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PONTEFRACT PRIORY

Cluniac priory of St John;
dependency of La Charité-sur-Loire

County of Yorkshire : Diocese of York
Founded in 1090s

In 1086 Ilbert de Lacy held a vast estate in England, including extensive lands in Yorkshire which formed one of the three castleries created in that county a little before the survey (*DB*, i. 315a–318b; § 9. W1–144), in which there was no mention of Pontefract or its castle. He would build the castle at the place which came to be known as Pontefract, and, to judge from his grandson's charter, he made a valuable grant of tithes to endow a chapel of St Clement in the castle 'pro salute Willelmi regis maioris, Willelmi filii eius, et filiorum ipsorum', which was dedicated by Archbishop Thomas before 1100 (Farrer, *Early Yorkshire Charters*, iii. 185, no. 1492).¹ After 1087 Ilbert was confirmed in the castlery by William II (W2/000, *Regesta* 372b), and his son Robert de Lacy was granted succession to his father's estates at some time between 1091 and 1100 (W2/000, *Regesta* 312). While there was some dispute about

¹ For the archaeological evidence suggesting there was a church on this site predating both castle and Conquest, see Ian Roberts, *Pontefract Castle archaeological excavations 1982–86*, Yorkshire Archaeology 8 (West Yorkshire Archaeology Service, 2002), 85, 403.

Robert's possessions early in Henry I's reign, he retained his honour intact, and Henry himself visited Pontefract in the autumn of 1105 (0000, *Regesta* 710, Royal Letters {22}). It was Robert de Lacy who founded the Cluniac priory of Pontefract near to the castle, as a dependency of La Charité-sur-Loire. Hugh de Laval's deed, printed below, shows that the foundation took place during the reign of William II. Some years later Robert began the foundation of a house of Austin canons at Nostell which would quickly outshine the priory at Pontefract. Soon after that, however, 1109 × 1115, he was expelled from the kingdom, and Hugh de Laval was invested with the honour and castle of Pontefract. The first document printed below shows that, as at Nostell, Hugh de Laval continued to foster Robert de Lacy's foundations.

The principal source for Pontefract priory is its cartulary, compiled in the middle of the thirteenth century. In the seventeenth century it passed through the hands of Roger Dodsworth and Thomas Widdrington, remaining in Yorkshire in the ownership of the Wentworth family at Woolley Park until it was purchased by the British Museum in 1961. It is now BL MS Add. 50754 (Davis 782). The text was edited by Richard Holmes for the Yorkshire Archaeological Society, Record Series 25, 30 (1899–1901).² The cartulary is organized in sections: first, the deeds of the Lacy family as patrons; second, archiepiscopal and papal confirmations; third, royal charters; fourth, deeds relating to land at Pontefract; with other topographical sections following. Few if any texts other than those in the cartulary have survived. A charter in the name of Henry II (H2/2086), entered in the cartulary, was inspected in 1230 and copied in the charter roll (*CalCh*, i. 108–9), but no other early charters or deeds have been preserved in this way. The 1610 inventory of the contents of St Mary's tower shows that Pontefract material was deposited there after the Dissolution (B. English and R. Hoyle, 'What was in St Mary's tower: an inventory of 1610', *YAJ* 65 (1993), 91–4, at 92–3). It records 'one boxe with smale evidences belonging to Pontefract'. 'A cheste bounde a boutte with iron wherin are diverse smale evidences belonginge to St Oswaldes and Pontefract, neither courte rowles leggers nor other bookes', may have contained deeds of the hospital of St Nicholas at Pontefract, or perhaps the hermitage, both

² Holmes omitted most of the extensive later additions to the cartulary, causing Davis to remark that 'much new information probably also remains to be discovered in it' (G. R. C. Davis, 'Two chartularies from the West Riding', *The British Museum Quarterly* 24, no. 3/4 (December 1961), 67–70, at 69). William Farrer's annotated copy of Holmes's edition is now Leeds, Yorkshire Archaeological Society, MS 920.

dependencies of Nostell at the Dissolution, rather than muniments of the priory. There is no evidence that any Pontefract deeds survived the explosion of 1644 that destroyed the tower. Dodsworth's copies of Pontefract charters were apparently from the cartulary, and there were no Pontefract deeds among the monastic deeds from the tower collected by James Torre (Bodl. MS Top. Yorks b. 14, Torre's catalogue).

The Pontefract archive was subject to extensive forgery and amplification, and as a result it is difficult to establish the early history of the priory and its first benefactions. There must have been a dispute about what was included in Robert de Lacy's gift of Dodworth, so evidence was manufactured to support the monks' claims. The two deeds in Robert de Lacy's name giving detailed bounds of Dodworth³ are clearly fabricated, as is the unwitnessed act of Archbishop T. to Walter the prior and the monks of Pontefract, confirming Robert's gift of Dodworth 'secundum divisas in carta sua certificatas' (*Ctl. Pontefract*, 59, no. xxxviii; Farrer, *Early Yorkshire Charters*, iii. 162–3, no. 1468; *EEA v York 1070–1154*, 26–7, no. 28). Henry I's charter (2 below) which details the bounds of Dodworth, is also a forgery. What then, is genuine? A general confirmation by Archbishop Theobald of Canterbury (*Ctl. Pontefract*, 80–84, no. lvii; Farrer, *Early Yorkshire Charters*, iii. 168–70, no. 1475, repr. in Saltman, *Theobald*, 423–5, no. 202) seems authentic enough, although the extensive falsification elsewhere means we cannot rule out interpolation, and a forgery of a Robert de Lacy deed may have been amongst the material presented for the archbishop's confirmation. Acts of archbishops of Canterbury concerning property in the province of York are vanishingly scarce: the persistent disputes between the two provinces meant that such instruments would be requested only in exceptional circumstances. Such circumstances arose in summer 1154, after the death of Archbishop William in June, and before his successor Roger had been nominated. Theobald, acting as

³ The first of these is attested by Archbishop T., perhaps added by the fabricator from the reference to him made in Robert's 'foundation charter' discussed below, followed by the five witnesses to the 'foundation charter' (*Ctl. Pontefract*, 18–20, no. ii). The second deed is very similar, the main differences being the truncation of the boundary description about a third of the way through, and the addition of five names to the end of the witness list, unobjectionable except that they are in the nominative whereas the leading names are in the ablative. Farrer postulated that 'the dual attestation might be explained on the assumption that the first set of witnesses attested the gift and the second set the later certification of the boundaries' (*Ctl. Pontefract*, 25–26, no. vii; Farrer, *Early Yorkshire Charters*, iii. 177–9, no. 1485).

legate, visited York in late summer, with the king, and gave confirmations in favour of Pontefract, St Peter's hospital in York (Farrer, *Early Yorkshire Charters*, i. 155–6, no. 185; Saltman, *Theobald*, 514–15, no. 285), and other Yorkshire houses.⁴ There is nothing to raise suspicions in any of these confirmations, and indeed if a fabricated archiepiscopal act were needed it is unlikely to have been produced in the name of the archbishop of Canterbury. The relevant clauses of Theobald's act follow closely the confirmation of Hugh de Laval (see below), which likewise appears authentic. Similar arguments can be advanced about the undesirability of a falsified Laval deed after the honour of Pontefract returned to Lacy hands.

These islands of apparent authenticity allow us to assess other deeds, in particular Robert de Lacy's 'foundation charter', the first document in the cartulary (*Ctl. Pontefract*, 17–18, no. i). This is surely based on an authentic charter of foundation, which provided its witnesses (who also attest the Dodworth deeds mentioned above) and some of the text. It states that Robert, with the counsel of Archbishop T., had founded a religious house in his demesne at Kirkby, in honour of St John the apostle and evangelist. He had placed it under the rule of the monks of La Charité, whose prior, Wilencus, had sent certain of his brethren. The name Kirkby, rather than Pontefract, is used throughout. The five witnesses, W[illiam] Peverel, W[illiam] Foliot, Hervey de Campeaux, Roger the Poitevin, and W[illiam] de Wennerville, do not enable us to date the deed exactly, but the names are consistent with a date in the reign of William II or Henry I. The involvement of Wilencus, who attested deeds in 1084 and 1089 and had been succeeded by Oddo in 1107 (*Ctl. La Charité*, 77, 93, 361, 429), shows that Archbishop T. was Thomas I (1070–1100), as Thomas II was not nominated until after Wilencus's death. Other features show that the postulated original has been much altered. The movent clause refers to 'domini mei Willelmi regis primi', but it is clear Robert succeeded only in the reign of William II. This may be a simple error of transcription, as Laval's and Theobald's confirmations make it clear that Robert's gifts were made in the time of William II. The confirmation of the church of All Saints of Pontefract is anachronous: the church was still dedicated to St Mary when Hugh de Laval gave his charter in 1123, and had been held in moieties by Pontefract and Nostell not long before (see §§ 1–2 below).⁵ Robert gives

⁴ For discussion and references, see C. Norton, *St William of York* (2006), 138n.

⁵ Also perhaps suspicious is the clause granting the monks the custody of the hospital of St Nicholas 'where they had lived before . . . at their disposition to the use of the poor',

the churches of Darrington and Kippax, but the deeds of Archbishop Theobald and Hugh de Laval agree that these gifts were made by Hugh. Similarly the gift of the church of Ledsham, claimed by Robert, appears from {1} below, supported by {3}, *Regesta* 1460 for Nostell, to have been made by Hugh. Farrer's view was unequivocal: the deed was 'undoubtedly spurious' (Farrer, *Early Yorkshire Charters*, iii. 179). We must similarly dismiss a confirmation by Archbishop T., given 'ad petitionem dilecti filii nostri Roberti de Lascy' which includes Robert's gift of these three churches and otherwise echoes the 'foundation charter'. The witnesses indicate a date in the 1130s, long after Robert's dispossession, causing Farrer to emend 'Roberti' to 'Ilberti', that is Robert's son Ilbert II, who was restored to his inheritance by King Stephen in 1136 (*Ctl. Pontefract*, 61, no. xli; Farrer, *Early Yorkshire Charters*, iii. 163, no. 1469; Burton, *EEA v York 1070–1154*, 49–50, no. 57).

Farrer's 'possible explanation of the spurious charters' was that 'during the anarchy of Stephen's reign, Henry de Lascy destroyed or so mutilated the title-deeds of the monastery that an attempt was perforce made in the reign of Henry II to replace the lost or damaged evidences with exemplifications of the originals' (Farrer, *Early Yorkshire Charters*, iii. 152). But it seems rather that the fabrications were produced for two separate reasons: first the previously noted necessity to secure the bounds of Dodworth from challenge, and secondly to redesignate gifts by Hugh de Laval as made by Robert de Lacy. Ilbert de Lacy no doubt attempted to regain estates and rights granted away by the intruder. Hugh de Laval's original survived unaltered because it had limited use after 1135.

The name Kirkby, rather than Pontefract, is used in Robert de Lacy's 'foundation charter' and in Hugh de Laval's deed. Neither name occurs in Domesday, which instead refers to 'Tateshalle', apparently a corruption of Tanshelf, where there were eighteen carucates, together

which is suggestive of interpolation to assist in a later dispute. It was Farrer's view (*Early Yorkshire Charters*, iii. 138) that the hospital had existed before the priory, and that its endowments were the church of St Mary and the two carucates in Tanshelf said in 1086 to be 'elemosina pauperum' (*DB*, i. 316c, 379c; §§ 9. W64, SW O 16), but this is speculation. Robert de Lacy's deed granted to the monks 'plenariam custodiam hospitalis de sancto Nicholao ubi prius habitauerunt, intus et foris, ad dispositionem suam in usus pauperum'. Even if this phrase is accepted as derived from the postulated authentic parent, it need not imply that the hospital existed before the priory: it was perhaps a use found for the buildings vacated when the new priory was built.

with soke in Minsthorpe, Barnby Hall, Silkstone, Thurgoland, Stainborough Castle, Keresforth Hall, Barnsley, Darton, Notton, Chevet, Cold Hiendley and *Westrebi*, which has been identified with Altofts (*DB*, i. 316c–317b, 379c; §§ 9. W64, 9. W78–84, 9. W96, SW O 15). The addition of Tanshelf to the fee of Ilbert de Lacy appears to have taken place at about the time that Domesday was compiled, for although it is included in Lacy's fee in the main text, it is still land of the king in the summary, which is thought to have been compiled a little earlier. Tanshelf first occurs in the mid-tenth century, when it was a 'villa regia'. *ASChr* (D), s.a. 947, says that King Eadred came to Tanshelf, and there Archbishop Wulfstan and all the councillors of the Northumbrians pledged themselves to the king. The note derived from this passage in the mid-twelfth-century manuscript of Simeon of Durham's *Historia Regum*, s.a. 949 ('in uilla que dicitur Taddenes scylf'), is accompanied by a marginal note, entered not much later, and subsequently amended as indicated: 'Taddenes[scylf] erat tunc uilla regia que nunc uocatur Puntfrait [romane anglice et Kirkebi]' (MS Corpus Christi 139, fol. 85r; Simeon of Durham, ed. Hinde, i. 77).

The earliest recorded use of the name Pontefract is as the place-date of a writ datable to 1105 (0000, *Regesta* 710, Royal Letters). The name occurs again two years later, when Pope Paschal II confirmed the 'ecclesia . . . de Pontefracto' to the priory of La Charité (*Ctl. La Charité*, 363; JL 6127). Referring to events which took place in 1069, Orderic tells how William I was halted at 'the water of Pontefract' ('praepeditur ad Fracti Pontis aquam').

As the king hurried there [*sc. to York*] from Nottingham his way was barred at Pontefract by the river, which was neither fordable nor safe for navigation. He rejected all advice to turn back. To the suggestion that a bridge should be built he answered that it would be unsafe to give the enemy a chance of falling suddenly on them and inflicting heavy slaughter whilst they were engaged in bridgebuilding. They were delayed there for three weeks. At length a knight of outstanding courage, Lisois of Moutiers, made a determined effort to cross the river, riding up and down stream in search of a ford. At last he found a place that could be forded with great difficulty, and with sixty gallant knights made the crossing. The enemy attacked them in large numbers, but they fought back fiercely and beat off the attackers. Next day Lisois returned to point out the ford, and led the army over without delay (Orderic IV, ed. Chibnall, ii. 230–1).

But Orderic was writing *c.* 1125, and though most of his account of the campaigns of 1066–1071 came from the lost chapters of the *Gesta Guillelmi* of William of Poitiers, probably written in the 1070s, we have no way of knowing how William of Poitiers himself described the

location (Orderic, ed. Chibnall, i. 46; *Gesta Guillelmi*, pp. xx, xxxv–xxxviii). What is clear, however, is that the ‘water of Pontefract’ was a major watercourse, which must have been the river Aire. The placename Pontefract surely also indicates a major river crossing, but Pontefract itself lies three miles south of the Aire. The most likely explanation is that the new castle took its name from an important feature some miles off, perhaps the remains of a roman bridge where the ‘Roman Ridge’ crossed the Aire at Castleford.⁶ There is a parallel here with Tickhill castle, originally known as Blyth castle, apparently taking its name from the site of the priory some four or five miles away.

The name Kirkby, indicating a subsidiary settlement at a church, was presumably derived from the Anglo-Saxon church excavated in 1985–6 and situated in The Booths, close to the north-east slope of the castle mound. The parish church of All Saints, which stands about 100 yards to the east of the Anglo-Saxon church, has nothing in its fabric belonging to a period before the fourteenth century, and the date and manner in which it succeeded the Anglo-Saxon church remains uncertain: a pre- or post- Conquest date is possible.⁷ Kirkby must therefore have been a short distance to the east of the hill on which the castle was built, close to the site of the priory.

⁶ An alternative theory has frequently been advanced (see e.g. Richard Holmes, *Pontefract: its Name, its Lords, and its Castle* (Pontefract, 1878), 20–22; Eric Houlder ‘Search for the broken bridge’, *Local History Magazine*, 25 (March 1990), 11–12, 27), namely that the bridge in question lay across the Wash Dike, about half a mile east of the centre of Pontefract, on the boundary between the townships of Pontefract and Ferrybridge, where there was a settlement called Bubwith Houses. The evidence adduced is Leland’s comment that ‘. . . it was caullid Brokenbridg. Ruines of such a bridge yet ys seene scant half a mile est owt of old Pontfract; but I cannot justely say that this bridge stode ful on Watheling Streate’ (Leland, *Itinerary*, ed. L. Toulmin Smith, i. 39), and an ‘inquisition’ (untraced, cf. *Feudal Aids*, vi. 598; *West Yorkshire Survey*, 476, citing Goodchild, MS Newland, A1, fol. 17v, a feodary book of the honour of Pontefract, 1274–1545, copied in 1571 for Richard Bunny of Newland, feodary) said in Gibson’s edition of the *Britannia*, presumably on information from Ralph Thoresby or Nathaniel Johnston, to have been ‘taken in the reign of Edward 2’, corrected to ‘2nd Henry IV’ by Holmes, which has John Bubwith holding an eighteenth part of a knight’s fee ‘juxta veterem pontem de Pontefract’ (Camden, *Britannia*, ed. 1695, unpaginated preface and col. 730; R. Holmes, ‘Bubwith House, Pontefract’, in William Smith, *Old Yorkshire*, ii (1890), 67–74, at 68).

⁷ See West Yorkshire Archaeology Advisory Service PRNs 963, 2327, available from West Yorkshire Archaeology Advisory Service, Newstead Road, Wakefield, WF1 2DE. See also Tony Wilmott, ‘Pontefract’, *Current Archaeology* 11, no. 106 (September 1987), 340–44.

The use of the name Kirkby, rather than Pontefract, in Robert de Lacy's 'foundation charter', is surely a survival from its authentic parent. But why was the name Kirkby used in Hugh de Laval's deed of 1123? The agreement for Nostell's independent possession of St Oswald's church arranged by Archbishop Thomas in 1108 × 1114 refers to the 'monks of La Charité' without reference to a place, as does the king's confirmation of it (Farrer, *Early Yorkshire Charters*, iii. 159–60, no. 1465; 0000, *Regesta* 1272). But the confirmation by Prior Oddo of La Charité of the exchange of Featherstone, also with Nostell, mentions 'our brethren of Pontefract' (ibid. iii. 136, no. 1429), and the king's charter confirming the agreement refers to the 'monks of St John of Pontefract' and 'the church of St Mary of the castle of Pontefract' (3 below, *Regesta* 1460): Kirkby is not mentioned in any of these confirmations. Perhaps Hugh de Laval was guided by the precedent of Robert de Lacy's lost deed, or perhaps both names were in use to describe the location of the priory of St John in the early 1120s.

There is no royal charter of confirmation, but the deed in the name of Hugh de Laval, subscribed in a Continental manner by King Henry and members of his court (1), is authentic and represents a royal act. The confirmation in Henry I's name is a forgery (2) which fused the witness-list of Hugh's deed with a forged deed in the name of Robert de Lacy to produce a spurious royal charter. Another charter (3), found in two versions in the Nostell cartulary, and printed under that heading, confirms an exchange of churches between the two institutions, which is described in similar terms in Hugh de Laval's deed. The other royal acts in the cartulary are a writ-charter of King Stephen, notifying the archbishop and chapter of York and the shire court of Yorkshire of the appropriation of two churches in York (Ste/664), and two charters in the name of Henry II, one of which is certainly fabricated (H2/2086–7). It is possible that there were authentic royal documents in the archive that were superseded by forgeries in the later twelfth century, but if so, no record of them has been preserved.

- 1 Deed of Hugh de Laval in the king's court, subscribed by the king, confirming the gifts of Robert de Lacy and others to the monks of Pontefract. January × June 1123

CARTULARY COPY: BL MS Add. 50754 (s. xiii) (Davis 782), fol. 1v (now fol. 8v) ‘Carta Hugonis de Lual’ [B, with a note ‘Foxholes in uilla Altoftes’ in Dodsworth’s hand in the margin].

ANTIQUARIAN TRANSCRIPTS: BL MS Lansdowne 229, fol. 113v (copied by Robert Glover, 1543/4–1588) [‘ex registro de Pontefract’, from B]; *ibid.* fol. 128r [‘ex registro de Pontefract’, from B]; BL MS Lansdowne 259, old fol. 15r–v, now fol. 69r–v [from Lansdowne 229]; Bodl. MS Dodsworth 159 (Liber V), fol. 28r–v [apparently from B]; Bodl. MS Dodsworth 8, fol. 202r–v (‘Carta Hugonis Delaual’) [source not indicated, but probably from B or Dodsworth 159]; Bodl. MS Dodsworth 9, fols. 246r–247r (‘Carta Hugonis Delaual’) [from ‘lib. v. fol. 28’, Dodsworth 159, and checked ‘with the originale’ according to a note]; BL MS Lansdowne 207A, old pp. 540–43, fols. 277v–279r (copied by John Harrison, servant of Gervase Holles, 1607–1675) [‘ex cartulario . . . modo penes Rogerum Doddesworth generosum’, from B].

PRINTED: Dugdale, i. 649–50, repr. *Monasticon*, v. 121 (no. iii) [from B via Dodsworth]; Richard Holmes, *Pontefract: its Name, its Lords, and its Castle* (Pontefract, 1878), 78–80 (English abstract) [from Lansdowne 229], Appendix, pp. iii–iv, no. 3 [from *Monasticon*]; Bertrand de Broussillon, ‘La maison de Laval’, *Bulletin de la Commission historique et archéologique de La Mayenne*, 2nd series 9 (Laval, 1894), 240–42 [from Dugdale]; repr. Bertrand de Broussillon, *La Maison de Laval, 1020–1695*, 5 vols (Paris, 1895–1903), i. 84–6; R. Holmes, *Chartulary of St John of Pontefract*, YAS Record Series 25, 30 (1899–1901), 20–22 (no. iii) [from B]; Farrer, *Early Yorkshire Charters*, iii. 179–81 (no. 1486) [from B].

CALENDAR: Farrer 495; *Regesta* 1400.

In nomine sancte et indiuidue Trinitatis. Saluberrimum est ut quicquid a predecessoribus uiris catholicis ecclesie dei et ei seruientibus impensum est a posteris firmum et perpetuum teneatur. Ea propter ego Hugh de Lual, id potissimum suggerente et assentiente Turstino uenerabili Eborascensium archiepiscopo, pro salute domini mei Henrici Anglorum regis et uxoris sue et statu regni eorum et pro remedio animarum patris et matris et fratris sui Willelmi regis et prioris coniugis sue et Willelmi filii eorum necnon et omnium antecessorum et parentum suorum et pro salute mea et coniugis mee et liberorum meorum et pro remedio animarum antecessorum meorum, concedo per dei gratiam et concessum eiusdem serenissimi regis Henrici et sub testimonio presentis cartule confirmo [1] quicquid Rodbertus de Laceio tempore regis Willelmi secundi et ego postmodum tempore regis Henrici donauit monasterio sancte Marie de Caritate ad usum monachorum sub regula sancti Benedicti seruientium in

monasterium sancti Iohannis ewangeliste de Kyrkeby castello meo, uidelicet situm ipsius monasterii et septem acras terre ibidem cum mansis earum et in Brachehel XIII acras et ecclesiam sancte Marie de foro cum rebus ad eam pertinentibus. [2] Huius ecclesie scilicet dimidium erat prius canonicorum sancti Osuualdi, uerum pro commoditate quadam et canonicorum et monachorum ex beneficio meo per manum domini Turstini archiepiscopi illud dimidium canonicorum dedi ipsis monachis, et ecclesiam de Ledesham' et aut XII solidos ad festum sancti Andree de theloneo castelli aut decimam Ledestune per supradictos XII solidos a capellanis meis de sancto Clemente commutatam, et ita concessum est et gratatum utrimque pro ecclesia de Fedrestan' quam modo habent canonici. [3] Rursum concedo predicto monasterio dimidium predictae uille de Ledesham' quod antea habebant et Ledestonam et Witewodam et Dodewrdam et in Foxoles VI bouatas terre et aquam que est inter duos molendinos de Castelford, [4] et ante castellum unam carrucatum terre de dono Willelmi Folioth, [5] et in Silkestona VI bouatas terre de dono Ailsi, [6] et ecclesiam de Silkestona cum hiis que ad illam pertinent de dono Swani filii Ailrici, et iterum de dono ipsius ecclesiam de Caltorna cum duabus partibus decimarum totius dominii sui. [7] Iterum ex meo beneficio omnium reddituum meorum de Kirkeby decimam eidem monasterio concedo que hoc priuilegium de capella sancti Clementis eidem confirmo ut alteri ecclesie non possit dari quam monasterio sancti Iohannis, ecclesiam quoque de Dardintona et ecclesiam de Kypeis cum omnibus ad se pertinentibus monasterio sancti Iohannis in elemosinam tribuo, carrucata cum mansore [? *l. mansura*] infirmorum a subiectione ecclesie Darditone permanente libera, et in Boolanda ecclesiam de Sleteburna cum his que ad se pertinent, et in Cestrieschira ecclesiam de Walleya et <omnia> ad eam pertinentia et capellam castelli mei de Clitherow cum decimis omnium rerum dominii mei

eiusdem castelli et ibidem ecclesiam sancte Marie Magdalene,
et ecclesiam de Calna et ecclesiam de Brunlaia.

Ego Henricus rex Anglie signo sancte + crucis confirmo

Ego Ricardus de Brus signo sancte + crucis confirmo

Ego Rogerus Salesbiriensis episcopus hoc signo sancte +
crucis confirmo

Ego Robertus Cestrensis episcopus hoc signo sancte + crucis
confirmo

Ego Gaufridus cancellarius hoc signo sancte + crucis confirmo

Ego Gaufridus de Glinton hoc + confirmo

Ego Robertus de Oilli + hoc confirmo

Ego Thomas de Sancto Iohanne hoc + confirmo

Ego Robertus de Sigillo hoc signo sancte + crucis confirmo

Ego Hugo Bigotus dapifer hoc confirmo signo sancte + crucis

Ego Baldwinus filius Gisleberti hoc + confirmo

Ego Willelmus de Munfichet signo sancte + crucis confirmo

Ego comes Daud signo sancte + crucis confirmo

Ego abbas Helyas de Monte signo sancte + crucis confirmo

Ego Hugo de Brietel signo sancte + crucis confirmo

Ego Ricardus Herefordensis episcopus + signo sancte crucis
confirmo

In the name of the holy and undivided Trinity. It is best for spiritual good that whatever was devoted by catholic men before our time to the church of God and those who serve it should be held firm and forever by posterity. For that reason I Hugh de Laval, at the suggestion and with the assent of the venerable Archbishop Thurstan of York, for the salvation of my lord Henry king of the English and of his queen and for the state of their realm and for the redemption of the souls of his father and mother and brother King William and of his first wife and their son William and also of all his ancestors and relatives, and for the salvation of my soul and those of my wife and children and for the redemption of my ancestors, I grant by the grace of God and by the grant of the most serene King Henry and under the witness of the present charter I confirm [1] whatever Robert de Lacy in the time of King William II and I afterwards in the time of King Henry gave to the monastery of St Mary of La Charité to the use of monks serving under the rule of St Benedict in the monastery of St John the Evangelist of Kirkby my castle, namely the site of the monastery itself and seven acres there with their dwellings and thirteen acres in Brackenhill and the church of St Mary in the market place together with the property pertaining to it. [2] Half of this church formerly belonged to the canons of Nostell, but for the convenience of both the canons and the monks by my gift through the hand of Archbishop Thurstan I gave the canons' moiety to the monks,

and also the church of Ledsham and either 12s at the feast of St Andrew from the toll of the castle or the tithes of Ledstone commuted into the said 12s by my chaplains of St Clement, and this was granted and agreed on either side in return for the church of Featherstone which the canons now have. [3] Again I grant to the foresaid monastery half the foresaid vill of Ledsham which they used to have and also Ledstone and Whitwood and Dodworth and six bovates of land at Foxholes and the water between the two mills of Castleford. [4] And in front of the castle one carucate of land of the gift of William Foliot; [5] and in Silkstone six bovates of land of the gift of Aelsi; [6] and the church of Silkstone with the things that pertain to it of the gift of Swein fitz Aelric, and again of his gift the church of Cawthorne with two parts of the tithes of his whole demesne. [7] Again by my gift I grant to the same monastery one tenth of all my revenues of Kirkby, and I confirm to it this privilege of the chapel of St Clement it shall not be possible to give to another church than the monastery of St John; also I bestow on the monastery of St John the church of Darrington and the church of Kippax with everything pertaining to them, together with a carucate of land and the infirmary remaining free from dependence on the church of Darrington, and in Bowland the church of Slaidburn with the things that pertain to it and in Chester shire the church of Whalley and all that pertains to it and the chapel of my castle of Clitheroe with the tithes of every thing of my demesne of the same castle and the church of St Mary there, and the church of Colne and the church of Burnley.

I Henry king of England confirm with the sign of the holy + cross.

I Richard de Brus confirm with the sign of the holy + cross.

I Roger bishop of Salibury confirm this with the sign of the holy + cross.

I Robert bishop of Chester confirm this with the sign of the holy + cross.

I Geoffrey the chancellor confirm this with the sign of the holy + cross.

I Geoffrey de Clinton confirm + this.

I Robert de Oilli confirm + this.

I Thomas de Saint-Jean confirm + this.

I Robert de Sigillo confirm this with the sign of the holy + cross.

I Hugh Bigod steward confirm this with the sign of the holy + cross.

I Baldwin fitz Gilbert confirm + this.

I William de Montfichet confirm with the sign of the holy + cross.

I Earl David confirm with the sign of the holy + cross.

I Elias abbot of the Mount confirm with the sign of the holy + cross.

I Hugh de Breteuil confirm with the sign of the holy + cross.

I Richard bishop of Hereford confirm with the sign of the holy + cross.

DATE: The outer limits are set by the witness of Geoffrey Rufus as chancellor, not before January 1123, and the succession of Earl David as king of Scotland, April 1124. Holmes's guess that it was confirmed when the king was at York in 1122 is impossible. From the witness list, one may infer that a plausible place for the transaction was Woodstock (see Place), which would narrow the date-range to before King Henry left for Normandy on 11 June 1123. The king is known to have been at Woodstock from about the beginning of Lent (28 February 1123) until after Lady Day (25 March 1123); see note on 000, *Regesta* 1391 for Exeter.

ADDRESS: In diploma form with the witnesses subscribing in Norman style.

WITNESS: The order of witnesses suggests that in the original deed they made their marks as space allowed. They are also an unusual group, drawn conspicuously from the

king's court and not from Hugh de Laval's circle; twelve names are shared with the charter (2) in King Henry's name that purports to confirm some parts of this deed. After the king himself, in order of precedence there is Roger, bishop of Salisbury, and two other bishops, Bishop Richard of Hereford and Bishop Robert Peche of Chester. The absence of Archbishop Thurstan, named in the confirmation, is noteworthy, and might perhaps be explained by his departure from the council at Woodstock about the middle of March 1123, bound for Rome (Hugh the Chanter, ed. Johnson, 188–9). Abbot Elias of the Benedictine abbey of La-Trinité-du-Mont at Rouen is an unexpected name, attesting only here and perhaps explained by the circumstances of a visit from French monks (see Context); Ilbert de Lacy had himself been a benefactor of that abbey (Farrer, *Early Yorkshire Charters*, iii. 176, no. 1483). Among laymen, Earl David was a prominent figure at court in 1123; the chancellor Geoffrey Rufus, Robert de Sigillo, Geoffrey de Clinton were regular witnesses to the king's acts. Thomas de Saint-Jean witnessed less frequently, but he remained a minor courtier over a long period; Robert de Oilli was often enough at Henry's court in the 1120s; and both attended most frequently when the king was at Woodstock. Baldwin fitz Gilbert and Hugh Bigod are not normally found as witnesses before the 1130s; William de Montfichet is a rare witness, and Hugh de Breteuil witnesses only here and in the spurious royal confirmation below. Richard de Brus—who must have put his mark between those of the king and Bishop Roger—is an unknown figure, unless an error for Robert. Farrer's conjecture that the name is an error for Richard, bishop of Bayeux, is far-fetched. There is a Richard de Brus among the witnesses to a transfer of property from Ranulf the chancellor to Bernard, one of the king's scribes (H1/0000; *Regesta* 1365). The name Ricardus de Bruys is also found as first witness before Earl David's chaplain Ælfwine in a grant by the earl to Westminster abbey (Barrow, *Charters of King David I*, 58, no. 13), where Barrow queried whether it was an error for Robert.

PLACE: None. Geoffrey de Clinton, Thomas de Saint-Jean, and Robert de Oilli as a group suggest that the court was at Woodstock.

CONTEXT: The detailed description of gifts provides valuable information on the growth of the priory's endowment, which can be compared with the detailed recitation in the general confirmation by Archbishop Theobald of 1154 (*Ctl. Pontefract*, 80–84, no. lvii). Theobald's act follows the order of §§ 1–7, omitting details of the exchange with Nostell in § 2; it continues with gifts of Hugh de Laval's successor William Maltravers (d. 1135), and what Holmes calls 'later gifts of tenants', though some of them are not much later. [1] Robert de Lacy's foundation charter does not survive in an authentic form (see Headnote). The site of the priory at Kirkby and the land at Brackenhill from where building-stone was quarried might well be the initial gifts of land to the priory. The church of St Mary *in foro* is referred to as St Mary *de castello* in the agreement with Nostell. Its division into moieties between the monks of Pontefract and the canons of St Oswald's at Nostell points to Robert de Lacy. The canons' moiety was surrendered to the monks under the agreement referred to in § 2, whereby the monks gave to the canons All Saints' church at Featherstone. In the spurious confirmation by Archbishop Thurstan (Farrer, *Early Yorkshire Charters*, iii. 163, no. 1469) and the confirmation by Archbishop Theobald the place of St Mary in Kirkby is taken by the church of All Saints at Pontefract, so that it appears that there was an early change of dedication; after the second agreement, the dedication of Featherstone was transferred to the church at the castle's gate. The strength of association built up between the monks and Featherstone seems the only explanation for the change. (Holmes, *Ctl.*

Pontefract, vol. ii, pp. lviii–lxii, followed by Peter Ryder, *Medieval Churches of West Yorkshire* (1993), 169–70, supposed that St Mary’s became the parish church of St Giles, Pontefract; he was following only the fact that it is here called St Mary *in foro*; the church near the market cross was the chapel of St Giles and became the parish church only in the eighteenth century and then because All Saints was ruinous, having been damaged in 1644–5 during the Civil War sieges of the castle). [2] For the confirmation by the second Archbishop Thomas of York (1108–1114) of the agreement concerning the parish church of All Saints, Featherstone, whereby the monks of Pontefract, who held the church, relinquished their rights in St Oswald’s chapel, then in the parish of Featherstone, to pave the way for the founding of Nostell priory, see the Nostell Headnote. When the monks came to hold Featherstone church is not documented, but Featherstone was part of the Lacy fee, and we can infer that Robert de Lacy or his local tenant had conveyed the church to them. Subsequently, in the time of Archbishop Thurstan, the exchange referred to here gave the church of Featherstone to the canons in return for which the monks gained the church of Ledsham and the other moiety of the church of St Mary, which had hitherto been divided between them and the canons. Although no text of the agreement has survived, two versions of a royal confirmation were preserved at Nostell (*Regesta* 1460 below), the date of which cannot long precede that of the present deed. The agreement was confirmed by Prior Oddo of La Charité (Farrer, *Early Yorkshire Charters*, iii. 136, no. 1429), who refers to ‘sigillo regis in maiori carta’. These agreements left Robert’s two foundations neighbours rather than sharers of his benefactions. [3] Half the vill of Ledsham, Ledstone, Whitwood and Dodsworth were included in Robert de Lacy’s ‘foundation charter’. Foxholes does not otherwise occur in the cartulary. Dodsworth’s marginal note identifying it as Foxholes in Altofts is doubtless correct: the ‘foundation charter’ includes one carucate in Altofts (*Ctl. Pontefract*, 18, 21n). Instead of ‘aquam que est inter duos molendinos de Castelford’, Archbishop Theobald confirmed ‘aquam a molendinis Castelforde usque ad Thornestrem’. [4] William Foliot, an important tenant in the honour of Pontefract, who was also a benefactor of Nostell. The grant of a carucate of land to Pontefract was later confirmed by William’s son Jordan (Farrer, *Early Yorkshire Charters*, iii. 215, no. 1528). [5] Aelsi had himself held several manors in 1066 that became part of the fee of Ilbert de Lacy; in 1086 Silkstone belonged to Tanshelf, which had been a royal manor in 1066 (*DB*, i. 316c; § 9. W64). Six bovates would represent one half of the Domesday assessment of Silkstone. [6] Swein fitz Aelric was a prominent tenant in the honour, where Aelric had held land in 1066; he was also a benefactor of Nostell. Swein’s is the only deed to have survived from those confirmed here (*Ctl. Pontefract*, 462–3, no. ccclxxviii, with discussion, 405–7; Farrer, *Early Yorkshire Charters*, 316–17, no. 1663). [7] Hugh de Laval’s gifts to Pontefract, including property around both the northern *capita* of his honour, Pontefract and Clitheroe (Lancs), were included in Archbishop Theobald’s confirmation of 1154 and in the two charters in the name of Henry II (Farrer, *Early Yorkshire Charters*, iii. 168–70, no. 1475; H2/2086, 2087). It is worth noting the signs of the lack of shire organization in what would become Lancashire: Whalley and Clitheroe, in the honour of Clitheroe, are referred to as ‘in Cestrie schira’; they were in the diocese of Chester but not in the shire held by the earl of Chester.

AUTHENTICITY: A highly unusual deed for a Yorkshire monastery, but there are no internal contradictions, and the named beneficiary is not St John’s priory at Pontefract but the Cluniac house of La Charité-sur-Loire. The diploma style and the elaboration of

the witness list suggests that the deed was drafted by a French monk of La Charité. The witnesses, however, indicate that the confirmation was made in the king's presence in England, and there is a possibility that it should be dated around the same time as the agreement to which it refers between the monks of Pontefract and the canons of Nostell (0000 for Nostell, *Regesta* 1460); this agreement was confirmed by Prior Oddo of La Charité (Farrer, *Early Yorkshire Charters*, iii. 136, no. 1429), suggesting that the mother-house may have sent a senior delegation to England.

2 Purported charter confirming Robert de Lacy's gift of Dodworth to St Mary of La Charité, St John of Pontefract, and the monks there.

CARTULARY COPY: BL MS Add. 50754 (s. xiii) (Davis 782), fol. 21v (now fol. 28v) ('Carta Henrici regis Anglie') [B].

ANTIQUARIAN TRANSCRIPT: BL MS Lansdowne 229, fol. 128v (copied by Robert Glover, 1543/4–1588) ['ex registro de Pontefracto', from B].

PRINTED: R. Holmes, *Chartulary of St John of Pontefract*, YAS Record Series 25, 30 (1899–1901), 103–5 (no. lxxii) [from B].

CALENDAR: Farrer 496; *Regesta* 1401.

H(enricus) rex Angl(orum) archiepiscopis episcopis comitibus baronibus iusticiis uicecomitibus et omnibus fidelibus suis salutem. [1] Sciatis quod ego pro amore dei et pro salute anime mee et Matildis regine et Willelmi filii mei et omnium antecessorum et heredum meorum concessi et hac presenti carta mea confirmaui deo et sancte Marie et sancto Iohanni euangeliste et monachis de Pontefr(acto) deo ibidem famulantibus uillam quandam, scilicet Doddewrd' cum omnibus pertinentiis et libertatibus suis que sita est inter Silkeston' et Bernesl' per easdem bundas et m(ar)cas per quas Robertus de Lasceio in presentia mea eam eis dedit in puram et perpetuam elemosinam et carta sua confirmauit, uidelicet per uallem quandam morosam et aquosam ultra Eschisclif que uallis certificat diuisam inter Turgarland' et Stainburx et Doddewrd' ex illa parte, et ex altera parte per riuuulum [*sic*] quendam qui uocatur Meruinebroch et cadit in predicta<m> ualle<m>, et ex tertia parte uersus Silkest(on') per luporum foueam, et per arborem quamdam que anglice uocatur lind et

per morosum fontem et sic per alterum riuulum qui currit per Elileiam et cadit in aquam que uenit de Silkeston'. Que loca certificant diuisam inter Silkeston' et predictam Doddwrd', et ita per uallem illam ultra Huggeside, et predictae aque de Silkest(on') medietatem usque contra Barneby. Que aque medietas certificat diuisam inter predictam Barneby et predictam Dodewrd', in illa parte, et ita retrahendo sursum per montis supercilium usque in Rauenesclou. Qui Rauenesclou certificat diuisam inter Berx et sepedictam Dodewrd'. In puram et perpetuam elemosinam, liberam et quietam ab omni seculari exactione. Quare uolo et firmiter precipio ut predicti monachi in perpetuum predictam uillam cum omni honore habeant, teneant et possideant, in bene [sic] et in pace, sine omni molestia et uexatione, per bundas et mercas superscriptas. [2] Concessi insuper et confirmaui eisdem monachis ex dono Swani filii Ailrici ecclesiam de Silkeston' cum sex bouatis terre in eadem uilla, et earum pertinentiis, cum capellis et terris et decimis et omnibus ad eam pertinentibus. Et capellam de Calthorn' cum duabus partibus decimarum totius domini, et cum duabus bouatis terre et earum pertinentiis in eadem uilla. [3] Item uolo et firmiter precipio quod predicti monachi omnes terras, possessiones et elemosinas suas ubicumque fuerint in regno meo habeant et teneant cum soca et sacca et tol et theam et infangenesthef et cum omnibus aliis libertatibus et liberis consuetudinibus et quietantiis suis in bosco et plano, in pratis et paschuis, in aquis et molendinis, in stagnis et uiuariis, in uiis et semitis. [4] Item ex concessione et confirmatione mea, prefati monachi et eorum tenentes sint liberi et quieti de sectis comitatus et de triding et de wapentaca et de scutagio et de geld et de omni theloneo, tam per aquam quam per terram, per totum regnum meum, et de omni seculari seruitio et opere et consuetudine seruili. Hiis testibus Ebor(acensi) archiepiscopo, Rogero Salesberiensis episcopo, Roberto Cestrensis episcopo, Ric(ar)do

Herefordensi episcopo, Ric(ardo) de Brus, Gaufrido cancellario, Gaufrido de Clintona, Roberto de Oilli, Thom(a) de Sancto Iohanne, Hug(one) Bigot, Willelmo de Munfichet, Hug(one) de Bretoil, Rob(erto) de Sigillo.

Henry king of the English to archbishops bishops earls barons justices sheriffs and all his sworn men greeting. [1] Know that, for the love of God and for the salvation of my soul and those of Queen Matilda and my son William and all my predecessors and my heirs, I have granted and by this my present charter confirmed to God and St Mary and St John the Evangelist and the monks of Pontefract serving God there a vill called Dodworth with all its appurtenances and liberties which is situated between Silkstone and Barnsley by the same bounds and marks as Robert de Lacy gave it to them in my presence in pure and perpetual alms and by his charter confirmed, namely through a boggy and wet valley beyond Eschisclif, which marks the boundary between Thurgoland and Stainborough and Dodworth on that side, and on the second side by a stream which is called Meruinebroch and falls into the foresaid valley, and on the third side towards Silkstone by the wolves' lair and a tree called in English lind (lime) and by a boggy spring and so along another stream that runs through Elileia and falls into the stream that comes from Silkstone. These places mark the boundary between Silkstone and Dodworth. And then through the valley beyond Hugset and through the middle of the said stream against Barnby and the foresaid Dodworth on that side. And so returning upwards by the brow of the hill to Rauenesclou. This Rauenesclou marks the boundary between Barugh and Dodworth. In pure and perpetual alms, free and quit of all secular exaction. Wherefore I will and firmly command that the foresaid monks shall have, hold, and possess forever the foresaid vill with all honour, in well (sic) and in peace without any trouble or harrassment by the bounds and marks abovewritten. [2] In addition I have granted and confirmed to the same monks by the gift of Swein fitz Aelric the church of Silkstone with six bovates of land in the same vill and their appurtenances, with chapels and lands and tithes and all other things pertaining to it. And the chapel of Cawthorne with two thirds of the tithes of the whole demesne and with two bovates of land and their appurtenances in the same vill. [3] Again I will and firmly command that the foresaid monks shall have and hold all their lands, possessions, and alms wherever they may be in my realm with sake and soke and toll and team and infangthief and with all other liberties and free customs and quittances in wood and plain, in meadows and pastures, in streams and mills, in lakes and ponds, in ways and paths. [4] Again by my grant and confirmation the foresaid monks and their tenants shall be free and quit of all suits of shire and riding and wapentake and scutage and geld and all toll both by water and by land through the whole of my realm and of all secular service and burden and servile custom. With these witnesses, the archbishop of York, Roger bishop of Salisbury, Robert bishop of Chester, Richard bishop of Hereford, Richard de Brus, Geoffrey the chancellor, Geoffrey de Clinton, Robert de Oilli, Thomas de Saint-Jean, Hugh Bigod, William de Montfichet, Hugh de Breteuil, Robert de Sigillo.

DATE: The apparent date, based on the witnesses, would be after Geoffrey Rufus became chancellor in January 1123 and before Bishop Robert Peche of Chester died in

August 1126. The relationship with the deed in Hugh de Laval's name ({1}), and in particular the shared presence of Hugh de Breteuil, would narrow the range to before Earl David became king of Scotland in April 1124, and the near certainty of an English location for the transaction would further narrow it to before the king departed for Normandy in June 1123, and before Archbishop Thurstan left the king's court for Rome in mid-March 1123. But Robert de Lacy had been banished by Michaelmas 1115, and Queen Matilda, indicated as living in the movent clause, died in May 1118.

ADDRESS: General address.

WITNESS: The list of witnesses is based on {1} above. The absence of the initial for the archbishop of York suggests his name has been added to the witness list of {2} by the forger rather than lost from the copy of {1} during its inscription in the cartulary. For the rest, there has been a clear attempt to tidy up the order insofar as the draftsman knew how. The three bishops are placed after the archbishop, but Richard de Brus is then surely too high in such an arrangement, but the forger did not know who he was and was impressed by his apparently high placing among the signatures on the deed. Geoffrey Rufus, chancellor, Geoffrey de Clinton, Robert de Oilli, and Thomas de Saint-Jean, have been copied in order; Robert de Sigillo was assumed by the forger to have been the clerk who drafted the deed and was accordingly moved to the clerical position at the end. Hugh Bigod, William de Montfichet, and Hugh de Breteuil, are retained in the order of the deed. Three names were omitted, perhaps because the forger thought them too unusual.

PLACE: No place date.

CONTEXT: Two features of this forgery point towards the circumstances of its forging. First, it is presented as a confirmation of the gifts of Robert de Lacy, founder of the church, though he had long been forfeit by the date indicated by the witnesses. This suggests that the document was not confected until after Ilbert de Lacy had been restored to the honour of Pontefract early in King Stephen's reign. The source of its topographical detail was the spurious charter in the name of Robert de Lacy (see Authenticity), whose purpose was to assert the bounds of Dodworth.

AUTHENTICITY: This act was probably drafted with at least one specimen of an act of Henry I among its sources, perhaps several, but it cannot represent an authentic royal act. Holmes hesitated over its authenticity but in the end accepted it (*Ctl. Pontefract*, 93–4); Farrer rightly challenged it (*Early Yorkshire Charters*, iii. 152, in his notes on the two spurious charters in the name of Henry II). Apart from the incorrect 'hiis testibus', the witness list is sound, and based on that of {1} above. [1] The first component might possibly originate in a lost confirmation by King Henry of the gift by Robert de Lacy, but the wording has been padded with later commonplace wording, the movent clause and 'hac presenti carta mea', not likely in a confirmation of the apparent date. The movent clause indicates a date before the death of Queen Matilda on 1 May 1118. The detailed account of Dodworth with its bounds has been inserted in line with a spurious deed in the name of Robert de Lacy himself (*Ctl. Pontefract*, 19–20, no. ii). The first 'Quare uolo' would conclude the first component but its wording has again been padded. [2] The second component may be compared with the last element in a spurious deed in the name of Robert de Lacy (*Ctl. Pontefract*, 25–6, no. vii). It is worked into the later confirmations. [3] The clause, 'Item uolo et firmiter precipio', parallels the two forged charters in the name of Henry II (H2/2086, 2087), which refer to this as precedent, showing linkage between this forgery and the forgery or reworking of charters in Henry II's name. [4] The fourth component, 'ex concessione et

confirmatione mea' (a phrase unique among charters in the name of Henry I), is again linked with H2/2086, 'ex dono aui mei regis H(enrici) et ex concessione et confirmatione mea'.

Writ-charter confirming the exchange negotiated by Archbishop Thurstan and Hugh de Laval between the canons of St Oswald and the monks of St John of Pontefract concerning the church of Featherstone, and confirming other gifts by Hugh de Laval. 1114 × 1127, perhaps 1120 × 1122 or 1123

See 0000 for Nostell, *Regesta* 1460.