

ADDITIONS TO GRAZEBROOK'S
'THE BARONS OF DUDLEY.'

By

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with an Appendix by G. P. MANDER.

ADDITIONS TO GRAZEBROOK'S "THE BARONS OF DUDLEY."

THE following notes are intended to illustrate and extend the account of these Barons by my friend the late Henry Sydney Grazebrook which formed the second part of Volume IX (1888) of 'Historical Collections for Staffordshire.'

I disclaim at once any idea of correcting or revising an admirable piece of work which calls for no such treatment; my intention is to discuss a few points which Grazebrook left uncertain and to add some particulars discovered subsequently by the researches of General Wrottesley and others.

I. WILLIAM FITZ ANSCULF.

This great baron is described by Planché¹ as a 'probable Companion' of the Conqueror. The services for which his estates were received may have been rendered by his father, and must have been considerable indeed.

Domesday Book shows William as holding from the Crown, in at least ten² Counties, about a hundred estates, including Dudley 'where his castle is.'

The list of these shows that Ansculf—evidently William's father—had been Sheriff of Surrey and apparently of Buckinghamshire also. Therefore he must have been well trusted by the Conqueror; and his importance is I think, emphasised by the assignment to him (or possibly his son) of estates formerly owned by King Harold, Earl Algar, Countess Godiva, and the great Midland thegn, Ulwin.

In Buckinghamshire Ansculf is called 'de Pinchengi,' and in the same County³ mention is made of 'Ghilo brother of

¹ 'The Conqueror and his Companions.'

² In the case of Oxfordshire, the eleventh, it appears that the entry relating to 'Hunesworth' really refers to Handsworth in Staffordshire.

³ D.B.I.—152.

Ansculf' as holding estates shown by their subsequent history to have been in the family of de Pinkeny. It is therefore clear that William fitz Ansculf's family came from 'Pinchengi,' that is Picquigny near Amiens. Whether, however, he and the Pinkenys 'descended from the Viscounts of Picquigny, one of the greatest houses in the North of France,'¹ I cannot say. It seems not unlikely.

II. PAGANEL.

As to Gervase Paganel and his sister Hawis I can add practically nothing to what Grazebrook has written. Besides the confirmation to Tickford Priory (Grazebrook, p. 9) two other of Gervase's grants may be mentioned. One is, his grant of Saltley (in the parish of Aston-juxta Birmingham) to Henry de Rokeby (i.e. Rugby), which was witnessed by 'Countess Isabel my wife' followed by 'Sir John de Sumeri and Hawis my sister,' the two latter being evidently husband and wife. The next witness was Peter de Bermingham, here called merely 'Peter Dapifer,' and among other witnesses were Fulq son of William Pag[anel] and Robert Paganel.²

There is also in the British Museum³ a very fine original Charter, as clear and legible as on the day it was written, whereby Gervase ('Gervase Pag') grants a mill at Ingepenn to the Nuns of [Nun]eton. The first two witnesses of this are 'Countess Isabel my wife and Peter Dapifer.' Affixed to it is Gervase's equestrian seal in good condition displaying a shield on which with all the good-will in the world, I cannot discern any lion.⁴

Grazebrook gives some account of Gervase's career. Of Isabel his wife nothing seems to be known except that her first husband called her 'Elizabeth,' though she was described as 'Isabel' by herself, her brother and by Gervase her second husband.⁵

¹ 'The Norman People' p. 363—a book full of reckless assertions.

² Dugdale M.S.K. (now MS. 15) in the Bodleian Library.

³ Addl. Charter 47424. ⁴ See Grazebrook, p. 9.

⁵ 'Complete Peerage,' New Edition, IX, 664. She was the daughter of Robert, Earl of Leicester, and widow of Simon, Earl of Northampton, who died in 1153.

It is to be noted that the date 1118-19 at the end of Note 3 of Grazebrook, p. 9 should be 1218-19.

III. SOMERY.

I suppose that the Author of 'The Norman People' is correct in deriving the surname of this family from Sommeri, near Rouen in Normandy, which place is described¹ as 'the parish adjacent to the ford where the road from Forges crosses the rivulet le Bateur. It adjoins Mauquenchy and is in the district of Brai.'

Domesday Book shows that 'Roger de Sumeri' held Elmdon in Essex from Earl Eustace, and that in Cambridgeshire 'Roger' held two hides in Salsiton (Sawston) and five hides in Haslingfield, in both cases under Geoffrey de Manneville (Mandeville). The Book of Fees shows² that early in the Thirteenth Century the Somerys held estates in Elmdon (Haumeton) and Haslingfield. It is therefore evident that the original home of the Somerys in England lay in Essex and Cambridgeshire, and that they held under the Mandevilles. This tenure explains the fact recorded by Grazebrook (page 12) that an Armorial Roll, dated about 1308-1314, records the Arms of Somery of Haslingfield as *Quarterly gold and azure a bend gules*³ thus adding another to the many instances of Arms based on the *Quarterly gold and gules* of the Mandevilles.

The records relating to these Somerys are as Grazebrook states 'confusing.' Cussans in his History of Hertfordshire has collected many useful facts bearing on their pedigree, but his attempt (I, 51) to show their connection with the Somerys of Dudley is muddled and misleading. He makes John de Somery who died before 1194, an adherent of Simon de Montfort who flourished sixty or seventy years later!

Since Grazebrook wrote, W. Farrer in his Feudal Cambridgeshire has done much towards straightening out the pedigree, and further information has been supplied by the Calendars of Curia Regis Rolls and the Calendar of Welsh MSS. in the

¹ 'Records of the House of Gournay', 1-97.

² Pages 240, 922, 1428, 1432 and 1435.

³ Habington (Survey of Worcestershire, 1-203) ascribes the Arms to 'Somery of Bedfordshire' but no doubt means the same Family.

British Museum; but direct evidence as to the descent of the Somery's of Dudley from the senior line of the family is still lacking.

I had hoped to learn something from Dodsworth's notes¹; but they would lead us far astray. He makes Roger Somery of Dudley (who died 1273) son of that Stephen of Haslingfield who died without issue² in 1239.

This is not the place for discussing the history of these Haslingfield Somerys, but it seems worth while to add that a very early reference to Somerys of France is the mention by Hugh de Gournay (circa 1100-1180) of 'grants made by Ralph, Beatrice, and Renald de Sommeri.'³

The first sign of any connection between a Someri and the Barons of Dudley is that Gervase Paganel's Charter founding the Priory of Dudley was witnessed by 'Radulfus de Sumeri.' Grazebrook (p. 8) follows the 'Monasticon' (Vol. X), in placing the date of this Charter as 'about the year 1160, and as that seemed to me too early for Gervase's nephew Ralph de Sumeri to have been a witness, I had suggested that Ralph the witness might be the (unknown) father of John de Sumeri, husband of Hawis the sister and eventually heiress of Gervase.

Mr. Gerald Mander, however, in his Appendix to these notes⁴ gives really conclusive reasons⁵ for dating the Charter as about 1180, so my suggestion falls to the ground. The witnesses to the Charter are:—"Countess Isabel my wife, and Robert Paineil my son, William son of Guy, William son of Peter, Adam the priest of Hestune, Alan Dapifer, Roger de Hagale, Hugh, clerk of Bridge[north], Ralf de Sumeri, Richard son of William son of Guy, Walter son of Thomas, Osbert de Rushale, and many others. [Then follow the Wenlock group of witnesses (Dugdale, *Mon.*, V, 84)].

It is rather surprising to find Ralph the son and heir apparent of Hawis placed as a witness between the clerk of Bridgnorth

¹ Vol. III, Bodleian Library.

² Farrer.

³ 'Records of the House of Gournay.'

⁴ p. 46 hereafter.

⁵ Agreeing with the opinion of Eyton (*S.H.C.* II, 52), and of General Wrottesley (*S.H.C.* III, 216).

and the eldest son of a witnessing tenant: I should have expected his name to follow that of Robert Paganel. But I suppose that Ralph was a youngster, and was not considered as of much importance while Robert, heir to the Barony, was alive.

JOHN and HAWIS de SOMERY.

Of John de Somery and Hawis his wife little is known. I picture him as a soldier of fortune, and I have found no trace of him in records¹ except the grant whereby his widow, calling herself 'Hawys Paganell' gives to the Monks of Marmoustier of Newport [Paganell] 'two virgates of land which John de Sumeri my husband gave to the aforesaid Monks.'²

John was probably dead at the (unknown) date of this grant, and we learn the name of her second husband from another undated gift made by her to the Monks of the Blessed Mary at Tykford 'by the counsel and will of my lord Roger de Berkele.'³

This Roger was of the original line of the Berkeleys, which settled at Dursley, Gloucestershire after being ousted from Berkeley and its Castle by Robert fitz Harding and his descendants.

RALPH and MARGARET de SOMERY.

It is unnecessary to repeat here Grazebrook's account of Ralph and his wife (pages 12 and 13), except to call attention to the undoubted facts that he was dead early in 1210, leaving a widow named Margaret, and that she re-married Maurice de Gant *alias* Berkeley. But I mention here, because it concerns the doings of his widow Margaret, that in 1199 he was concerned in a suit with the Prior of Dudley, as to the Advowson of the Church of Bradfield, Berkshire.⁴ Grazebrook's note

¹ See however the second charter in the Appendix to this paper, p. 62.

² The Monasticon (Caley, Ellis & Bandinel, 1825), V. 204. The meaning is that the Monastery of Newport Paganell was subordinate to the Abbey of Hamble, which had been founded by William Paganell in 1145, and was situate in the Paganel territory of Moustiers-Hubert, Marmoustier I understand to be equivalent to major-Moustier.

³ *Ibid.*

⁴ Curia Regis Rolls I, 97.

(p. 14) mentions the possibility that she was a sister of William Marshall Earl of Pembroke. Grazebrook is uncertain as to this, but it seems to be supported by the fact that in 1210 William Marshall became her guarantor (*per plegium*) when she brought an action to claim her dower.¹ According to the note on page 13, Smythe 'cites the Pipe Roll of 15 Hen. III m. 10' for the assignment of her dower in co. Somerset, but I think that it should be *Patent Roll*; at any rate it is recorded there.² The Close Roll of 16 Hen. III shows³ that in 1232 a grant was made which reserved her rights in Quantockshead and Hewis, co. Somerset. The Close Roll of 21 Henry III records in 1237 a pardon to Margaret de Someri, granted at the instance of Richard Suhard for five marks in which she was amerced by the justices for a disseisin of Walter de Theshale of a tenement in Norton.⁴ Apparently Margaret survived until 1242-3, when the Book of Fees (p. 850) states that 'Margaret de Sumeri holds one Fee in Bradfield, Berkshire.'

RALPH and IDA de SOMERY.

Grazebrook states (pages 13, 14) on the authority of Dugdale, that Ralph de Somery had two sons:

- (1) William, otherwise William Percival de Somery.
- (2) Nicholas.

But it seems clear that Ralph left a son named Ralph, who was undoubtedly his heir. This I learn and infer from a lucid paper on 'The Beauchamps of Bedfordshire,'⁵ by C. G. Chambers and G. Herbert Fowler, who show that a Ralph de Sumeri married Ida daughter of William de Longespee, Earl of Salisbury. Ralph it appears was dead before 1220, and Ida having married secondly William de Beauchamp (the First) of Bedford, she and William then held Newport Paganell, Buckinghamshire, in right of her dower until her death in about 1268. Ida seems to have been an interesting person. Matthew

¹ S.H.C. II, 156, 159.

² Calendar, 1227-1231, p. 504-5.

³ Calendar, 1231 to 1234, p. 59.

⁴ I take this to be Kings Norton, Worcestershire, where there was a family named Tessall.

⁵ Bedfordshire Historical Society I, 15, 25.

Paris 'attributes to her influence her husband's disputes with Newenham and Warden, and says very unkind things of her.' 'Claiming to take her dower at her choice (*ad libitum*) she raided the manor of Crawley, Bucks, pulled down houses, cut down trees and did other enormous damage.' She was still alive in 1266-7, when she received from King Henry the Third a royal gift of oaks for fuel, but was dead in 1269-70 when her executors were about to go on pilgrimage. The gift of oaks is explained by the fact that Ida was first-cousin to the King; for while the latter was son of King John, she was daughter of William an illegitimate son of John's father King Henry the Second. Now it is clear that Ida's husband cannot have been Ralph the son of John and Hawis de Somery, because Ralph left a widow, Margaret.¹

It is also clear that the man whose widow held in dower Newport Paganell, the most important possession of the Somerys, must have been the heir of the family.

Grazebrook (pages 14 and 15) shows from the Pipe Roll and the Book of Fees (Testa de Nevill), that in 1212 and 1213-15, very shortly after the death of Ralph de Somery son of John and Hawis, the whole Barony of Dudley—fifty fees—together with the heir of Ralph, was in the custody of the Earl of Salisbury 'by the King's order' and evidently the Earl, as was to be expected, married his daughter to the young ward.

ROGER de SOMERY (the First).

At this point uncertainty begins.

There was undoubtedly a William de Somery who was sued in 1221 in respect of half a Knight's Fee in Ettingshall, near Sedgley, Staffordshire; and it was presumably the same William who in 1222 was concerned in a fine as to 16 acres of land in Bilston. And a William de Somery apparently in the time of Henry III leased a tenement in Swinford to Ranulf Langde (Grazebrook, p. 16).

These are trifling matters, but Dugdale² quoting the Close Roll identifies him with 'William Percival de Somery,' and

¹ There seems to be absolutely no support for the suggestion (*ibid.* 16) that the marriage with Margaret might have been set aside.

² Grazebrook, p. 14.

states that he left an heir, Nicholas de Somery. This Nicholas was doubtless son of William, being called 'Nicholas son of Perceval de Somery' on the Fine Roll of 13 Henry III.¹ He was important enough to be in ward to the Earl of Chester, and his land in Seisdon Hundred was worth £15. But Dugdale goes, I think, beyond his authority, when he says that 'the inheritance of his Barony and lands came to Roger de Somerie his uncle,' for the Close Roll entry (13 Henry III) on which he relies, says nothing of any Barony, or of lands in Bucks, Berks, or elsewhere. The entry² runs as follows:—'The King takes the homage of Roger de Sumeri, brother of William Percevall de Somery for the lands which William held *in capite*, and which descend to Roger by hereditary right; and the lands of the said William *in balliva sua* of which Nicholas son of William was seised, and which descend to Roger by hereditary right are to be handed over to him by the Sheriffs of Worcester, Stafford and Salop.' The lands which were in his bailiwick (*in balliva sua*) may, I think, have been some of Nicholas' lands which were in Roger's charge.

I take it that if Roger was succeeding to the Castle of Dudley and the whole Barony, they could not have been omitted from this entry, and that William had only possessed a younger son's portion. Therefore, like Glover, I ignore—so far as the Barony is concerned—'William called Perceval and his son Nicholas,' believing that the next brother and heir of Ralph the husband of Ida was Roger de Somery I.

Here again we are in difficulties. The question is whether this is the Roger who dies in 1273, or his father of the same name.

Glover states that Roger de Somery son of Ralph and Margaret died in 1235 (20 Henry III), but unfortunately gives no authority,³ and neither Grazebrook nor I have discovered any records relating to any Roger of the Dudley branch between the 18th (1233-4) and the 27th (1242-3) of Henry III. There is, I think, no doubt that Roger de Somery of Dudley

succeeded to the estate of Nicholas de Somery¹ and Grazebrook states² that he was abroad on the King's service in 1230.³ But as to the latter statement we are met by the fact that in 1233 Roger de Somery was charged with not having attended at Court at the Feast of Pentecost to be girt with the belt of Knighthood.⁴ That this Roger so charged was certainly the Baron of Dudley is shown by the writ. I therefore suggest that the Roger who was in the King's service in 1230 may have been the contemporary Roger de Somery⁵ of the Haslingfield Family. I may here mention that there was a Roger de Sommeri whom The Book of Fees (p. 196) shows as holding from the King in 1212 a tenement in Stanford, Lincolnshire, his under-tenant being Gervase de Bernake. Now the Bernakes were undoubtedly tenants under the Barony of Dudley, so I conclude that this Roger of Stanford was of the Dudley branch. But considering his date, I think it more probable that he was of an earlier generation, a younger son of John and Hawis.

Glover, as has been said, asserts that Roger de Somery (the First) the Baron of Dudley, died in 1235, while Farrer⁶ considers that Roger who died in 1235 was of Haslingfield, and I think that Farrer must be right, for Roger de Somery II (died 1273) whose children (by his first wife) were born from about 1225 to 1240, though fairly young in 1235 (being born about 1200 to 1205) lived on until 1273, and Roger de Somery I would be born about 1180, so could not possibly be described as 'in the flower of his youth' in 1235. It is plain that a Roger de Somery died in 1235, for Matthew Paris writing of that year⁷ says: "And at the same time was taken from our midst Roger de Somery (de Sumerico) (a man) of singular elegance, of notable descent (*generis expectabilis*), of remarkable worth in the years of the flower of his youth." This description might possibly refer to Roger of Haslingfield, though his four sisters

¹ *Ibid.*, p. 16.

² Calendar, 1227-1241, p. 190.

³ Grazebrook, p. 16.

¹ *Ibid.*, p. 17.

² Grazebrook, p. 17, where 1223 in line 14 should be 1233.

³ Patent Roll.

⁴ Grazebrook, p. 17.

⁵ Cussans History of Hertfordshire, I, 50.

⁶ Feudal Cambridgeshire, p. 229, and Introduction.

⁷ Vol. III, p. 334 (translated).

were all married women in 1239, but as shown above, could not apply to Roger I or Roger II of Dudley.

I have been puzzled by the following remarkable entry in the Fine Roll¹ of June 1229, which records the King's approval of 'an agreement between Maurice de Gaunt and Roger de Sumery, whereby the latter conveyed the Manors of Duddeley and Seggesley with the advowsons of their churches to Maurice for seven years from Michaelmas 13 Henry III (1229), and the lands which Roger holds in fee farm of the King in Mere Clent and Swineford, with their advowsons, and with anything that may fall to the said Roger or his heirs during the said term—and the said Roger shall not marry within the said term save with the consent of the said Maurice his heirs or assigns.'

Maurice de Gaunt was as mentioned above, the second husband of Margaret, mother of Roger I. I regard it as certain that the agreement was not only approved, but also executed in 1229 because it was to take effect from Michaelmas in that year. Roger de Somery I must have been living in that year, for as we have seen, he succeeded as brother and heir of William Perceval de Somery. I am forced to the conclusion that he, and not his son Roger II was party to the agreement with Maurice de Gaunt, for the good reason that (as will appear later), Roger the younger was a married man certainly from 1225 to 1235. It may be suggested that the purpose of the agreement was to protect the interests of Roger the son, who may have incurred liabilities in marrying a great heiress.

Grazebrook (p. 16) points out that Glover is corroborated by the Inquisition taken in 1 Edward I, 1273 (*not* 1278) after the death of Roger de Somery the Baron of Dudley who died in that year (20 Nov. 1272—20 Nov. 1273). It includes an 'extent' of the Manor of Mere, in which the jurors specifically state that King John the father of King Henry lately deceased did enfeof Ralph de Somery grandfather of the said Roger de Somery of the Manor of Mere, at one time ancient demesne of the Crown, at an Annual Rent of £10, by the hands of the Sheriff of Staffordshire.

And they say that Roger son and heir of the said Lord Roger is his next heir, aged 18 on S. Margaret's day last past.

¹ Vol. I, 97.

The Inquisition was held on Sunday before the Feast of S. Denis (9th October) 1 Edward.

The pedigree shown is therefore as follows:

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Ralph de Somery
enfeoffed by King John
      |
      | . . . . de Somery
      |
      | Roger de Somery
      | died 1272-3
      |
      | Roger de Somery
      | born circa 1254
  
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Grazebrook, though he expresses no certain opinion, suggests that the jurors being 'no scholars' may have made an excusable mistake. But surely the documents to be signed by the jurors in an important Inquisition like this, would be drawn up by capable officials.

For myself, I cannot set aside this evidence. Moreover, there is further corroboration on page 18 of his work, which he has overlooked. He there gives particulars of a suit in which one of the plaintiffs was Ralph de Somery, eldest son of Roger (died 1272-3). This Ralph predeceased his father.

The particulars of this suit, so far as concerns our present purpose are as follows:

January, 1247. Robert de Tateshale, junr., and others, including Ralph son of Roger de Somery, bring an action against Roger de Quency, Earl of Winton, to enforce a fine made between Hugh de Albini formerly Earl of Surrey, whose heirs they are, relating to hunting in the wood called 'Le Chaleng.'

Ralph complains that when Roger de Somery his grandfather held the Manor of Barewe by the Courtesy of England after the death of his mother Nicholaa whose heir he is, etc., etc.

Comparing this with the Inquisition P.M. above, and with the knowledge that Roger who died in 1272-3 was undoubtedly the husband of Nicholaa (his first wife), we get the pedigree:

Roger de Somery
grandfather of Ralph and therefore identical with
... de Somery of the preceding pedigree.

Roger de Somery = Nicholaa deceased

Ralph de Somery
plaintiff in 1247.

The report of this suit, if correct, can only be explained on the supposition that not only had Nicholaa been married during the life of Roger the grandfather, but that he had survived her. This is quite possible, for Ralph her son being of age in 1247 must have been born in 1226 at latest; and we know (Grazebrook, p. 16) that her daughter Joan's son, John L'Estrange was born in about 1253 which would place Joan's birth in about 1235.

But it is curious that the grandfather should be described as holding Nicholaa's land 'by the Courtesy of England' as if he were her widower. Possibly this was a rough way of stating that Roger I had an interest in Barwe by arrangement with his son whose right would undoubtedly be 'by the courtesy of England.'

Grazebrook has given so much about Roger de Somery II, that I have little to add. More of Roger's law-suits and disputes will be found in the fourth volume of Staffordshire Historical Collections, the most interesting of these being his opposition to the establishment of a market at Wolverhampton on the ground that it had injured his market at Dudley. He withdrew his objection on condition that he and his heirs, and his burgesses and villeins of Dudley should be free from all market dues, etc. at Wolverhampton. There was also his famous dispute with William de Bermingham, which also seems to have ended in a compromise.

In his sheet-pedigree Grazebrook gives full particulars of Roger's families by his two wives. Roger's four daughters by Nicholaa were of such importance as her heiresses that there

are ample records relating to them, but I add a few dates which throw light on the pedigree as a whole.

Margaret,¹ married first, Ralph Basset of Drayton, second, Ralph Cromwell of Tateshale.

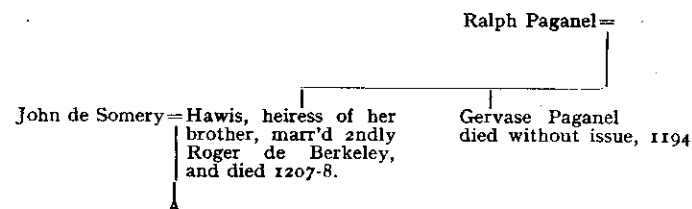
Joan, married John L'Estrange. As Grazebrook (p. 21) states, John her son and heir was born about 1253, so we may place her own birth as in about 1230 to 1235.

Mabel, married Walter de Sulley; and her son and heir Raymond de Sulley was aged 40 and more in 5 Edward II, *i.e.* born about 1271. Therefore she might be born about 1248 to 1253.

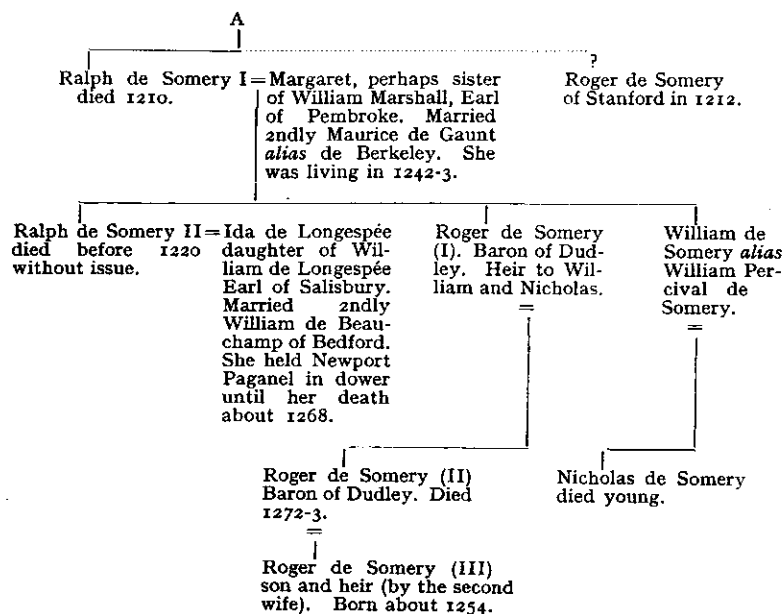
Matilda, married Henry de Erdington, and her son and heir Giles was aged 10 in 1282, *i.e.* born about 1272. Therefore she might be born about 1249 to 1254.

If the late date for the birth of Mabel's son were not borne out by the age of Matilda's son, I should have supposed that Raymond de Sulley's age was much understated. As it is the differences in the apparent ages of the three younger co-heiresses are remarkable, and it must be remembered that Ralph, their brother of the whole blood, being of full age in 1247, cannot have been born later than 1225-6.

Before saying anything about Roger's family by his second wife, it will be convenient to set out here my version of the Somery pedigree, which is as follows:—



¹ Grazebrook (p. 21, 22) explains that she was not, as some have asserted, the Margaret who married first, Urian de St. Pierre, and second, a Ralph Basset, but he could not, and was not concerned to say who this uncertain Ralph was. Since Grazebrook wrote, that well-known authority Mr. G. W. Watson has printed, p. 128 of Vol. XXVIII N.S. of 'The Genealogist' (now, alas defunct), a Fine in which Ralph Basset of Sapcote is specifically named as having married Margaret, widow of Urian de St. Pierre. The Bassets of Sapcote were a line quite distinct from the Bassets of Drayton.



Coming now to the family of Roger II by his second wife Amabel, Grazebrook (p. 23) states on the authority of Dugdale that they had two sons, Roger and John. Roger was the son and heir, and John is identified by Grazebrook with John Perseval de Somery against whom Agnes de Somery his brother's widow brought an action in 28-9 Edward I (1299-1301). The correctness of this identification is shown by 'Ancient Deed' B. 853, which is a grant in frank almoign to the Canons of Chaucumbe by Amabilia de Segrave lady of Chaucumbe, and was witnessed by 'Roger de Someri and John Perceval' her sons. Amabel, it will be observed, had resumed the surname of her first husband Gilbert de Segrave.

It is remarkable to find that her son John used 'Perceval' as a Christian name.¹ How the name came into the Somery family I cannot say, and such accounts as I have read of the Perceval family throw no light on the problem. *The Book of Fees* (I, 276) states that in 1226-8 'The heir of Perceval de Dudley' holds Bordeslegh in Hemlingford Hundred, Warwickshire and is in the custody of the Earl of Chester.

¹ Grazebrook (p. 23).

We have seen that there was a John Perseval de Somery in 1299-1301, and Grazebrook (p. 23-4) shows that the Arms of 'Perceval de Someri' were recorded in a Roll of 1308-14. Wrottesley's 'Pedigrees from the Plea Rolls' supplies the two following references to John Perseval, perhaps the same man, or possibly his son:—

P. 23—*De Banco* Easter 8 Edward III (1334) Warwick.

Henry Grefcode of Leicester sued John Perseval de Somery and Margaret his wife, for a messuage, etc. in Budiford.

P. 502—*De Banco* Michaelmas 8-9 Edward III (1334) Leicestershire.

Ralph Basset sued Nicholas de Segrave called to warranty by John Percevall, for land in Witherdeleye.

I think we may infer from the occurrence of the names of Basset and Segrave, that this John Percevall was a Somery.

In 1327 John Perceval was the principal subsidy-payer at Aspley in Warwickshire, while William Persival paid a fair amount at Atherston. In 1332 John Perceval again heads the list at Aspley, and John Perceval—perhaps the same man—heads the list at Kingesbrome; while William Perceval appears at Tamworth.¹ This John Perceval of Aspley would be identical with, or nearly related to, the Perceval de Somery who at Michaelmas 4 Edward II (1310) sued William de Bermingham for the price of a suit of mail sold to him at Aspley, Warwickshire.²

I also find among the Lyttelton Charters a grant (No. 139) dated March, 1349 from 'Roger son of John Persevall de Somery,' of lands in Northfield and a Rent in Birmingham. As Roger is described as 'son of John,' I should suppose that John was alive, but in that case he would, if the son of Roger and Amabel, be aged about ninety.

What ultimately became of these Somery-Percivals, I have not discovered. I do not know that the surname of Perceval continued either in Warwickshire or Staffordshire.

I should have thought that as suggested by Grazebrook (p. 24), Robert de Somery, M.P. for Worcestershire, might well have been a son of Roger and Amabel, but I find from a suit³ of

¹ Dugdale Soc., Vol. VI.

² S.H.C. IX, i, 28.

³ Plantagenet-Harrison's Collections in P.R.O., III (now 15).

late Henry III or early in Edward I relating to the Advowson of Bishampton, Worcestershire, that his mother was Maud, daughter of Guy Pipard. Therefore his exact connection with the Somerys of Dudley remains uncertain.

Robert was of Bishampton; and a fairly complete pedigree of the Somerys of Bishampton can be carried down to the fifteenth century, but it is a matter rather for those interested in the antiquities of Worcestershire.

I have seen no evidence to support the statement that Robert de Somery had a daughter Juliana who married Thomas de Luttelton; but the mention of Nicholas son of Robert¹ as raiding Dudley Castle, makes his connection with the Baronial Family practically certain. It appears also that Nicholas had a son Hugh, for somewhere about 14-15 Edward III (1340-2) under Worcestershire, Hugh son of Nicholas appears on the *Curia Regis* Rolls as plaintiff in a plea of Trespass.

ROGER DE SOMERY II deserves to be remembered for his generosity in joining the number of those who in May, 1269 endeavoured to secure the liberation and reinstatement of the unfortunate Robert de Ferrars son of the rebel Earl of Derby.² But the attempt failed, as the fine was fixed by the Crown at the ruinous sum of £50,000.

ROGER DE SOMERY III.

Concerning him I have little to add. The parentage of his wife Agnes is still undiscovered. Her Inquisition post mortem shows that she held, apparently in her own right, property at Grethamstede, Bedfordshire by feoffment of Philip de Hoo; also in Berkshire half the manor of Suleham, and a water-mill and rent at Basteldene held of Ralph de Kniveton, so she may have been related to Philip or Ralph. But Grazebrook (p. 40) shows that the Hay of Ashwood had been settled on her and her son Roger, by William de Chetwynd; so perhaps she was a Chetwynd. She sealed³—probably about 1302-3—with a seal showing *three lions in pale*. I had supposed

¹ *S.H.C.* IX, i, 88.

² Dugdales MS. K. (Earwaker's copy), 56c.

³ *Ibid.*, 32 c. and d.

this to be a mere variation of the two-lion arms of Somery, but if that is not so the seal may furnish a clue to her identity [? Camville].

As to Roger the son of Roger and Agnes, Grazebrook (p. 40-1) makes it clear that he was killed before Michaelmas 1306, probably before July of that year. The Writ to enquire whether it would be to the King's damage to authorise the grant¹ which William son of Adam de Chetwynd had made to Agnes and her son Roger, was dated 22 November, 1306; but that date seems to present no difficulty, though the son Roger was dead. Agnes had probably applied for the Writ before the death of her son, and the application would hold good though he had died.

It seems likely that the custody of Ashwood Hay was intended to make provision for Roger; a marriage with a Chetwynd may have been arranged.

JOHN DE SOMERY.

He, the next Baron, was born at 'Weley near the manor of Alvechurch on the 2nd of March, 1280.' This we learn from the certificate given by Bishop Giffard of Worcester in 1300.² The place is, of course, Weoley in Northfield, Worcestershire, where the Botetorts subsequently had their castle.

John is said by Grazebrook (p. 42) to have died on 29 Dec., 1321, but I think he must have lived a little longer. At any rate, the Patent Roll of 21 July, 1322 shows that he was then on the King's service. And if as stated, he was ordered to seize Kenilworth Castle after the execution of Thomas, Earl of Lancaster, that must have been after March, 1322, the date³ of the execution.

At present, the parentage of his wife Lucy remains unknown.

Nothing need be added to Grazebrook's vivid account of John's career, or to the particulars concerning his sisters and co-heiresses, but it may be mentioned that in the Close Roll Calendar, 1327-30 (p. 202), the sister Margaret is wrongly indexed as wife of (her father-in-law) Richard de Sutton, Lord

¹ Of the custody of the Hay of Ashwood in Kinver Forest.

² Worcestershire Historical Society.

³ *The Complete Peerage* (new edition).

of Malpas; and that in the Sheet Pedigree, the second sister Joan should appear as wife of Thomas not 'John' de Botetort.¹

SUTTON ALIAS DUDLEY.

I have not found the Suttons described as 'Dudley' in any document earlier than November, 1457, when William Birmingham, knight and Isabel his wife released all their right in a mill at Wombourne to 'John Duddleley knight and his heirs.'² This could be no other than John de Sutton, VI, who had been summoned to Parliament in 1440. It may be presumed that the surname of Dudley was assumed because John's title was definitely 'Lord Dudley.'

JOHN DE SUTTON II.

This John de Sutton in 12 Edward III (1338-9) describing himself as 'John de Sutton, Lord of Dudley, son of John de Sutton knight, granted the moor in King's Swinford called Birche moor to William Corbin the younger of Birmingham.'³ This grant he sealed—strange to say—with an Armorial Seal showing *On a bend, two lions passant*. This was apparently a passing whim, for in 19 and 34 Edward II he sealed with the usual *two lions in pale*.⁴

John married Isabel de Charlton (Cherleton), a lady of such importance that his estates were settled on her jointly with himself, and consequently his heirs were kept out of them until her death in 1397, and perhaps even later.

After John's death she made what was evidently a 'més-alliance,' her second husband being 'Richard le Fisser,' probably a relation of that William Fisher who witnessed a grant made by her husband John de Sutton in 1338.⁵ Such marriages were not infrequent in the case of widows, whose first weddings were often settled for them in their childhood, with an eye merely to the disposal of estates. But a well-dowered widow could afford to please herself in taking a second husband, and Isabel doubtless thus arranged the affair.

¹ The same mistake on pages 42 and 43 has been corrected in the 'Errata' of S.H.C. IX, ii, 151.

² S.H.C. XI, 237.

³ Dugdale's M.S. K. (Earwaker's copy), 32 a.

⁴ *Ibid.* 33 b. and d.

⁵ Grazebrook (p. 47).

Her husband is called contemptuously 'A certain Richard le Fisshere of Dudley' by Henry de Bisshebury when he brought an action at Michaelmas, 1362 against him 'and Isabel his wife, and Thomas son of Isabel,' claiming that they had entered on his manor of Over Penne.¹

To this, Richard and Isabel replied that they were the sole tenants of the manor, because Henry's father, Ralph de Bisshebury, had conveyed it to Ralph, Earl of Stafford, who had granted it to John de Sutton of Dudley formerly her husband and to the heirs and assigns of John. And they added that Thomas 'held nothing in it.'

But Thomas in his reply stated that he was the sole tenant of the manor, and that Richard and Isabel held nothing in it, and that he held it as son ad heir of John de Sutton, Chivaler deceased, whose heir² he is. And as he was under age, he prayed that the suit might remain over until his full age.

The suit was dismissed, because Henry made default, but was renewed at Michaelmas, 1368.³

Richard and Isabel now stated that Nicholas the parson of King's Swinford had been seised of the manor, and had conveyed it to John de Sutton, Lord of Dudley, and the said Isabel then his wife, for their joint lives, with remainder to Thomas son of the said John and Isabel and the heirs of his body, remainder to the right heirs of John de Sutton.

And John de Sutton had died, and after his death Isabel had married the said Richard, and she and he held it for life with remainder to the said Thomas and his issue, failing whom, remainder to John, son and heir of the said John de Sutton. And they could not answer without the said Thomas and John son of John.

The Court therefore ordered the two brothers to be summoned for Hilary Term. It was stated that Nicholas' conveyance was dated 32 Edward III (1358-9).

Richard was no doubt an upstart, but he lived to be known as 'Richard de Dudley, knight,' as 'Chivaler' and 'Seigneur de Dudley,' and was probably alluded to as 'late Baron of Dudley'

¹ S.H.C. XIII, 22.

² This was not strictly true; he was a younger son.

³ S.H.C. XIII, 69.

in the Patent Roll of 8 March, 1412 which states that:—'The temporalities of the Priory of Dudley are in the hands of the King by reason of the minority of Thomas son and heir of Richard late Baron of Dudley tenant in chief.'

No son of Richard and Isabel—who were husband and wife in 1360—(Grazebrook, p. 56) could possibly be under age in 1412; so I can only suppose either that Thomas must have been their grandson, or that the Crown must have been holding the Priory temporalities for many years. In support of the first supposition there is a fine¹ dated 1365 which names their son Richard, and secures to him certain lands for life. His father predeceased Isabel, so the younger Richard may have been considered to be Baron of Dudley *jure matris*.

Richard de Dudley, knight (husband of Isabel), was dead at Easter, 1382, when John atte Wode, knight, Roger Wynel, Prior of Dudley, John Ellesmere late his chaplain, and Isabel his widow, were said to be his executors.²

JOHN DE SUTTON III.

Grazebrook (p. 57) shows that this John had in 1361 a wife named Catherine, but does not know her parentage. A suit noted by General Wrottesley³ shows that she was daughter of Ralph, Earl of Stafford, and that the Earl brought an action at Michaelmas, 1363 to recover from John de Sutton 400 marks, part of 600 marks which by an Indenture dated All Saints, 31 Edward III, the Earl had agreed to pay on the marriage of John and Katherine. The deed had stipulated that if Katherine died within four years of the marriage, 400 marks was to be repaid to the Earl. General Wrottesley states that the implication was that the parties—or rather, the daughter—were infants, and the marriage not to be consummated for four years. The agreement will have been with John's father, who promised to settle on the young couple all his lands in the counties of Chester, Cardigan and Oxford. The settlement of the Cheshire lands was apparently arranged by the licence granted to Richard de Stafford in 1361 (Grazebrook, p. 57), but I can say nothing

¹ Grazebrook (p. 58).

² S.H.C. XIII, 181.

³ *Ibid.*, 38.

about the lands in Cardiganshire and Oxfordshire, and do not know what they were. John's defence to the action may have been that the agreement was with his father, and that the repayment should therefore come out of his father's estates, which he had not inherited, as they were in the hands of his mother.

John de Sutton was not summoned to Parliament, and it is interesting to note that Grazebrook's views¹ on the subject of these early Summonses are now fully accepted by the leading authority, *The Complete Peerage*.

John's widow married as her third² husband, Henry ap Griffith, ancestor of the Griffith family of Wichnor, Staffordshire.

JOHN DE SUTTON IV.

He, though not so shown in the sheet-pedigree, was evidently son of his father's second wife Joan de Clinton. This I infer from his 'proof of age' (Grazebrook, p. 61), which states that he was born at Coleshill-in-Arden (which was Joan's inheritance) and that he was under age at the date of his father's death (1369-70). I have found nothing that bears on the question whether he also married any other wife than (the unknown) Joan.

JOHN DE SUTTON V.

I have nothing to add about this John, but it should be mentioned that the pedigree in Wrottesley's 'Pedigrees from the Plea Rolls,' p. 362 is mistaken in placing a superfluous John between him and his great-grandparents John and Isabel. This is a mistake, not of the General's, but in the original report of the case, for it is repeated by Plantagenet Harrison.

He married, as Grazebrook states, Constance, daughter of Sir Walter Blount, and she survived him for many years. She seems to have fallen upon evil days, for some five years after his death the King claimed the presentation to King's Swinford Church, because Constance who held it in dower had been '*waiviata*' for a debt.³

¹ Pages 54 and 55.

² Not 'second' as in the sheet-pedigree.

³ Wrottesley's 'Pedigrees from the Plea Rolls,' p. 362.

Another suit¹ shows that there had been earlier contact with the Blount Family, for Richard Duddele *temp.* Richard II had been concerned in a grant of Belton, Rutland to the then Sir Walter Blount.

There is little more that I can usefully add to these notes, except perhaps the following particulars:—

p. 53 n. 1. The match with Ralph Jocelyn.

If any importance is attached to this, it may be remarked that according to Crisp's *Visitation Notes*, IV, 33, Ralph died in 1302. And John de Sutton (I) (whose father Richard was aged eight in 1274) would be born about 1285-90, and cannot have had a daughter married to a man who was dead in 1302.

p. 72. Erdeswick's statement.

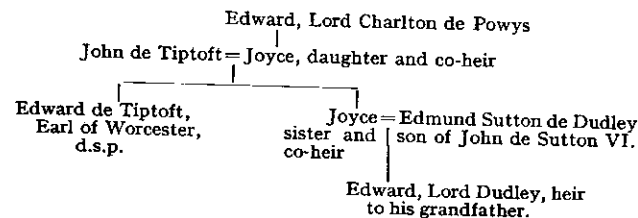
This is obviously a malicious invention. Erdeswick was one of the old school, and would have no love for the Duke's memory.

Possibly 'Ancient Deed' A 12079 may have given rise to the tale. It is a demise (2 Richard II) by William de Catesby of Coventry to 'Thomas de Duddeleye of Coventry, carpenter.'

Habington in his Survey of Worcestershire records that in the Church of Northfield, Worcestershire, were these arms:—

II, 55. 'Somery quartering Malpas. And both these quartering Charlton Lord of Powys and Tiptoft [*sic.*].

The descent from Malpas is given by Grazebrook on p. 50, and the quarterings for Charlton and Tiptoft are explained by the following pedigree:—



¹ *Ibid.*, 438.

According to modern notions the Tiptoft quartering should precede that for Charlton; but the Charltons were of more ancient descent, which in the fifteenth century, would entitle them to precedence.

Habington also found at Northfield a shield of:—

Somery impaling Quarterly Beke and Ufford.

It may seem strange to some, but heraldry was then, as Round tells us, 'in the making,' and having met with other similar cases, I have no doubt that this represents the marriage of Edward, Lord Dudley (grandson of John de Sutton VI) with Cecily daughter of Sir William Willoughby. This Sir William belonged no doubt to the line of the Willoughbys of Eresby, who were entitled¹ to quarter Beke of Eresby and also Ufford,² but there was no descent of Beke from Ufford.

It only remains to mention that in 1916 the King was pleased to call out of abeyance the Barony of Dudley in the person of Ferdinando Dudley William Lea Smith who was summoned to Parliament as (twelfth) Lord Dudley on the 9th of May, 1916. He was son and heir of Ferdinando Dudley Lea Smith (born 1834), of Halesowen Grange, J.P. and D.L. for the County of Worcester.³

The twelfth Lord died on the 5th December, 1936, and was succeeded by his only son Ferdinando Dudley Henry Lea Smith, the present (and thirteenth) baron, born 18th June, 1910.

The restoration to the Peerage Roll of this ancient Feudal dignity is a subject for congratulation, and I am sorry that Henry Sydney Grazebrook did not live to see it. That pleasure was denied him, but his account of these bygone barons may well encourage their present and future successors to show themselves in the service of the Country, not unworthy of their famous ancestors.

¹ *Topographer and Genealogist* I, 304.

² *Ibid.* II, 272 and 274.

³ Grazebrook, pages 141-2.

APPENDIX.

By GERALD P. MANDER.

Although many charters of the Dudley barony exist, either in the form of copies or in print or (rarely) as originals, they have been so dispersed that little attempt has been made to use them as evidence of the men and dependants who composed that Honour.

Mr. Carter has kindly suggested that this collection should form an appendix to his "Additions," and as it elucidates to some extent the questions he has set himself to answer, the opportunity has been taken to print some unpublished material and to bring together for the benefit of students a quantity of stray charters issued by Gervase Paganel, the feudal baron, and so help to clarify the feudal structure of that time.

The Phillipps deed, once Phillipps MS. 28,246, now in the writer's collection,¹ is if regarded only for the number of its witnesses, of more than usual importance, while the Huntbach MS.² provides a record of four Dudley deeds of various periods

¹ It was described in the catalogue of Messrs. Sotheby's sale (30th June, 1936) lot 444, as "a very ancient charter containing an Acquittance by Gervase Paganell to William de Abingwerth, of a loan of £10" Though listed under 'Sussex,' when Abinger is in Surrey, it has more than local value.

² This is preserved only as a copy. The original volume seems to have been lent from the Wodehouse, Wombourne, to Wrottesley Hall where it perished in the fire of Dec. 1897. It was a cartulary of numerous deeds concerning South Staffordshire, and the hundreds of Cuttlestone and Seisdon in particular, and several of the most ancient have been printed and edited in vols. II and III of Staffordshire Historical Collections. This was perhaps the reason for the volume's being at Wrottesley. (It is possible that many of the deeds it describes still exist hidden away, forgotten, as some of the Wombourne ones certainly do at the Wodehouse; see *S.H.C.* vol. 1928). Canon Bridgeman also found the volume of great assistance in writing his parish histories of the Penkridge district (also printed in our early volumes) so much so that he fortunately made a transcript of the Huntbach volume for his own use in 1860. This volume, his son, the late Preb. E. R. O. Bridgeman, first deposited with the William Salt Library, and later (1940) gave it as a bequest.

which, though hitherto overlooked, do not lack interest. Many of these charters are grants by Gervase Paganel to religious houses and confirmations of his vassals' grants. The list is obviously very incomplete, and a closer search in counties at a distance from Staffordshire, especially Buckinghamshire and Berkshire, may well bring further reward. Gervase's castellary of Dudley—that solid group of manors in three counties with Dudley in the centre—and the Norman Kings' practice of dispersing fiefs in places widely distant, is a clear example of the inadequacy of restricting the treatment of Dudley and its masters within the bounds of one County. To do so may mean the loss of vital information, yet County Record Societies are so accustomed. In fact neither county boundaries nor yet the English Channel restricted the activities of the Norman and Angevin holders of this *honour*.

Exact dates of births and deaths can seldom be obtained in the 12th century, so it is necessary to judge the time when individuals were actively employed by their appearance as witnesses to charters (themselves generally undated and often wrongly dated and so misleading). The accurate dating of charters is all-important in this investigation. "To dated facts" says Eyton, who was a master in that line of research, "great deference is due For a dated fact is not merely a fact doubly authenticated in itself, but it usually gives the means of approximating to the dates of other facts."¹

A man becomes a witness, it may be supposed, at early manhood,² and continues until death or infirmity overtakes him. The period covered may be 30 or more years. Gervase Paganel was active in history for over 40 years; his first appearance is probably shown in the Lichfield grant now printed for the first time. Hitherto his career was noted as beginning in the spring and early summer of 1153.³ At the latter date he witnessed (evidently at Dudley) Duke Henry's charter to Wolverhampton, in association with other of the future king's supporters.⁴ That he continued with the Duke's host is shown

¹ Itinerary of Hen. II, preface, p. v.

² Heirs of grantors sometimes appear as witnesses in childhood.

³ Treaty of Devizes, March, 1153, *S.H.C.* II, 221, 224 (Eyton's notes).

⁴ The witnesses were:—Roger, Earl of Hereford, Walter his brother

by a Lincolnshire charter dated Monday, the Vigil of St. Giles [31 August] *in obsidione Stanford* [1153] of which he was the fifth witness.¹

Gervase's association with the monarch was seconded by his steward or seneschal, Peter *dapifer*, who, as Peter fitz William 'dapifer' of Dudley, witnesses a charter of Duke Henry at Warwick, c. 1153-4.² He appears, as "Peter de Bermingham," on another royal charter, that to Farewell Nunnery, dated at Radmore early in 1155 (this was the King's hunting-box on Cannock Chase, not the Abbey which had been moved to Stoneleigh, Warw., by that date³). Then again there is the grant of a market at his castle of Birmingham in c. March, 1166, where he is described as Peter fitz William.⁴ The *carta* of 1166 shows that Peter was the principal tenant of the Dudley barony, holding "in virtue of old enfeoffment" nine knights' fees, chiefly near Birmingham and in South Staffordshire.⁵ But there is no evidence that Peter's father, William, was "of Bermingham," nor any clue to his identity; nor was the office

the Constable, Henry his brother, Gervase Paganell, "Germanus" *apud Dudeleg*'. This charter is not preserved in an earlier form than the *Inspeximus* of 1328 (now Harl. Ch. 43. D. 29) the very same, as a lacuna shows, that Dugdale copied at Windsor in 1640. The meaning of the last word *Germano*, written with a large G (not g as in Dugdale, who incidentally dates the charter wrongly) may be doubtful. I suggest it is the name of a clerk of the Duke's chancery. Such a clerk actually existed at a later date—*Germanus Scriptor Regis* (1171) [Eyton, *Itin.* 158; Round, *Cal. Doc. France*, 161, 427 (a Marmoutier deed of ? 1162)] and charters are silent in the intervening period.

¹ A grant, made in the Duke's presence, by Ralph, Earl of Chester, to the church of Lincoln (*Registrum* of the Dean and Chapter of Lincoln, no. 166. Communicated (1929) by the late Canon C. W. Foster). Delisle is quite wrong in thinking this referred to Stafford.

² The original exists of this, and there are several printed versions (*S.H.C.* 1939; Shaw, i, 211; *S.H.C.* X, 23-4; *M.R.A.* no. 20; *Cal. Chart. Rolls* II, 347 (where the indexer is mistaken in making a witness, William Abbot of Radmore an Abbot of Reading).

³ *Mon.* IV, 111 (3); Eyton, *Itin.*, p. 6.

⁴ The grant is made *Petro filio Willelmi dapifero de Dudeslega*, confirming one made by Gervase Paganell in the King's presence. *Trans. B'ham. Arch. Soc.* (1912), vol. 38, p. 24. (Citing *Cartae Antiquae* no. 19); Eyton, *Itinerary*, p. 91.

⁵ *S.H.C.* I, 189 (*Liber Niger Scacc.*).

of 'steward' hereditary in the family, for we learn from a Tickford charter that 'Ralph dapifer' served under Ralph Paganell, Gervase's father, and he seems to be the same as Ralph de Bernack, possibly the father of Gervase de Bernack who held four knights' fees of the barony in 1166.¹ Moreover it is to be noted that Peter de Bermingham succeeded to the estates of *several* Domesday tenants. He cannot therefore have inherited the estate as a whole, but in blocks as the fees became available by whatever means. One such block is that which was in 1086 in the possession of Drew (Drogo) at Edgbaston (Warw.), Barr, Perry and Handsworth (Staffs). On the other hand the fee held by "Robert" in 'Domesday' at Upper Penn, Bushbury, Ettingshall, Oxley, Aldridge and Great Barr (all in Staffordshire) was broken up by 1166, and Peter de Bermingham received of it only Bushbury and Upper Penn, and there is evidence that these came to his son Hugh by marriage with an heiress, Hugh holding it as undertenant.²

That to some extent marks Peter de Bermingham's place on the map, a group of manors extending from Aston-by-Birmingham westwards across South Staffordshire.³ But for our present purpose he, as Peter *dapifer*, is important as a frequent witness of his master Gervase's charters, and as such, one around whom the dating of these charters could often turn if the time of his death or retirement from affairs could be ascertained.

General Wrottesley put this date at 1176,⁴ and although he does not give his reason, it is noticeable that Peter's son William fitz Peter "de Brunungeham" appears on the Pipe Rolls for that year, 22 Hen. II.⁵ Peter himself ceases to appear on the Pipe Rolls after settlement of a long standing debt in 1171.⁶ It may be difficult to narrow the gap. His successor was Alan

¹ *Mon.* V, 204; Round, *Cal. Doc. France*, p. 444, no. 1231; *S.H.C.* I, 200.

² *S.H.C.* I, 192. Hugh was probably "de Morf," holding of his father in Morf, before he became "de Bushbury"; see note to his name in Philipps charter (no. 11) below.

³ He had a solitary manor at Hogston, Bucks.

⁴ *S.H.C.* III, 216.

⁵ *S.H.C.* I, 79, 83.

⁶ *P.R.* 17 Hen. II; *ibid.* 63.

dapifer, whose period may be taken from 1176 to the year of Gervase's death in 1194. Certainly he is much in evidence on charters from 1180.¹ In particular his name appears with William fitz Peter as witness on the Dudley Priory grant of that date.²

It must be confessed however that the tenants of the Dudley barony during the reign of Henry II lived for such long periods that they are disappointing as aids to exact dating.

THE TICKFORD GRANT.

Hitherto the long list of witnesses attached to the Confirmatory Grant to Tickford Priory has frequently been used as evidence of date,³ for that document as printed in 'Dugdale' (*Mon.* V, 203-4) complete with a spirited cut of Gervase's equestrian seal, bears the date of 1187 in double form. Dugdale took this charter from the collections of Robert Glover, Somerset herald, then, in 1656, the property of the Earl of Elgin, and the final paragraph reads:

Haec carta facta fuit tempore Roberti de Bohun, apud Newport, tunc ejusdem loci prioris, anno Dominicae Incarnationis M.C. octogesimo septimo, rege Henrico, filio Imperatricis, regnante 33 H. II."

[That is, 1187]. It is an odd compilation and is likely to be an addition (a sight of the original might easily prove this). Glover may have copied accurately what he saw, which has the appearance of an early attempt to date the document. R. W. Eyton has long ago insisted on the danger of accepting the dominical year in charters of this period.⁴ But the falsity is at once shown by the name of the first witness, Simon, Earl of Northampton who died in June 1184.⁵ Moreover it has just been explained that Peter *dapifer* is an unlikely

¹ Mr. Lewis C. Loyd informs me that he occurs as Gervase's steward on the P.R. of 1180, 1181, 1182 and 1193.

² See above p. 26 and below p. 53.

³ Mr. C. T. Clay in his account of the *Paynel Families*, p. 49, 52, found this date (1187) a stumbling block; but the revised date gets over his difficulty, for Fulk Paganel, the fifth witness, was exiled in 1185 (see note on his name, below p. 000).

⁴ *Shropshire*, I, 250; II, 52.

⁵ *Complete Peerage*, New Edn. VI, 645 (the date is confirmed by *Pipe Roll*, 30 Hen. II). But on p. 643 note (1) he is said to have attested this charter of 1187!

witness after 1176. Helias Foliot (4th witness) is a stranger: he held $\frac{1}{2}$ of a knight's fee in Lincolnshire in 1166,¹ and a grant of his to Rufford abbey (Notts.) is known.² Most of the other witnesses appear in other charters of Gervase Paganel and will be noticed hereafter.

The period is Mid Henry II, say 1173.

With this revision, the list of the 28 witnesses is not without value and should have increased authority. Here they are in successive columns:—

Simon, earl of Northampton	Robert the deacon
Isabel, countess, his mother	Garin his son
*Peter 'dapifer'	Thomas 'camerarius'
Helias Foliot	William de Duddele
Fulk Paganel	Herverard 'pincerna'
William his brother	Ralph Coke (<i>Cocus</i>) ³
*Godwin 'dapifer'	*William de Lovente
*Pagan de Emberton	William de Stabulo
*Geoffrey de Roeli	Philip de 'Haggeleia'
*Michael son of Osbert ⁴	Philip Lorimer
*William Paganel	Robert Swift [<i>printed</i> Suitft]
Bernard his son	Ralph Dod
William [and] Simon, chaplains	Roger Segin [? for de Egeney]
	Simon de 'Castertun'
	<i>et multis aliis.</i>

Those marked with * occur on Gervase's *carta* of 1166.⁵ The list supplies some evidence of the baron's household at Newport Pagnell (which he held in demesne) the head manor of a large group in North Buckinghamshire. That the Paganel's favoured this dwelling-place as much if not more than Dudley can be seen by their interest in endowing, with the support of their tenants,⁶ Tickford Priory, 'St. Mary's of Newport' (which

¹ *Red Book*, 382.

² F. M. Stenton, *Danelaw Charters*, no. 357.

³ He was the son of Godric 'cocus,' as the deed shows.

⁴ Osbert is called *dapifer* in the body of the deed. He gave, with his son, to the priory the chapel of Petsoe, Bucks.

⁵ *S.H.C.* I, 188-204 (*Liber Niger*).

⁶ A late example of such benefaction was that of Giles de Erdington, "for whose soul a monk was appointed to sing perpetually" (Dugd.

stood just outside Newport to the east) and making it their burial place. The charter speaks of 'his ancestors and children (*filiorum meorum*) whose bodies rest in the church and in the chapter house' there. Stone-work of the Norman period is still to be seen at Dudley Castle, which may probably be of the time of Gervase Paganel; but it may be that his rebellion and the demolition of the castle after 1174 caused his retirement to Tickford at this time. The dates fit well. Dudley Priory however was handicapped by the success of the sister foundation (for both were cells of Cluniac monks), and an examination of the "Foundation Charter" of that pious establishment is relevant.

'FOUNDATION' CHARTER OF DUDLEY PRIORY.¹

Dugdale's editors give "before the year 1161" as the date of the foundation of the Priory of St. James of Dudley, and others have followed this lead, including the Victoria County History of Worcestershire (vol. II, p. 158) which is unfortunate, as it helps to conceal a trap into which students of the subject will continue to fall.² That date is derived from the fact that Guy de Offen's gift of Trysull and Wombourne churches was confirmed by a bishop of Coventry who died in December, 1160. But although it is evident that some effect was being given to further the design expressed in the charter³ of the grantor's father, Ralph Paganel, to found a monastery near his castle,

Mon., V, 201). The gift was the advowson of Yardley, Worc., which Giles as a young man in 1220 gave to the Prior of Newport. It was, however, the subject of considerable dispute from time to time, not the least because Giles (who besides being Dean of Wolverhampton, dying in 1268, was also a judge) had given the advowson to his prebendary Ralph de Hengham (who became a chief justice and died in 1311). See *V.C.H. Worc.* III, 242-3.

¹ Dugdale *Mon.* V, 83 from the original. It exists, with many different spellings, in Harl. MS. 3868, fo. 274 (being a cartulary from a Lichfield source).

² The latest being in the account of existing monastic remains lately cleared and preserved by the Ancient Monument Branch of H.M. Office of Works, by Mr. C. A. R. Radford, F.S.A., *Antiquaries Journal* XX, no. 4, p. 449 seq. (October, 1940).

³ *qui in vita sua religiosorum fratrum conventum apud Dudel[eiam] stabilire proposuerat . . .* (Dugdale).

the scheme had not been pursued with vigour to completion; for twenty years later the convent had not been formally instituted. R. W. Eyton so long ago as 1854 dates this "settlement of an advanced but not quite completed undertaking"—the affiliation of this House with Wenlock Priory—about 1180, not long before the Pope's Bull of Confirmation, dated 16 June, 1182.¹ Both series of witnesses, the Baron of Dudley's retainers and the Wenlock group are consistent with that date.²

General Wrottesley printed three original grants of land at Woodford (lying between Trysull and Wombourne) to Dudley Priory in our volume for 1882.³ This was an endowment subsequent to the Papal Confirmation (for the benefaction is not among those mentioned), so a much closer date—after 1182—is obtained for the two earlier ones, than those given. The charter of William fitz Guy de Offini, with the assent of his wife Juliana and his heir Richard and of "his other children" has the interesting group of witnesses: lord Gervase Paganel, Isabel countess, Alan *dapifer*, Robert Paganel son of Gervase Paganel, Roger de 'Hagele' [and six others]. Since the date was after June 1182, the son Robert may well have been over 21 years of age. It will be seen later that he died before 1186.

¹ Eyton, *Shropshire*, III, 236; II, 52, *note*. This account seems to have escaped the writer on Dudley Priory in *V.C.H. Worc.*

² For the former, see p. 26, above. The earliest remains of the priory which are 'late Norman,' also agree. These show only a chancel and transepts—no nave. It seems likely that the earlier church of St. James was built on another and more central site. The *V.C.H. Worcs.* ii, 161, and Mr. Radford (*op. cit.* p. 451) mention a remarkable notice of a Declaration of "John" prior of Wenlock, and the convent of the same, ordaining a convent at Dudley following Gervase's grant (which it mentions). Only two witnesses are given (*dom* Robert Paganel, son of Gervase, and Roger de Haggel) both occurring on that grant (which it probably closely followed). *Dominus* Osbert, named as prior of the new foundation, and Robert and Hugh as brothers, "do make wholly and fully a perfect convent." But the date must be 'after 1180' and not 'about 1160' as stated in the *V.C.H. Worc.* Thomas Harwood prints this charter (as an abstract in English) in his "Erdeswick" edn. 1844, p. 341, as from "Dodsworth's MSS. vol. IX, p. 152." He is wrong in confusing it with the Letters Patent of 2 and 3 Phil. and Mary.

³ *S.H.C.* III, i, 214-7. They were destroyed in the Wrottesley fire of 1897.

Several of the benefactions to the Priory, less permanent than those more closely associated with the Castle, but granted before 1182, may be mentioned here. They are selected from the 'Foundation' Grant.

Ralph de Seille gave the church of [St. Peter] Seille [*modern Seal*] Leicestershire.

Agnes de Somery gave half the vill of Churchill, Worcestershire, "with her body."

Osbert de Kenefare gave the vill of [Little] Saredon.

Robert de 'Chandeu' gave one virgate in 'Wolyntone' [Wellington, Salop], and John Mansell lands in Inkpen, Berkshire.

Ralph de Seille [Scheyl] was a tenant of Earl Ferrers and witnessed the Saltley grant (no. V. hereafter); he probably was introduced to the Dudley fief through the Paganel-Ferrers marriage. A record of his grant was entered in the Seile (or Rydeware) Chartulary (fol. 18b),¹ it being "for the souls of his father and mother and for himself and his heirs to God and Saint Mildeburge and Saint James of Dudley and the monks there . . . saving the tenure of the parson Roger who then held the church." It is doubtful if much came of it, for, before 1191,² Ralph was forced to revoke the gift "which he had long before made," and substituted a money payment.³ But Ralph himself by this time had become impoverished and surrendered his fief.⁴

Agnes de Somery. Records are silent about her. As owner of half Churchill (Gervase Paganel granted the monks the other half) she was probably a near relation to the head of the house, namely, his niece, a sister of Ralph de Somery, and daughter of John and Hawise.

Osbert de 'Kinver.' Little Saredon was a small vill lying between the fiefs of the Stafford and Dudley baronies, and held in chief in 1086 by Udi. In 1255 the Staffordshire Hundred Roll shows it was still in possession of Wenlock Priory.⁵

¹ S.H.C. XVI, p. 270.

² *Ibid.*, p. 271, Adam abbot of Evesham is mentioned, who died in that year.

³ This, being 8s. 4d. was withheld, and on complaint of the prior and monks of Dudley, Stephen Langton, Cardinal archbishop, empowered the prior of Sandwell and Thomas canon of St. Peter's, Wolverhampton to adjust the matter. By final concord 4 Ed. I, Walter, prior of Dudley, released all right to the advowson of 'Chirchescheyle.' *Ibid.* 269, 271.

⁴ *Ibid.*, 239.

⁵ S.H.C. V, i, 107. Proximity of the two places suggests that Osbert [de Saredon] may have been Osbert de Rushall who witnessed the charter.

John Mansel was son of Walter Mansel who held one knight's fee of Dudley in Ingepenne, Berkshire, in 1166. He contributed 1½ marks to the debt of Fulk Paganel in 1183.¹

SOME CHARTERS OMITTED BY DUGDALE.

It may be useful to print here the existing text of those charters concerning Dudley Priory which are omitted in the *Monasticon*. They survive in a 14th century collection of 'exhibita' of charters of property belonging to monasteries in the diocese, now Harl. MS. 3868, in a handwriting similar to that of the Lichfield *Magnum Registrum Album* (to which it was an Addendum).² Possibly the originals were lost before Dugdale's era.

(a) fo. 274, b.

Confirmation by Richard (Peché) bishop of Coventry of the gift of Gervase Painel of the church of Sedgley to Dudley and Wenlock Priors. The brothers of Dudley are to hold the church freely and have authority to appoint vicars.

Ric[ardus] dei gratia Couentr[iensis] episcopus. Omnibus sancte matris ecclesie filiis salutem. Sciant tam presentes quam futuri, nos concessisse et presentis carte nostre Auctoritate confirmasse deo et sancto Jacobo de Duddelega et sancte Milburge de Wenlok' ecclesiam de Segesl[eia] cum omnibus pertinentiis suis in perpetuam elemosinam ex pia donatione Geruasii Painel eisdem venerabilibus locis collatam. Quare volumus et episcopali auctoritate precipimus ut fratres de Duddelega deo et sancto Jacobo seruientes et in posterum seruituri* predictam teneant ecclesiam liberam et quietam. Habeantque cum consensu et auctoritate episcopali in eadem vicarios constituendi liberam facultatem. Testibus. [witnesses omitted].

* MS. seruitutji.

(b) fo. 274, b.

Grant by Guy de Opheni, Christiana his wife and William his son and heir with the consent of Walter [Durdent] their bishop and for the redemption of their souls, to St. Milburg and the blessed James of Dudley and the monks serving God there, of the church of Wombourne with all its appurtenances, undisturbed for ever.

Sciant presentes et futuri quod ego HWido de Opheni et Christiana vxor mea et Willelmus filius meus et heres* nutu

¹ S.H.C. I, 112, 204.

² See M.R.A. (S.H.C. 1924), p. xix.

et consensu Walteri nostri episcopi pro redemptione animarum nostrarum antecessorum et successorum nostrorum, Concedimus et in perpetuam elemosinam perdonamus deo et sancte Milburge et beato Jacobo de Duddeleia et monachis ibidem deo seruientibus ecclesiam de Wenburna cum omnibus pertinentiis suis. Que donacio ut rata et inconcussa inperpetuum permaneat non solum literarum annotatione verum etiam sigilli nostri inpressione consignauimus et corroborauimus. Huius donacionis sunt testes. [omitted].

* MS. Robs.

(c) fo. 274, b.—275, a.

Confirmation by Walter Durdent, bishop of Coventry, of the above gift of Guy de Offeni, lord of the estate, and of all his sons.

W[alterus] dei gratia Couent[riensis] episcopus. Omnibus sancte matris ecclesie filiis salutem. Quoniam ad nostri officii deuocionem spectat pietatis beneficia non solum approbare verum approbata nostra auctoritate roborare et confirmare ex presentatione et assensu Widonis de Hoffeni domini fundi et omnium filiorum suorum concedimus atque donamus ecclesiam de Womburne in perpetuam elemosinam sancte Milburge et sancto Jacobo et monachis de Wenlok' apud Duddeleiam deo seruientibus. Et quia hanc donacionem ratam et in concussam haberi volumus ipsam tam literarum annotatione quam sigilli nostri inpressione confirmamus et corroboramus etc. [rest omitted].

(d) fo. 275, a.

Notification by Richard (Peché), bishop of Coventry, that at a trial before him in the chapter house at Stafford it was acknowledged that the parish of Trysull and Seisdon legally belonged to the church of Wombourne, and he bears witness to that effect.

Ric[ardus] dei gratia Couent[riensis] episcopus. Omnibus sancte matris ecclesie filiis salutem. Sciatis quod testimonio et Juramento tam clericorum quam laicorum in nostra recognitum fuit presencia in Capitulo apud staph[ordiam] quod parrochia de Tresel et de Seydona (*sic*) pertinebat ad ius ecclesie de Womburna. Et quoniam nostrum est testimonium perhibere veritati in hiis que in nostra acta sunt presencia ad quod ibi vidimus et audiuius literis nostris testamur valete.

(e) fo. 275, a.

Confirmation by Richard (Peché), bishop of Coventry, of the gift of Guy de Offeni and of William his son of the church of Wombourne with the chapels of Trysull and Seisdon to Dudley and Wenlock priories. The brothers serving God and St. James at Dudley are to hold the church freely, with power to appoint vicars.

R[icardus] dei gratia Couent[riensis] episcopus. Omnibus sancte matris ecclesie filiis salutem. Sciant presentes et futuri nos concessisse et presentis carte nostre auctoritate confirmasse deo et sancto Jacobo de Dud[deleia] et sancte Milburge de Wenlok' ecclesiam de Womburna cum capellis suis de Tresel et de Seisdon et cum omnibus pertinentiis suis inperpetuam elemosinam ex pia donacione Widonis de offeni et Willelmi filii eiusdem predictis venerabilibus locis collatam. Quare volumus et episcopali auctoritate precipimus ut fratres de Dudd[eleia] deo et sancto Jacobo seruientes et posterum seruituri predictam teneant ecclesiam liberam et quietam. Habeantque cum consensu et auctoritate episcopali in eadem vicarios constituendi liberam facultatem. Testibus, etc. [Witnesses omitted].

Walter Durdent was bishop of Coventry from Oct, 1149 to Dec. 1160, and Richard Peché from 1161 to Oct, 1182. Grants 'a' and 'e' from their similar wording were probably of about the same date and late in the bishop's life, that is, near the date of the 'foundation' of the priory. The status of the chapels of Trysull and Seisdon (and the Pope's confirmation only mentions *capella de Tresel*) which belonged to a different fee, must have had a very real importance to Bernard de Tresel who was chiefly concerned. Yet he is not mentioned. Probably the charter evidence is incomplete. The site of this endowment probably had much to do with placing Dudley priory within the diocese of Lichfield. The parochial question may not have affected the choice of name for the Deanery of Lapley and Trysull. It is possible to elaborate Colonel Wedgwood's explanation¹—that this deanery was made to cover the Hundreds of Cuttlestone and Seisdon—by pointing out that the townships of Lapley and Trysull contained the sites of the hundred moots (the latter being on the hill above Trysull), so that the names could have been chosen irrespective of whether they were parishes or not.

Having considered that side issue, it will now be possible to come to the charters of Gervase Paganell themselves.

¹ *Early Staffordshire History*, in *S.H.C.* 1916, p. 190.

I.

Grant by Gervase Paganel to St. Mary and the blessed Chad and the convent of the Church of Lichfield of his man Essulf and his homage and chattels, for the souls of his grandfathers Robert de Ferrers and Fulk Paganel and for the soul of his father Ralph and of his uncle William and for his own health and that of his friends.

This charter is from a *Registrum chartarum ac aliorum munimentorum de terris ac privilegiis ad sedem episcopalem Lichfeldensem pertinentibus*, transcribed from Ashm. MS. 1527 (in the Bodleian) by Wm. Kirtland 1843, copied for William Salt by W. Long, 1849. [W.S.L. p. 42]. The said cartulary, early 15th cent. in date, covers some of the ground of the *Magnum Registrum Album*, but is not a copy of it, and adds (as in this instance) fresh material and other details.

[Late Stephen, *circa* 1150].

Carta G. Pagani (*sic*) hominem Essulfum nomine cum omnibus catallis suis Ecclesie de Lich[efeldia] concedens.

G. Pagan[ellus] omnibus hominibus suis Francis et Anglis tam clericis quam laicis salutem. Notifico vobis me dedisse et concessisse et etiam carta mea confirmasse istum hominem Essulfum nomine et homonagium¹ ejus cum omnibus catallis suis Deo omnipotenti et sancte Marie et beato Cedde et conventui Lichfeldensis ecclesie pro animabus avorum meorum Rob[erti] de Ferar[iis] et Fulcodii Pag[anelli] et pro anima patris mei Rad[ulfi] et Will[elmi] avunculi mei et pro salute mei et amicorum meorum libere et quiete et etiam imperpetuum. Teste Petro Dapifero et Pag[ano] capell[ano] et Will[elmo] de Hagleia et Nicholao fratre ejus et Will[elmo] Pag[anello] et Rob[erto] Cor[n]ubovis et pluribus aliis.

The effect of this deed was to transfer the homage and service of Essulf (in return for protection) from Dudley to Lichfield. Essulf may not have been independent, but his services were of value.² It is perhaps only a coincidence that there was an 'Assulf,' a rural dean attending the bishop, mentioned in a charter of c. 1154-8.³

The timely discovery of this charter (quite by chance) was very pleasing; for though known to 17th century writers, it has been overlooked since (possibly because the grantor's name is strangely given), indeed recently it had come to be doubted how far the tradition of the

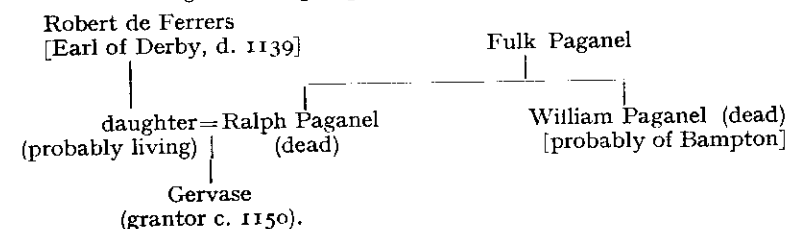
¹ *Sic* in MS. copy.

² As to the transfer of homage in the 12th cent. see F. M. Stenton, *Danelaw Charters*, introd., p. lxxxiii.

³ *S.H.C.* II, 239.

Ferrers marriage was correct. It is thus of great genealogical importance, the more so as it is authority for "uncle William" almost certainly the link with the Paganel of Bampton which genealogists desired.

The charter gives this pedigree:—



Gervase's mother (christian name unknown) was probably living at the time of this grant. Mr. C. T. Clay has recently pointed out that her dowry was the manor of Greenham, Berks. (a Ferrers manor), but this was granted by Gervase to the Hospital of St. John¹ at an early date. Indications for dating this charter are rather slight; but one may take it to be before Gervase's marriage, c. 1153, and 'Payne chaplain' has not yet been found on charters after the marriage.

Comment upon the other witnesses will be found in the notes to the next deed.

II.

Gervase Paganel wishes it known that he has forgiven William of Abinger and his heirs the debt of £10, "which Robert son of Wimund the father of the aforesaid William used to owe to Fulk Paganel my grandfather and Ralph Paganel my father, and William himself in like manner to my father. Wherefore I bid you know that I have discharged for ever the said William and all his heirs as against me and all my heirs from this debt, and for this acquittance William has given me ten marks and to the countess my wife one mark."

This document was Philipps MS. 28,246, and previously was in the possession of William Hamper, F.S.A. when it was printed (not very accurately) by Dr. Booker in his account of Dudley Castle (1825), p. 135-7.

In the following copy the end of each line is shown by a stroke |. The names of the witnesses are arranged, for additional clearness, in a column. * Signifies that the name appears in Gervase's *carta* of 1166; a dagger † shows that the witness occurs in the Tickford charter of about 1173. The date of this present charter is about 1153-5; so that many witnesses are found covering a period of fully 20 years.

[c. 1153-5.]

Geruasius Pag[anellus] omnibus hominibus suis tam futuris quam presentibus, salutem. Notum sit vobis me condonasse.

¹ *The Paynel Families*, p. 48 (citing *Bk. of Fees*, p. 864), 49.

Wil | lelmo de abingew[urdiā] et heredibus suis. creditionem
de .x. libris quam Robertus filius Wimundi pater predi | cti
Willelmi solebat facere Fulq[uei]o Pag[anello] Auo meo. et
Radulfo patri meo. et ipse Willelmus similiter | patri meo
hanc creditionem solebat facere. Quare uolo uos scire me
predictum Willelmum. et omnes | heredes suos. de me et de
omnibus heredibus meis inperpetuum quietos clamasse de ista
creditione | et pro ista adquietatione dedit mihi Willelmus .x.
marcas. et comitisse vxori mee .i. marcam. | T[estibus].

† Isabella comitissa vxore mea.

et Johanne de Sumereio.

* et Helia filio Ansculfi.

* et Willelmo bufferre. |

† et Simone capellano.

et Rogero clerico.

* et Manfel[ino] de uuinges.

* et Ricardo de Stoces.

et Aluredo | eius fratre.

† * et Willelmo Pag[anello].

† et Bernardo eius filio.

* et Radulfo mansell.

et Radulfo filio Radulfi.

et Roberto | cordebeof.

† * et God[wino] dapifero.

† * et Pag[ano] de ambert[onia].

† et Fulq[uei]o filio Willelmi Pag[anelli].

et Roberto Pag[anello].

† et Willelmo | de dudel[eia].

et Willelmo especheell'.

† et Euerardo pincerna.

et Rogero de haggel[eia].

† * et Galf[rido] ruilleio |

et Eustacio Mord[ant].

† * Item, Petrus (*sic*) dap[ifer].

* Walterus mansellus. (*sic*)

Widone de offeineio.

Ricardo filio | Radulfi.

Hugone de morue.

Geldew' britone.

Willelmo de derlauest[onia].

Petro de etingeshal'.

* Willelmo | de haggel[eia].

Nicolao de haggel[eia].

et Guar[ino] eius filio.

* Henrico de erdintonia.

* Roberto de castre' | tonia.

Vdardo marescal[lo].

Roberto Saluage.

Roberto de Creft.

Ricardo filio Roberti |

Johanne de Wikeford[ia].

Gileb[erto] de Wandleswurdia.

Ricardo pulcro.

Willelmo de la ferte | et pluribus aliis.

[No ancient endorsement]

Slit for tag of seal. The document measures about 6½ by 6¾ inches, and is written in a large bold hand.

It may not be possible fully to explain the purport of this instrument, whose origin begins generations before this act which terminates it. The debt, loan or trust (works of reference provide little guidance in regard to *credito*, and a 'loan' to one party is a 'debt' to another) was now ripe for re-consideration. The actual difference between eleven marks and £10 is only £2. 13s. 4d., yet this was of sufficient importance to involve most of the principal tenantry as witnesses.

The pedigrees for which it is evidence on the part of Abinger and Dudley are:—

Wimund

|
Robert

William (c. 1155)

Fulk

|
Ralph

Gervase Paganel,

and as William was a contemporary of Ralph (and Robert with Fulk), it is probable that Wimund was contemporary with Domesday Book. Therein the tenant at Abinger (Abinceborne) Surrey is not mentioned.

There are indications that the names of the 45 who attest this charter were obtained on two occasions, the break being at the word *Item*, and it seems possible that the division was between those collected at Newport Pagnell and Dudley Castle.

There is a strong household element: two stewards, a butler, chaplain, clerk, the keeper of the spicery (or apothecary), and marshall. One misses a chamberlain (*camerarius*): the charter may be too early for Thomas who occupied that post from about 1160.¹ It may be suspected also that William de Dudley and perhaps Roger de Hagley (a frequent witness over a long period, and not apparently the principal tenant at Hagley) had also a position in the household.

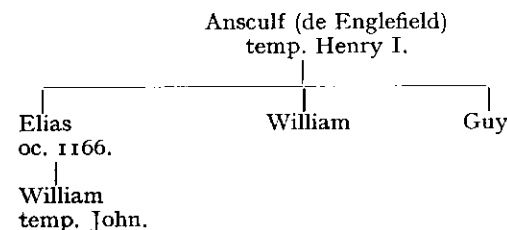
Isabel countess, my wife: the first witness, most frequently attested her husband's charters. Her status, as daughter, widow and mother of earls made her a lady of the first importance.

John de Somery: this seems to be the earliest of his three known appearances on charters as witness. On the Saltley grant (see below) he appears with his wife Hawis, and we take leave of him on the foundation charter of Dudley Priory. His gift of two virgates of land in Little Crawley is confirmed in Gervase's charter to Tickford Priory (*Mon.* V, 203) and by his widow (*ib.* 204, no vi). As mentioned above, Agnes de Somery, who gave half the vill of Churchill (Worc.) to Dudley Priory (*ib.* p. 83), may have been his daughter.

Helias son of Ansculf is the Elias de Englefield, Berks, who held three knight's fees of the Dudley barony in 1166 (*S.H.C.* I, 197). His identity is proved by two charters (British Museum, Add. Ch. 7200, and 7201) kindly put at my disposal by Prof. F. M. Stenton, who draws attention to a grant to *Ansculfo de Englefelda* of land belonging to Reading monastery, c. 1130-36 (Reading Cartulary, *Cott. Vesp.* E xxv, f. 159b). Add. Chart. 7200 is a grant by Hasculf *de Pinchennia* to Guy fitz Hasculf of Englefield of one hide of land (presumably at Englefield) that he may become his vassal.' Add. Ch. 17201—which bears an Equestrian seal: SIGILL' HASCULFI DE PINCHENI—is the same grantor's gift of a meadow at Middelham to 'Helias' de Englefield on account of his homage and service, for a rent annually at the time of ? nesting (*espreueitesini*) of one sore sparrowhawk. For this grant Elias gave him four marks of silver, and to Gillo his son and heir one horse shod with iron (*chazeur ferracem*) and to Maud his wife one half mark of silver. The witnesses, which are almost in duplicate on the two charters, include:—"Hugh my brother *de Pinchennia*, Ralph my nephew, Hasculf my son, Helias son of Hasculf *de Englefeldia*, William his brother, Hugh son of Osbert, and Osbert his son and Peter his son, Peter *de Stanfordia*, Robert his brother, Roger de Cranford, William son of Folcred, Reginald his brother, Thomas [his brother], Richard de Stanford clerk, master John *piperato summo philosofo*" [on Add. Ch. 7201 "master John *peuerree*."]

One cannot here pursue Hasculf of Pinchennia, Hugh, Maud and Gillo; but the Englefield pedigree appears to be:—

¹ He first occurs on *Danelaw charters* 337-8, which Prof. Stenton dates 1158-66.



William Buffere of 'Lower' Penn, "Penn Buffar" in Medieval times, held 2½ knight's fees of Gervase Paganel in 1166 (*S.H.C.* I, 201). He was probably the second of three consecutive holders of this name, called *pater meus Willelmus Buffere secundus* when the third William confirmed his gift of Trescote to the monks of Combe [Warw.] c. 1190-9. (*S.H.C.* III, pt. i, 221). Trescote, as 'Cote,' was part of the endowment of Wolverhampton church at the time of Domesday, and history is silent on how (with half Wolverhampton) it passed to the Dudley fief. The single charter concerning Trescote which General Wrottesley printed (as above) from the Combe Chartulary (*Cott. MS. Vit. A. I. fol. 147b*) is inadequate explanation of this transaction. Seven deeds are there set out in a somewhat truncated form, and unfortunately without the names of witnesses.

(i) Grant by William Buffer ('Bufferre') to William Fitz Guy of two hides of land in Trescote, with leave to reconvey them *cuicumque voluerit*. He confirms a covenant between William fitz Guy and the monks of Combe *saluo tenemento meo de Penne per metis que sunt inter penne et Trescote*. A rent of 6s. annually is reserved.

(ii) Notification by William Fitz Guy that he has granted to the monks of Combe the same land, with the consent of Richard his heir; *saluo forensi seruicio domini regis et dominorum meorum quantum ad duas hydas pertinet*.

(iii) Notification by William Buffere, the son, with the consent of William, son of Warin de Penne his vassal (*homo*) that he has granted to the monks of Combe 'a certain portion of my land (that) which is nearer to that land (*terre ille*) [*sic*] of Trescote which my father William Buffere the second gave them.' [The text (but reading *ville* for the above) is given in *S.H.C.* III, i, 221; but the description seems to apply to a different area than that comprised in his father's grant.]

(iv) "Confirmation of Gervase Painel." (Extended copy). Geruasius painellus omnibus etc. [*omitted*] Nouerit vniuersitas uestra quod ego Geruasius hac mea carta presenti confirmo donationem illam et concessionem Willelmi filii Wydonis de terra sua de Trescote quam dedit et concessit in puram et perpetuam elemosinam Deo et Beate Marie et monachis de Cumba. *saluo seruicio domini regis et meo*. Hiis testibus. [*not given*].

(v) Confirmation by William Buffere to the monks of William Fitz Guy's grant to them (No. ii, above). This is by William Buffere the father, as it refers to the grant made by himself (No. i) and Gervase's confirmation (No. iv).

(vi) Quitclaim of Richard son of William Fitz Guy to the monks of his right to the 6s. [*et iiijd. (sic)*] which they used to pay *pro warrantizatione terre de Trescote* yearly to his father and owed him. It ends obscurely: Ego et heredes mei de monachis prefatis recipiemus et Willelmo Buffr' et heredibus suis reddemus ne ullam molestiam uel vexationem gere[nt?].

(vii) Quitclaim by Philip fitz Helgot of all claim to his land at Trescote to the monks: et omnes res alias et possessiones eorum secundum posse meum manutenebo. [Here ends MS. fo. 148a]. How he was interested does not appear.

Simon the chaplain and Roger the clerk occur together on the Saltley grant some fifteen years later. Simon alone is to be found on the Wolverhampton and Tickford grants of even dates. There was a Roger 'chaplain' at Northfield (Nordfelt) in the 12th cent. (Rydeware Cartul., *S.H.C.* XVI, 271).

Manfelin de Oving, Bucks. who held two knights' fees there in 1166 (*S.H.C.* I, 197).

Richard de Stokes and Alfred his brother. It is probable that the former was the Richard 'de Ditton' of the *carta* of 1166 who held four knights' fees of the barony. His fee included Stoke-Poges, Bucks.

William Paganel and Bernard his son: the former, from his position, is almost certainly the William P. who held one knights' fee at Chicheley, Bucks. in 1166. They occur again together on the Tickford charter (c. 1175), but their place in the Paganell pedigree can at present only be guessed. There is however a clue to the activity of Bernard P. in the grant by Ralph P. and confirmation by Gervase of Middleton and 'lahaie' in Northfield, Worc. (*V.C.H.* Worc. III, 197, citing Prattinton Coll. *Cookes Evidences*) a line of research which cannot unfortunately be pursued at present. The reference to Ralph Paganel is very curious.

Ralph Mansell held one knight's fee of this barony in 1166 at Woolstone, Bucks. and Chicheley (*S.H.C.* I, 203). He did not attest the Tickford grant, but it confirmed a donation of his and of his wife Cecilia to Newport church, and the text of the grant itself is preserved in *Mon.* V, 204, item viii.

Ralph son of Ralph. I take him to be son of the last.

Robert 'Cordebeof': He appears in charter I above, with his name Latinized '*cornubovis*': 'oxhorn.'

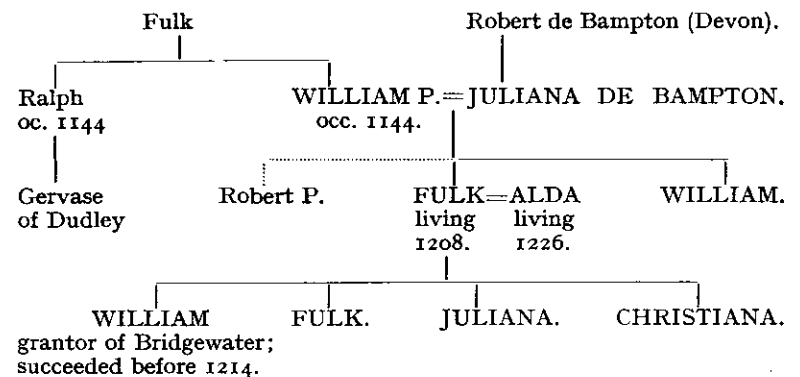
Godwin *dapifer*, often described as 'of Newport' (Paganel).

On *Danelaw Charters* 337-8 he is styled 'clerk.' He held one-third of a knight's fee in 1166, which General Wrottesley thought was at Castle Bromwich (*S.H.C.* I, 204). Father of Matthew (see Charter III, below).

Payn de Emberton, another Buckinghamshire knight, holding one knight's fee at that place in 1166. He attested the Tickford grant.

Fulk son of William Paganel, and Robert Paganel. The Paganel witnesses of this and other charters in this collection offer some difficulties of identification. It is clear they were of the Bampton branch of Paganel and near relatives of Gervase Paganel of Dudley, but the place in the pedigree of some is still uncertain. Mr. C. T. Clay has in his detailed account of "*The Paynel Families*," dealt less copiously with the Dudley and Bampton branches than with the great Fee of Ralph Paynel in Yorkshire, Lincolnshire and elsewhere which the Domesday Survey records; but he assembles much new evidence which has been most useful in the present investigation and is here gratefully acknowledged.

Three Tickford deeds, printed in the *Monasticon* (V 204, iii, iv, vii), establish the following descent (given in capital letters) to which additions are made from other sources.



Thus the place of "Fulk son of William Paganel" is clear, as is also the fact (if the identity of William his father with William son of Fulk is accepted) that he was Gervase's first cousin.¹ This close relationship is supported by the frequent appearance of the Bampton Paganels as witnesses to Gervase's charters, and it is emphasized by the action which Gervase's tenants in Staffordshire took in helping Fulk in 1185 at the time of his financial collapse.² When R. W. Eyton edited the

¹ This is the opinion of Mr. C. T. Clay (p. 50) and Grazebrook (p. 8), the former showing that Dr. Fowler's view (*Beds. Hist. Rec. Soc.* vii, 200—that William of Bampton was *brother* not *son* of Fulk of Dudley) conflicted with the chronology of the case.

² *S.H.C.* I, 111-2; and C. T. Clay, p. 52.

Pipe Rolls for Staffordshire in Volume I, of our Publications, he left Fulk Paganel (who held in Staffordshire only land at Himley) a refugee without a future (*ibid.* p. 111) and what more he would like to have said about his fortunes and descendants he left untold. Mr. Clay however shows that Fulk in due course returned to England and was still alive in 1208,¹ though his land was in other hands until 1199. It seems nevertheless certain that Fulk was in England long before that date, for he witnesses with "William his brother" a charter dated *after* 1186 [see no. VIII below].

No exact information is forthcoming as to the place of Robert Paganel in the pedigree. He is to be distinguished of course from Gervase's son Robert, and this is not difficult for he belongs to an earlier generation and died earlier. He is mentioned, as in this case, always just after Fulk—evidence of some close tie. Yet he is never mentioned as brother; it is likely he was a half-brother. He is mentioned in the Tickford grant, where John Mansell gives to the priory eight pence *pro anima Roberti Paganelli*.² So by about 1173 he was dead. He may have been the Robert Painel whose sons Ralph and John witness a Wombourne charter towards the end of the century (*S.H.C.* III, 217).

William of Dudley. Probably one of the household, but nothing seems to be known of him.

William 'Spicer': keeper of the spicery, an office allied to that of apothecary. (*N.E.D.*).

Everard 'pincerna': the butler. He occurs on the Tickford grant and also (as Ebrard Pincerna) as a tenant in Berkshire on the Pipe Roll of 1182-3.³

Roger of Hagley. A very frequent witness to Gervase's charters until at least 1180. Whether he was tenant at Hagley is uncertain.

Geoffrey de Rouelle. Mr. C. T. Clay (*op. cit.* p. 47-8) says: "It is reasonably certain that the *caput* of Gervase's holding in Normandy was Rouellé in the Passeis; and after the loss of Normandy half a fee in Rouellé is described as the escheat of Ralph de Somery, who was the heir of Gervase and adhered to King John." In 1166 Geoffrey held $\frac{1}{4}$ of a knight's fee of the Dudley Honour (*S.H.C.* I, 204-5), but it has yet to be identified.

Eustace Mordant. It will be seen by charter III, hereafter, that this Eustace was son of Baldwin Mordant. The name is not found in the *Liber Rubeus*, but a William Mordant held 1 kt's fee at Chicheley, Bucks.

¹ *Op. cit.* p. 52. He was present when he confirmed his charter of the church of Rainham to the abbot of Lessness. *Curia Regis Rolls* V, 145; *sciendum quod Fulco Painel* cujus cartas protulerunt presens fuit et warantizavit eidem abbati ecclesiam illam et cartam quam inde eis fecit.

² *Mon.* V, 203.

³ *S.H.C.* I, 112.

in 1291 (*Cal. I.P.M.* II, p. 497) of the Dudley barony, of which at this earlier date they were probably under-tenants. It is probable that here we have the beginnings of the great Mordant family of the Peerages. Dr. Round has some biting remarks on the false charter of "Eustachius de Sancto Egidio" who heads the family pedigree in the Peerages;¹ but there would seem to have existed a real Eustace apart from legend, and the tradition thus has some basis of truth.

Peter 'dapifer' has already been noticed on pp. 48-9, above. The lapse into the nominative case points to the break in the list of witnesses.

Walter Mansel held in 1166 one knight's fee at Inkpen, Berks., and Soulbury, Bucks. (*S.H.C.* I, 204). He was father of John Mansel benefactor of Dudley Priory (see p. 55 above). Walter's gift to Tickford Priory is given in *Mon.* V, 204.

Guy de Offen makes a rare appearance. His gift to St. James of Dudley is mentioned above, pp. 52-7. He is one of the senior witnesses, as he was succeeded in his estates before 1166 by his son William fitz Guy (*S.H.C.* I, 198).

Richard son of Ralph should also be a tenant or under-tenant of Gervase, but he eludes identification. He appears as a witness to the Saltley charter (No. V, hereafter), and he may be the Richard fitz Ralph who was fined for a forest trespass in 1177-8 (*S.H.C.* I, 90).

Hugh de Morf, tenant of one of the de Bermingham manors. In the Pipe Roll of 1175-6 he, as Hugh fitz Peter, was among those fined for a forest trespass (*S.H.C.* I, 79). He was in fact enfeoffed, as a younger son, by his father, Peter de Bermingham, in his manor of Morf. Peter appears as lord of Morf in the list of trespassers in 1166-7 (*S.H.C.* 1923, p. 298), but this charter shows that Hugh was under-tenant at least ten years earlier.

Geldew' the Breton, an addition to the list of 12th century Bretons in Staffordshire. Mr. Carter draws my attention to the resemblance of 'Gildas' the name of the Chronicler, who was a Breton.

William de Darlaston. This is probably the earliest appearance of the Darlaston (by Wednesbury) on record, for the place is not mentioned in Domesday Book. This William is found on the 1166-7 list of forest trespassers (*S.H.C.* 1923, p. 295).

Peter de Ettingshall. Here again an early tenant, otherwise unknown.

William de Hagley, Nicholas [his brother] and Warin his son. The identity of Nicholas has been decided by charter No. I (above). Whether William was the same as William de Hagley who was

¹ *Peerage and Pedigree* vol. i, p. 290-1; chapter on "Tales of the Conquest." A footnote, p. 290, states "The Mordaunts can be traced back to within about a century of Domesday." We now halve that interval.

excused taxation on the Pipe Roll of 1130 is uncertain (*S.H.C.* I, 4). He was fined for a forest trespass (as William de Lutley, near Enville) in 1166-7 (*S.H.C.* 1923, p. 298), and held one knight's fee of Gervase in Hagley and Lutley in 1166.

Henry de Erdington held one knight's fee of the barony in 1166 (*S.H.C.* I, 203). He seems to be the first who is known of a family which became important at a later date.

Robert de Castreton held one knight's fee of Gervase in 1166 at Toilethorp in Rutlandshire (*S.H.C.* I, 176). He was probably one of the senior witnesses, as the Tickford grant confirms the gift: *illam elemosynam quam Robertus de Castretona, homo meus, tempore Radulfi patris mei, ecclesiæ de Newport, et monachis dedit; scilicet duas partes decimæ suæ de dominico suo de Tolthorep.*¹ (*sic*). That charter besides is witnessed by Simon de Castertun, who may have been his successor.

Vdard the Marshall and Robert Savage. I have no notes on them.

Robert de Creft: the name is also written Croft, and its provenance is Leicestershire.² I take Richard son of Robert to be his son.

John de Wikeford: his association with the next witness, makes Wikeford the 'Witford' of the Surrey Domesday, which William fitz Ansculf then held, 'and William the Chamberlain from him.' The name is almost extinct, being found now only as 'Whitford Lane.'³ Alexander de Wykforde held $\frac{1}{2}$ a knight's fee of the honour of Dudley in 1210-2.⁴

Gilbert of Wandsworth, a large Surrey manor which Ansculf had after he had become sheriff.⁵ It seems to have remained part of the demesne lands, for it is not found in the *carta* of 1166.

Richard 'Prettyman,' as he might have been.

William de la ferte (*de Feritate*). This family was connected with the Paynels;⁶ but this William, though possibly a young man, is unlikely to be the same as William de la Ferte who held much land in the S.W. of England in the time of John.⁷

¹ *Mon.* V. 204.

² Compare also *Danelaw Charter*, 388.

³ *P. N. Surrey*, p. 52.

⁴ *Lib. Rub.* 560. How this manor was represented in 1166 does not appear.

⁵ *Domesday*: "Hanc terram habuit Ansculfus postquam recepit uicecomitatum."

⁶ C. T. Clay, *The Paynel Families*, p. 53 seq.

⁷ Cf. also *Red Bk.* p. 553, 558, etc.

III.

Add. Chart. 47423.

Grant by Gervase Paganell to the Abbey of Fontevrault and the nuns of Kintbury [co. Berks.] of his mill in Inkpen [co. Berks.] and its appurtenances, for the soul of his father, and of his mother, and of his ancestors, and for the health of his soul and of his wife's. [c. 1154].

Geruasi[us] Paganell' omnibus hominibus suis tam francigenis quam Anglicis, salutem. Sciatis me dedisse et concessisse deo et sancte Marie de fonte Ebraldi. et sanctimonialibus de Keneteburi. ibidem deo seruientibus molendinum meum de Hingepenna cum omnibus que ad molendinum pertinent, in perpetuam elemosinam, pro anima patris mei. et matris mee et antecessorum meorum. et pro salute anime mee. et uxoris mee. Quare uolo et precipio ut predicti sanctimoniales de Keneteburi, molendinum predictum in pace. et in bene teneant. Teste. Ysabel, uxore mea. et Fulcw[er]no painel. et Petro de Surcolmund. et Galfrido Ruuile. Baldewino Mordant. et Eustachio filio suo. Godwino. clerico de Neuport. et Matheo filio suo. Galfrido labbe. Radulfo de Turuile.

[Hole for seal tag]

Endorsed:—Hec est confirmatio molendini de Ingepene, [and modern] Carta Gervasii Paganelli sans date.

The date of this charter cannot have been earlier than the latter part of the year 1153, when the countess Isabel was again able to marry, and 1155 when the priory had been, most likely, moved to Nuneaton, Warwickshire. So we arrive at the date c. 1154. The foundation was strictly one by Robert, earl of Leicester, Gervase's father-in-law; this accounts for the Leicestershire witnesses. Most of the witnesses have been mentioned in notes to charter II (above), but Peter de Surcolmund is new. He held $\frac{1}{2}$ a knight's fee in 1166 [*S.H.C.* I, 204] at a place General Wrottesley was unable to identify beyond the fact that it was in Berkshire. Mr. Carter has however found that the place was appropriately Inkpen (Ingepenne) citing a Tichfield charter in *Monasticon* VI, 933. The Peter de Sukemund de Ingepenne who then granted "all his land" in Inkpen to the canons, and the confirmation of Roger de Somery to them of "all the lands, [&c.] which they have of his fee in the vill of Ingepenne", belong to the date 1250 to 1254, for the charter is witnessed by Nicholas de Henreth "Sheriff of Berkshire", who held office at that time. The Premonstratensian Abbey of Tichfield, Hampshire, is said to have been founded in 1231. Surcolmund (Serkemunt, *Lib. Rub.* 270; Surcomunt, *Lib. Nig.*) must be looked for abroad.

Geoffrey Labbe, on the next charter *Abbate*, was steward (*dapifer*) of the Earl of Leicester (F. M. Stenton, *Danelaw Charter*, 331) and brother of Robert 'butler' (*pincerna*) of Leicester (Pinley deed, *Mon. IV*, 115). He is a frequent witness to Leicestershire charters.

Ralph de Turville, another Leicestershire witness, occurs on *Danelaw Charters* 327, 328, both of Early Henry II date. His mother became a nun of this house, and he became a benefactor (*V.C.H. Warw.* ii, 67).

I am grateful to Professor F. M. Stenton for the text of this charter and the one that follows. They did not come within the scope of his *Danelaw Charters*.

IV.

Add. Chart. 47424.

Grant by Gervase Paganel to the nuns of Eaton [Nuneaton, co. Warw.] of the order of Fontevrault of his mill in Inkpen, with the meadow and croft and all appurtenances. [c. 1155].

Geruas[ius] Pag[anellus] omnibus Sancte Dei ꝑcclesiꝑ fidelibus. et omnibus hominibus suis Franc[igenis] et Anglicis, salutem. Notum sit uobis me dedisse et concessisse Deo et sancte Marie. et Sancti monialibus de Etonia de ordine Fontis Ebraudi. Ibidem deo et sancte Mariꝑ seruientibus. molendinum meum de Ingepenna. cum prato et crofto et cum omnibus pertinentiis suis. in perpetuam elemosinam solam et quietam ab omni seruicio seculari. pro anima patris mei et matris meꝑ. et antecessorum meorum. et pro salute animꝑ meꝑ et uxoris meꝑ. Quare uolo et firmiter precipio ut predictꝑ sanctimoniales de Etonia. predictum molendinum de Ingepenna bene et in pace, et libere et quiete et honorifice ut liberam elemosinam teneant. Testibus. Isab[ella] Comitissa uxore mea. Petro Dapifero. Elia filio Anschulfi. Galtero Mansell'. Petro de Surcolmund. Fulq[uei]o Pag[anello]. Gaufrido Ruilleio. Godwino Dapifero de Nioport'. Gaufrido Abb[at]e. Radulfo de Turuill'. Ricardo Mallori. Rogero de Cranforda. Rogero Walense.

Seal. Equestrian: SIGILLV

Endorsed:—Hic est confirmatio Geruasii Pagenelli super molendino de Igepen. (*circ.* 1200).

[modern] Ecclesie de Etona sans date.

This gift is omitted from Earl Robert's confirmation (Round, *Cal. Doc. France*, 376) for it was not of his fief. It therefore did not effect the date of that confirmation as the writer in *V.C.H. Worcs.* ii, 66 suggests.

The witnesses support the early date of this deed and most have already been noticed. The last five are a Leicestershire group; three are new.

Richard Mallory was a benefactor of Nuneaton, *circ.* 1155 (*Danelaw Charter*, 331).

Roger de Cranford (the place is in Leicestershire) witnesses several of the Nuneaton charters of this early period. (*Danelaw Ch.*).

Roger Walsh, likewise, and was himself a benefactor (*Ibid.* p. 245).

The texts of thirty-two other 12th century charters dealing with Nuneaton Priory are printed in full in Professor Stenton's edition of *Danelaw Charters* (Brit. Academy, 1920) pages 238-260; charters 316 to 347.

Of these attention may be drawn to four.

No. 336 (being Add. Chart. 47631) Grant by Gervase Paganel and Isabel his wife to the nuns of Eaton of an estate in Waltham on the Wolds, Leic. (*circa* 1160).

No. 337 (being Add. Chart. 47634) Notification by Gervase Paine to Baldric, archdeacon of Leicester, of the gift of the church of Waltham at the request of Isabel his wife. The witnesses start with Isabel countess, Godwin de Neuport, Fulk Paine, Robert Paine, Thomas 'camerarius,' and include later on, Roger de Hageley.

No. 338 (being Add. Chart. 47633) is a duplicate of the above but 'I. comitissa Norhantonie' notifies, and Gervase Paganel is first witness. Both belong to the period 1158-1166.

No. 343 (being Add. Chart. 47640) is a letter from Gervase Paganel and the countess Isabel his wife to Nicholas abbot of Burton and the judges in the suit of the nuns of Eaton and the nuns of Beauvais concerning the church of Waltham; the date being after May, 1188. There are no witnesses.

There are also charters existing in twelfth century copies (Add. Chart. 47642) in the names of Gervase Paganel, Isabel 'comitissa Norhantona' his wife, and of Count Simon her son, granting land in Waltham, to Bernard *homo meus* de Waltham. As copies they were omitted from *Danelaw Charters*¹ and they are perhaps outside the scope of this Appendix, but among Leicestershire witnesses appear Fulk Paganel and Robert Paganel.

¹ Professor Stenton kindly furnished me with the text.

V.

Sir Christopher Hatton's Book of Seals. No. 50.

Facsimile of the charter then (1643) in the possession of Robert Arden of Parkhall, Warwickshire.

Another copy in the Bodleian Library: Dugdale MS. K (now MS. 15).

Charter of Gervase Paganel restoring Saltley, co. Warw. to Henry of Rugby to hold by the service of one fifth of a knight. [Date 1166-1178].

Gervasius Pag[anellus] omnibus hominibus suis tam futuris quam presentibus salutem. Notum sit uobis me concessisse et reddidisse Henrico de Rokebia Saluthleiam illi et heredibus suis tenendam de me et heredibus meis in feudo hereditario. libere et quiete in bosco et plano in pratis et pascuis et aquis et cum omnibus libertatibus cum quibus antecessores eius eam tenuerunt. quintam partem seruicii militis unius inde faciendo. Testibus. Isabel' comitissa. uxore mea et domino Johanne de Sum[er]eio et Hawis' sorore mea. et Petro dapifero et Rad[ulfo] de Seil'. et Roberto de Creaft. et Alexandro de Ardena et Simone capellano et Rogero clerico et Ricardo filio Radulfi. et Galfrido Ruilleio et Fulquio filio Willelmi Pag[anelli]. et Roberto Pag[anello].

Mr. W. F. Carter, to whom I am indebted for a copy of this charter, refers to it on p. 24 above. Mr. Lewis C. Loyd has kindly furnished me with a copy of its entry in the *Book of Seals*, which he is editing, and he points out that the date of this charter must be subsequent to the grantor's return of his knights in 1166, since this holding is not included (*Red. Bk. Exch.*, p. 269). The latest limit of date is not so clear, but depends upon Peter 'dapifer.' Ralph de Seille has been mentioned above (p. 54); Alexander of Arden may have been a 'clerk.' Notes on the other witnesses have appeared above. Mr. Loyd shows that the identity of Saltley is proved by the inquisition taken on the death of Roger de Somery in 1291, when Mabel daughter and heiress of Ranulf of Rugby held Saltley of him, by the service of a fifth of a knight's fee. (*Cal. Inq. P.M.*, vol. ii, no. 812; *S.H.C. IX*, ii, 37, which is the earliest I.P.M. available).

VI.

William Salt Library, Stafford. Bridgeman Coll. Transcript of Huntbach MS. 2. fol. 85 (b).

Gervase Paganel confirms his grant to Beatrice of Wolverhampton of one virgate of land in Brierley for her service, namely what Payn 'pretor' held with

all appurtenances, etc. paying yearly two pounds of pepper at Christmas for all services, and the same is warranted to her. [c. 1175].

[Margin] Brereley. ex autog. penes Wal: Moseley.

Gervasius paganellus amicis suis clericis et laicis Anglicis et Francis tam presentibus quam futuris salutem. Sciatis me dedisse et hac mea carta confirmasse Beatrici de Wulfrenhamptune unam virgatam terre in Brerleia pro servicio suo scilicet quam paganus pretor tenuit¹ cum omnimodis pertinentiis libere et quiete in bosco et in plano in pratis et in pascuis et in omnimodis communibus aisiamentis sibi et heredibus suis tenendam de me et heredibus meis reddendo annuatim mihi et heredibus meis duas libras piperis ad Nativitatem Domini pro omni servicio et hoc totum ego et heredes mei warrantabimus predictae Beatrici et heredibus suis contra omnes homines. Hiis testibus Isabela uxore mea, Simone capellano meo, Petro senescallo, Toma Camerario, Willelmo filio Wydonis, Nicolao de Hamptune, Roberto clerico, [Godwino]² senescallo de Newport et multis aliis.

This supplies the text for the not very accurate version given in Shaw, ii, 173 (under Dunstall). It is the oldest document relating to Wolverhampton apart from its church, and is likely to remain so. Its date is near 1175, though the material for ascertaining this is rather slight. Peter the steward, however, disappears about that time, and Thomas the chamberlain is not much in evidence before c. 1180. The other witnesses have a wider range. It is apt to be overlooked that 'Brierley' was a hamlet in Ettingshall, near Wolverhampton, and not the better known place in Kingswinford.

The inclusion of this charter among the muniments of the Moseley family, the Elizabethan owners of Dunstall near Wolverhampton (and a thorough but unsuccessful search has been made for it among the records of the late Major H. R. Moseley of Buildwas, Salop, a direct descendant of the Walter Moseley, named) makes it probable that Beatrice was a member of the 'de Hampton' family, who, seated at Dunstall, were tenants of the Dudley barony until 1204. The witness Nicholas de Hampton may have been the head of this family at this time, and Beatrice (as Mr. W. F. Carter conjectures) a Paganel; but supporting evidence is lacking.

This Brierley rent is mentioned in the Extent of the manor of Sedgley 1273 (*S.H.C. IX*, p. 28).

¹ Shaw omits this clause. Nothing is known of this Payn.

² MS. *Gervasio*, evidently a mistaken extension of an abbreviation in the original.

SOME EVIDENCE FROM BUCKINGHAMSHIRE.

The following charters of Gervase Paganel seem to have an important bearing upon the question of the tenants and their dates, and merit reprinting and bringing before Staffordshire readers. They were mentioned by Dr. Round in a footnote (Cal. Doc. France, I, p. 445), but were not dealt with otherwise by him. Even now Dr. Fowler has omitted to give us the "confirmation by Henry I of Ralf Paynel's gift."

VII.

Notification of Gervase Paynell that he has granted his land at Chicheley [Bucks.] which William Paynell held from him, by the wish of his wife the Countess Isabel, to the church of Newport and the monks of Marmoutier there serving God. Failing power to warrant it, the monks should have the equivalent in exchange. [? circa 1180].

Geruasius Paganellus omnibus hominibus suis et amicis tam presentibus quam futuris salutem. Sciatis me dedisse et concessisse et hac presenti carta mea confirmasse totam terram meam de chicheleia cum omnibus pertinentiis suis terram illam videlicet quam Willelmus Paganellus de me tenuit in Chicheleia assensu et voluntate uxoris mee Ysabel Comitisse deo et ecclesie beate Marie de Neuport et monachis de maiori monasterio ibidem deo seruientibus pro salute anime mee et pro animabus patris mei et matris mee et uxoris mee Isabel Comitisse et omnium antecessorum meorum in puram et perpetuam elemosinam Liberam et quietam ab omni exactione seculari et seruicio. Ego autem et heredes mei terram istam et elemosinam apud omnes homines et per totum Warantizabimus. Et si Warantizare non poterimus predictis monachis exscambias valentes dabimus. Hiis testibus

Ysabel Comitissa uxore mea	Michaele filio Osberti
Fulcodio Paganello	Simone capellano
Willelmo filio Widonis	Willelmo capellano
Alano de Withacre	Henrico clerico de Estona
Pagano de Embertona	Waltero clerico
Rogero de Hageleia	Willelmo de Louente
Godwino dapifero	Willelmo de stabulo
Petro filio Ade	et multis aliis.

[endorsed] Noticia Geruasii paganelli si [sic] per terram de chichele quem [sic] fuit Willelmi paganelli.

Printed by Dr. G. H. Fowler from the original in the Archives of the Department of Indre et Loire at Tours, with full translation and notes, in the *Records of Buckinghamshire*, vol. XI, p. 227-8. The editor dates this charter *circa* 1187, because it is mentioned in the general confirmation (as are most of the witnesses) supposed to be of that date. But, as has been shown above, p. 50, that transaction is likely to have taken place at least ten years previously. Several things however do point to a late date—the absence of earl Simon from among the witnesses; the early position of Fulk Paganel (and the absence of Robert Paganel). Roger de Hagley on the other hand is not to be expected after 1180, and does Henry 'clerk' of Aston (probably Aston by Birmingham) precede or succeed Adam the priest of Aston, who occurs about 1180 (see above p. 26 Hestune = Aston) and, according to *Danelaw Ch.* p. 252, c. 1160. *Danelaw Ch.* p. 245 places Henry, clerk, in the Mid Henry II period.

Whether Alan de Withacre [? co. Warw.] is the same as Alan 'dapifer,' I cannot say.

The William Paganel of the text is that mysterious William father of Bernard (see above p. 64). He cannot have been the brother of the witness Fulk. William Fitz Guy had a Buckinghamshire manor, at Ellesborough.

Peter son of Adam (a new name) appears on the Bucks. Pipe Roll for 2 Ric. I (1190) where he was fined for waste, and again in 1194 when £12. 1s. 10d. is realised from the sale of his chattels as an adherent of Count John. But a Peter fitz Adam occurs in Northants. P.R. 20-21 Hen. 2.

VIII.

Notification of Gervase Pagnell that he, with the assent of Hugh bishop of Lincoln and his wife the countess Isabel, has given the house which Baldwin Berner held in Newport [Bucks] to the church and monks of Marmoutier there, for dower of the church of the blessed Peter the Apostle and to find a lamp in the chapter house of St. Mary of Newport before the bodies of his ancestors. [1186-1194].

Geruasius Paganellus omnibus hominibus suis et amicis tam presentibus quam futuris salutem. Sciatis me dedisse et hac presenti carta mea confirmasse domum et messuagium quam Baldwinus Bernerius tenuit in Neuport petitione et assensu

Hugonis Lincolnensis episcopi et uxoris mee Isabelle Comitisse deo et ecclesie beate Marie de Neuport et monachis maioris monasterii ibidem deo seruientibus pro salute anime mee et pro animabus patris mei et matris mee et uxoris mee Isabelle Comitisse et omnium filiorum et antecessorum meorum in puram et perpetuam elemosinam solutam et quietam ab omni consuetudine et servicio in dotem ecclesie beati petri apostoli et ad lumen inueniendum in Capitulo sancte Marie de Neuport ante corpora antecessorum meorum. Hiis testibus

Isabel Comitissa uxore mea	Willelmo filio Widonis
Radulfo de Sumeri	Alano day' [read dapifero]
Henrico de Noun (?)	Willelmo de Louen[te]
Fulcone Paganello	et aliis pluribus.

Willelmo fratre eius

[endorsed] Noticia Geruasii Paganelli de domo de Neuport.

Printed by Dr. G. H. Fowler from the original in the archives of the Department of Indre et Loire at Tours, with full translation and notes, in the *Records of Buckinghamshire*, vol. XI, No. 5 (1923), p. 226. The document is valuable as having a definite date—not before 21 Sept., 1186, when bishop Hugh was consecrated—though it cannot be limited to that or the following year, as Dr. Fowler suggested from the fact that it is “not mentioned in Gervase Paynell’s confirmation charter of 1187,” for it has been shown above that the date given to that “confirmation” is erroneous, it being actually much earlier. By this time Robert Paganel, Gervase’s son and heir is dead (the allusion in the charter to the souls of “all my children” may be noted) and Ralph de Somery his nephew attests in his place. Dr. Fowler suggests that Henry de Noun’ probably stands for Henry de Nonant, or Nonnant, lord of the Honour of Totness, in Devon. William de Lovente was a local knight. He appears on the *carta* of 1166 and on the Pipe Roll for Buckinghamshire 1193, 1196-8.

Of the other three original Tickford charters edited in Rec. Buck. XI, two are grants (with different wording) of the church of Sherington [Bucks.], by William fitz Ranulf (*alias* de Caron) to Tickford Priory. One is a notification that his son Gervase fitz William shall hold the church of Sherington, and has local witnesses; it can be dated 1171. The other two were “made in the presence of King Henry son of King Henry and his Barons, at Woodstock,” an occurrence which, as the editor (p. 229) points out, almost certainly happened in Dec., 1170, when the younger king was at Woodstock. It is interesting to note that Gervase Paynell [Painello] attests sixth, after an archdeacon, three earls (of Essex, Huntingdon, and Derby) and William de St. John;

while Fulk Paynel and the inevitable Godwin clerk of Newport were also present. Gervase was thus courting the Princes three years before their rebellion, in which he took part.

There is also a suit, reported in the *Curia Regis Roll*, 1213, (vol. vii, p. 9-10) concerning the advowson of Merse [Marsh Gibbon], co. Bucks. It mentions a suit of the time of Henry II decided by duel and agreement set in writing, whereby Gervase Painel released to Ralph Gibeuin (father of Geoffrey Gibeuin, defendant in 1213) *totam terram de feodo suo* with the advowson of the church which he had in Merse, to hold by the service of $\frac{1}{2}$ knight.

Among Gervase’s later charters must be placed his confirmation of William fitz Guy’s (*meus miles*) foundation grant of Sandwell Priory, Staffs. (*Mon.* IV, 190). The list of witnesses, as given by Dugdale, is defective. Possibly a line (or more) is missing. What remains are:—“Dapifero [read Pagano] de Parles,¹ Osberto de Bosco, Johanne Albo, Petro sacerdote,² et aliis.”

SOME LATER EVIDENCES.

IX.

William Salt Library, Stafford: Bridgeman Coll. Huntbach MS. 2 (Bridgeman Transcript) fol. 85.

Roger de Somery gives to Moses son of Alan [and his heirs] all the land which the father of Moses held in the manor of Sedgley, at a rent of two pounds of pepper and two pounds of cummin at Easter. “And at their own costs let them remain my foresters in fee for keeping the venison and wood between the new park of Sedgley and ‘Borkestalles’ and the wood of Puttley together with my other foresters.” (These services) are to cover all except (customary appearances) at the Sedgley manor court.

“Sedgsley, penes Ric. Bradley, s.d.”

Sciant etc. quod ego Roger[us] de Somery dedi etc. Moysi filio Alani totam terram etc. quam pater predicti Moysis tenuit in manerio de Seggesley etc. reddendo duas libras piperis et duas libras cumini ad pascham et ad custos suos proprios remaneant Forestarii mei de feudo ad custodiend’ venacionem et Boscum inter novum parcum de Seggesley et Borkestalles

¹ Lord of part of Handsworth.

² Perhaps the Peter *capellanus* of William fitz Guy’s charter to William Coke, S.H.C. III, 218; S.H.C., 1928, of late Hen. II.

et boscum de potteliche una cum aliis Forestariis meis pro omnibus excepta curia mea de Seggesley. Hiis testibus domino Ricardo Fokerham, domino Herreb[erto] Ridel, Johanne Russel, Wal[tero] filio Willelmi, Rog[ero] Russel, Moyse de Cottewelle (?), Johanne Nuncio et aliis."

Note. Moses the Forester and his rent of 2 lbs. of pepper, etc. are mentioned in the Extent of the manor of Sedgley in 1273 (Grazebrook p. 28, S.H.C. IX). A late Henry III date for the grant is supported by the first witness, Sir Richard Fokerham, who was Roger's tenant at Warley Wigorn, in Halesowen, at that time.

A very curious agreement concerning hunting rights in the chase of Pennak near Dudley, between Roger de Somery and 'his kinsman' William Burdet, "about the year 1230," will be found in Dr. Booker's *Dudley Castle* (1825) pp. 137-9.

When Sir John de Sutton was imprisoned for his share in the rebellion of Thomas, Earl of Lancaster in 1322, he was constrained to pass away to Hugh le Despenser, younger son of the Earl of Winchester, his right in the castle and manor of Dudley and other property, by deed dated 12 October, 1325 [Cal. Close R. 1323-7, p. 510; Grazebrook, S.H.C. IX, p. 52].

The following deed shows a further surrender of his interests and appears to explain the identity of the John de Sutton who was summoned to Parliament in 1323-4, and later. It however raises again the difficulty and confusion of Sutton-upon-Trent and Sutton in Holderness, which Grazebrook (pp. 49-50) seemed to have decided.

X.

W.S.L. Bridgeman Coll. Transcript of Huntbach MS. 2. fol. 85. [Margin] 18 E. 2. penes Rob. comit. Leicester.¹

Notification that Sir John de Sutton, lord of Dudley, has surrendered all claim to Sir John de Sutton his uncle to his rights in the Barony of Sutton and the manor of Sutton in the region of Holderness. Dated at Dudley 28 October 1324.

Pateat universis per presentes quod ego Johannes de Sutton dominus de Duddeley miles remisi relaxavi et omnino pro me et heredibus meis imperpetuum quietum clamavi Johanni de Sutton militi advunculo meo totum jus et clameum meum quod habeo vel aliquo modo habere potero in Baroniam de

¹ He was Robert (Sydney), Earl of Leicester (d. 1677), second earl of the 1618 creation.

Sutton cum suis pertinentiis et in manerium de Sutton cum suis pertinentiis in territorio de Holdernes. Ita quod nec ego dictus Johannes de Sutton dominus de Duddeley nec heredes mei nec aliquis alius nomine meo vel heredum meorum aliquid juris vel clamei in eadem Baronia et in manerio de Sutton vel in aliqua parte eorumdem de cetero exigere vel vendicare poterimus, scilicet ab omni remedio juris vel clamei in eisdem sumus exclusi per presentes. In cujus rei testimonium presentibus sigillum meum apposui hiis testibus domino Ricardo de Burgo, domino Rogero de Latymer, domino Hugone de Moyne militibus, Waltero de Bruse, Willelmo de Hyliard et multis aliis. Dat' apud Duddeley vicesimo octavo die Octobris anno regni regis Edwardi filii Regis Edwardi decimo octavo.

Seal: 2 lyons passant.

[This is the Somery coat, but was used later by the Suttons of Dudley (Grazebrook, p. 56)].

XI.

Huntbach MS. (as before) p. 85.

[Margin] 16.H.8. ex aut. penes Ed: Woodhouse gen.

Manumission by Sir Edward Sutton, lord of Dudley, to Thomas Briscowe of all those lands, &c. within the manor of Sedgley, which lately were Richard Briscowe's his father. So that they should be free from all villein service and servile burden for ever. Dated "at my castle of Dudley" 12 March 1525.

Omnibus Christi fidelibus ad quos hoc presens scriptum pervenerit Ego Edwardus Sutton miles Dominus Dudley salutem in domino sempiternam. Sciatis me prefatum dominum Dudley manumisisse et liberum fecisse Thome Briscowe heredibus et assignatis suis omnia illa terras et tenementa cum omnibus suis pertinentiis que nuper fuerunt Ricardi Briscowe patris sui jacent[ia] infra dominium meum de Sedgley in comitatu Staff'. Ita quod a modo sint [liberata et absoluta]¹ ab omni servicio vilano et ab omni jugo servitutis imperpetuum. In cujus rei testimonium huic presenti scripto sigillum Arme mee (*sic*) apposui dat[um] apud castrum meum de Dudley duodecimo die Marcii anno regni Regis Henrici octavi post conquestum Anglie sextodecimo.

[signature of] Edward Lord Dudley.

¹ MS. *libere et absolut'*.

80 ADDITIONS TO GRAZEBROOK'S 'THE BARONS OF DUDLEY.'

[Seal] Arms quarterly 1st and 4th a lion rampant. 2. quarterly (1st and 4th) 2 lions passant in pale; 2nd and 3rd a cross flory. 3. Quarterly 1st and 4th a St. Andrew's cross engrailed; 2nd and 3rd a lion rampant. Legend: Sigillum Edwardi Sutton Domini de Dudeley.

The above seems to be a remarkably late example of giving freedom to a villein, within the demesne of the manor of Sedgley.

Finally I should like to thank Mr. W. F. Carter who has read the proofs and given much help and useful criticism, also to Miss M. Midgley, librarian of the William Salt Library for the searches she has made for me among the stores of information in her charge.

G.P.M.

CHETWYND PAPERS.