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## An original charter of King John at Ushaw College, Co. Durham (Ushaw MS 66)\*

The purpose of this note is to make available the text of an original early thirteenth-century royal confirmation charter recently (re-)discovered by the author in the archives of Ushaw College, Co. Durham, along with a concise commentary concerning the document's historical context and wider significance. The royal charter was recorded (without a reference number) by Martin Snape in his edition of the *acta* of the bishops of Durham, but it has otherwise escaped the attention of historians.<sup>1</sup> The card catalogue in the College's special collections search room lists the charter as 'MS 66',<sup>2</sup> as does a typewritten handlist that would seem to have been compiled by the late Ian (A.I.) Doyle (of Durham University) and Father Michael Sharratt (of Ushaw College), and which is now kept in the reading room of Palace Green Library.<sup>3</sup> Neither of these lists has ever been published, making them difficult to access for researchers outside of Durham. Similarly, there is no known record of either the charter's provenance or how/when it came to Ushaw, though it is possible that it might once have belonged to the medieval monastic archives of Durham Cathedral Priory. Hopefully future research stimulated by this note will shed more light on this subject.

Ushaw MS 66 was issued at York ('apud Eboracum') on 26 March 1200 in the name of King John (1199–1216) by two of his most senior clerks, Simon, archdeacon of Wells (†1207), and John de Gray, who later that same year was appointed bishop of Norwich (†1214).<sup>4</sup> John de Gray had been one of John's dataries from as early as 1198, when John was count of Mortain and lord of Ireland under the

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\* I would like to express my thanks to Nicholas Vincent, Stephen Church, Richard Allen, Teresa Webber and Daniel Booker (my current PhD student), whose combined knowledge and expertise have been instrumental in preparing this study. I would also like to thank Jonathan Bush, Durham University Archivist at Ushaw College, and Katherine Black, Library Assistant, for facilitating my research on the charter in February 2019, when I resided at Ushaw College as Durham University's Lendrum Priory Visiting Fellow. Work on this study has been generously supported by Durham University's Residential Research Library Fellowship scheme. Finally, I am grateful to the journal's anonymous peer-reviewers for their helpful suggestions. All remaining errors are, of course, wholly and entirely my own. All URLs cited in this study were last accessed on 31 May 2019.

<sup>1</sup> *English Episcopal Acta*, Vol. XXV: *Durham 1196–1237*, ed. M.G. Snape (Oxford: Oxford University Press, 2003), p. 199: '[A] royal confirmation of 26 March 1200 [...]; sealed original at St Cuthbert's College, Ushaw, Durham'. The list in *Medieval Libraries of Great Britain: A List of Surviving Books*, Vol. IV: *Paisley-York*, ed. N.R. Ker and A.J. Piper (Oxford: Clarendon, 1992), pp. 505–51 includes descriptions of Ushaw MSS 1–8, 10–36 and 41–43.

<sup>2</sup> There are two items referring to MS 66 in the card catalogue, one of them (printed) is filed under 'C' (for charter), and the other (handwritten by Father Bernard Payne, Ushaw Librarian 1930–77) is under 'J' (for John). Payne's card reads: 'JOHN MANUSCRIPT, Mar 25 [*sic*] 1200. KING JOHN confirms CORNSAY and HEDLEY to Walter de CADOMA [*sic*] and ROBERT SON OF ROGER, nephews of Simon the Chamberlain. Seal'; the text on the printed card is identical to the entry in the handlist (see n. 3 below).

<sup>3</sup> The handlist fills a slim ringbinder whose spine bears the title 'Ushaw MSS Medieval & Lisbon, MSS 50–97', and its entry for MS 66 (n.p.) reads: 'MS 66. Location: [empty]. CHARTER of King John for Cornsay House – with seal broken in two – on cords. Date: 26 March 1 John'.

<sup>4</sup> See nn. 48–49 below.

reign of his elder brother, King Richard I (1189–99). In September 1199, he and Simon of Wells together took over as the king’s usual (or primary) dataries from Hubert Walter, archbishop of Canterbury (1193–1205) and lord chancellor.<sup>5</sup> The document’s beneficiaries are one Walter of Caen and Robert FitzRoger (†1214),<sup>6</sup> nephews of Simon (the) Chamberlain (of Durham), parson of the parish church of Billingham near Durham.<sup>7</sup> King John confirms to them, and their heirs, an existing grant comprising of the two villages of Cornsay (or ‘Cornshowe’) and Hedley (Hill), both in Co. Durham (see Appendix I for further details). Simon (the) Chamberlain had originally received these villages from the waste (‘de wasto’) of Hugh de Puiset, then bishop of Durham (1153–95),<sup>8</sup> sometime before 1183. Simon subsequently returned them to Bishop Hugh for transferral to his two younger relatives, who sought (and received) Durham’s episcopal confirmation on two separate occasions – first in 1183 × 1195 (Hugh de Puiset), and again in 1197 × 1200 (Philip of Poitou), both presumably issued at Durham – before approaching the recently crowned king at York in 1200 (see below). The earlier of these episcopal confirmations has also survived in the original and is kept in the archives of Ushaw College (Ushaw MS 67) in the very same box as John’s charter.<sup>9</sup>

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<sup>5</sup> Upon Hubert’s death on 13 July 1205, Walter de Gray (John de Gray’s nephew) succeeded him as John’s chancellor and keeper of the seal; see the list in ‘Chancellors and Keepers of the Great Seal, 1069–1985’, in *Handbook of British Chronology*, ed. E.B. Fryde, D.E. Greenway, S. Porter and I. Roy (3<sup>rd</sup> ed., London: Royal Historical Society, 1986), pp. 82–91 (p. 84). Also cf. J. C. Russell, ‘Attestation of Charters in the Reign of John’, in *Speculum*, 15 (1940), pp. 480–98 (p. 488) and S. Painter, *The Reign of King John* (Baltimore, MD: Johns Hopkins Press, 1949), p. 79. There is, generally speaking, little concrete evidence as to what being a datary involved around the year 1200, and/or at what point(s) in the process of producing of a charter (from draft to engrossment) the datary was expected to interfere; see the discussions in J.B. Edwards, ‘The English Royal Chamber and Chancery in the Reign of King John’ (Univ. of Cambridge, Ph.D thesis, 1974) and N. Vincent, ‘Why 1199? Bureaucracy and Enrolment in the Thirteenth Century’, *English Government in the Thirteenth Century*, ed. A. Jobson (Woodbridge: Boydell, 2004), pp. 17–48 (pp. 41–44).

<sup>6</sup> There is a chance that this Walter of Caen might have been a descendant of the eponymous Domesday tenant (†1086), some of whose twelfth-century successors went by the name ‘de Quesnai’ or ‘de C(h)aisneto’, rather than ‘de Cadomo’. This was the case with, for example, Robert FitzWalter – also known as Robert of Caen –, sheriff of East Anglia, to whom the surviving charters and Pipe Rolls of Henry II refer as Robert ‘le Kayni’, ‘Caxineto’, ‘de Caineto’, ‘de Caisne(i)’, amongst others; J.H. Round, ‘The Early Sheriffs of Norfolk’, *English Historical Review*, 35 (1920), 481–96 (pp. 482–83).

<sup>7</sup> On Simon, his family and their relationship to the bishops of Durham, see G.V. Scammell, *Hugh du Puiset: A Biography of the Twelfth-Century Bishop of Durham* (Cambridge: Cambridge University Press, 1956), p. 235. Also cf. ‘Parishes: Billingham’, in *The Victoria History of the County of Durham*, Vol. III, ed. W. Page (London: Dawsons, 1928), pp. 195–203 (p. 203).

<sup>8</sup> Bishop Hugh’s initial grant to Simon is recorded in *Boldon Book*; see *The Victoria History of the County of Durham*, Vol. I, ed. W. Page (London: Dawsons, 1905), pp. 303, 317, 335. Also cf. *Domesday Book*, Vol. XXXV: *Boldon Book: Northumberland and Durham*, ed. D. Austin (Chichester: Phillimore, 1982), pp. 44–45: ‘Corneshow et Hedeley quas Simon Camerarius tenet reddunt ii marcas et quadrigant vinum cum xii bobus. Et inveniunt ad magnas Cazas Episcopi v cordas’.

<sup>9</sup> Just like John’s royal confirmation charter, Ushaw MS 67 is also listed in both Payne’s card catalogue and Doyle/Sharratt’s handlist at Palace Green, both of which give the same description: ‘MS 67. Location: [empty]. CHARTER of Hugh du Puiset for Cornsay – with seal on cords. Date: [empty]’. It has been edited – without giving the shelfmark – in *English Episcopal Acta*, Vol. XXIV: *Durham 1153–1195*, ed. M.G. Snape (Oxford: Oxford University Press, 2003), pp. 13–14 (= no. 14). The second episcopal confirmation, that by Philip of Poitou,

Ushaw MS 66 survives in fair, if not quite perfect, physical condition, measuring approximately 200 × 263 mm and carrying an impression of the king’s Great Seal (measuring 90 mm in diameter) in dark green wax attached *sur double queue* with a tricoloured cord (Figs. 1–3).<sup>10</sup> The parchment is largely intact, though some repairs have been made on the verso (Fig. 4). A post-medieval hand has added the dorsal note (verso) ‘i° Johan’ 1199’, and a second hand, contemporary with the first one, has corrected this to ‘26 March 1200, King John to Walter de Cad[om]o’. The charter itself (recto) is written in a regular, precise and well-trained hand which is marked by a confident ductus, and whose essential elements and basic stylistic features are in line with late twelfth- and early-thirteenth century developments in the handwriting of charters in England.<sup>11</sup> The script is of high quality, well-spaced, upright and angular, being formed with a comparatively broad-nibbed pen whose traces result in a delicate calligraphic balance between broad and thin strokes. It makes frequent use of abbreviations, ligatures (e.g., **ft**), skeletal initials (incl. **C**, **D**, **E**, **G**, **Q**, **R** and **S**) and elongated straight, looped and forked ascenders (particularly in the top line and in the case of double-consonants incl. **dd**, **bb**, **ll** and **long-ss/ff**). The Tironian ‘et’ is crossed consistently and the ‘papal knot’ appears recurrently (but not exclusively) in lieu of the straight abbreviation bar. The hand is that of a chancery scribe, given that it is found in at least eighteen – perhaps as many as twenty – other surviving original charters issued during the first year of John’s reign, both those issued in France (between July 1199 and February 1200) and those issued in England (from 2 March 1200 onwards).<sup>12</sup>

[INSERT FIG. 1 HERE]

*Fig. 1: Ushaw MS 66, recto*

[INSERT FIG. 2 HERE]

*Fig. 2: Ushaw MS 66, seal, obverse*

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is not known to have survived in the original; it has been edited based on Bishop Neville’s chancery roll (Public Record Office Durham 3/44, membr. 26, 1455) and a later copy (Durham Cathedral Library, MS Randall 3, p. 12a) in *English Episcopal Acta*, Vol. XXV, ed. Snape, pp. 198–99 (= no. 191).

<sup>10</sup> On John’s Great Seal and royal sealing practices in Angevin England, see *Rotuli Chartarum*, ed. T.D. Hardy (London: Eyre, 1837), pp. vii–xxxvi. Also cf. <https://www.bl.uk/collection-items/great-seal-of-king-john>.

<sup>11</sup> Cf. the discussions and examples in M.B. Parkes, *Their Hands Before Our Eyes: A Closer Look at Scribes* (Aldershot: Ashgate, 2008), pp. 71–85, 101–25; C. Johnson and H. Jenkinson, *English Court Hand, A.D. 1066 to 1500* (2 vols., Oxford: Clarendon Press, 1915); T. Webber, ‘L’écriture des documents en Angleterre au XIIe siècle’, in *Bibliothèque de l’École des chartes*, 165 (2007), pp. 139–65.

<sup>12</sup> I owe this information to Teresa Webber, who is currently preparing a full listing of the hands of the original charters of King John as part of Nicholas Vincent’s forthcoming list (see n. 14 below). On the methodological and terminological challenges related to scribal identifications in (royal) charters, see the helpful discussion in A. Taylor and T. Webber, ‘Barrow’s Scribes and MoA’s hands: Scribal Identification in G.W.S. Barrow’s *Regesta Regum Scottorum* II’, <https://www.modelsofauthority.ac.uk/blog/barrows-scribes/>.

[INSERT FIG. 3 HERE]

*Fig. 3: Ushaw MS 66, seal, reverse*

[INSERT FIG. 4 HERE]

*Fig. 4: Ushaw MS 66, verso (incl. endorsement)*

MS Ushaw 66 is not the only royal charter that was issued at York on 26 March 1200. Indeed, the corresponding Charter Roll for the first year of King John's reign records no fewer than eight charters having been issued in his name on that day, all of them – with the exception of one letter close – given by the hand(s) of John de Gray and Simon of Wells.<sup>13</sup> Nicholas Vincent has been able to identify and locate the surviving originals of four of these eight charters, at least one of which (Exeter Cathedral Library, Dean and Chapter Muniments 2080) appears to have been drawn up by the same scribe as Ushaw MS 66.<sup>14</sup> An even fuller picture emerges when we consider the Charter Roll's entries for the two days either side of 26 March 1200. Based on these records, the king and his senior clerks were in York from 25–28 March, and during these four days they issued a total of thirteen charters in the city – three on the 25<sup>th</sup> (Saturday), eight on the 26<sup>th</sup> (Sunday) and one each on the 27<sup>th</sup> (Monday) and 28<sup>th</sup> (Tuesday), plus another two at Brotherton and Doncaster (both on the 28<sup>th</sup>).<sup>15</sup> Again, all of these charters were given jointly by John de Gray and Simon of Wells, though only one has survived in the original.<sup>16</sup>

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<sup>13</sup> TNA C53/2 (Charter Roll 1 John, part 2), membr. 19–21; edited in *Rotuli Chartarum*, ed. Hardy, pp. 40–41. The only two entries not to mention the issuing clerks are those found at the very top of membr. 20, received by the monks of St Mary's, Lancaster and Roger de Merlay, respectively (*ibid.*, p. 40). Luckily, both documents have survived in the original (see n. 14 below), and the charter for Roger de Merlay (Castle Howard Archive A1/17) explicitly identifies John de Gray and Simon of Wells as the two issuing officials ('Dat(um) per man(us) Symon(is) archid(iaconi) Wellen' et Ioh(ann)is de Gray'). The letter close for Lancaster Priory (National Archives E 327/102) lacks any mention of dataries, but simply states 'teste me ipso' (i.e., King John himself). An electronic edition (incl. photographs) of Roger de Merlay's charter is available online, [http://magnacarta.cmp.uea.ac.uk/read/original\\_charters/Notification\\_of\\_the\\_King\\_s\\_grant\\_of\\_an\\_annual\\_fair\\_at\\_Morpeth\\_Northumberland\\_to\\_Roger\\_de\\_Merlay](http://magnacarta.cmp.uea.ac.uk/read/original_charters/Notification_of_the_King_s_grant_of_an_annual_fair_at_Morpeth_Northumberland_to_Roger_de_Merlay).

<sup>14</sup> In addition to Castle Howard Archive A1/17 and TNA E 327/102 (see n. 13 above), these surviving originals charters are Kendal, Cumbria Record Office WSMB/A (Appleby) no. 2 (for the burgesses of Appleby) and, in the hand of Ushaw MS 66, Exeter Cathedral Library, Dean and Chapter Muniments 2080 (for Exeter Cathedral). I am grateful to Nicholas Vincent for kindly sharing with me his list of all the original charters from King John's reign ahead of its publication, as well as to Teresa Webber for confirming my scribal identifications and adding to them with her comprehensive palaeographic knowledge of John's charters. Both Vincent and Webber's work form part of a larger collaborative project which, for several years, has been aimed at tracking down and analysing the original surviving charters of King John.

<sup>15</sup> TNA C53/2, membr. 19–21; *Rotuli Chartarum*, ed. Hardy, pp. 40–41.

<sup>16</sup> The original charter is that issued at Brotherton to Nun Monkton Priory (Alnwick Castle, Duke of Northumberland Muniments X.II.6 Box 17Aa). Again, I owe this information to Nicholas Vincent.

There is also a confirmation charter issued to one Gervase Gaubert at Freemantle on 2 March 1200, again given by John de Gray and Simon of Wells and written by the scribe of Ushaw MS 66.<sup>17</sup>

What is of particular interest is that the witnesses named in Ushaw MS 66 differ significantly from those recorded in the corresponding Charter Roll entry.<sup>18</sup> The latter merely lists three witnesses:<sup>19</sup> Geoffrey, archbishop of York (1191–1212);<sup>20</sup> Geoffrey FitzPeter, earl of Essex (1199–1213), high sheriff of Yorkshire (1198–1201) and chief justiciar of England (1198–1213);<sup>21</sup> and William de Stuteville, sheriff of Northumberland (1199–1200), Yorkshire (1200–02), Westmorland (1200–02) and Cumberland (1199–1203).<sup>22</sup> In addition to these three, Ushaw MS 66 gives the names of another six witnesses present at York on this day, namely Roger de Lacy, constable of Chester and baron of Pontefract (1199–1211);<sup>23</sup> William Brewer, justiciar (1189–99) and sheriff of Berkshire, Cornwall, Devon, Hampshire, Nottinghamshire and Derbyshire, Oxfordshire, Somerset and Dorset, Sussex and Wiltshire;<sup>24</sup> Hugh Bardolf, royal justice and baron of the Exchequer (c.1185–c.1203);<sup>25</sup> Gilbert FitzReinfrey (c.1162–1220), lord of Kendal;<sup>26</sup> Henry de Puiset (†1220), son of Bishop Hugh de Puiset;<sup>27</sup> and one Germanus Tison, descendent of Gilbert Tison.<sup>28</sup>

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<sup>17</sup> Oxford, Magdalen College Archives, Misc. 171. An electronic edition (incl. photographs) is available online, [http://magnacarta.cmp.uea.ac.uk/read/original\\_charters/Notification\\_of\\_the\\_King\\_s\\_confirmation\\_of\\_a\\_hide\\_of\\_land\\_in\\_Curbridge\\_as\\_an\\_escheat\\_granted\\_by\\_Godfrey\\_bishop\\_of\\_Winchester\\_together\\_with\\_the\\_whole\\_land\\_in\\_East\\_Meon\\_Hampshire\\_that\\_belonged\\_to\\_Walter\\_fitz\\_Richard\\_of\\_Oxenbourne](http://magnacarta.cmp.uea.ac.uk/read/original_charters/Notification_of_the_King_s_confirmation_of_a_hide_of_land_in_Curbridge_as_an_escheat_granted_by_Godfrey_bishop_of_Winchester_together_with_the_whole_land_in_East_Meon_Hampshire_that_belonged_to_Walter_fitz_Richard_of_Oxenbourne).

<sup>18</sup> For a general discussion on the production of the Charter Rolls and their relationship to the original charters, including issues surrounding truncation, see *The Memoranda Roll for the Michaelmas Term of the First Year of the Reign of King John (1199–1200)*, ed. H.G. Richardson, Pipe Roll Society 59, NS 21 (London: Pipe Roll Society, 1943), pp. xlix–l. See also Vincent, ‘Why 1199?’, pp. 43–44.

<sup>19</sup> TNA C53/2, membr. 19; *Rotuli Chartarum*, ed. Hardy, pp. 40b–41.

<sup>20</sup> See M.B. Lovatt, ‘Geoffrey (1151?–1212)’, in *ODNB* online, <https://doi.org/10.1093/ref:odnb/10535>; D.L. Douie, *Archbishop Geoffrey Plantagenet and the Chapter of York* (York: St. Anthony’s Press, 1960). Also cf. M.B. Lovatt, ‘The Career and Administration of Archbishop Geoffrey of York, 1151–1212’ (Univ. of Cambridge, Ph.D thesis, 1975); C. Rother, ‘Geoffrey, Archbishop of York: A Prism of Twelfth-Century Historical Writing’ (Univ. of York, M.A. thesis, 2008).

<sup>21</sup> F.J. West, ‘Geoffrey fitz Peter, Fourth Earl of Essex (d.1213)’, in *ODNB* online, <https://doi.org/10.1093/ref:odnb/9626>. See also Russell, ‘Attestation of Charters’, pp. 485–87.

<sup>22</sup> H.M. Thomas, ‘Stuteville, William de (d.1203)’, in *ODNB* online, <https://doi.org/10.1093/ref:odnb/26754>. Also cf. ‘Stuteville’, in *Early Yorkshire Families*, ed. C.T. Clay and D.E. Greenway (Cambridge: Cambridge University Press, 1973), pp. 85–86; H. Doherty, ‘Robert de Vaux and Robert de Stuteville, Sheriffs of Cumberland and Northumberland, 1170–85’, in *Anglo-Norman Studies*, 28 (2005), 65–102 (p. 70 n. 37).

<sup>23</sup> C.L. Kingsford, rev. by P. Dalton, ‘Lacy, Roger de (d.1211)’, in *ODNB* online, <https://doi.org/10.1093/ref:odnb/15861>.

<sup>24</sup> S.D. Church, ‘Brewer [Briwerre], William (d.1226)’, in *ODNB* online, <https://doi.org/10.1093/ref:odnb/3369>.

<sup>25</sup> J.H. Round, rev. by R. V. Turner, ‘Bardolf, Hugh (d. 1203)’, in *ODNB* online, <https://doi.org/10.1093/ref:odnb/1359>.

<sup>26</sup> Cf. W. Beamont, *Annals of the Lords of Warrington = Remains, Historical and Literary, Connected with the Palatine Counties of Lancaster and Chester*, Vol. LXXXVI (Manchester: C. Simms & Co, 1872), pp. 44–45.

<sup>27</sup> Scammell, *Hugh du Puiset*, pp. 311–12.

<sup>28</sup> *Early Yorkshire Charters*, Vol. XII: *The Tison Fee*, ed. W. Farrer and C.T. Clay (Cambridge: Cambridge University Press, 1965), *passim*. According to the evidence provided here (especially pp. 15–17), Germanus was

Establishing the reasons behind the Charter Roll's omission of these six additional witnesses lies beyond the scope of this note, but *prima facie* they might have been predicated on, for example, pragmatic motives (e.g., saving space) or, less likely, the deliberate (if not necessarily politically motivated) suppression of names.<sup>29</sup> That making such omissions was not altogether unusual, and perhaps even common practice,<sup>30</sup> is made obvious by examining the witness lists of the other twelve charters issued at York between 25–28 March 1200. Taken together, they add the names of another fifteen witnesses – leading to a grand total of twenty-four (see Appendix II) –, and in those cases where we are fortunate enough to possess the original charters alongside the corresponding Charter Roll entries (nos. 3b, 4, 5 and 10), a similar omission ratio can be observed.<sup>31</sup> Amongst these twenty-four individuals, those who figure most prominently (i.e., more than twice) as witnesses across the thirteen charters are, in order of frequency, Geoffrey FitzPeter (named 10 times), William de Stuteville (9), William Brewer and Hugh Bardolf (7 times each), Philip of Poitou (6), Robert of Turnham (5) and Geoffrey, archbishop of York (4). There are, moreover, three individuals who appear exclusively in Ushaw MS 66, but in none of the other charters, namely Gilbert FitzReinfrey, Henry de Puiset and Germanus Tison. If it were not for Ushaw MS 66, we would have no means to locate these three men at York on and/or around 26 March 1200. The question is, though: why were they there? The answer, I contend, can be found in the king's itinerary.

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a knight based in Northumberland, likely a tenant of Robert FitzRoger. He was a male descendant of Gilbert Tison and the son of William Tison, the latter of whom according to the *Cartae Baronum* (1166) held two knight's fees. In 1208, Germanus is recorded as having served as a knight on a grand assize in Northumberland, and he was a benefactor of Brinkburn Priory and Newminster Abbey. I owe most of this detail to the assistance of my PhD student, Daniel Booker. Also cf. V. Tillyard, *Domesday People* (Redcar: Tillyard, 2002), p. 102.

<sup>29</sup> Cf. the discussion in Russell, 'Attestation of Charters', pp. 487–89. Russell took issue with the contemporaneous work by George Haskins, who, in turn, sharply criticised Russell's methodology; see *ibid.*, *passim* and G.L. Haskins, 'Charter Witness Lists in the Reign of King John', in *Speculum*, 13 (1938), pp. 319–25, as well as the debates referenced therein. A more recent perspective on the subject is provided by D. Broun, 'The Presence of Witnesses and the Writing of Charters', in *The Reality Behind Charter Diplomacy in Anglo-Norman Britain: Studies by Dauvit Broun, John Reuben Davies, Richard Sharpe and Alice Taylor*, ed. D. Broun (Glasgow: University of Glasgow, 2011), pp. 235–90.

<sup>30</sup> It seems unlikely that the omission of witnesses was due to political motives, given that many contemporary cartularies and episcopal registers also abbreviate their entries for economic reasons, for example, to save space and time. Generally speaking, there seems to have been a general – if not necessarily universal – consensus that the first three witnesses were usually enough to guarantee the validity of the original document reproduced in a cartulary, register or roll. That said, there is certainly scope – and indeed need – for a more extensive and comprehensive investigation of witness list practices in John's reign, and without such a full study it remains difficult to identify wider patterns of practice with any level of confidence. Indeed, the cultural practices reflected in medieval witness lists offer a promising and potentially significant avenue for future research in the field.

<sup>31</sup> Some Charter Roll entries add 'etc.' to the end of their respective witness list (nos. 1a, 2, 4, 5, 7, 8 and 10), whereas others – like Ushaw MS 66 – shorten them tacitly; cf. Appendix II below.

King John's itinerary has been studied systematically and in quite some detail, and it confirms the monarch's presence at York from 25–28 March 1200.<sup>32</sup> The possible motivation behind this visit has not attracted much scholarly discussion to date, though it has been suggested on one occasion that it might have been connected to John's diplomatic relationship, and his recent struggles, with King William I of Scots (1165–1214). More specifically, John is thought to have hoped – in vain – for William to submit himself to him and do homage in the spring of 1200, though in the end he did not actually receive his rival's oath of submission until later that same year.<sup>33</sup> The new evidence provided by the (re-)discovery of Ushaw MS 66 and its analysis lends further support to this contextualisation, not least due to the charter's extended list of witnesses compared to that in the corresponding Charter Roll entry. Indeed, if John had been hoping to receive the King of Scots' oath of homage in March 1200, what better way of demonstrating – and cementing – his own overlordship than to summon William before an assembly of more than two dozen of Northern England's most powerful magnates? This strongly suggests, therefore, that what John was doing at York from 25–28 March 1200 was holding court, and that this court provided the occasion – and the opportunity – for conducting a series of carefully orchestrated and performative legal activities in a public space.

Some of these performative activities did not come to pass, as was the case with William's anticipated oath of vassalage; in fact, when William finally did pay homage to John in November 1200, he was made to do so at another royal court summoned at Lincoln.<sup>34</sup> Other legal acts, meanwhile, appear to have taken place as scheduled, with numerous witnesses and beneficiaries from across Yorkshire and Northumbria – and some even from further afield – flocking to the city of York to have their most valuable rights and possessions confirmed by the new king and his clerks. Given John's repeated absence(s) from England in 1199/1200 – he had spent most of his first regnal year abroad in his Continental domains, including a prolonged stint in Normandy which lasted from at least mid-December 1199 through to late February 1200, as well as his swift return to the Norman duchy at the beginning of May 1200 –, there was only a limited window of opportunity for England's magnates to meet the itinerant king during the early months of 1200.<sup>35</sup> When one such opportunity presented itself

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<sup>32</sup> 'Itinerary of King John &c.', in *Rotuli Litterarum Patentium*, ed. T.D. Hardy (London: Eyre, 1835), pp. xlix–lxxiv (n.p.). See also the more recent electronic resource 'The Itinerary of King John & the *Rotuli Litterarum Patentium*' available online, <http://neology.com/timelines/JohnItinerary.html>, as well as the discussion by J.E. Kanter, 'Peripatetic and Sedentary Kingship: The Itineraries of John and Henry III', in *Thirteenth-Century England*, 13 (2011), pp. 11–26.

<sup>33</sup> See A.A.M. Duncan, 'John King of England and the Kings of Scots', in *King John: New Interpretations*, ed. S. D. Church (Woodbridge: Boydell, 1999), pp. 247–71 (pp. 251–52).

<sup>34</sup> J. Gillingham, 'Writing the Biography of Roger of Howden, King's Clerk and Chronicler', in *Writing Medieval Biography, 750–1250: Essays in Honour of Professor Frank Barlow*, ed. D. Bates, J. Crick and S. Hamilton (Woodbridge: Boydell, 2006), pp. 207–20 (p. 218). See also Duncan, 'John and the Kings of Scots', p. 253.

<sup>35</sup> See John's itinerary (cf. n. 33 above), as well as K. Thompson, *Power and Border Lordship in Medieval France: The County of the Perche, 1000–1226* (Woodbridge: Boydell, 2002), pp. 139–40.



in late March, Walter of Caen and Robert FitzRoger were amongst the men eager to make use of it and do business with King John, and when they left York they carried with them the royal confirmation charter now kept in the archives of Ushaw College.

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## Appendix I: Edition and translation of Ushaw MS 66

*Royal confirmation for Walter of Caen and Robert FitzRoger, and their heirs, of the two villages of Cornsay and Hedley Hill, both Co. Durham. The charter follows (and refers to) a previous grant by Hugh de Puiset, bishop of Durham, to Simon (the) Chamberlain (of Durham), uncle of Walter and Robert (before 1183), which was confirmed first by the same Hugh (1183 × 1195) and then by his successor, Bishop Philip of Poitou (20 April 1197 × 26 March 1200).*

[26 March 1200]

A = Durham, Ushaw College, MS 66. Approx. 200 × 263 mm. Sealed *sur double queue*, green and white (and brown?) cords through three slits, seal impression (Great Seal) in dark green wax, chipped on both left- and right-hand side, cords reaching down at least 300 mm below the fold. Endorsements (post-medieval): i<sup>o</sup> Johan' 1199; [in different hand:] 26 March 1200, King John to Walter de Cad[om]o.

B = TNA C53/2 (Charter Roll 1 John, part 2), membr. 19, saec. xiii<sup>in</sup>.

Printed (from B) in *Rotuli Chartarum*, ed. T. D. Hardy (London, 1837), pp. 40b–41.

Ioh(anne)s Dei gr(ati)a rex Angl(ie), d(omi)n(u)s Hibernie, dux Norm(annie), Aquit(anie) comes Andeg(avie), archiep(iscop)is, /1/ ep(iscop)is, abb(at)ibus, comit(ibus), baron(ibus), iustic(iis), vicecom(itibus), prepo(s)itis et om(n)ibus ball(iv)is et fidelibus suis sal(u)t(em). /2/ Sciatis nos concessisse et presenti carta nostra confirmasse Walt(er)o de Cadomo et Rob(erto) fil(i)o /3/ Rog(er)i<sup>36</sup> nepotibus Symon(is) cam(er)arii de Dunolm' villas de Cornesho et de Hethleg' q(ua)s /4/ Hugo Dunolm' episcopus<sup>37</sup> ded(er)at pred(i)c[t]o Symoni de wasto suo, et q(ua)s postea idem Sim(on) eide(m) /5/ ep(iscop)o reddidit et q(u)ietas clamavit ad op(us) pred(i)c[t]orum nepotu(m) suorum, h(abe)ndas et tenendas eis et /6/ he(re)dibus eorum in feud(um) et hereditatem de e(pisco)po Dunolm' et successoribus suis; reddendo inde an/7/nuati(m) q(u)atuor solidos tantu(m) ad q(u)atuor t(er)minos in e(pi)s(cop)atu constitutos, lib(er)as et quietas ab /8/ om(n)i alio s(er)vit(i)o et consuetudi(n)e et auxilio, ita quod alt(er) eorum medietate(m) earunde(m) duar(um) villarum /9/ et alt(er) alia(m) similit(er) medietate(m) in om(n)ibus ha(beat) et teneat. Quare volum(us) et firmit(er) /10/ p(re)cipim(us) quod pred(i)c[t]i Walt(erus) et Rob(ertus) et heredes eorum pred(i)c[t]as villas de Cornesho et Hethleg' /11/ cum om(n)ibus rebus ad eas p(er)tinentibus h(abe)ant et teneant in feud(um) et hereditate(m), lib(er)e et quiete /12/ et honorifice, per pred(i)c(tu)m lib(er)um s(er)vitium quatuor solidorum, redim(en)dum

<sup>36</sup> Robert FitzRoger (†1214), lord of Warkworth, Clavering and Eure, sheriff of Norfolk and Suffolk (1190–94 and 1197–1200).

<sup>37</sup> Hugh de Puiset, bishop of Durham (1153–95) and chief justiciar of England (1189–90).

in(de) s(er)vitiu(m) vicesime /13/ partis feudi uni(us) militis, cu(m) p(r)atis et pascuis et t(er)ris cultis et incultis, in stangnis et molen/14/dinis, in viis et semitis et exitibus, et cum om(n)ibus aysiamentis et libertatibus q(ua)s pred(i)c(tu)s Simon /15/ cam(er)arius in pred(i)c(t)is villis unqua(m) melius et lib(er)ius h(ab)uit et tenuit, salva ep(iscop)o Dunolm' /16/ in om(n)ibus foresta sua. Ita t(ame)n q(uo)d ip(s)i et h(er)edes eorum focalia et mairemiu(m) ad p(ro)p(ri)as domos /17/ et hom(i)num suorum faciendas et reparandas per visum s(er)vient(ium) e(pisco)pi Dunolm' de eade(m) foresta /18/ capient et h(ab)ebunt sine wastro. Et si porcos h(ab)uerint in foresta et pastus ibi fu(er)it, lib(er)i /19/ et q(u)ieti er(un)t de pannagio porcorum de p(ro)p(ri)is domibus suis sic(ut) alii barones et milites pred(i)c(t)i /20/ e(pisco)pi sunt et e(ss)e debent, sicut carte p(re)d(i)c(t)i Hug(onis) et Ph(ilip[p]i)<sup>38</sup> Dunolm' e(pisco)porum ratio/21/nabiliter testant(ur). Test(ibus) G(aufredo) Ebor' archie(pisco)po<sup>39</sup>, G(aufredo) fil(io) Pet(r)i com(ite) Essex<sup>40</sup>, Will(elm)o de Estutevill<sup>41</sup>, Rog(ero) /22/ const(abulario) Cestr<sup>42</sup>, Will(elm)o Brigw<sup>43</sup>, Hug(one) Bard<sup>44</sup>, Guileb(erto) fil(io) Reinfri(di)<sup>45</sup>, H(e)nr(ico) de Puteaco<sup>46</sup>, G(er)man(o) Tyson<sup>47</sup>. /23/ Datu(m) per man(um/us) S(imonis) archid(iaconi) Wellens<sup>48</sup> et Ioh(ann)is de Gray<sup>49</sup>. Apud Ebor' xxvi die Mar(ti)e, anno regni n(ost)ri p(r)imo.

‘John, by God’s grace king of England, lord of Ireland, duke of Normandy and Aquitaine and count of Anjou, [sends] greetings to his archbishops, bishops, abbots, earls, barons, justices, sheriffs, reeves, and all [his] bailiffs and faithful [subjects]. Know that we have granted and confirmed with this our present charter to Walter of Caen and Robert, son of Roger, nephews of Simon (the) Chamberlain of Durham,<sup>50</sup> the villages of Cornsay [Co. Durham] and Hedley [Hill, Co. Durham], which Hugh, bishop of Durham, had given to the aforementioned Simon from his waste, and which the same Simon later returned to the

<sup>38</sup> Philip of Poitou, bishop of Durham (1197–1208).

<sup>39</sup> Geoffrey, archbishop of York (1191–1212).

<sup>40</sup> Geoffrey FitzPeter, earl of Essex (1199–1213), high sheriff of Yorkshire (1198–1201), chief justiciar of England (1198–1213); cf. [http://magnacarta.cmp.uea.ac.uk/read/people/Geoffrey\\_fitz\\_Peter\\_earl\\_of\\_Essex\\_d\\_1213](http://magnacarta.cmp.uea.ac.uk/read/people/Geoffrey_fitz_Peter_earl_of_Essex_d_1213).

<sup>41</sup> William de Stuteville, sheriff of Northumberland (1199–1200), Yorkshire (1200–02), Westmorland (1200–02) and Cumberland (1199–1203); cf. [http://magnacarta.cmp.uea.ac.uk/read/people/William\\_de\\_Stuteville\\_d\\_1203](http://magnacarta.cmp.uea.ac.uk/read/people/William_de_Stuteville_d_1203).

<sup>42</sup> Roger de Lacy, constable of Chester, baron of Pontefract (1199–1211), later high sheriff of Cumberland (1204–1209); cf. [http://magnacarta.cmp.uea.ac.uk/read/people/Roger\\_de\\_Lacy\\_constable\\_of\\_Chester\\_d\\_1211](http://magnacarta.cmp.uea.ac.uk/read/people/Roger_de_Lacy_constable_of_Chester_d_1211).

<sup>43</sup> William Brewer, justiciar (1189–99), sheriff of Berkshire, Cornwall, Devon, Hampshire, Nottinghamshire and Derbyshire, Oxfordshire, Somerset and Dorset, Sussex and Wiltshire; cf. [http://magnacarta.cmp.uea.ac.uk/read/people/William\\_Brewer\\_d\\_1226](http://magnacarta.cmp.uea.ac.uk/read/people/William_Brewer_d_1226).

<sup>44</sup> Hugh Bardolf, royal justice and baron of the Exchequer (c.1185–c.1203); cf. [http://magnacarta.cmp.uea.ac.uk/read/people/Hugh\\_Bardolf\\_d\\_1203](http://magnacarta.cmp.uea.ac.uk/read/people/Hugh_Bardolf_d_1203).

<sup>45</sup> Gilbert FitzReinfrey (c.1162–1220), lord of Kendal.

<sup>46</sup> Henry de Puiset (†1220), son of Hugh de Puiset (see above).

<sup>47</sup> Germanus Tison, descendent of Gilbert Tison.

<sup>48</sup> Simon of Wells, archdeacon of Wells (before 1198–after 1199), later bishop of Chichester (1204–07).

<sup>49</sup> John de Gray, bishop of Norwich (1200–14).

<sup>50</sup> It would seem that ‘Chamberlain’ indicates a surname here, rather than an occupation and/or office; see Scammell, *Hugh du Puiset*, p. 235.

bishop and peacefully quit-claimed to the benefit of his aforementioned nephews, to be had and held by them and their heirs in fief and inheritance from the bishop of Durham and his successors, thenceforth rendering four shillings annually at the four term-days established in the bishopric [of Durham], [and to be] free and quit from all service, custom and aid, on the condition that one of them should have and hold half of these two villages in all things, and the other [should have and hold] the other half in the same manner. Wherefore, we wish and firmly instruct that the aforementioned Walter and Robert and their heirs shall have and hold the aforementioned villages of Cornsay and Hedley [Hill] with everything that pertains to them freely, quietly and fittingly, in fief and inheritance, [in return for] the aforementioned service of four shillings, rendering the service of one twentieth of a knight's fief, with [their] meadows, pastures, cultivated and uncultivated lands, ponds and mills, roads and paths and exits, and with all the easements and liberties which the aforementioned Simon (the) Chamberlain once had and held well and freely in the aforementioned villages, saving the bishop of Durham in all his forests. Also, that they themselves and their heirs shall, without waste, take and have fuel and timber from the same forest for the making and maintaining of their own homes and those of their men by view of the bishop's servants. And should they have pigs in the forest and there be pasture, they shall be free and exempt from the pannage of the pigs of their own households, just as the barons and knights of the aforementioned bishop are and ought to be, [and] just as the charters of Hugh (aforementioned) and Philip, bishops of Durham, rightfully testify. Witnessed by Geoffrey, archbishop of York; Geoffrey FitzPeter, earl of Essex; William de Stuteville; Roger, constable of Chester; William Brewer; Hugh Bardolf; Gilbert FitzReinfrey; Henry de Puiset; Germanus Tison. Given by the hand(s) of Simon, archdeacon of Wells, and John de Gray at York on the twenty-sixth day of March in the first year of our reign.'

**Appendix II: Witnesses present at York 25–28 March 1200 according to the surviving original charters and corresponding Charter Roll entries**

<i>Witness (no. of times mentioned)</i>	<i>Ushaw MS 66*</i>	<i>1a</i>	<i>1b</i>	<i>2</i>	<i>3a</i>	<i>3b</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>10</i>
Geoffrey, archbishop of York (4)	✓								✓	✓		✓	
Geoffrey FitzPeter (10)	✓			✓	✓		✓	✓	✓	✓	✓	✓	✓
William de Stuteville (9)	✓	✓	✓				✓	✓	✓		✓	✓	✓
Roger de Lacy (2)	(✓)												(✓)
William Brewer (7)	(✓)			✓	✓		✓	(✓)	✓				✓
Hugh Bardolf (7)	(✓)			✓	✓		✓	✓			✓		✓
Gilbert FitzReinfrey (1)	(✓)												
Henry de Puiset (1)	(✓)												
Germanus Tison (1)	(✓)												
Aimeric, archdeacon of Durham and Carlisle (2)		✓	✓										
Eustace de Vesci (1)							(✓)						
Hugh de Neuilly (1)													(✓)
Hugh of Wells (2)		✓	✓										
John de Brancestre (2)		✓	✓										
John Marshall (1)								(✓)					
King John ('me ipso') (1)						✓							
Philip of Poitou, bishop of Durham (6)		✓	✓					✓	✓	✓		✓	
Richard de Reviers (1)								(✓)					
Robert de Ros (1)							✓						
Robert de Wancy (1)								(✓)					
Robert of Turnham (5)		✓	✓		✓			✓	✓				

Roger, abbot of York (2)		✓	✓										
Simon of Pattishall (2)							(✓)						(✓)
William de Cantilupe (2)					✓			(✓)					

\* **bold entries** denote charters surviving in the original.

(✓) denotes witnesses listed in the original charter, but not in the corresponding Charter Roll entry.

1a = TNA C53/2, membr. 21 (no. 5) (25 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 39b; original not known to survive.

1b = TNA C53/2, membr. 21 (no. 6) (25 March 1200); *Rotuli Chartarum*, ed. Hardy, pp. 39b–40; original not known to survive.

2 = TNA C53/2, membr. 21 (no. 7) (28 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40; original not known to survive.

3a = TNA C53/2, membr. 21 (no. 8) (26 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40; original not known to survive.

3b = TNA C53/2, membr. 20 (no. 1) (26 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40; TNA E 327/102.

4 = TNA C53/2, membr. 20 (no. 2) (26 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40; Castle Howard Archive A1/17.

5 = TNA C53/2, membr. 20 (no. 3) (26 March 1200); *Rotuli Chartarum*, ed. Hardy, pp. 40–40b; Exeter Cathedral Library, Dean and Chapter Muniments 2080.

6 = TNA C53/2, membr. 20 (no. 4) (26 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40b; original not known to survive.

7 = TNA C53/2, membr. 20 (no. 5) (25 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40b; original not known to survive.

8 = TNA C53/2, membr. 20 (no. 6) (26 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40b; original not known to survive.

9 = TNA C53/2, membr. 20 (no. 7) (27 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 40b; original not known to survive.

10 = TNA C53/2, membr. 19 (no. 3) (26 March 1200); *Rotuli Chartarum*, ed. Hardy, p. 41; Kendal, Cumbria Record Office WSMB/A (Appleby) no. 2.