original which would have been kept safely elsewhere – in this case the original is not known to exist. New copies might be made, for instance as a result of deterioration etc. In the cartulary the scribe may add a relevant heading which is not part of the original charter. The copyist of this charter in the Breedon cartulary provided a rubricated heading which says it was from Robert I.

Two arguments, in the author's knowledge, for a later date than c.1122 have been raised:

- a) It has been suggested that the revenue of 5 shillings from Overton (Coleorton), which was included in the charter, was not given until later.
- b) It has been suggested that Robert (I) de Ferrers could not have termed himself '*comes de Notingh*' (often translated as Earl of Nottingham) at that date.

Neither of these suggestions is convincing and the charter contains other evidence which make the proposition of a later date unlikely. Crakemarsh seems to have no longer been part of the de Ferrers' demesne lands after about 1129/30 and, furthermore, the possibility of the charter being after that date ignores the evidence provided by the list of the charter's witnesses.

Were the revenues of 5 shillings in Overton given later?

In the case of a) above, the evidence that has been proposed is the document of Robert's grandson William in which he concedes and confirms previous gifts including this 5 shillings (f.34v of Latin MS 222). The suggestion is that this was a new gift, or at least later than the rest of the listed donations. However, William's document says:

- that it was a donation '*quam Rogerus de Ouertona fecit*' (i.e. 'that Roger of Overton made', the verb being in the past tense),
- and he added '*sicut carta patris mei testatur*', i.e. 'as the charter of my father [i.e. Robert II de Ferrers] testifies'.

This gift was also treated differently in the 'foundation charter' being only confirmed, rather than given and confirmed, by Robert de Ferrers. This suggests that, at that date, the estate at Overton (Coleorton) from which this annual 5 shillings was given was the only one of those listed which had been subinfeudated. This can certainly be seen to have been true in 1086 (DB), when one of the two de Ferrers' manors at Overton was in the hands of the subtenant Rogerus (normally identified as Roger de Livet). The foundation charter is consistent with this 5 shillings from Overton being the gift of the subtenant Roger (unnamed in Robert's charter) which was confirmed by the tenant in chief. It seems possible that Roger was the same Roger (i.e. de Livet) as in the DB entry who, by the time of witnessing Robert de Ferrers' charter, may have died since Robert de Livet appears in the witness list.

The charter (f.28r and f.28v of Latin MS 222) of the same William de Ferrers regarding the assets within his '*terra*' of the 'canons regular' at Breedon is likewise careful of when to use the verbs give,

permit, or confirm. By that date it would appear that the land at Coleorton was still subinfeudated while Stapleford and West Leake had also changed hands. Other documents in the Breedon cartulary deal with the relevant historic gifts in these villis now in the hands of other tenants, one of whom, and possibly the other, are amongst William's witnesses.

It seems likely, then, that it would be the confirmation charter of Robert II de Ferrers, mentioned by his son William, which is missing from the cartulary. Since all commentators, plus King Henry I's confirmation in 1122, say that Robert I was the 'founder' of the Augustinian cell of Nostell at Breedon, a charter of Robert II would not have contained '*dedisse*' or '*dedi*' (Robert ... gave); it would have had '*concessisse*' or '*concessi*', like William's confirmation charter.

This is one of several reasons to say that the so-called 'foundation charter' was from the older Robert de Ferrers and not from his son who, additionally, tended to add 'junior' to his name in charters from the earlier years of his incumbency, perhaps to avoid confusion.

This discussion does not give us a date when the revenue of 5 shillings from Coleorton was donated although it does suggest that it was in the period during which either Henry or Robert (I) de Ferrers was tenant in chief (maybe some time after the Conquest up to Robert's death in 1139). The fact that William confirmed this separately from other donations listed in Robert's charter should not be seen as implying any later date than the gifts included in Robert's second group. (The Breedon cartulary includes other examples of separate confirmation once the relevant manor had been subinfeudated – for instance, on folios 33v and 34r there is later separate confirmation of the priory's assets in Stapleford / Saxby).

It is important to consider that this part of Overton (Coleorton) had been subinfeudated since at least the time of Domesday Book (c.1086). In the latter, Henry de Ferrers (Robert I's father) had been tenant in chief of 2 carucates (fiscal value) in Overton. This consisted of 2 manors (1 carucate each), neither of which was managed directly ('in demesne'). One of them was subinfeudated under the lordship of Roger de Livet. The de Livets were vassals of the de Ferrers following the Conquest and were sub-tenants of de Ferrers – at the time of DB Roger had manors totalling over 20 carucates (fiscal value) under Henry. There is therefore every possibility that the gift of 5 shillings of Coleorton revenue was made by this Roger de Livet, for which he, as a subtenant, would have needed the confirmation of the tenant in chief, his overlord.

It is also perhaps of relevance that one of the witnesses of Robert de Ferrers' charter was Robert de Livet – perhaps the son or other succeeding relative of Roger.

It is later known, from the Leicestershire Survey (c. 1129), that Robert I de Ferrers was still tenant in chief of 2 carucates (fiscal value) of a total of 3 in 'the other Overton'. (N.B. 'Overton', rather than 'the other Overton', had 4 carucates under Richard Basset as TiC. This had Robert of Bucy as TiC in DB). The Survey does not give the names of those who held from the tenant in chief.

One conclusion of the discussion in this section is that there seems to be no reason to suppose that the gift of 5 shillings from Overton had to have occurred later than the gift of other assets included at the time of the transfer to Nostell at or before 1122.

Could Robert de Ferrers describe himself in Latin as '*comes*' before 1138?

In the Latin 'foundation' charter Robert de Ferrers is described as '*comes de Notingh*'. The reason for the mention of the year 1138, when Robert was approximately 70 years of age, in the sub-heading above is that a contemporaneous manuscript of Richard of Hexham²⁹ includes the following:

*Hujus autem facti rumor ubi aures regis Angliæ attigit, valde lætus effectus est; unde etiam, quia audivit eos se viriliter in hoc negotio habuisse, Willelmum de Albamarla, in Eboracensi, et Robertum de Ferrers, in Derbiensi-scyra, comites fecit.*³⁰

This translates into modern English as something like:

²⁹ Richard was a canon at Hexham at that date, becoming Prior in 1141.

³⁰ This transcription is taken from: (Raine, 1864). p. 94.

But when the rumour of this event [i.e. the Battle of the Standard, Northallerton³¹] reached the ears of the king [Stephen] of England, he was very pleased; whence also, because he heard that they had behaved manfully in this affair, he made William de Albamarle in Yorkshire, and Robert de Ferrers, in Derbyshire, earls.

(Note that here the Latin *comes* has been translated into English as 'Earl', but more on this below.) The quoted text has led some commentators to suggest that Robert I de Ferrers could not have referred to himself as '*comes*' (plural *comites*) of Nottingham, n.b. not Derby, before 1138.

The Latin word '*comes*' has multiple meanings³² which translate into the vernacular languages differently according to date and geographical region. The original meaning in classical Latin was 'companion' of a higher-ranking individual. This individual was commonly a king or emperor, and the term '*comes*' might be applied to those who were important at his court.

When writing in Latin the Anglo-Saxons sometimes used '*comes*' when referring to an ealdorman – a man who administered a geographical region on a king's behalf. The office of ealdorman was not a hereditary one, nor even was it a lifetime award, in pre-Conquest England and it should not be confused with the later hereditary title 'Earl'. But others would also be called '*comes*'. For instance, it could still be used to mean 'companion'³³.

Looking through royal charters in England in the eleventh century before the Norman Conquest, Latin references to a '*comes*' were comparatively unusual. The most common terms for those of higher rank were *dux*, *miles* and *minister*. However, certainly earlier in Anglo-Saxon England, *comes* seems to have retained its classical breadth with Bede using it in relation to all three of these groups as well as of bishops, companions of bishops, and companions of queens.

It should also be remembered that derived words include 'committee' and, via old French, 'commis' (as in chef, i.e. deputy chef). These hint at broad interpretation, meaning the closest companions and deputies of men in power having territorial, judicial, military and administrative roles. In other words, every *dux* might be described as a *comes* but not every *comes* was a *dux*!

The word 'eorl' appears in Old English (rather than Latin) in the Anglo-Saxon Chronicle from the time of Cnut. It stems from the Scandinavian 'jarl' and was applied to those who might be considered the superiors of king's thegns or ceorls. It developed later into the word Earl but did not have the modern connotations.

Following the Norman Conquest it is important to consider how the Latin word *comes* was used in Norman France because this plays a big part in how it was then used in English documents. The words *comes* and *vicecomes*, from which derive Count and Viscount, often referred to people who held and administered a territory (*comté* / *vicomté* in French) within the Dukedom of Normandy. In English we have the derived word 'county', although at that time the equivalent term in use was a shire, from the Old English.

In Norman France, the Latin '*comes*' included those who would be called 'Comte', in English 'Count' – a title that never became part of the English peerage. But in France too the word was also used more broadly.

In the preparation of DB (the inquest) England was divided into seven circuits, of five counties each, with responsibility of oversight given to 'commissioners'. The only circuit for which the names of the commissioners are now known was Circuit V³⁴ where Henry de Ferrers was one of four – one may speculate that this made him one of King William's 28 most trusted men. While the document, written by the monk Heming, that names the four commissioners for Circuit V³⁵ does not describe Henry as '*comes*', Walter Giffard (the second), another of the four, is so described despite the common belief that he was not termed that way in Normandy and was not made '*comes*' of Buckingham until 1097 under William Rufus.

³¹ 22 August 1138.

³² A total of 22 are given in Niermeyer's dictionary of Medieval Latin, i.e. (Niermeyer, 1976).

³³ For instance, '*duce atque comite meo Cyniberhtæ*', i.e. 'to my dux [duke?] and companion Cyniberht', in the charter numbered S 89 (Sawyer).

³⁴ (Roffe, Decoding Domesday, 2015). p. 9 and pp. 72 – 74.

³⁵ (Hearne T. , 1723). p. 288.

In DB the name of the TiC was given for each manor and, if he was considered a '*comes*' in Normandy the word was normally included as part of his name. Henry de Ferrers was not one of these. DB also described any Englishman who had been an ealdorman as '*comes*'. There were 12 of these but only 3 of them had, in 1066, lordship / overlordship of more manors than Henry de Ferrers had in 1086.

It also seems that a small number of Normans who had been granted substantial lands in border counties were referred to as '*comes*' in DB. Back in Normandy a '*comes*' had full control of a county and the Duke did not derive revenues from the land concerned. This might have been a good reason for King William, in an England which was more or less by then divided into counties or, rather, shires, to be wary of granting land under these terms. The status quo in England, with respect to the administrative machinery in place for administering justice and the collection of revenues and fines, was in any case different. Since Cnut, the king received two-thirds of the main dues from the jurisdiction and revenues of his lands and the '*eorl*' (Scandinavian '*jarl*'), who could be called a '*comes*' in Latin, took the 'third penny'. This person and his administrators therefore had an incentive to collect all dues and render two-thirds of them on to the king.

At the time of DB Henry de Ferrers, the father of the first Robert de Ferrers, was a substantial landholder in England with about 206³⁶ manors held as tenant in chief of the King. Just over half of these were in Derbyshire where he held significantly more manors (106) than any other individual. In Nottinghamshire he had just three manors, and Leicestershire thirty six. However, many of these were within easy reach of Nottingham and Derby.

The counties of Derbyshire and Nottinghamshire were to some degree administered together having a single '*vicecomes*' (normally translated as 'sheriff' in modern English), being also complicated by the borough status of Derby and Nottingham.

Although Henry held slightly fewer manors in Derbyshire and Nottinghamshire than Roger of Bully, the latter's holdings were largely clustered in the north of the area and he was not named as one of 19 individuals having jurisdiction and market rights in the borough of Nottingham. In contrast, Henry de Ferrers was by far the most powerful of those who were so named – he held more manors than all others put together!

In DB, though, there was no person formally described as '*comes de Nottingham*' – indeed, the title 'Earl of Nottingham' appears not to be recognised in the history of the English peerage until 1377! However Henry de Ferrers seems to have had full jurisdiction over at least Ednaston, Doveridge and Brailsford, in Derbyshire seemingly being entitled to the comital³⁷ (earl's) third penny (*tertium denarium comitis*; '*comitis*' being the genitive of '*comes*'). According to the text this was not heritable but would have had to be renewed in favour of Robert de Ferrers after Henry's death.

Henry de Ferrers was tenant in chief of manors in 39 of 45 vills in the Appletree wapentake (Derbyshire). He also had estates in many of the dependencies of the royal manor of Melbourne (Walecros and Litchurch wapentakes) which might have been acquired as part of a process of conversion from pre-Conquest administration of royal land, in which the Earl took responsibility for collecting certain revenues of which he retained a third part, to a more complete separation in which these responsibilities passed to the sheriff.

Additionally, in Derbyshire regarding the 'earl's third penny', Roffe³⁸ points out that:

... Osmaston was worth 40s in 1066 and 20s at the time of the [Domesday] inquest and continues 'of this money 2 parts are the king's, the third Henry's'. Henry was Henry de Ferrers who succeeded to the estates of the local earl in Derbyshire ...

The comital (or earl's) third penny has been the source of considerable debate and is a complex matter involving distinctions between borough revenues, fines from wapentakal courts and fines from shire courts.³⁹ However, the point here is that these rights had, prior to 1066, seemingly been due to the ealdorman (*comes*). Certain manors which had been held by a *comes*, when passed on by King

³⁶ Figures calculated from the <https://opendomesday.org> database, accessed 25 March 2022.

³⁷ *comes*, *comitis* etc. are often translated as 'earl'. Please note, though, that earldoms in the modern sense had not developed at that time.

³⁸ (Roffe, *Decoding Domesday*, 2015). p. 244.

³⁹ See for instance: (Golob, 1984). pp. 619 – 645.

William, in his administrative re-organisation, to a Norman tenant in chief, seem to have inherited some of these rights.

It is seen, then, that there are already several explanations of why a Norman landholder in England might term himself '*comes*'. But there were other uses of the word, including in Normandy, not yet discussed. One of the 22 meanings of '*comes*' given by Niermeyer is:

"Since the aristocracy formed by the counts had become a distinct social group, some powerful lords who belonged to this group but did not possess any old county, styled themselves counts."

In support of this he gives a couple of examples including one written in c.1143 by Hariulf which reads (with suggested translation):

"Et quia comitissam duxit uxorem, idcirco deinceps comitis nomen accepit, quod a successoribus ejus jam ex consuetudine tritum perseveranter tenetur."

"And because he married the Countess as his wife, he afterwards took the title of count, because it was then held by his successors to be persistently accepted according to custom."

It is therefore possible that Robert de Ferrers (and perhaps his father Henry too) saw himself as a '*comes*' because Henry is thought to have married a Countess, Bertha de l'Aigle (Robert's mother). Robert's wife was daughter of the Count of Mortain and his brother-in-law also later became a Count in Normandy. Robert, like his father, was clearly a 'powerful lord', who may have seen himself as being of the 'distinct social group' that might style himself as '*comes*'.

The case of Ivo Taillebois, who married Lucia, daughter of Ealdorman (Earl?) Algar, in 1073 may provide another example of the use of the word '*comes*' by a person not known to have had a formal title. Chroniclers have referred to him using this word.

In summary, then, the Latin word '*comes*' had a number of meanings which, in England in the early twelfth century, had been particularly influenced by Anglo-Saxon, Scandinavian and Norman practice. Although it is known that King Stephen formally granted the hereditary status of '*comes*' or 'earl' in some numbers, often without the association with particular landholdings, this was just a new twist on the older usages of the word.

While the relevant documents mostly relate to later than 1138, the family used the term '*comes de*' followed, somewhat interchangeably, by Nottingham, Derby, or Ferrers. The use of '*comes de*' Derby tends to be after 1200. Note that the association with Nottingham and Derby, without the addition of 'shire', possibly hints of rights from these boroughs rather than from the counties.

There is another document, said⁴⁰ to date from c.1110, in which Robert (I) de Ferrers, having inherited⁴¹ 'from Henry my father', describes himself as '*comes de Ferrariis*'. This deals with an exchange of land previously given to Tutbury Priory (founded 1080) by Robert's mother Bertha⁴² in which 'R. bishop of Chester' played a part in the negotiations and witnessed the document. There was no see at Chester for several centuries after 1102, when Robert de Limesey moved his seat to Coventry! He had been the Bishop of Chester from 1086 – 1102. He died in 1117 still in post as Bishop of Coventry. Because the see still included Chester it is, of course, possible that some persons, including Robert, may have continued to reference a bishop as 'of Chester'. Other Bishops of Coventry from Robert I de Ferrers' time with a name beginning with R were Robert Peche (1121 – 1126) and Roger de Clinton (1129 – after Robert's death).

Again the use of '*comes*' has caused problems, with some writers dating this as after August 1138 or even, despite the wording, after the death of Robert I in 1139.

It is, of course, possible that the Nostell and Breedon scribes added the phrase *comes de Notingh*' into their cartulary copies when it was absent in the original charter. Nevertheless, from the various meanings of '*comes*', to a Norman in England in the reign of Henry I, it is possible to see why Robert I de Ferrers might have described himself as '*comes de*' Nottingham, or Ferrers, before 1138. There is other evidence in Breedon Priory's 'foundation charter' which makes such a late date unlikely.

⁴⁰ (Golob, 1984). p. 417.

⁴¹ Possibly 1086 x 1100.

⁴² Possibly deceased 1095.

WITNESSES TO THE “FOUNDATION CHARTER”

From above, the witnesses to the ‘foundation’ charter were:

Hugh the chaplain son of Sewal, and Richard chaplain, Alketill cleric, William son of Nigel, and Henry son of Sewal, and Alan the steward, and William son of Herbert, and Robert of Livet, and Fulger son of Sewal, and Robert de Bakepouz.

It is possible to identify most of these 10 witnesses with reasonable confidence. Information about 6 of them can be seen in thirteenth-century transcriptions of a charter from William de Ferrers from 1166 which appear in the Black Book of the Exchequer⁴³ as well as in the Red Book of the Exchequer. It would appear that county sheriffs and, in this case, major tenants in chief had been required by writs from King Henry II (reigned 1154 – 1189) to provide information about changes in the subinfeudations (subtenancies) of their lands since the time of his grandfather King Henry I (reigned 1100 – 1135). The period between these two reigns, often referred to as The Anarchy, was filled by King Stephen, at war with Henry II’s mother Matilda who controlled significant parts of the country. The de Ferrers’ lands were in the hands of Robert (I) de Ferrers for the whole of Henry I’s reign after which he was a close supporter of King Stephen until he, Robert, died in 1139. Robert (II) de Ferrers, followed by son William, continued this allegiance to Stephen. We can therefore imagine reasons why King Henry II wanted to know more about changes to the tenancy of lands that occurred during Stephen’s reign.

So, returning to the charter in the *Liber Niger Scaccarii*, the information is divided into three groups of subtenants. In none of these are we told the locations of their manors but just the total value of their tenancies (in terms of ‘knight’s fees’).

- The first group lists the names of those who had been subtenants of de Ferrers’ landholdings during Henry I’s reign. (In some cases these were subtenants, or their heirs, dating from earlier subinfeudations, i.e. during the reigns of King William I or King William II). In this group we find some of the names that appear in the foundation charter’s witness list – Henry and Fulcher, sons of Sewal; William son of Nigel; Robert de Bakepus; and Robert de Livet. For some of this group the current 1166 holder, when different, was also named.
- The second group, a small total of 10 knight’s fees, lists those who had been subinfeudated by Robert (I) de Ferrers, William de Ferrers’ grandfather (Latin ‘*avus meus*’). This included one knight’s fee granted to ‘William son of Herbert’.
- The third group lists those subinfeudated by William de Ferrers’ father (Latin ‘*pater meus*’) Robert (II) de Ferrers (died 1162). There are no names from the ‘foundation’ charter’s witness list in this group.

Three sons of Sewal

Three sons of Sewal are amongst the witnesses of the ‘foundation charter’. Sewal is generally taken to be Sasuualo in the Latin of DB (c. 1086). He was the holder of several manors under Henry de Ferrers (the father of Robert I). Sewal died at around that date (i.e. 1086), and he is said to have had five sons - Henry (died c.1148), Fulcher⁴⁴ fitz Sewallis, Hugh (died c.1138), Sewallis, and Ralph.⁴⁵

Robert de Bakepouz

There is a variety of spellings of Bakepouz but, being a rare Normandy place-name, there need be no confusion. Robert was the son of Ralph de Bagpuize who, in DB of c.1086, was subtenant of manors in Alkinton, Barton, and Bentley in Derbyshire under Henry de Ferrers. He similarly held a manor at Burtone (Tutbury, Staffs.) and one at Kingston Bagpuize (then Berkshire, now Oxfordshire) also under Henry as tenant in chief. Robert inherited by 1113⁴⁶ although it is not known when he died.

⁴³ (Hearne T. , 1774). pp. 219 – 222.

⁴⁴ In 1105 Robert had confirmed the grant of Shirley, etc., in Derbyshire by the Prior of Tutbury (founded 1080) to Fulcher son of Sewal. (Leicestershire, Leicester and Rutland Record Office DE2638/1/1-2, c.1105).

⁴⁵ This comes from <http://thepeerage.com/p28304.htm#i283038>. The source is said to be "Charles Mosley, editor, Burke's Peerage, Baronetage & Knightage, 107th edition, 3 volumes (Wilmington, Delaware, U.S.A.: Burke's Peerage (Genealogical Books) Ltd, 2003), volume 1" (p. 1415?).

⁴⁶ (Page, W and Ditchfield, P H. (Ed.), 1924)

William son of Nigel

William de Gresley was the son of Nigel de Stafford and held four knight's fees of the de Ferrers fee in the time of King Henry I. William's son Robert held the same in 1166⁴⁷. William de Gresley also seems to have held the Leicestershire part of Linton (now Derbyshire) and Widesers directly of the king at the time of the Leicestershire Survey (c. 1129). These had been held by his father Nigel, but under Henry de Ferrers' fee, at DB. In addition, in South Derbyshire, Nigel, and possibly therefore William later, was tenant in chief of Drakelow & Hearthcote, of part of Stapenhill, of Swadlincote, of Foremark, of part of Ingleby, of part of Ticknall (soke of Repton), of Smisby, of part of Ravenstone belonging to Derbyshire, of part of Donisthorpe and Oakthorpe, and of part of Trangesby.

Nigel is thought to have died c.1120. William is thought to have been born c.1090 and to have died after 1150 x 1152 but before 1166. He might have been considered of age to witness charters c.1106.

His close geographical and feudal connection with Robert de Ferrers makes him the most likely person to have been this particular witness to Robert's charter.

(Another 'William son of Nigel' was named in DB holding a number of manors of the Earl of Chester. He became Constable of Chester and is thought to have died between 1125 and 1130.).

William son of Herbert

This was probably William son of Herbert (or William FitzHerbert) who became the holder, as sub-sub-tenant, of Norbury, Derbyshire in 1125.⁴⁸ The deed by which Tutbury Priory granted this was witnessed by Robert I de Ferrers, his wife Hawise, and his son subsequently Robert II de Ferrers. The additional witnesses included some who also witnessed Breedon Priory's 'foundation charter': chaplains Richard and Hugh, Henry and Fulcher (sons of Sewal), Robert de Livet, and possibly others illegible due to deterioration.

This subinfeudation may be the knight's fee associated with William son of Herbert which was listed in the *Liber Niger* as having existed during the time of Robert I de Ferrers (see page 13).

Robert of Livet

Robert of Livet has been much discussed in the preceding pages. He was probably the son and heir of Roger de Livet, but certainly a successor. In 1086 (DB) Roger had been subtenant of a number of manors in Leicestershire and Derbyshire under Henry de Ferrers, including one in Overton (Coleorton) – the place where 5 shillings in revenues had been given to Breedon Priory in the 'foundation charter'. This gift was elsewhere stated to have been given by a person named Roger.

It is not known when Roger died but, whether or not Robert de Livet had succeeded to Roger's estates, it can be seen from the section immediately above that he was old enough to witness charters at least by 1125. Robert appears in the list of de Ferrers' subtenants in the reign of King Henry I (1100 – 1135).

Chaplains

Two chaplains appear in the witness list of Breedon Priory's 'foundation charter': Hugh son of Sewal, and Richard. The sons of Sewal have been discussed above. Hugh is thought to have died c.1138. The fact that the same two names of chaplains appear as witnesses in the deed (of 1125) discussed above with respect to William son of Herbert suggests that they may have been chaplains to Robert I de Ferrers' household.

Alketill, a cleric

The Latin word '*clericus*' (dative / ablative '*clerico*'), often translated as 'cleric', was used at that time to refer to members of religious establishments. In the absence of information as to who Alketill might have been, one might hypothesise that he was from the ecclesiastical community at Breedon. Such a person might have been seen as a useful addition to the witness list. That, however, is pure speculation

⁴⁷ (Hearne T. , 1774). p. 219.

⁴⁸ (Camm, 1910). Image of deed, facing page 2.

Alan, steward

The Latin '*dapifer*', in this context at that time, would have referred to one of the most important administrative officials of a tenant in chief, normally translated as 'steward'. Occasionally a tenant in chief is known to have had more than one steward dealing with estates in different geographical regions. Presumably Alan was Robert de Ferrers' steward.

Dating based on witnesses

Some of the witnesses discussed above may not have survived the 1130s yet, where known, they were all old enough to witness charters in the 1120s. The charter dealing with Norbury (see page 14 above) with a known date of 1125 included at least five of these same witnesses. While some of them can be found witnessing later charters of Robert I de Ferrers the names are, by then, largely different. The 'foundation charter', on this basis, appears to be consistent with having been issued at or before the known date of the king's confirmation (1122) – as might be most normal. A late date of after 1138 seems less likely.

ST VITALIS' OBITUARY ROLL

The earliest known original (i.e. not a copy) document written at Breedon Priory is contained in the obituary roll of St Vitalis⁴⁹ of Savigny. He is believed to have died in September or October 1122.

Following his death a 'mortuary roll', or 'obituary roll', was circulated. This was a process by which one or more roll-carriers took a letter around cathedrals, major churches, abbeys, etc. The roll-carrier was given hospitality at these locations and a representative of the establishment wrote on the roll to the effect that they would pray for the soul of Vitalis and, in return, they listed the names of their own religious men for whom they wished prayers to be said periodically at Savigny.

The consolidated obituary roll for Vitalis consists of 22 individual shorter rolls, sewn together to form a total length of about 9½ metres. It is one of very few that has survived more or less complete although it is thought to have originally been slightly longer. In total, the statements from 208 religious establishments are included in the surviving consolidated roll, 72 of which were in England on 9 different rolls⁵⁰.

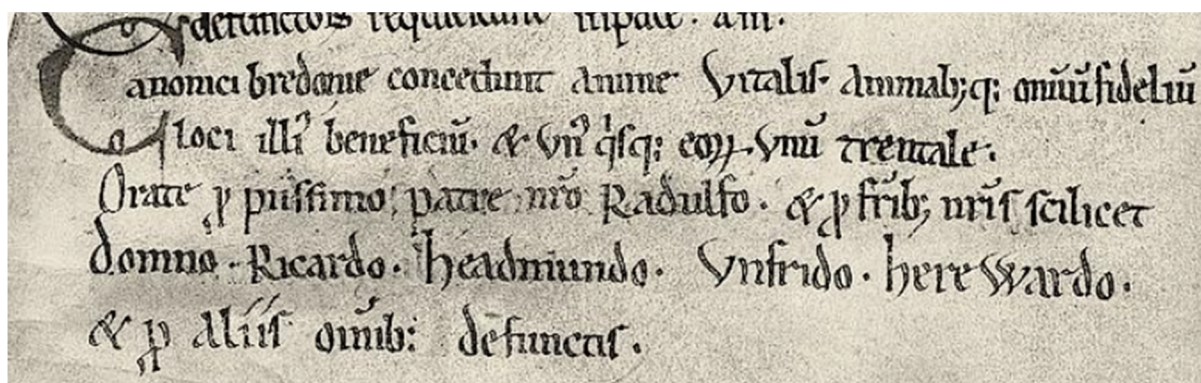


FIGURE 1 - BREEDON'S CONTRIBUTION TO VITALIS' OBITUARY ROLL

The canons at Breedon seem to have been visited by one of the Abbey at Savigny's roll-carriers following the death of Abbot Vitalis (later canonised). Breedon appears as the ninth to enter their statement on a roll including twelve other English religious establishments. This individual roll is sewn in as the twelfth of the total of twenty-two. The itinerary of the carrier of the roll on which Breedon appears seems to have been:

⁴⁹ (Webster, 1912).

⁵⁰ Transcription in: (Delisle, *Rouleaux des morts du IXe au XV siècle*, 1866). p. 314.

Image: (Delisle, *Rouleau mortuaire du B. Vital, abbé de Savigni*, 1909). Plate XXV.

- St Peter Gloucester (then Abbey, now Cathedral),
- St Mary Tewkesbury (then Abbey),
- St Mary Evesham (then Abbey, demolished after the Dissolution),
- St Mary Pershore (then Abbey, now parish church),
- St Mary Worcester (Cathedral),
- Holy Trinity & St Mary Coventry (then Cathedral and Priory),
- St Mary Burton (then Abbey, now demolished),
- St Mary Tutbury (then Priory, now parish church),
- **Breedon (then Priory, now parish church),**
- St Mary Blythe (then Priory, now parish church),
- St Mary York (then Abbey),
- St Peter York (Cathedral),
- St German Selby (then Abbey, now parish church).

It is relevant that Robert I de Ferrers' father in law, André de Vitre, was one of the early patrons of Savigny (founded c.1112) and the de Ferrers family continued the patronage. There would be good reason for Tutbury, founded by Henry de Ferrers, and Breedon to be on the roll-carrier's itinerary.

The Latin of Breedon's text in the image in Figure 1, with abbreviations expanded, reads as follows:

"Canonici Bredonie concedunt anime Vitalis animabusque omnium fidelium loci illius beneficium, et unusquisque eorum unum trentale. Orate pro piissimo patre nostro Radulfo, et pro fratribus nostris, scilicet domno Ricardo, Headmundo, Unfrido, Hereward, et pro aliis omnibus defunctis."

This translates as something like:

"The Canons of Bredon, for the soul of Vitalis and the souls of all the faithful of that place, bestow a 'trental'⁵¹ for every single one of them. Pray for our most pious father Radulf, and for our brothers, to wit the lord Ricard, Headmund, Unfrid, Hereward, and for all others deceased."

The implication of the first phrase of this, which includes the word '*canonici*', is that the ecclesiastical community at Breedon has already at that date (1122/23) transitioned into an Augustinian house. Both the Breedon and Nostell cartularies make clear that Breedon's transition to a Priory was by way of becoming a cell of Nostell Priory, which itself is credited with a slightly earlier date of transition to the Augustinian rule. A bull of Pope Calixtus II, dating from 5 – 14 January 1120, confirms that the Nostell community was entitled to the privileges of the Augustinian Order⁵². While there is no equivalent bull for Breedon, there was presumably no such need as Nostell's status was already confirmed.

This is, of course, consistent with Henry I's confirmation dating from around Easter 1122; Nostell's royal confirmation was dated 7 January 1122. These, of course, are likely to be belated royal confirmations of past events and it should be borne in mind that it is known that the King was in Normandy, dealing with challenges to his authority, from April 1116 to 26 November 1120. Indeed he had to spend a great deal of time abroad during the first half of his reign (which ran from 1100 to 1135), countering threats from Norman groups as well as Louis VI of France until 1124.

In King Henry I's earlier years he was associated with the advancement of religious groups and his queen, Mathilda, was enthusiastic about the Augustinian movement. While nothing specific regarding Nostell and Breedon can be associated with it, her death in 1118 may have encouraged Henry in his benefactions to particular religious groups.

Nostell Priory also appears in Vitalis' obituary rolls, appearing fourth on a roll containing the responses of seven English establishments. It is sewn in to the consolidated document as the seventeenth individual roll. Unfortunately, unlike the vast majority of the texts, the ink used by the scribe at Nostell has seriously deteriorated and is mostly illegible in the published image. Delisle did

⁵¹ Masses, on 30 successive days, when prayers are offered for persons who have died. Sometimes written in Latin as *tricenarium*, *tercenarium*, *trentale* or *triennale*.

⁵² (Frost, 2005). Vol.2, Ref. B008, pp. 1011-1012.

however manage to transcribe from the original manuscript⁵³ - unlike Breedon's entry it didn't include any names.

It is not clear what to make of the final sentence of Breedon's text in the obituary roll. It was normal, and the communities in the rolls certainly reflect this, to ask in return for periodic prayers to be given for those of their own deceased religious men and women that they wished to be remembered. So, who were Radulf etc.?

Radulfus (in Latin – normally translated as Ralph in English) is described as “our most pious father”. This may well be a reference to Ralph Aldave who seems to have been the leader (*magister et rector*) of the community at Nostell during its transition to an Augustinian house of canons. He possibly died just before the completion of this process, as the famous Adelulf appears as Prior of Nostell in documents that must date between January 1120 and the end of 1122. (Adelulf became the first Bishop of Carlisle in 1133 while continuing as Nostell's Prior).

One might hypothesise that the other named individuals in Breedon's entry on Vitalis' obituary roll, i.e. “the lord Ricard, Headmund, Unfrid, Hereward”, were deceased “brothers” who had been at Breedon, whether or not they had also previously been at Nostell. One of these, Ricard, is described as ‘lord’. This title was commonly used to refer to a Prior, or head of another type of ecclesiastical community. The fact that they were referred to as *fratres* (ablative *fratribus*) rather than *canonica* (ablative *canonicis*) suggests that these may have been members of the community at Breedon who had died before it had, quite recently, adopted the Augustinian rule.

⁵³ (Delisle, *Rouleaux des morts du IXe au XV siècle*, 1866). p. 330.

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[Author's note – as a retired applied scientist and engineer, rather than a historian, archaeologist, or place-name philologist, I apologise for any failings in the above. Communications on the content sent to garry@thelittlehouseatorthez.com will be considered for a future revision – Dr Garry Fawcett MBE].