Charter of William the Second, granting Bath to Bishop John de Villula.

BY F. H. DICKINSON, M.A., F.S.A.

THERE exists in our county a great store of MSS. Besides those of our oldest families, the boroughs of Wells, Bath, Axbridge, and Bridgwater, possess charters and other writings of great value. As a first effort to make them better known, some consideration has been given during the last six months to the MSS. of the Dean and Chapter. Professor Earle was so good as to examine them with Mr. Serel and me, and we selected those we thought most suitable for a volume, to be printed by means of photography. The assent of the Dean and Chapter was obtained, but it was thought by others best at first to give one specimen only in our annual volume; and as our meeting was held at Bath last year, it is reasonable that we should print the most important charter which concerns that city.

Whether we shall continue in subsequent numbers of our Journal the series we now begin, or publish the selection that has been made, with a view to follow it up by similar selections of our municipal charters and accounts, must depend on the opinion of our Members. This latter course is the more complete thing. The collection will be larger, and of various dates and specimens of hand-writing, nearly all local, and dated, and the copies, with proper margins, laid out flat, and not folded up into an octavo volume like this.

The charters and registers of the Bishop and the Dean and Chapter are described in the 1st and 3rd Reports of the Historical MSS. Commission, where their great value is pointed out. The

more important documents have been printed, and the most beautiful of them, the diploma of Pope Nicholas to Bishop Giso has been given in *fac simile* by Bishop Hickes, as has already been noticed in this Journal. But neither printing nor *fac simile* by engraving is enough. The printing which is done by means of photography is the only satisfactory method of giving the documents just as they are, and not as they are supposed to be by the copyist or artist.

As printing gave new power and new directions to literature generally, so the perpetuating and disseminating MSS. and inscriptions by photography are sure to help the more accurate study of ancient documents, and so to assist historical criticism. Because those who are engaged in it will have the documents in their own hands, and are no longer obliged to go to the MSS. and inspect them, often in libraries far apart. This charter has been printed first by Hickes in his *Dissertatio Epistolaris*, p. 47; and afterwards by Hearne, in the first volume of Adam of Domerham, p. 278; by Warner *History of Bath*, Appendix No. 9; and in the new edition of Dugdale's *Monasticon*, Vol. 2, p. 266. In all the names are given, and the crosses against the names of those who signed the charters, not as now, by writing their own names, but by signing with the sign of the cross. It is remarked by Hickes that this charter marks a change in practice, in that the King both signs and seals, the earlier practice having been to sign only, the later not to sign at all, but to affix the great seal. William's seal is gone, and nothing remains but the tape by which it was fastened to the parchment. There are MSS. copies also of this charter in *Liber Ruber*, fol. 14, num. 32, and 2d *Liber Albus*, fol. 341.

It may be remarked that the printed copies do not do justice to the remarkable interlineation in the middle of the deed, about the influence of Lanfranc in procuring it, which gives a suspicion of falsehood to the whole. Though apparently subsequent to the rest, the writing shews itself to be of nearly the same time.

It is curious that Warner and the *Monasticon* follow Hickes,

in reading accessi instead of concessi. Hearne does not make the blunder. The following are the words of the charter:—

"Pax in perpetuum deicolis omnibus tam futuris quam præsentibus. Quoniam deo omnitenente tempora sæculorum ordinante. et his prout placuerit finem imponente cælum et terra. et omnia quæ in eis sunt suo fine transibunt. et vita nostra quæ ad tempus floret. et cito tanquam flos foeni decidit. videtur esse momentanea idcirco cunctis agendum. ut hic bonis actibus futuræ beatitudinis mercemur gaudia absque omni immutatione perenniter mansura. Quo circa ego Willelmus Willelmi regis filius. dei dispositione monarches britannie pro meæ meique patris remedio animæ. et regni prosperitate. populi a domino mihi collati salute. CONCESSI JOHANNI EPISCOPO Abbatiam SANCTI PETRI BATHONIÆ cum omnibus aperditiis eam in villis quam in civitate et in consuetudinibus. illis videlicet quibus saisita erat ea die qua regnum suscepi. dedi inquam ad Summersetensis episcopatus augmentationem. eotenus presertim ut inibi instituat præsuleam sedem. Anno dominicæ incarnationis. Millesimo xc. Regni vero mei. iiii. Indictione. xiii. vi. Kalendas FEBRUARII. LUNA. iii. pepigi id in eorum optimatum meorum præsentia. + quorum NOMINA subtus sunt annexa. et ut per posteritates succedentes apud quosque homines veritatis amatores perseveret ratum. meæ regiæ auctoritatis annecto sigillum. sed et propria manu mea depingo crucis dominicæ signum."

"Lanfranco archipræsule machinante wintoniæ factum est donum hujus beneficii millesimo lxxxviii anno ab incarnatione dominicæ .secundo vero anno regni regis Willelmi filii prioris Willelmi Confirmatio autem hujus chartæ facta est apud doveram eo tempore quod superius determinatum est."

The witnesses are—Thomas, Archbishop of York (Canterbury being vacant four years); Maurice, Bishop of London; Walchelin of Winchester; Osmund of Salisbury; Osbern of Exeter; Remigius of Lincoln; Robert of Hereford; Robert of Chester (Lichfield had been removed to Chester in 1075, and was to be

taken to Coventry in 1102, by this Bishop); Gunnulf or Gundulph of Rochester; Wolstan of Worcester; Ralph of Chichester; Herbert of Thetford; Geoffry of Coutances (Earl of Northumberland); Hoel of Le Mans; Wido, Abbot of St. Augustine's, Canterbury; Gilbert of Westminster; Turstin of Glastonbury; Symeon of Ely; Baldwin of St. Edmunds; Reginald of Abingdon; Robert of St. Peters at Winchester; Walter of Evesham; Paul of St. Albans; Odo of Chertsey; Geoffry of Malmesbury; Goisbert of Battle; Serlo of Gloucester. After the Abbots and before the Earls follows Geoffry *mala terra*. (I do not know who he was, and the position of this name is remarkable). The Earls are Roger (probably of Montgomery, Earl of Arundel and Shrewsbury, Dugdale's *Baronage*, p. 26); Robert (probably Earl of Cornwall and Mortain, brother to Odo and William the Conqueror, p. 24); Symon (of St. Liz, Earl of Huntingdon and Northampton, p. 56, 58); Hugh (of Avranches, Earl of Chester, nephew to William, p. 32); Alan; Henry (of Newburgh, Earl of Warwick, p. 69); Walter (Giffard, Earl of Buckingham, p. 60); and William (de Warren, Earl of Surrey, p. 73). Then follow Robert Fitz-Hamo (who had the Honour of Gloucester), Philip the Chaplain, Robert the Chancellor, and other Chaplains. Samson, Turgis, Gerald, Ansger, Herbert, William, Engoiran, Ranulph (possibly R. Flambard, who had land at Bath, who was afterwards made Bishop of Durham, after an ineffectual attempt of the king to raise him to Canterbury—see *Anglia Sacra*, 1-295); Peter and Turald, chaplains. Eudo, Ivo, Haimo, Roger, and William, dapifers; (seneschals or stewards), Robert de Oily (Lord of Oxford); Urso de Abetot of Worcester, Robert dispensator, Hugh de Port (of Basing), Roger de Bursley (afterwards of Bingham), Ralph and William Peverel (his son, said to have been really son of William). Aiulf the Sheriff, Aluerad of Lincoln, Ernulf of Hesding and Folco Crispinus.

The reader will no doubt remark that some only of the names have crosses to them. It is conceived that documents which

alienated the royal lands, or effected arbitrary transfers of rights like this, required the assent of an assembly equivalent to the Witan of earlier times and to Parliament now, that the document was prepared beforehand by the royal chancellor, in this case Robert Bloet, or one of his clerks, and that the names of all who were likely to be present were added to it, but that those only who were present and approved, subscribed. Documents like this which have but a few signs of the cross bear their authenticity on the face of them.

It may be as well to remark further concerning this document that William the Conqueror died Sept. 9, 1087, and Lanfranc, May 28, 1089. The agreement made at Winton must have been in the last quarter of 1088, and this deed must have been granted on the last quarter of 1090. Wharton's *Anglia sacra*, i. 560, throws doubt on the latter date, which is supposed to be really 1091, but it seems without reason. The indiction is right. If Luna means what Sir Harris Nicholas calls the concurrent (p. 28 of *Chronology of History*), 3 seems to be right according to the tables given in Ducange, edn. of 1840, but the Regular according to *L' Art de verifier les dates*, if the Regular is, as it seems, the same thing as the concurrent, ought to be 4.

William of Malmesbury, who knew Bishop John, speaks of him as a great practical physician, and fond of learned men, who by his skill had made much money, some of which was probably used to obtain his bishopric, if, as is most probable, he was appointed by William Rufus, and not by the Conqueror. He spent more money afterwards to remove the bishopric to Bath, which was done under the influence of Lanfranc, in conformity with the very proper view of those times, that the Bishops' sees should be removed from places of small importance to great cities. This view had guided the removal of sees from Crediton to Exeter, from Dorchester to Lincoln, and soon after caused the removal from Thetford to Norwich.

This charter then gives the Abbey of St. Peters of Bath to

the Bishop of Somerset, who was to be in future like the Archbishop, the Bishop of Winchester and others, in the place of Abbot, the monastery being governed by the Prior, as the cathedral was in after times to be ruled by the Dean. After the grant of the monastery the Bishop obtained for £500 a grant of the city also, which had recently been burnt. In Dugdale, ii. 267-8, charters are given, one of William Rufus making this grant, and three of his brother Henry confirming it, and I have found in the Register of the Dean and Chapter the following deed of confirmation by their elder brother Robert, Duke of Normandy.

Liber Albus, 220 verso.

R dux Normannie filius W. Regis et frater W. Regis necnon et H. Regis A. archiepiscopo cantuariensi et omnibus episcopis et primatibus Anglorum Regni Salutem. Sciatis quod Ego concedo donum quod fecerunt fratres mei W. Rex et H. Rex Deo et Beato Petro Apostolo suo et Johanni Episcopo de Civitate Bathonie et de rebus que ad ipsam pertinent civitatem. Sit ratum concessione mea et in eternum perseverans. Hoc autem facio pro anima mea et patris mei et matris mee et antecessorum et successorum meorum.

This deed is given by Hearne, Adam of Domerham, p. 286, but the book is rare, and, as I have not found the deed elsewhere, it may be well to republish it.