RANULF DE MERLAY

Tenant-in-chief in Northumberland

Ranulf de Merlay was the son and heir of William de Merlay, the earliest known tenant of Morpeth. If we can rely on the information contained in the forged act printed below, during the reign of Henry I he married Juliana, daughter of Earl Gospatric (d. 1138), and through this marriage gained specified lands in Northumberland.

It is likely that William de Merlay can be identified with the W. de Merlaio who was at court in 1088 on behalf of Geoffrey, bishop of Coutances, to claim for his cattle, which had been seized by the men of the bishop of Durham while in the king’s custody (De iniusta uexatione

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1 Notes on the Merlay family are given by Dugdale, Baronage, i. 570–71; Hodgson, Northumberland, pt 2, vol. 2, pp. 371–84, 469–73; J. Hodgson, A History of Morpeth (Newcastle, 1832), 9–20; Clay, Early Yorkshire Charters, ix. 30–31; Sanders, English Baronies, 65; Hedley, Northumberland Families, i. 196–8; Rollason, Liber Vitae, ii. 531. A connection is sometimes proposed between the Merlay family of Northumberland and that of Le Merlerault, dép. Orne, Basse-Normandie (see e.g. François-Alexandre Aubert de la Chenaye-Desbois et Badier, Dictionnaire de la Noblesse . . . de la France, 19 vols. (Paris, 1863–77), xiii, cols. 688–9). Orderic says that Emma, third daughter of Giroie son of Arnold the Fat of Courcerat, ‘was given to Roger of Merlerault (Merula), and her children were Ralph and William, the father of our neighbours Ralph and Roger’ (Orderic III, ed. Chibnall, ii. 22–3, 30–31). No evidence for a link has been found. Nor has evidence been found to connect the Northumberland family with Ralph de Merlo, killed at Tripoli in 1152, a proposed suitor for Constance of Antioch (S. Runciman, A History of the Crusades, 3 vols. (London 1951–4), ii. 331, 333; William of Tyre, XVII 18–19, ed. Huygens, 785–7).
William de Merlay’s tenancy of Morpeth is first noticed in 1095, during the rebellion of Robert de Mowbray, earl of Northumberland. According to Geoffrei Gaimar, *Estoire des Engleis*, ed. Short, 332, lines 6151–4), during the rebellion the king ‘took Morpeth, a strong castle, which stood on a hill. Above Wansbeck it stood. William de Merlay held it’ (Puis prist Morpathe, un fort chastel / ki iert asis sur un muncel: / Desur Wenpiz asis estait / Willame de Morlei l’aveit). Robert de Mowbray was captured and lost his earldom, and Northumberland remained in royal hands until 1139. There is no other indication of William de Merlay’s role in the rebellion. His son’s tenure of the fee in Northumberland shows that the earl’s tenants were not forfeit with him.

\[2\] ... homines episcopi, qui in castello suo sunt, abstulerunt domino meo Constantiensi episcopo cc\textsuperscript{a} animalia in conducto uestro'. The foundation narrative of St Mary’s abbey, York, includes Bishop Geoffrey in the list of those that were present at the abbey’s foundation in the early months of 1088, and says that he then ‘ruled the earldom of the Northumbrians’, qui eo quoque tempore Northanhumbrorum consulatum regebat (Monasticon, iii. 546a). This was sufficient for Dugdale to include him in his account of the earls of Northumberland (Baronage, i. 56b). But the bishop does not appear in Simeon of Durham’s account of the earls (Symeonis Dunelmensis, ed. Hodgson-Hinde, 92), and is not included in Complete Peerage. Whether Geoffrey was himself earl for a time, or merely acted as deputy for his nephew, remains uncertain. J. Le Patourel, ‘Geoffrey of Montbray, bishop of Coutances, 1049–1093’, *EHR* 59 (1944), 129–61, at p. 154, wondered if Bishop Geoffrey’s representative in 1088 might be indentified with William ‘the bishop’s steward’, Geoffrey’s tenant at Shelton in Bedfordshire and Newton (Bromshold) in Northamptonshire in 1086 (DB, i. 210a; Beds §§ 3. 5. 9). William’s service to the bishop might have provided him with his entry to Northumberland. On Geoffrey’s death in 1093 Robert inherited the majority of his estates, which Orderic numbered at 280 manors (Orderic IV, ed. Chibnall, ii. 266–7; ibid. VIII, iv. 278–9). Hedley (p. 196) posits a family connection between William de Merlay and Robert de Mowbray from the occurrence of the name Morel in both families. Robert’s kinsman Morel (propinquus eius) was at the surrender of Bamburgh castle in 1095 (Simeon of Durham, *Historia Regum*, ii. 226); *ASChr* (E) names Morel alone as responsible for the death of King Malcom III in 1093, calling him Morel of Bamburgh, Earl Robert’s steward. Orderic, in his account of Malcolm’s death, calls Morel nephew (nepos) to Earl Robert (Orderic VIII, ed. Chibnall, iv. 270–71). It is possible that William de Merlay’s son Morel was the Morel de Merlay who attested two of William d’Aubigny pincerna’s deeds for Wymondham priory in Norfolk in the 1130s (Monasticon, iii. 330–31, nos. ii–iii); it was presumably the same man who acted as witness for William d’Aubigny pincerna at Caen in 1114 × 1120 (000 for for Caen Saint Étienne, Regesta 1215). Geoffrey de Merlay held five fees of William d’Aubigny pincerna in Norfolk in 1166 (RBE, 398; Farrer, *Honors and Knights’ Fees*, iii. 112).
William de Merlay was a benefactor of Durham cathedral. With the consent of his wife and sons, he gave Morwick, a vill about 14 miles north of Morpeth, ‘cum diuersis ad illam uillum pertinentibus, preter unam piscarium in Tina . . . pro anima mea et uxoris mee Menialde et pro filiis meis Ranulf de Merle et Gosfrido et Morello et aliis filiis meis omnibus’. Each of the three named sons added his signum to the deed, which cannot be precisely dated. Ranulf, the eldest, confirmed his father’s gift: ‘. . . post mortem Willelmi de Merle, filius eius Ranulphus qui fuit heres illius ueniit Dunelmelmum, anno ab incarnatione domini MCXXIX, mense septembris proxima die post festum sancti Cuthberti [5 September 1129], et dedit et concessit et confirmavit et super sepulchrum sancti Cuthberti per unum cultellum obtulit predictam terram scilicet Morewic sancto Cuthberto et monachis eis . . .’. A long list of witnesses to Ranulf’s confirmation follows, including ‘Willelmus filius Ranulphi, Eustacius sororius ipsius Ranulphi’ (Monasticon, i. 241, no. v, ‘ex secundo registro penes decanum et capitulum ecclesie cathedralis Dunelmensis anno 1640’, i.e. DCM, Cart. II, fol. 251r). This record is not easy to reconcile with the entry in the Northumberland section of the pipe roll of 1130: ‘Willelmus de Merlai debet j palefridum pro recto de terra de fratre suo’ (PR 31 Henry I, 36). The most likely explanation is that the debt had been held over unchanged from a previous year despite the fact that William was dead in September 1129. If there had been a younger William alive at Michaelmas 1130, he would surely have been mentioned in the Morwick deed.

Ranulf de Merlay was the founder of Newminster abbey, the first daughter house of Fountains abbey. John of Hexham says that eight monks from Fountains came to the castle at Morpeth in January 1138, and built the monastery (John of Hexham, Historia regum, ii. 299–300). The same date is given in an early chronicle of Fountains (Walbran, Memorials of Fountains, i. 58–61, trans. at Clt. Newminster, pp. ix–xi), and in an early-thirteenth-century list of Cistercian foundations (Birch, ‘Date of foundation ascribed to the Cistertian abbeys’, 285). Prior Richard of Hexham’s account (ed. Raine, i. 79) tells us that the Scots destroyed the monastery in the same year (‘Hac tempestate, in terra Ranulfi de Merlai, de obsuerantius Cisterciensium destructum est quoddam coenobium, eodem anno constructum’). A deed in Ranulf’s name gives Ritton, part of the wood of Witton, and the vale between Morpeth and Mitford to Newminster ‘quam ego ipse construxi’. The

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3 Walbran speculates that ‘viii’ is a mistranscription of ‘xiii’, thirteen being ‘the usual number of a missionary convent’ (Memorials of Fountains, i. 58n).
detailed bounds that follow indicate that the deed is forged or at least inflated. Ranulf was also a benefactor of Hexham priory, to which he gave an annual payment of 10s, until he could give the equivalent in land (Richard of Hexham, ed. Raine, i. 59). 

Ranulf appears in charters of Henry I only as a beneficiary and is not named in any surviving act of King Stephen. His only known tenancies lay in the earldom of Northumberland, which was given to Henry, son of King David of Scotland, under the terms of the second treaty of Durham of 1139. Ranulf attested four of Earl Henry’s acts: a confirmation to Brinkburn priory, datable 1139; a confirmation to Eustace fitz John of the lands in Northumberland he had previously held in chief, 1139 × 1142; a mandate that the monks of Durham should hold certain lands as previously, 1141; and a gift to the nuns of St Bartholomew, Newcastle, 1141 × 1151 (Barrow, David I, 92, 103, 135, nos. 81–2, 103, 170). A charter to Brinkburn priory given by William de Warenne, Earl Henry’s son and successor in Northumberland, datable 1152 × 1157, while William was earl, is instead witnessed by Roger de Merlay (Barrow, Regesta Scottorum, ii. 124, no. 2). Does this give a terminus ad quem for the death of Ranulf? As Roger did not succeed to the fee until Michaelmas 1161 or later, it is more likely to be a simple error of transcription by the Brinkburn cartularist.

Northumberland was surrendered to Henry II by Malcolm IV in 1157. It is doubtful whether Ranulf was then living. The Merlay roll, discussed below, says that Ranulf, his wife Juliana, and his son Osbert

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4 Ranulf’s deed is not in the Newminster cartulary. Fowler printed it from a copy in the Merlay roll, which omits the witnesses (Cil. Newminster, 2–3). Richard Gascoigne or St Loe Knivet transcribed the deed from the same roll: this transcript was copied by Dodsworth and printed in the Monasticon (Bodl. MS Dodsworth 124, fol. 123v; Monasticon, v. 399–400, no. iii). There is a much abbreviated text, again omitting witnesses, in the Percy cartulary, also copied by Dodsworth (Percy cartulary, Syon House Muniments D. i. 1a, fol. 123v; Bodl. MS Dodsworth 74, fol. 143v; Cil. Percy, 325). The presence of this deed in the Percy muniments, perhaps with one of the forged originals in Henry’s name (000, Version I below; Wallis, Northumberland, ii. 285n), remains to be explained. Perhaps it entered the collection c. 1335 with other documents belonging to the earls of Dunbar, as described in the headnote for Gospatric brother of Dolfin.

5 Raine suggests that the pledge was satisfied by Roger de Merlay’s gift of a toft and two bovates in Stannington (Richard of Hexham, i. 59n, citing Hodgson, Northumberland, pt 3, vol. 2, p. 167, also at Hexham, ii. 115, from charter rolls, CalCh, ii. 474).

6 The evidence for Henry II’s resumption of Northumberland in that year is brought together in Complete Peerage, ix. 707, note c.
were buried at Newminster ‘in boriali parte domus capituli illius monasterii quod condidit’ (Ctl. Newminster, 269). The roll says that Ranulf was succeeded by his son Roger de Merlay, ‘uocatur Rogerus de Merlay primus’, omitting the tenure of William de Merlay. William was Ranulf’s son, noted above as a witness to Ranulf’s confirmation to Durham. In August 1157 × August 1158 Henry II confirmed to Newminster, at the petition of William de Merlay, everything that Ranulf de Merlay, his father, had given (H2/1909; LP Hen. VIII, i/1. 359, no. 632.82). William occurs in the pipe roll for 1157–8, presenting an account for works at the king’s castle of Wark (PR 4 Henry II, 177). At Michaelmas 1161 he accounted for £10 for his fees in Northumberland, and the following year for 4 marks scutage (PR 7 Henry II, 23; PR 8 Henry II, 10).7 A list of Newminster’s benefactors (Monasticon, v. 400, no. vi, ‘ex martyrologio Novi Monasterii’; repr. Ctl. Newminster, 299–305), commences:

Dominus Ranulphus de Merlay, principalis fundator noster, et Iuliana uxor eius, qui nobis contulerunt situm huius abbatie, grangiam de Hulwane et duas Rittonas, Willelmus de Merlay, Rogerus de Merlay primus, magister Osbertus de Merlay, filii predicti Ranulphi, Rogerus de Merlay secundus . . .

William was dead at Michaelmas 1165, when Roger de Merlay accounted for 75s 10d in Northumberland (PR 11 Henry II, 28). Roger was brother to William, as appears from a confirmation for Durham, given by ‘Rogerus de Merlai filius Rannulfi de Merlai’, of the land in Morwick ‘pro animabus cari fratris mei Willelmi de Merlai et aliorum antecessorum meorum’ (Hodgson, Northumberland, pt 3, vol. 2, pp. 142–3). The date must be after October 1162, the earliest date for the witness German, prior of Durham, and before September 1174, when the witness John, archdeacon of Northumberland, died.8 In 1166 Roger held four knights’ fees in chief of the king in Northumberland (RBE, 444).9 In

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7 It was presumably this William de Merlay who founded the hospital at Morpeth (Monasticon, v. 400a, no. iv). The Newminster cartulary includes a note of William de Merlay’s confirmation of his father’s deed for Newminster ‘Willelmus de Merlay confirmat patris sui donationem de uerbo in uerbum sicut prius . . .’. The deed referred to apparently belongs to William’s brother Roger de Merlay; as previously noted, the suspicious foundation deed in Ranulf’s name is not in the cartulary (Ctl. Newminster, 3).

8 Durham was unable to retain Morwick, and in 1158 × 1168 Henry II confirmed it to Ernald de Morwick, to be held of William de Vescy (H2/1883).

9 Ranulf’s return first lists his tenants, who held just over 2½ knights’ fees, and then states, ‘Superplus iiij militum quos domino regi debet, iacet super dominum suum’ (‘the
the year to Michaelmas 1166 he accounted for 10 marks and a hunting horse for the king’s consent to an agreement between himself and Eilaf fitz Gospatric concerning land (PR 12 Henry II, 76; PR 13 Henry II, 75).

Quo warranto proceedings in the reign of Edward I give references to two, perhaps three, lost acts of Henry I for Ranulf de Merlay. These acts were produced by John of Greystoke (son of William of Greystoke), and by Roger de Somerville and his wife Isabel, in separate hearings. William of Greystoke and Roger de Somerville had married the daughters and eventual coheirs of Roger III de Merlay, who died in 1265 (Sanders, English Baronies, 65). In addition to the lost acts for Ranulf evidenced by quo warranto proceedings, there are several versions of a charter in Henry’s name giving him Juliana, daughter of Earl Gospatric, in marriage. The provenance of the two pseudo-origins of this act, one now in the Fitzwilliam Museum in Cambridge, the other in Beverley RO, is unknown prior to the nineteenth century. They may once have been in the archive of Newminster abbey, or were perhaps among muniments held by descendants of William of Greystoke and Roger de Somerville.  

The third version of the act is copied in a roll containing copies of documents relating to the Merlay family, and to their successors the Greystokes, Somervilles and Griffiths, compiled at the end of the fourteenth or the beginning of the fifteenth century, printed by Fowler, Ctl. Newminster, 277–98. Robert Glover made substantial abstracts from the roll and some associated manuscripts, including the Newminster ‘martyrology’ mentioned above, in 1582, noting that they belonged to Lady Ann Dacre, countess of Arundel, ‘uni coheredum domini de Dacre, Graystock et Gillesland, mihi ostensa per [blank] remainder of the four fees that he owes the lord king lies on his demesne’). Dugdale and others have instead interpreted the entry to mean that there were four additional fees in the demesne (Baronage, i. 570b; Sanders, English Baronies, 65).

For the descent from Greystoke, see the headnote for Forn Sigulfsson and Ivo fitz Forn. Sir Rees ap Griffith acquired the Somerville estates by his marriage to Joan Somerville in the fourteenth century. Their grandson Thomas ap Griffith sold the Northumberland lands to Roger Thornton, a Newcastle merchant, in 1405 (Hedley, Northumberland Families, i. 198a).

The roll copies a document of 1399, but refers to deeds ‘in custodia Nicholai de Rayme, et heredum Risi Ap Griffith’ (Ctl. Newminster, 268, 279). Nicholas de Raymes died in 1394 (CalIPM, xvi. 214, no. 523; see Raymes pedigree in Hodgson, Northumberland, pt 2, vol. 1, pp. 367–8). Rhys ap Griffith died in 1380: his son and heir Thomas ap Griffith was not of age until c. 1398 (CalIPM, xv. 96–98, nos. 232–7; NCH, xiii. 409–11; see pedigree at Shaw, Staffordshire, i. 126).
Banaster, anno domini 1582’ (BL MS Egerton 3789, fol. 121r). In 1616
the roll was in the possession of Lord William Howard of Naworth,
husband of Ann’s sister Elizabeth. Dodsworth saw it in the archives at
Naworth in January 1638[9], when he made a brief abstract from it,
describing it as ‘rotulus abbatie de Nouomonasterio’ (Bodl. MS
Dodsworth 45, fol. 27r). The abstracts printed in the Monasticon,
however, came from Dodsworth’s copy of transcripts by St Loe
Kiveton or Richard Gascoigne. The roll had reached Castle Howard by
1864 (Hexham, i. 123n), where it remains.

What is most striking about these charters is the ineptness of their
drafting. The originals of Versions II and III were written by the same
scribe in a stiff attempt to imitate the appearance of a twelfth century
charter. The condition of Versions I and III is poor, but Version II is
legible, and its text is often incoherent. The only element of the drafting
to carry any conviction as a charter of Henry I is the list of witnesses, but
even these are garbled. Canon Greenwell looked on them as perhaps
antiquarian fakes of the sixteenth century, but, against that, the hand of
the endorsement on the charter in Cambridge is not obviously archaizing
and points to a date s. xiii/xiv. It is hardly better than coincidence, but
the occasion when three acts of Henry I were presented to the king’s
justices in 1293 is a near fit. The circumstances were such that forgery
might have been desirable, when the coheirs of Roger III de Merlay
found themselves called on to show warrant for rights claimed. If this led
them to turn to a forger, he would appear to have produced a quiverful of
acts. Only Version III of the extant acts shows any connection with those
proffered in 1293 inasmuch as toll and team, sake and soke, and
infangthief are granted. The extant acts do not match the lost acts at all,
but all three are concerned in different ways to confirm the marriage
agreement, as if the draftsman were attempting in different words to
satisfy a single purpose. There can be no presumption that the lost acts
were more authentic than the extant ones, though it must be questionable
whether such incompetent forgeries could ever have been accepted as
authentic by the king’s justices.

This reference was provided by Nigel Ramsay. ‘Banaster’ can be identified as
Lawrence Banaster (d. 1588), receiver general in the northern counties for Thomas
Howard, duke of Norfolk (d. 1572), who continued in office after the duke’s death and
administered the Dacre estates in the names of the Dacre coheirs and their husbands,
the duke’s sons, until at least 1583 (R. A. A. Brockington, ‘The Dacre Inheritance in
See also GOSPATRIC BROTHER OF DOLFIN.

Lost act granting Ranulf de Merlay warren in his land in Northumberland. 1100 × 1135

Lost act granting Ranulf de Merlay all his woods, *haia*, and chase in Ulgham. 1100 × 1135

Possible lost act granting Ranulf de Merlay soke and sake, toll and team. 1100 × 1135

SOURCE: Northumberland Eyre roll, 1293, JUST 1/650, old rot. 9r, now rot. 47r (AALT, IMG_0098); also Northumberland Eyre roll, 1293, JUST 1/652, rot. 69r (O. 68) (AALT, IMG_0142).

PRINTED: PQW, 602a [from JUST 1/650]; Hodgson, *Northumberland*, pt 3, vol. 1, p. 184, from PQW.

CALENDAR: Not in *Regesta*.

Robertus de Someruill’ et Isab(ella) uxor eius sum(moniti) fuerunt quod essent hic ad hunc diem ostens(uri) quo warranto clam(ant) habere liberam warennam in omnibus dominicis terris suis in Wytton’ Wyndegates Statunchelys Hepiscotes Stanynton Beleasise Benton’ Ulgham Killingwrth et liberam chaciam in omnibus feodis suis in uillis predictis et habere infangenthalf’ furcas sok’ et sak’ thol et them mercatum et feriam et emendas assise panis et ceruisie fracte in Wytton’ que ad coronam et dignitatem domini regis pertinent sine licencia et uoluntate domini regis et progenitorum suorum &c. Et Robertus et Isab(ella) uen(iunt) et Robertus solus clam(at) liberam warennam in Wytton’ Wyndegates Horsley et Scheles per cartam domin regis nunc datam anno regni sui decimo octauo per quam idem dominus rex concessit quod ipse et heredes sui imperpetuum habeant liberam warennam in omnibus dominicis terris suis in uillis predictis dum tamen terre ille non sint infra metas forest’ &c. quam profert et que hoc testatur &c. . . . [1] Et in aliiis uillis clam(ant) ipsi coniunctim liberam warennam per cartam domini H(enrici) regis filii regis conquestoris quam proferunt et que testatur quod idem dominus H(enricus) rex dedit cuidam Ran(ulfo) de M(er)lay cuius \una/ heredum ipsa est warennam in terra
sua de Norhumberland’ &c. [2] Clam(ant) etiam liberam chaciam in Vlgham per cartam ipsius H(enrici) regis quam profert et que testatur quod idem dominus H(enricus) rex dedit predicto Ran(ulfo) omnes boscos suos et hayam suam et fugaci(am) suam de Vlecampo" &c. [3] Clam(ant) etiam coniunctim" sok’ et sak’ tol et them et infangenth’ ‘in Wytton/ per cartam domini H(enrici) regis proau(i) domini regis nunc quam proferunt et que testatur quod idem dominus H(enricus) rex proauus &c. dedit cuidam Radulfo de M(er)ley antec(essori) ipsius Isab(elle) sok’ et sak’ tol et them et infangenth. Clam(ant) etiam . . .

Robert de Somerville and Isabel his wife were summoned to be here on this day to show by what warrant they claim to have free warren in all their demesne lands in Witton, Wingates, Statunchelys, Hepscot, Stannington, Bellasis, (Long) Benton, Ulgham, Killingworth and free chase in all their fees in the foresaid vills and to have infangthief, gallows, soke and sake, toll and team, market and fair and amends of the assize of bread and ale broken in Witton which belong to the crown and dignity of the lord king without licence and will of the lord king and his predecessors etc.

And Robert and Isabel come and Robert alone claims free warren in Witton, Wingates, Horsley and Scheles by charter of the present lord king dated in the eighteenth year of his reign by which the same lord king granted that he and his heirs shall have forever free warren in all their demesne lands in the foresaid vills as long as those lands are not within the bounds of the forest etc. which he proffers and which testifies this etc. . . . [1] And in the other vills they jointly claim free warren by charter of the lord King Henry, son of King (William) the Conqueror, which they proffered and which witnesses that the same lord King Henry gave to a certain Ranulf de Merlay, of whom she is one of the heirs, warren in his land of Northumberland etc. [2] They also claim free chase in Ulgham by charter of the same King Henry, which he proffers and which witnesses that the same lord King Henry gave to the foresaid Ranulf all his woods and his hay and his hunting-right of Ulgham etc. [3] They also jointly claim soke and sake toll and team and infangthief in Witton/ by charter of the lord King Henry great-grandfather of the present lord king, which they proffered and which witnesses that the lord King Henry great-grandfather of the present lord king etc. gave to a certain Ralph de Merlay predecessor of Isabel soke and sake toll and team and infangthief. They also claim . . .

SOURCE: Northumberland Eyre roll, 1293, JUST 1/650, old rot. 3r, now rot. 41r (AALT, IMG_0087); also at Northumberland Eyre roll, 1293, JUST 1/652, rot. 64r (O. 63) (AALT, IMG_0132).
CALENDAR: Not in Regesta.
John of Greystoke was summoned to be here on this day to show by what warrant he claims to have free chase in Ulgham, a market, a fair, infangthief, gallows, and amends of the assize of bread broken in Morpeth, and free warren in all his demesne lands in the foresaid vills and in Hepscot, Stannington, Benton and Killingworth, chattels of his felon and fugitive men, and amends of the assize of ale broken in the foresaid vills which belong to the crown and the dignity of the lord king without licence and will of the lord king and his ancestors etc. And John comes and claims free chase from ancient time before the limit of time etc. [4] And he says that the lord King Henry son of King (William) the Conqueror by his charter, which he proffers, granted to a certain Ralph de Merlay predecessor of John free chase in the foresaid vill. . . . [5] He claims also free warren etc. by charter of the foresaid lord King Henry son of King (William) the Conqueror etc. which he proffers and which witnesses that the same lord King Henry granted to the foresaid Ralph (his) predecessor etc. free warren in all his land in the county of Northumberland.

DATE: Nothing definite can be said, but it is likely that the monks of Durham sought Ranulf de Merlay’s confirmation of his father’s gift soon after he had succeeded. The entry in the pipe roll of 1129–30, discussed in the Headnote, which apparently refers to Ranulf’s father William de Merlay as if he were then still living, is another indication that Ranulf succeeded only in the late 1120s. Thus it seems improbable that Ralph was holding his father’s fee much before 1129, and so a date later in the reign is likely for these acts.
CONTEXT: §§ 1, 5 attest a lost act of King Henry son of the Conqueror that gave Ranulf de Merlay warren in his land in Northumberland. §§ 2, 4 attest another lost act of the same king, giving to the same Ranulf woods, haia, and free chase in Ulgham. The charter described in § 3, giving Ranulf soke and sake and toll and team presents difficulties. These rights ought to be described in the quare uolo clause of an act giving or confirming lands, but there is no sense of this in the report of the proceedings. The act is said to have been given by the great-grandfather of the present king, i.e. Henry II, rather than by King Henry son of the Conqueror; and so is included as a lost act (H2/*1789) in Vincent’s edition. But it is doubtful whether Ranulf was still alive as late as 1157, when Henry II regained Northumberland, and Vincent suggests ‘a possibility that the present charter was in reality a charter of Henry I’. There are other possible explanations. The charter may have been a forgery, or an act of Henry II in favour of Roger rather than Ranulf.

The lands subject to the quo warranto enquiry lay in the fee Ranulf de Merlay held in his own right and in the fee he had acquired by his marriage to Juliana, discussed in the note to the following act. The four fees held by Roger [I] de Merlay in 1166 were in 1212 held by Roger [II] de Merlay, when they were described as the barony of Morpeth; it was said all his predecessors had held by the same service since the conquest of England, nothing had been alienated or give in marriage or alms (Fees, 201). In 1242–3 the four fees, then held by Roger [III] de Merlay, were described as lying in Morpeth, Grinewest’ membrum suum, Ulgham, Hepscot, Shilvinton, Twizel, Saltwick, (East and West) Duddon (in Stannington), Clifton (in Stannington), Coldwell, Stennington, Shotton (in Stannington), Blagdon, North and South Weetslade (now High and Low Weetslade, in Long Benton), Killingworth (in Long Benton), [Long] Benton and Walker (Fees, 1116).

The place Scheles, elsewhere Statunchelys, is probably Witton Shields, near Stanton. Bellasis is in Stannington. The charter of 18 Henry III granting warren is dated 12 February 1290 at Westminster, and calendared at CalCh, ii. 342. A few days earlier the king had granted Somerville a weekly market at Arlewas (Staffs) and another at Witton.

00† Purported grant in marriage of Juliana, daughter of Earl Gospatric

Version I: from the Merlay Roll

CARTULARY COPY: Castle Howard Archives, Ancient roll (Merlay roll, ‘now kept with the [Newminster] cartulary’) (s. xvth), mem. 1 (‘Carta regia’) (‘much decayed’ when Fowler copied it in the 1870s, not examined by the present editors) [B].

ANTIQUARIAN TRANSCRIPTS: BL MS Egerton 3789, fol. 127v (abbreviated transcript by Robert Glover, 1582) ‘Carta Regia’ [C, apparently from B]: ‘A manuscript in the possession of Wm. Lawson, esq., of Langhurste, and in the hand-writing of the time of Queen Elizabeth, or earlier. On the back of it is the following memorandum made by lord William Howard:– “Collections touching Merlaies lands in com. Northumbriae, found among Mr Francis Dacre’s papers, and delivered by Mr Bullen. 1616. W. H.”',
used by Hodgson but not found by Fowler or seen subsequently [D, presumably from B]; Bodl. MS Dodsworth 124, fol. 123r [E, ‘ex rotulo antiquo penes dominum Gulielum Howard de Naworth’, presumably B, apparently via a lost transcript by St Loe Knivet or Richard Gascoigne, Liber AN, fol. 88].


CALENDAR: Regesta 1848.

Henricus rex Angl(orum) et dux Norman(norum) [[iustic’ uic’]] ministris [[et]] omnibus baronibus suis francis et anglis salutem. Notum sit omnibus uobis me dedisse Ranulpho de Merlay Iulianam filiam comitis ʿCospatricii. Et sciatis quod a inter me et patrem suum dedimus ei in liberum mariale [[sibi]] atque heredibus suis, scilicet Horsley Stanton W[[iton]] Ritton’ Wyndgates et quandam uillam ultra moras ta[[m liberatione]]e quam aliqus potest liberius inter maria† bcuel [[terras]]†c alicui dare† tenendum in suo dominico. Et ex hoc precipio [[meis]] iustic(iis) ut uideant quod nichil ei desit. Et si aliqus ei contradicere uoluerit, tunc precipio iustic’ et uic’ meis de [[com(itatu)]] Northumbrie ut plenum rectum ei teneant. b T(estibus) Patricio† filio Ioha(nnis) Peuerell de Baelcamp’d Willelmo de Albini Brito’e Henr(ico) filio Iohannis Willelmo del Pont del Harche Willelmo Maltrauar’ Willelmo Malduit. Apud Wodstok.

The text is taken from Ctl. Newminster, using C and E as a guide to the lacunae.

Henry king of the English and duke of the Normans to his justice(s), sheriff(s), officials and all his barons French and English greeting. Let it be known to you all that I have given to Ranulf de Merlay Juliana daughter of Earl Gospatric. And know that between me and his father we have given to him in free marriage for himself and also his heirs,
namely Horsley, Stanton, Witton, Ritton, Wingates and that vill beyond the moors as freely as anyone can freely give to anyone, within the moor or without, to hold in his demesne. And by this (my writ) I command my justices that they shall see that nothing is wanting for him. And if any shall wish to contradict him, then I command that my justice(s) and sheriff(s) of Northumberland that they shall hold full right to him. Witness Patrick fitz John, Peverel de Beauchamp, William d’Aubigny Brito, Henry fitz John, William de Pont de l’Arche, William Maltravers, William Mauduit. At Woodstock.

Version II: Cambridge purported original

PURPORTED ORIGINAL: Cambridge, Fitzwilliam Museum, MS 217 (not in Bishop), given in April 1824 by Robert Mackenzie Beverley (c. 1798–1868), of Beverley [A] (photocopy only examined). Stitch holes for the reinforcement of the sealing-tongue are visible, but the tongue has entirely gone. The scribe makes an uncertain and laboured attempt to reproduce a style of script apparently dating from the late twelfth century, on widely spaced ruled lines.

ENDORSEMENT: ‘Cospatrike’.

CALENDAR: Regesta 1848.

H(enricus) rex Angl(orum) et dux Norm(annorum) iustic(ie) uic(ecomiti) et ministris et omnibus baronibus suis francis et anglis Nor’h’ salutem. Notum sit uobis omnibus me dedisse Ra(n)d(ulfo) de M(erlay) Iulianam filiam comitis Gospatric. Et sciatis quod inter me et patrem suum dedimus ei in libera mariale sibi atque heredibus suis scilicet Horselei Stantun Wittun Ruttun† et Wi(n)degate et quandam uillam ultra moras tam libere quam aliquis potest liberius infra mare† (ue)l ultra alicui dare† tenendum in suo demenio† et†. Et alia parte sciatis quod Ra(n)d(ulfus) de M(erlay) dedit ei in libera dotale† piscinas suas quas habet in Tine et Bentun cum ecclesia et molandino† et Stanigetun cum ecclesia et molandino† et cum omnibus apendiciis et† Stenigdun et Sal’uic. Et h(oc) ex mea partee† concedo et in† carta mea confirmo. Et si aliquis ei contradicere uoluerit (ue)l iniuriam facere tunc precio iustic(iis) meis de Nor’h’ ut plenum rectum ei teneant†. Et si non faciunt tunc dico uobis† Dunelmensi episcopo quatinus pro amore mei eam manuteneatis et rigidit’ iustic’† illi† estote† quod n† clamat†
Henry king of the English and duke of the Normans to his justice sheriff and officials and all his barons French and English of Northumberland greeting. Let it be known to you all that I have given to Randulf de Merlay Juliana daughter of Earl Gospatric. And know that between me and her father we have given to him in frank-marriage for himself and also his heirs, that is Horsley, Stanton, Witton, Ritton, and Wingates and a certain vill beyond the moors as freely as anything can be most freely given within the moor or beyond to be held in his demesne. And on the other part, know that Ranulf de Merlay gave to her in free dower his fisheries which he has in the Tyne and Benton with the church and mill and Stannington with the church and mill and with all appurtenances in Stannington and Saltwick. And this on my part I grant and by my charter confirm. And if anyone shall wish to deny to him or to do injury then I order my justices of Northumberland that they do him full right. And if they do not do so then I say to you the bishop of Durham whatever for love of me you shall maintain and rigidly do justice, so that I shall hear no more complaint in this matter for want of right. Witness Pain fitz John, Peverel de Beauchamp, William d’Aubigny Brito, William de Pont de l’Arch, Eustace fitz John, William Maltravers, William Mauduit. At Worcester

Version III: Beverley purported original

PURPORTED ORIGINAL: Beverley, East Riding RO, DDSC 58 (not in Bishop), 145 mm × 50 mm, with seal tag 60 mm × 15 mm, now inserted through a single slit in the parchment, but no trace of seal [A]. In the same hand as Version II, using the same widely ruled lines. Much stained and in places illegible. The packet also contains two nineteenth-century transcripts.
ENDORSEMENT: ‘Ranulphus Merlay’.
PHOTOGRAPH: Ontario, archives of University of Guelph, Sir A. H. Dunbar’s collection of photographs of documents and seals.
PRINTED: Raine, Hexham, i, Appendix of Illustrative Documents, pp. ix–x [from A, ‘from the original, in the possession of Captain Richardson, of Scarborough’]; NCH, vii. 37 note [from A, ‘in the Scarborough museum . . . without doubt spurious, and possibly is not of an earlier date than the sixteenth century’].
CALENDAR: Regesta 1849.

H(enricus) rex Angl(orum) et dux Norm(annorum) iustic(ie) et wice(comiti)† et ministris et omnibus baroronibus† anglis et francis [[Northum]]br’ salutem. Notum sit uobis me dedisse Rad(ulfo) de M(erlay) Iulianam filiam comitis Gospat(ri)c
cum male pr[edicta sicut] in meis aliis [. . .]uis\textsuperscript{a} cum sac et soch et tol et tem et infangthef tam bene et tam quiete et tam honorifice quam unquam comes Gospat(ri)c melius tenuit nocte et die in bosco in plano in semitis in aquis et in omnibus locis. Et in super sciatis quod eadem terra est in meo nemore et ideo dedi ei atque concessi omnia ad opus suum inter rectis diuisis et similiter ceruum et bissam et porcum. Et hi sint custodiati super vitam et menbrum. 'T(estibus) Will(elmo) de Albi(ni) le butel’ Will(elmo) Malduit. Apud Wd’.

The text given follows NCH, which apparently copies text not now decipherable.

\textsuperscript{a} perhaps breuibus intended?

Henry king of the English and duke of the Normans to the justice and sheriff and officials and all barons English and French of Northumberland greeting. Let it be known to you that I have given to Ralph de Merlay Juliana daughter of Earl Gospatric with [. . .] in my other [. . .] with sake and soke and toll and team and infangthief so well and so quit and so honourably as ever Earl Gospatric most well held them by night and day in wood in plain in paths in waters and in all places. And furthermore know that the land is in my wood and therefore I give him and also grant everything for his purpose within the right bounds and similarly hart, hind, and boar. And these shall be kept by (penalty of) fine and mutilation. Witness William de Albini the butler, William Maudit. At Woodstock.

DATE: The apparent date is during the later part of the reign. Ranulf de Merlay appears to have succeeded his father William in the late 1120s, but the gift of Juliana may have been made before Ranulf’s succession. It has been postulated that Gospatric became earl of Lothian in the 1130s (ODNB; see also Headnote for Gospatric brother of Dolfin).

ADDRESS: Omission of clerks means that this is not an address to the shire, still less a general address. It appears rather to be a general writ to the king’s officers and officials with the specification of the county in Versions II and III, and with ‘baronibus’ added to no purpose.

WITNESS: The witnesses are intended for Pain fitz John, Peverel de Beauchamp, William d’Aubigny Brito, Eustace fitz John, William de Pont de l’Arche, William Maltravers and William Mauduit. The names are consistent for a date in the second half of the reign, and were surely obtained from an authentic act. Version III omits most witnesses, leaving only William d’Aubigny, transformed from ‘Brito’ to ‘butler’, and William Mauduit.

PLACE: Given differently in each version; Wodstok, Wd’ and Wyricestre, i.e. Woodstock or Worcester.
CONTEXT: As is discussed under Authenticity, the three versions of this act are all obvious forgeries. A confirmation by Edgar, (younger) son of Earl Gospatric, follows this act in the Merlay roll (Ctl. Newminster, 269). Edgar’s deed is poorly drafted, and it is possible that this too is a fabrication. By this deed Edgar gives and grants to Juliana his sister ‘in franco mariagio’ the land which Earl Gospatric gave her in frank-marriage, specifying the vills as in the act in Henry’s name, and substituting Learchild for ‘that vill beyond the moors’. The lands are given ‘exceptis tribus serviciis uidelicet comunis excersitus in com(itatu) et cornagio et comune opus castelli in com(itatu)’, leaving it uncertain whether the donor or the beneficiary was to perform the services. Henry I is not mentioned; if a confirmation in his name was then extant it is likely that an authentic deed would have made some reference to it.

Versions I and II contain an identical description of the lands given with Juliana. With the exception of Learchild, these form a compact holding about 5 miles across, to the north-west of Morpeth. Learchild, now represented by High and Low Learchild, both about 1 mile north-west of Edlingham, is more than 20 miles to the north. Witton, Stanton, Horsley and Ritton were listed among vills in Northumberland held in chief by Earl Patrick (of Dunbar) in 1236; Witton, Stanton with Learchild ‘membrum suum’, Wingates and Horsley were included in a similar list in 1242–3, and were said to be held of the earl by Roger de Merlay ‘in liberum maritagium’ (Fees, 598, 1122; cf. Ctl. Newminster, 268). An inquisition of 1247 concerning alienations made from the serjeantry in Northumberland then held by Patrick earl of Dunbar found that Henry I and Earl Gospatric, described as Patrick’s great-great-grandfather (attauus), had given Ranulf de Merlay, in frank-marriage with Gospatric’s daughter Juliana, Witton, Wingates, Horsley, Stanton, Ritton and Learchild. Roger de Merlay was then holding Witton and Wingates and there were said to be several feoffees (Cal. Scotland, i. 316–7, no. 1712; CallMisc, i. 12–13, no. 47). An entry in the Merlay roll says that the places were together assessed at one knight’s fee, comprising half a fee in Horsley, Stanton and Learchild, and half a fee in Witton, Ritton, Wingates and Sheles, i.e. Witton Shields (Ctl. Newminster, 282).

Version II adds a description of the dower given by Ranulf to Juliana, comprising fisheries in the Tyne, and the vills of Long Benton (3 miles north of Newcastle) and Stannington (5 miles south of Morpeth), including their churches and mills, and Saltwick (in Stannington). Benton, Stannington, and Saltwick were among the places comprising the four fees held in chief by Roger de Merlay in 1242–3 (Fees, 1116; Ctl. Newminster, 267). Version III does not specify the property given with Juliana, but instead grants sake and soc, toll and team and infangthief, as well as hunting rights in the king’s forest.

AUTHENTICITY: The three documents are closely connected, but it is not yet possible to say precisely how. Each suffers from multiple defects. The shape of the bottom edge and the holes for reinforcing stitches in the Cambridge act indicate that there was once a sealing tongue as might be expected, but the Beverley act now has a tag through a single slit in the parchment. In all copies, the king appears as ‘dux Normannorum’ and this is enough to raise serious doubts on its own. ‘Notum sit omnibus uobis’ or ‘Notum sit uobis omnibus’ is also highly suspicious. As is pointed out by the editors of Regesta (p. xxi), the grant to hunt hart, hind and boar in Version III is sufficient to condemn it, these rights being usually reserved for the king. Version III suffers from multiple errors of spelling and grammar and in some places it is difficult to determine what was intended. The poor condition of the Beverley original and the Merlay roll appears to
disguise a similar level of error. The same scribe produced both the pseudo-originals, in a script that appears to be a laboured attempt to reproduce a late-twelfth-century hand. It is difficult to assign a date to them, or to the version copied into the Merlay roll. Regesta makes no comment on the likely date of the Cambridge version, but ventures ‘probably of the 16th century’ for the Beverley original, taking a lead from Greenwell’s assessment, ‘possibly . . . not of an earlier date than the sixteenth century’. The best clue to the date is the distinctive endorsement, ‘Cospatrike’, of the Cambridge version. Dr Webber, in communication with the present editors, notes that ‘the form of the k, with a rounded looped anti-clockwise approach stroke (at the right-hand of the ascender) and clockwise serif joining the ascender at the left, is characteristic of the writing of Anglicana during the later thirteenth and earlier fourteenth century, or could be the work of a scribe writing more conservatively a little further into the fourteenth century. The rest of the letter forms are consistent with such a date’. No authoritative statement as to why the forgeries were produced can currently be given. The possibility that they were fabricated for the heirs of Roger III de Merlay for use in quo warranto proceedings is discussed in the headnote; it is also possible that they were forged for the monks at Newminster, who were given lands and rights in several of the places named by members of the Merlay family. It may have been felt that a royal act confirming Ranulf in his Northumberland estates and providing documentary evidence for his marriage with Earl Gospatric’s daughter Juliana was essential to maintain rights in these lands. A number of authentic documents lay behind the forgeries. The witness list must surely be copied from an authentic royal act, perhaps one of the lost acts noted above, and the description of Learchild as ‘a certain vill beyond the moors’ suggests that some ancient document was used as precedent for the places described.