THE COMMUNITY OF SAINT CUTHBERT -
ITS PROPERTIES, RIGHTS AND CLAIMS
FROM THE NINTH CENTURY TO THE TWELFTH.

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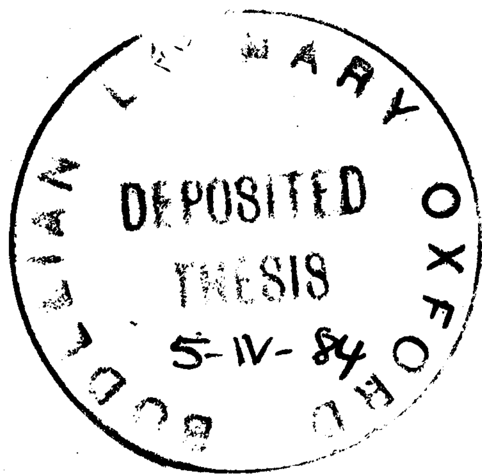

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D.PHIL. THESIS.

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ABBREVIATIONS

Arch. Ael.	Archaeologia Aeliana
ASE	Anglo-Saxon England.
Boldon Buke	Boldon Buke, ed. W. Greenwell (Surtees Society 25, 1852).
Chronica	Chronica Monasterii Dunelmensis, ed. H.H.E. Craster, The Red Book of Durham, Eng.Hist.Rev. xl (1925) 523-529.
DB	Domesday Book.
DCD	Records of the Dean and Chapter of Durham.
EYC	Early Yorkshire Charters, ed. W. Farrer and C. T. Clay (12 vols. 1914-65), Yorkshire Archaeological Society.
Feodarium	Feodarium Prioratus Dunelmensis, ed. W. Greenwell (Surtees Society 58, 1872).
Historia	Historia de Sancto Cuthberto, ed. T. Arnold, Symeonis Monachi Opera Omnia i (Rolls Series 75, 1882). References to sections in this edition.
Historia Regum	Ed. T. Arnold, Symeonis Monachi Opera Omnia ii (Rolls Series 75, 1885).
Lapsley, BB	Boldon Book, trans. G.T. Lapsley, V.C.H. Durham ii, W. Page (London 1907).
Liber Vitae	Liber Vitae Ecclesiae Dunelmensis, ed. A. Hamilton Thompson (Surtees Society 136, 1923).
Offler, Charters	Durham Episcopal Charters 1071-1152, ed. H.S. Offler (Surtees Society 179, 1968).
PU	Papsturkunden in England, ed. W. Holtzmann (Berlin 1932-52).
RRAN	Regesta Regum Anglo-Normannorum, I ed. H.W.C. Davis; II ed. C. Johnson and H.A. Cronne; III ed. H.A. Cronne and R.H.C. Davis (Oxford 1913-68).
RRSc	Regesta Regum Scottorum, ed. G.W.S. Barrow, (2 vols. London 1960, 1971).
Scriptores Tres	Historiae Dunelmensis Scriptores Tres, ed. J. Raine (Surtees Society 9, 1839).

Symeon, *Libellus*	Symeon of Durham, *Historia Dunelmensis Ecclesiae*, ed. T. Arnold, *Symeonis Monachi Opera Omnia* i (Rolls Series 75, 1882).
TAASDN	*Transactions of the Architectural and Archaeological Society of Durham and Northumberland*.
TRHS	*Transactions of the Royal Historical Society*.
V.C.H.	*Victoria County History*.

HALIWERFOLC

The history of the community to be studied below is the history of the Christian Church in the north of England. Oswald's restoration of Christianity may be dated from the foundation of the see of Lindisfarne, under Aidan, in 635. The monastic community founded then survived until the sixteenth century, though it underwent some major changes. It fared well under the early English kings of Northumbria and was probably at the centre of a whole family of monasteries; religious centres that made the early history of the church in Northumbria famous as a golden age.

This golden age was famous not simply for its monasteries, but also for its churchmen, its saints. Aidan himself shines forth, praised, despite his Celtic observances, by Bede for his virtuous life. Lindisfarne produced a distinguished band of saintly abbots and bishops, but foremost among these was not Aidan or any of his immediate successors. Perhaps the taint of non-Roman paschal observance was embarrassing to the community after the victory of Rome at the Synod of Whitby, or perhaps the character and miracles of Cuthbert were striking enough to supplant his predecessors as patron of the Lindisfarne community. For it was this ascetic, bishop for just two years, who dominated the community for the following eight hundred years.

In the eighth century, when Bede was recording the achievements of the church in Northumbria, there was little chance that Christianity would founder. It had taken its place in the fabric of northern society and churchmen were prominant in the councils and conflicts of the kingdom of Northumbria. Not least amongst the leaders of the kingdom must have been the bishop of Lindisfarne to whose spiritual power was added the political, economic, and perhaps military, weight derived from the ownership of extensive tracts of land throughout Bernicia. This did not always produce benefits for his church, as witness the imprisonment of Bishop Cynewulf by King Eadbert in 750 when Aldfrith's son, Offa, sought

refuge in the church at Lindisfarne, but the civil strife of Northumbria in the eighth and ninth centuries threatened the survival of individuals rather than churches or Christianity. It was the indiscriminate raiding of Vikings that horrified and threatened the survival of the church.

Lindisfarne was raided in 793, an event that brought forth the lamentations of many, not least being Alcuin. It was he who asked, perhaps unintentionally, a most searching and damaging question of Cuthbert's regard for his community, 'What assurance can the churches of Britain have, if Cuthbert and so great a company of saints do not defend their own?'[1] Such doubts about the saint's power or inclination to act for his community were seldom expressed in the Middle Ages.

But the lapse was only temporary and, unlike many a northern saint, Cuthbert guided his monks competently, if not smoothly, through the troubles of the next few centuries. Threats from the Danes established at York persuaded the community to abandon Lindisfarne in 875, intending at first to flee to Ireland. As the sources tell us Cuthbert decided against this and, his incorrupt corpse having been taken aboard a boat, he conjured up a storm and forced his community back to England. They did not fare well for the next seven years, wandering around throughout northern England and southern Scotland, but at the end of this period it was, amazingly, a Dane, Guthred, who restored their fortunes. In return for the community's support in obtaining the kingship of York for him Guthred granted over half of County Durham to the community, which settled at Chester-le-Street.[2] For the next century the storms of Scandinavian ravages and West Saxon Conquest were successfully weathered by the community in its new home.

It was only with the renewed fear of Viking action that the

1. S. Allot, Alcuin of York (York 1974) p.36.
2. See chapter IV.

community once again took up its possessions, including Cuthbert's relics, and sought refuge at Ripon in 995. The monks seem to have had every intention of returning to Chester-le-Street when the trouble had passed. It was Cuthbert who decided otherwise for having rested near Durham, then a rugged and deserted peninsular, on the journey home it was found that his coffin could not be moved further. It was revealed that the community was now to settle at Durham. Here has remained the church of Saint Cuthbert ever since, except that in 1069 there was a mass exodus to Lindisfarne.

The sojourn at Lindisfarne was short, having been the response to the ravages of a Norman army throughout southern Northumbria as far as the Tyne. The Normans had arrived in the north and the community recognised their power, but it was not for another fourteen years that the full impact of Norman rule was realised. In 1083 occured what must be considered the greatest revolution in the history of the medieval community. Bishop William de Saint Calais ousted all but one of the resident community and introduced his community of Benedictine monks. Even the Reformation did not witness such upheaval in the composition of the community.[1] This event brought the community once more into the mainstream of European Christianity. Yet the change and conflict that attended Bishop William's actions did Cuthbert no harm. His presence, in body and spirit, is the one feature of absolute continuity in the history of the community from the seventh century to the twelfth.

Much changed in those five centuries but Cuthbert, whose incorrupt body lay in the magnificent cathedral at Durham, was without rival as a patron and a protector in northern England in the twelfth century. The elements themselves were enlisted by the saint to protect land and people; the 'successful' violation of the peace of Cuthbert

1. C.J. Stranks, This Sumptuous Church (London 1973) p.41.

brought quick and horrible retribution, divine and human. Between the rivers Tyne and Tees lived the saint's special wards, haliwerfolc, at the heart of the church's patrimony. The term may be used to describe the people and the land within the liberty of Durham, including not only County Durham, but also outliers at Norhamshire, Islandshire , in Northumberland, and Crayke in Yorkshire.[1] Here people lived under the regal jurisdiction, and social and economic domination, of the bishop and monks of Saint Cuthbert. There were besides extensive estates in Yorkshire, Lincolnshire, Nottinghamshire and southern Scotland, but although these were important they may be considered simply as appendages to the powerful and ancient liberty. This had developed from the seventh century to the Norman Conquest, land acquisition going hand in hand with the acquisition and development of privileges. Haliwerfolc was one of the greatest franchises of Medieval England; stronger even than the will of Henry VIII for its shadow, if little of its substance, survived into the nineteenth century.

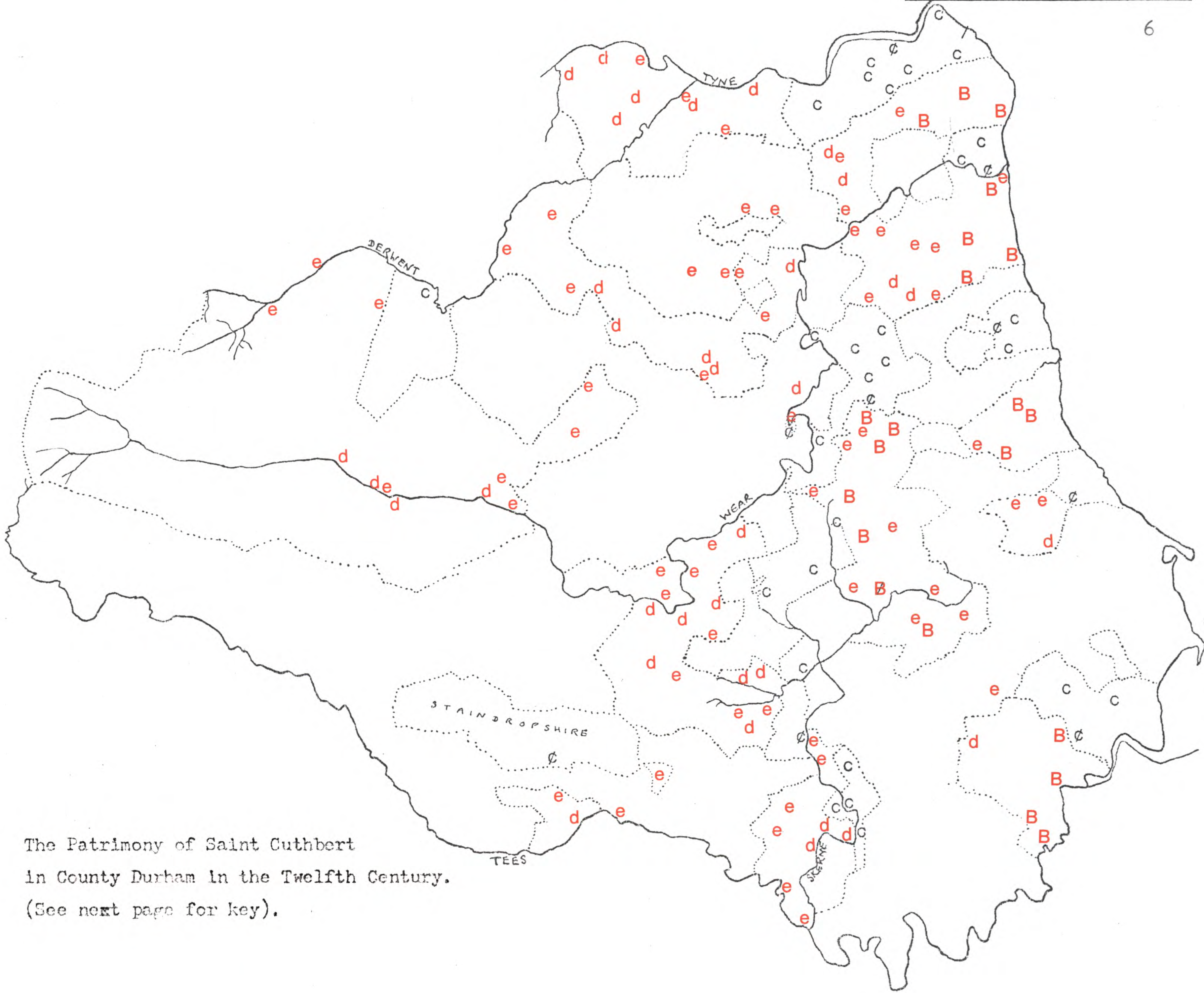
Unfortunately when William the Conqueror 'sent his men all over England into every shire to ascertain how many hundreds of hides of land there were in each shire ... and what or how much each man who was a landholder in England had' they failed to give account of the area to the north of the Tees. We may bemoan this omission, but it is unlikely that our lamentations would have been echoed by the bishop of Durham or the earl of Northumberland. Domesday Book highlights the independence of the northern magnates from royal control or interference. Nevertheless, this gap leaves us to struggle with the meagre sources for Northumbrian history in the Anglo-Saxon period. A greater blow perhaps for northern history than would have been any omission in Domesday's coverage of southern England. Only for the community of Saint Cuthbert have we enough

1. G.T. Lapsley, The County Palatine of Durham (London 1900) pp.22-4, note 6, for a discussion of the use and origin of the term.

material to attempt a significant study, the survival of the community from the seventh to the twelfth century being reflected in a relatively good archive. Of course, this is likely to lead to some overemphasis upon the role of the community, but it is hard not to conclude that even the emphasis placed upon the actions of the monks of Saint Cuthbert by their own works is frequently justified. Durham was by the twelfth century the centre of an extraordinary economic, jurisdictional and military bloc, which did not come into being in a single act of the late eleventh century. It had its foundation in the phenomenal success of the community in the preceding five centuries. To describe this is the purpose of the following chapters.

According to Walter Map the bishop of Durham had 'Libertatem æternam in quo nullus minister regius aliquid agere vel attentare potest; episcopi sunt omnes potestates et omnia jura.' [1] Sadberge was handed over to Puiset by Richard I with 'socha et sacha et tol et theem et infangenethefe, et cum omnibus aliis libertatibus et liberis consuetudinibus, et cum placitis ad coronam pertinentibus, sicut nos ipsi in propria manu nostra habebamus, et sicut ipse episcopus habet et tenet alias terras suas.' [2] In theory the franchise was not held from the king, but the royal control of episcopal appointments and the power of the crown effectively curbed the total independence of the bishop. Henry II himself paid lip-service to the bishop's total rights when he sent his justices into the liberty to carry out their work. All was done with the agreement of the bishop and was not to be treated as a precedent for future royal action, but the fact remains that those justices did enter the bishop's franchise and extended royal jurisdiction into the episcopal immunity. [3] Scammell has noted with regard to taxation that the

1. De nugis curialium V, vi. Quoted in F.Barlow, The English Church 1066-1154 (London 1979) p.173n. For a full discussion of the origin of the liberty see Chapter IX.
2. Scriptores Tres, p.lx.
3. Ibid., p.l.



The Patrimony of Saint Cuthbert
in County Durham in the Twelfth Century.
(See next page for key).

The Patrimony of Saint Cuthbert in County Durham in the Twelfth Century.

KEY.

c - Conventual land. } Based upon the confirmation by Henry II (*Feodarium*, appendix to the preface II).
/ - Conventual church. }

e - Episcopal land without demesne (Boldon Book).[1]

d - Episcopal land with demesne.[1]

B - Boldon vills (all have demesne).

.... - Township boundary (1840). As these can be a guide to medieval estate and vill boundaries they have been noted on the map where they are likely to be relevant. They can give some indication of the relative size of the bishop's and convent's lands.

1. It is not certain that places without demesne in Boldon Book were devoid of demesne at an earlier date. Both these categories include land held at farm and for fractional knight service.

bishop's exemption was balanced by the 'dona' required by the king; £330 in 1159; £65 in 1165, with £2000 contributed to Richard's ransom.[1] Yet, as we shall see, to accept such evidence is not to doubt the comprehensive nature of the liberty, but simply to note the political realities of twelfth century England.

Within the liberty the bishop was the superior lord. All rights of lordship, such as wardship or escheat, were his. This secular power was matched by his spiritual preeminence, the lands of the liberty lying in the diocese of Durham.[2] After the bishop the most important force was the monastic community at Durham. Some idea of the relative size of the bishop's and convent's land holdings in County Durham may be gained from the map on page 6 .[3] The conflict between the convent and bishop, titular abbot, over lands and privileges, both secular and spiritual, was a major feature of the politics of twelfth century Durham. There was a feeling, at least on the part of the prior, that the liberty, meaning rights of jurisdiction and lordship, might be divisible between community and bishop. It was only in the early thirteenth century that this was satisfactorily dealt with in an agreement called Le Convenit.[4] It was the conclusion of a conflict which had its origin in the separation of the patrimony between bishop and monks around 1100, and which had become more confused, sometimes bitter, throughout the following century.

Those lands still administered directly by the bishop were surveyed in 1183 when 'fecit Dominus Hugo Dunolmensis Episcopus in praesentia sua et suorum describi omnes redditus totius Episcopatus sui et assisas et consuetudines sicut tunc erant et ante fuerant.'[5] This survey,

1. G.V. Scammell, Hugh du Puiset, (Cambridge, 1956), pp.185-6.
2. The conflict between bishop and convent over spiritual jurisdiction is dealt with by F. Barlow, Durham Jurisdictional Peculiars, (Oxford, 1950).
3. This is somewhat misleading as Boldon Book, the source for the bishop's lands, does not, on the whole, include land held of him by knight service, whereas the twelfth century confirmations of conventual lands include the land held of the monks for knight service.
4. Feodarium 212-301.
5. Boldon Buke 1.

called Boldon Book after the vill whose organisation figures so prominantly, has been hailed as the Durham Domesday for it does supply some of the information lacking because of Domesday's limitation. Unlike the majority of contemporary surveys it deals with episcopal, not monastic, lands; the irony being that the monks of Durham were also untypical for they did not compose their survey until the early thirteenth century.[1]

Boldon Book consists of two, possibly three, sections.[2] The first is that concerned with County Durham. At the end of this section there occurs a list of nine vills which do not fit into the organisation by parishes of the rest of the section.[3] Their unifying factor, marking them off from other vills, is the appearance in each of a full dreng, a local steward associated with the organisation of the boon works and other services of the estates or shires.[4] Elsewhere only fragments of drengage occur.[5] The compilers of the survey, as later historians, obviously found this important. After these vills occur the surveys of Norhamshire and Bedlingtonshire, Northumberland, compiled together or separately, we cannot be sure which, and then appended to the Durham section, being an integral part of the whole survey. As Domesday this twelfth century survey has an historical dimension beyond the record it provides of its own day. Apart from that there is evidence about the organisation of land in a much earlier period, ultimately before the conquest and settlement of Britain by the English, and of the develop-

1. Prior Thomas's survey (Feodarium p.1, 13 etc.) was compiled 1233/4X 1244, but no longer survives.
2. This organisation of the survey is based upon the 'Auditor's' manuscript, the basis of the Surtees Society edition. This manuscript may be more closely linked to the original survey than Lapsley suggested and the group of manuscripts he used for the basis of his translation, which includes BL Stowe 930, seem to have suffered some rearrangement due it seems to the misplacement of certain folios.
3. Great Usworth, Herrington, Hutton, Hulam (no drengage, but probably to be linked with Hutton or Sheraton), Sheraton, Butterwick, Brafferton, Binchester and Urpath.
4. See J.E.A. Jolliffe, Northumbrian Institutions, Eng. Hist. Rev. xli (1926) pp.21-2.
5. A full drengage does occur at West Auckland, though there the dreng had died and his son was a ward.

ments of the intervening period.

The twelfth century saw an expansion in settlement and the cultivation of land and it is no surprise to find evidence of the same in Boldon Book. Wolsingham and Stanhope are typical of the expansion into the marginal areas of the Pennines, especially along the river valleys. Some notes of land exchanges suggest a drift toward the west.[1] The larger part of this marginal land was under the control of the bishop, though the convent was acquiring land in this area in the mid and late twelfth century at, for instance, Muggleswick and along the Wear. As elsewhere in the period much land was being held for money rents, the bishop's direct exploitation being diminished. We may also find evidence in Boldon Book for the development of boroughs, nurtured by the bishop; another occurrence typical of the twelfth century.[2]

The ancient pattern of land organisation is to be found in the shires or multiple estates well known through the work of Professors Jones, Barrow and Joliffe. The attendant customary services, renders and tenures are shown in Boldon Book to have survived many centuries. Aucklandshire is a typical example of the early land organisation; a dreng carts wine and goes on errands, whilst the villeins construct a hall and chapel for the bishop and build booths for the fair of Saint Cuthbert. Cornage, food renders, averpenny, scotpenny and other customary dues abound, an integral part both of the earliest administration of the land in multiple estates and of the hotch-potch of the twelfth century administration.[3]

Of the developments and modifications of the ancient system we can, of course, point immediately to knight service. Though generally omitted from the survey it does receive some mention. More of a problem is the week-work which is a major part of the services owed by the peasants.

1. Lapsley, BB, 335.
2. Ibid., 335, 327. Compare the descriptions of developments on the lands of Peterborough and Ely, E. King, Peterborough Abbey 1086-1310, (Cambridge 1973), e.g.Cap.4; E. Miller, The Abbey and Bishopric of Ely, (Cambridge 1951),e.g. Cap.IV.
3. G.W.S. Barrow, The Kingdom of the Scots, (London 1973), pp.7-68; J.E.A. Jolliffe, Northumbrian Institutions, Eng. Hist. Rev. xli,(1926), 1-42; G.R. J. Jones, Multiple Estates and Early Settlement, in P.H. Sawyer, ed., Medieval Settlement (London 1976), 15-40. Lapsley, BB, 333, 341.

Kapelle, in his recent work on the Norman Conquest of the north, has suggested that week work was imposed by Bishop Walcher (1071-1080) upon the desperate men of County Durham after the harrying of the north.[1] It seems unnecessary to argue about the likelihood that Walcher had some effect upon the exploitation of Durham's estates, but it is necessary to question whether Kapelle really proves the seminal role of Walcher and the Norman ravages. Definite conclusions are difficult, but the evidence indicates the possibility that week work may have existed on Durham estates before the Norman Conquest.

Kapelle argues that 'Boldon villages and the other villages with large demesnes had once been typical Northumbrian villages' upon which week work had later been imposed; that the 'uniformity of custom exhibited by the twenty Boldon villages is indicative of a recent, common origin', and that 'the most likely occasion when they could all have been restructured was immediately after the harrying of the North'. To this we may add his contention that 'the peculiar distribution of villages with week work generally fits in with the few details known about William's movements'.[2]

His first argument poses few problems. To suggest that the only uniformity is that of recent and common origin is to ignore the power of tradition and custom. Throughout the lands of the church of Durham a large amount of uniformity is apparent, as in the burden of boon-days or the duties of drengs. This exists as part of the early system on which week work was imposed. It may suggest common origin, but it can hardly point to the date of origin. Were we even to accept that uniformity did imply recent origin, and that Walcher played an important part in the organisation of that uniformity, we should still not know what existed

1. W. Kapelle, The Norman Conquest of the North, (London 1979), Cap.6.
2. Ibid., pp.185, 186.

prior to Walcher's action. It is surely conceivable that he altered an existing system; that he increased, but did not instigate, the week work burden of the villeins of County Durham. This would account just as well for the lamentations of the author of the Historia Regum that men 'truly sold themselves into perpetual servitude' for 'a certain miserable life'.[1]

We are left with the association of William's harrying with the reorganisation of the Durham manors and the appearance of demesne and week work. 'The villages with big demesnes and peasants who did week work were not scattered at random over the face of the county; they were predominantly arranged in north-south lines except in the area just south of the Tyne.'[2] Kapelle produces a map to illustrate this. Unfortunately this map is misleading for it excludes Wolsingham, Rogerly and Bradwood, in the upper Wear valley; the vill of Wivestona/Wivestowa (probably Winston in south-west County Durham) and the demesne at Carlton and Great Usworth. If demesne is important all these omissions are significant, for here is demesne.[3] It is also important to realise that even Kapelle's own map shows that the distribution of vills with demesne is comparable to that of other vills, without demesne and at farm. That is, they lie in the most important and most fertile lands in County Durham. The Normans travelled north-south and settlement is generally distributed north-south because the geography of the county calls for this kind of pattern. The pattern of demesne in the episcopal survey is as likely to show the predilection of the bishop for good land as anything else.

For we must beware a pit-fall common in the use of this type of source - its incompleteness. Boldon Book is an episcopal survey. It ignores land held by the bishop's vassals and by the monks of Durham.

1. Kapelle, op. cit., p.188; <u>Historia Regum</u> s.a.1069.
2. Kapelle, op. cit., p.186.
3. A minor problem with Kapelle's map is his placing of Bishop Wearmouth and Tunstall to the north of the Wear when both lie to the south, though this does not affect his argument.

To introduce the estates of the monke is to emphasise even more the north-south pattern of settlement in the county.[1] To base any arguments solely upon Boldon Book is to assume also its completeness for the subject matter it purports to cover. If demesne is important it is surely of interest that in one place at least, Washington, a charter of Bishop Flambard (1099-1128) from 1112 mentions episcopal demesne not recorded in Boldon Book.[2] The limitations of the survey are crucial if we are to draw any conclusions about estate organisation and its development in the immediate post-Conquest period. However, though the details of change may be uncertain Kapelle has focused attention upon the potential influence of the first Norman appointed bishops in the administration of the patrimony.

Boldon Book provides a link between the twelfth century and preceding centuries, giving some idea of developments in social and economic conditions. It complements the narrative of events provided by such as Symeon of Durham. With both survey and narratives we can come close to understanding the nature of Haliwerfolc, both land and people, and therefore the whole of northern society. After the narrative sources have been studied in detail, in the next chapter, the history of the community will be traced from the seventh century to the twelfth, The estates of the church, their acquisition, loss and development, will form the basis of the study, partly because the source material imposes this bias and partly because the estates are the key to the survival and power of the community, and to its role in the events affecting the whole of the north in this period. But the estates were not the only element in the community's attainment of prestige and power and the privileges that were acquired along with the lands will also be examined. As full a picture as possible will be given of the fortunes of the Community of Saint Cuthbert from the Anglian settlement to the Norman Conquest.

1. See map on p.6.
2. Offler, Charters, no.9.

(II)

THE DURHAM HISTORIOGRAPHICAL TRADITION

In the ninth century the community of Saint Cuthbert produced 'an excellent fine booke ... conteininge the names of all the benefactors towards S[t] Cuthberts church from the first originall foundation thereof, the verye letters for the most part beinge all gilded ... [indicating] how highly they esteemed their founders and benefactors.'[1] The Liber Vitae was the book; a list of names, including kings, queens, abbots and others, 'drawn up in an orderly fashion and in an unusually beautiful and costly manner'.[2] It was a symbol of the magnificence to be associated with the community in the early ninth century, despite Viking ravages and civil conflict, and just before the abandonment of Lindisfarne. The ninth century book contained lists of names written alternately in gold and silver the symmetry of which has been largely destroyed by the haphazard additions of the tenth century and after.

The importance of the work is not simply that it shows a regard for founders and benefactors. The presence of these people is in turn evidence for the importance of the church itself. Yet the evidence it provides is difficult to interpret. The name of Athelstan, for example, was only entered in the twelfth century, though he was a major benefactor in the tenth. Is it really Eric Bloodaxe who appears on folio 51v?[3] If it is then who had it recorded there in the twelfth century and what significance does it have for the tenth century? These are teasing questions that may never be answered.

A general observation to be made is that the book, if the ninth century entries are considered to be complete, was set aside after completion and not properly attended to until after 1100. In between were added only a few Old English notes, different in substance from the lists that

1. Rites of Durham, ed. J. Fowler (Surtees Society 107, 1902) pp.16-17.
2. Liber Vitae, p.xxvi.
3. P.H. Sawyer, Some Sources for the History of Viking Northumbria, in Viking Age York and the North, ed. R.A. Hall (London 1978) p.6.

predominate before and after. Perhaps they are the clue to the disuse of the Liber Vitae for the tenth and eleventh centuries saw a different kind of work being produced in the community; work designed to describe not simply the persons giving land, but also the land itself. This was the kind of record required by the community after the upheavals of the Viking raids to preserve and claim its lands and privileges. The Liber Vitae was affected by this new trend and the Old English notes record land grants. In the twelfth century it also received some of the alleged charters of William of Saint Calais, though these were culled from the work of Symeon some of the time. The Liber Vitae was a magnificent book of remembrance and hence important to the community and to historians who would gauge the importance of that community, but it is the fuller, more straightforward, perhaps more mundane, works that provide the material to construct history. About a hundred years after the production of the Liber Vitae a member of the community at Chester-le-Street wrote the Historia de Sancto Cuthberto,[1] a combination of narrative and inventory of land grants from the seventh century to the tenth; over a hundred years after this another member of the community produced a similar work, the Chronica Monasterii Dunelmensis, bringing the earlier work up to date, whilst just after 1100 Symeon of Durham sat down to compose his history of the community from its earliest days to his own. It is these three works that form the basis of the study provided in this dissertation.

The Historia was compiled to preserve a record of the lands and privileges of the community. Beginning with a short account of incidents in the life of Cuthbert, intending to associate the saint with as many of the early grants to the church as possible, it largely ignored the church's pre-Cuthbertine existence. One thing is clear about the author; he was a devoted disciple of the saint, for Cuthbert, not his community or church dominate the work. The author, seems not to have been a great Latin

1. Henceforth refered to as the Historia. References are to sections in Arnold's edition in Symeonis Monachi Opera Omnia (Rolls Series 75, 1, 1882).

scholar or to have had a detailed knowledge of the Bible, confusing the roles of Melchesedech and Abraham, and, as we shall see, his use of the materials at his disposal may have been somewhat haphazard.

The Historia, as shown by Craster[1], originally ended with section 28, which records the actions of Edmund on his visit to the shrine in 945. It is likely that Edmund's actions actually prompted the composition of the work, the author wishing at this time to record the confirmation of the community's possessions and privileges by the latest representative of the powerful West Saxon monarchy. He was not producing a history, a narrative of events, but, in Symeon's words, 'ecclesiae cartula'. Everything written was related, directly or indirectly, to the development of the patrimony; not simply recording the past, but preserving evidence to substantiate present, and future, claims. It was not merely a matter of historical interest, for instance, that Scula and Onalafbal had been given church lands by Ragnald, or that Onalafbal had been struck down by divine wrath on the threshhold of the church at Chester-le-Street, and his share, 'as was only just', returned to the saint.[2] Recording the misappropriation of land the author also recorded a claim which it might be possible to press in the future.

The judgement meted out to such as Onalafbal awaited all who would plunder the church; just as the success of an Athelstan or Edmund was the reward of those who properly respected the saint and his patrimony. Examples of the potentia of the community's patron, vividly present in his incorruption, helped to deter potential spoliators. But such stories are a commonplace in medieval writings, to be found equally in the works of later Cuthbertine monks. Yet the all embracing influence of Cuthbert is notable.

1. H.H.E. Craster, The Patrimony of Saint Cuthbert, Eng.Hist.Rev. lxix, (1954), 177-8.
2. Historia s.23. See below page 77.

Bishop William de Saint Calais, enquiring into the state of the Lindisfarne community in the seventh century, looked to the works of Bede for guidance, but focused his attention upon the community under Cuthbert, not under Aidan. The saint whose body was tended by the community dominated that community and its history. So strong was the influence upon the author of the _Historia_, as well as his contemporaries, that he wrote of 'the places and areas of _his_ ancient possession.'[1] Of the origin of Lindisfarne little is said; Oswald is ignored and Aidan mentioned only as a disembodied soul being carried into heaven, this also in a section more about Cuthbert than Aidan.[2] Those lands described in section 4 of the _Historia_ are surely part of the early, pre-Cuthbertine endowment of Lindisfarne, perhaps the gift of Oswy, yet neither the way they are described, nor their position in the work, distinguishes them from the Cuthbertine endowment.

From Bede we know that Boisil was prior of Melrose and that Cuthbert became prior of Melrose and Lindisfarne under Abbot Eata. Our tenth century writer transforms this into the inheritance by Cuthbert of the 'abbacy' and 'ownership' of Melrose on the death of 'Abbot' Boisil.[3] It is most improbable that Cuthbert would have received, personally, benefactions from the king before he became bishop in 685, but Oswy[4] is said to have given him not only Melrose, but also land along the River Bowmont, fifteen years at least before his consecration. This rather dubious narrative is complemented by a poor use of the sources with which the author had clearly at one time come into contact. The use of Bede's

1. _Historia_ s.1.
2. Ibid., s.2.
3. Ibid., s.3.
4. Ibid. The king involved must be Oswy, who died in 670, though the _Historia_ names Oswin. It cannot be the latter for he died before Aidan and the events are said to happen subsequent to that bishop's death. See below page 52 .

works and the Life of Cuthbert by the anonymous monk of Lindisfarne is apparent more through allusion than direct quotation. However, the indications are that the author knew these works, but did not, perhaps could not, have them open before him when he wrote. He confuses the River Aln in Northumberland with the vill of Aln in Yorkshire; names Chad and Cedd as two of the seven bishops present at Cuthbert's consecration, though they died thirteen and twenty-one years respectively before Cuthbert was bishop[1], and seems to combine Cuthbert's vision of Aidan's soul with his praying in the sea at Coldingham.[2] These are a few examples of his use of the sources for Cuthbert's life.[3]

His later sources did not require any manipulation for a Cuthbertine orientation was already present. Gifts were made to Saint Cuthbert and breakers of his peace were punished by the saint. The later material included in the Historia may have included a large proportion of information hitherto only preserved in the memories of members of the community. Guthred's grant of the land between Tyne and Wear and the vicissitudes of the community under Ragnald were probably recorded for the first time in this work, though earlier events, such as the benefactions of Bishop Ecgred, may have been recorded in some other document.[4] In one place we can actually see how the author incorporated a written

1. Historia s.3; Compare Bede, Historia Ecclesiastica, IV, xxviii,(ed. Plummer, Venerabilis Baedae Opera Historica, (Oxford 1896) pp.271-3.
2. Historia s.2. It seems probable that the source for his description of Cuthbert praying 'in modum crucis' is Bede's metrical life of Cuthbert (Bedas Metrische Vita Sancti Cuthberti, ed. W. Jaager, Palaestra 198, 1935) viii, 1.226, 'expandit geminas supplex ad sidera palmas'. He seems to have done everything possible to include all he knew of Cuthbert's habit of prayer in his introductory section. The only evidence in the early sources for Cuthbert praying in water is in the incident at Coldingham.
3. Verbal similarities suggest a possible knowledge of the anonymous Life of Cuthbert. Compare the anonymous Life, chapter 5, with the Historia s.2, where the phrases 'pecora domini sui' and 'coelum deferri' occur.
4. Historia ss.9, 11.

document into his work.

In section 26 he quotes what looks like a charter issued by Athelstan, recording the gifts of that king to Saint Cuthbert in 934. It is similar to the Old English note from Cotton manuscript Otho B IX preserved by Hickes. This was the gospel book presented to the community by Athelstan; unfortunately largely destroyed in the Cottonian fire.[1] Of course the similarity is muted for the language of the sources is different, but it is still remarkable.

Historia	Otho B IX
'In nomine domini nostri Ihesu Cristi Ego Ethelstanus Rex do Sancto Cuthberto hunc textum evangeliorum ... '	'In nomine domini nostri Ihesu Cristi Ic Æthelstan Cyning selle þas boc into Sancto Cuthberte ... '

Reference to 'this text' in the Historia suggests clearly that the entry is taken from the gospel book. Because Hickes failed to record the whole of the gospel note further examination is difficult. Yet Hickes did record the end of the note, part of the anathema, 'discedite a me maledicti in ignem æternum et reliq.' It is a quotation from Matthew xxv:41 and may be completed '... qui paratus est diabolo et angelis eius.' This, in Hickes' record, is preceded by references to 'Iudases hletes Scariothes' and 'Domes dæge'. The similarity to the anathema in the Historia text is unmistakeable.

> 'siquis inde aliquid abstulerit dampnetur in die iudicii cum Iuda traditore & trudatur in ignem eternum qui paratus est diabolo & angelis eius.'

But the note preserved by Hickes is simply dedicatory and not the list of gifts of the Historia. This might shed doubt upon our con-

1. Thesaurus II p.238. Cf. A.J. Robertson, Anglo-Saxon Charters (Cambridge 1939) no.xxiv. See J. Armitage Robinson, The Times of Saint Dunstan (Oxford 1923). Fragments of twelve folios survived, on the first of which is the Lex Sancti Cuthberti edited by Craster, The Peace of Saint Cuthbert, Journal of Ecclesiastical History, 8 (1957). Fortunately some of the Old English entries in the book were recorded by Dr. Richard James in about 1630 (Bodleian manuscript James 18), printed by Craster, Some Anglo-Saxon Records of the See of Durham, Arch. Ael. 4 ser., 1 (1925) 189-198.

clusions, but Hickes records that after the dedicatory note came 'Nota Sax. de donis quæ (S. Cuthberto) contulit Rex Athelstanus'. This must surely be the note upon which the entry in the Historia is based.

The inclusion of Athelstan's note, as the record of Edmund's actions, highlights the importance attached to the West Saxons by the mid-tenth century author. He records the relations between the earls of Bamburgh and Alfred and Edward the Elder, including, significantly, the death of Alfred in the same year as Bishop Eardwulf.[1] The power of the church of Saint Cuthbert in the north attracted much attention from established and would-be rulers of Northumbria. The deference shown by such as Athelstan and Edmund obviously had its counterpart in the appreciation by the community of the significant role these kings played in the development of the patrimony of Saint Cuthbert.

Some time after its composition in c.945 the Historia became, as did other Durham materials, a repository of new information. Land transactions of the late tenth and eleventh centuries were appended, whilst some time after 1016 was inserted the story of Alfred's vision of Cuthbert in the marshes of Glastonbury. Finally, the story of a Scots army being swallowed up by the earth during the reign of Guthred (c.882 - 894) was added.[2] But interesting as the additions are they are mere appendages to the earlier compilation. The tenth century author may not have been a master of Latin prose, inferior in this to the author of the Alfredian miracle, or a biblical scholar, or a good historian, but he was enterprising enough to gather together much, if not all, of the information available in his day concerning the lands and privileges of his community. Such a concern with material possessions may be unsophisticated, ranking below the concerns of a Dunstan or an Oswald, but it at least argues for a certain vigour that a community in the blighted north could produce the author of a work like the Hist-

1. Historia ss.20, 22.
2. Historia ss.14-19, 29-33.

oria. The next comparable literary production from the community was compiled in the late eleventh century by a member of the unreformed community of clerks.[1] It is a transitional document between the basic record of the Historia and the elaborate history of Symeon of Durham. It is best treated of when we examine the interrelationship between the various productions of the community, and after a discussion of Symeon and his work.

That Symeon should stand out as a giant amongst the medieval historiams of Durham is inevitable; even more so here, for his work provides the basis for a coherent survey of the community's history from the ninth century to the twelfth. Yet Symeon himself is a shadowy figure. Reginald of Durham, in his account of the translation of the body of Cuthbert in 1104, names Symeon as one of the small group which examined the body of the saint, though his position in the community is not given.[2] His activities as the Community's chronicler may, however, be sufficient to account for his presence. He was sufficiently well known as a historian to be approached by Hugh, dean of York, for information about the archbishops of York from the seventh century to the tenth. Symeon's reply to Hugh is the only work that can definitely be attributed to him.[3] Some have suggested that Symeon was a member of the Jarrow community transfered to Durham in 1083, but this, insufficiently founded upon fact, has been rightly questioned by Dr. Meehan.[4] At what date he entered the community is not known. He may have become precentor, but the title may mean little more than scholar.

By the end of the twelfth century his place as the Durham historian was secure, being already associated with the Historia Regum and the Historia Dunelmensis Ecclesiae. The ascription of the former to Sym-

1. H.H.E. Craster, The Red Book of Durham, Eng. Hist. Rev. xl (1925), 504-532, the Chronica Monasterii Dunelmensis occurring on pp.523-529. See note 2 to this chapter.
2. C.F. Battiscombe, The Relics of Saint Cuthbert (Oxford 1956), p.107.
3. Symeonis Monachi Opera Omnia, ed. T. Arnold (Rolls Series 75 i, 1882), pp.222-228.
4. B. Meehan, Outsiders, Insiders and Property in Durham around 1100, in Studies in Church History, ed. D.Baker (Oxford 1975), pp.57-8.

eon has, and must be, viewed with some suspicion, though it is the work most commonly associated with his name.[1] It is a work of national history and perhaps 'the most important history book ever put together in Durham'[2], but is of less consequence here than the second work. This is more surely ascribed to Symeon, though it is only the manuscript third in date that names him. Its original title gives clear indication of the author's intention, Libellus de exordio atque procursu istius, hoc est Dunelmensis ecclesiae.[3] It describes the history of the church of Lindisfarne/Chester-le-Street/Durham from the foundation in 635 to the death of Bishop William de Saint Calais in 1096. It was written mostly in the period 1104 to 1109 (between the translation of Saint Cuthbert's body to a new shrine, mentioned in book one, and the consecration of Turgot, called prior in a passage in book three preserved in Cotton MS. Faustina A.5, as bishop of Saint Andrew's); perhaps before 1107 (when Turgot was nominated to the see of Saint Andrews).[4] Some sections may however be slightly earlier.[5] It was undertaken 'maiorum auctoritate jussus', meaning at the instigation of Prior Turgot, not Bishop Flambard, for it is a statement of the community's claims against everyone, including the bishop.

It presented the monastic community's view of its claims to lands and privileges, both as heir to the clerks who were displaced in 1083 and as a power distinct from the bishop.[6] These two aspects of the situation arising from the foundation of 1083 dominate the work and betray its official nature. In 1083 the existing community of clerks was completely replaced; only one of its number, the dean, join-

1. Meehan, op.cit., p.45 n.1; H.S. Offler, Hexham and the Historia Regum, TAASDN 19, p.51; H.S. Offler, Medieval Historians of Durham (Durham 1958)p.9.
2. Offler, Medieval Historians, p.9.
3. Henceforth cited as Symeon, Libellus, following Offler, Medieval Historians.
4. Symeon, Libellus, I x; III xxii.
5. B. Meehan, A reconsideration of the historical works associated with Symeon of Durham: manuscripts, texts and influences, unpublished Edinburgh PhD. thesis (1979), pp.174-5.
6. B. Meehan, Outsiders, Insiders and Property in Durham around 1100, in Studies in Church History 12, ed. D.Baker (Oxford 1975), gives a general background to the work and attitudes of the community around 1100.

ed the monks, prompted by his son, already a monk. The charge could, and probably was, levelled at the new arrivals that they had usurped the lawful position of the clerks through violent means. To some the events of 1083 would have constituted a catastrophic break in an ancient and continuous tradition; the misappropriation of properties and rights. Clearly the monks held a somewhat different view.

In their view the foundation of 1083 was simply a restoration of the true monastic life; a life pursued by Cuthbert and his successors on the island of Lindisfarne up till the mid-ninth century. To substantiate this view the monastic community required a soul, as well as a body; a soul to be provided by Symeon's description of the early golden age of Northumbrian monasticism, the subsequent decay of the regular life after the departure from Lindisfarne and, as a climax to the work, the restoration of monasticism by good Bishop William.

The earlier 'histories' of the clerks were useful for the basic information they provided, but naturally did not provide the history necessary to justify and explain the events of 1083. This is one of the main purposes of the Libellus, though it was no staightforward matter to describe the decline from pristine monasticism at Lindisfarne and Symeon found it necessary to emphasise the events of 875, the departure from Lindisfarne, to deal with this.

When the community decided to leave Lindisfarne with the body of Cuthbert, he writes, faced with the prospect of renewed Scandinavian troubles, it was the clerks, not the monks, who were given custody of this unique treasure. Symeon does not tell us why monks should make such a strange decision. Similarly, he does not criticise them for abandoning the saint to their inferiors! Continuing, he explains that the clerks' observance of the Benedictine horarium, which survived to the time of Bishop Walcher (1071-1080), was the result of their having been instructed in it by the monks. It clearly caused Symeon some trouble, and the whole story is clumsy.[1] Nevertheless, it was adequate,

1. Symeon, Libellus, Præfatio; II vi.

showing how the community of clerks had had its origin. It should also be remembered that Symeon's idea of monasticism, shared by his contemporaries, was conditioned by the new monastic movements of the period, not by any idea of historical development. If Cuthbert was a monk, he was a Benedictine monk; if the Lindisfarne community was monastic it followed the rule of Saint Benedict.[1] Symeon may genuinely have been unable to conceive of a change either in terminology, from monk to clerk, to describe the same thing, or in the nature of monasticism; that the monks of Lindisfarne were not Benedictine. If he had it would not have fallen in with his theme; the 'restoration' of monasticism in the community. 'Restoration' was Bishop William's aim. Having made enquiries as to the original observance of the community in Cuthbert's day and found that the community was monastic the bishop decided to restore the service originally appropriate to the church.[2] It was, of course, a political as well as a religious move, but considering the prevailing ideas of monasticism and reform there was probably no other course open to a monk in the 1080's.

The foundation of 1083 was, in the eyes of the monks, the replacement of bad by good. Though Symeon may say that the clerks, or certain clerks, showed due reverence for the saint's relics and observed the correct horarium their life was still unworthy of the saint.[3] It is surely significant that he follows his description of the departure from Lindisfarne with stories illustrating Cuthbert's supposed hatred of women, resulting, according to Symeon, from his experience of the iniquities of the house of Coldingham.[4]

1. Pictorial illustration of the way in which contemporary ideas were projected into the past is provided by the depiction of Cuthbert as a black monk in the twelfth century manuscript B.L. Yates Thompson 26; fos. 26, 35^{v} and 71^{v} are reproduced in R. Marks and N. Morgan, The Gold-Age of English Manuscript Painting, (London 1981), Plates 1 and 2.
2. Symeon, Libellus, IV ii.
3. Ibid., II vi; IV ii.
4. Ibid., II vii-ix. Cf. Bede's prose life of Cuthbert, xv, xxiv, xxix and xxxiii.

From Bede's works it would be difficult to draw the same conclusions as Symeon. Cuthbert betrays no dislike of women; indeed is friendly toward them. It is also unlikely that a tradition such as this would have found favour with the clerks. They were often married; places in the community passed from father to son, and Bishop Aldhun had a daughter. It must be traced to the new community. It could be regarded as an instance of typical monkish prejudice were it not for the fact that it went against the monastic grain eleswhere, having a bad effect upon finances. A Cuthbert prejudiced against women kept this sex from his shrine and even, if Symeon is to be trusted, churches dedicated to him. It was necessary in the twelfth century to counter this unproductive tradition by providing a galilee, in which were placed the relics of Bede, for the female pilgrims. The encouragement, and control, of the cult of Godric of Finchale may also have been designed to provide for women. With all this against Cuthbert's anti-feminism why did the community nurture it around 1100 ?

Could it really have been monkish prejudice ? Saint Carileph, patron of Bishop William's monastery, excluded women from his churches.[1] Did this come to Durham with Bishop William ? There may be a more immediate explanation, though Saint Carileph's actions may have provided inspiration . It must have seemed scandalous to the monks that the clerks were not celibate. Lack of celibacy, criticised much earlier by Bede[2], led to a very strong hereditary tradition in the community, causing many problems when heirs of the clerks claimed lands held by their forbears as members of the community.[3] It would not be surprising if the monks used the question of celibacy in their attack upon the clerks.

1. Rites of Durham, ed. J. Fowler (Surtees Society 107, 1903), pp. 35-7, 133-4, 228.
2. Epistola Bede ad Ecgbertum Episcopum, s.12 (ed. Plummer,i, p.415).
3. See chapters V and VI.

Hence the stories in the Libellus. Excluding women kept out the wives and daughters of the old clerks, who would have posed more of a problem for the monks than the usual 'moral and social dangers of feminine wantonness.'[1]

Symeon's work provided a raison d'etre for the monastic community by suggesting that it, not that of the clerks, was the true heir of the community of Lindisfarne. The clerks, according to this interpretation, had forfeited their right to all possessions and privileges. Not only had they been 'caretakers' whose observance was inferior from the beginning to that of the monks of Lindisfarne, but their observance itself had deteriorated. It was for the monks to restore that service appropriate to the incorrupt body of Saint Cuthbert. Yet the fight for possession of the church, relics, lands and rights had another aspect, also reflected in the Libellus. Staking its claim to be the true and rightful continuator of the tradition of Lindisfarne the monastic community came up against the bishop. Parts of the Libellus have a particular relevance to the role of the bishop regarding the possessions and privileges of the community.

In general, the emphasis upon the tradition of monk-bishops at Durham may have been a comment upon Flambard's status, he being bishop when the Libellus was written. Bishop Walcher had at least been a canon (of Liège) and compensated for his lack of monastic status by fostering the Benedictine revival in the north. Symeon also attributed to Walcher the first plans for a new monastic community at Durham.[2] Rannulph Flambard had no such redeeming traits. Noted as a rapacious royal official, features of his career bore some resemblance to the life of the displaced Durham clerks. His son, for instance, succeeded to

1. R.W. Southern, Western Society and the Church in the Middle Ages (Harmondsworth 1970) p.311.
2. Symeon, Libellus, III xxi, xxii.

prebends at Lincoln and London and he was very well disposed toward relatives in the distribution of episcopal, and sometimes conventual, land.[1]

The Libellus shows clearly that Bishop William de Saint Calais was regarded as a model bishop. All his successors should aspire to a comparable virtue. William restored to the community lands claimed by the earls of Northumberland and 'he left these to the church so entirely free and quit that from that time forward no one, save the bishop alone, either ought or could demand from them any custom'.[2] This was obviously aimed at the earl, but Symeon is clear that although the bishop might claim custom over the land this, nevertheless, was owned by the community. This makes it interesting to note that at least two of the places involved in this settlement occur in a charter issued by Bishop Rannulph, restoring to the community lands which he had usurped to his own use.[3] Was Flambard also being warned off ?

Bishop William's appointment of Prior Turgot as archdeacon and, according to Symeon, the reservation of this post to subsequent priors was significant for the disputes over jurisdiction between bishop and community in the twelfth century.[4] Having enjoyed a period of independence after the decease of Bishop William and before Flambard returned from exile early in the reign of Henry I the community was, in the bishop's view, overpowerful and overconfident. It was probably Bishop Rannulph's assault upon the privileges of the community that played a part in the compilation of the Libellus.

'As a loving father deals with his sons who are dearest to him, so did he Bishop William protect and cherish the monks, ruling them with the greatest discretion.'[5] In contrast Flambard, having to

1. Chapter VI below.
2. Symeon, Libellus, IV v.
3. Offler, Charters, no.24; Feodarium, pp.lxxxii-lxxxiii.
4. For a full discussion see F. Barlow, Durham Jurisdictional Peculiars (Oxford 1950).
5. Symeon, Libellus, IV v.

re-establish his position with the king, took much profit from his see, and was always a burden upon the community, either because of financial exactions or because he was more often present than a bishop who was in favour at court. Even his relatives could be a thorn in the community's side.[1] Flambard's prolixity and the inappropriatness of his sermon on the day of the translation of Cuthbert's body in 1104 drew adverse comments from the anonymous author of the account of that event.[2] Fulfilling his episcopal duties could not sweeten his presence in the eyes of the community! The community's discontent was surely behind some of Symeon's work.

The Libellus was a work with a purpose and Symeon clearly tended to present his own community and its aspirations in a good light. This must affect the way we use Symeon's work. It is not possible to accept his version of events as the untainted truth, especially when, as will be apparent throughout this work, there exist other sources which can give a slightly different view, though their view may be less easy to incorporate into the history of the times.[3] But it would be wrong to write off Symeon as a mere propagandist. A study of his sources gives a picture of a compiler, sometimes confused, who was aware enough of his role as an independent recorder of events to provide evidence available only in the memories and popular beliefs of his contemporaries. He skilfully combined oral tradition with the written materials at his disposal.

Bede's Historia Ecclesiastica Gentis Anglorum and Vita Sancti Cuthberti must be the starting point for any discussion of Symeon's

1. Feodarium, p.145n; Offler, Charters, pp.104-5.
2. Battiscombe, op.cit., p.106.
3. An example of over-reliance upon Symeon is provided by W. Kapelle, The Norman Conquest of the North (London 1979) p.98. Refering to the activities of Alfred, a member of the community of clerks, he asserts that an anti-episcopal group was formed which expressed itself by bringing forth the body of Oswin in 1065; an expression of opposition to Bishop Æthelwine and Earl Tostig. Unfortunately for this theory both the Historia Regum, s.a.1065, and the Vita Oswini associate Æthelwine with the invention of the kings relics and the latter also associates Countess Judith, Tostig's wife, with the same!

sources. Though the Historia Ecclesiastica was not a specifically Durham work it played a special part in the history of the community. Being the single most important source for early Northumbrian, indeed English, history it was inevitable that Symeon should use it as the basis for his work for the period it covers. He sifted the work for sections particularly relevant to Lindisfarne, including its royal patron and founder Oswald, and with the information from the life of Cuthbert, often quoting verbatim, he thus compiled the first book of the Libellus. We have seen how Bede's work could be used in a very superficial way by the author of the Historia de Sancto Cuthberto.[1] For Symeon such an approach would have been almost sacrilegious.

His use of Bede's work is an indication of more than that historian's usefulness as a guide to the early history of the community. The events of 1083, so important to Symeon, owed much to Bede. According to Symeon Aldwin, leader of the northern monastic renaissance, learned of Northumbria's golden age of monasticism from 'historia Anglorum'.[2] This need not immediately suggest Bede's history, but Symeon's use of 'historia Anglorum' specifically to denote the Historia Ecclesiastica in an earlier section of the Libellus obviously makes it very likely.[3] Whether Aldwin read Bede is uncertain, though not unlikely, but that Symeon believed he had done so is clear.

Having inspired the northern renaissance Bede continued to influence its further development. The monks at Jarrow came under the patronage and protection of Bishop Walcher, whose plans to transfer them to Durham were only precluded, says Symeon, by his untimely death at Gateshead in 1080. William de Saint Calais, his successor, a monk,

1. Above p.17.
2. Symeon, Libellus, III xxi.
3. Ibid., I xiv; I xiii 'historia gentis Anglorum'.

quickly undertook, for both spiritual and political reasons, the reform of the Durham community. He enquired into the state of the church in the time of Cuthbert and was told that Cuthbert was attended both during his life and afterwards by monks. What this would mean to a Benedictine has already been shown. He confirmed what he was told by reference to 'vitae illius libellus et ecclesiastica gentis Anglorum ... historia'.[1] Bede was responsible almost three hundred and fifty years after his death for a new era in the monastic history of Northumbria, and more especially Durham. Bishop William having used Bede in this way presented a copy of the Historia Ecclesiastica to his new community; a copy that formed the basis for one of the groups of manuscripts of this work identified by Plummer.[2]

Bede's works had a special role in the vindication of the community for which Symeon wrote. The works of the community of clerks had no such role, but were essential to Symeon's history for they provided the information about lands and privileges to which Symeon's community laid claim, and also the history and hagiography into which this claim could be inserted.

'Ecclesiae cartula, quae antiquam regum et quorumque religiosum munificentiam erga ipsum sanctum continet.'[3] Symeon thus refers to the Historia de Sancto Cuthberto, a source sufficiently well known to others to be refered to rather than quoted. He used both the Historia and a miracle collection, consisting of seven miracles of which four were derived from the Historia. He was no slavish copier, but confident enough to expand, paraphrase or rephrase as he saw fit. A glance at his remodelling of the Historia account of Ecgfrith's grant of Crayke, Car-

1. Symeon, Libellus, IV ii.
2. Durham Cathedral Library MS B ii 35. Venerabilis Bedae Opera Historica, ed. C. Plummer (Oxford 1896) I, pp.civ-cvi. Even if Plummer's suggestion, p.xciii, that B.L.Cotton MS Tiberius C.II was the copy used by Symeon is incorrect (Bede's Ecclesiastical History of the English People, ed. B.Colgrave and R.A.B.Mynors (Oxford 1969) p.xlii), it still seems plausible that Symeon used a copy with the same mistakes and that therefore another copy than B ii 35 was available at Durham when he wrote.
3. Symeon, Libellus, II xvi.

lisle and land in York illustrates the response of the competent writer faced with the meagre, matter of fact record of the tenth century clerk.[1] His additions to the sources we know he used is often substantial and, though we should not rule out the existence of other written sources, he may have been drawing upon oral traditions.

One of the miracle stories related by Symeon and derived from the Historia is that of the attempt to take the body of Cuthbert to Ireland in about 875. Its development from the tenth century to the twelfth is illuminating. Between the account in the Historia and that in the miracle collection 'there are comparatively few verbal likenesses but the miracle writer follows the account sentence by sentence, enlarging and embroidering, but adding no fresh facts.'[2] The miracle writer does, however, add Cuthbert's dying injunction to the community, that they should leave Lindisfarne with his body if threatened, given by Bede in chapter 39 of the Vita Sancti Cuthberti.

Symeon also adds this piece from Bede, though he associates it with the original decision to leave Lindisfarne.[3] Coming to the attempted departure for Ireland he follows the miracle writer in recording the lamentations of the people,at the removal of their patron and protector, in direct speech, a development upon the reported speech of the Historia.[4] Describing the storm that caused the return to land he states, with no precedent in the Historia or the miracle story, that an adorned copy of the gospels was lost overboard. These gospels, identifiable as the Lindisfarne Gospels, were later recovered and 'porro liber memoratus in hac ecclesia quae corpus ipsius sancti patris habere meruit, usque hodie servatur, in quo nullum omnino, ut diximus, per aquam laesionis signum monstratur'.[5] Such is a remarkable example of Symeon's

1. Historia s.5; Symeon, Libellus
2. B. Colgrave, The Post-Bedan Miracles and Translations of Saint Cuthbert, in The Early Cultures of North-West Europe, edd. C. Fox and B. Dickens (Cambridge 1950), p322.
3. Symeon, Libellus, II vi.
4. Ibid., II xi; Historia s.20; De Miraculis et Translationibus Sancti Cuthberti, ed.T. Arnold (Rolls Series 75 i, 1882), pp.234-7. Symeon quotes half of this last verbatim.
5. Symeon, Libellus, II xi.

expansion and modification of his sources. Verbal similarities, sometimes coincidence of organisation, occur, but all materials are treated with a certain freedom. His verbal borrowing from the miracle story is probably the most extensive, but he never becomes a slave to his sources.

His independence can sometimes cause problems. 'I wish I understood why he did not mention the tradition, which he knew, of a ninth century translation of St. Cuthbert's body to Norham.'[1] Professor Offler here refers to the translation of Cuthbert's body, the wooden church of Saint Aidan and the body of King Ceolwulf recorded in the Historia.[2] That Cuthbert's body did rest at Norham is supported by the earlist recension of the List of Saints' Resting Places; 'on þare stowe seo is genemned Ubbanford neh þære ea þe is genemned Twiode'.[3] Symeon, recording the move, omits all reference to Cuthbert.[4] Cuthbert's body, he says, was moved from Lindisfarne in 875, not from Norham, to which it would have been moved in 830-845 if the tradition is correct.

Symeon follows the Historia in stating that the community was at Lindisfarne with Cuthbert's body in 875, though the Historia gives no indication of when the body had been returned to Lindisfarne.[5] Professor Sawyer has suggested that there was a move to Norham, 830-845, but that increased activity by the Vikings makes it unlikely that there was a return to Lindisfarne; that the community started its legendary seven years wandering from Norham in 875. 'The later tradition that the body was taken from Lindisfarne in 875 is probably due to the importance of the island in the life of Cuthbert, reinforced by the natural desire on the part of later members of the community to minimize the

1. H.S. Offler, Medieval Historians of Durham (Durham 1958), pp.7-8.
2. Historia s.9.
3. F. Lieberman, Die Heiligen Englands (Hanover 1889), p.9. Ubbanford was an early name for Norham.
4. Symeon, Libellus, II v.
5. Ibid., II vi; Historia s.20.

importance of Norham.'[1]

The account in the Historia must be understood in context. The author was not concerned with every event, only with those which had some bearing upon the acquisition or loss of lands and privileges. The move to Norham is connected with the acquisition of land in Southern Scotland and thus is mentioned. A return to Lindisfarne would be unlikely to involve anything of this sort, so it is quite possible that it would have been ignored by the author. The omission of Olaf's attack upon Tyningham and the subsequent attack upon Lindisfarne by the men of York, of which the author certainly knew for they occured in 941, is probably to be attributed to the same selective recording of events.[2]

Are we to believe that Symeon wished to diminish the importance of Norham ? It is not completely unbelievable, but an explanation is difficult to discover. It was a church owned by the community, unlike Whithorn which is mentioned with regard to the seven years wandering of the community. He feels no problem about mentioning Crayke or Ripon as resting places of the body. Could the answer to Symeon's omission be that he was simply trying to reconcile the difficult evidence of the Historia ? He probably believed, as stated in the Historia, that the body was taken from Lindisfarne in 875. Yet he also had to handle the statement that the body had previously been moved to Norham, with no other suggestion of when a return to Lindisfarne had been made. Like any historian he has tried to assess his materials and concluded that there was no move to Norham, rather than that there was no return to Lindisfarne. After all, he might have just ignored the whole episode if he wished to denigrate Norham. He may have been wrong in his con-

1. P.H. Sawyer, Some sources for the history of Viking Northumbria, in Viking Age York and the North, ed. R.A. Hall, (C.B.A. Research Report 27, 1978) p.5.
2. Historia Regum, s.a.941.

clusion, but is that so amazing ?

Symeon so strongly imprinted his mark upon Durham history that his work formed the basis of all subsequent productions. This is why Craster was able to date a Durham chronicle, reconstructed from various manuscripts, to the period 1071-1083.[1] Its treatment of certain episodes is markedly different to that of Symeon; very unlikely after Symeon's work. The Chronica was used by Symeon and Craster's work shows how great was his verbal reliance upon this source. Again, however, the extent to which he used this chronicle may be masked by his habit of modifying source materials. For instance, he combined the evidence of the Chronica and Historia for the account of the election of Guthred in c.882.[2] His independence and originality are worth examining.

Retaining the vision format of the Historia he changed and expanded much of the speech of Cuthbert to Abbot Eadred. Recording the actions of Guthred, which are somewhat developed, he draws upon the tradition, already present in the Chronica, that King Alfred confirmed the grants of lands and privileges to Saint Cuthbert. He takes the fine for breach of the saint's peace from the Chronica , but either converts or updates this from 'mille ducentis oris' to 'octoginta et sedecim libros'. Whilst taking information from the Chronica he does not always rely upon that source for his language.

Symeon fails to quote the documents, or fragments of documents, which are incorporated in the Historia and the Chronica. We have seen that a grant of Athelstan, probably taken from the gospel book Otho B IX, was inserted into the Historia.[3] The author of the Chronica seems to have included a section of another document refering to the same event: 'Hec volo ut omnibus post me futuris sint in signum me sanctissime Dei

1. H.H.E. Craster, The Red Book of Durham, Eng. Hist. Rev. xl (1925),523-29.
2. Historia s.13; Chronica p.524; Symeon, Libellus II xiii.
3. Above p.19 .

genetricis Marie et dilectissimi patroni mei sancti confessoris Cuthberti ecclesiae firmas leges et perpetuam libertatem, secundum quod antecessores mei fecerunt, anathemate interposito, mente devotissima constituisse.'[1]

Though this last may be a fabrication the reference to 'sanctissime Dei genetricis Marie' marks it as an original part of the Chronica. As the Historia mentions only Athelstan's material benefactions it seems probable that this section of the Chronica was the source for Symeon's statement that Athelstan, 'Leges quoque et consuetudines ipsius sancti quae avus ejus rex Elfredus et Guthredus rex instituerant, ipse approbavit, et inviolabili firmitate in perpetuum servandas censuit.'[2] Yet his subsequent reference to an anathema is surely derived from the Historia.[3]

Historia	Libellus
'Damnetur in die judicii cum Juda traditore, et trudatur in ignem æternum, qui paratus est diabolo et angelis ejus.'	'In die iudicii cum Juda traditore Domini damnationis sententia feriantur.'

Symeon, obviously having both works before him, prefered to incorporate information in his narrative than quote documents, refering his reader to 'alibi scripta' for more detailed information.[4]

His account of Edmund's visit to Chester-le-Street is based upon the simpler account in the Historia, not including the very interesting vernacular formula, perhaps dating to the mid-tenth century, preserved in the Chronica. According to the Historia Edmund 'pacem vero et legem quam unquam habuit meliorem, omni terrae sancti Cuthberti dedit, datam confirmavit', Symeon modifying this to 'leges quoque illius sicut unquam meliores fuerant firmavit'.[5] The Chronica notes Edmund's

1. Chronica p.525, ll.94-8.
2. Symeon, Libellus II xviii.
3. Ibid.; Historia s.26. It is possible, though perhaps unlikely, that Symeon was using Otho B IX rather than the Historia.
4. Symeon, Libellus II xviii.
5. Historia s.28; Symeon, Libellus II xviii.

confirmation 'ut vulgo dicitur, mid fullom indome, et wrec et wite, utter et inner, et saca et socne, id est cum plenis legibus et quietudinibus'.[1] Symeon may have been reluctant to include the formula because of its archaic nature and, perhaps, because he had shortly before used the more common 'saca et socne et infangentheof'.[2] Perhaps his idea of proper style accounts for many of the instances where he has prefered to paraphrase rather than break the narrative to insert a document.

It is a question how far Symeon juggled with the evidence he took from the Chronica and used sections from that source in other than their original contexts. Introducing the well known phrase 'saca et socne et infangentheof' he says 'ut vulgo dicitur', a phrase we have seen used by the author of the Chronica to introduce another vernacular formula. Of course, Symeon is recounting the events of c.882, not those of Edmund's visit in 945. It may be pure coincidence, but, equally, may not.

In the Chronica the vernacular formula is glossed 'cum plenis legibus et quietudinibus', which might be compared with the 'cum omnibus consuetudinibus' upon which 'saca et socne et infangentheof' is a gloss in Symeon's Libellus. The reversed sequence; the verbal similarity, and coincidence in subject matter may be the product of chance, but we have seen that Symeon has a tendency to modify his sources and such differences are what we are likely to expect between Symeon and the Chronica. But this is not the only example available of this phenomenon.

At the end of his account of Guthred's and Alfred's actions Symeon states ,

> 'communi regum ... et totius populi sententia decretum est, ut quicunque sancto Cuthberto terram donaverit, vel pecunia ipsius empta fuerit, nemo deinceps ex ea cujuslibet servitii aut consuetudinis

1. Chronica p.526, ll.105-7.
2. Symeon, Libellus II xiii.

> sibi ius aliquod usurpare audeat, sed sola ecclesia inconcussa quiete ac libertate cum omnibus consuetudinibus, et, ut vulgo dicitur, cum saca et socne et infangentheof perpetualiter possideat.'

This resembles remarkably a passage occuring, in another context, at the beginning of the _Chronica_.[1]

> 'Insuper omnium hominum consensu imperpetuum statuit ut quisquis successorum suorum vel quicumque alii sancto Cuthberto deinceps terram darent, cum omni honore et pace et libertate perpetualiter possiderent.'

Symeon's statement seems based upon this passage. Significantly all has been transfered to the role of Guthred and Alfred in the ninth century, giving these much greater prominance, to the detriment of earlier and later rulers. If such a conclusion is acceptable it must make us wary in our use of Symeon as an authority when there are discrepancies between our sources. As to the matter of the privileges gained by the community from the seventh century to the twelfth the importance, and usefulness, of the varying accounts given by the _Historia_, _Chronica_ and _Libellus_ are discussed in more detail in chapter IX.

Besides the relatively major written works Symeon also seems to have known and used the poem _De Situ Dunelmi_, one of the last Old English poetic compositions.[2] This poem, after describing the site of Durham, gives a list of the relics preserved there, the basis of Symeon's account of the relics discovered in the coffin of Cuthbert during the translation of 1104.[3] He also used passages from the services of Durham for his descriptions of Cuthbert inserted into his extensive borrowings from Bede in book one of the _Libellus_.[4]

1. Chronica p.523, ll.4-7. The comparison of the passage with Symeon's account may be modified by the conclusions of Note 2 at the end of this chapter. The passage in the _Chronica_ may be a late addition, in which case it could be based upon Symeon, not _vice versa_.
2. Colgrave, op.cit., p.322.
3. Symeon, _Libellus_ II vi, III vii. The use of the poem by Symeon would mean that it could hardly post date the anonymous account of the translation of Cuthbert's body, written after 1122, as suggested by E. Schlauch, An Old English _Encomium Urbis_, _Journal of English and Germanic Philology_ xl, (1941), 14-28.
4. H.S. Offler, _Medieval Historians of Durham_, (Durham 1958), p.7 n.6.

As with all the authors mentioned Symeon incorporated new information, some of which must have been derived from his contemporaries. In one case his informant was 'Dunhelmensis ecclesiae monachus venerandae canitiei et multae simplicitatis, vocabulo Swartebrandus.'[1] His account of the seven bearers of the body of Saint Cuthbert, who carried the body around for seven years after the departure from Lindisfarne in 875, was clearly based upon local oral traditions. The recurrence of the number seven suggests this, especially when it is realised that Symeon can only give details of four of these bearers, and then genealogies for only two.[2] Nevertheless, he does record that many, both lay and cleric, boasted of their descent from these men, adding that Rainton, County Durham, was named after its founder Reignwald, son of the bearer named Franco. Such traditions must have been supplemented by stories of more recent monastic events; the reminiscences of other monks. Not least amongst his informants must have been his prior, Turgot, himself a literary man.[3] The stories of the latter helped Symeon to provide a detailed account of the history of monasticism at Durham in the late eleventh century, for which all medieval historians must be grateful.

Symeon's Libellus alone deserves the title of history among the early Durham compositions discussed. In terms of narrative the Libellus is more complete for the later Anglo-Saxon period than even the Chronica, which interests itself simply in events; not land, in few places. Both Chronica and Historia were little more than cartularies, though none the less interesting for being so.[4]

The Chronica did, however, deal with some events and can be

1. Symeon, Libellus I ii.
2. Symeon, Libellus II x, xii, III i.
3. It is thought that he was the author of the life of Saint Margaret of Scotland.
4. Symeon's 'ecclesiae cartula' and 'alibi scripta'.

a check upon Symeon. Craster suggested that the difference of approach between the Chronica and Symeon was an indication of the former's earlier date, it being unlikely that a writer coming after Symeon would have shown such independence. Symeon had 'imposed, so far as we know otherwise, a canon upon later Durham historians'.[1] The later Anglo-Saxon bishops, for example, fare better in the Chronica than in Symeon's work, whilst the Conqueror's visit to Durham in 1072 takes on a more miraculous aspect in Symeon's account. The antagonism of the reformed community to earlier members of the Durham community may account partially for Symeon's harshness toward the bishops, but their known opposition to the Conqueror, who supported Bishop William in 1083, could also have affected his outlook. Such idiosyncracies of Symeon's work must warn us once more of the need for caution, even though he may be the leading historian of the period.

All three major sources have this in common, that they were produced at times when pressures upon the community were great. The Historia comes from the mid-tenth century when Northumbria was beginning its integration with the rest of England under the West Saxon kings, notable benefactors of the Cuthbertine community. The Chronica was produced by a community suffering under the strains of Norman rule. The Libellus, as we have seen, was the result of the momentous changes at Durham in the late eleventh century; the defence of the new monastic community.

The Chronica stands out because it did not serve its purpose as well as the other works. Its attempt to put the case for the unreformed community was unsuccessful, destroyed in 1083. It was also less influential in the production of later historical works than was Symeon or the Historia. It survived only in the marginal notes of a thirteenth

1. H.H.E. Craster, The Red Book of Durham, Eng. Hist. Rev. xl (1925), 530.

century chronicle, some minor references and as a notarial document of 1433. It did form the basis of the final chapter of the twelfth century Brevis Relatio de Sancto Cuthberto, and was known in the fifteenth century, but its importance seems to have been comparatively limited.

In contrast, the Historia survived in manuscripts of the late eleventh, twelfth and fifteenth centuries, and may even have formed the basis for the first section of the Chronica in the 1070's.[1] It was used as the basis of a charter, entered in a Durham register, purporting to have been issued by King Ecgfrith in the seventh century.[2] Yet even the Historia pales into relative insignificance beside Symeon's Libellus. His importance is undeniable and his work was used within the fifty years after its composition to produce the infamous Durham forgeries. In one of these indeed much has been lifted directly from the Libellus 'with the minimum of alteration necessary to change an historical account in the third person into a personal act in the first.'[3]

It has been seen that Symeon used some minor works from Durham, but these were not the only lesser works produced. The tract De Obsessione Dunelmi was written in the late eleventh century; after the Conquest, but probably before the agreement between Bishop William and Earl Robert de Mowbray, c.1091.[4] More commonly a subject of discussion because of its account of the 'blood-feud' between the earls of Northumbria and certain of the Yorkshire nobility from 1000 to the Conquest, it was actually an account of the descent of six vills in County Durham which were the cause of dispute between earls, their descendents and the comm-

1. Bodley 596; Cambridge University Library MS Ff. i. 27; Lincoln's Inn, Hales MS 114. See Note 2 at the end of this chapter for the Historia's connection with the Chronica in Cotton MS Julius D IV. The sources for the reconstruction of the Chronica are given in Craster, op. cit., p.523.
2. DCD Registrum II f.137; Hardy, Registrum Palatinum Dunelmense (Rolls Series 62, 1873-8) i, p.x.
3. Offler, Charters, p.9.
4. See Appendix.

unity from c.1000 to the late eleventh century.[1] It is possibly to be more closely associated with the agreement between Bishop William and Robert de Mowbray for this settles much of the problem described in the De Obsessione. The agreement is mentioned by Symeon and this may account for the fact that he includes none of the information of the work in his Libellus. The agreement having settled many of the problems the earlier work was now defunct.

Another piece, perhaps produced at Durham, has survived and describes the involvement of the Durham community at Hexham from the late tenth century to the time of Henry I. Originally ending with the transfer of Hexham to York by two acts in the 1070's and c.1083[2], a version preserved in the Chronica, though interpolated in the reign of Henry I, describes a much earlier dispute between York and Durham over Hexham,[3] and a continuation, in Cotton MS Claudius D IV, talks of the cession of Hexham to York in the episcopate of Rannulph Flambard.[4] The reconciliation of these works will be attempted later, but here it is necessary simply to wonder at Symeon's silence on the matter of Durham's claim upon Hexham. Although he gives much attention to one of the clerks who held Hexham for Durham, Alfred, who was a famous relic collector, there is no mention of Durham's claim to ownership.[5] There is no indication why this should be.

The last two tracts reinforce the conclusion that the community at Durham, as many other communities, was much occupied with the production of 'functional' history; history aimed at preserving, creating or supporting the community's claims to lands and privileges. Such work has made possible the ensuing examination of the development of the

1. H. Hinde, Symeonis Dunelmensis Opera et Collectanea, (Surtees Society 51, 1868) p.xxxviiif. See pp.95-9, below.
2. Hexham Priory I, ed. J. Raine (Surtees Society 44, 1863), appendix no. iv.
3. Chronica pp.524-5.
4. Leland, Collectanea i, p.378, (1774).
5. Symeon, Libellus III vii; Raine, op.cit.

patrimony of Saint Cuthbert from the ninth century to the twelfth. Symeon's Libellus, though still in the tradition of Durham writings, was the product of a literary and historical renaissance and therefore stands apart from the more basic works. It has its limitations, but despite these it is still a history concerned with people and events, as well as the usual lands and rights. It marks the boundary between the work of the clerks and the work of later monks of Durham in terms of style and content. Without it the following discussion would have been possible, but would have been sadly lacking in that background information which provides continuity and accesibility for the wider history of the community.

NOTE 1 - NORTHUMBRIAN CHARTERS AND WRITS

'Her is gemearcod hu manega hyda landes Þured eorl betæht hafað into sce Cudberhtes stowe.'

The land grant of Thured, dating to the late tenth century, is preserved in the Liber Vitae of Durham.[1] It is one of the problems for the historian of Northumbria in this period to decide whether this, and other similar grants are 'gemearcod', or recorded, elsewhere. Did documents exist for which the entries in various manuscripts were simply summaries ? Northern Northumbria is unique of the regions of Anglo-Saxon England in not having a substantial body of charter material. Did a catastrophe deprive us of this material or was there a different diplomatic tradition in the north ? A few, inconclusive observations upon the state of the archive for this area are all that seem possible.

The writ issued by Gospatric, c.1041X1055/1064?, is the only document of its kind to survive, albeit in a very late and corrupt copy, in the north.[2] It 'exhibits the form of protocol (address and salutation), and notification, frequently employed in letters and notably in royal writs', thus fitting into the traditional pattern of Anglo-Saxon diplomatic.[3] Its existence may suggest that in Northumbria writs, and presumably charters, were known and used. But are we to believe that a large amount of other material has just disappeared ? The writ may be an indication of the brief extension into the north of southern ideas, perhaps under the auspices of Siward or Tostig.

Hints that such documents were known and used more widely come from the existence at Durham of two Old English documents: a land loan issued by Bishop Walcher (1071-1080), and a writ addressed by Bishop Rannulph Flambard (1099-1128) to 'alle his þeines 7 drenges of

1. Liber Vitae Ecclesiae Dunelmensis, ed. A.H. Thompson (Surtees Society 136, 1923) f.43b. Printed in A.J. Robertson, Anglo-Saxon Charters (Cambridge 1956) No.LX.
2. F.E. Harmer, Anglo-Saxon Writs, (Manchester 1952) 419-24, 531-6.
3. Ibid., p.422.

Ealondscire 7 of Norhamscire'.[1] Unfortunately both are post-Conquest and whilst the latter 'shows literary West Saxon in the process of change into northern English', Walcher's loan 'contains no Northumbrian forms' and may have been 'the work of a clerk brought by Bishop Walcher from the south.'[2] Beside these the formula 'mid fullom indome, et wrec et wite, utter et inner, et sace et socne...', preserved in the Chronica, may be a survival from a writ issued by Edmund for the community at Chester-le-Street.[3] Yet all these are merely fragments and could imply any number of things, only one of which is the existence of a Northumbrian diplomatic tradition comparable to that of southern England.

Against a theory that the Northumbrian archive was destroyed by Vikings, Normans or Northumbrians themselves, is the survival of other written materials at Durham. Although the community survived continuously from the seventh century onwards it did have its problems, including the abandonment of its settlement in 875, 995 and 1069. Nevertheless, relics and books, filled with important information about lands and privileges, survived. This does little to solve our problem, but does mean that it must not be assumed that there existed a large body of Northumbrian charters which have disappeared.

Gospatric's writ proves that such documents were known in the north, but though we may feel that other such documents existed there is certainly no proof to this effect. Even less does Gospatric's writ, being within the main tradition of Anglo-Saxon diplomatic, imply that the northern tradition was necessarily akin to the southern. An alternative to this, and to the theory that we have lost large numbers of documents, is that we have in the north records that 'are different in form

1. Offler, Charters, Nos.1 and 18.
2. Ibid., pp.1 and 90.
3. Chronica p.526.

from the bulk of Western European diplomatic material' though 'they do not lack any of the essentials of a charter.'[1] This might place the northern materials in the Celtic tradition; the entries in various manuscripts being the actual records of acts with no independent documents existing. Many other things have already put Northumbria within a Celtic tradition and so this conclusion should not be too startling.[2]

The Historia preserves what, at first glance, looks like a copy of a charter issued by Athelstan, yet we can see how this was really a copy of an entry in the gospel book Otho B IX.[3] We look in vain for the charter. It is not unlikely that the preservation of records of land grants, gifts and manumissions, even of northern cooncils, was achieved by the writing of notes in the precious manuscripts of the community of Durham.[4] Of course, we cannot rule out the possibility that there existed another tradition in other parts of Northumbria, or that the tradition represented by Gospatric's writ may not have begun to supercede the primitive notes of the earlier tradition just before the conquest. Whatever the conclusion the north was well and truly incorporated into the diplomatic tradition of Europe after the Norman Conquest, as witness the immense twelfth century archive at Durham. It could possibly be a symbol of the incorporation of Northumbria into the kingdom of England, and the further retreat of Celtic culture.

1. W. Davies, The Llandaff Charters, (Aberystwyth 1979), p.4.
2. See the work of Professor Barrow, The Kingdom of the Scots, (London 1973) pp.7-68; Professor Jones, Multiple Estates and Early Settlement, in P.H. Sawyer, ed., Medieval Settlement, (London 1976) pp.15-40; As well as such works as R. Stewart-Brown, The Serjeants of the Peace in Medieval England and Wales (Manchester 1936).
3. Above p. 19 .
4. Robertson, op.cit., LXVIII; Liber Vitae f.43; H.H.E. Craster, Some Anglo-Saxon Records of the See of Durham, Arch. Ael. 4 ser. 1 (1925) 189-198; H.H.E. Craster, The Peace of Saint Cuthbert, Journal of Ecclesiastical History 8 (1957).

NOTE 2 - THE CHRONICA MONASTERII DUNELMENSIS.[1]

Craster's reconstruction of the pre-Benedictine chronicle from Durham is masterly, but some modification is called for in the light of an examination of British Library Cotton MS Julius D IV.[2] The first sixteen lines of the Chronica, in Craster's edition, occur only in this manuscript and Craster notes,[3]

> 'There is no direct evidence that they formed part of the chronicle, but the paragraph furnishes a necessary introduction to what follows. It is imperfect, for the top of the page has been cut off by the binder. The subject of the sentence is Ecgfrid. The preceding marginal note in M records the gift to the church of Lindisfarne by Oswiu of the estate described in the Historia de Sancto Cuthberto §4 (Symeon of Durham (Rolls Series), i, 199).'

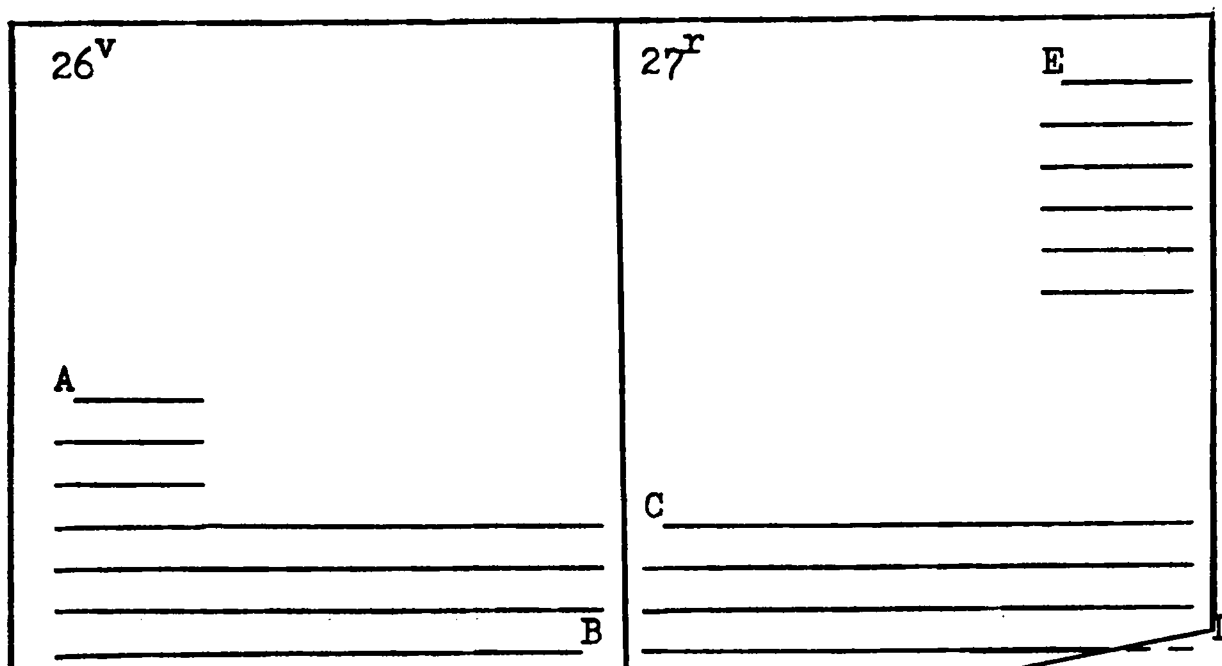
An examination of the manuscript puts these conclusions in doubt.

Firstly, it is clear only to someone reading Craster's edition that lines 1 to 16 form a 'necessary' introduction to the whole. Line 17 begins 'Anno ab incarnatione Domini octingentesimo septuagesimo quinto', which, there being no such introductory dates elsewhere, might seem a reasonable beginning to the chronicle. Some later writer could easily have added another passage to extend the chronicle back into the seventh century. Evidence from the manuscript could support this.

The marginal note in Julius D IV that precedes line 1 of Craster's edition does, as he said, refer to the lands outlined in section 4 of the Historia, but not to Oswiu. The subject is Ecgfrith, as in the first line of the Chronica. The note is taken almost verbatim from the Historia, but is arranged in a somewhat confusing manner in the manuscript.[4] Beginning in the left hand margin toward the bottom of folio 26^{v} with (A) 'Dclxxxv ego egfridus ...', it continues along the margin

1. H.H.E. Craster, The Red Book of Durham, Eng. Hist. Rev. xl (1925), 523-9.
2. Craster designates this M.
3. Craster, op.cit., 523 n.3.
4. See diagram on following page.

at the foot of this folio to (B). From the bottom of folio 26^v it continues in the margin at the foot of folio 27^r with (C) '7 tota terra ...', and thence to (D). It finally continues at the top right hand corner at (E).



A - 'Anno gratie Dclxxxv ego egfridus ...'
C - '7 tota terra ...'
E - '7 omnes terras ...'

B.L. Cotton MS Julius D IV ff.26^v-27^r.

The marginal note ascribes to Ecgfrith the grant of those lands described in the Historia, section 4, as'Lindisfarnensis terrae terminus', listing these in the same order as the Historia. The borrowing from section 4 ends on folio 27^r and then continues 'et rex egfridus 7 theodorus archiepiscopus dederunt ...', listing, in the same order as the Historia, the lands mentioned in sections 5 to 7 of the Historia. This ends in the bottom right hand corner of folio 27^r with 'Carrum cum suis ...' (D), the bottom of the folio having been trimmed with the loss of a word or two, perhaps just pertinentiis or appendiciis.

Carham is the last grant by Ecgfrith recorded in the Historia and it is therefore interesting that Craster's edition, beginning at (E), starts with the words '...omnes terras ...'. It seems likely that all that has been trimmed from the top of folio 27^r at (E) is a tironian et. From Craster's mistake about the marginal note we may assume that he failed to realise that it had continued along the bottom of folio 27^r

and could not therefore come to the conclusion that seem obvious: that line 1 of the passage he considered as the beginning of the Chronica was a direct continuation of the preceding marginal note; the connecting phrase being 'Carrum cum suis [appendiciis / 7] omnes terras'.[1]

The almost verbatim borrowing from the Historia in the marginal note up to (D) is in direct contrast to the lack of verbal similarity between Historia and Chronica elsewhere. This could mean that the marginal note was not part of the original Chronica. But was the paragraph included by Craster (ll.1-16) part of the original? We have seen that it was a continuation of the preceding marginal note in Julius D IV and that there may be a new beginning at line 17. Both these things make it appear a late addition, but this paragraph shows greater similarity of style and content with the rest of the Chronica , than with the preceding note. As with other sections of the Chronica it betrays some knowledge of the Historia, but does not quote directly. A conclusion is therefore difficult, though it is clear that this first section of Craster's edition must be used with care.

If this first section is not part of the original two things follow. First, that the argument concerning Symeon's use of the Chronica must be modified, though not completely abandoned.[2] Second, and more significantly, that the original Chronica could have begun with an account of the reign of Guthred and the substantial gains in lands and privileges associated with that king. This would suggest that the clerks at Durham were already aware of the importance of these, and may indicate a willingness, perhaps a need, on their part to gather together and preserve the traditions surrounding them. The preoccupation elsewhere

1. Cf. Historia s.7.
2. Above p.30f.

in the Chronica with the privileges granted or confirmed by West Saxon kings,[1] along with the prominant place afforded the events of Guthred's reign, indicates that if the only purpose of the Chronica was not to describe and support the Church's claims to an extensive franchise, nevertheless it was one of its major purposes. Written at a time of pressure from a Norman king and during the episcopate of a Norman-appointed bishop such a declaration of ancient rights is wuite understandable.

1. Chronica pp.525-6.

(III)

THE COMMUNITY OF LINDISFARNE.

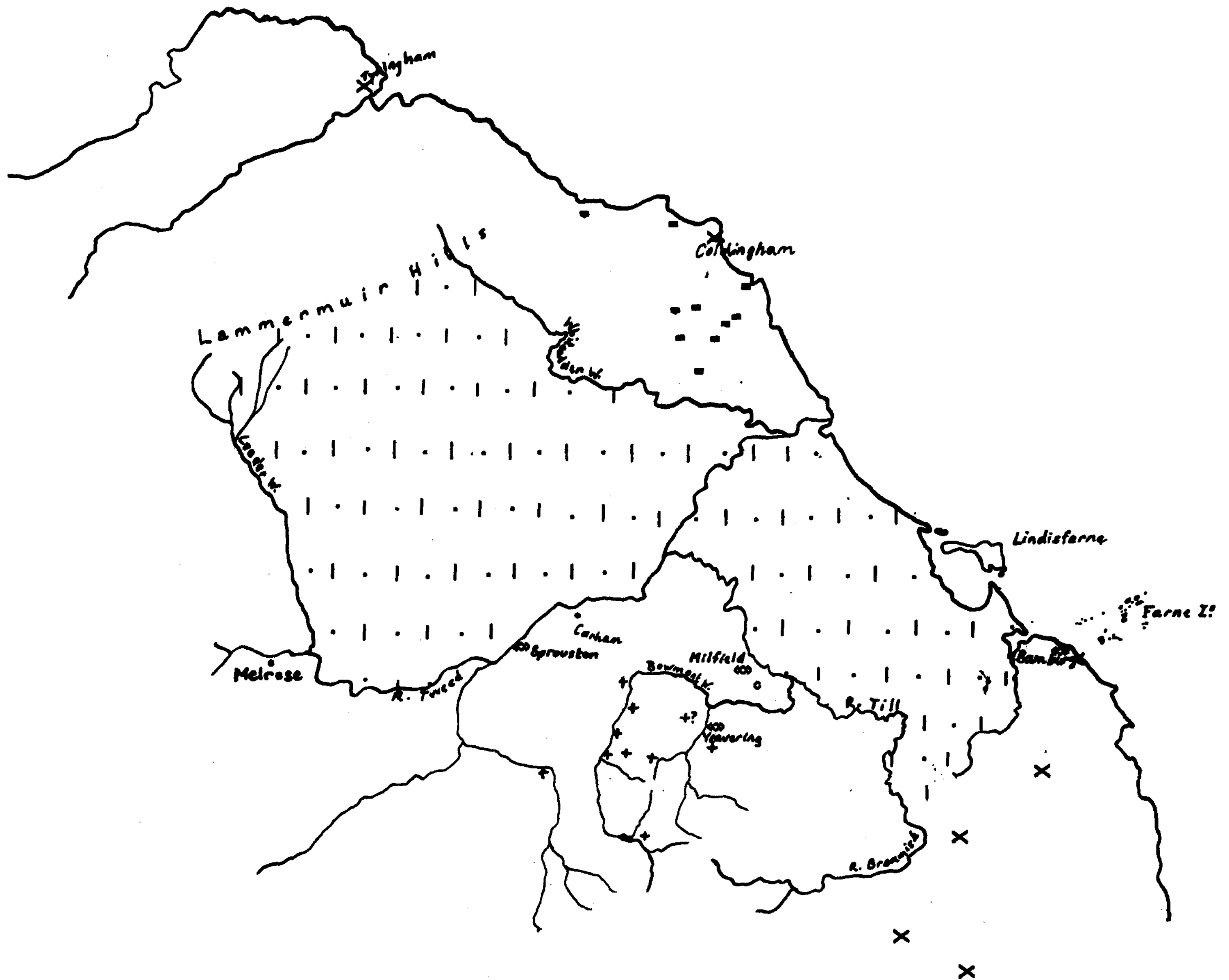
Those sources which describe the foundation of the church of Lindisfarne tell us little of the endowment of the first community. Oswald gave the island itself to Aidan, but there is none of the detail of royal grants found in Bede's account of the foundation of Wearmouth/Jarrow or in Eddius' account of Wilfrid's monasteries.[1] This most famous of northern churches is poorly served, though we cannot believe that the silence of the sources reflects an absence of landed endowment. The early patrimony of this church was most certainly substantial and it is possible to attempt a reconstruction of its development by reference to the Historia.

Immediately after an account of Cuthbert's consecration this work describes 'Lindisfarnensis terrae terminus', including a large area in Lothian and Northumberland.[2] Though the lands are not attributed to any specific grant or period the place of this passage in the Historia suggests that it may refer to the endowment of the see at Cuthbert's consecration. It lies between the account of this event and the record of Ecgfrith's gifts of land to Cuthbert. A possible problem with this interpretation is the description of the lands of the monastery of Saint Balther at Tyningham, Balther being an eighth century saint. However, this may be overcome by assuming that the lands at Tyningham were held from an early date and only later associated with Balther.

The land south of the River Tweed, bounded by the Tweed, the Warenburn and the Rivers Breamish and Till, formed the divisions of Norhamshire and Islandshire. Because of the position, adjacent to the island of Lindisfarne, and the continuing close connection with the

1. Bede, Historia Ecclesiastica, iii. 3 (Colgrave and Mynors, p.219); Bede, Historia Abbatum 4, 7 (ed. Plummer, pp.367f.,370); Eddius, Vita Wilfridi, viii (ed. Colgrave p).
2. Historia, 4. Map p.51.

The Lands of Lindisfarne and Early Settlement in Bernicia.



. | . | .
 | . | . | Land of Lindisfarne (Historia s.4).

\+   Land given by Oswy (Historia s.3).

▪   Vills in Coldinghamshire (Charter of Edgar, 1095).

∞   Important early settlements.

∘   Important Anglian Grave.

×   -ingaham placenames.

community, this land was clearly part of the earliest endowment. North of Tweed the land of Lindisfarne included not only the land of Tyningham, but also a large tract between (White)Adder Water and Leader Water, presumably bounded to the north by the Lammermuir Hills.[1] As no indication of the grantor is given it is only a guess that this area was given by Oswald, though it was certainly an early acquisition. The lands in Lothian and Northumberland formed one of the largest areas over which any English church had control in the Middle Ages and makes other endowments look very small.

Oswald left the see well established and his brother and successor, Oswy, continued the royal patronage. Land around the Bowmont Water in Roxburghshire and Northumberland was given to the church, perhaps, as Craster suggested, as part of the six possessiunculis in Bernicia freed from military service after his victory over Penda in 655.[2] The Historia associates Cuthbert with this acquisition and although it is unlikely to have been a personal gift to the saint it is possible that he was prior of Lindisfarne at the time it was made. If so this would date the gift to 664-670, between the election of Eata as abbot of Lindisfarne and the death of Oswy.[3] Lindisfarne also probably acquired the Farne Islands before the death of Aidan in 651, though rather because they became associated with the community as a place for ascetic exercises than through royal grant. Yet, as twelfth century evidence shows, they were of more than spiritual significance, being a sheltering place for traffic travelling along the Northumbrian coast.

Another victory over the Mercians, by Ecgfrith, in 674 seems to have prompted another gift; this time of Carham, a vill on the Tweed.

1. The Historia does not distinguish the branch of the Adder, except by stating that it flowed into the Tweed. The Blackadder is a tributary of the Whiteadder, which flows into the Tweed.
2. H.H.E. Craster, The Patrimony of Saint Cuthbert, Eng. Hist. Rev. lxix (1954) p.180; Bede, Historia Ecclesiastica, iii. 24 (ed. Plummer, p.178).
3. Eata became abbot after the Synod of Whitby and as such appointed Cuthbert as prior.

Once again it is stated that this was a gift to Cuthbert, though he was still only prior.[1] It was Cuthbert's episcopate that saw the next significant additions to the patrimony, and most of these must be attributed to the time of his consecration; and all to the short period between the consecration and the death of King Ecgfrith. Ecgfrith and Archbishop Theodore gave, according to the Historia, the vill of Crayke, Yorkshire, with three milliaria around it; Carlisle, extending fifteen milliaria in circuit, and a substantial area in the city of York.[2] Of these grants that of Crayke has been generally accepted by historians. It was a possession of the church of Saint Cuthbert throughout the Middle Ages and formed an outlier of the liberty, later county, of Durham well into the nineteenth century. It is such continuity which impresses and makes it possible to accept the grant. It was at Crayke that Cuthbert founded a religious community that was to survive until the late ninth century, perhaps later.

As to the land in York itself even Craster, without whose studies our understanding of the community's early history would be sadly lacking, was reluctant to accept a statement 'which would assign to the northern see so large a quarter of the city'.[3] The grant did indeed include a significant section of York: from the wall of the church of Saint Peter (wall of the Roman fort ?) to 'magnam portam versus occidentem' (Micklegate ?); and from the wall of the church of Saint Peter to 'murum civitatis versus austrum'. The problem is not that a bishop should hold so large a part of a city, a common enough event, but that he should hold so much of a city that was neither his episcopal see, nor even within his diocese. Nevertheless, other pieces of evidence tend to give credibility to the grant. Lying within the area outlined in the Hist-

1. Historia s.6.
2. Historia s.5.
3. Craster, op.cit., p.183.

oria is the church of All Saints, Pavement, which was held by the bishop of Durham at the time of the Domesday survey.[1] St. Mary's, Castlegate, is also in the area and was, significantly, associated with All Saints, Pavement, paying to the latter in the thirteenth century a pension of eight pounds of wax.[2] More importantly however, within St, Mary's is preserved the late Anglo-Saxon dedication stone. This church was dedicated 'on naman Drihtnes Haelendes Cristes & Sancta Maria & Sancti Martini & Sancte Cudberhti & omnium sanctorum'.[3] It seems likely that the parish of St. Mary's was carved out of that of All Saints, Pavement, and that the dedication stone bears witness to a connection with the community of Saint Cuthbert. This adds some substance to the grant, but we still have to struggle with the fact that this was supposed, if the 'magnam portam' is Micklegate, to extend beyond the Ouse. For this area we have no incidental information, though it may be significant that the parish immediately across the river to All Saints, Pavement, is All Saints, North Street. It is clearly possible that Ecgfrith's grant was concerned with the parish of All Saints, Pavement, and that it may have involved certain revenues from the area, rather than the ownership of the land.

Probably the most amazing claim is that Cuthbert received Carlisle, extending fifteen milliaria in circuit.[4] It looks very much like an attempt on the part of the tenth century writer of the Historia to turn Cuthbert's visit to Carlisle, found in the Vita Sancti Cuthberti, into a claim to ownership of land. However, it has been suggested that Ecgfrith's grant should not be considered only in terms of land acquisition. It is possible that ecclesiastical jurisdiction is the subject of

1. DB i, f.298.
2. V.C.H. The City of York, pp.370, 393.
3. V.C.H. York, II, p.123.
4. The importance of the term milliaria is discussed below, p.65f.

the gift. The kingdom of Reged (South-west Scotland and Cumbria) had only come under the control of the Northumbrian king during the reign of Oswy (642-70) and it may be that the grant by Ecgfrith fits into the process of integration of this area. The creation of a diocesan organisation would have been proceeding apace at this time; after all, it was not until c.731 that Whithorn was raised to episcopal status in south-west Scotland. Cuthbert's acquisition of ecclesiastical control, diocesan or parochial, would fit in well with the consolidation of Northumbrian rule and the extension of the Northumbrian church. It should be no surprise that Cuthbert also received from Ecgfrith land at Cartmel, Lancashire, (and possibly also at Yealand)[1]. At the same time Wilfrid received land around Ribble , Yeadon, Catslow and Dent, in areas formerly held by the British.[2] The church was not slow to capitalise on the military gains of the Northumbrian monarchy and placing Cuthbert's acquisition at Carlisle in this context makes it possible to accept Ecgfrith's beneficence. It was probably the resurgence of British power and Scandinavian disruption which caused a reversal of this early colonisation by the church. In the early tenth century an abbot of Heversham, eight miles from Cartmel, fled to the church of Saint Cuthbert, perhaps because of Norse-Irish raids, and became bishop in 915. This adds credibility to Ecgfrith's gift of Cartmel and illustrates the loss of land by the church in this area in Viking times.

The frequent and substantial gains of the first fifty or so years of Lindisfarne's existence came to a halt with the death of Cuthbert; benefactions only being resumed in the reign of Ceolwulf (729-737). When Ceolwulf resigned his throne he entered the monastery at Lindisfarne, giving to that church the royal vill of Warkworth, with a substantial

1. Historia s.6. 'Suth-gedluit' has been variously identified as one of the Yealands, which seems most likely, or as Gilling, North Yorkshire. The Historia mentions an Abbot Cyneforth, son of Cyging, who is said to have arranged the Cartmel and Yealand acquisitions. Did Cuthbert set up a religious community here as he is known to have done elsewhere ?
2. Eddius Stephanus, The Life of Bishop Wilfrid, ed. B. Colgrave (Cambridge 1927), Cap.xvii.

area around about.[1] At the same time he gave an amount of treasure and, so the story goes, introduced an allowance of beer for the monks. This seems to have been the last gain for a century; a century in which Northumbria was torn by civil conflict. The church was caught up in this. In 750, for example, King Eadbert, Ceolwulf's cousin and successor, pursued Offa, Aldfrith's son, to Lindisfarne where he had taken refuge. It was because refuge was allowed that Eadbert imprisoned Bishop Cynewulf of Lindisfarne at Bamburgh.[2] The fact that Ceolwulf was still a member of the community; that Offa was harboured by the community and that Eadbert was a cousin and successor to Ceolwulf may not be totally unconnected. It would not be difficult partly to explain the lack of royal benefactions in this period in terms of Lindisfarne's involvement in Northumbrian politics, though the need of the various claimants to confer gifts upon allies and potential allies amongst the nobility may have channelled land and other gifts away from the church. To internal troubles were added those of the arrival of the Vikings. They struck at Lindisfarne in 793 and 'desecrated God's sanctuary, shed the blood of saints around the altar, laid waste the house of our hope and trampled the bodies of the saints like dung in the street'.[3] The terrors of civil war and of Viking raids may have been typical of the period, the latter exaggerated by churchmen, but they were terrors nevertheless and were not welcome. Despite them, however, the patrimony of Lindisfarne remained stable, or should we say stagnated, for a century, until the episcopate of Bishop Ecgred (830-845).

One of the difficult pieces of information provided by the *Historia* is that the vills of Woodhorn, Whittingham, Edlingham and Eglingham, Northumberland, were given to the community by King Ceolwulf and Bishop Ecgred.[4] This is somewhat confusing history. Edlingham and Eglingham

1. *Historia* s.8.
2. *Historia Regum* s.a.750.
3. Alcuin to Bishop Higbald, trans. in S. Allott, *Alcuin of York* (York 1974), Letter 26.
4. *Historia* s.11.

may have been royal vills for these later had associations with the earls of Northumberland, but for Whittingham and Woodhorn there is no evidence. It is possible that Ceolwulf did give these vills and that at a later date Bishop Ecgred simply consecrated the churches in these vills. Whatever the conclusion it does not affect the fact that there was almost a century of stagnation between Ceolwulf and Ecgred.

The role of Ecgred in the mid-ninth century was important enough for the author of the Historia to call him Cuthbert's successor. His episcopate is notable for the acquisition of land and the foundation of churches. Symeon states that he was of noble birth, though we cannot be certain that Symeon knew much about him that was not contained in the Historia. Yet it is clear that he was a remarkable man. At a time of increasing Viking activity he moved the wooden church of Saint Aidan, with the body of Cuthbert and the relics of King Ceolwulf, from Lindisfarne to Norham, on the Tweed; a more protected site. The move was the occasion for a substantial acquisition of land in the area of Jedworth, in southern Scotland. This was, of course, in an area already dominated by Lindisfarne. Other acquisitions, however, expanded the community's holdings into southern Northumbria. He contributed a vill and estate straddling the Tees at Gainford, Co. Durham, and is said to have constructed the vills of Cliffe and Wyecliffe, along the same river, and Billingham, in Hatrness, south-east Co. Durham. He also erected a church at Gainford.[1]

The way in which his actions are recorded are interesting for no grantor is mentioned except the bishop himself. Did he own land before he became bishop and transfer it to the community, or did he purchase the lands ? Perhaps the author of the Historia was simply associating Ecgred with the gains made during his episcopate. The '-ingaham' suffix of Billingham suggests that it had some existence long before the bishop

1. Historia ss.9, 11.

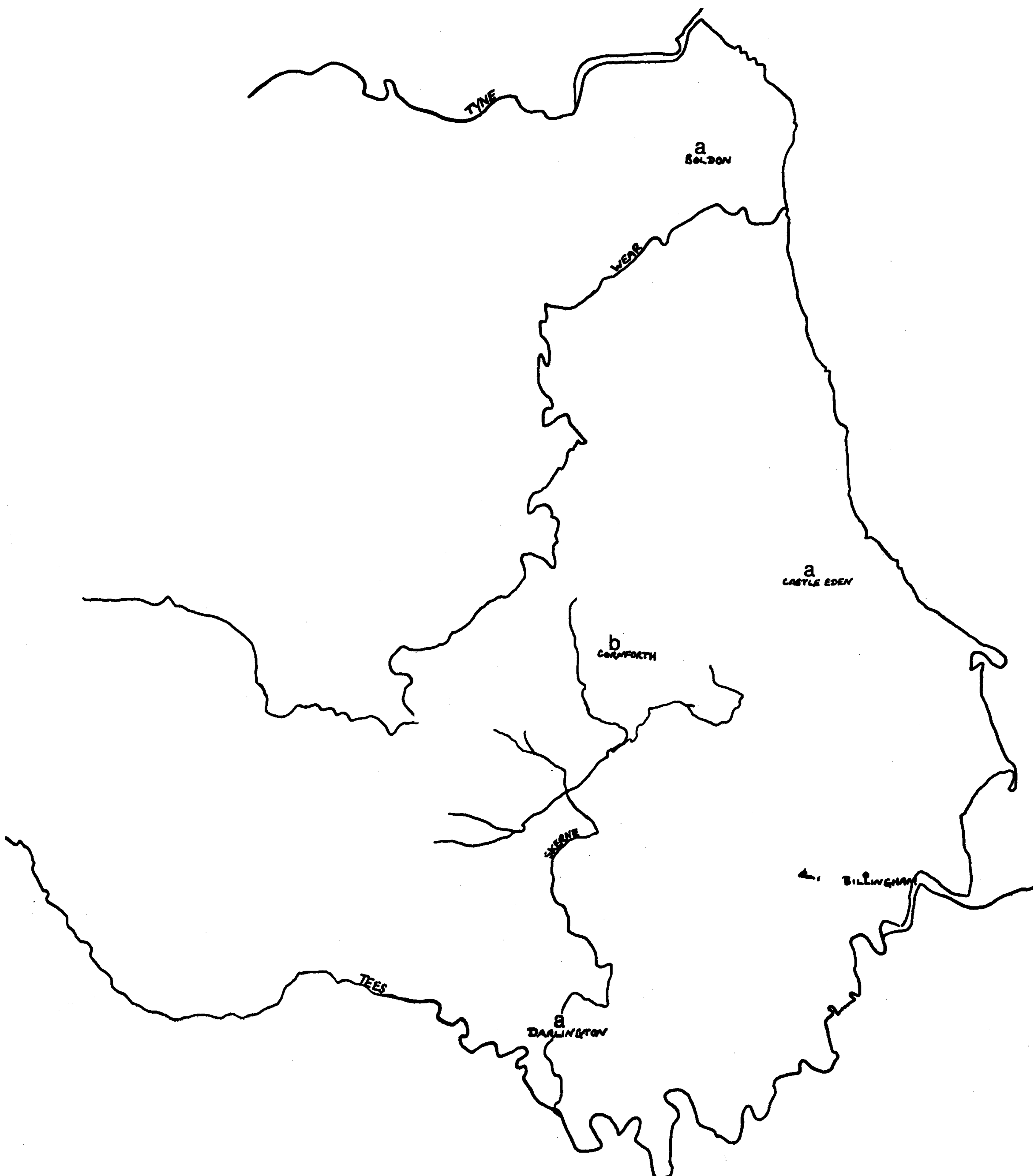
'built' the vill. Yet his consecration of six churches between Tweed and Tees illustrates his energy. This is further confirmed by the letter he wrote to Archbishop Wulfsige, c.830-837, in which he con demned the heresies of a certain Pehtred who claimed to have received a letter from heaven.[1] Protecting his church from Vikings; increasing the landed wealth of his community; consecrating churches, and fighting heresy, Ecgred was surely a fitting 'successor' of Cuthbert, and perhaps the first non-royal benefactor of the community. It may be that his noble birth and the relative stability of Northumbria in this period both contributed to his activities and successes.

The development of Lindisfarne's patrimony in the first two centuries of its existence, though obscure at times, is largely recoverable from the sources we have at our disposal. We can see how the church was affected by the power or weaknesses of the Northumbrian monarchy, profiting from the expansion into the north-east and southern Scotland and retarded by the political disturbances of the eighth century. Other general conclusions about the place of Lindisfarne in the wider sphere of Northumbrian settlement and the church are also possible.

The great importance of north-eastern Northumberland as a centre of early Anglian settlement cannot be denied. It was on the island of Lindisfarne (<u>Metcaud</u>) that the Anglian invaders were besieged by the British, whilst nearby Bamburgh was an early royal seat, having been renamed after Aethelred's queen, Bebba.[2] At Yeavering, in the valley of the Glen, at Milfield, on the Till, and at Sprouston, on the Tweed, lie major early settlement sites, the first at least being of significance in the early history of the Northumbrian kingdom and church.[3] Not far

1. <u>Councils and Ecclesiastical Documents</u>, ed. A.W. Haddan and W. Stubbs, (Oxford 1869-78) III, 615-6.
2. Nennius, <u>Historia Brittonum</u>, ed.J. Morris (London 1980) p.79.
3. J.K. St. Joseph, Sprouston, Roxburghshire: an Anglo-Saxon settlement discovered by Air reconnaissance, in <u>ASE</u> 10 ed. P. Clemoes, 191-9. Bede, <u>Historia Ecclesiastica</u> ii, 14 (ed. Plummer, 113-5).

Vills and Anglian Graves in County Durham.[1]



a alpha grade grave.

b beta grade grave.

1. From L. Alcock, Quantity or Quality: the Anglian Graves of Bernicia, in V.I. Evison, ed., Angles, Saxons and Jutes: Essays presented to J.N.L. Myres (Oxford 1981) 168-86.

away, at Galewood, has been discovered one of the small number of pagan Anglian burials in Bernicia.[1] It is astounding, though evident, that all these early sites lie near major portions of the lands of Lindisfarne. By the mid-seventh century it would have only been necessary to cross the Till eastwards from Milfield, or to go east or west from Yeavering to find yourself on or near the community's land. Such an association of early settlement and church land is not unique, nor need the association with early royal sites be a coincidence. Lindisfarne may have been attractive to Aidan because of its situation, akin to his own monastery of Iona, but it was also within easy distance of the royal seat at Bamburgh. Aidan was often with the king and the king worked with him in converting the Northumbrians so that such geographical proximity was clearly beneficial.[2]

The number of pagan Anglian burials in Bernicia which have been discovered is small, though it has been suggested they were rather more wealthy than those of southern England, reflecting a different social structure akin to that of 'the British society which it supplanted'.[3] There are also indications that sites were taken over by the Anglian invaders. The association of Galewood with an early royal site is significant, but if we look at some of the estates taken over by the community of Saint Cuthbert, not confining the survey to the earliest period, the association of early burials with centres which are later of much importance can be illustrated. With the royal vill of Warkworth the monks received a large tract between the rivers Coquet and Lyne, stretching from the coast in the east to the region of Harwood forest in the west. Significantly, in the upper reaches of the Coquet, on the northern edge of Harwood forest, have been discovered two pagan Anglian burials, at Hepple and Great Tosson.[4] A close connection between admin-

1. L. Alcock, Quantity or Quality: the Anglian Graves of Bernicia, in V.I. Evison, ed., Angles, Saxons and Jutes: Essays presented to J.N.L. Myres, (Oxford 1981), 168-86. One of the richest (Alpha) graves.
2. For Aidan and royal vills see Bede, Historia Ecclesiastica iii, 16-17.
3. Alcock, op.cit., p.178.
4. Ibid., p.174, beta grade graves.

istrative centres and pagan burials is apparent if we look at some places which, coming into the hands of the church of Saint Cuthbert between the ninth century and the eleventh, are important in the organisation of County Durham. The vill of Boldon in north-east County Durham has given its name to the twelfth century survey carried out by Bishop Hugh du Puiset. The services and renders of the inhabitants were typical of those of inhabitants of a number of other important episcopal vills, though it is unclear why Boldon, not one of the others, should be chosen as the representative vill. Perhaps it was simply the first of the group to be surveyed; a conclusion suggested by the arrangement of the work. It is at Boldon that one of the most important of pagan Anglian burials (alpha grade) has been discovered.[1] Cornforth, with its beta class grave was another episcopal centre in the twelfth century. Castle Eden, site of an alpha grade burial, was chosen in the tenth century as the boundary between the lands granted by Ragnald to his followers, Onalafbal and Scula; the former taking land from Castle Eden to the Wear and the latter from Castle Eden to Billingham.

The most spectacular discovery of a pagan burial site has been at Darlington, Co. Durham, where six skeletons were found, including two sword-bearing warriors, at least one important lady and perhaps a spearman. Darlington was the centre of the ward covering south-western County Durham and a major episcopal centre. According to Ekwall the name Darlington means 'the TUN of Deornop's people'[2], basing this interpretation upon the forms of the name occurring in the twelfth century, 'Dearnington' (1104X1108) and 'Derlinton' (1196). This, however, ignores the tenth century form, 'Dearthingtun' (c.945). Hitherto no placename has been identified that incorporates the name of either of

1. Alcock, op.cit.; his division into alpha grade (richest), beta grade and gamma grade (poorest) is used here.
2. E. Ekwall, The Concise Oxford Dictionary of English Placenames (Oxford 1960), p.139.

the kingdoms forming Northumbria, Deira and Bernicia, but it seems reasonable to see in the first element of 'Dearthingtun' the name of the first kingdom. This, of course, is not easily accepted if we see the Tees as the boundary between the two kingdoms, but discussions in later sections will show that this is not certain; indeed that the Tees is unlikely to have been the major boundary in this period that it was to become in the later eleventh century.[1] If Darlington was a major Deiran centre, perhaps a meeting place, this is a remarkable example of continuity, not just of settlement, but of administrative significance, from the time of the first pagan Anglian settlement to the late Middle Ages.

One of the accepted indicators of early settlements is the element '-ingaham'and it should be no surprise to find that the church was also closely associated with places with this element in their names. By the mid-ninth century St. Cuthbert's was definitely associated with five such places, Tyningham, Whittingham, Edlingham, Eglingham and Billingham, and perhaps also with others such as Coldingham and Tigbrechingham.[2] Of course this does not necessarily mean that the church was involved with the first settlement of these places for some did not come into the church's possession until two centuries after the conversion to Christianity. However, it does show that the church's settlement did follow the lines of the first Anglian settlement; once established the church was well endowed with land in areas of early settlement, which were generally along the major routes, including Roman roads, and in the most fertile areas. It may be that we can add something to this for the church often received royal estates or lands near important administrative centres. The church's settlement may reflect not just

1. See below chapter VII.
2. See pp.66-7.

the general pattern of early Anglian settlement, but also the general pattern of the organisation of that settlement. The church, with its predilection for important administrative centres, seems clearly to have obtained land in their vicinity, thus giving added significance to the occurrence of the '-ingaham' element in many of the grants to the church. Though obtaining large tracts of moorland and mountain the Church of Lindisfarne also acquired a substantial amount of the richer lands of coastal plains and valleys. It is perhaps no wonder that by the ninth century kings in Northumbria were beginning to look with envy upon the church's wealth.

Some of the early grants recorded in the Historia are described in very general terms. There are none of the minutiae of late Anglo-Saxon boundary clauses; only simple references to the four points of the compass and to major features, such as roads or rivers. The simplicity of the records is indicative of their early date. The description of Ecgfrith's grant to Cuthbert in York may indeed be based upon a seventh century record; a tenth century author would normally have been expected to give a more elaborate account.[1]

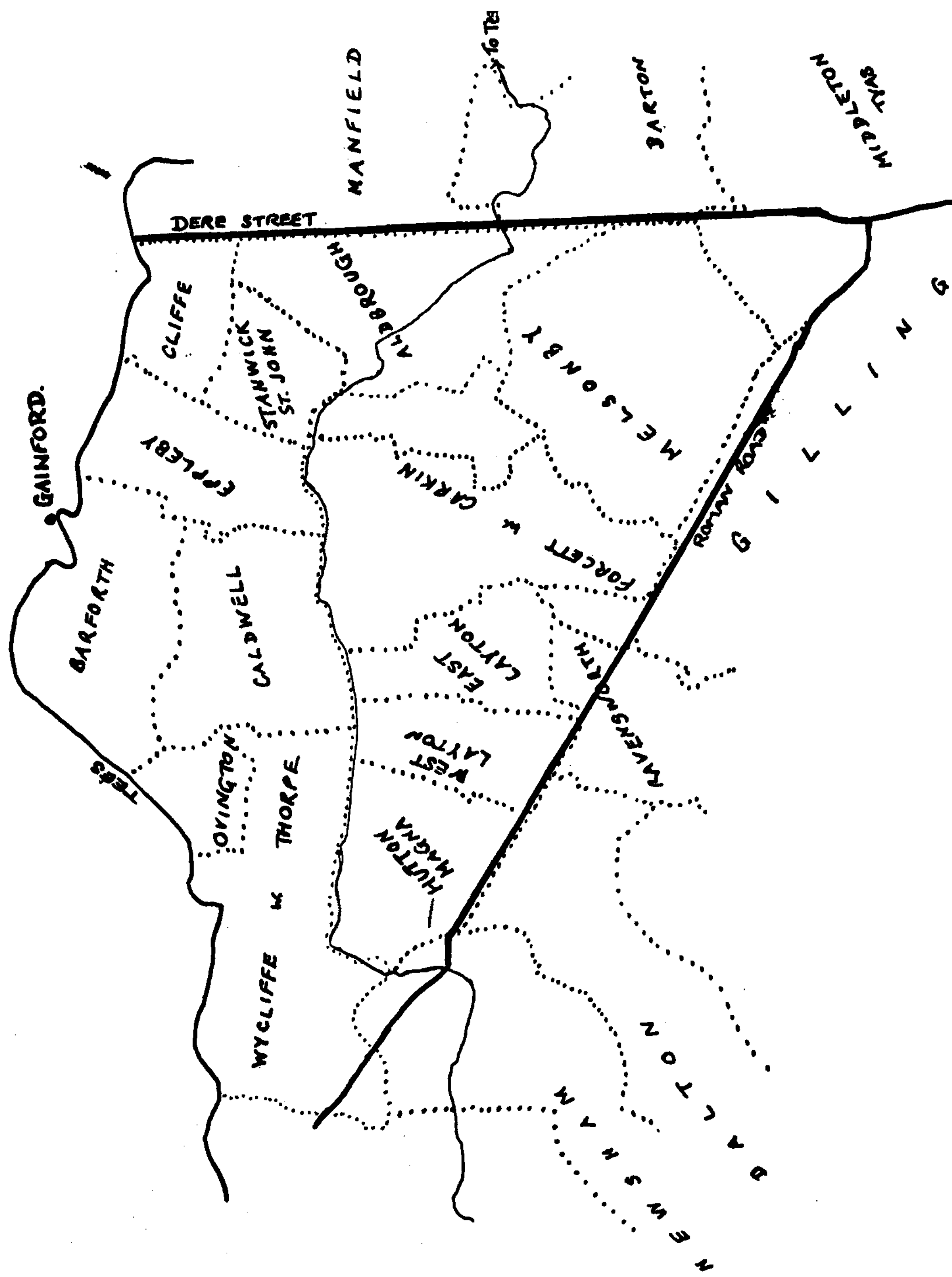
A feature of some of the descriptions is the use of 'milliaria' as the measurement of the land granted to the church.[2] Crayke came with three milliaria around and Carlisle was said to extend fifteen milliaria in circuit. The Gainford estate extended beyond the Tees into Yorkshire three milliaria south and six west. At Crayke it is possible to see the enclave that was obtained for there the parish lies in a circle with the village at the centre. The preservation of this feature was no doubt helped by the parish's inclusion in the liberty and diocese of Durham until the nineteenth century. It is possible here that the three milliaria around the vill refers to the length of the parish boundary.

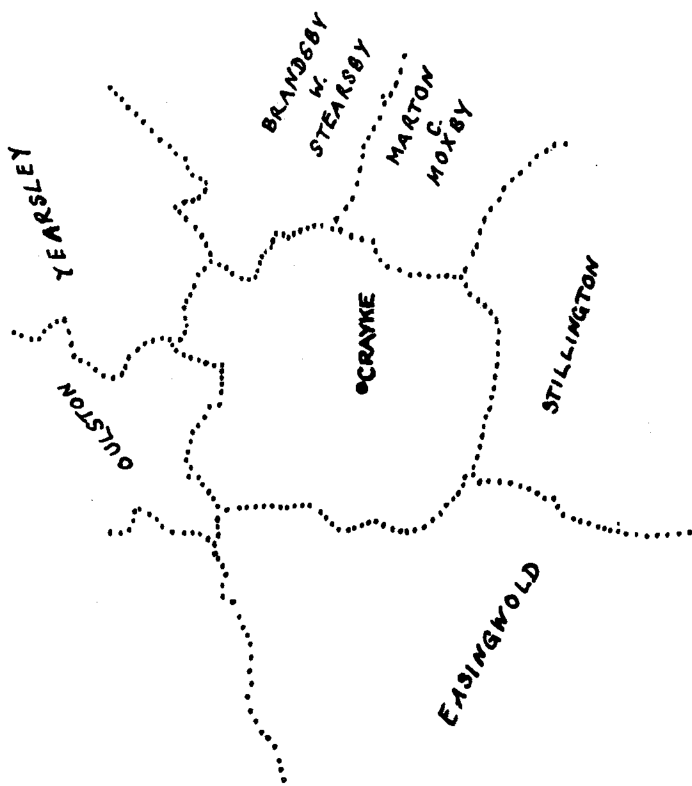
1. Historia s.5.
2. Ibid. ss.5, 9.

Such a conclusion is prompted by the nearness of this length to three Gallic leagues. Seebohm has shown that the mile current in the Middle Ages was the old British mile, equivalent to the Gallic league of 2,220 metres.[1] A fifteenth century Durham list of churches dedicated to Saint Cuthbert states that 'ecclesia parochialis de melus [North Meols] de sancto Cuthberto a lethom [Lytham] per quatuor miliaria'.[2] Commenting upon this Thompson, the editor, recognised that 'in our present reckoning of miles ... North Meols is considerably more than four miles distant from the cell of Durham at Lytham', 'the actual distance as the crow flies is about six miles'.[3] North Meols, about 9,500 metres from Lytham, is about 3000 metres further away from Lytham than four statute miles. However, it is not too much further than the 8,880 metres of four Gallic leagues! The author of the Historia Regum, writing in the twelfth century, seems to have been using the same measure when he stated that Chester-le-Street was 'sex millibus pasuum a Dunelmo'.[4]

To translate these measurements into facts about the size of the estates recorded in the Historia should be relatively easy, but is actually hindered by, for instance, our ignorance of what the author meant by stating that Carlisle was fifteen miliaria in circuit. This does not seem to correspond with any circuit around the town that can be identified today, though it may be significant that about fifteen leagues to the south of Carlisle lay the medieval boundary of the diocese. At Crayke the parish seems to coincide with the earlier estate. Of the estate at Gainford we can only make tentative suggestions. Three leagues south from the River Tees, travelling along the Roman road that formed the estate's boundary in County Durham, occurs

1. F. Seebohm, Customary Acres and their Historical Importance (London 1914), pp.79-93.
2. A. Hamilton Thompson, The MS. List of Churches dedicated to St. Cuthbert attributed to Prior Wessington, TAASDN 1936, 171.
3. Ibid. 161 and n18.
4. Historia Regum s.a.883.





...... — Parish Boundaries

the boundary between the parish of Aldborough, on the north, and that of Melsonby, to the south.[1] This boundary runs a short way west, turns north for a way until it reaches the boundary with Stanwick St. John, lying along a tributary of the Tees. This tributary is a major boundary for parishes in this area, lying east-west, until it crosses the roman road (between Barnard Castle and Catterick) near Hutton Magna.[2] It is surely significant that to the north of this stream lie Wycliffe and Cliffe, two vills 'built' by Bishop Ecgred, who was also the grantor of Gainford to the church of Saint Cuthbert.[3] Was it then the southern boundary of the Gainford estate ? This is difficult to say, but it is probably safe to say that at least those parishes between this stream and the Tees lay within that estate.

Such information not only illuminates slightly the details of the growth in the patrimony of the community, but also gives us greater confidence in using the Historia de Sancto Cuthberto. Other sources whilst seeming to increase our knowledge of this subject often pose as many problems as they solve. Under the year 854 the Historia Regum records the consecration of Eardwulf as bishop of Lindisfarne, adding to this an account of the places pertaining to that church. It is, of course, impossible to say when this passage was written, though it may include some early material. It confusingly states that all the churches lying between the Tweed and the Tyne, and beyond the 'desertum' to the west belonged to the church of Lindisfarne. The reference to the Tweed as a boundary might suggest the late ninth or tenth century, when the Scots pushed their frontier southwards, though the mention of the Tyne means that the author was describing a situation prior to the settlement at Chester-le-Street in c.882. The 'desertum' to the west presumably refers to Cumbria, possibly also southern Scotland around the Solway. It is not inconceivable that Lindisfarne could have had jurisdiction in this latter area during the ninth century. For it must be

1. Historia s.9, see map on facing page. 2. Ibid. 3. Ibid.

a description of the diocese of Lindisfarne with which we are dealing. At what date is uncertain.

As well as this rather general outline of Lindisfarne's possessions the Historia Regum, s.a. 854, adds a list of mansiones belonging to Lindisfarne. It includes Carham, Norham, Tyningham, the two Jedworths and Tillmouth, which have already been noted in specific grants or have fallen within the bounds of an aforementioned grant. Listed besides these are Melrose, Coldingham, a place called Tigrbrechingham, Culteram, Aldham, Pefferham and Abercorn. Culteram has been identified as Holme Cultram near Carlisle[1], but as all the other mansiones lie in the fertile river valleys or coastal plains of Lothian it seems most likely that this place also belonged to the same area.[2]

The list seems to be an enumeration of the major ecclesiastical/monastic centres of northern Northumbria. It may, as Craster suggested, describe monasteries that formed a group which recognised the primacy of Lindisfarne, and indicate that Lindisfarne held in the Bernician diocese the same position of predominance that the monastery of Iona did in the Celtic Church',[3] But the significance of the list is surely that it claims for Lindisfarne a direct ownership. This is understandable in the case of Norham and Tillmouth, but what of Melrose or Coldingham and less well known places like Abercorn?

Melrose may have been founded from Lindisfarne shortly after the foundation of the see. Its abbot in 651 was Eata, one of the twelve English boys taught by Aidan. In 664/5 Eata became abbot of Lindisfarne, making Cuthbert, formerly prior of Melrose, prior of Lindisfarne. The only statement that Melrose was a possession of Lindisfarne other than this of the Historia Regum is the Historia's account of Oswy's grant

1. H.H.E. Craster, The Patrimony of Saint Cuthbert, Eng.Hist.Rev. lxix (1954) 181.
2. Tigbrechingham cannot be identified and there cannot be placed.
3. Craster, op.cit., 179-80.

of Melrose to Cuthbert.[1] This is dubious, though it may have been thought up to explain the community's possession of the place in the tenth century. It is interesting, though not perhaps directly relevant, that Aldwin and Turgot attempted to set up a new community at Melrose in the 1070's, just after the settlement at Jarrow.[2]

Coldingham was a royal double monastery and it is highly unlikely that a bishop of Lindisfarne would have exercised more than the usual episcopal jurisdcition over it. Indeed, Coldingham and its shire lay in a small corner of eastern Lothian outside, but surrounded by, the lands of Lindisfarne.[3] It is probably important that the tenth century author of the Historia did not record any claim by his community upon the shire of Coldingham. If the community did have any hold over this monastery and its lands then this was probably sometime in the late eighth or ninth century, From the late eighth century the church throughout Northumbria came under increased pressure from Scandinavian raids. Lindisfarne, Jarrow and Tynemouth were all targets for the Vikings; the desert created from a once flourishing monastic family is a commonplace of histories of the period.[4] Yet the community of Lindisfarne survived and, as will be shown, profited in the ninth century. With the destruction of monasteries, like Coldingham, there would have existed large areas of ecclesiastical land lying unguarded.[5] Some of these were settled by the Scandinavians, but it would not be surprising if by the mid- to late ninth century the community of Saint Cuthbert was pressing its own claim to some monastic lands and that this is reflected in the 854 entry in the Historia Regum. We shall see later how some of these 'free' monastic lands were obtained.

It was not from the Vikings that the community suffered its first known setbacks in the ninth century, but from native Northumbrian kings.

1. Historia s.3.
2. Symeon, Libellus III xxii.
3. Map p.51.
4. Matthew Paris, Chronica Majora, (ed. Luard, Rolls Series, 1872) i. 391-2, records a (fictitious ?) raid upon Coldingham in 870.
5. P.H. Sawyer, Kings and Vikings, (London 1982) pp.103-4.

Osbert (king 848/50-862/3, died 867) seized Warkworth and Tillmouth in Northumberland. Aelle, Osbert's rival who came to the throne with that king's deposition, seized Cliffe, Wycliffe and Crayke, Yorkshire, and Billingham, south-east County Durham.[1] Northumbrian stability, which had allowed the expansion of the patrimony under Ecgred, was once more shattered, with grave consequences for the community. Warkworth and Crayke were former royal vills and we cannot rule out an element of repossession in the actions of these kings. Needing to reward their supporters it was almost inevitable that they should turn their attention to the immense holdings of the church.[2] This is, however, the first evidence we have for losses of land by the community to rulers of Northumbria. Osbert may have held Warkworth and Tillmouth for some time, though we may guess that it was not until threatened by Aelle that he seized them. Aelle's reign was short lived, and thus also his possession of the community's estates. He was at Crayke when the Danes intervened. An attempt by Osbert and Aelle together to oppose the Danes was unsuccessful and both died fighting the invaders in 867. To the community such a defeat was the sign of divine retribution and may also have left the alienated estates free for repossession. (This will be discussed later).

As early as the episcopate of Ecgred (830-845), as we saw above, the community may have taken measures to escape the attentions of the raiders, by moving to Norham, on the River Tweed. In six of the years of Ecgred's episcopate the Chronicle notes Scandinavian troubles. Whether the community remained at Norham is uncertain.[3] The Historia records the arrival of Halfdan on the Tyne in 875 and states that this prompted the community to move from 'Lindisfarne'.[4] Professor Sawyer

1. Historia s.10.
2. The implications of this seizure of land by rivals to the Northumbrian throne will be further mentioned below, Cap.VII.
3. P.H. Sawyer, Some sources for the history of Viking Northumbria, in Viking Age York and the North, ed. R.A. Hall, (C.B.A. Research Report 27, 1978) p.5. See above p. 32 .
4. Historia s.20.

has rightly cast doubt upon a move back to such an exposed site, but it cannot be totally ruled out. There are many things in the history of the community in this period that appear strange.

Who departed from Lindisfarne/Norham with the saint's corpse? The Historia implies quite a large number of people, perhaps including more than the ecclesiastics of the community.[1] Symeon was of the opinion that the monks remained at Lindisfarne, entrusting the saint to the clerks.[2] This is very unlikely. A complete evacuation may not have taken place; some small community remaining. Yet it would be surprising if the relics and treasures of the community were not attended by a substantial escort. The band was led by Bishop Eardwulf and Abbot Eadred (abbot of Carlisle according to the Historia) and carried with it the incorrupt body of Cuthbert; the head of Ceolwulf; other relics of various saints, as well as the Lindisfarne Gospels, and probably numerous documents recording the lands and privileges of the church, which were to form the basis of the Historia. According to Symeon many fell away from the escort during the 'seven years wandering', leaving the main task to Eardwulf, Eadred and a select number of bearers.[3]

The first idea was probably to seek asylum in Ireland. There was an attempt to sail from the mouth of the River Derwent, Cumberland, but this was prevented by a storm. Saint Cuthbert did not wish to go to Ireland! Cuthbert was clearly in the right for Ireland was no place to escape from Vikings. There may have been a move from the Derwent to Whithorn, South-west Scotland, which suggests a continuing desire to escape westward to Ireland, possibly via Iona. The stop at Whithorn is only recorded by Symeon, but it is possibly supported by the existence of a church dedicated to Cuthbert at Kircudbright, Galloway.[4] By the

1. Historia s.20.
2. Symeon, Libellus Praefatio; II vi. Above p.23 .
3. Symeon, Libellus II xii. Below, Cap.VI.
4. Symeon, Libellus II xii.

time they reached Whithorn the community may have come around to Cuthbert's way of thinking and decided to abandon an attempt to move to Ireland. It was not long before Halfdan, whose movements had caused the exodus from Lindisfarne, was himself to go to that country.

Where the community rested after this remains a mystery, and it is one that it may be fruitless to probe considering the unanimity of the sources that talk of a seven year wandering in the widerness of northern England and southern Scotland. Possibly by 882 the wandering had ceased and the community settled in Northumberland. In that year the community travelled to Crayke in Yorkshire, once seized by Aelle, and stayed for a short while with the community there. Crayke was henceforth to be a possession of the Community of Saint Cuthbert. The recovery of this vill so close to the centre of the Scandinavian kingdom of York is of interest in itself, but it is a minor element in the great recovery in the fortunes of the community that took place under the new Danish king of York, Guthred. As will be shown in the next chapter the church played a significant role in his elevation to the kingship and for this it received one of the largest tracts of land ever given to a church in England in a single donation. It is a grant comparable to those that created the earliest patrimony of Lindisfarne, and signalled a new era in the history of the community perhaps as important as its first foundation.

(IV)

THE COMMUNITY AT CHESTER-LE-STREET.

Seldom is it possible to follow in any great detail the developments which have led to such a significant event in the history of Northumbria after the death of Bede as the election of Guthred. One of the more recent commentators on this event has suggested that during the interregnum at York in the 870s and 880s the church put forward its own candidate; yet another sign that ecclesiastics were prepared to cooperate closely with the invaders.[1] That there was opportunity for someone to be presented for election by the Danes is clear, but why the church should put forward Guthred, or why the Danes should accept him is not. A collation of the various sources for the events of 882 can give us some idea of Guthred's significance and the role played by the church of Saint Cuthbert.[2]

From the sources we can build up the following sequence of events. Guthred was the son of a certain Harthacnut and was sold into slavery by the Danes, by 882 being the slave of a widow living at Whittingham, Northumberland.[3] In c.882 Abbot Eadred, prompted by Cuthbert in a vision, went to the Danish host and, having had them point out Guthred, persuaded them to elect him king. Guthred, obviously grateful to the abbot, then gave the community all the land between the Rivers Tyne and Wear, along with rights of sanctuary at the body of the saint. At Guthred's election the host swore an oath of peace and fidelity to Saint Cuthbert.

Elements of the story are most puzzling. For instance, the selling of Guthred into slavery by his own people and their subsequent

1. A.P. Smyth, Scandinavian York and Dublin, (Dublin 1975) i, pp.43-4.
2. Historia s.13; Chronica p.524, ll.24-42; Historia Regum s.a.883.
3. Hwitingaham, mistakenly called Whittington by Professor Whitelock, English Historical Documents (London 1955) p.261 n.2.

acceptance of a slave as king. There is plenty of evidence for the Scandinavians as slave-traders, but they hardly dealt in their own kind. Was Guthred an exception or an example of a common practice? It would obviously help if we knew who sold him into slavery. This indeed may be of immense importance, for if he was sold by one faction of the Danes at York his acceptance in 882 might be more easily explained. A new faction could conceivably have looked to Guthred as their legitimate leader. Such a situation might explain Eadred's action in having had Guthred identified by the Danes.

But was this all there was to the church's involvement? Eadred did not simply do the bidding of the Danes. In itself this would not have warranted the great rewards obtained by the community. A clue to Eadred's role is to be found in the place of Guthred's sojourn as a slave, Whittingham, Northumberland. The _Historia_ states that Eadred went 'over the Tyne' to the Danes, which must surely mean that he travelled from Northumberland southwards. Add to this that Whittingham was amongst the possessions of the community and we have the situation in which a potential candidate for the throne at York, Guthred, was being held within the patrimony of Saint Cuthbert, perhaps even in the hands of the community. Eadred would therefore have had a most important part to play if Guthred was to come to the throne.

The elevation of a slave to the kingship at York becomes the restoration of a political exile to his followers under the auspices of the church of Saint Cuthbert. Although the sources are not such as to prove that this is what happened there seems nothing implausible about the hypothesis. The land between Tyne and Wear; the rights of sanctuary, and perhaps even Guthred's conversion to Christianity, would have been the reward he gave to the community, his ransom. The hypothesis explains the importance of the role of the church of Saint Cuthbert in this important event, and interestingly also the lack of any reference to the

church of York. It may also give a clue to the later antagonism of Ragnald, who seized York in the early tenth century. He possibly felt that gains made by the church under Guthred were legitimate targets for appropriation by his followers, perhaps the faction at York opposed to that of Guthred.[1]

Whatever the wider implications of Guthred's election the immediate effects were staggering. At one stroke the community obtained a substantial tract of land, half the later county of Durham, had its rights confirmed by a Danish king and moved the centre of its interests from Bernicia to the border between Bernicia and Deira. A settlement was made at Chester-le-Street, a former Roman site, on the River Wear and within reasonable distance of all the land granted by Guthred.

This grant included the lands of the famous monasteries at Jarrow and Wearmouth, then presumably without any kind of religious life.[2] The grant also lay within the diocese of Hexham, though we know little about this see in the ninth century and the last bishop of whom we have a record is Tidfrith, who died in 821. In the late tenth century and until the late eleventh the church and lands of Hexham were held by the community of Saint Cuthbert, as witness a description of their administration which has survived.[3] It is likely that it was at the time of Guthred's election, or shortly afterwards, that Hexham was acquired. The acquisition of ecclesiastical lands may not be a coincidence. Mention has already been made of the lands left vacant by the destruction of monasteries and these may have been claimed by the church of Saint Cuthbert. That the lands had formerly been held by churches may have been enough to persuade Guthred to give them to Saint Cuthbert's.[4]

The good fortune of the community under the Danes did not end with Guthred's gift for Abbot Eadred bought from them further lands

1. Below p.76f.
2. C.D. Morris, Northumbria and the Viking Settlement: The evidence for Land-holding, Arch. Ael. 5ser. v, 1977, 92.
3. Hexham Priory I, ed. J. Raine (Surtees Society 44, 1863) appendix no.iv.
4. See above pp.66-68.

between Tyne and Tees.[1] These were 'Seletun' (Monk Hesleden?), Horden, the two Edens, Hulam, Hutton and Twinlingatun, All, except the last which may be Willington by the River Wear, lie in eastern County Durham.[2] This was the first in a series of purchases by the community in the late ninth century and early tenth which further increased its land holding in southern Northumberland and County Durham. Bishop Cutheard (899-915) bought Sedgefield, County Durham, with its appurtenances, as well as Bedlington, Northumberland, and the vills forming its shire.[3]

Whilst making purchases the community also benefited from some grants in the same period. A certain priest, Bernard, gave his vill of Twilingatun that he might become a monk in the community, whilst Wulfheard, son of Hwetredding, gave Benwell (Bynewalle), which, however, does not seem to have been retained by the community for it is not heard of again.[4] Probably of more significance is the gift of South Eden, County Durham, by Abbot Tilred of Heversham.[5] The abbot wished to become a member of the Cuthbertine community and thus purchased South Eden for the same purpose as Bernard the priest had made his gift. Yet only half of the vill went to the main community, the other half going to Norham, that Tilred might be abbot there. It is clearly important that such a division between mother house and associated monastery should have been made; illustrating the complexity of organisation that is likely to be covered up by the simple statements of the sources.

Tilred may already have had connections with the community. Heversham lies near both Cartmel and Yealand which were possessions of the community, gained during the seventh century. It is possible that these were lost about this time. Norse-Irish raiders and settlers were causing significant disruption in the north-west of England and Tilred may have been fleeing from them. This was indeed the motive of Alfred,

1. Historia s.19.
2. See below p. 80f.
3. Historia s.21.
4. Ibid., ss.21, 24.
5. Ibid., s.21.

son of Brihtwulfing, who came to the community and was granted lands in eastern County Durham including those vills purchased by Abbot Eadred, Billingham, Easington, Sheraton and some other vills of whose acquisition we know nothing.[1] These last must surely be lands gained from the Danes in Guthred's reign for they lie adjacent to those purchased by Eadred. For these lands he was to render service, which included military service.

Another to seek refuge with the community was Eadred, son of Rixing. Eadred was fleeing the wrath of the people of the north-west, having slain the princeps Eardwulf.[2] Eardwulf may have been a ruler in Cumbria, perhaps related to the royal house of Bamburgh, though it is difficult to understand why the community of Saint Cuthbert should harbour the murderer of a member of the family with which it had such close connections. Eadred was given the land between Tyne and Wear, bounded on the west by the Derwent, with the estate of Gainford. Again he probably owed military service when required.

Both Alfred and Eadred fell in battle against Ragnald at Corbridge.[3] Ragnald had taken over the kingship at York and his antagonism toward the Bamburgh earls and the church of Saint Cuthbert was a grave threat to the community. Having defeated the northern English forces he divided those lands held by Alfred between his two followers, Scula and Onalafbal. The land obtained by the former , between the vills of Eden and Billingham, seems never to have been fully recovered by the church, though Sedgefield, lying in this area, was later held by the community. It is possible that he survived long enough to establish his position. His companion, Onalafbal, was less fortunate. He

1. Historia s.22.
2. Ibid., s.24. See below Cap. VI.
3. The Historia, ss.22-4, implies that there were two battles at Corbridge, which would therefore date to c.914 and c.918. However, it is possible that there was only one battle. There is also doubt as to the site of the battle(s); Corbridge on the Haddington Tyne, Lothian, or the Northumberland Tyne? F.T. Wainwright, Scandinavian England (Chichester 1975) Cap.4. A.P. Smyth, Scandinavian York and Dublin (Dublin 1975)i, 93-103. A.A.M. Duncan, Scotland: The Making of the Kingdom (Edinburgh 1975) pp.91-2. See below p. 127.

displayed a militant paganism and was, accordingly, struck down on the thresh old of the church at Chester-le-Street. 'He fell from the great pain transfixing his diabolical heart, and the devil dragged his sinning soul off to Hell.' His land was returned to Saint Cuthbert 'as was only just'; circumstances recorded with pleasure by the author of the Historia.[1]

Eadred also fell fighting against Ragnald, but he was not succeeded by Scandinavians. His son, Esbrid, and brother, Comes Alstan, received his lands. The Historia states that they were 'sturdy warriors' in the battle, but does not necessarily imply that they were pro-Ragnald.[2] Were they collaborators or did Ragnald find it necessary to recognise their claims? It is not possible to say, though most historians have assumed they fought for Ragnald. Yet the Historia does not vilify them, perhaps because they were not culpable or because their heirs, maybe they themselves, were still powers to be rckoned with in County Durham. Also their lands were not alienated from the church by Ragnald's actions. If they received the land because they aided this king they nevertheless accepted their positions as vassals of Saint Cuthbert.

Ragnald may have caused problems, but there was no exodus as there had been in 875. As we find from the death of Onalafbal the community remained at Chester-le-Street and continued to perform its religious function. Nor, in the long run, was there any great loss of land, only some losses in that area held by Scula. Once more the community had weathered a fierce storm, and again the storm was superseded by the calm of royal benefaction.

Athelstan, leading an army north in 934, called at Chester-le-Street to pay his respects at the shrine of Saint Cuthbert.[3] He presented numerous gifts, including two lives of the saint (Corpus Christi College, Cambridge 183), a gospel book (Cotton MS Otho B IX) and the vill of

1. Historia s.23.
2. Ibid., s.24. F.M. Stenton, Anglo-Saxon England (Oxford 1971, 3rd edn.) p.333 n.4. Wainwright, op.cit., p.165. A.P. Smyth, op.cit., p.109.
3. Historia s.26.

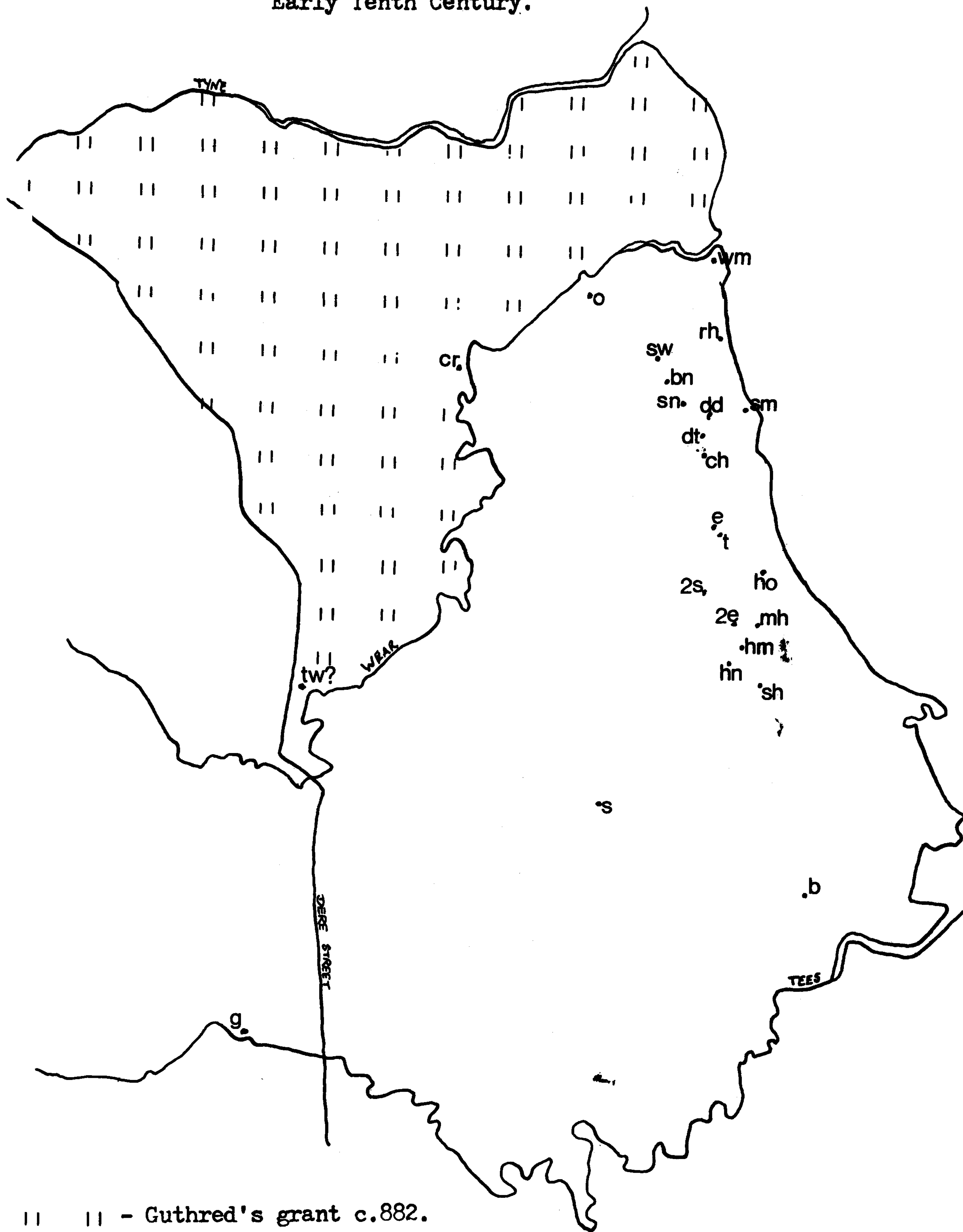
South (Bishop) Wearmouth with its outliers. His example was followed by the army, which gave twelve pounds.

This was not the beginning of West Saxon contact with the community. Alfred's death is recorded in the Historia and later works associate him with the actions of Guthred in the 880s.[1] He almost certainly had some contact with the earls at Bamburgh and this continued under his son Edward. It may be that it was during the reign of the latter that closer connections with the community developed, becoming of prime importance with the accession of Athelstan. The kings of Wessex would clearly have been eager to obtain allies in their attempt at conquering the north and it is no surprise to find them courting the favour of the most powerful church in northern Northumbria. They did this in a way designed to bring forth raptures from the community; they paid their respects at the shrine, perhaps even being honoured with sight of the blessed corpse, and increased the church's wealth. Not only was the community a major landholder and a traditional friend of the once royal Bernician family, but it stood as a spiritual and military counterbalance to York. Under Archbishop Wulfstan I this church was a continual thorn in the West Saxon side, despite a generous policy on the same lines as that shown to Cuthbert's monks. York received, for instance, the area of Amounderness about the same time as the community received South Wearmouth. All was to no avail and Wulfstan was removed eventually, a fate not suffered by a bishop of Saint Cuthbert until the Norman Conquest.[2]

West Saxon policy falls into a general pattern of patronage throughout the period from the ninth century to the twelfth. Those who would subdue or woo the northerners were generally very generous. An insecure ruler in the north was often a blessing in disguise for the

1. Symeon, Libellus II xiii; Chronica p.524.
2. Anglo-Saxon Chronicle, D s.aa.943, 947, 952, 954.

Land of St. Cuthbert in County Durham in the Early Tenth Century.



|| || - Guthred's grant c.882.

b Billingham
bn Burdon
ch Cold Heseldon
cr Chester-le-Street
dd Dalden
dt Dalton
e Easington
2e Two Edens
g Gainford
hm Hulme
hn Hutton
ho Horden
mh Monk Hesleden
o Offerton
rh Ryhope
s Sedgefield
2s Two Shottons
sh Sheraton
sn Seaton
sw Silksworth
t Thorpe
tw? Twinlingatun
wm South Wearmouth

community, for such a person needed to secure support from the church and almost always did this by giving substantial gifts. Part of Guthred's motive in such lavish benefaction may have been the desire for the support of the community. It seems to have worked for, if we may trust a late addition to the Historia, his control extended not simply, as with previous Danish rulers, to the Tyne, but well into Bernicia.[1] The actions of those West Saxons who were first to attain the rule of Northumbria, Athelstan and Edmund, speak for themselves. Both Tostig and Copsig, neither particularly popular or secure in their rule of the north, were noted benefactors of the Community. It was with the attainment of security, however, that kings, earls, even dynasties, disappeared from among the major benefactors. Local earls were more secure than outsiders and it is clear that they were often careless of their association with the church. So also the secure West Saxons after Edmund. The pattern of benefaction by those who needed support in the north, rather than by those who felt secure there, is one which is noticeable time after time in the period under discussion.

Before continuing the survey of the community's patrimony into the later tenth century some attention should be given to those estates already gained. The estate of South Wearmouth provides a suitable starting point for an examination of the organisation of vills in County Durham from earliest times to the twelfth century. Athelstan gave the following,[3]

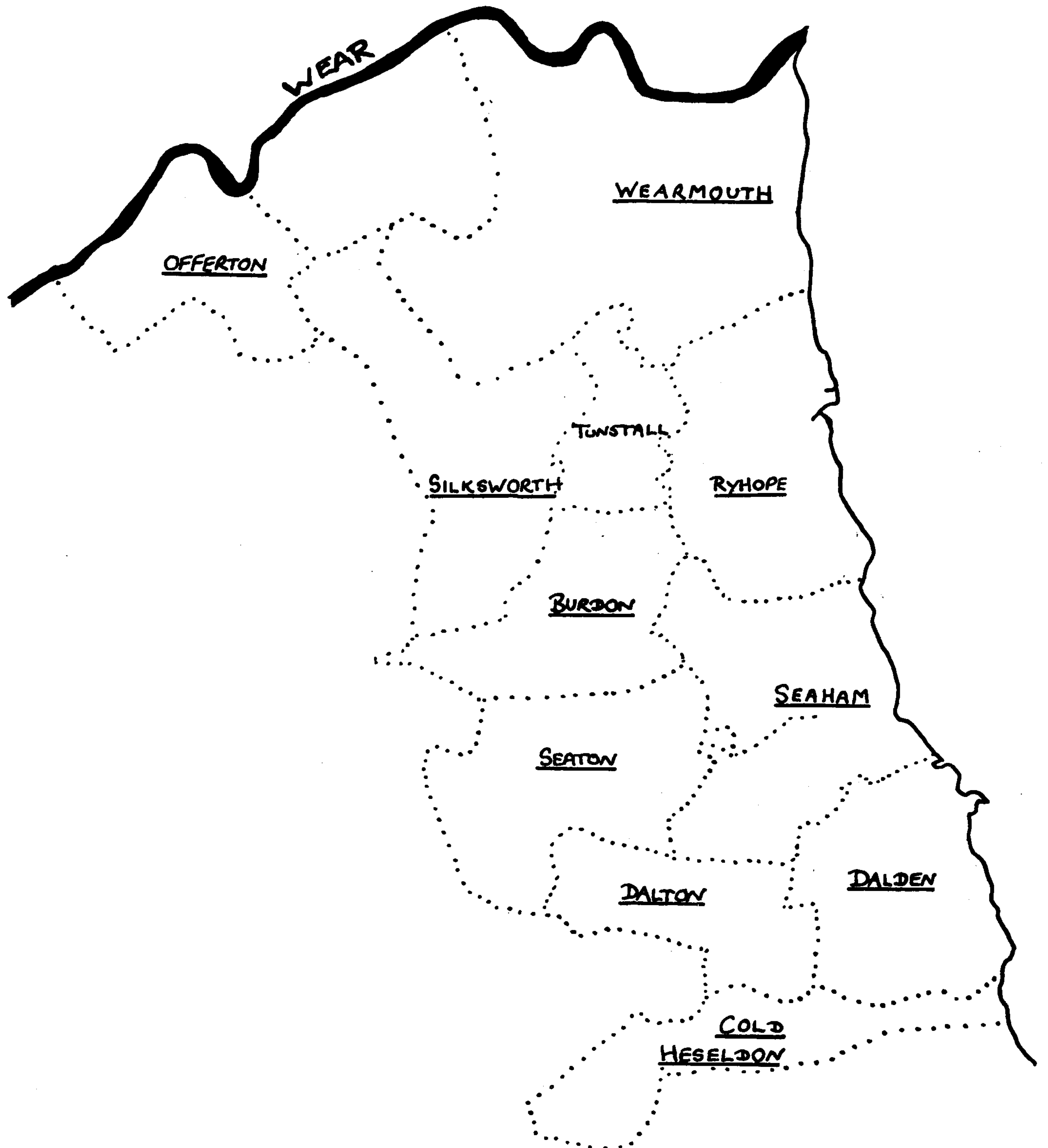
South Wearmouth
Wertun
Offerton
Silksworth
Two Ryhopes
Burdon
Seaham
Dalton
Dalden
Cold Heseldon
Seaton

Leaving Wertun to one side, all these vills we find that all these vills are townships and that, parish and chapelry boundaries following township boundaries, it is likely that at one time they all fell within the parish centred upon South Wearmouth, the estate's head and important episcopal vill.

1. Historia s.33. 2. Symeon, Libellus III xi,xiv. 3. Historia s.26.

Early Medieval Vills and Townships -

South Wearmouth.



WEARMOUTH – places forming part of the South Wearmouth estate granted to Saint Cuthbert by Athelstan in c.934.

We should not worry overmuch about the parochial divisions within this unit for they are of later origin, being largely due to the fragmentation of lordship. It seems likely that the parish was based upon the earlier estate and that the divisions within the estate between the constituent vills corresponds to the division between townships. A note should be made of the number of the vills, twelve[1], forming the estate for it acts as an important key in this discussion.

The lands in eastern County Durham purchased by Abbot Eadred were,

Monk Hesleden.
Horden
Two Edens
Hulam
Hutton

(Twilingatun was also purchased, but has not been definitely identified yet).

The list received some expansion when the land granted to Alfred, son of Brihtwulfing, was recorded,

Easington
Monk Hesleden
Thorpe
Horden
Eden
Two Shottons
South Eden
Hulam
Hutton
Billingham
Sheraton

(Twilingatun is also mentioned).

Billingham can be extracted for it was clearly a major centre itself. Having done that we are left with, Twilingatun aside, vills which fell within the medieval parishes of Easington and Monk Hesleden, the parochial division being traceable to the division of lordship between bishop (Easington) and community (Monk Hesleden) in the period around 1100. Including Twilingatun would give us a total of twelve vills. This, of course, goes against previous identification of this vill as either Willington, on the river Wear, or Willington, on the Tyne. It does, however seem likely that we are dealing with a single estate and the appear-

1. The Wertun of the list has traditionally been called Westun and identified as Westoe, north-east County Durham, but seems more likely to be a vill to the south of the Wear, associated with that river.

ance of Twilingatun in both lists suggests it was a part of that estate.

Jumping ahead a little we can add to our conclusions by looking at estates mentioned in the eleventh century additions to the Historia.[1] As shown earlier the estate of Gainford covered a large area of south-west County Durham and extended over the Tees into North Yorkshire. Around 1000 the estate seems to have been divided into three parts, which probably correspond to early component divisions. A number of vills in the area were granted to three earls and these fall clearly into two groups, roughly equal in number.[2] One group was centred on Gainford:

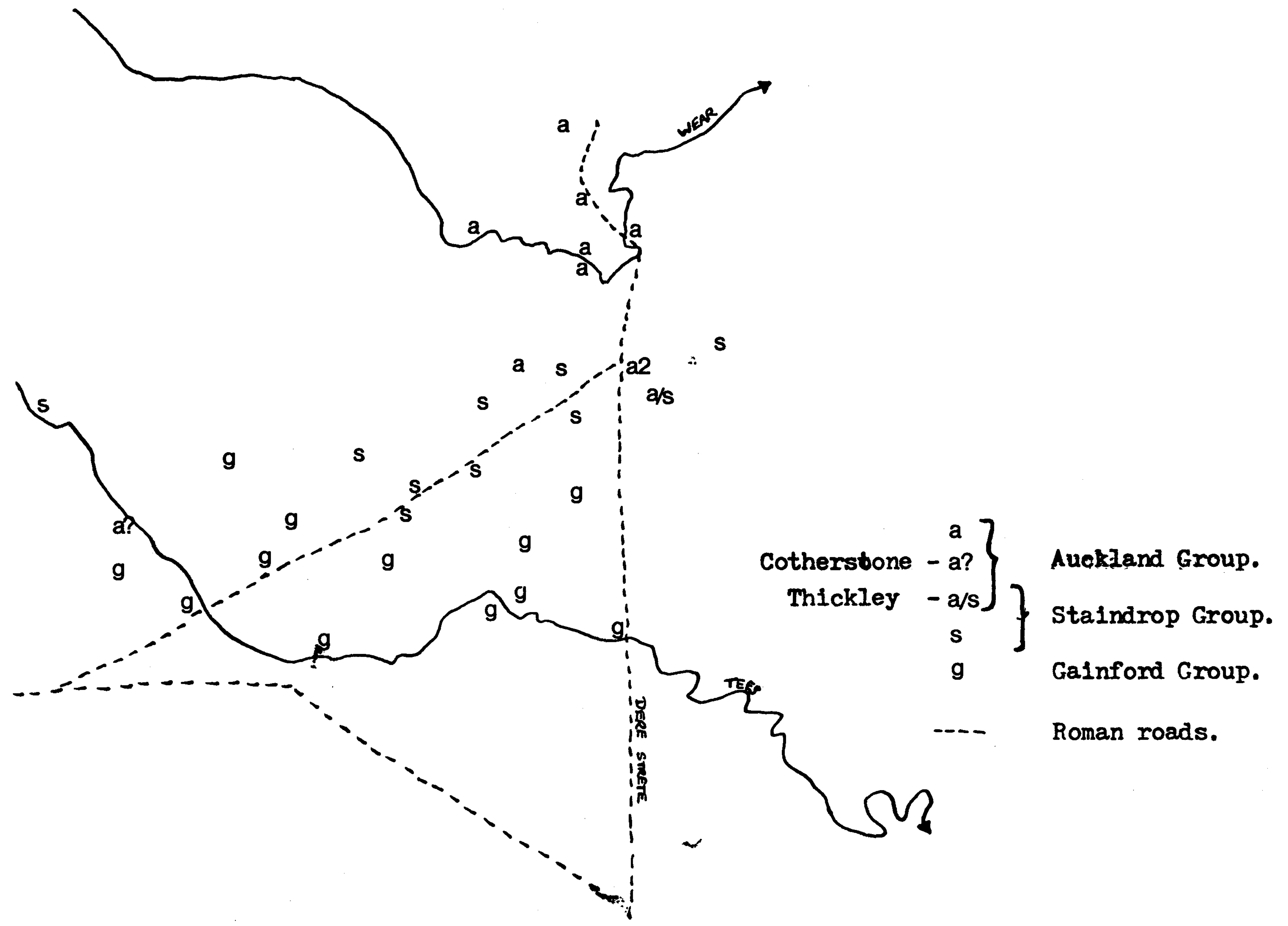
Gainford
Sledwitch
Barford
Startforth
Lartington
Marwood
Stainton
Streatlam
Cleatlam
Langton
Morton
Piercebridge

(this is the order given in the Historia, though there a place called Queorningtun occurs after Gainford. This has been identified as Quarrington, central County Durham, and would not therefore fall within the Gainford orbit. If the identification is incorrect it could mean that another vill should be added to the Gainford portion).
It will be seen that there are twelve vills involved.

The other group that can be picked out was centred upon Auckland:

Two Aucklands
Copeland
'Weardseatle' (Worsall ?)
Binchester
Thickley
Escombe
Witton-le-Wear
Hunwick
Newton-Cap
Helmington

1. Historia ss.31, 32.
2. See map p.84.Above pp.63-6.



Multiple Estates in South-West County Durham.

(The list includes Weardseatle, which has been identified as Worsall, Yorkshire, though the name seems to suggest that it may actually have been a vill along the River Wear. Excluded is Cuthbertestun, which lay after Binchester in the Historia list, for this is identified as Cotherstone. This place lies in the Gainford sphere rather than that of Auckland, though there is no guarantee that it was not an outlier of the latter).

Without Cuthbertestun there are eleven vills in the Auckland group.

Despite the small problems caused by the difficulty identifying vills the general thesis still stands that we are dealing with estates formed of twelve vills. It is a conclusion further emphasised by the estate at Staindrop, lying within the early bounds of the Gainford estate of Bishop Ecgred and filling the gap between the portions asigned to Gainford and Auckland.[1] It also consisted of twelve vills,

Staindrop
Cnapatun (Snatterton ?)
Shotton
Raby
Wackerfield
Evenwood
Auckland[2]
Lutterington
Eldon
Ingleton
Thickley[3]
Middleton

It is clearly significant that the land granted to the community by Oswy in the seventh century and lying around the Bowmont Water also consisted of twelve vills.[4] Even the acquisition of Bedlington and its appurtenances, a total of seven vills, by Bishop Cutheard does not jar with our findings for this is clearly only half an estate, like Monk Hesleden.[5]

A basic feature of early land organisation has been shown to

1. Historia s.32.
2. This need not clash with the group centred on Auckland for there are a number of places of this name.
3. This is a greater problem than Auckland and may indeed have been, at various times part of the Auckland and Staindrop estates.
4. Above p. 52 .
5. Above p. 82 .

be the multiple estate and it is clearly this that we can identify in the descriptions of estates in County Durham in the late ninth and tenth centuries. Professor Barrow, using in part evidence from the community of Saint Cuthbert, has shown how this form of organisation is to be found throughout Southern Scotland and Northumberland.[1] At Coldingham, according to a grant by King Edgar of Scots to St. Cuthbert's, the shire comprised the significant number of eleven vills.[2] Professor Jones, the foremost proponent of the multiple estate theory, has pointed to the similarity between Welsh/Celtic practice and that of the rest of Britain and this deserves some mention here. Quoting the Book of Cyfnerth he states that in South Wales 'the only multiple estates described contained either thirteen or seven vills...', but although some south Welsh texts refer to the estate of thirteen vills as the "complete multiple estate", rents and services to the king seem to have been contributed by only twelve of the constituent vills.'[3] It is obvious how relevant such statements are to the evidence for estate organisation in the lands of Saint Cuthbert.

But the pattern of multiple estates was not simply an assoc- of vills, but an organisation of resources. Those estates mentioned formed the basis of the later units of organisation, described in such sources as Boldon Book. Auckland was the centre of a shire in the twelfth century, within which predominated those communal works and traditional renders typical of the multiple estate system. Services were performed at the central vill or some specified place for the lord, in this case the bishop of Durham. Staindrop was another shire centre held of the community by the family of Dolfin, Uhtred's son, whose seat was probably at nearby Raby. Easington and Monk Hesleden were both parochial centres, one episcopal, the other monastic. Gainford, though superseded by Barnard

1. G.W.S. Barrow, The Kingdom of the Scots (London 1973) pp.7-68. Above p.10.
2. Ibid. p.31; A.C. Lawrie, Early Scottish Charters prior to 1153 (Glasgow 1905) no.XV.
3. G.R.J. Jones, Multiple Estates and Early Settlement, in Medieval Settlement ed. P.H. Sawyer (London 1976) pp.17-18.

Castle, was an important centre for the Balliol fee. It is certain that we are dealing with a very ancient pattern of land administration, which was being taken over by the community of Saint Cuthbert, a process which preserved this pattern into the late Middle Ages.

The acquisition of the estate centred upon South Wearmouth was, in terms of land, the height of West Saxon generosity. Of course, the West Saxons wished to maintain the support of the community, their success being attested by the prominence attached to their actions by the author of the Historia. Edmund's visit to Chester-le-Street in 945 was of great importance for he confirmed the privileges of the church, perhaps even giving them a force they had lost in the turbulent fifty years around 900.[1] Eadred seems to have followed the example of his predecessor, confirming the possessions of the community 'mid fullom indome, et wrec et wite, utter et inner, et saca et socne ...', as the Chronica states.[2] It is the seeming lack of West Saxon involvement with the community of Saint Cuthbert in the second half of the tenth century that is unusual.

It has already been noted that rulers of the north were less inclined to be generous to the church once they had established themselves, but the absence of any mention of Edgar is significant. He was very secure in his rule, being acknowledged by the kings and lords of surrounding lands; so secure, indeed, that he may have been able to limit the area controlled by the Bamburgh earls. It was during his reign that Osulf of Bamburgh was joined in Northumbria by Oslac, who took over 'Eboracum et ejus fines'.[3] Edgar was pursuing a policy begun by his predecessors, replacing local magnates with royal appointees from outside Northumbria.[4] Given this influence upon northern politics and, more especially, the fact that Edgar was the doyen of the monastic reformers

1. Historia s.28. See above pp.76-7.
2. Chronica p.526. See chapter IX below.
3. See chapter VII.
4. D. Whitelock, The Dealings of the kings of England with Northumbria in the tenth and eleventh centuries, in The Anglo-Saxons: Studies presented to Bruce Dickens, ed.P. Clemoes (London 1959).

it is extremely interesting that he had little, if anything,to do with the community at Chester-le-Street.

The bishops of Saint Cuthbert were sometimes present in the south of England and two of the central figures of the reform, Oswald and Wulfstan, were Archbishops at York, but such contacts do not seem to have brought changes to Chester-le-Street. The community did participate in the renaissance of literature and religion in a minor way. The author of that addition to the Historia relating the visitation of Cuthbert to Alfred at Athelney wrote a more ornate Latin than his tenth century predecessor, though he was writing in the eleventh century after the full force of reform was spent. The book known as the Durham Rituale was brought to the north during the late tenth century, which perhaps shows that the northernmost community was not completely isolated. The Old English glosses in this work and in the Lindisfarne Gospels illustrate a healthy interest in the meaning of the works used in the community, but whilst the glossator may have understood Latin well it is clearly a bad reflection upon standards in the community that the glosses were thought necessary. All together there is little evidence of rigour in the spiritual or literary life of the community.

We have no evidence of direct action by Edgar to either benefit or damage the community, but one event in his reign for which he was responsible could have had a major effect upon the patrimony. It was under Edgar that was made, or perhaps accepted, the cession of Lothian to the Scots.[1] The Scottish lands of the community were lost by the mid-eleventh century at the latest. Even at that time a certain Alfred, secretarius at Durham, was active in Lothian collecting relics for his church, yet his actions were probably no more than a reflection of the acquisitiveness of the community, focusing upon lands that had once been part of the patrimony.[2]

1. G.W.S. Barrow, The Kingdom of the Scots (London 1973) pp.150-3.
2. Symeon, Libellus III vii.

Professor Barrow has suggested that the Scottish lands of the community were lost much earlier than the eleventh century, probably before 945. For then, he says, the author of the Historia 'declared that Lindisfarnensis terra extended "from Tweed to Warenmouth"', thus implying the importance of the former as a boundary. The same source, he states, 'describes how in the time of Guthfrith, the Danish Christian king of York (883-94), the Scots "crossed the Tweed" to devastate St. Cuthbert's Land.'[1] Again he implies that this means the Tweed was of singular importance in the period around 900. The first criticism to be made is that the section dealing with the attack of the Scots in the time of Guthred was not part of the original Historia composed in c.945.[2] It was probably added in the eleventh century and cannot therefore be used as proof for the importance of the Tweed in the earlier period, especially as the section is a miracle story, not the most reliable of historical writings. Further to this must be added a full account of the description of 'Lindisfarnensis terra', for whilst the writer does use the Tweed as a boundary within his account he describes not only the land from Tweed to Warenmouth, but also 'that land beyond the Tweed'.[3] The point to be taken from this section is that the Tweed was a substantial physical feature, not that it was the boundary between lands owned and lands lost. The River Tees occurs in a similar position in the description of the estate of Gainford given by Bishop Ecgred, but this does not mean that Ecgred granted some land that the community was to own and other land it was not to own.

However, it is clearly unsatisfactory to rely upon the Historia completely. There will always be the suspicion that the author could have included claims to land within his description of lands actually held. There exists, fortunately, evidence which tends to support the

1. Barrow, op.cit., p.152f.
2. H.H.E. Craster, The Patrimony of Saint Cuthbert, Eng. Hist. Rev.lxix 1954, 177-8.
3. Historia s.4.

conclusion that the community retained some interest in its Scottish lands in the mid-tenth century. The Historia Regum, s.a. 941, records that,

> Olaf, when he had ravaged the church of St. Bealdhere and burnt Tyninghame, soon perished. Therefore the men of York laid waste the island of Lindisfarne and killed many people.[1]

The church of Saint Balther was among the lands held by Lindisfarne and must surely still have had some link with this place. The igitur (therefore) implies a causal relationship between the events recorded, and this seems to be apparent only in a continuing association of Saint Balther's and the community of Saint Cuthbert. This annal gives evidence for the community's holding of Scottish lands and, incidentally, shows that Lindisfarne was by no means deserted. Whatever the effects of the move from the island in the ninth century it was sufficiently recovered by the 940s to be deemed a profitable target by the men of York. All the more remarkable when its exposed position on the north-east coast is considered.

The lands in Scotland may not have been lost until the later tenth century, perhaps finally in Edgar's reign, and Lindisfarne may have survived as an important settlement place until the mid-tenth century, but the events of the late ninth and early tenth centuries drew the focus of the patrimony firmly southwards. County Durham was, by mid-century, the centre of the patrimony and even though there were to be numerous and important acquisitions in later times this situation never changed.

Around the middle of the tenth century a certain Ulfcytel, Osulf's son, gave to the community Norton in south-east County Durham. This must also have included the vills of Stockton, Preston-on-Tees, Hartburn and Carlton, with which it was later associated, as well as perhaps other nearby vills.[2] It is tempting, though without proof, to

1. Translated in D. Whitelock, English Historical Documents (London 1955) i, p.253.
2. Liber vitae f.43b; Lapsley, BB 330-1, 337-8.

identify Ulfcytel as the son of that Osulf of Bamburgh who was earl in the time of Edgar. It would be yet another instance of the close relations between these earls and the church of Saint Cuthbert.

Later, perhaps in the 990s, land at Escombe and Ferryhill, County Durham, and Great Smeaton, Crayke and Sutton, Yorkshire were obtained from Earl Northman and Earl Thured.[1] Around 1000 Styr, Ulf's son, gave Darlington, County Durham, with nineteen carucates of land in a number of places in Durham and Yorkshire.[2] Snaculf, Cytel's son, gave further land in southern central County Durham and along the Tees.[3]

By the turn of the century the community held a substantial proportion of the future County Durham, much of which had been obtained from Scandinavians. Guthred's grants of course, must take the leading position, followed by the purchases from the Danes made by Abbot Eadred and Bishop Cutheard, yet even the late tenth century benefactors seem to have had a Scandinavian origin, if their names are any guide. Significantly, the grants just mentioned were made by local nobles, contrasting with the royal and episcopal grants and acquisitions which predominate in the period from the seventh to the tenth century. This may indicate a change in the social class of those giving land to the church, but it is more likely that with the later sources we see some of the lesser benefactors who were present in the earlier period, but whose role was overshadowed in the sources by the acts of kings and bishops.

At this point it is well to mention a number of places for the acquisition of which we have little, if any, evidence. In the twelfth century the bishop and convent held the land, already mentioned, in eastern County Durham from the Wear to the vills of Monk Hesleden and Sheraton. This was matched by a similar stretch inland, comprising the parishes of

1. Liber Vitae f.43b; Whilst St. Cuthbert's did not have land at Sutton-on-the-forest (A.J. Robertson, Anglo-Saxon Charters (Cambridge 1956) p.368), it did hold land at Sutton Howgrave. The grants at Crayke and Escombe may be restorations.
2. Historia s.29, confirmed (?) by Aethelred II.
3. Ibid. s.30.

Houghton-le-Spring, Pittington, Kelloe, Middleham, Merrington, St. Giles' (Durham), and the townships of Shincliffe and Croxdale. These were bounded to the west by the Wear; to the south by Auckland, Aycliffe and Sedgefield. The evidence shows that the community had possession of the surrounding lands by the mid-tenth century or thereabouts. It cannot be proved that this block (Houghton-le-Spring etc.) was also held by this time, but there are reasons for supposing that this was so. According to eleventh century sources it was King Alfred who, at the time of Guthred's grant, gave the land between Wear and Tees.[1] This is clearly inaccurate for we know that Sedgefield, for instance, was only obtained between 900 and 915. Yet Symeon records that Rainton, in the parish of Houghton-le-Spring, was named after its founder Reignwald, a son of Franco the bearer of the body of Saint Cuthbert between 875 and c.882.[2] The foundation must have taken place some time late in the ninth century or early in the tenth and implies that the community held the land at that time. Nearby Cocken was held in the eleventh century by members of the community who also held Hexham and were also related to the family of another of the bearers of the saint's body, Hunred.

There is a hint here that the community held more of the land of County Durham in the tenth century than is apparent from the simple record that is now available. The appearance of the story about Alfred's grant in the 1070's, as well as the grant by Walcher of land in the area, prove possession by this time.[3] It seems most likely that the acquisition took place in the tenth century. If in the early tenth century then this would add greater significance to the division of land by Ragnald between Scula and Onalafbal.[4] Possession of this land by the late tenth century means that Durham, chosen as the see in 995, was at the centre of the church's land. If the bishop had the kind of regalian jurisdiction over this land which is argued for him below (Chapter IX) the earl would

1. Chronica p.524.
2. Symeon, Libellus III i.
3. Offler, Charters no.1.
4. Above pp.76-7.

have enjoyed the same position in the city of Durham as seems to have been enjoyed by the earl at Worcester.[1]

But this is to anticipate. At the end of the tenth century the Vikings re-entered English history with force, renewed raiding prompting the community of Chester-le-Street to seek a safer haven. That there was danger in staying at Chester-le-Street suggests that that place was accessible to the raiders, perhaps travelling up the Wear or the Tyne. The refuge chosen was Ripon, the most northerly religious community except for Saint Cuthbert's, any Viking threat being expected from the sea rather than from Yorkshire it would seem. After a short sojourn the community started back to Chester-le-Street, but a return there was not to come about. Saint Cuthbert again intervened to decide his corpse's fate. Resting at a place near Durham the community found they could not move the body further. It was revealed to them that they were to settle at Durham, on a commanding site surrounded on three sides by the steep-sided valley of the Wear; here to stay, except for a short time in 1069, until the present day.[2]

1. Here also the earl may have had some jurisdiction in the city itself, but this was surrounded by lands of the bishop's liberty.
2. Symeon, Libellus III i.

(V)
THE CHURCH OF DURHAM.

The acquisitions during the late tenth century and early eleventh were substantial, but may have been little compensation for the final loss of the lands in Scotland. The reign of Edgar the Pacific was not as beneficial for the community of Saint Cuthbert as for some other communities in the south of England. To an apparent lack of new grants must be added the return of the Vikings and the move from Chester-le-Street. Such a move had not been made for over a century; even the ravages of Ragnald had not uprooted the community. It must have seemed a sad event. Yet it must be said that the subsequent foundation at Durham points to the great wealth and power still possessed. With the help of the earl the uncultivated site of Dunholm was settled. Further, the community called upon the population between the Rivers Coquet, Northumberland, and Tees to clear the site and erect the new stone cathedral. A feat accomplished in three years. The significance of the area from which labour was drawn is uncertain, but the achievement was tangible enough.

The foundation of the city and cathedral at Durham in the 990s was an important event, but it stands as a highpoint in what was otherwise a troubled period. For the first three quarters of the eleventh century the community was embroiled with, and assailed by, various earls, nobles and ecclesiastics, though there were moments of alleviation. The problems created in the period were often not settled until the early twelfth century. To study the first century-and-a-half of the church of Durham the subject has been divided into two convenient parts, describing, in roughly chronological order, relations with kings and the nobility and then with ecclesiastics, including the bishop of Durham's relations with his own community. This enables us to see how lands were acquired or lost and how they were administered by the community. In a subsequent chapter some aspects of northern society from c.900 to 1200 will be discussed.

Kings and Nobles.

As far as our sources are concerned the earls and lesser nobility of the north only become important from the early tenth century, when they begin to appear as benefactors, tenants and despoilers of the community. In the earlier period their role may be masked by the acts of kings and bishops. Whereas, with few exceptions, kings are noted benefactors of Saint Cuthbert, the nobility, especially local families, occupy an ambiguous position. Even when the community had a close relationship with nobles this could often be dearly bought. It is not always possible to distinguish a friendly from a threatening nobleman.

Bishop Aldhun was, probably unexceptionally, a father, and gave his daughter, Ecgfrida, in marriage to Earl Uhtred, possibly just before 1000.[1] With her she took six vills in County Durham: Barmpton, Skerningham, Elton, Carlton, Aycliffe and Cold Heseldon. In what way the earl was to hold these is by no means clear, though subsequent events suggest that he held them only by right of his wife and had, in theory, no permanent claim to them. Whatever the tenure the vills returned to the community when Uhtred divorced Ecgfrida. She then married Kilvert, a Yorkshire thegn, taking with her Barmpton, Skerningham and Elton; these again reverting to the community when Ecgfrida was divorced by Kilvert. As she is not said to have married again it seems reasonable to expect that in normal circumstances this would have been the end of the matter, and that the vills would have been retained by the community.

This was not to be. Descendants of Ecgfrida and both her husbands claimed the vills by hereditary right. Aelflaed, granddaughter of Ecgfrida and Uhtred, married Earl Siward, and it was this lady who, between c.1041 and 1066 (1055 ?), claimed the six vills for her son, Waltheof. Following this Arkil, Ecgfrid's son, who had married Sigrida, daughter of Ecgfrida and Kilvert, also claimed the vills, though he is

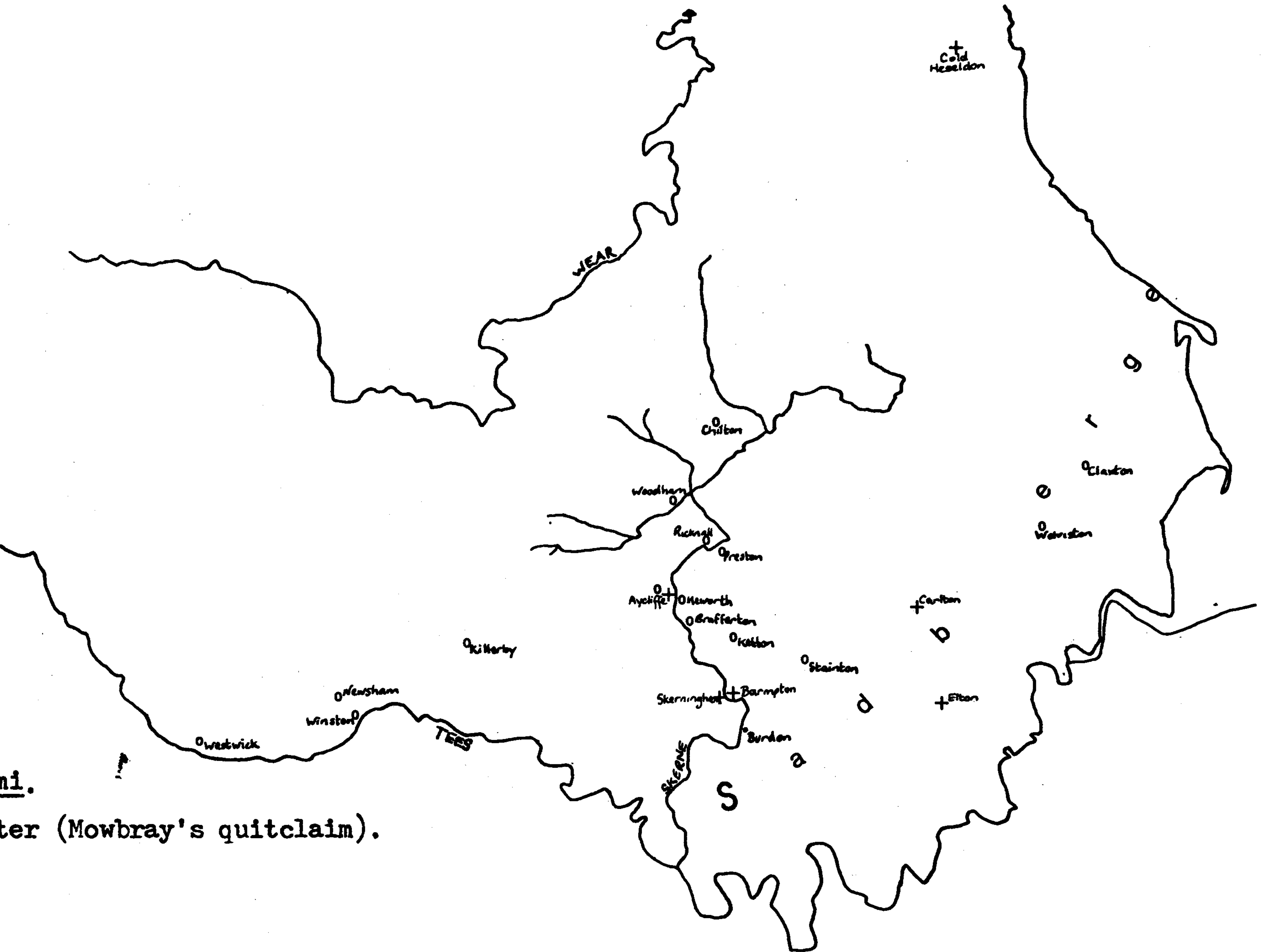
1. The following discussion on this page and the next is largely based upon the tract De Obsessione Dunelmi. For an examination of this and other important materials see the Appendix.

said to have returned Cold Heseldon, Aycliffe and Carlton. Elton seems to have been permanently alienated, forming part of the Brus fee in the twelfth century. Barmpton and Skerningham were seized by Eilsi of Tees, husband of the great-granddaughter of Ecgfrida and Uhtred, when Arkil fled at the arrival of the Normans, any time between 1066 and 1071. It was Eilsi's son who held these two vills, of Nigel d'Aubigny, in c.1109-1114. D'Aubigny obtained them through marriage with the divorced wife of the imprisoned Robert de Mowbray, former earl of Northumberland, in 1107. It was d'Aubigny who returned the vills to the church.[1] This might also be considered the end of the matter, but was not.

Mowbray had held the vills as overlord, Eilsi and his son holding as his tenants, and claimed jurisdiction over them. It was this claim that caused significant problems. In 1109 it was necessary for Henry I to confirm the vills of Burdon, Carlton and Aycliffe to Bishop Rannulf Flambard, for the Northumbrians claimed that these vills lay within their county, not within the bishop's liberty.[2] The earlier comital ownership was clearly the basis for this claim that comital, not episcopal, jurisdiction should be recognised. Furthermore, in 1141 Earl Henry of Northumberland confirmed Barmpton and Skerningham to the monks of Durham; vills earlier restored by D'Aubigny. Yet he added that the monks were not to be impleaded for these vills before anyone except the earl.[3] The monks had made safe their claim to ownership, but had not succeeded in avoiding comital jurisdiction. This position would not have arisen if, in the eleventh century, the community had successfully protected its rights against various earls and tenants in these vills.[4]

Similar developments are to be discovered in the history of other

1. Charters of the Honour of Mowbray 1107-1191, ed. D.E. Greenway (London 1972) Nos.2-6.
2. RRAN ii, 918.
3. RRSc i, 23.
4. The importance of this for the bishop's liberty is one of the topics discussed in Chapter IX.



+ vills in De Obsessione Dunelmi.

o vills in William Rufus' charter (Mowbray's quitclaim).

Disputed Lands in Southern County Durham in the Eleventh and Twelfth Centuries.

vills in south-west County Durham. Around 1000 Earls Northman, Ethred and Uhtred were 'given'[1] numerous vills which, as mentioned above, probably formed two of the three ancient divisions of the large Gainford estate. When the note recording this event was written into the Historia the vills were still in the hands of the community, as implied by the anathema, 'Whomsoever takes any of these away from Saint Cuthbert let him be lost on the day of judgement'.[2] Yet the Chronica (1071X1083) states that 'violencia Comitum ... pene omnes eas a dominio ecclesie alienavit'.[3] If Auckland was lost for a time there is no evidence that there was any lasting damage for the vills of the northern third of the Gainford estate, centred upon Auckland, were in the hands of the bishop and community in the twelfth century. The southern group of vills, centred upon Gainford itself, on the contrary were within the County of Northumberland in the twelfth century, forming part of the Balliol fee.

Guy de Balliol was given Bywell in Northumberland by William Rufus and it was probably at the same time that he obtained his lands in southern Durham. But what is his connection with the earls and the community? It is probably to be found in the forfeiture of Mowbray in 1095. Mowbray, as earl, may have claimed, and enjoyed, jurisdiction over lands that had once been granted out to his successors by the community, namely the vills around Gainford. With his forfeiture the lands were probably transfered to Balliol. It may be significant for this that two places in dispute between Mowbray and Bishop William of Durham in the 1090s, Westwick and Newsham, were also in dispute between the Balliol family and Bishop Hugh du Puiset between 1189 and 1195.[4] Stainton, another disputed vill in the 1090s, though not lying in the Gainford area, was also later associated with the Balliols; Great Stainton being held of

1. Praestitit.
2. Historia s. 31. See pages 84-5 above.
3. Chronica p.526-7.
4. Feodarium p.lxxxii-lxxxiii; G.V. Scammell, Hugh du Puiset (Cambridge 1956) Appendix ii, no.7, p.208f. The later dispute seems to have been concerned with the pledging of certain vills to the bishop by Bernard de Balliol c.1190.

Balliol, and Little Stainton, to the south, being held by the community. Perhaps Guy de Balliol's mention in a document issued by Henry I regarding the restoration of land to Bishop Rannulf, and the prohibition of Guy from hunting in the forests of the bishop are to associated with his inheritance of former comital lands and rights.[1]

Earls were often local men. Uhtred, for instance, was a member of the family of Bamburgh. His descendants were likewise members of the local nobility. It was such men who caused greatest trouble for the community. In contrast to the alienation of land to the local nobility, however, there appear to have been some gains from nobles who were not native to the north. Notable amongst these were Tostig and Copsig. The former, surprisingly considering his relationship with the Northumbrians as a whole, is not pilloried by Symeon, but noted for his beneficence toward the community.[2] Indeed, according to the life of Saint Oswin it was with the aid of Tostig's wife the Bishop Aethelwine of Durham found and brought forth the remains of that saint in 1065. Copsig, Tostig's lieutenant and later earl in Northumberland, was also, again surprisingly, a benefactor of the community, giving land along the north-eastern edge of the North York Moors. Of this grant little evidence exists, though the land may have been retained in part until the episcopate of Bishop William de Saint Calais.[3]

What is significant about the appearance of Tostig and Copsig, who were never completely secure in the north, amongst the church's benefactors is the way they fit into the general pattern mentioned earlier.[4] Again men seeking support in the north tried to buy that support from the church.

Tostig's wife's involvement at Tynemouth with Bishop Aethelwine is

1. RRAN ii, 575, 709.
2. Symeon, Libellus III xi.
3. Ibid. III xiv; These do not appear as part of the land of St. Cuthbert in the Yorkshire Domesday, but a charter of Henry II for St. Mary's, York, confirms the grant of land in one of the places, Redcliffe, by Bishop William of Durham, clearly William de Saint Calais (1080-1096), EYC i, 354.
4. See pp.78,80.

of added interest for it was Tynemouth that was the subject of some argument between the community, and the earl of Northumberland and the community of Saint Alban's.[1] It was claimed by the community of Saint Cuthbert that Earl Waltheof (d.1076) had granted Tynemouth to the monks of Jarrow (later to form the community at Durham) when his nephew was accepted into the community. Professor Offler has suggested that such a grant is unlikely, but that what actually happened was that Bishop Walcher, when earl of Northumberland (1075-1080), gave the place to the monks of Jarrow. Whilst this is surely correct there seems no reason to rule out the possibility that Waltheof played some part, perhaps being prevented from completing his grant by his imprisonment by the Conqueror.

Nevertheless, it does seem that the community held Tynemouth by the time Robert de Mowbray became earl in the early 1080s. Earl Robert, however, removed Tynemouth from the community and gave it to Saint Alban's. With this and other evidence of Mowbray's actions as earl it is clear that there was no love lost between him and the bishop and community of Durham. Despite repeated attempts to recover Tynemouth, including legal proceedings and brotherly castigation of the monks of Saint Alban's, this place was permanently lost, though the community of Durham did receive some compensation, in the form of some Northumberland churches, when the case was concluded in the 1170s.[2]

Robert de Mowbray, as an outsider, did not attempt to flatter and cajole the community, which places him outside the general pattern of benefaction mentioned earlier. However, Mowbray's eventual downfall and imprisonment in 1095 illustrate better than anything else his ineptitude, and go some way to explain why he should be an exception to the rule.

1. For the following see Offler, Charters, pp.4-6.
2. Scriptores Tres, appendix xxxviii.

The absence of Edgar amongst the benefactors of the church of Saint Cuthbert has already been commented upon.[1] The next king involved in a grant to the church was Aethelred II, though he only confirmed the gift of land by Styr at Darlington. Following this we next come to Cnut, a new arrival and surely one who required the support of all he could coax in the north. Showing reverence for the saint he travelled on foot from Garmonsway to Durham, and gave the community the vill and shire of Staindrop. This was the third section of the large Gainford estate, for which we have no evidence of loss by the community. Yet, judging by the fate of the other sections of that estate, especially in the Gainford area itself, it is likely that the community's hold had been weakened around 1000. Thus Cnut was confirming the possession of land that could possibly have been alienated to some earl or noble. Cnut also gave Brompton to Saint Cuthbert during the episcopate of Bishop Edmund.[2]

This last was the first bishop , as far as we know, to have been confirmed in his post by a southern king, and, as significantly, seems to have become a Benedictine monk, returning to Durham after his confirmation by Cnut with Aethelric, a monk of Peterborough.[3] The interference of kings and earls in the selection of bishops increased markedly in this period. It may be important that Bishop Aldhun's death in 1018 was followed by a vacancy of three years, ending with Edmund's consecration by Archbishop Wulfstan at Winchester.

Having already replaced Earl Uhtred with Eiric of Hlathir Cnut would probably have cowed the community at Durham by preventing the election of a bishop. According to Symeon Edmund's election was the culmination of much deliberation, and hesitation, by the community, no-one being prepared to 'ascend the seat of Saint Aidan and Saint Cuthbert'.[4]

1. Above p.88.
2. Historia s.32.
3. Symeon, Libellus III vi.
4. Ibid.

Edmund showed a keeness to become a monk, as was, according to Symeon, the tradition for bishops of this see. A tradition which was, to say the least, of doubtful validity. Bishop Aldhun, for instance, had a daughter. Cnut would obviously have been more at ease with a monk, it being less likely that he could cultivate a family faction that might interfere in future elections. It should be noted that it was not until Edmund's consecration that Cnut showed any reverence or beneficence to Saint Cuthbert. The conclusion must be that Cnut had taken the first steps to control Durham by force, rather than flattery.

The importance of royal control, though not its responsible exercise, is well illustrated by Hardacnut's selling of the bishopric to Eadred, a member of the community, after Edmund's death. This bishop did not survive a year. His successor was Aethelric, Edmund's companion and a monk of Peterborough. According to Symeon he was opposed by the community because he was an outsider and despoiler of the church's wealth. He was also surrounded by his own faction, including his brother Aethelwine, another monk from Peterborough.[1] It is interesting to note the view of the author of the Chronica who, whilst admitting that Aethelric was not the most popular of men, regarded his retirement in a somewhat different light to Symeon. The bishop

> 'cum per aliquot annos episcopatum regeret, videns se nullum aliunde auxilium habere, nec per se malignorum hominum violencie, qua ecclesie libertatem infestabant et infringebant, posse resistere, malens episcopatum relinquere quam propter suam imbecillitatem ecclesie libertatem et quietudinem deperire, ad monasterium proprium rediit et sine episcopatu vitam finivit.'[2]

Whatever the reason for his unpopularity, or whoever opposed him, it was necessary for Siward to reinstate him at one point,[3] and he did retire from the see. It was his brother, Aethelwine, who succeeded, helped this time by Earl Tostig. The influence of outsiders was clearly

1. Symeon, Libellus III ix.
2. Chronica p.528, 11.171-6.
3. An example of Siward's power, not of the earl's right to elect a bishop, as Page, Some Remarks on the Northumbrian Palatinates and Regalities, Archaeologia 51, 1891, i, 149, maintains.

becoming of extreme importance, and was surely resented by many in the north, perhaps both within the community and elsewhere. The trend at Durham was toward less control by locals and more control by central authority, whether king or earl, which may be compared to similar developments at York from the mid-tenth century onwards.[1]

Of the kings from Cnut to William I there is little, if any, note in the annals of the church of Durham, and it was not until three years after 1066 that the full effects of the Conquest were being felt there. As with the rest of the north it was the events of 1069-71 that produced problems at Durham. Aethelwine fled to Lindisfarne, in the process carrying out the last major translation of Cuthbert. Durham was plundered. Both Aethelwine and his brother Aethelric failed to come to terms with William and ended their days in prison. This period of trauma was only brief, however, and with the appointment of Walcher as bishop by the Conqueror Durham's fortunes were restored. The only land that is known to have been lost as a result of the Conquest was Hexham. The _prepositus_, appointed by the bishop of Durham, took advantage of the absence of Aethelwine to transfer his lands to the Archbishop of York. Once again the local nobility showed its unreliability and the church of Durham suffered. The transfer may have been an attempt by the _prepositus_ to secure his position, putting himself under the archbishop, who was by 1070 the Norman appointee, Thomas. Thus he dissociating himself from the bishop of Durham and the opposition to William.[2]

To the new bishop William I gave Waltham, Essex, and a substantial amount of land in Lincolnshire. William de Saint Calais, Walcher's successor, received Welton, Howden and Hemingburgh, along the Ouse and Humber in Yorkshire. Not since the early tenth century had the community been so fortunate.

1. D. Whitelock, The Dealings of the kings of England with Northumbria in the tenth and eleventh centuries, in _The Anglo-Saxons: Studies presented to Bruce Dickens_, ed. P. Clemoes (London 1959).
2. _Hexham Priory I_, ed. J. Raine (Surtees Society 44, 1863), appendix no.iv. That his son was later reeve of Roxburghshire seems to indicate a failure to be reconciled with the new Norman order.

The Conqueror's gifts may have had a significance beyond pure beneficence.[1] In this period there were two major routes into Yorkshire: one along the Ouse, which was taken by Harald Hardrada in 1066 and Swein in 1070; the other from County Durham through the Vale of York, which would be used by Northumbrian and Scottish forces.[2] Along the Ouse route were situated the Durham estates already mentioned, as well as the substantial franchise of Holderness. Richmond, the centre of an earldom, and Northallerton, which was given to Durham by William Rufus, blocked the route from the north. As elsewhere in England in the years after the Conquest strategic positions were protected by large holdings held by loyal and effective lords, preventing or hindering hostile action.

As well as giving protection against external threats the lands given to Durham may also have balanced internal threats. It is possible that Durham acted as a counterbalance to York. York was, after all, a potential threat to Norman rule; here a pretender to the throne might be consecrated. It should also be remembered that lands in Yorkshire and Lincolnshire gave to the bishop of Durham a source of power outside the traditional patrimony of his church, which may have been valuable as lying outside the sphere of influence of the potentially difficult community of Saint Cuthbert.

Durham was crucial to the control of the north. Hence the interest of successive kings, not least the Normans. Yet it was not only southern kings who sought to control the area, as witness the actions of Scottish kings through the eleventh and twelfth centuries. Durham was besieged by Duncan in 1040and Malcolm Canmore in 1091, and David I attempted to influence the church by supporting William Cumin's attempt to make himself bishop in the middle of the twelfth century.[3]

1. Waltham will be dealt with in the next section of this chapter.
2. In 1070, for example, Malcolm III by-passed Durham, crossed Stanemoor and travelled along the Tees, thence into the Vale of York.
3. A. Young, William Cumin: Border Politics and the Bishopric of Durham 1141-1144, Borthwick Papers 54.

Durham was not always a military or political target for the Scots. In the reign of William Rufus the community was involved in a different way with Scotland.

After the death of Malcolm III it was his brother, Donald Bane, who ascended the throne, not one of Malcolm's sons. In 1094, with some Norman aid, the eldest son, Duncan attempted to unseat his uncle. Duncan granted to the community of Durham, about this time, land at Tyningham and a number of other places in Lothian, but as he was only king for around six months the gift was probably never made effective. His half-brother, Edgar, was more successful and, with Rufus' aid, secured the throne. He is also recorded as a benefactor of the community, giving Coldinghamshire and Berwickshire. What is intriuging is that the charter recording the grant dates to 1095, two years before Edgar was effectively king.[1] The community gained it would seem from the need of prospective rulers to secure support, though Edgar may have been as eager to gain the favour of William of Saint Calais because of his influence with Rufus, as because he was the powerful bishop of Durham. It might also be that these pretenders to the Scottish throne felt that to have some friendly religious communities in the kingdom might help to secure their position after their accession.

The extensive Scottish lands of the community had, as we have seen, been lost by the early eleventh century, perhaps a little earlier.[2] That Tyningham, a former possession, should figure in Duncan's grant suggests that the church was putting forward its claims to land, rather than that the kings were choosing any land available. Duncan's charter actually states that the community was to hold the land 'qualem unquam meliorem habuit Sanctus Cuthbertus.' That Coldingham was included

1. A.C. Lawrie, Early Scottish Charters prior to 1153, (Glasgow 1905) nos.XII and XV. A.A.M. Duncan, The Earliest Scottish Charters, Scottish Historical Review xxxvii, 1958, 103-135.
2. Above pp.88-90.

shows how potent was the memory of Cuthbert's association with certain places, and the community's claim to the same.

As with other royal interest Edgar's waned when his security seemed assured. He was soon in a position to modify his benefaction. Because Bishop Rannulf Flambard was involved in some troubles in Lothian the king repossessed Berwickshire. By turns friendly and aggressive toward Durham Edgar's successors were not great benefactors. Indeed, with David I we have a king who, though renowned for his interest in the new monastic orders, showed little interest in Durham.[1] In the twelfth and subsequent centuries Scottish involvement with Durham was directly related to claims by the northern king to rule northern England. It was an involvement epitomised more by threats to Durham's lands than by benefactions.

The death of William of Saint Calais saw the extension of direct royal control to Durham during a three year vacancy. It is only to be wondered at that Symeon, unlike so many of his contemporaries, placed no great emphasis upon Rufus's depredations. Perhaps he was content with the vilification of Flambard, the king's factotum, who became bishop in 1099 after probably administering the see for the time of the vacancy. With Flambard the era of Norman beneficence ended. Unpopular at court the new bishop spent much of his episcopate attempting to win the favour of Henry I. He was not too successful. His nepotism and the episcopal interference after three years of relative freedom were not popular with the community and Symeon clearly aimed some subtle shots at this bishop in his Libellus.[2] Flambard was succeeded by Geoffrey Rufus, a royal clerk. He also was less than popular with the community and was suspected, probably rightly, of having dealings with David I of Scots during Stephen's reign.[3] His demise hailed the troubles under

1. G.W.S. Barrow, The Kingdom of the Scots (London 1973) pp.165-211.
2. Above pp.26-28.
3. A. Young, William Cumin: Border Politics and the Bishopric of Durham 1141-1144 (Borthwick Papers 54) p.10.

William Cumin, David's chancellor. It was the final year of Stephen's reign that saw the last Norman benefaction: Stephen granted to his nephew, Hugh du Puiset, bishop of Durham, the mines of Weardale.[1]

By the mid-twelfth century the bishops of Durham were truly in the forefront of national events. A position having varying effects upon the community and patrimony of Saint Cuthbert. The place of bishop and community should be no surprise, for whilst the kingdom of England was being created the church of Saint Cuthbert developed from being a purely Northumbrian establishment to being an English one. Great gains and great losses attended this process; often linked directly to some major event like Guthred's election or the conquests of the north by West Saxons and Normans. The community's fortunes were not always of a piece with those with the church in England as a whole. Faring well under the Danish king Guthred the community received little notice from the royal hero of the tenth century reformation, Edgar. Probably the most important thing about the community was its astonishing resilience and survival at times when other religious communities were destroyed. This is not to say that there were no times when the community faced dire troubles, for clearly the migrations of 875, 995 and 1069 were responses to such, but to note how powerful and tenacious were the guardians of the body of Saint Cuthbert.

1. Scriptores Tres, appendix no.xxvii.

Bishops and Monks.

The vacancy after the death of Aldhun may have been the conscious product of Cnut's policy to control the north ; and the increase in royal control is evident from the confirmation of Bishop Edmund by Cnut and the appearance of the Benedictine brothers Athelric and Athelwine, not universally popular. The relationship between the community and the bishops was to dominate the history of the later eleventh century and to figure prominantly in the twelfth. The arrival of Norman appointees, bringing the see well within royal influence; the foundation of the new Benedictine community at Durham in 1083 by William de Saint Calais, and the division of lands and privileges between community and bishop around 1100 are of extreme importance. Yet to understand fully the impact of these the unreformed community must be examined, and it is useful to describe the history of the community's association with Hexham as a foundation to this study.

Hexham, its church and lands, had probably been acquired in the late ninth century, though it is only from the late tenth that we can follow its history in the hands of the community. Then it was held in two parts: the church being held by a member of the community of Durham; the lands being held by a thegn appointed to the post of _prepositus_ by the bishop.[1]

The earliest account we have of Durham's possession shows that the church was held by a certain Alfred, son of Westou. He was surnamed _Lareow_,[2] which, with the testimony of his great-grandson Saint Aelred, suggests that he was a person of some learning. It is probable that his knowledge was not of classical or theological topics, but rather of the history and traditions of the church of Durham. He was sacristan at Durham and would have been responsible for the care of the church's

1. For the following account of Hexham see _Hexham Priory I_, ed. J. Raine (Surtees Society 44, 1863) appendix no.iv; _Chronica_ pp.524-5; Leland, _Collectanea_ i, p.378 (1774); Symeon, _Libellus_ III vii.
2. Teacher, master, preacher (Bosworth and Toller s.v. _lareow_).

relics. It was his diligent care for these which Symeon and other Durham writers noted. He is said to have pared the nails of Saint Cuthbert and to have combed and trimmed the saint's hair, placing some of this in a fire to prove the incorruptibility of the saint. At Hexham Alfred moved the remains of Alchmund to a better position in the church, meanwhile attempting to remove a finger for Durham. He was foiled when the saint made known the theft.[1] Symeon states that Alfred managed to remove some relics of Saints Acca and Alchmund to Durham, but these do not occur in the community's relic lists in the twelfth century, and it may be that Durham's later trouble with Hexham caused some confusion, and some antagonism, in the recording of Alfred's actions. Considering his position at Hexham and his preoccupation with the saints it is no surprise to find Alfred's great-grandson, Aelred of Rievaulx, writing the tract De Sanctis Ecclesiae Hagustaldensis.

Though Alfred held the church of Hexham he does not seem to have performed the duties of priest there, for we find that he appointed first Gamel Elde, known also as Gamel Hamel[2], and then Gamel Iunge as priests there. A third priest, Sproh, was appointed by Alfred's son, Eilaf, who succeeded his father at Hexham. Eilaf I was also surnamed Lareow, but was treasurer not sacristan at Durham. It was this Eilaf who, disliking the actions of Saint Calais in 1083, removed Hexham from the bishop's control. He also took with him certain other lands in County Durham, which he had held as part of his prebend, for his son, and successor at Hexham, restored the vill of Cocken to Durham when he became a monk there early in the twelfth century.[3] Hexham's position as part of a hereditary prebend can hardly be unique, for we know that Bishop Aldhun granted certain of the community's vills to Earl Uhtred

1. Historia Regum s.a. 781.
2. Gamel Hamel may have been related to Aldan Hamal, who was imprisoned by Tostig, escaped and sought refuge in Durham Cathedral, De Miraculis et Translationibus, ed. T. Arnold (Rolls Series 75 i, 1882) pp. 243-5.
3. Offler, Charters pp.119-121. See p.118.

when he married the bishop's daughter, Ecgfrida. According to Reginald of Durham the descendants of one of the bearers,who had carried the coffin of Cuthbert during its seven years wandering in the ninth century, still held the church at Bedlington in the twelfth century. Symeon states that Reignwald, son of Franco, another of the bearers, founded the vill of Rainton, probably again part of an hereditary prebend.

This, of course, does not mean that there was no community control or oversight of the patrimony. The vills granted to Uhtred did return to the community and, despite various claims by local nobles, were still regarded as Durham's in the late eleventh and twelfth centuries.[1] At Hexham we are told that the bishop appointed a prepositus to hold the land of the community, which must imply an overall control of the land by either bishop or community. The situation at Hexham seems similar to that in County Durham, where blocks of the community's lands were granted out to certain nobles, who then performed services, including military service.[2]

As will be shown in the next chapter the north of England held a society firmly based upon the family and permeated by the links of kindred. The community of Saint Cuthbert was not outside this tangle of relationships. Symeon notes that many people in the north claimed descent from one or other of the seven bearers of the body of Saint Cuthbert, who remained to care for the relics when meny others had fallen away. Only four names were, however, remembered, perhaps because the number seven, as with the seven years, was legendary rather than historical. Hunred (Unred), Franco, Edmund and Stitheard are the four. Reginald of Durham noted that Stitheard was surnamed 'Rap'and Hunred 'Cretel', further stating that two other bearers were called 'Coite' and 'Tod'.[3] These last two may provide some indication of the 'lost'

1. Above pp.95-6.
2. Historia ss.22, 24.
3. Symeon, Libellus II, xii; Reginald of Durham, Libellus de Admirandis Beati Cuthberti virtutibus, ed. J. Raine (Surtees Society 1, 1835) pp.24-29.

bearers, but may equally be the surnames of those named by Symeon. For two of the families we are able to construct genealogies.

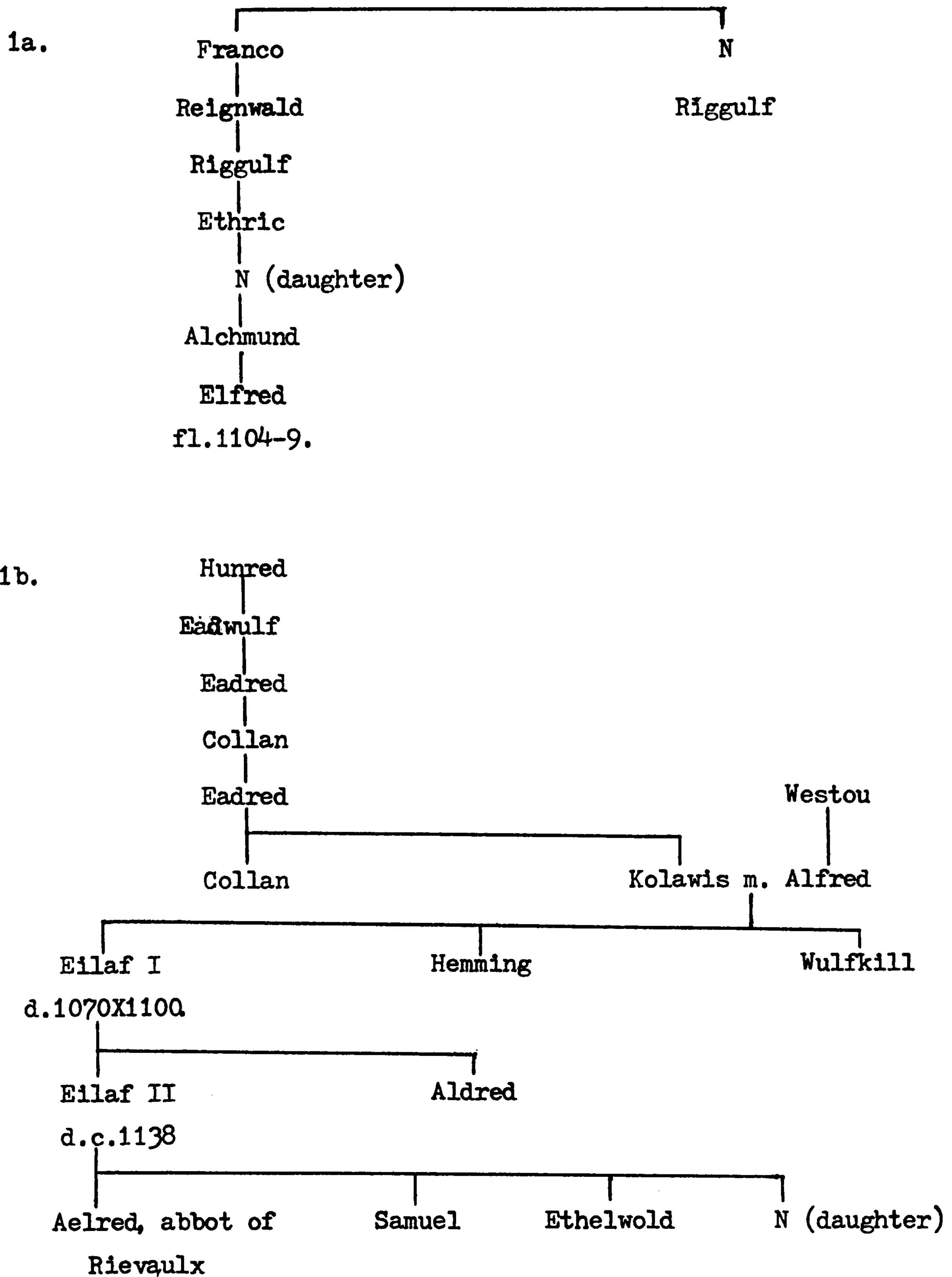
Franco had a son, the Reignwald who founded Rainton, but the male line seems to have ceased with Ethric, Franco's great-grandson, whose daughter was the mother of the priest Alchmund, father of a certain Elfred who was alive c.1100.[1] The survival of the families of the community in priestly families in the north into the twelfth century has been seen above.

Hunred's family provides a fuller, and more interesting, subject. A great-great-great-granddaughter of Hunred, Kolawis, married Alfred, Westou's son, the holder of Hexham. Their descendants held Hexham into the twelfth century. That Alfred should have held Hexham may not be totally unconnected with his family connections through his wife. It will be seen from the genealogy of Hunred's family that Alfred's brother-in-law was Collan, son of Eadred, a great-great-grandson of Hunred. A certain Collan, son of Eadred, was, according to an interpolation in the _Chronica_, appointed _prepositus_ of Hexham by Bishop Aldhun (990-1018),[2] whilst another piece records that Collan was _prepositus_ of Hexham under Bishop Athelric (1042-1057).[3] By comparing the Hunred family genealogy and the list of Hexham's _prepositi_ it seems very likely that the family of Hunred had some interest at Hexham. It would not be surprising if Alfred's interest at Hexham, perhaps even his marriage, were associated with his relatives position there.

Not only was Alfred, _secretarius_ of Durham, linked with Hexham by blood as well as ownership, but the bishop's family also had an interest in the post of _prepositus_. Bishop Edmund (1021-1042) appointed as _prepositus_ Ulkil, Arkil's son, and grandson of Wincune. This last was

1. See genealogy no.1a, p.112.
2. _Chronica_ pp.524-5.
3. _Hexham Priory I_, ed. J. Raine (Surtees Society 44, 1863) appendix no.iv. See genealogy no.1b, p.112, and the list of Hexham _prepositi_ p.114. W.H.D. Longstaffe, The Hereditary Sacerdotage of Hexham, _Arch. Ael._ n.s. iv (1859) p.12.

Descendants of the Bearers of the Body of Saint Cuthbert.



Sources: Symeon, Libellus II xii.
Hexham Priory I, ed. J. Raine (Surtees Society 44, 1863) appendix no.iv; pp.55-6.
Some Anglo-Saxon Records of the See of Durham, ed. H.H.E. Craster Arch.Ael. 4 1 (1925).
The Life of Ailred of Rievaulx by Walter Daniel, ed.M. Powicke (Oxford1978) pp.xxxiii-xxxix.

the brother of Bishop Aldhun, Edmund's predecessor.[1] Edmund was, as seen above, probably associated with royal control. Could it be that his appointment of Ulkil was meant to placate a member of the local nobility who, being associated with an episcopal family, would have had great influence in the diocese ?

The hereditary nature of the community and its links with the local nobility caused problems throughout the eleventh century, but it was not this that caused the first upset at Hexham. This church had a close association with York, having been founded and controled by Wilfrid. During the episcopate of Edmund York made its first attempt to regain control. According to an interpolation in the Chronica, made probably in the reign of Henry I, Alfric Puttoc, archbishop of York 1023-1051, laid claim to Hexham, but was foiled by Bishop Edmund, who claimed that Wilfrid's jurisdiction was not constant and had never impaired the independence of the see of Hexham.[2] It is possible to accept the essentials of this story, though nothing more is known of the episode. York was unsuccessful.

The history of Hexham from c.1071, the next date for which we have any information, into the first years of the twelfth century is a little confusing, simply because the sources present certain problems. According to the piece preserved in BL Ms. Yates Thompson 26,[3] written in the early twelfth century, during the confusion caused by the absence of the bishop in 1071 the prepositus of Hexham, Uhtred son of Ulkil, transfered Hexham to the jurisdiction of the archbishop of York. Why York should be involved is clear, and Uhtred may have felt safer under the archbishop, who had Norman favour, than under the fugitive Athelwine of Durham.

1. Chronica p.524.
2. Ibid. pp.524-5.
3. Hexham Priory I, ed. J. Raine (Surtees Society 44, 1863) appendix no.iv.

1. Provosts of Hexham.

Hexham Priory I, appendix pp.vii-viii	Chronica p.524.
	Tein Collan, son of Eadred.[1] (appointed 990X1016).
Ulkill, son of Arkil, son of Wincune.[2] (appointed 1020X1042).	Tein Wlkill, son of Arkill. (appointed 1020X1042).
Collan.[3] (appointed 1042X1057).	
Ulkill, son of Iluinge. (appointed 1042X1057).	
Uhtred, son of Ulkill.[4] (appointed 1057X1071).	

1. Great-grandson of Hunred? see page 112 .
2. Nephew of Bishop Aldhun?
3. Great-great-great-grandson of Hunred?
4. Father of Cospatric, sherrif of Roxburgh in the early twelfth century.

2. Priests of Hexham.

Alfred, son of Westou.[1] (appointed 1020X1042).	Appointed Gamel Elde (Hamel) and Gamel Iunge as priests in Hexham.
Eilaf I (appointed 1070X1057).	Appointed Sproh as priest in Hexham.
Eilaf II (appointed 1070X1100).	

1. See page 112.

This alienation does not seem to have included the church at Hexham, for this was put under York's protection by Eilaf I in c.1083, a protest against Bishop William's reforms. This would seem to end the withdrawal of Hexham, but a later source states that Bishop Rannulf Flambard (1099-1128) was expelled from his see by Henry I, who 'contulit Hagustaldensis ecclesiae Eboracensi.'[1] By this time Hexham was definitely in the hands of York, the church itself meantime having been given over to an Augustinian community, perhaps reluctantly, by Eilaf II, who became a monk of Durham on his death-bed in 1138. It is probable that Hexham's transfer to York in Flambard's episcopate should be seen as the recognition of York's ownership, not a contradiction of the earlier evidence or evidence for Durham's regaining of Hexham in the last years of the eleventh century. From the twelfth century Hexham, and Hexhamshire, formed a jurisdictional liberty under the archbishop of York.

The loss of Hexham was the only real setback to Durham in the wake of the Norman Conquest, and it can be shown to have had its origin both in a pre-conquest York claim and in the reaction of the hereditary community at Durham to the reforms of the Norman appointed bishops. It was to be these reforms that brought to Durham the most significant change in its personnel and organisation since the seventh century, unless, of course, we accept Symeon's assertion that there had been a decline from the pristine monasticism of Lindisfarne when the clerks took over in 875.

According to Symeon Bishop Walcher was the first to attempt a reform of the community by introducing the Benedictine rule. Hence Walcher's instigation of building works at Durham and his encouragement of Aldwin and his companions at Jarrow and Wearmouth.[2] The northern

1. H.H.E. Craster, The Red Book of Durham, Eng. Hist. Rev. xl (1925) p.525 n.1.
2. Symeon, Libellus III, xviii, xxi, xxii.

monastic renaissance began with Aldwin's arrival and was encouraged by Walcher's beneficence, so Symeon's interpretation might seem to be sensible, but his predilection for Benedictine forms probably coloured his view of Walcher's actions. For Symeon everything in this period was leading up to the reform of 1083, the introduction of monks into Durham in place of the clerks. Yet the story was probably not that simple. Walcher was no monk, but a canon of Liège. One of the first things he did at Durham was to end the use of the monastic horarium, thus removing the last vestige of Benedictinism. The evidence suggests that he desired to reform the community by regularising the observances, but not that he wished to make it monastic. If he had done that he would have removed some of his control, for he was not a monk himself.[1]

One of the most interesting, and intriuging, acquisitions by Durham in Walcher's day was that of the house of canons at Waltham, presented by the Conqueror.[2] This foundation, totally isolated from other Durham possessions, was created by Harold, Godwin's son, and Walcher would have been quite at home there, because Harold's adviser, Athelard, was a native of Liège.[3] If he had wished to reform the Durham community he had at Waltham a base from which to start; men trained in canonical observance who could be used to introduce such observance at Durham. An alternative to Symeon's assertion of Walcher's monastic bias is to suppose that the bishop wished to introduce a reform not in the guise of monasticism, but of a regular canonical life.[4] His building works would have been equally necessary as, presumably, the clerks had no communal sleeping or eating place.

Symeon's terminology for the clerks and others is interesting when regarded from this point of view. Walcher was 'ex clericali ordine' and the community were 'clerici', but when describing the events of 1083

1. Cf. A. Dawtry, The Benedictine Revival in The North: The Last Bulwark of Anglo-Saxon Monasticism?, Studies in Church History 19 (1982), p.90.
2. Symeon, Libellus III, xxiii.
3. The Foundation of Waltham Abbey, ed. W. Stubbs, (Oxford 1861).
4. Cf. Beverley and Southwell, D. Knowles, The Monastic Order in England (2nd edn. Cambridge 1963) p.141.

he calls the clerks 'canons', whilst here, and in the story of Walcher's death are mentioned 'decani'. These last might easily be minor officials, yet it is possible that they were the proposed heads of a new community of canons. Dean was the accepted title for such an official and contrasts with the 'provost' of the earlier community. Such men would obviously have been appointed by the bishop and thus associated with him and his reforms. It is therefore not surprising that in 1080 the dean, Leobwine, was killed with the bishop, and in 1083 the only member of the old community to accept the reform of Saint Calais was the dean, though in this last case it must be noted that his son was already a monk and put pressure upon him.[1] Considering the nature of the community when Walcher became bishop; Walcher's own status and the gift of Waltham, and ignoring Symeon's Benedictine musings, it is clear that the easiest and most likely way of reform would have been to create a house of regular canons, not monks.

We are still faced, however, with Walcher's involvement in the renaissance under Aldwin.[2] Aldwin, intending to settle on a site to the north of the Tyne, was persuaded by Walcher to move to Jarrow, which place and its appendant vills he presented to the new community. This was in c.1073. Walcher increased the endowment after an abortive attempt by Aldwin to settle at Melrose, adding Monkwearmouth, and probably the church of Tynemouth, after he became earl in 1075.[3]

The question to be answered is whether Walcher intended at any time to use Aldwin and his followers to reform the Durham community? If the above evidence has been interpreted correctly it was not his intention, at least from the start, though he may have wished to create some centre to act as a counterbalance to the power and influence of the clerks. Whatever his aims his plans came to nothing for he was

1. Symeon, Libellus III xviii; IV iii. Historia Regum s.a.1080.
2. Symeon, Libellus III xxi, xxii.
3. Offler, Charters pp.4-6.

murdered by the Northumbrians at Gateshead in 1080.

When William de Saint Calais arrived he found 'neither monks of his own order, nor any canons regular'.[1] Symeon appears to be in some confusion here for he actually calls the clerks canons, but perhaps he felt that their observance was so inferior that they did not deserve the title. The lack of any recognisable rule may have been the result of deterioration after Walcher's death, or suggest that Walcher had achieved very little.

The murder of the bishop, whether or not the community had a hand in it , was disastrous. It brought a Norman army to the north and, with the election of William, signalled the end for the clerks. Within three years the new bishop had investigated the community's history, finding from Bede that it had comprised monks in the seventh century. Quite ruthlessly he ousted the clerks, giving them the somewhat dubious choice between accepting the tonsure or leaving. In came the monks of Jarrow/Monkwearmouth. The event can only have been marred in the bishop's eyes by the loss of Hexham and the necessity for providing for the dispossessed clerks. He is said to have created collegiate churches for these at Auckland, Darlington, _Ekington_ and Norton.[2] _Ekington_ has been identified as Easington, but the forms _Hekingtona_ and _Hechintona_ are both found for the vill of Heighington, and there seems no way to decide the location.[3]

To use late thirteenth century evidence to calculate the size of the unreformed community is not completely satisfactory, but is perhaps useful. We know of Eilaf at Hexham and the 'Tod' family at Bedlington, as well as the dean who joined the new community.[4] The 'porciones' (excluding vicars) of the collegiate churches at Auckland, Darlington

1. Symeon, _Libellus_ IV ii.
2. Ibid. IV iii,
3. Boldon Book has _Esynton_ (Easington) and _Heghyntona_ (Heighington).
4. Above pp.108-110, 114.

and Norton (neither Easington nor Heighington were collegiate in the thirteenth century) in the 1291 taxation numbered 25.[1] The consistent value at Norton (£6) and Darlington (£16. 13. 4d.) may suggest a common origin at each church. The unreformed community could have numbered about thirty, possibly more, which, compared to Benedictine houses of comparable date was low, though Aldwin's monks only numbered twenty-three.

Bishop William lost no time arranging matters at Durham. Aldwin was prior and Leofwin was sacristan, an office of much importance considering the wealth of relics and other treasures at Durham. Symeon says that he next divided the lands between himself and the convent. This is unlikely to have occurred so early, though some provision for the monks must have been made. At this time the Conqueror is said to have granted Billingham for the monks' sustenance. Although there is some chance that the vill was lost by the community in the tenth century, it is most likely that King William was confirming the vill for the specific use of the monks, rather than granting the vill anew. The complete sorting out of lands, to which was added the problem of jurisdictional rights when the bishop made Turgot archdeacon, was to take longer than the thirteen years before Bishop William's death in 1096. Nevertheless, his episcopate was beneficial for Durham and the new community; he obtained extensive lands in Yorkshire and Lincolnshire, and he began one of the most impressive buildings in England, the cathedral at Durham. He did not solve all the problems created by the new dispensation, nor could he, for some only came to the surface at his death or during the long vacancy before the appointment of his successor. To the monks of Durham, however, this bishop came near to sainthood,[2]

> 'How great was their grief for the loss of so good a father, how deep their sorrow, how bitter their tears, it is better in my opinion to pass over in silence, than to make a statement which some persons might find incredible.'

1. Taxatio Ecclesiastica Angliæ et Walliæ ... circa 1291, Record Commission (London 1802), pp.315-316.
2. Symeon, Libellus IV x.

The community, compiling its forgeries in the twelfth century, looked to the actions of Bishop William in 1083 for the major endowment. One of this bishop's first concerns must have been to provide a firm basis for the new community and it is likely that the forgeries give a reasonable picture of the convent's possessions by about 1096.[1] The dubious material in the forgeries seems mostly designed to deal with specific problems, such as the status of the convent's Yorkshire churches or the ownership of vills contested by the bishop, than to push extravagant claims to lands or privileges.

We know that the first endowment of the monks was Jarrow, shortly followed by Monkwearmouth, and then by the provision made by Bishop William in c.1083. Around 1087 Hemingburgh, Yorkshire, came into the bishop's hands and went thence to the convent.[2] In 1095 Edgar of Scots gave the shires of Coldingham and Berwick, the former passing to the convent and remaining part of Durham's patrimony even after Flambard had lost Berwickshire around 1100. Some ancient possessions of the church did not pass immediately to the new community. For instance, the church of All Saints', Pavement, York, was held by the bishop in 1087, but passed to the convent by the early twelfth century.

If the forgeries do, as Professor Offler has contended, offer a reasonable account of the community's lands in c.1096, the division of land between convent and bishop may have been largely complete by that date. But there were still a few loose ends which, however, did not become fully apparent until the community was shocked into protecting its position by the arrival and aggressiveness of Flambard in 1099.

The chronology of the division of lands may be somewhat vague, but some features of the process, especially disputes, can be examined in some detail. The most equitable of divisions seems to have been in

1. Offler, Charters p.14f.
2. Hemingburgh occurs amongst the possessions of the king in the main Domesday survey, DB i f.299, but of the bishop of Durham in the Summary, DB i f.381b.

Lothian where Coldinghamshire went to the monks and Berwickshire to the bishop, though the church at Berwick was also given to the community. Of the northernmost English lands, Norhamshire and Islandshire, the bishop seems to have taken the greatest part, the convent retaining, naturally, the Island of Lindisfarne and the appendant chapels with Fenwick and Elwick, as well as Norham church, its chapel at Cornhill and land at nearby Scoreswood. The division here is typical for it is true that the convent tended to hold churches even where much of the land went to the bishop.

Bedlingtonshire was episcopal, yet the church of Bedlington and the chapel at Camboise fell to the monks. In Yorkshire the churches at important centres obtained from the Conqueror, such as Howden and Welton, were held by the community, as were more ancient possessions like All Saints', Pavement. Twelfth century confirmations show that in many cases all that the community retained were churches, perhaps with a little land appended. A forgery, purporting to have been issued by Bishop William de Saint Calais, records that bishop's gift of the churches of Allertonshire to the monks.[1] The land of the shire was retained by the bishop. It is possible to explain such a situation by noting the contemporary predilection for transfering churches to monastic owners. Knowles noted the prominance of bishops amongst those bestowing churches upon monasteries, 'the more zealous, whether monks or secular, may well have considered that monastic owners were more likely than others to secure the appointment of devout and lettered clerics and above all to to break the traditions of a married and hereditary clergy.'[2] William de Saint Calais' reforming zeal and the particular problems of native clergy at Durham are of particular note.

The monks did not just obtain churches, however, and held land in

1. Offler, Charters no.6.
2. D. Knowles, The Monastic Order in England (Cambridge 1963, 2nd edn) p.597.

Yorkshire, Lincolnshire and Nottinghamshire, as well as north of the Tees. In the first the community's land was exceeded simply by the bishop's holdings in Northallerton; the lands of Lincolnshire were mostly retained by the bishop, having been granted by the Conqueror, though a confirmation issued by Eugenius in 1146 includes a cell at Stamford, which had not appeared in any earlier document, and was held by the community along with some land in Lincoln and Torksey, as well as a number of churches; land in Nottinghamshire obtained some time around 1100 was held completely by the monks.[1] The picture is consistently one in which the bishop retains the largest share, leaving some churches and land to the community. This had the wider result of leaving the community with a much more compact patrimony, centred upon County Durham, with outliers, such as Coldinghamshire or Lincolnshire lands,administered through cells. The bishop's remoter lands were more likely to be held by knight service than exploited directly, providing a division between the central lands of the patrimony and the outliers comparable to that of the community with its cells.

County Durham itself does not fit into any pattern of land division for it was neither equitably divided nor was the community there allocated the spiritualities rather than the temporalities. The bishop once again retained the lion's share, which, if we include the vast Pennine tracts, much exceeded that of the community. It seems unlikely that the community held any of the largely untapped Pennine land until it obtained some pieces along the rivers Derwent and Wear, mostly from the bishop, in the twelfth century.[2] Holding Jarrow, Monkwearmouth and estates centred upon Dalton, Rainton, Pittington, Shincliffe, Merrington, Aycliffe, Monk Hesleden, Billingham, Staindrop and along the Skerne it is still unlikely that the community had more than a third of the total

1. PU II 51; EYC II 931.
2. Offler, Charters no.46a; DCD 2.3 Sacr. 5; Lapsley, BB 335.

patrimony within the diocese.[1] This position holds even if we ignore the status of the bishop as overlord of the whole of the liberty and concentrate upon those lands directly exploited. But the community was not by any means starved of land. Whilst the bishop dominated all spheres the community of Durham was clearly the next most powerful body in the diocese, continuing as such throughout the Middle Ages. No other religious community succeeded in establishing itself in County Durham, despite the attempts of bishops and their followers.[2] To such predominance must be added the interesting fact that the most influential family in the County, that at Staindrop, held its seat of the community not of the bishop, only holding land of the latter after the mid-twelfth century.[3]

The division of land between bishop and convent was a delicate process, not always amicable. The most important period for this was the episcopate of William de Saint Calais, founder of the Benedictine community at Durham. The influence of the bishop as the motive force must account for much of the imbalance between the respective portions, Throughout the twelfth century a constant factor in Durham's history was the conflict of monks and bishops. Some of the disputes must be traced to the vague nature of some details of the settlement. This may have led certain bishops to overstep the mark. For instance, in 1128 Bishop Rannulf restored to the monks lands in County Durham that he had seized during his episcopate. Professor Barlow has already given us a detailed and interesting account of the conflicts over ecclesiastical jurisdiction which must have owed as much to the vague intentions of Bishop William after 1083 as to the grasping of successive priors.[4] The division of land was, eventually, matched by a division of ecclesiastical jurisdiction, but although the claims of the monks in the late

1. See map I on p.
2. See the early attempts to set up a religious community by Henry Puiset, The Charters of Endowment, Inventories and Account Rolls of the Priory of Finchale, ed. J. Raine, (Surtees Society 2, 1837).
3. See pp.136ff.
4. F. Barlow, Durham Jurisdictional Peculiars (Oxford 1950).

twelfth century suggest that they believed that there should also have been a division of the privileges of the liberty there was no diminution of the bishop's position as head of the liberty of Saint Cuthbert, 'in loco regis'.

As a final twist in the story of Durham's reformation in 1083, which seems to be a revolution imposed by a Norman master, we find the new community almost as English as its predecessor.[1] The resurrection of monastic life in northern England was the work of English monks, inspired by the writings of Bede.[2] Aldwin, Elfwy and Reinfrid led the way and when Aldwin chose a companion for his settlement at Melrose it was Turgot, who, like Saint Godric, was a native of Lincolnshire and had fled from the Normans.[3] Reginald of Durham's list of those monks present at the opening of Cuthbert's coffin in 1104 is most illuminating.[4] We must assume that only those of some importance in the monastery would have been found worthy enough to be present on such a solemn occassion: Turgot, by then prior, of course; Aldwin, sub-prior; the sacristans Leofwin, Wilking, Godwin, and Osbeorn; William and Henry 'Havegrim', archdeacons; Algar, a future prior, and Symeon, the Durham chronicler. This band is predominantly English, even William and Henry being betrayed by their surname. These were the people who dominated the monastery twenty years after its foundation by a Norman bishop.

A glance at the _fasti_ of other churches, especially the monastic cathedrals, for the period before c.1150 shows how unique this Englishness is, though we must obviously allow for foreign names masking the odd Englishman.[5] The first three priors at Durham, a reformed house,

1. Those names in the list at the beginning of Symeon's _Libellus_ written in the first hand, seventy, show a roughly 50:50 division between English/ Scandinavian names and others, some of which, as biblical names, may mask Englishmen.
2. Symeon, _Libellus_ III xxi.
3. _Historia Regum_ s.a. 1074.
4. Reginald, _Libellus_, xl.
5. _Fasti Ecclesiae Anglicanae, 1066-1300_, II, ed. D.E. Greenway, (London 1971).

were English, the sequence ending with Prior Roger in 1138. The increase in monks and officers with non-English names as the twelfth century progressed obviously implies an increase in persons of non-English origin, as witnessed, for instance, by the appointment of episcopal relatives as officers. However, naming habits were changing in the same period and this should make us wary of seeing in every foreign name a foreign person. The Norman Conquest, as with all major events, was a mixture of change and continuity. If we wish to find out how ideas of the English state were transmitted into Anglo-Norman England we could do worse than look at the monasteries. Durham's place in preserving English institutions was of extreme importance for not only did it retain the most extensive patrimony in England, but upon this it preserved a jurisdictional superstructure unique in the kingdom.

(VI)

ENGLISH AND NORMAN AT DURHAM.

Genealogy is a most useful tool for understanding the finer details of a society, like that of northern England in the Middle Ages, organised around and permeated by the priniciple of the family. An example of the importance of kinship is provided by the account of the feuds of the Northumbrian earls in the tract De Obsessione Dunelmi,[1] whilst we have already seen how strong was the hereditary element within the community of Durham before 1083. To examine northern society is to study time and again the vicissitudes of various families; a story of growth, decline, establishment and destruction. In the following pages the family history of persons associated with Saint Cuthbert's is outlined, sometimes for no more than three generations and often because we have evidence of them rather than because of their intrinsic value as subjects. Of course, the major focus will be the changes, if any, in the make-up of the vassalage of Saint Cuthbert caused by the Norman Conquest. An important concern must be, in the words of Sir Frank Stenton, 'the identification of a few among the many individuals through whom the English conception of the state passed into the substance of Anglo-Norman life'[2], though the many who brought to northern England the ideas of the Norman will also be studied. Having seen how the great patrimony of Saint Cuthbert had developed in the five centuries up to the twelfth we shall now see in some small way who came to hold this land.

Of the composition of the pre-conquest vassalage of Saint Cuthbert we have few indications, but it is worth taking some time to look at the evidence before proceeding with the main theme. Some of the

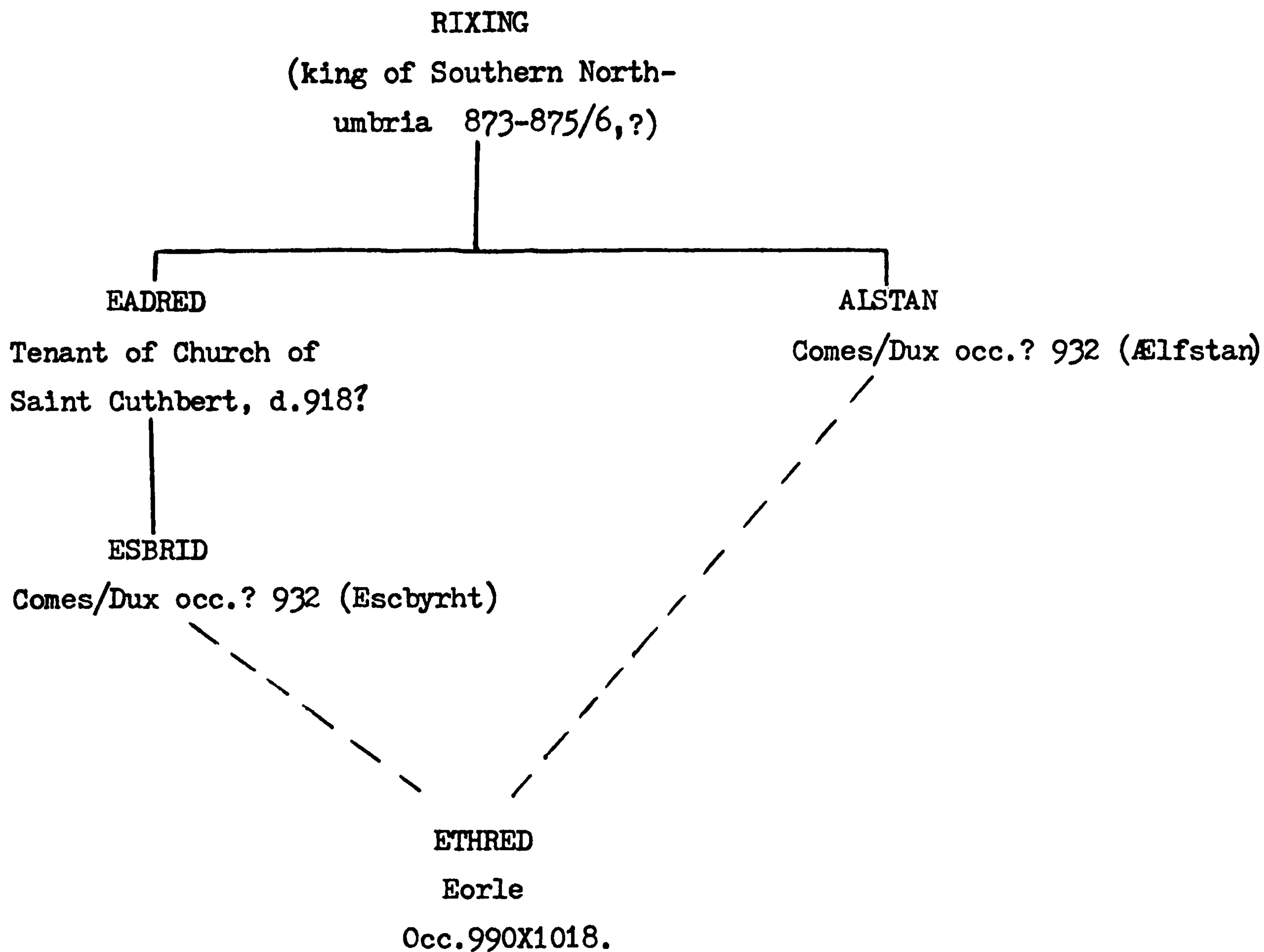
1. See, for instance, W.E. Kapelle, The Norman Conquest of the North (London 1979), pp.3ff. See pp.130f.
2. F.M. Stenton, English Families and the Norman Conquest, in Essays in Medieval History, ed. R.W. Southern (London 1968), p.105.

earliest evidence about the tenants of the community is preserved in the Historia and relates to the early tenth century. Alfred, son of Brihtwulfing, and Eadred, son of Rixing, were both granted lands in County Durham in the episcopate of Cutheard, and both fell in battle against Ragnald.[1] Nothing further is known of Alfred, but there is a little more to Eadred's history.

The Danes, established at York after 866, set up under them English kings whose rule extended, probably with effective Danish control, only as far north as the Tyne.[2] One of these puppet rulers was Ricsige (873 to 875/6).[3] The name is close to that of Eadred's father. If the two were the same it would add some significance to Eadred's murder of the princeps Eardwulf.[4] Was Eardwulf the Eadwulf of Bamburgh who led the English opposition to the Danes? The title princeps does not argue against this, the Annals of Ulster calling Eadwulf (Etulb) a king, though the Historia, which calls Eardwulf princeps, calls Eadwulf simply earl. Against Eardwulf being Eadwulf is the possibility that the community of Saint Cuthbert, traditional ally of the Bamburgh house, was unlikely to give succour to Eadred if he had killed Eadwulf of Bamburgh.[5] However, opposition of the son of a southern Northumbrian king to the northern Northumbrian rulers is not improbable and that the community did indeed give refuge to Eadred after he had attacked an important member of the Bamburgh family not impossible.

After Eadred's death in battle against Ragnald his son, Esbrid, and brother, Alstan (Elstan and Æltan in the earliest Historia manuscripts) received his land and seem to have held it of the community, though Ragnald may have been the one to give it to them. Alstan is called comes in

1. Above pp.76-7.
2. Historia Regum s.aa.867, 873, 876.
3. Historia Regum gives a reign of three years, the De Primo Saxonum Adventu (ed. T. Arnold, Rolls Series 75, ii, 337) a reign of two years.
4. Historia s.24
5. The death of Eadwulf occurred in 913 and if he was killed by Eadred the latter would have held his Cuthbertine lands until c.915/16 (Historia s.24) about the time of the so-called 'First' battle of Corbridge - this would mean that there was probably no 'second' battle. Above p.76.



Possible Genealogy of the family of Eadred, son of Rixing, holding land of the Community of Saint Cuthbert in East and South-East County Durham c. 915 - 1000s.

Possible, but uncertain links - -------

the Historia, adding interest to his family apart from the association with the community. Further to this we have two charters of Athelstan, relating to Wessex and issued in 932[1], amongst the subscribing witnesses of which there is a distinct northern element. In the duces occur, in order, Ealdred, Uhtred, Escbyrht and Ælfstan.[2] The first of these can be no other than the sons of Eadwulf of Bamburgh, who had survived the battle of Corbridge and submitted to Edmund in 920; Ealdred submitting to Athelstan in 924.[3] It is possible that the Escbyrht and Ælfstan who follow were the son and brother of Eadred. The similarity of the names is obvious.

We probably have here evidence for the holding of land from the community by a family of comital status, perhaps having royal descent. The land the family held may be divided into two sections: the first bounded on the east and south by the river Wear and on the west by the Derwent and Pennines; the second based upon Gainford, presumably bounded on the east by Dere Street, on the north by the Wear, on the south by the Tees and on the west by the Pennines.[4] It is possible, though not allowing of proof, that the family continued to hold land in this area in the late tenth century. At that time a certain Ethred eorle was granted land along the Wear, being otherwise unknown.[5] His association with Uhtred of Bamburgh and Earl Northman suggests his importance, and also shows another prominent noble holding land of the community.

Uhtred of Bamburgh is the first of the earls of northern

1. Birch 692 (Sawyer 418) is a charter of Athelstan for his thegn Alfred the authenticity of which is not in question (H.P.R. Finberg, Early Charters of Wessex (Leicester, 1964) no.50). Birch 690 (Sawyer 393), a charter of Athelstan for Winchester, is considered spurious by Finberg, op.cit. no.236, though R.R. Darlington suggests that it might be genuine (V.C.H. Wiltshire II, (1955), p.84). The identical witness lists suggests that even if Birch 690 has been tampered with it may be based upon an authentic act. However, the acceptance of Birch 690 is not essential for the argument put forward here.
2. Another possible northern dux is the next in the list, Uhtred.
3. Historia s.22; Anglo-Saxon Chronicle A s.a.924, D s.a.926.
4. Historia s.24.
5. Historia s.31; See the genealogy on the previous page.

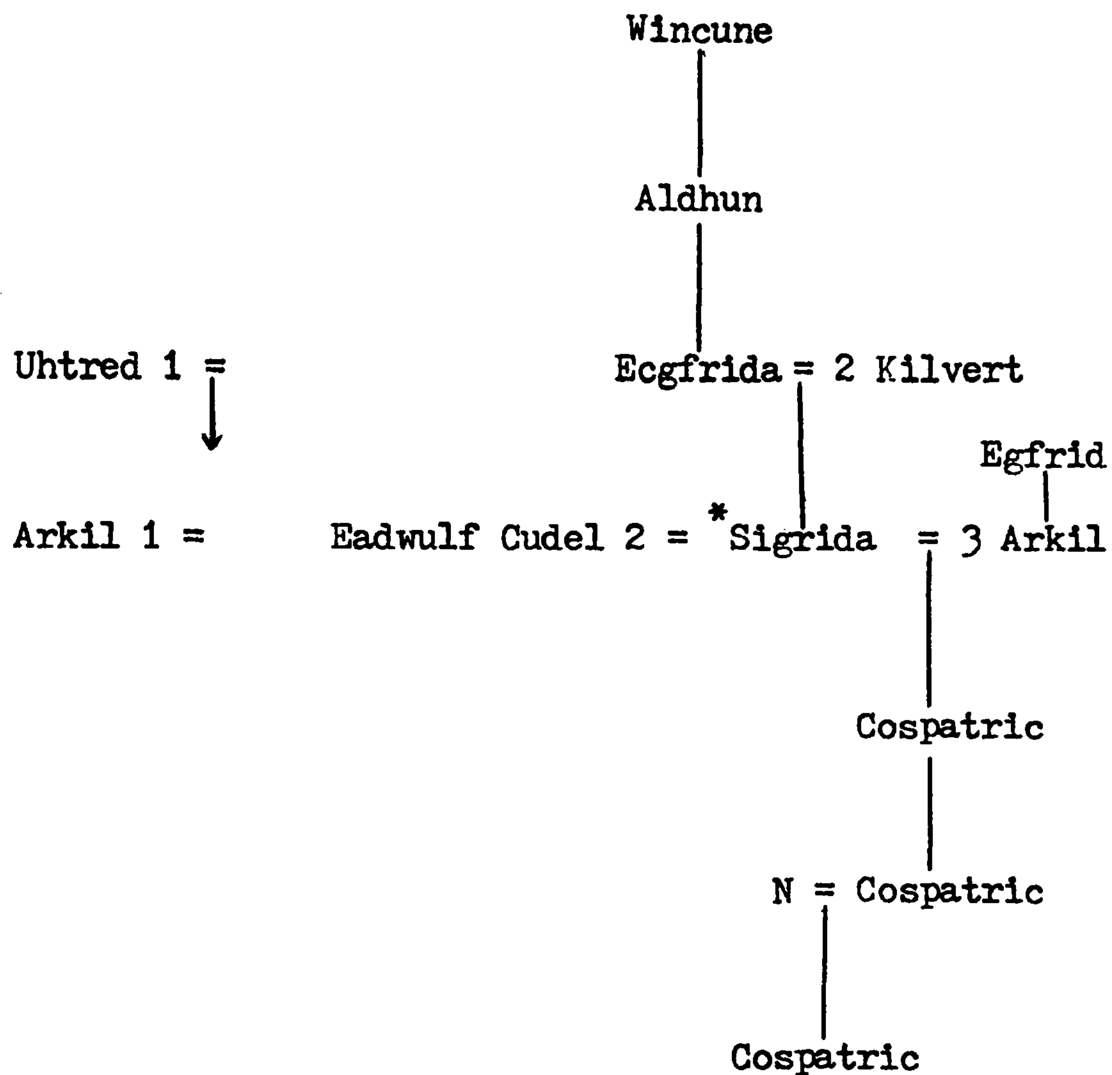
Northumbria for whom we have evidence of holding land from the community of Saint Cuthbert.[1] It is from events of c.1000 involving Uhtred that we can see how closely intertwined the community could become with the northern nobility. Uhtred married the daughter of Bishop Aldhun, Ecgfrida, and received in dowry certain vills in southern County Durham.[2] As has been explained above these were the cause of conflict between the community and earls and their descendants well into the twelfth century. Here we need only note the family connections that generated the confusing claims to the vills. The direct descendants of Earl Uhtred were foremost among those who claimed the vills, seeming to retain a certain overlordship throughout the eleventh century which was inherited by later earls of Northumberland regardless of their ancestry.

Yet Ecgfrida did not continue as Uhtred's wife and, dismissed by him, she married Kilvert, 'quidam tein in Evervicshire', by whom she was also dismissed; though not before she had borne him a daughter, Sigrida. This daughter, following in her mother's footsteps, married three times. Her first husband seems to have been Arkil, Fridegist's son, of whom nothing further is known; the second was Earl Eadwulf Cudel, Uhtred's brother and therefore her mother's brother-in-law (uncle ?); Eadwulf was followed by Arkil, Ecgfrid's son, who, we are told, fled when the Normans arrived - any time between 1066 and 1071 in the north. It is most interesting that, earls apart, those who claimed the estates must have traced their claim through the female line to Ecgfrida. There was, for instance, no trouble from the descendants of Uhtred and his other wives, Sigen and Elfgiva. It suggests that the vills had never become fully Uhtred's property.

A granddaughter of Earl Ealdred, with Ecgfrida as her great-grandmother, married a certain Eilsi of Tees who seized some of

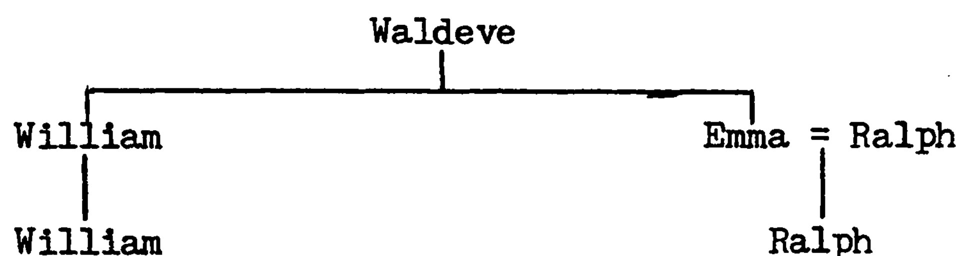
1. The earls of Northumbria/Northumberland, including the descendants of Uhtred and Ecgfrida, are dealt with in the following chapter on the earldom.
2. De Obsessione Dunelmi; the family of Ecgfrida and Kilvert, through Sigrida, is given on the next page. Above p.95f.

Descendants of Bishop Aldhun.



* The order of Sigrida's husbands is not certain, though this is the order in which they appear in De Obsessione Dunelmi.

the vills after the flight of Arkil, Ecgfrid's son. In this way did a northern Englishman take advantage of the chaos of the Conquest to make good a claim to land. Waltheof, Eilsi's son, held the vills seized by his father in the early twelfth century, as testify charters issued by Nigel d'Aubigny restoring these, Barmpton and Skerningham, to Durham. D'Aubigny seems to have obtained his hold on the vills through the former earl of Northumberland, Robert de Mowbray, whose wife he married. It is just possible that Waltheof's descendants continued to hold land in southern County Durham into the late twelfth century for a charter of 1171X1196 relating to Neasham affords the following genealogy:



Waltheof is, however, a common name and the identification of Eilsi's son with Waldeve tenuous.[1]

Arkil's flight was not unique. Some of the English nobility, like Liulf, who married Aldgitha, Earl Ealdred's daughter, retreated to the north, some, like Earl Cospatric, to Scotland. Others tried to cope with the new dispensation. Eilsi's eye for profit has been noted, but he was not unique. Uhtred, praepositus of Hexham, took advantage of the absence of a bishop at Durham around 1069-70 to transfer Hexham to the jurisdiction of York, obviously hoping to improve his chances of survival under a Norman cleric.[2] It may only have been the continuing precariousness of the position of the northern nobility throughout the later eleventh century that prompted his son, Cospatric, to retire to Scotland, where he became sheriff of Teviotdale (Roxburgh) and a benefactor of Jedburgh Abbey.[3]

1. Northumberland and Durham Deeds from the Dodsworth MSS in Bodley's Library, Oxford (Newcastle upon Tyne Records Committee, 1929). A William de Skerningham held land at Skerningham from the early thirteenth century - could this be Waldeve/Waltheof's son or grandson? Feodarium p.51n.
2. Hexham Priory I, ed. J. Raine (Surtees Society 44, 1863), appendix p.viii. See above p.113.
3. A.C. Lawrie, Early Scottish Charters (Glasgow 1905) 35, 65, 83, 189.

Links with Scotland could develope in other ways as well. Uhtred, son of Waltheof, lord of Tyndale, married Bethoc, only daughter of Donald Ban, king of Scots 1093-97, and their daughter married Richard Comyn, nephew of the Scots king's chancellor, taking with her the land in Tyndale. When Richard died she married Malcolm, earl of Atholl. A member of the lesser English nobility had thus moved into the centre of the Scots aristocracy.[1] Such stories as have been described suggest that a number of lesser lords managed to survive, if not thrive, beyond the Conquest, both in northern England and Scotland.

The twelfth century Durham sources abound with persons of English stock, though it is often difficult to assess either their status or that of their predecessors. Boldon Book shows, as we should expect, that many lesser officials were English and there can be little doubt that the office of dreng had passed from father to son for many generations. These families must have, in many cases, survived the upheaval of the Conquest. For some of the lesser nobility of County Durham in the later twelfth century it is possible to prove an English origin, the problem being that it is seldom possible to prove that the family's status had been the same in the eleventh century. Had some made good since the Conquest or had they survived, perhaps in a reduced state, from the Anglo-Saxon period?

One of the prominent lesser landowners of the late twelfth century in County Durham was Walter de Fery, who held land of the community at Ferryhill (Fery). He had two daughters, Alienor and Ysoude, the first of whom married Walter de Het, another of the lesser gentry of the county. Ysoude and Walter inherited the land in Fery.[2] A Roger de Fery, perhaps Walter's brother or a relative, also held land in Ferryhill. The family seems to have been typical of the local landholders

1. RRSc I, no.103; Northumberland and Durham Deeds from the Dodsworth MSS pp.280-2; A.A.M. Duncan, Scotland: The Making of the Kingdom, (Edinburgh 1975) pp.137, 543.
2. Feodarium p.67 and note.

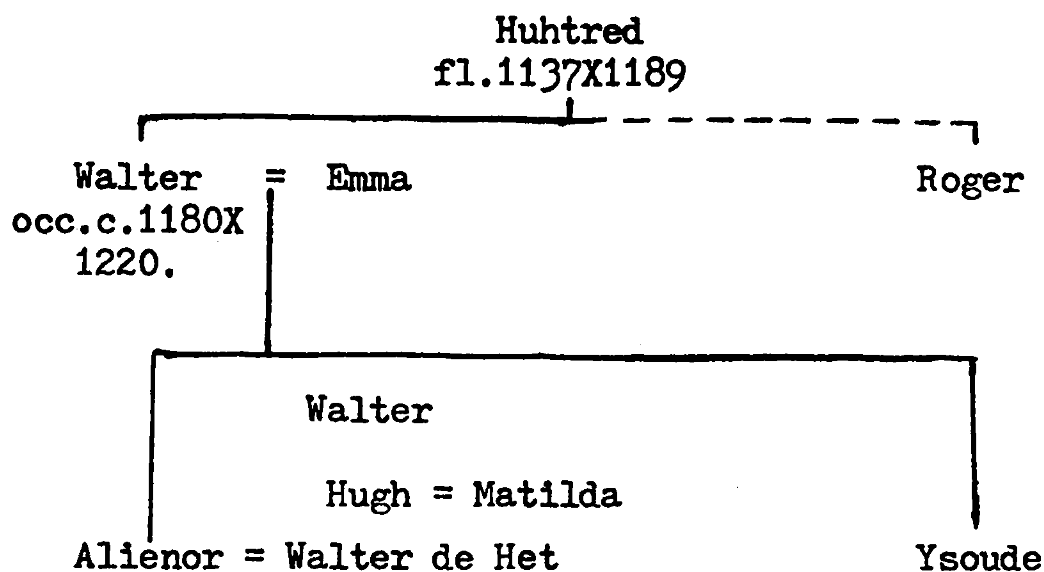
on the estates of the community and bishop. From a charter of 1189X1195 we find that Walter de Fery's father was named Huhtred, distinctly English and northern, and that Huhtred had been confirmed in possession of the land at Ferryhill by successive priors since the 1140's.[1] The disappearance of English names in the family after the middle of the century shows how easily English ancestry might be obscured. Huhtred was by no means unique. Roger of Burdon (fl.1200) had a father called Acharius, but his grandfather was called Copsig.[2] At Wolviston, in south-east County Durham, shortly before 1180 Ralph of Wolviston was confirmed in the ownership of the land held by his father, Gamel, and grandfather, Aelsi son of Arkil. The latter held the land during the episcopate of Bishop Rannulf Flambard, 1099-1128, and it had been held in drengage at least since that time.[3]

We have here examples of typical northern English families, though it is diifficult to say much more. The drengage held by Ralph of Wolviston may have been in existence, and associated with the same land, since long before the Norman Conquest, but we cannot say with any confidence that it was Ralph's ancestors who held it then. The probability must be however that in many cases not only did families survive, but the land units they held also survived. We have seen elsewhere how vills in southern County Durham were consistently in dispute from the early eleventh century to the twelfth. Eilsi of Tees passed Skerningham and Barmpton to his son Waltheof, and these passed back to Durham from Nigel d'Aubigny.[4] Local memories were very long and communities like that of Northumbria very conservative. The persistence of centres of administration and of ancient boundaries is proven and it is as likely as not that where families survived, probably even where they did not, land units and groupings also remained intact.

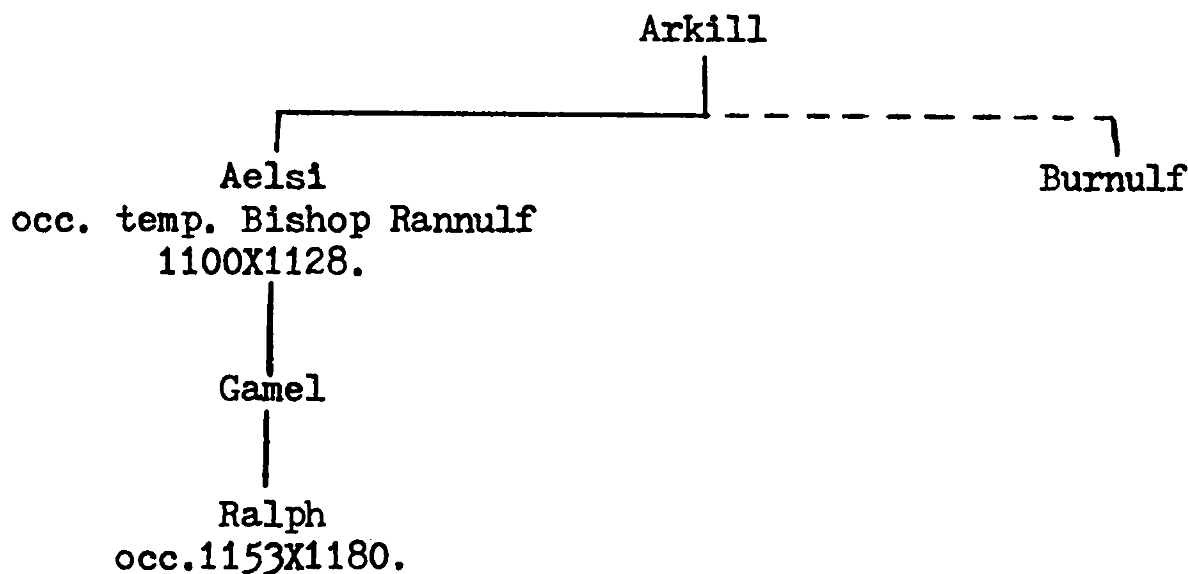
1. Feodarium p.64nn.
2. Ibid. pp.146-8nn.
3. Ibid. p.140n. Offler, Charters no.29, has suggested that a certain Burnulf son of Arkil, witness to a charter of 1133X1141, may have been Aelsi's brother.
4. Above pp.95-7.

Families of English Origin in County Durham in the twelfth century.

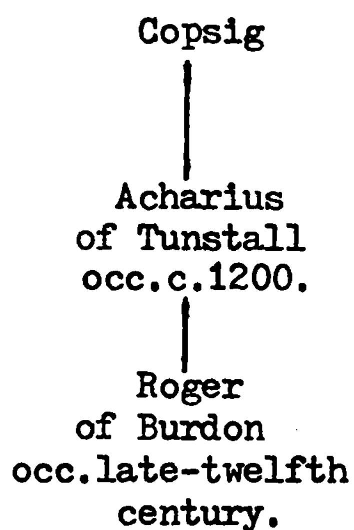
De Fery.



De Wolviston.



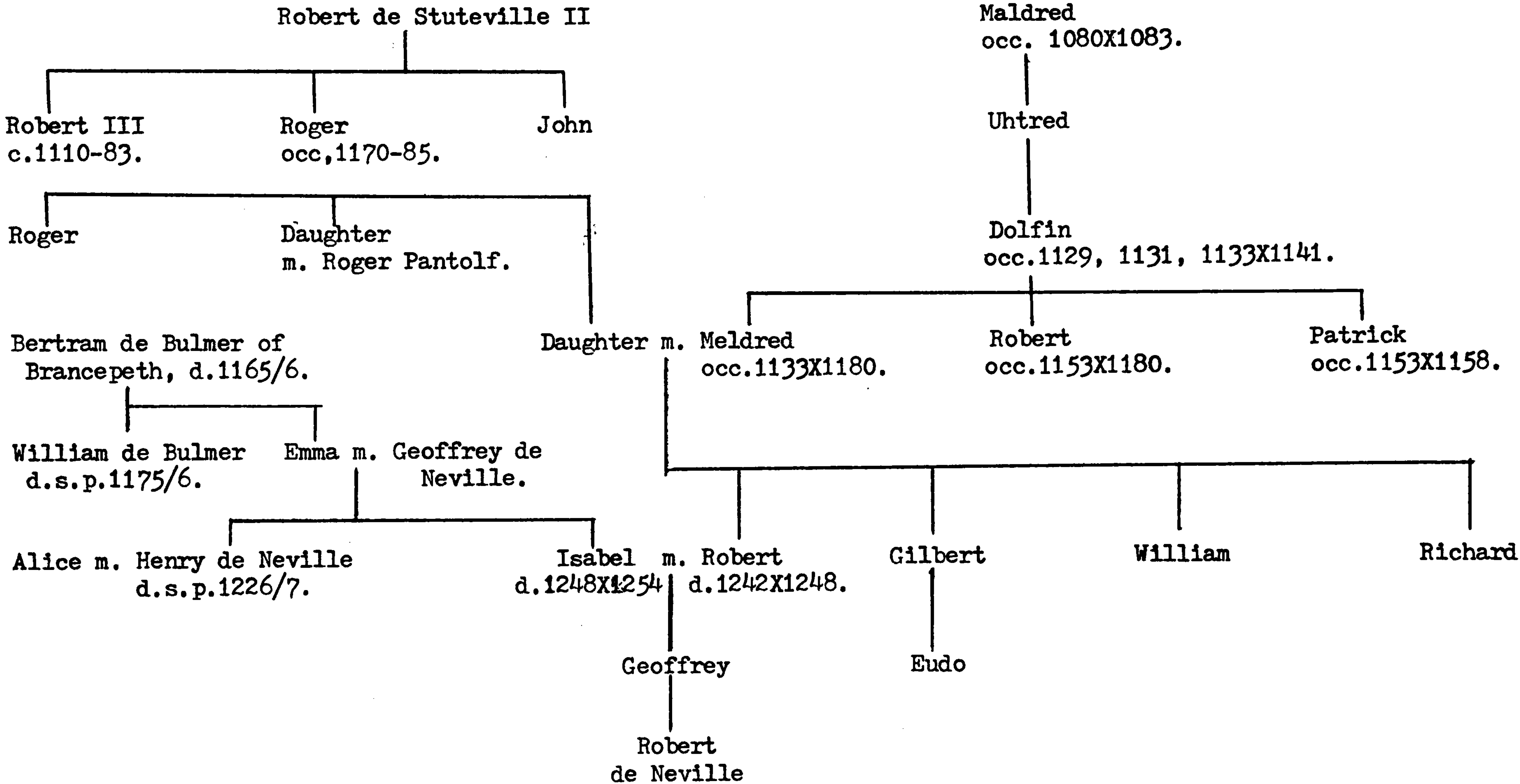
Burdon.



For the family of Staindrop/Raby, one of the most powerful in northern England in the Middle Ages, we can suggest with much greater certainty a survival of family and landholding from late Anglo-Saxon times through to the Anglo-Norman period. A spurious charter ascribed to Bishop William of Saint Calais contains one or two trustworthy details, amongst which is the statement that the bishop obtained a half interest in the vill of Ketton, County Durham, from a certain Meldred, who received Winlaton. Whilst it is not possible to say who was holding the latter at the time of the Boldon survey, 1183, a certain Meldred, son of Dolfin, held land at nearby Stella and Winlaton formed part of the Neville fee (Meldred's son Robert married the Neville heiress, Isabel).[1] It is these facts that have led historians to conclude that Meldred, who held land in Ketton and Winlaton in the late eleventh century, was the forbear of the Meldred who held land at Stella and thence of the Neville lords of Raby.[2]

Meldred's son, Uhtred, witnessed a charter of Bishop Flambard in c.1116-1119, and it was his son, Dolfin, who held Staindrop and Staindropshire in the early twelfth century.[3] It is with this last that the family's importance comes into the light, but it is probable that it was established long before the early twelfth century. Dolfin was succeeded toward the middle of the twelfth century by Meldred, who was succeeded by his son Robert in the 1180's or early 1190's, perhaps before 1183, though Robert was still paying the relief for his father's land in 1195.[4] It was this Robert who married Isabel Neville (heiress of her brother in 1226-7) and whose land passed to their grandson Robert de Neville (d.1282). Other members of the Staindrop family are found in documents relating to lands in southern County Durham around 1200.[5]

1. Offler, Charters nos.3, 3a, 4.
2. Ibid. pp.76-7. Lapsley, BB p.336.
3. Offler, Charters no.12. Feodarium pp.56-7n. RRAN II, 1586.
4. Meldred witnesses documents alone in the early part of Puiset's episcopate, Feodarium p.100n(3.1 Pont. 11, 1153X1158). Pipe Roll 7 Richard I. Lapsley BB p.339.
5. Feodarium 53-4n, 146n.



The Family of Staindrop/Raby.

The names of the earlier members of the family, Meldred, Dolfin, Uhtred and Patrick (Dolfin's son), add support to a suggestion that it had among its ancestors Maldred, son of Crinan, and had therefore a relationship with Earl Cospatric and the earls of Dunbar;[1] this might help us to understand the importance of the family in County Durham, but cannot be proved. The naming habit of the family does, however, exhibit a common phenomenon; the change from English to Norman names about the middle of the century. A son of Dolfin had been called Robert, but the big change came with Meldred's sons. None of these had English names. Were these becoming socially unacceptable or did it just take this long to break down the conservatism of northern families? Perhaps a combination of the two is the reason. It is certainly a trend for which there is plentiful evidence in the north at this time.

The popularity of Norman names is, whatever the cause, a sign of the new settlement in the north; the integration of English and Norman. Clay has shown that Meldred, son of Dolfin, married a daughter of John de Stuteville, a younger son of Robert II de Stuteville, a benefactor of the community.[2] His son, Roger de Stuteville, was sheriff of Northumberland from 1170 to 1185, whilst the eldest, Robert III de Stuteville had an interest in seventeen fees in Yorkshire in 1166.[3] It was indeed an important match for Meldred. As was his son's marriage to Isabel de Neville, who had links with the Bulmers of Brancepeth, County Durham.[4]

In the north in the twelfth century society became, through settlement, marriage and the introduction of Norman culture, truly Anglo-Norman. A vital element in this society was supplied by the

1. W.W. Gibson, The Manor of Winlaton, Arch. Ael. 4ser. 23 (1945), 8-26.
2. C.T. Clay, A note on a Neville ancestry, Antiquaries Journal xxxi (1951); RRAN II, 505.
3. Red Book of the Exchequer (Rolls Series,25i, 1896), pp.419, 429.
4. J.H. Round, Family Origins (London 1930) pp.54-9. In 1166 William de Bulmer, Isabel's maternal uncle, held five fees of the bishop of Durham.

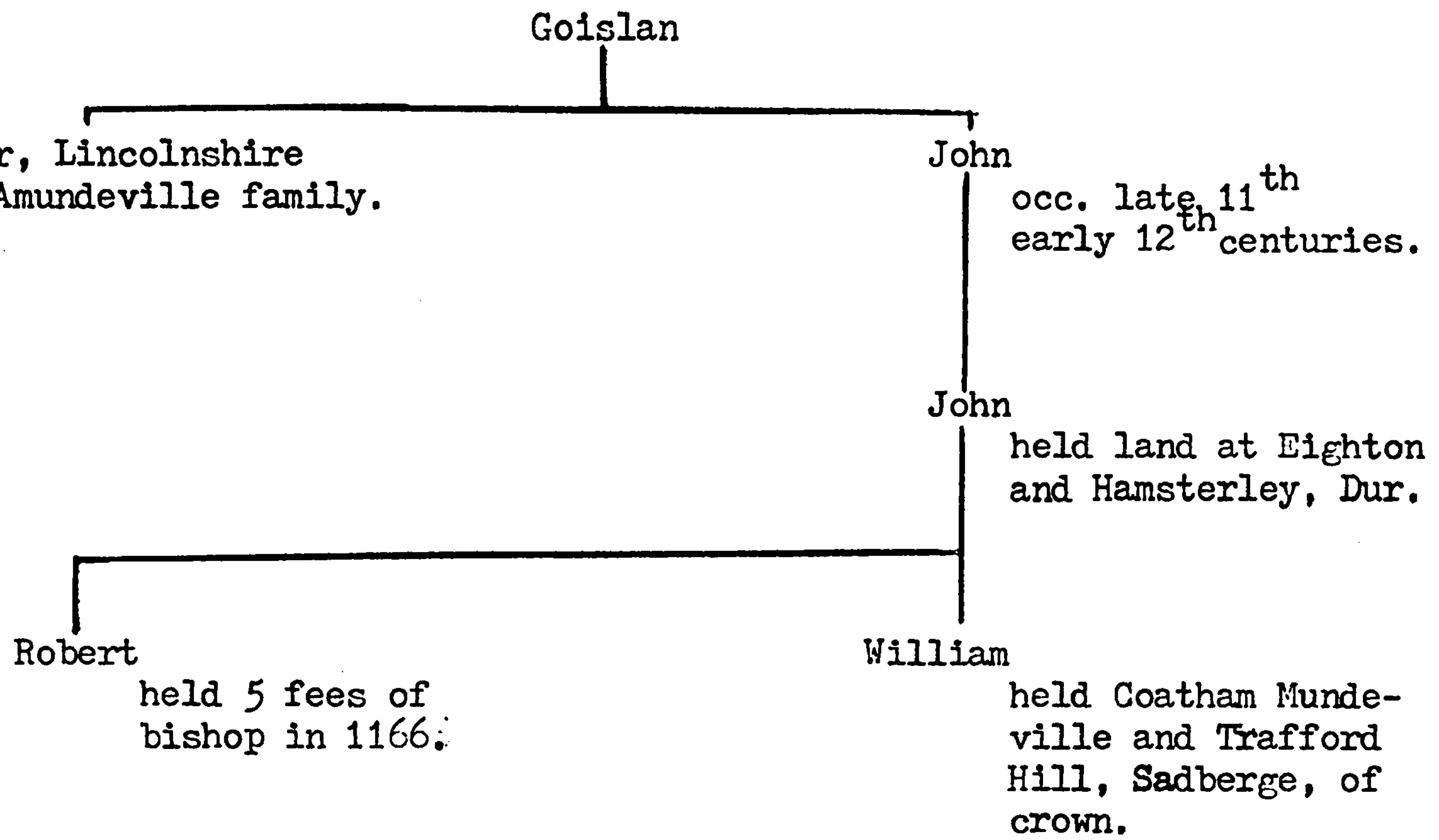
English families, though it is often difficult to identify the essential English element, sometimes merely because of a change in naming practice. In terms of social relationships the family structure, the power of kinship, must have seemed little different to that pertaining during the reign of the Confessor. The examples given above provide some idea of how widespread the English survival could be. They prompt us to reiterate the warning of Sir Frank Stenton when writing of that 'undistinguished tenant on the honour of St. Valery', Robert of Astorp, that it would be dangerous to assume that the persons mentioned stood alone among their equals and contemporaries as the descendants of English families. We may agree that the 'English lords ... are clearly survivals from a society which had been shattered by foreign conquest', but the history of the lords of Staindrop shows that 'their place in the new order which had superseded it' was **not**, at least in the north, always as insecure as we might suspect from the chronicles of the conquest.[1]

Obviously the study of the English does not provide anything like a complete picture of the state of that Anglo-Norman society that grew up in the north. New families were of no little importance. Concentrating upon the tenants of the church of Durham it is clear that a substantial number of the new people appeared, often in places of authority, the pattern being set by the 1070's for the introduction and development of their families. Of course, the bishops were crucial influences. It was often as a member of the episcopal entourage and, just as often of the episcopal family, that many an outsider settled in Durham, whilst the geographical connections of the bishop explain the presence of persons from other parts of England.

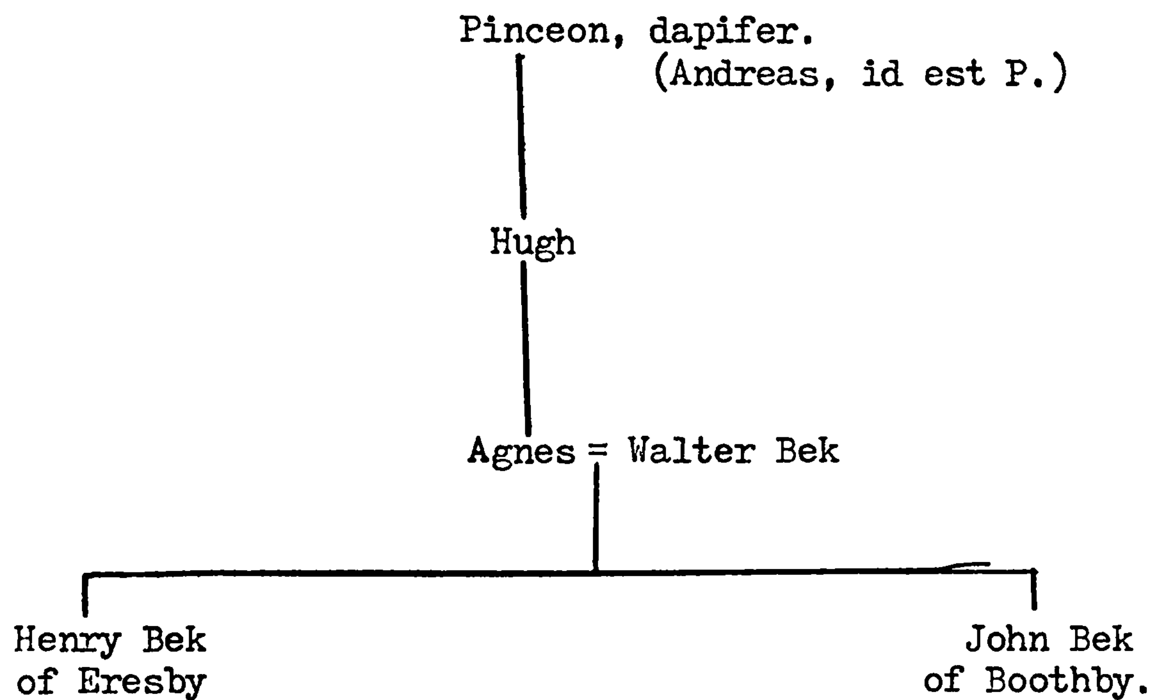
Families which held land of the bishop in such areas as Yorkshire or Lincolnshire often as not make an appearance in Durham or Northumberland. The elder branch of the Amundeville family was based

1. F.M. Stenton, op.cit., pp.93-105.

a. Amundeville.



b. Pinceon/Bek.



in Lincolnshire, Goislan, a tenant of the bishop of Durham, being the founder. A younger branch started by John de Amundeville, Goislan's son, settled in the north, and it was this John who was guardian of the bishopric after the death of Flambard in 1128. John's grandson, Robert, married a daughter of Bishop Geoffrey Rufus and held five fees of the bishop in 1166.[1]

In 1166 Hugh fitz Pinceon held only one fee of the bishop of Durham in the north, though he held seven fees of the bishop in Lincolnshire. He had at one time, however, held three fees in the north, having held land of the bishop at Little Smeaton, Yorkshire, and at Thornley and Wingate, County Durham.[2] He had suffered setbacks because of his support for William Cumin in the 1140's when Cumin attempted to seize the bishopric. Henceforth, he withdrew into his family lands of Lincolnshire. Hugh's father had held 15 carucates and 4 bovates of the bishop at the time of the Lindsey survey and had been the bishop's _dapifer_, a position inherited by Hugh.[3] The link with Durham was clearly the reason for this family's interests in Durham and Lincolnshire. Hugh's shortcomings in the north were made good when Anthony Bek became bishop in the late thirteenth century, a descendant of Hugh's daughter Agnes and Walter Bek.

The person who stands out as a leader of the opposition to Cumin in the 1140's is Roger de Conyers, whose family's fortunes may be traced from the late eleventh century onwards - a new family closely linked to Durham. Professor Offler has suggested that the family took its name from Cornieres (dept. Calvados, Normandy)[4], and it is probable that the first member of the family with an interest in the north was Robert, Domesday tenant of the bishop of Durham at Hutton Conyers,

1. _DB_ i, f.341a. Offler, _Charters_ p.77.
2. Offler, _Charters_ nos.22, 34.
3. _The Lincolnshire Domesday and Lindsey Survey_, ed. C.W. Foster and T. Longley (Lincolnshire Record Society 19, 1924) pp.253-5, 257. _RRAN_ II, 1465.
4. Offler, _Charters_ p.77.

Norton Conyers, Howgrave, Sutton Howgrave, Holme and Thorpe in North Yorkshire.[1] Roger I de Conyers received this land along with Dinsdale, Girsby, Rounton, in North Yorkshire, and Bishopton, Stainton and Sockburn in County Durham, from Bishop Rannulf some time between 1099 and 1119. He also received from the community Sessay and three carucates in Hutton Sessay, Yorkshire, and Saint Helen Auckland, County Durham, between 1128 and 1135.[2] He held the land of the bishop for three fees, one being composed of his land in County Durham.[3] At Bishopton he constructed a motte and bailey, symbol of Norman settlement, during the days of Cumin's usurpation. He also had the guardianship of Durham castle, perhaps as constable as was to be the case with his son, Roger II.[4]

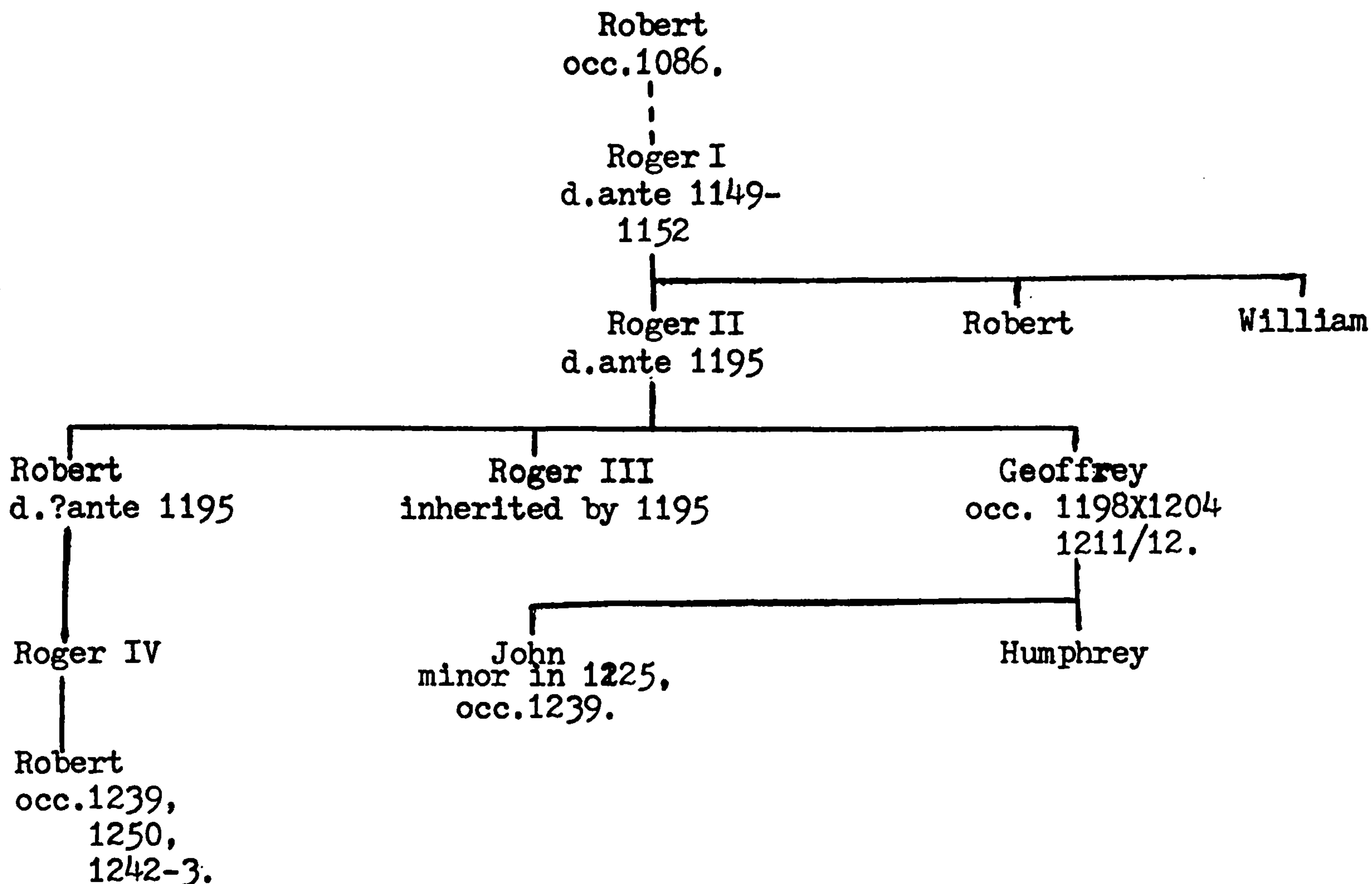
Roger II was keeper of the temporalities after the death of Bishop William de Ste. Barbe in 1152, having inherited his father's lands between c.1149 and 1152. Under him the family fee seems to have expanded substantially for a confirmation of Henry II, 1170X1175, records his holding six-and-a-half knights fees.[5] The document is not accepted as completely trustworthy by Professor Offler, though, except for Bedlingtonshire, it seems quite acceptable as a description of the Conyer's lands. The three fees granted by Flambard are there, as is Saint Helen Auckland, though now West Auckland, Evenwood, Morlay and Mayland have been added to it to form a fee. Fyningham in Suffolk appears for the first time and though we have no idea of how it was obtained it was certainly in the hands of the family in the early thirteenth century.[6]

The problem arises with the mention of two knights fees for Bedlington and Bedlingtonshire. Between 1149 and 1152 a charter of Bishop William de Ste Barbe notes that Robert of Bedlington (also of

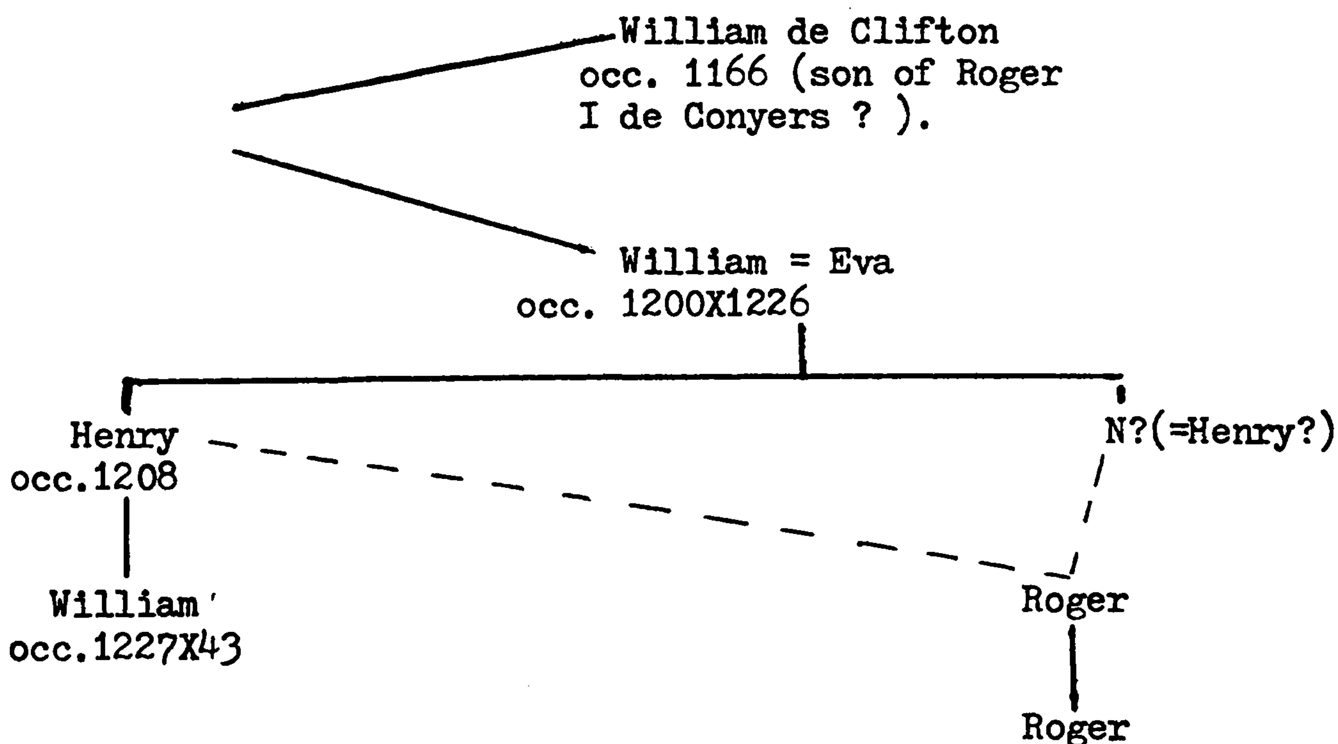
1. DB i, 304b; see map on p.145.
2. Offler, Charters no.26a; EYC II, 944.
3. Ibid.; The Book of Fees (1920-31), I pp.23-4.
4. RRAN II, 1825; Offler, Charters no.41.
5. EYC II, 945.
6. Feet of Fines, Northumberland and Durham I, (Newcastle upon Tyne Record Committee X, 1931) pp.59-60 (1239).

xvi

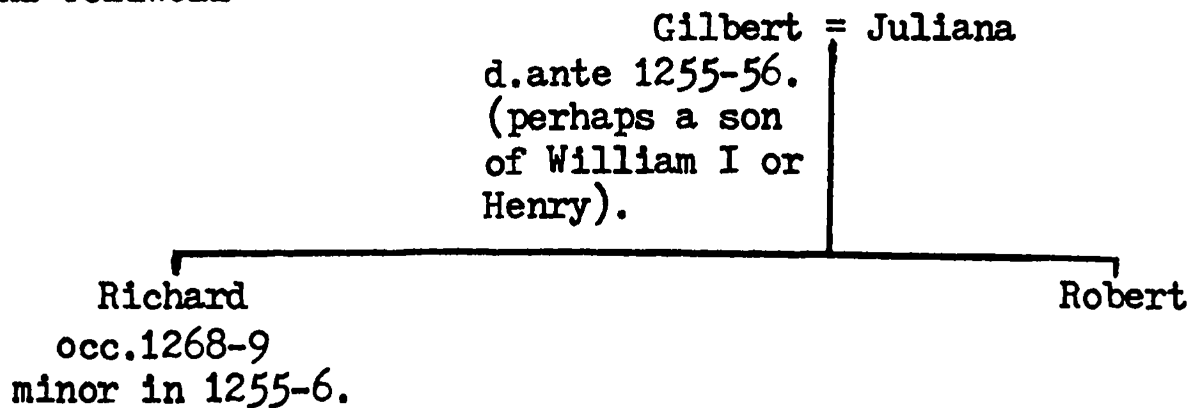
a Conyers of Sockburn.



b Conyers of Clifton, Northumberland.



Another branch of the same family also occurs in documents concerning Clifton and Coldwell -



Winchester) had made Roger de Conyers heir to his land.[1] This seems to be the only other reference to the Conyers' interest.[2] Raine stated that 'this tenure did not descend'.[3]

It is true that a direct Conyers' interest in Bedlington itself is not known, though it is here that Robert of Bedlington surely held his land, as is implied by Robert's father's grant of Bedlington church to the community of Durham.[4] Where exactly Robert's land lay is no idle question, for although the Conyers family cannot be shown to have held land at Bedlington a branch of the family did hold land at nearby Clifton and Caldwell, rendering service of one knight to the Merlay lords of Morpeth.

In 1166 a William de Clifton held one fee of Roger de Merlay and it seems to have been this that descended to the Conyers'.[5] The first clear evidence occurs with William de Conyers, who granted land at Widmers, identifiable as the grange at Sharplaw, to Newminster Abbey.[6] William appears in a number of documents of the first decade of the thirteenth century and a son, Henry, appears in 1208, and a grandson, William son of Henry, appears from c.1220.[7] A grandson and great-grandson, both named, perhaps significantly, Roger, also occur in the thirteenth century.[8] Whether William de Conyers can be identified as William de Clifton is not certain; perhaps they were father and son. Similarly the connection between this branch of the family and the Durham branch is a problem. We know, however, that Roger I de Conyers had a son named

1. Offler, Charters, no.41.
2. Ibid. pp.79-80, 166.
3. J. Raine, The History and Antiquities of North Durham (London 1852) p.362.
4. Ibid. appendix no.DCCXCIX.
5. Red Book of the Exchequer, p.444.
6. The Newminster Cartulary, ed. J.T. Fowler, (Surtees Society 66, 1876), pp.18ff.
7. Ibid. pp.19-21; Northumberland and Durham Deeds from the Dodsworth MSS pp.110, 124; Northumberland Pleas from the Curia Regis and Assize Rolls, 1198-1212 (Newcastle upon Tyne Record Committee, 1922) pp.12, 23, 35, 36; Feet of Fines, Northumberland and Durham I, p.16; Book of Fees II p.1116.
8. A Gilbert de Conyers and his son, Richard, also occur at Clifton in the thirteenth century, but their relationship to William is not known, Newminster Cartulary, pp.20-1, 211; Three Early Assize Rolls for the County of Northumberland, ed. W. Page (Surtees Society 88, 1891) p.25.

xvii Land of the Conyers Family.

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bn Bishopton
cl Clifton
d Dinsdale
e Evenwood
g Girsby
h Holme
hg Howgrave
hy Hutton Sessay
md Mayland
my Morley
nc Norton Conyers
r Rounton
s Sockburn
sh Saint Helen Auckland
sg Sutton Howgrave
sy Sessay
st Stainton
t Thorpe
w West Auckland

William who would have been of an age to have held Clifton in 1166 and could have survived into the thirteenth century.[1] Yet, even with this uncertainty, the evidence illustrates that the Conyers family had moved into Northumberland by c.1200.

This family had created a substantial fee from the rather minor holding of Robert in Yorkshire in 1087. It was one of the most influential families in the diocese, its influence enhanced no doubt by the staunch opposition to William Cumin in the 1140's. Its history is a fine, and detailed, example of the development of a Norman family in the north of England after the Conquest. Yet it is not possible to say whether the land the family acquired can be related to lands held by a single family or as a single unit in any earlier period.

For instance, the group of vills held by Robert in 1087 (Hutton Conyers, Norton Conyers, Howgrave, Holme and Thorpe) are noted in a list of lands 'habet sanctus Cuthbertus in Everuuicscire ex dono regum et principum antiquorum'[2], but we cannot date the donations. This section of the Conyers' lands was assessed for one fee and retained a certain unity after the late eleventh century. We do not know if this unity was apparent in the Anglo-Saxon period. Bedlington and its shire was a pre-Conquest unit, but we have seen that the Conyers' interest poses some problems. Evenwood and West Auckland, mentioned in the charter of Henry II described above, were part of Staindropshire in the early eleventh century, and have therefore been detached to form part of the Conyers' fee.[3] The most we can say is that there was a tendency for earlier centres, if not larger units, to persist, as witness the lordships based upon Seaham or Dalden. The appearance of landholding in the twelfth century is one of fragmented estates. This need not be contrasted starkly with Anglo-Saxon unity for our sources are relatively poor and may mask similarities. The

1. Offler, Charters pp.78, 130, 136.
2. EYC II, 931.
3. Historia s.32.

grants of Ulfcytel (Norton), Northman (Escombe and Ferryhill) or Snaculf (Bradbury, Morton, Sockburn and Girsby) suggest such fragmentation.[1] Within the large units we know to have survived, such as parishes or shires, there may have been the same multiplicity of landholding by local nobles in the pre-Conquest period. With regard to the fee of the Conyers family it is interesting to note the acquisition of blocs of vills, often associated as single fees, rather than, generally, piecemeal territories:

Domesday 1087	Flambard's charter 1099X1119	Community's Confirmation 1128X1135	Henry II's Confirmation 1170X1175
Hutton	Hutton	Hutton	Hutton
Norton	Norton	Norton	Norton
Holme	Holme	Holme	Holme
Sutton	Sutton	Sutton	Sutton
Howgrave	Howgrave	Howgrave	Howgrave
Thorpe	Thorpe	Thorpe	
	Rounton	Rounton	Rounton
	Girsby	Girsby	Girsby
	Dinsdale	Dinsdale	Dinsdale
		Auckland	Auckland (St. Helen).
		Sessay	
		Hutton Sessay	
			W.Auckland
			Evenwood
			Morley
			Mayland

Such a process of acquisition seems to imply that the family was taking over already established units, though again we cannot guage the age of these.

The connection between the Conyers family and the bishop of Durham was close, but even closer ties to the fortunes of the bishop are to be found. There was no lack of episcopal relatives or of men with loyalties akin to those of the bishop even from Walcher's day. The

1. Above pp.90-1.

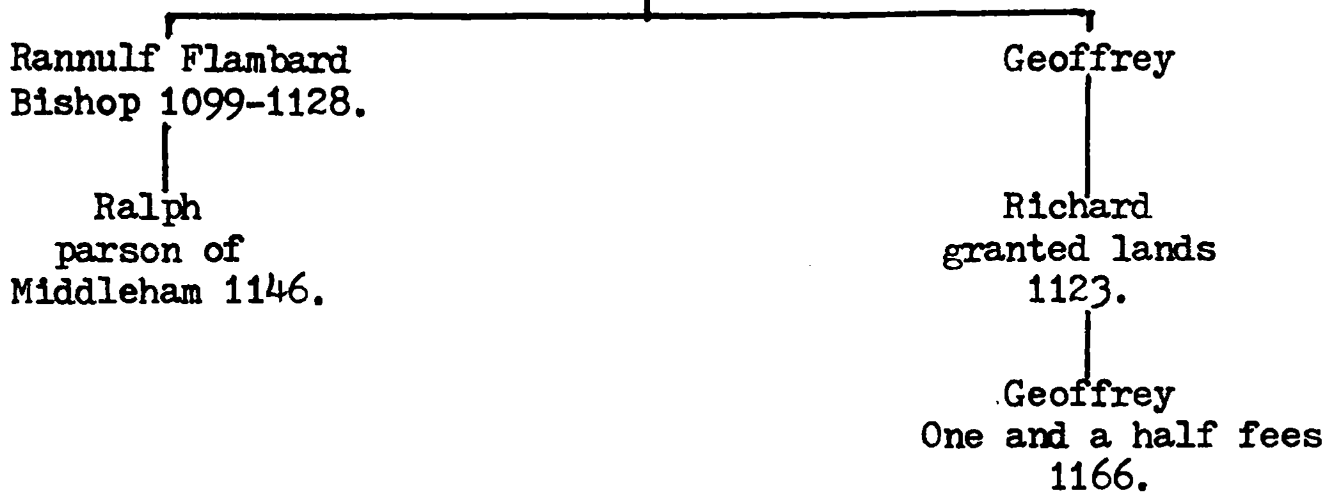
murderers of Liulf, whose death led to the murder of Walcher in 1080, were not mere episcopal lackeys. Leobwine and Gilbert, the instigators of the attack upon Liulf, were both in positions of influence, Gilbert holding the earldom of Northumberland under Walcher and without Leobwine 'In episcopatu et in comitatu fere nil ... agitaretur'.[1] Gilbert was also related to the bishop. Henceforth the influence of episcopal relations remained significant; if not as violent.

Scammell has given us a detailed account of the family connections of Bishop Hugh du Puiset, almost a century after Walcher. Henry, Puiset's son, was a prominent landholder, due in no small part to his father's beneficence, whilst Burchard du Puiset and William du Puiset were both archdeacons. Burchard also obtained Hugh's old position as treasurer of York in 1189.[2] Puiset's Blois connections were also evident, both the son of King Stephen and the son of Archbishop William Fitzherbert appearing in the diocese.[3] Puiset granted Haughton, County Durham, to Stephen's grandson, and gave Langley to Acto the steward 'for the service he rendered to the lord Henry of good memory, bishop of Winchester, as well as that which he rendered to the lord Hugh, bishop of Durham'.[4]

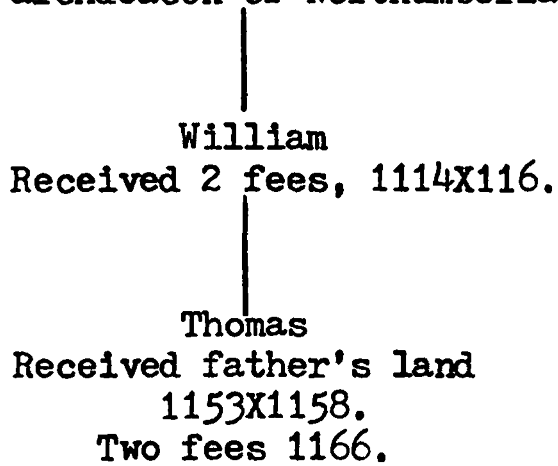
Thirty or more years before Puiset's episcopate Bishop Rannulf Flambard was already handing out lands and offices to his numerous relations. His diligence in advancing family interests was not confined to Durham. Elias, his son, inherited prebends at Lincoln and London. After the death of Flambard's brother, Fulcher, bishop of Lisieux, Flambard had his own sons invested with the bishopric. Meanwhile he administered it himself.[5] The gifts that Flambard dispensed at Durham may not have

1. Historia Regum s.a.1080; Scriptores Tres appendix no.ix, a spurious charter of Earl Waltheof, has as witnesses Gilbert nepos episcopi and Ernan Biscopes sune.
2. Scammell, Hugh du Puiset (Cambridge 1956) pp.222ff.
3. Ibid. pp.228, 237.
4. Ibid. p.228.
5. H.S. Offler, Rannulf Flambard as Bishop of Durham, Dur.Univ.Journ. lxiv, 1971, 16.

Relatives of Bishop Rannulf Flambard in County Durham.



Osbert, nepos episcopi.
Sherrif of Durham, received
Middleham lands c.1120-1128.



been so spectacular, but relatives did not lack for much.

From c.1127 to c.1153 Flambard's nephew was archdeacon of Northumberland.[1] William, the archdeacon's son, received, between 1114 and 1116, Houghall, Harraton, Herrington and Hawthorn, holding these for the service of two knights.[2] Another episcopal nephew, Osbert, as well as being sheriff of Durham was presented with Middleham, which passed to his son William.[3] This last held three fees of the bishop in 1166. It was perhaps the patronage of Flambard or Osbert that caused Flambard's son, Rannulf, to be parson of Middleham in 1146. A third nephew, Richard son of Geoffrey, received Eighton, Ravensworth and, though it was a possession of the community, Blakiston from the bishop in c.1127. He also obtained land at Horden and Silksworth, though how is unknown.[4] His son Geoffrey held one-and-a-half fees of the bishop in County Durham in 1166. Nepotism seems a mild term for such a plantation. 'Leave Durham for Newcastle or Wearmouth or Hartlepool or Yarm, and within an hour or so you would be riding by the lands of one or other of Rannulf's kinsmen. It was a situation in which the strands of hard-headed policy can no longer be unravelled from those of family affection and duty.'[5]

Durham society in the twelfth century was a synthesis of multifarious elements, which had by the end of the century created a new stability with features not unlike those of an earlier period. Land, family connections, party loyalties and, never least, the all embracing presence of Saint Cuthbert, his monks and bishops, were still of prime importance and showed no sign of abatement. On the whole the Norman Conquest had brought a significant change, for despite the survival of many of the English nobility it was Norman power, largely in the form of the bishop and his vassals, which ruled. Even so, there is no simple

1. Fasti Ecclesiae Anglicanae 1066-1300 II, pp.39-40.
2. Offler, Charters no.11.
3. Ibid. no.26b, pp.85-6; nos.35a, 35b.
4. Ibid. no.23.
5. H.S. Offler, Rannulf Flambard as Bishop of Durham, Dur. Univ. Journ. lxiv, 1971, p.23.

description, such as English annihilation or survival or Norman infiltration, that will suffice to explain the consequences of conquest. If the society of the north in the twelfth century was a synthesis of different elements so had northern society always been. When Lindisfarne was founded it was Anglo-Celtic; Anglo-Scandinavian when the community received its lands in County Durham from Guthred and when Durham was chosen as the new see. From the late eleventh century the new element was Norman; society was Anglo-Norman, a new mixture of ancient and modern. By the late twelfth century the nobility and people of the north were northerners, neither specifically Norman nor Saxon.

(VII)

THE EARLS AND EARLDOM OF NORTHUMBERLAND.

Statements made by various historians imply that we can be quite certain about the extent of the earldom of Northumberland if not before the Conquest, then definitely after.[1] The Domesday survey does not go beyond the River Tees and this has generally been accepted to imply that the king enjoyed no profit in the area to the north; that some other person/s enjoyed the royal privileges there. That the earl and perhaps others replaced the king seems acceptable. Whether the Tees was the rigid boundary that is claimed is a matter for debate.

Supporting the conclusions about the earldom's freedom from royal interference are a number of sources besides Domesday. A writ of William Rufus declared that 'no geld henceforth is to be demanded from Nordteisa'.[2] We also find that Northumberland is excluded from the pipe rolls when the earldom is not in the king's hands.[3] It appears in the roll for 31 Henry I, being then held by the king, as it had been since its confiscation after the revolt by Robert de Mowbray in 1095. It does not appear in 2 and 3 Henry II or 3, 4, and 5 Richard I, the earldom then being held by William, brother to Malcolm of Scots, and Hugh du Puiset, bishop of Durham, respectively. Yet Northumberland appears consistently from 4 Henry II to 2 Richard I whilst in the hands of the king. The coincidence cannot be attributed to chance.

Lapsley argued that the evidence of the pipe rolls failed to take account of the appearance of royal sheriffs for the county throughout the twelfth century, but even taking such evidence into account need not change our conclusions, for sheriffs, like entries in the rolls,

1. For instance, W. Page, Some Remarks on the Northumbrian Palatinates and Regalities, Archaeologia 51, i, 1891, and W.E. Kapelle, The Norman Conquest of the North (London 1979). Kapelle, p.21, quotes the phrase 'In nort de Tyne et in suth de Tyne et in Anglia' suggesting, rather disconcertingly, that this says something about the Tees.
2. RRAN I, 412, appendix lxxv.
3. Page, op. cit., p.147.

occur only when the king holds the earldom himself.[1] Robert Picot appears only after Mowbray's rebellion[2]; Picot, Robert de Lacy, Aluric of Corbridge, Liulf of Bamburgh and Odard of Bamburgh appear during the time Henry I held the earldom. Odard also occurs in Stephen's reign, but his latest attestation cannot be later than 1138 and therefore prior to Stephen's transfer of the earldom from himself to Henry, son of David of Scots.[3] The next sheriff of whom we know is William de Vesci, appearing in the pipe roll for 1157, just after Henry II had reclaimed the earldom. In this last case, though not in the earlier, there is obviously a certain circularity for the pipe rolls are often the source for naming later sheriffs and, as we have already seen, these rolls only occur when the king holds the earldom. Nevertheless, the general conclusion seems to hold.

From 1095 to 1138 the earldom was in royal hands, whilst after Puiset was deprived by Richard I the crown retained control until the appointment of Henry de Percy in 1377. Such a period in the possession of the crown inevitably obscures the unique position enjoyed by earls in earlier times. The special position of the earls seems undoubted, but clearly as important as the powers of the earl is the area over which these were exercised, something which is not as clear as might be imagined.

The Tees was a significant boundary in the late eleventh century, as witness Domesday Book and Rufus' 'Nordteisa' writ. A couple of other sources imply, if they do not prove, a similar situation. A charter issued by Henry, earl of Northumberland, in 1141 declared that the monks of Durham were to have the vills of Barmpton and Skerningham,

1. G.T. Lapsley, The County Palatine of Durham (London 1900), p.19. The appearance of Moreal of Bamburgh as sheriff during Mowbray's tenure of the earldom cannot be used as an argument against the statements made here for he occurs as such only in forged documents (RRAN I, 286, 318). He was however Mowbray's steward.
2. RRAN I, 367.
3. RRAN III, 905.

County Durham, but were to be impleaded for them only before the earl.[1] Mowbray's quitclaim to rights in certain vills in County Durham in the 1090's, though the account has some problems, also implies some jurisdiction between Tyne and Tees.[2] Neither Mowbray nor Henry appear to have had their comital powers restricted specifically to Northumberland proper.

However, even in the later period the Tees does not figure as always the most important boundary. In 1173 Henry II's son, Henry, offered William of Scots the land to the north of the Tyne if he would help in his struggle against his father.[3] Henry II had previously promised, in 1149, that 'should he become king of England he would hand over Newcastle and the whole of Northumbria to him David of Scots and his to possess in peace and without challenge for ever all the land that lies between the River Tweed and the River Tyne'.[4] The last instance is of added interest for it relates Northumbria to the area beyond the Tyne, an association not of twelfth century origin as we shall see.

It is remarkable that the Tees should have gained such prominance when there exists a substantial amount of evidence that notes the Tyne as a significant boundary, rivalling if not surpassing the Tees, and points to a link across the Tees between southern County Durham and Yorkshire. An early indication that the Tees was not an invariable border is provided by the estate of Gainford, for although the Tees is mentioned in the description of the bounds of the estate it still included land to the south of the river, stretching from the River Wear into North Yorkshire.[5]

Kapelle, pursuing his suggestion that the Tees was the ancient boundary, states that to the north of the river the land was unshired.[6] Strictly speaking he is correct, but he fails to note that shires go

1. <u>RRSc</u> I, 23.
2. <u>Feodarium</u>, appendix to introduction i. See below Appendix.
3. <u>Chronicle of the war between the English and the Scots in 1173 and 1174, Jordan Fantosme</u>, ed F. Michel (Surtees Society, 1840)pp.14, 99.
4. Roger of Howden, quoted in W.L. Warren, <u>Henry II</u>, (London 1973), p.181.
5. <u>Historia</u> s.9,
6. Kapelle, op.cit., p.13.

hand in hand with hundreds and wapentakes. It is therefore important that there exists one such sub-division of a shire in southern County Durham, the wapentake of Sadberge. At the beginning of the twelfth century Symeon of Durham recorded the fact that the men of Yorkshire felt that parts of south-eastern County Durham were linked to their own county, and were thus liable, most significantly, to pay part of any royal impost placed upon Yorkshire.[1] The parts in question corresponded to the wapentake of Sadberge and, considering the exemption of the earldom from royal interference, suggests that this area was only imperfectly incorporated in the exempted area. Symeon's statement, if it has any foundation, and there seems no reason to doubt it, refers to a situation that had been in existence since at least the early tenth century.[2] The ease with which Sadberge was detached from the rest of the earldom by Richard I when he sold the wapentake to Puiset may illustrate not simply a geographical isolation from Northumberland, but possibly a jurisdictional isolation also.[3]

To elucidate this situation further it is possible to examine in some detail the succession of northern rulers and the areas over which they claimed jurisdiction. A hint at the lesser importance of the Tees is given by the account of the conflict between Osbert and Ælla in the mid-ninth century. If, as seems likely, this was another episode in the continuing antagonism between Bernicia and Deira it is interesting that the vills seized by these kings from the community of Saint Cuthbert may be divided into a southern and a northern group. Osbert seized two vills in Northumberland, i.e. north of Tyne, whilst Ælle seized Crayke, Cliffe and Wyecliffe in Yorkshire, i.e. south of Tees, but also Billingham in County Durham. Could it be that Ælle seized vills in Deira? Such a conclusion goes against the usual statements about the division between Deira and Bernicia, but as will be shown such statements, where they stress the Tees, may be founded upon very scant evidence.[4]

1. Symeon, Libellus II xvi.
2. Historia s.22. Above pp.76-7.
3. Scriptores Tres appendix pp.lix-lxii.
4. Historia s.10. Above pp.68-9.

Scottish kings could be offered the area between Tyne and Tweed, presumably as the earldom, and this could be identified with Northumbria. It is difficult to see how Sadberge fitted into the earldom in the twelfth century, though its inclusion is assumed because it is omitted from Domesday. A clear statement of the extent of the earldom is, therefore, difficult; made no easier by our having no evidence as to exactly what was governed by Mowbray, Albri, Walcher or Waltheof as earls between 1071 and 1095. However, under the year 1069 the Historia Regum records that 'Misit rex Willelmus Northymbris ad aquilonalem plagam Tine comitem Rodbertum, cognomento Cumin'.[1] Cumin's earldom was clearly to be bounded on the south by the Tyne. He never reached his destination for he was killed at Durham. The Historia Regum is most helpful for it states that Cumin and his men were killed by the 'Northymbri', who had hastened through the night to Durham.[2]

Before Robert Cumin was appointed earl the area to the north of the Tyne had been ruled by Osulf, a member of the Bamburgh family, who had brought about the death of Copsig, another of William's appointees, to regain this area. Symeon says that Copsig held the province of the Northumbrians, pointing out that this meant the area to the north of Tyne.[3] Osulf had preceded Copsig in the earldom having received the earldom 'ultra Tynam' from Morkar when he obtained the earldom of Northumbria in 1065. If we go much further back we find an earlier Osulf, again of the Bamburgh family, accepting a companion in the earldom. This companion, Oslac, the 'mæra eorl' of the Anglo-Saxon Chronicle,[4] had the rule of 'Eboracum et ejus fines', Osulf being content with the area 'ad aquilonalem plagam Tinæ'. Oslac's area must be considered to include the comital (not necessarily all) land between Tyne and Humber. No mention of the Tees here!

1. Much of the information concerning the earls given hereafter is taken from the Historia Regum s.a.1072.
2. This clearly contradicts Page, op.cit., p.149.
3. Symeon, Libellus III, xiv.
4. Chronicle, E, s.a.975.

The Succession of the Earls of Northumbria from the Ninth Century to 1075

Northern Earldom	Whole of Northumbria	Southern Earldom
Eadwulf* d.912.		
Ealdred* occ. first half of tenth century.		
Oswulf* (to 954)	Oswulf* (954X966/975?)	
Eadwulf Evilchild* occ.975		Oslac (966X975)
Waltheof* occ. late tenth century.	(Waltheof*?)	
		Aelfhelm, d.1006.
Uhtred* d.1016.	Uhtred*	
Eadwulf Cudel*	Eiric of Hlathir	(Thurebrand Hold?)
Ealdred*		(Carl Hold?)
Eadwulf* d.1041.		
(Cospatric*?)	Siward (1041-1055)	
	Tostig (1055-1065)	
	(Copsig under Tostig)	
Oswulf*[1]	Morkar (1065-1067)	
Copsig c.1067/8		
Oswulf*[1] c.1068/69		
Robert Cumin 1069		
Cospatric* 1069-1072	These may have held more then the northern portion of the earldom, but not the whole of the area between Humber and Tweed.	
Waltheof* 1072-1075		

* - denotes members of the family of Bamburgh.

1. Oswulf held the northern portion of the earldom both before and after Copsig, for whose death he was responsible.

Even long before Oslac's day the area of Northumberland proper had been singled out as a separate entity. After the fall of York in 866 the Danes appointed English kings in Northumbria, yet these only ruled 'beyond the Tyne'.[1] As the source from which this statement is taken was probably written to the north of the Tyne the area controlled by these puppet kings was south of that river, the area probably within the scope of Danish control. The realisation that Scandinavian rule had its boundary at the Tyne, beyond which existed an independent English power, goes far to illuminate the actions of Ragnald in the early tenth century and the importance to Guthred of the community of Saint Cuthbert in the late ninth.[2] Ragnald's expulsion of Ealdred of Bamburgh and the West Saxon friendship with the family of Bamburgh point to the leaders of the independent English in the north. It is with this family that we must now deal.

By the 920's the earls, or high-reeves, of Bamburgh were well established. In 920 the sons of Eadwulf were amongst those who accepted Edward as overlord.[3] In 926 the eldest son, Ealdred, submitted to Athelstan.[4] The acceptance of West Saxon rule seems to have been a natural progression from the friendship of the earls with the Wessex kings. In 954 after the death of Eric Bloodaxe King Eadred gave the rule of Northumbria over to Earl Osulf, son of Ealdred of Bamburgh.

Osulf probably held the whole of Northumbria, from the Humber to Lothian, yet it is unlikely that his forbears held so much. Before 954 the family probably only held the area north of the Tyne. In 966, as mentioned above, Oslac took over 'Eboracum et ejus fines', leaving Osulf with his traditional family earldom north of Tyne. Oslac's appointment was perhaps prompted by fears of northern revolt,[5] but even if this is

1. Historia Regum s.aa.867, 876.
2. Above pp.72-4, 76-7.
3. Anglo-Saxon Chronicle A, s.a.924.
4. Ibid. D, s.a.926; Historia s.22.
5. John of Wallingford, ed. R. Vaughan (Camden Society 1958) p.54.

not so the arrival of Oslac was part of a policy of integration of the north into the kingdom being carried out by the southern rulers.[1]

Though Oslac may have been appointed during Osulf's lifetime one source suggests that Oslac received the southern earldom at the same time as a certain Eadwulf 'Evilchild' received control of the Northumbrians from the 'Tees' to the Myreford (perhaps the Firth of Forth).[2] Here is the first indication that the Tees was a significant boundary within the Northumbrian earldom. However, this Eadwulf, though he may have been a member of the family of Bamburgh, is not noted by the Histaria Regum in its account of the comital succession.

Waltheof was the next member of the family to hold the office of earl. The Historia Regum states that he succeeded Osulf and Oslac, implying that he held the whole of Northumbria. But the tract De Obsessione Dunelmi in its account of the succession to the earldom of Waltheof's son, Uhtred, makes it probable that he only held the northern part traditionally associated with his family. Of the contemporary earls of the southern part we know very little, but a Mercian, Aelfhelm, who was killed in 1006, was called earl of Northumbria. On Aelfhelm's death Uhtred was given the earldom of York to augment the earldom inherited from Waltheof.

Kapelle has described a most interesting situation in Northumbria during the reigns of Aethelred II and Cnut, postulating a division between the Scandinavian interest at York, led by the holds Thurebrand and Carl, his son, and the English interest in the north, led by the family of Bamburgh. Whether Kapelle's whole thesis is acceptable is open to doubt, but it does seem that there was a difference between Yorkshire, described as 'Eboracum et ejus fines', which was more directly controlled by the king

1. D. Whitelock, The Dealings of the Kings of the England with Northumbria in the tenth and eleventh centuries, in The Anglo-Saxons, ed. P. Clemoes (London 1959).
2. De Primo Saxonum Adventu, ed. T. Arnold (Rolls Series 1885) p.382.
3. De Obsessione Dunelmi, ed. T. Arnold (Rolls Series 1882) p.215.

and the earldom of Bamburgh; more independent and, at least to Cnut, more troublesome.[1] Except for the brief period from 1006 to Uhtred's death there was no unified earldom of Northumbria under Æthelred and Cnut. Uhtred's tenure of such an important position was a high point in the fortunes of the family of Bamburgh, comparable only with the position held by Osulf between 954 and 966. After Uhtred the southern portion of the earldom went first to Eric of Hlathir and then, possibly, to the Hold Carl. The northern portion remained with Bamburgh, being held by Eadwulf Cudel, Uhtred's brother, and Ealdred and Eadwulf, Uhtred's sons, until 1041. In that year Eadwulf, Uhtred's son, was betrayed and slain by Harthacnut and Earl Siward. Siward, who may already have been earl at York, now took the whole of Northumbria, though his acquisition of the area may not have been completely unopposed.[2]

Siward's accession was a triumph for the central power over the independent northern English, being the first time for a century and a half that the native earls of Bamburgh had lost control of the land between Tweed and Tyne and submitted to an outsider. Yet Siward obviously felt his position to be somewhat insecure. To give some semblance of legitimacy to his lordship he married Aelflæda , daughter of Earl Ealdred, Uhtred's son; and therefore niece of Eadwulf, Siward's predecessor and victim. Siward's semi-legitimate stance was possibly an attempt to push the family of Bamburgh from their central position in the north. When Tostig became earl after Siward's death the northern earls were to enjoy even less power.

Tostig did not marry into the northern nobility. The only deputy we can identify with certainty is Copsig, who cannot be associated with a specific division in Northumbria before the Conquest and was not a Northumbrian as far as we know. Siward may have used Cospatric, another of Uhtred's sons, as a deputy in the northern portion of the earldom,[3]

1. Kapelle, op.cit., pp.23ff.
2. Ibid. p.26.
3. F.E. Harmer, Anglo-Saxon Writs, (Manchester, 1952), pp.419-24, 531-6.

but there is no evidence whether Tostig had any such dealings with the family. If the silence of the sources points to Tostig's disregard for the northerners then it also implies that Tostig's rule was unique. It would have been the first time that a complete outsider had ruled the north as a whole. It makes his expulsion in 1065 less of a surprise if we note his attempt to rule alone, challenging the northern families.

With the rising of 1065 the old system re-emerged. Morkar, the new earl, passed the northern portion of the earldom to Osulf, grandson of Uhtred. It was, however, the forfeiture by Morkar that saw the final assertion of royal power. The Conqueror retained Yorkshire. At the same time he attempted to place Copsig over the Northumbrians north of the Tyne, clearly wishing to replace the Bamburgh earl with a crown nominee.

A further point can be made about the place of earls in the close-knit family society of Northumbria. The Bamburgh family had held their earldom for most of the time since the late ninth century, and it is therefore no surprise that many events in the 1060's and 1070's illustrate the power of their tradition and kindred. In 1064, at the instigation of Tostig's sister, a certain Gospatric was murdered. It is possible that this person was Uhtred's son, a threat to Tostig's rule in the north, and that the ensuing revolt had much to do with his murder. Tostig thus fell foul of the Bamburgh family. Copsig, the Conqueror's first appointee, fared no better and was murdered by Osulf.

We are told that when Walcher took over the earldom in 1075 he did not totally disregard the native northern rulers. Liulf, who was married to Aldgitha, Uhtred's granddaughter, was probably the most important male representative of the comital family still in Northumbria, Cospatric, Uhtred's grandson, having fled to Scotland and Waltheof, Uhtred's great-grandson, lying in the prison of the Conqueror. It

was Liulf who was foremost amongst the bishop's advisers, perhaps even acting as his deputy in the earldom. Unfortunately Walcher's relatives were jealous of Liulf's position and had him murdered. This inevitably caused uproar, the bishop trying desperately to heal the rift between himself and the Northumbrians. He may even have attempted a reconciliation with Liulf's widow.[1] He was certainly forced to meet the outraged people at Gateshead, an interesting choice as it lies on the border between County Durham and Northumberland and would be an appropriate place for a meeting dealing with a dispute involving an earl and his people.

Walcher failed to win over the Northumbrians and was murdered, along with his retinue, in the church at Gateshead. Two figures can be associated with this murder, a certain Waltheof and Eadwulf Rus, and their involvement emphasises the importance of family interest in the politics of the north at the time. It has been suggested that these two were one person, this being somewhat supported by the statements in the sources that they were killed by women.[2] Yet this need not be accepted. Whilst Eadwulf Rus was present at the bishop's murder, perhaps even killing the bishop himself, Waltheof is called 'Caedis episcopi auctor' which may suggest that he was involved in the planning, but not in the actual event.[3]

Waltheof may have been the son of Earl Cospatric, lately departed to Scotland, or , though this is less likely, the great-grandson of Earl Ealdred through his daughter Etheldritha. Eadwulf Rus was the grandson of Cospatric, Uhtred's son, who was probably the Cospatric murdered in 1064. The involvement of the Bamburgh family at Gateshead is unmistakeable, showing how strong was the local influence that had to be broken before the king could be sure of the north's loyalty. The

1. Offler, Charters pp.1-3.
2. Historia Regum s.a.1072 (Eadwulf) 'a femina occisus'; Symeon, Libellus III xxiii (Waltheof) 'a suae uxoris fratre ... occiditur'. De Primo Saxonum Adventu, p.383, calls Eadwulf the son of Cospatric, perhaps mistaking him for Waltheof.
3. Historia Regum s.a.1072; Symeon Libellus III xxiii.

disinherison of the earls of Bamburgh may be likened to that of the community at Durham, both tending to destroy the influence of a local, hereditary centre and increase the power of the king and his ministers.

The division of the Northumbrian earldom may be traced to the early tenth century, if not earlier, and the internal boundary cannot be associated exclusively with the Tees. A concentration upon the purely physical boundary of the river may, however, lead us to underestimate the importance of the jurisdictional boundary. The organisation of the north into wapentakes and hundreds, extending with Sadberge north of the Tees, has been mentioned. It has also been claimed that the exclusion of the area north of Tees indicates the absence of royal control in the area in 1087. Yet it should be noted that Yorkshire was included in the Domesday survey. There is no indication that in 1087 an earl of Northumbria had jurisdiction in Yorkshire. This is despite the statement that 'in the demesne manors the earl had nothing at all, nor the king in the manors of the earl'.[1]

Whilst this statement does, as Page suggested, show that the earl enjoyed a special status in Yorkshire, it also shows that the king had jurisdiction there, probably of long-standing. This contrasts markedly with the complete independence of the earl of northern Northumbria. It is of some interest that this royal control in the southern part of Northumbria should be paralleled by the inclusion of Yorkshire in one of the divisions of English law. Yorkshire lay within the Danelaw, though the rest of Northumbria was excluded from all divisions.[2] The statement of Eric John that 'the Thames was something of a boundary, the Humber more so - by no means all the laws applied here - and further north still, although the West Saxon dynasty still had auth-

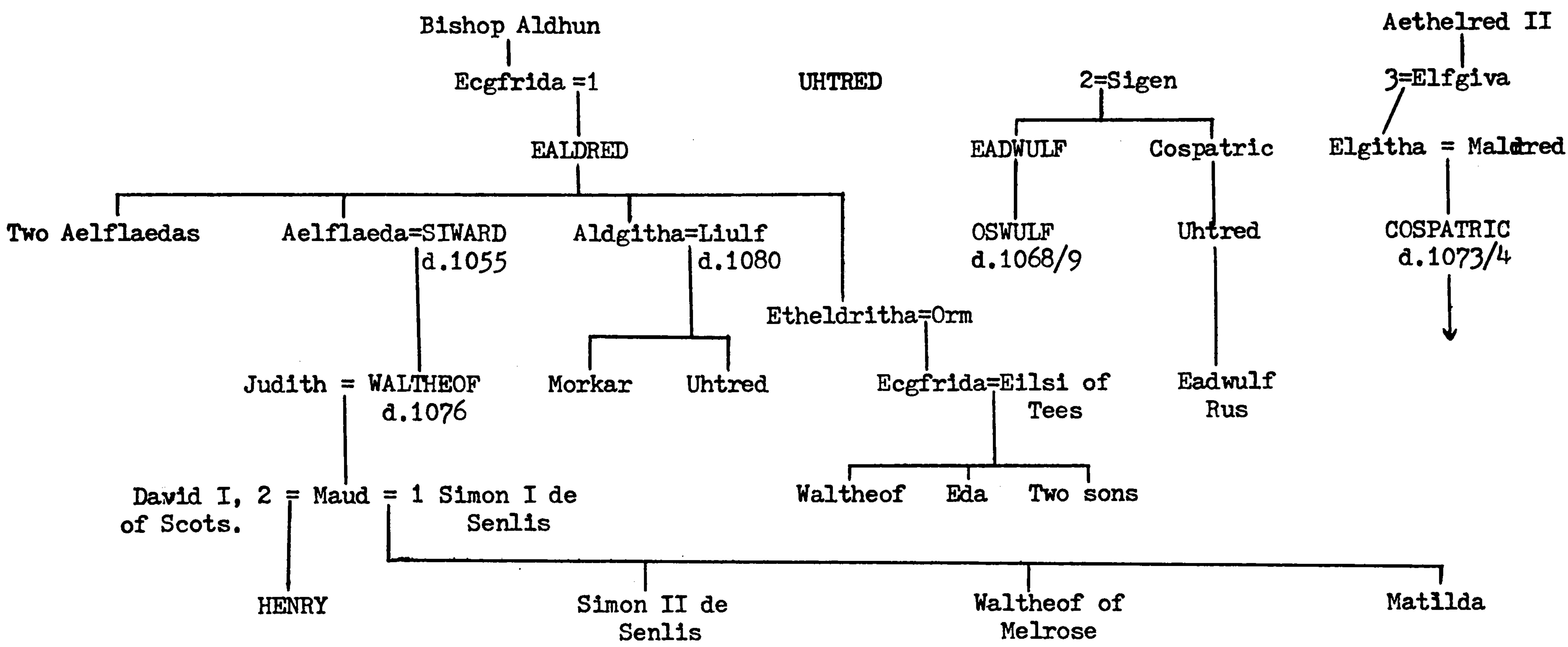
1. DB i, 298b.
2. F.M. Stenton, Anglo-Saxon England (3rd edn. Oxford 1971) pp.505-6. As Kapelle, op.cit. pp.12-13, sees Northumbria proper as lying north of the Tees, not the Tyne, he fails to recognise the complexity of the situation arising from the jurisdictional division between Yorkshire and Northumberland. That Domesday extended to Yorkshire might be attributed to the absence of an earl in southern Northumbria in 1087, but the statement about a division between king and earl makes it clear that Yorkshire had for some time been different from the rest of Northumbria.

ority, it extended neither to making laws nor the giving of charters,'[1] looks close to the truth.

In Mercia in the late ninth century and early tenth the West Saxons allowed the rulers a certain independence. Aethelred and Aethelflaed were in theory the subjects of the Wessex kings, just as much as any West Saxon noble, though in practice they retained sub-regal powers, simply acknowledging Alfred, and then Edward, as overlords. It was only Edward's abduction of Aelfwyn and Athelstan's close Mercian connections that brought Mercia into a unified kingdom under the direct government of the West Saxon monarchy. The earls of northern Northumbria, the family of Bamburgh, seem to have benefitted from a similar policy, the difference being that they retained their position as mediatized kings[2] for much longer, their privileges even lasting after the Bamburgh family had been expelled. Southern Northumbria, i.e. 'Eboracum et ejus fines', was incorporated more directly into the wider English kingdom, having placed over it royal appointees, though it, like Mercia, was allowed to keep its own customs, with the rest of the Danelaw. Osulf may in 954 have enjoyed a different status in his northern earldom based upon Bamburgh than in his southern earldom based upon York, which he received in that year. In one he was a mediatized king, in the other an appointed official.

One of the questions left unanswered here, which will be dealt with later, is the status of the lands held by the community of Saint Cuthbert in Northumbria, and especially between Tyne and Tees, before the twelfth century. One point to note, however, is that only the non-Cuthbertine lands between Tyne and Tees, namely the wapentake of Sadberge, were organised in the same way as lands south of Tees and were associated with Yorkshire. It may be that the lands of Saint Cuthbert

1. E. John, Orbis Britanniae (Leicester 1966) p.48.
2. Eadwulf of Bamburgh, who died in 912, was actually called king by the author of the Annals of Ulster.



Earls of Northumbria/Northumberland thus - EALDRED.

xx Descendants of Earl Uhtred of Bamburgh

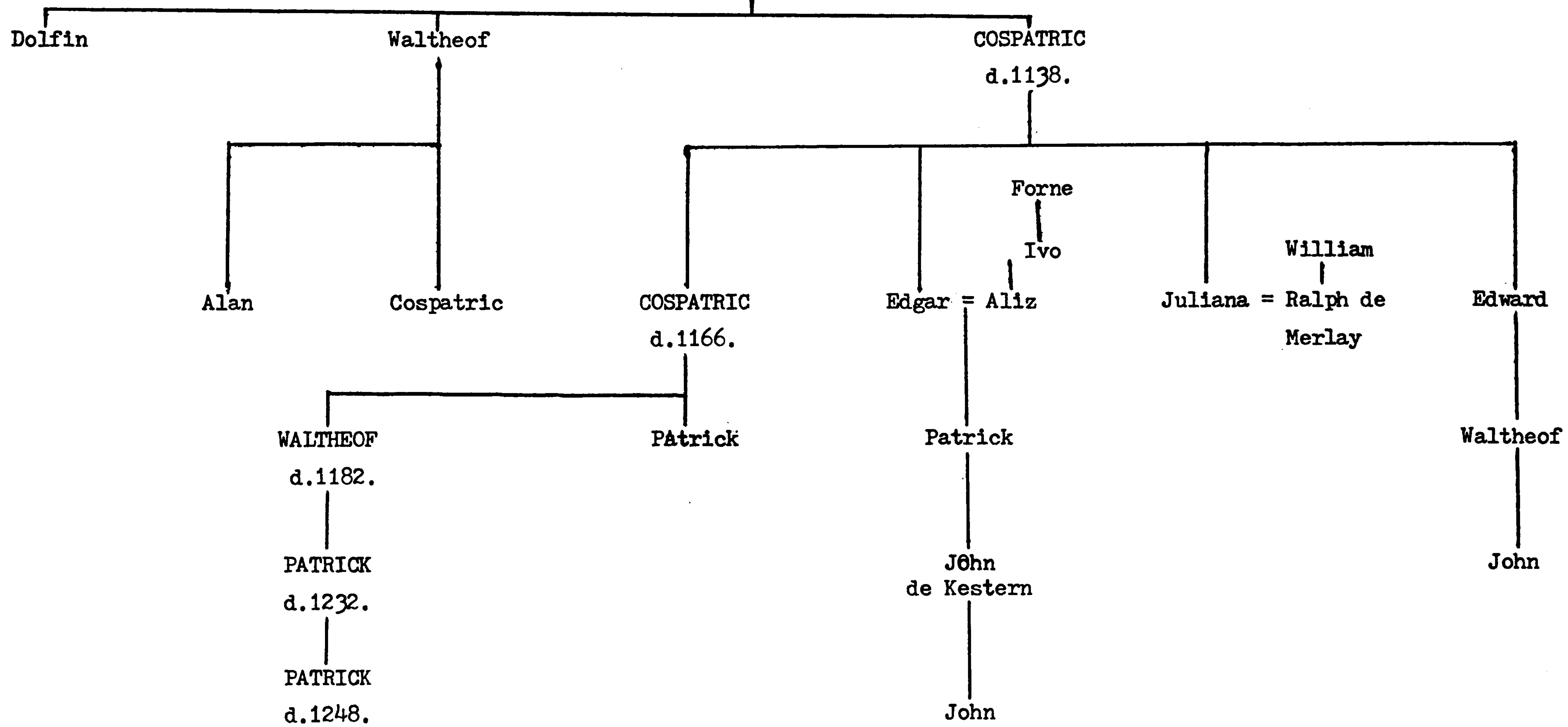
already enjoyed a substantial immunity from royal, and comital, action. Indeed, the position of these lands may account for the difficulty in identifying the boundary between the southern and northern portions of Northumbria.

The last member of the Bamburgh family to hold the earldom was Waltheof, who was executed by the Conqueror in 1076, and there is a likelihood that the earldom itself suffered some diminution at the end of the eleventh century. Smaller units, often enjoying regalian privileges, such as Tynedale and Redesdale were separated from the main earldom. Such developments are important, but not our main concern here.

After the death of Cumin Cospatric, Uhtred's grandson, became earl. However, he was a major threat to the Conqueror, being not only a descendant of earls, but also of the royal houses of England and Scotland. His grandmother, Elfgiva, had been the daughter of Aethelred II, and his father, Maldred, grandson of Malcolm II. Cospatric was deprived of the earldom in 1072 and fled to Scotland, where he received Dunbar from his cousin Malcolm III. The move to Scotland was not a leap in the dark. The earls of Bamburgh had been rulers of Lothian until the mid- to late tenth century and thus Malcolm was endowing Cospatric with lands that might have be considred his proper inheritance. Similarly Cospatric's sons received land in areas formerly associated with the Bernician earldom. Dolfin received Carlisle, only to lose it to William Rufus, and Waltheof, perhaps one of the persons involved in Walcher's murder, land in Allerdale, Cumberland, which descended to his heirs.

This connection with Scotland was not confined to Cospatric for Eadwulf Rus fled there in 1080, being buried at Jedworth some time before 1115.[1] But all links with England were not severed. Waltheof's descend-

1. Historia Regum s.a. 1072 states that his body was disinterred by Turgot, who died in August 1115.



Descendents of Earl Cospatric, son of
Maldred, Crinan's son, and Elgitha, Uhtred's daughter.

ants, through his daughter Maud, were not only to claim the lordship of Huntingdon (family of Senlis), but were also to become earls of Northumberland (Scottish royal house).

Earl Cospatric probably died in c.1073-4 and was buried at Norham, within the patrimony of Saint Cuthbert.[1] His son, also named Cospatric, became earl of Dunbar and in 1136 received land in Northumberland from King Stephen; land which had formerly been held by his uncle Edmund, perhaps a brother of Earl Cospatric's wife, in the reign of Henry I.[2] But even before this the family had a direct interest in Northumberland.[3] An illegitimate son of Earl Cospatric (d.1138), Edgar, was active with his father in the north in the early twelfth century and founded the family of Caistron (Kestern).

Edgar married Aliz, daughter of Ivo, Forne's son, a tenant-in-chief in Yorkshire, Northumberland, Cumberland and Westmoreland, probably of English extraction.[4] This brought Edgar ten manors scattered around the north. Juliana, Edgar's sister, married Ralph de Merlay during the reign of Henry I and went on to found the Cistercian monastery at Newminster with her husband in 1138-9.[5] The Merlay family held some land in the mid-twelfth century of the earls of Dunbar, as did most of the junior branches of the descendants of Earl Cospatric.[6] It is no surprise to find the heirs of Edgar, Cospatric's son, appearing as benefactors of Newminster and receiving from the monks 'commune beneficium domus nostrae'.[7] They clearly had a family, as well as a spiritual, interest. The marriages of the descendants of the earls of Bamburgh with families of both English and Norman extraction in the north

1. A.O. Anderson, Early Sources of Scottish History (Edinburgh 1922), II pp.36-9.
2. RRAN iii, 373a.
3. See A History of Northumberland VII, ed. J.C. Hodgson (Newcastle 1904) pp.14ff. for a good account of Cospatric's descendants.
4. Newminster Cartulary pp.117-8; Northumberland and Durham Deeds from the Dodsworth MSS, pp.65-6.
5. Newminster Cartulary pp.268-9.
6. Ibid. p.268; DCD 3.2 Spec. 2, 3a, 4b, and 9.
7. Newminster Cartulary pp.118-133.

were part of that general integration of old and new elements which went to form the new northern society of the later twelfth century noticed in the last chapter.

The first notice we have of the lords of Bamburgh relates to their friendship with the West Saxons in the late ninth and early tenth centuries. At that time they held Bernicia, from the Tyne to the Firth of Forth, and for their support of the West Saxon cause were rewarded with the retention of their regal privileges. This was one way of gaining the loyalty of the north; a way which was slowly abandoned in favour of direct royal interference. It was the Norman Conquest that saw the consummation of the new policy. The new conquerors were not interested in leaving the north to its own devices, especially with possible pretenders to the throne in positions of influence and power. It has been thought that Waltheof was harshly treated by the Conqueror when he freely admitted his involvement in a plot against the king, but perhaps he was a victim of a process of expansion of the royal power to all parts of the country. His fate may not have been inevitable, but it was surely probable.

(VIII)

SANCTUARY

On his death-bed Cuthbert attempted to dissuade the monks of Lindisfarne from burying his body in their church,[1]

> 'on account of the influx of fugitives and guilty men of every sort, who will perhaps flee to my body because, unworthy as I am, reports about me as a servant of God have nevertheless gone forth; and you will be compelled very frequently to intercede with the powers of this world on behalf of such men and so will be put to much trouble on account of the presence of my body.'

These were to prove words of prophecy. It has become common to list the numbers and types of people who sought sanctuary at Durham in the fifteenth and sixteenth centuries, along with the crimes they committed and the weapons they used.[2] Today visitors to Durham can hardly look anywhere without encountering some replica of the famous sanctuary knocker which is attached to the door of the cathedral. It is a piece of medieval metalwork made legendary, the artist Ralph Hedley, in his painting 'The Sanctuary', depicting a young man, clinging fearfully to the knocker, who is clearly fleeing from a band of enraged pursuers. The painting epitomises the popular view of medieval sanctuary, a subject which has been sadly neglected in the 'serious' works of medievalists.

The classical precedents for sanctuary need not concern us, but because sanctuary is the one privilege of the church of Saint Cuthbert for which we have definite evidence from the eighth century onwards it is worthwhile having a brief look at the laws of sanctuary in Anglo-Saxon England and, more especially, in the north. The laws of Aethelbert of Kent, as one would expect, provide the earliest English evidence

1. Bede, Vita Sancti Cuthberti, xxxvii (ed. B. Colgrave).
2. See for example, T.J. de'Mazzinghi, Sanctuaries (Stafford 1887); J. Charles Cox, The Sanctuaries and Sanctuary Seekers of Medieval England (London 1911); T.A. Mcgoldrick, The Medieval Right of Sanctuary, TAASDN 1948, 165-78; D. Smith, The Story of Sanctuary at Durham (Newcastle upon Tyne 1971).

of a special peace associated with ecclesiastics[1], though it is only with the laws of Ine of Wessex (688-725) that mention is made of sanctuary associated with a church.[2] Interestingly enough this last is roughly contemporary with both the date at which Cuthbert is supposed to have made the statement quoted above, 687, and the date at which Bede recorded the statement, c.721.

Charles Riggs has shown that the laws of Alfred concerning asylum suggest increased royal interest and interference in the subject. The emphasis is put upon allowing respite for the fugitive (fahmon) and encouraging a settlement by payment of compensation for a crime than the pursuit of a blood-feud. 'By providing for the temporary sheltering of the fahmon, they [laws of asylum] brought hostilities to a halt and set the stage for an amend settlement.'[3] Amongst the details which are made clear in the laws of Alfred is the question of the period to be allowed to a fugitive before he may be seized. Chapter five deals with sanctuary in a church, stating that seven nights may be allowed, though section three gives the fugitive thirty nights if he gives up his weapons to his enemies.[4] It is not altogether certain whether this meant that the fugitive was allowed a maximum of thirty or thirty-seven days. Chapter 42.1, however, states that,[5]

> 'ymb vii niht, gif he wille on hand gan ⁊ (his) waepnu sellan, gehealde hine xxx nihta gesundne ⁊ hine his maegum gebodie ⁊ his friondum'

when it discusses the time allowed to a man in his own house. The phrase ymb vii niht seems to mean that the fugitive could obtain a further thirty nights after the first seven if he surrendered his weapons.

1. AETHELBERT 1. (references are to the editions of the laws in F.L. Attenborough, The Laws of the Earliest English Kings (Cambridge 1922) and A.J. Robertson, The Laws of the Kings of England from Edmund to Henry I (Cambridge 1925)).
2. INE 5.
3. C. Riggs, Criminal Asylum in Anglo-Saxon Law (Gainesville, Florida 1963) p.35.
4. ALF. 5.3 - 'If he is willing to hand over his weapons to his enemies they shall hold him in power for thirty days and send notice of his position to his kinsmen.'
5. ALF. 42.1 - 'After seven days, if he will submit and hand over his weapons he shall keep him unscathed for thirty days, and send notice of his position to his kinsmen and friends.'

Later codes do not mention the time to be allowed to fugitives, except in the case of thieves, whose ability to claim and remain in asylum was severely restricted.[1]

The custom recorded in the laws of the early English kings shows much similarity with continental customs. The church building itself seems to have formed the basis of the sanctuary in both, though some exceptions may be found. XII Toledo 10, for instance, allowed protection to the fugitive within thirty passus of the church doors.[2] The Anglo-Saxon laws, especially those of Aethelred II and Cnut, tend to emphasise, when treating of the inviolability of sanctuary, the penalties for committing homicide in a church, making little mention of other crimes. On the continent the laws include gradings of fines to match the grade of crime, whilst the Visigothic laws also grade the fines according to the status of the person violating the sanctuary.[3] The differences may be more apparent than real, caused by the incomplete nature of English law rather than that English law had no concern for status of crime or person. A gradation for which there is little evidence on the continent, however, is that associated with the status of the church itself. In England the churches from 'matris ecclesia' to the field church each had their respective protection in terms of appropriate fines for breach of their sanctuary.

Against this general English and continental background developed the sanctuary at Saint Cuthbert's tomb and at other major ecclesiastical centres in the north of England. After the note written by Bede about Cuthbert's last words we have the record for 750 that Offa, son of Aldfrith, fled to the 'relics of the holy bishop, Cuthbert' and was besieged there, in the church of Saint Peter on Lindisfarne, by King Eadbert. Offa was eventually dragged forth 'almost dead with hunger'.[4] This episode here evidence of the existence of sanctuary at Lindisfarne will be mentioned below for that which it tells us of the details of

1. E.g. IV ATHELSTAN 6. Riggs, op.cit., chapter 3.
2. P.D. King, Law and Society in the Visigothic Kingdom (Cambridge 1972) p.96 n3.
3. Ibid. See VIII ATR.4; II CAN.15. 4. Historia Regum s.a.750.

the proceedings surrounding sanctuary.

A new stage in the development of Cuthbert's asylum began when in c.882 Guthred, newly elected king of the Northumbrian Danes, gave to the community at Chester-le-Street the right of sanctuary at the body of Cuthbert.[1] Anyone who fled to the body, for whatever cause, was to be allowed respite for thirty-seven days and nights. The story is first recorded in the Historia, but later tradition, both in the Chronica and Symeon's Libellus, added to Guthred's actions a confirmation by King Alfred.[2] It seems quite interesting that this king should be involved for, as we have seen, his law code provides the best detail for sanctuary, was compiled around this time and mentions the periods of thirty and seven days allowed to a fugitive. It would not be difficult to assume a connection between Alfred and Guthred, especially considering the West Saxon relations with the lords of Bamburgh and the community of Saint Cuthbert, though a later West Saxon influence upon the period of sanctuary allowed cannot be ruled out.

Another feature of later traditions about the sanctuary that Guthred gave (probably confirmed) is the recording of the fine for breach of that sanctuary. The Chronica gives this as 1,200 øres , whilst Symeon gives it as £96.[3] The discrepancy between the two figures may be attributed to Symeon's updating of his source or to his translation of ore into pounds. According to the Domesday survey of the lands between Ribble and Mersey the ora was equal to 16d, which would make the Chronica fine equivalent to £80, somewhat less than Symeon's. Yet it is clear that the ora could contain as many as twenty pence (20d.), bringing the fine to £100, and we should not be too concerned at the difference between Symeon and the Chronica.[4] Both state, however, that the fine was the same as that for breach of the king's peace, which allows us to place the Cuthbertine sanctuary in a wider context.

1. Historia s.13.
2. Chronica p.524; Symeon, Libellus II xiii.
3. Ibid. Below p.176
4. DB i, ff.269-70 (Ribble and Mersey), 154 (Borough of Oxford).

In the north of England we have a series of major sanctuaries at York, Ripon, Beverley and Hexham for which our sources are very detailed.[1] Hexham is representative of the group and Richard, prior of this church, in his chronicle of the church of Hexham, has provided a section specifically dealing with the subject of sanctuary. The whole area of the sanctuary extended for a mile radius around the church, though on the north it was bounded by the River Tyne. Fines for breach of the sanctuary increased as the church was approached.

Inside the four crosses that marked the mile boundary the fine was two *hundred* which, a hundred being £8, equalled £16; within the town the fine was four *hundred* (£32); within the precinct walls of the church six *hundred* (£48); within the church itself twelve *hundred* (£96); within the gates of the choir eighteen *hundred* (£144), whilst a breach of the sanctuary, presumably meaning a homicide, at the *fridstool* (*cathedra lapidea iuxta altare*) was a crime for which there was no amendment possible; a *botolos* crime. Slight variations occured at the other sanctuaries, where the fines for the two outer zones were one *hundred* (£8) and three *hundred* (£24) respectively.[2]

The term *hundred* allows us to link the fines payable at the sanctuaries with other fines for breaches of the peace. At the beginning of the Yorkshire Domesday it is stated that,[3]

> 'If the peace given by the hand of the king or his seal be broken, amend is to be made to the king alone by twelve *hundreds*; each *hundred* £8.
> 'Peace given by the earl and broken by anyone is amended to the earl himself by six *hundreds*; each *hundred* £8.'

In Lincolnshire, Derbyshire and Nottinghamshire it is noted that eighteen *hundreds* (£144) pay the fine for breach of the king's peace,[4]

> 'The king has two parts of this fine, the earl the third, i.e. twelve *hundreds* pay the fine to the king, six to the earl.'

1. Richard of Hexham, *History of the church of Hexham* (ed. J.Raine, Surtees Society 44, 1864). Southwell may also be included in the group.
2. *Memorials of Ripon* I, ed. J. Fowler,(Surtees Society 74) pp.34-5. At Beverley the second figure may have been two *hundred* (£16), *Sanctuarium Dunelmense et Beverlacense* (Surtees Society 5) p.99.
3. *DB* i, f.298.
4. *DB* i, ff.280, 336.

In the Leis Willelme the fine for violation of the king's peace in the Danelaw is £144, being an unemendable crime in III AETHELRED 1.[1] In the latter we also find that a breach of the peace of an ealdorman or king's reeve in the court of the Five Boroughs is emendable by payment of xii hund, that established in one borough by vi hundred.[2] The fines are all associated with the Danelaw, differing substantially from all those for southern England where the fine for breach of the king's peace is generally recorded as around £5.[3] That Danelaw custom should be found at the shrines of the north is not surprising for Yorkshire was within that division of English law.

However, in all areas there is a clear indication of an association between the peace given by the king and that provided by a Mother Church (Matris et Capitalis Ecclesiae or Heafodmynstre).[4] The laws from the late-tenth and eleventh centuries equate the Heafodmynstres griðbryce with the cyninges mund, stating that cyricgrið and cyninges handgrið shall be equally inviolable.[5] The principle of the church's equality with the king in this way can be found as early as 690-725, the laws of Wihtred of Kent showing that the mundbyrd of the church was fifty shillings like the king's.[6] III Aethelred 1 defined certain breaches of the king's peace as bōtléas and with VIII Aethelred 1 the church's status with the king is continued for the breach of Godes ciricgrið, by committing homicide within church walls, is similarly bōtléas.[7]

Thus the sanctuary associated with a major church is hedged around with the same penalties as peace given at the hand of the king, clearly indicating the royal origin of the privilege. In the Danelaw

1. The (so-called) Laws of William I, hereinafter noted as LW.
2. III ATR. 1.1, 1.2.
3. It is not altogether clear how the various sums for the Danelaw and elsewhere are comparable in value. ALF. 40; II CAN.58, 62; LW 2; Leges Henrici Primi 79.6 (ed. L.J. Downer, Oxford 1972).
4. Leges Henrici Primi 79.6; VIII ATR. 5.
5. I CAN.2; VI ATR.14; EDW.& GUTH. 1; cf. II EDM.2.
6. WIHTRED 2.
7. VIII ATR. 1.1.

the fines are based upon the hundred of £8 and the gradation of these at the major sanctuaries parallels those associated with breach of the king's peace. The most heinous crimes are unemendable and the largest fine is £144, though the king seems to receive only two-thirds of this or £96. Durham's own sanctuary fits well with this system. Symeon gives the fine for breach of this as £96, saying that it is equivalent to that for violation of the king's peace. He may either be giving the highest fine at Durham or the proportion retained by the church or just the fine for violation of the sanctuary within the cathedrals walls, £96 being the fine for such a crime at Hexham. The laws similarly place an emphasis upon the equation of cyninges handgrið with cyricgrið binnan wagum.[1] That Durham also possessed a graded system of fines is suggested by a statement of the Liber Albus of Southwell that should it be necessary for someone to be moved from the sanctuary at York that person should be allowed to go to certain other churches, Beverley, Ripon, Durham or Hexham, for these have similar fines for breaches of their sanctuaries.[2] At York, and probably at the other churches in the group, a fugitive was allowed thirty days asylum, which again brings the sanctuary into line with the evidence from Durham and in the law codes.

At Durham, in contrast to the other northern shrines, there was no friðstool, this being replaced by the shrine of Saint Cuthbert. It is possible that the church of Lindisfarne had such a chair, clearly an episcopal throne, but that this was displaced as the centre of the sanctuary by the shrine, which contained the most remarkable relic in the north of England. A crime committed at the friðstool was unemendable, but although we have little indication of such a crime being committed or the dire penalty being imposed an episode recorded by Reginald of

1. VI ATR.14.
2. Memorials of Ripon I, p.34.

Durham in the twelfth century appears to describe such an event. A fugitive having sought asylum in the cathedral at Durham, his pursuers surrounded the place and, forcing their way in, attempted to murder him. The attempt took place at the very heart of the cathedral as it was necessary to cleanse the area of the shrine and high altar the following day. Reginald called the crime sacrilege and one of the perpetrators when captured was obviously not allowed to make an amend payment 'et excogitando cruciandus horrendo mortis genere, multo oneratus ferro, in carcere subterraneo detrusus est'.[1] It seems he was being punished for a bótléas crime.

All churches had their sanctuary, even the country chapel without a burial ground, though they were graded according to the status of the church, the most important being, it seems, the mother church of an area.[2] A tract written c.1015-1050 makes reference to the degrees of sanctuary in Northumbria.[3] Thus we can be sure that the sanctuaries of Durham, York, Ripon, Hexham, Beverley and, probably, Southwell, were those of mother churches. Yet there may have been an even more important right associated with some sanctuaries than just that of a mother church and this may be comparable to the king's ability to spare life even after the perpetration of a bótléas crime.

VIII Aethelred 1, promulgated in 1014, gives the following information,

> 1.1 If anyone violates Godes ciricgriđ by committing homicide within its walls it shall be bótléas and everyone shall pursue him unless he reaches such an inviolable sanctuary (friđsocne) that the king because of that grant him his life, upon condition he make full amends (fulre bote).

Paradoxically an unemendable crime may be amended for in certain circumstances. The mention of a friđsocne must remind us of the friđstool

1. Reginald of Durham, Libellus De Admirandis Beati Cuthberti Virtutibus (Surtees Society 1, 1835) Cap.60.
2. Leges Henrici Primi 79.6; VIII ATR.5.
3. Norđhymbra Cyricgriđ, ed. F. Liebermann, Die Gesetze der Angelsachsen (Halle 1903-1916) i, p.473.
4. N.D. Hurnard, The King's pardon for Homicide (Oxford 1969) pp.2-5.

and special status of the northern sanctuaries. The tract called Grið, written between c.1028 and 1070, notes that 'on Norðengla lage stent, þaet se ðe ofslehð man binnan cyricwagum, he bið feorhscyldig[1], this having the same import as the reference to the botleas crime in VIII Aethelred 1. A later section, however, notes that 'gyf forworht man friðstol gesece 7 þurh þaet feorh geyrne, þonne sy þreora an for his feore, bute man bet gearnian wylle: wergyld, ece þeowet, hengenwitnuncg.'[2] There is no definite association of the feorhscyldig man of the first reference with the forworht man of the second, but it seems possible for not only is there the reference to the friðstol but VIII Aethelred includes, after section 1 about the friðsocne, the following,[3]

> 'he [the fugitive who has been allowed to make amends for a botleas crime] shall give his own wergeld to the king and to Christ and by that means obtain legal right to offer compensation.'

Both Aethlred's laws and the tract Grið envisage the criminal having the chance to pay his wergeld, though the Grið section allows two alternatives: ece þeowet or perpetual thraldom and hengenwitnuncg or imprisonment. As to the latter there is little that we can say, but the perpetual thraldom is of interest because in the northern sanctuaries, and in others in the later Middle Ages, there existed a class of sanctuary men, who, having sought asylum, were to be permanently resident in the sanctuary.[4] They are refered to as servants of the saint of the church, though their life might easily be considered imprisonment. This evidence suggests that we may have in the northern sanctuaries the inviolable sanctuaries of Aethelred's laws. It is a point of extreme importance for attached to each of these was not only a right of sanc-

1. Liebermann, Die Gesetze i, p.471.
2. Ibid. 'if a man who has forfeited his life seek sanctuary and thereby gain refuge for his life let there be one of three for his life, unless he obtain remission more favourably - wergeld, perpetual thraldom, imprisonment.'
3. VIII ATR. 2.
4. 'Homines vocatur grithmen apud Beverlacem, Riponiam, Tynemuth, Hextildesham et Wederhale et alibi, in libertate ecclesiastica pro immunitate ibidem ratione felonarium per ipsos factarum optinenda existentes', quoted in R.H. Forster, Notes on Durham and other North Country Sanctuaries, Journ. Archaeological Association lxi (1905) 122.

tuary, but also a jurisdictional liberty. It may be that the special status had the effect of turning the sanctuary into a jurisdictional liberty.[1]

A feature of the northern sanctuaries was the gradation of fines associated with the various bands around the central point of the sanctuary, the fri∂stol or shrine. There is little evidence of such gradation in the laws, though the tract Gri∂ does distinguish between homicide committed 'binnan cyricwagum' (within church walls), a botleas crime, and homicide committed 'binnan cyricderum' (within church doors), which may coincide with the 'infra muros atrii ecclesiae' (within the walls of the porch or precinct) recorded by Richard of Hexham and for which there was a fine payable.[2] A complement to the gradation of fines was the existence of the various boundaries. At Hexham we find the boundary of the banleuca of a mile, the area of the sanctuary, marked with crosses, whilst at Beverley and Ripon such markers were called bancruces or cruces Athelstani. This last description was an acknowledgement of the claim that Athelstan founded, or confirmed, the sanctuaries at these places in c.934. At Bury St. Edmunds, also associated with Athelstan, there also existed a banleuca of a mile and at St. Buryan's in Cornwall, one of two sanctuaries which tradition links to Athelstan, there existed crosses which may have marked a similar banleuca about a mile away from the church.[3]

The existence of such privileged areas is well attested on the Continent, with appearances as well of crosses as boundary markers, but it less easy to conclude from where there might have come the influence for division of the banleuca in various zones.[4] One possibility is that the influence was not continental, but insular. In sources from Wales we find some parallels, though it is necessary to be aware of

1. See the next chapter.
2. Liebermann, Die Gesetze i, p.471. Above p.174.
3. M.D. Lobel, The Ecclesiastical Banleuca in England, in Oxford Essays in Medieval History presented to H.E. Salter (Oxford 1934) 123, 129. Memorials of Ripon I, pp.33, 35, 89-93. Cox, op.cit., pp.215-16, 221.
4. Lobel, op.cit. P. Timbal Duclaux de Martin, Le Droit d'Asile (Paris 1939), p.173 n2.

possible Anglo-Saxon influence upon the Welsh practice. As with the Anglo-Saxon laws there is a distinction between the sanctuaries of churches of different status, violation of that of a mother church being £14, of others' £7.[1] The doubling of the fine is interesting. We also have clear evidence that there existed at least one, if not two or three, zones around the church itself. The laws state that the church was a sanctuary, as well as the churchyard and, around this, the burial ground.[2] Gerald of Wales records that cattle grazed peacefully,[3]

> 'not only in the churchyards, but outside, too, within the fences and ditches marked out and set by the bishops to fix the sanctuary limits. The more important churches ... offer sanctuary as far as the cattle go to feed in the morning and can return at evening.'

How far the cattle could go is not stated, but we are surely getting near the extended sanctuaries of northern England. The laws say no more about the fines for breach within the sanctuaries than that they were twice as large for the church as for the churchyard.[4] Yet this is enough to suggest a system comparable to that of places like Hexham.

The Irish sources provide further parallels from the Celtic world. Irish canon law, when treating of sanctuary, is largely concerned with the penance necessary for the rehabilitation of the fugitive. A system did exist, however, that defined the sanctuary of a church. The _termon_ (precinct) of a church was calculated by its status and was marked out with crosses, as with the northern English sanctuaries, or with banks and ditches, as with the Welsh. Canon law seemed 'to recognise different degrees of sanctity within the area of the _termon_, at least two, possibly three or four ... the areas are called _sanctus_, _sanctior_, and _sanctissimus_ ... with the penalties for violation differing according to the area.'[5] It is stated in the _Cain Adomnan_ that full

1. _Venedotian Code_ I, xliii 20, 21.
2. _Ibid._, I, xliii 20; II, x 8.
3. _Descriptio Kambriae_ I, 18 (transl. L. Thorpe, _Gerald of Wales. The Journey through Wales/Description of Wales_, Harmonsdworth 1978).
4. _Venedotian Code_ I, xliii 20.
5. K. Hughes, _The Church in Early Irish Society_ (London 1966), p.148.

dire is incurred for violation of a church's inmost sanctuary, and half-dire for violation of the termon land beyond the green.[1] In the Book of Mulling is preserved a diagram showing a series of concentric circles marked by crosses and banks which has been interpreted as the plan of an ecclesiastical city. It might just as well illustrate the separate areas of sanctuary of which the Synodus Hibernensis speaks.[2] Again it is not difficult to see how this evidence fits with that from northern England.

Durham's sanctuary has great similarities to those of the other northern churches, but the division of the sanctuary into zones and the existence of a banleuca cause some problems. No crosses are mentioned as boundary marks of the sanctuary, though it has been suggested that Neville's Cross, to the west of the town, the leaden cross which formerly stood at the top of Gilesgate, to the north, and two others, called Philipson's Cross and Charley Cross, to the south, may have served this purpose.[3] Such speculation is, however, unsatisfactorily subjective. An agreement between the monks of Durham and the lord of Houghall made between 1162 and 1189, for instance, shows that stone crosses were erected in many places near Durham and may have been no more than the markers of boundaries between manors or of the borough.[4] Even should we accept that certain of the crosses were associated with the sanctuary we still have to note that they seem to have been of little importance for we have no mention of them.

We have already noted that the sanctuaries of northern England's major churches were also associated with jurisdictional liberties and it is possible that it is because of Durham's exceptional franchise that the immediate banleuca has little importance. The bounds of the sanctuaries at the churches other than Durham were also the bounds of the core of

1. J. Ryan, The Cain Adomnain , in Studies in Early Irish Law, ed. Thurneysen et al. (London 1936), p.273.
2. Hughes, op.cit., p.149.
3. Rites of Durham ed.J. Fowler (Surtees Society 107, 1902) pp.226-7.
4. Feodarium p.203n.

the liberties, though they possessed other parcels of land that may have enjoyed the same privileges. At Durham a more extensive franchise existed, including, by the late twelfth century, almost all of County Durham. In this area the peace of Saint Cuthbert replaced that of the king; the whole was a sanctuary for fugitives from other parts of the kingdom. In the assize roll for Northumberland of 7 Edward I it is recorded that ten men, three from Farnacres in County Durham, broke into the house of Richard fitz Sweyn de Heton, in the County of Northumberland, 'et statim fugit (sic) usque in Libertatem Episcopi Dunelmensis apud Fornacres, praeter Rogerum Stedeman qui fugit in Scotia'.[1] The nine who fled to the liberty obviously felt themselves as safe as Roger, who fled to Scotland. It is interesting, though of questionable significance, that there is reference to Cuthbertestones on the Tyne bridge in the fifteenth century marking the boundary of the liberty.[2] The county seems to have acted as a sanctuary until the sixteenth century.[3] The confounding of sanctuary and jurisdiction seems to have been common on the continent also, which may account there for the lack of distinction of banleucae into zones.[4] The topic will receive further attention in the next chapter for it is an important factor in the understanding of the origin and development of Durham's jurisdictional franchise.

The laws of Alfred contain quite detailed instructions about the procedures surrounding the seeking and keeping of sanctuary. The

1. Three Early Assize Rolls for the County of Northumberland (Surtees Society 88, 1891) p.343.
2. R.L. Storey, Thomas Langley and the Bishopric of Durham, 1406-1437 (London 1961), p.54.
3. 'There are two great sanctuaries in Yorkshire, beside the bishopric of Durham, where all murderers and felons resort and have at least 100 miles compass. Recommends that Durham alone should be sanctuary.' Letters and Papers Foreign and Domestic of the Reign of Henry VIII, vii, 26 Henry VIII (1534) (London 1883), p.617. The earls of Chester may also have been able to grant sanctuary to criminals entering their liberty, T.J. de'Mazzinghi, Sanctuaries (Stafford 1887), pp.16-17.
4. Lobel, op.cit. The Council of Tribur, 895, seems to have confounded sanctuary and immunity enacting the following, 'Si quis in atrio ecclesiae pugnare incipit vel homicidium fecerit, quicquid pro immunitate violata emendatum est, altari solvatur, cuiuscumque fuerit ecclesia illa', quoted in P. Timbal Duclaux de Martin, Le Droit d'Asile (Paris 1939) p.149 n4.

fugitive having reached his sanctuary it was illegal to remove him forcefully until the prescribed period had elapsed. Meanwhile he was besieged, not being allowed food (at least in the seven days he held on to his weapons), though he was allowed contact with friends and relatives.[1] Such was the concern that the fugitive should not obtain any advantage that the law stated that should it be necessary, for any reason, to move him from the building in which he originally sought refuge the new abode must have no more doors than the original building.[2] The incident, mentioned above, in which Offa was the sanctuary-seeker seems to exhibit these features. Eadbert besieged the church on Lindisfarne and in the end Offa was 'dragged unarmed from the church, almost dead with hunger'.[3] There is no suggestion that Eadbert violated the sanctuary and it seems likely that Offa's time simply ran out. The guarding of the church doors was a practical measure and was followed also in the episode described by Reginald of Durham, though this time the patience of the besiegers was not very good. At Durham even the intention to break the sanctuary could bring swift retribution from the saint. One of Tostig's bailifs decided to pursue Aldan Hamal, who had escaped from the comital prison, into the cathedral, but was instantly prevented by Saint Cuthbert and died three days later.[4]

We can, then, place both the theory and practice of sanctuary at Durham in the context of Anglo-Saxon law, with its continental parallels, and suggest Celtic influence. This last should be no surprise for northern society was Anglo-Celtic, even if in later days the Anglian element preponderated.[5] Sanctuary is the one privilege for which we have a substantial amount of information in the north, but it is possible to point to one other instance of Durham's customs in action, comparable

1. ALFRED 5, 42. Nordhymbra Cyricgrid (ed. Liebermann Die Gesetze i) p. 473, though not complete, may show that a fugitive was not to be allowed 'wifum 7 waepnum 7 cyricgrid dyre'.
2. ALFRED 5.1.
3. Historia Regum s.a.750.
4. De Miraculis, ed. T.Arnold (Rolls Series 75 i, 1882) Cap.v.
5. Above, p.45 and n.2.

to sanctuary, and its relation to the general law of the country.

Preserved in the Gospel Book presented to Saint Cuthbert's by Athelstan in c.934 (BL Cotton Ms. Otho B IX) is the tract which begins 'Haec est consuetudo et lex sancti patris Cuthberti'.[1] It may be divided into two sections, the first relating to a confirmation of the custom probably in the late eleventh or early twelfth century, the second being the actual custom, dating at the latest to the tenth century. The 'lex omnium ad festum S. Cuthberti venientium' protected all those going to and from the feast of Saint Cuthbert in September for seven days either side of the feast. 'Nullus autem ad festum venientium calumnietur nec implacitetur de aliquo constringatur ad rectum ibi faciendum nisi voluntate spontanea voluerit.' The feast of Saint Cuthbert in September is noted in a ninth century calendar and may have comemorated any of the translations of the body, from that at Lindisfarne itself, where the body was reburied above the ground in the church of Saint Peter, to that from Lindisfarne to Chester-le-Street in the late ninth century.[2] It is possible that the law associated with the feast had been so associated since the ninth century or earlier.

There do not seem to have been any general laws of a similar kind in the earliest period, but this law of Saint Cuthbert finds its sequel in the laws of Aethelred II and Cnut. V Aethelred 18 and 19 state that trial by ordeal and oaths are forbidden during festivals, at which 'there shall be peace and concord among all Christian men and every dispute (sacu) shall be laid aside'.[3] Wulfstan's Canons of Edgar also note that on freolsdagum (festivals) and rihtfaestendagum (proper fasts) there shall be no strife between men or ordeals or oaths.[4] It may be significant that these prohibitions appear in the laws under the influence of Archbishop Wulfstan. Was there a northern precedent or are

1. H.H.E. Craster, The Peace of Saint Cuthbert, Journal of Ecclesiastical History viii, (1957), 93-5.
2. English Kalendars before AD 1100, ed. F. Wormald (Henry Bradshaw Society 72, 1934) pp.1-13.
3. Cf. VI ATR.25 and I CAN.17.
4. Wulfstan's Canons of Edgar, ed.R. Fowler (Early English Text Society O.S. 266, 1972) p.7.

we witnessing, as so often, simply the appearance in the written law of widespread and accepted custom? Whichever it is the law of Saint Cuthbert concerning visitors at his fair is yet another example from the north of England of Anglo-Saxon law in a local context.

The Historia records that when Edmund visited Chester-le-Street, probably in 945, 'pacem vero et legem quam unquam habuit meliorem, omni terrae Sancti Cuthberti dedit, datam confirmavit'.[1] It is probable that amongst those rights confirmed by Edmund was that of sanctuary and perhaps also that associated with the feast of Saint Cuthbert in September. Yet by the twelfth century the bishops of Durham were enjoying a jurisdictional franchise of extraordinary proportions. The possible link of this franchise with sanctuary has already been alluded to and the importance of Edmund's actions may have been much greater than reference to the peace of Saint Cuthbert at Durham or in September might suggest. Robert Hegge, a late and largely unsympathetic commentator on the early history of the community, stated that,[2]

> 'King Edmund also ... on a like occasion into Scotland, take St. Cuthbert in his way, and there honour'd his Shrine with Princely Donations, and confirm'd their Immunities, with Vulcans Pott, and everlasting Brimstone to the breakers.'

It is with the wider immunity of Saint Cuthbert's lands that we shall next be concerned; an immunity that went far beyond a simple sanctuary or peace.

1. Historia s.28.
2. R. Hegge, The Legend of Saint Cuthbert or the Histories of His Churches at Lindisfarne, Cunecascestre & Dunholm (Darlington 1777, first published in 1626) p.17.

(IX)

THE LIBERTY OF DURHAM.

> 'Franchise roiale del eglise de Duresme ...usez
> du temps il Richard de Kellaw, bishop of Durham
> ni ad memoyre, entre les eaux de Tysne et de Tese,
> en Norhamshire, et Bedlingtonshire, que nul mini-
> stre nostre seigneur le roy ... ny doit entrer.'[1]

This statement, made in 1316, is just one of the numerous descriptions of the regal franchise held by the bishops of Durham in which the bishop held sway like a king. The king had few rights there. The document says little about the full import of the liberty; nor does it give any indication as to the date or nature of the liberty's origin. It is a statement of prescriptive right, refering to no written grant, royal or otherwise, that might have been produced to substantiate Durham's claims. It is typical of the references to the liberty that appear in the sources and therefore highlights the problem which has only ever receivedan acceptable solution in the minds of medieval monks: How did this extraordinary franchise come into being?

Only twenty-three years earlier the franchise had for the first time been called a palatinate in the sources. The bishop's position was likened to that of a comes palatii. Such terminology has repeatedly led astray and generally hindered historians who have delved into the early jurisdictional history of the Community of Saint Cuthbert.[2] The thirteenth century palatinate has been sought in vain in the early period. Indeed, the search is doomed to failure simply because energy has been expended on a fruitless examination of the difference between the thirteenth century palatinate and the privileges of Durham around 1100, with no appreciation of the changes that had occurred in the law of England in the intervening period. This means that although a

1. Registrum Palatinum Dunelmense, ed. T.D. Hardy (Rolls Series 62, 1873-8) iii, p.1.
2. Lapsley is a notable exception to this rule. G.T. Lapsley, The County Palatine of Durham (London 1900), Chapter 1, section 2.

thirteenth century franchise is not to be found, an immunity of, by contemporary eleventh century standards, equal importance may be uncovered.[1]

The thirteenth century was a period of definition, especially of the rights of the subject in relation to the power of the crown. The application of such terms as palatinate to the franchise of Durham was a sign of this trend toward definition, not an indication of new franchisal rights. As Clanchy has shown, such privileges as the return of writs were the result of a definition, and hence limitation, of already existing rights, not the creation of hitherto unknown ones.[2] From the late twelfth century onward the history of the liberty of Durham was one of a struggle to maintain the franchise in the face of an ever active, ever encroaching and ever innovative royal jurisdiction.[3] New definitions say more about the thirteenth century than the eleventh, but it is in the eleventh century and earlier that we shall find the clues to unravel the history of the special jurisdiction of Saint Cuthbert.

The rights of independent lords in the Anglo-Saxon period have caused many problems for historians. Maitland, for instance, was quite sure that substantial jurisdictional privileges were enjoyed by Anglo-Saxon nobles and that the immunities that were present in England were comparable to those on the Continent. Addressing himself specifically to the major problem of the sources on this subject he was certain that the emphasis upon fiscal privileges was not an argument against the existence of jurisdictional rights. He stated that 'even in the days

1. G. Barraclough, The Earldom and County Palatine of Chester (Oxford 1953), casts doubt upon the existence of a special franchise at Chester in the period around 1100 because the later evidence illustrates the limitations upon the franchise in the late twelfth century. J.W. Alexander, The Alleged Palatinates of Norman England, Speculum 56 (1981) 17-27, makes some factual errors and is also led astray.
2. M.T. Clanchy, The Franchise of Return of Writs, TRHS[5] 17 (1967) 59-79.
3. J. Scammell, The Origins and Limitations of the Liberty of Durham, Eng.Hist.Rev lxxxi (1966) 449-473.

of full grown feudalism the right to hold a court was ... rather a fiscal than a jurisdictional right ... Who is to have the profits of justice? - that is the momentous question.'[1] Hence the concentration upon fiscal details did not preclude the existence of jurisdictional elements.

Many of the most recent and well regarded discussions of the origin and development of jurisdictional immunities have rejected most of Maitland's conclusions, seeking significant innovations in the meanings of the rights described in the sources in the Norman and later periods.[2] Both Goebel and Cam have rejected the idea that special jurisdictional, as opposed to fiscal, immunities were of any importance in Anglo-Saxon England, at least before the reign of Edward the Confessor. According to this view the terms, such as sake and soke, that are used in English documents must be taken to indicate rights to the profits of justice, but not rights of actual jurisdiction. It has been shown, with somewhat more credibility, that special jurisdictional franchises, such as Durham's, are not to be found in grants of 'sac and soc, tol and theam and infangenetheof'.[3] We are asked to accept firstly that private jurisdiction, if it existed at all in Anglo-Saxon England, was of little consequence when compared to the great immunities of, for example, the Carolingian and Merovingian kingdoms, and, secondly, that there was an enormous increase in private jurisdiction in England after the Norman Conquest. If we are concerned only with Durham it seems that we may ignore the existence, or otherwise, of substantial immunities in England before the Conquest, for Page has suggested that Durham's liberty did not exist before 1075, being a partial alienation of the regalian franchise of the earls of Northumbria following Bishop Walcher's time as earl between 1075 and 1080.[4]

1. F.W. Maitland, Domesday Book and Beyond (Fontana edn. 1960) pp.327-41.
2. J. Goebel, Felony and Misdemeanor (Pennsylvania 1976) pp.336-440. H. Cam, The Evolution of the Medieval English Franchise, Speculum 32 (1957) 427-442.
3. N.D. Hurnard, The Anglo-Norman Franchises, Eng.Hist.Rev. lxiv (1949) 289-327, 433-60.
4. W. Page, Some Remarks on the Northumbrian Palatinates and Regalities, Archaeologia 51 (1891) i, 143-55. See Chapter VII above.

This is not the place to deal specifically with the details of jurisdiction in Anglo-Saxon England. However, both Page's assumption that there was no liberty at Durham before 1075 and the general view that such a liberty could not have come into being in the Anglo-Saxon period will be challenged, for the sources from the Community of Saint Cuthbert tend to suggest different conclusions.

The salient features of Durham's liberty in the late twelfth century are important.[1] The boundaries were little different from those of Bishop Kellaw's day, having been largely settled by the late eleventh century. They included the lands of Norhamshire, Islandshire and Bedlingtonshire in Northumberland; County Durham, and parcels of land in Yorkshire. They did not include the majority of Durham's lands in Yorkshire or elsewhere south of the Tees. The liberty was defined geographically and was not a franchise that adhered personally to either bishop or community. Outside the lands of the liberty the bishop was no more than one amongst other privileged persons.

Inside the liberty the bishop enjoyed the fiscal and jurisdictional privileges elsewhere the prerogative of the crown. A late example of the importance of the geographical factor for fiscal matters is available in a case concerning customs dues. A petition from the burgesses of Newcastle-upon-Tyne to the king in 1384 shows that the king had allowed the bishop to load and unload merchandise (excepting wool, hides and wool fells) at Gateshead, rather than at Newcastle. The burgesses feared that the bishop wished 'to create a market town at Gateshead on the Durham side of the river opposite Newcastle where no tax or custom or toll will be payable to the king'.[2] They therefore threatened to transfer to Gateshead 'and enjoy burghal franchises without tenths, taxes, customs, tolls and other royal obligations'. Quite clearly the bishop and the inhabitnats of the liberty were only liable

1. See G.V. Scammell, Hugh du Puiset (Cambridge 1956), pp.183-241; and Chapter I above.
2. Ancient Petitions relating to Northumberland, ed. C.M. Fraser (Surtees Society 176, 1966) no.230 (A.P.6422) pp.257-9.

for royal exactions when outside the liberty, Gateshead being within this area and Newcastle outside. The bishop was only an immunist in so far as he held lands which were immune from royal interference. The distinction is important for, whilst the payment of customs by the bishop within the liberty might be considered a limitation on that franchise, payment outside cannot.

This example comes from a time, and system of customs, far removed from the episcopate of Puiset, yet the same rule is applicable in the earlier time. The bishop's servicium debitum of ten knights seems to have been levied on ten fees held by the bishop in Lincolnshire and Yorkshire, and therefore outside the liberty.[1] From fees in the liberty the crown only received dues when the bishopric was held sede vacante. The early evidence noted in the appendix to this chapter offers a much clearer picture than the later material, largely because those who recorded the bishop's debt were unworried about the siting of the fees (which were variously placed in Sadberge, Yorkshire and Lincolnshire) as long as the bishop paid his taxes.

The jurisdictional franchise was likewise geographical, not personal, and came under increasing pressure from the late twelfth century.[2] It can be no coincidence that it is Henry II we find extending his jurisdiction to the liberty, despite the energetic defence of his see's privileges put up by Puiset. Within the liberty the bishop administered justice and, under normal circumstances, the king and his officials were excluded. Even when Henry II broke this rule and sent his justices into the liberty he stated that this action was with 'episcopi Dunelmeensis licencia' and not to be treated as a precedent for future royal intervention.[3] As long as justice was properly administered,[4] and the bishop remained loyal to the crown, the king, it seems,

1. See note at the end of this chapter.
2. J. Scammell, op.cit.
3. Scriptores Tres, appendix p.l.
4. Durham Records: Calendar of the Cursitor's Records, Thirty-first Annual Report of the Deputy Keeper of the Public Records (London 1870) Appendix 2, p.134, (A.D.1350).

was greatly restricted in his power of direct intervention.

Along with external pressures went the challemge to the bishop's preeminance from his own community. The Attestaciones Testium of 1228 are a record of the struggle between bishop and prior in a number of matters, including jurisdiction.[1] The prior disputed the bishop's exclusive administration of criminal justice, though the support for the prior's claim to jurisdiction was not substantial. It is probable that the dispute had its ultimate origin in the separation of lands and rights between bishop and community around 1100,[2] though Scammell has shown that the conflict that led to the enquiry of 1228 had developed in a major way in the late twelfth century.[3] The community clearly felt it was entitled to a share of the privileges, the liberty, to go with its share of the landed patrimony. The attempt was largely ineffectual, leading to the compact known as Le Convenit in which the bishop conceded some of the lesser claims of the monks, but managed to hold on to his dominance in the sphere of jurisdiction.[4] The bishop had become more remote from his community since the days of William de Saint Calais, though still titular abbot, and perhaps the single most important change for the liberty in the twelfth century was its concentration under the bishop and the virtual exclusion of the community.

The evidence for the liberty from the mid-twelfth century on is copious, but the general features we have noted can be traced in materials available before that time. We have seen that the pipe roll entries, or lack of them, can point to Northumberland's special status and this is also possible for Durham. With no profit accruing directly to the crown sede plena Durham only appears during a vacancy. The roll that survives from the reign of Henry I includes Durham for it

1. Feodarium pp.218-301.
2. Above pp.120-3.
3. G.V. Sdammell, Hugh du Puiset (Cambridge 1956), pp.152-3.
4. Feodarium pp.212-17.

was compiled during the vacancy after the death of Flambard in 1128. It next appears in the roll for 1195, this being the first extant roll for a year in which the bishopric was vacant, this time following the decease of Puiset. It may be that Durham's place in the rolls when it does appear is also significant. The land of the bishop of Ely, another important liberty free from 'omni regali exactione', occurs only at times of vacancy, but consistently follows Cambridgeshire in which county the Isle of Ely lies.[1] It may be a matter of administrative convenience, but may equally suggest that Ely was believed to be a separated portion of Cambridgeshire. In contrast to this Durham is not placed consistently after any county, including Northumberland. This is important because it has been suggested that Durham's liberty was originally part of Northumberland.[2] The evidence could imply that such a conclusion is incorrect, but definitely shows that by the later twelfth century any administrative link between Durham and Northumberland was weak.

The immunity from taxation implicit in the absence from the pipe rolls and shown from later evidence is already apparent in a story related by Symeon of Durham.[3] According to this King William, probably Rufus, sent a certain Ralph, perhaps Flambard, to Durham to levy a geld. Saint Cuthbert intervened; Ralph fled without collecting the tax. The episode is possibly to be associated with a writ issued by Rufus, between 1096 and 1098, in which he declared that 'no geld is henceforth to be demanded from Nordteisa'.[4]

That this last document means that geld was exacted before 1096X1098, but was not to be collected after that time is unlikely. We know that Nordteisa was excluded from the Domesday survey and it seems logical to believe that this was so because the king had no profit therefrom. Also, with specific reference to Durham, there exists a

1. N.D. Hurnard, The Anglo-Norman Franchises, Eng. Hist. Rev. lxiv (1949) 317; See Pipe Rolls for 16-19 Henry II, (1169-1173).
2. Page, op.cit., 150.
3. Symeon, Libellus III.xx; J. Scammel, op.cit., 450 n2.
4. RRAN I, 412, appendix lxxv.

writ of Rufus stating that the land of Saint Cuthbert 'is to be free of castle-work and gelds as in the time of the king's father and on the day William, bishop of Durham, was alive and dead',[1] Ralph was sent to collect geld from an area already exempt. The reaction to such unprecedented claims was predictable. Durham enjoyed a fiscal immunity in the reigns of the first two Williams, but was it as part of the general exemption of Nordteisa or did Durham have its own particular franchise?

The tract which describes the events of William de Saint Calais' trial in 1088 may not be contemporary with that event, as was previously thought,[2] but it may give us a hint that Durham enjoyed a special position. Obviously the bishop, even if he enjoyed a fiscal and jurisdictional franchise, would be ultimately responsible to the crown for actions that were treasonable. Bishop William had no immunity from trial as a traitor and thus his appearance before the king must not be used to contradict the existence of Durham's liberty.

If the tract about the trial has anything to say of the land of Saint Cuthbert it is that there was some difference between those lands to the south of the Tees and to the north. When asked to appear before the king the bishop complained that the king's men had seized his men and land in Yorkshire and Lincolnshire, later specifying Howden and Welton as the lands in Yorkshire seized by Counts Alan and Odo.[3] Durham itself only occurs as a place to be surrendered to the king. Are these references simply chance or does the fact that some lands were seized immediately reveal some difference in the bishop's position in different areas?

It is of some interest that Henry I seized some of the lands of the bishop when he came to the throne and that these also were situated in Yorkshire - Northallerton, Howden, Welton and in Cleveland.[4]

1. RRAN I, 480, appendix xci.
2. H.S. Offler, The Tractate De iniusta vexatione Willelmi Episcopi Primi, Eng. Hist. Rev. lxvi (1954) 321-41.
3. De iniusta vexatione, ed. T. Arnold (Rolls Series 75,i 1882-5)i,171-4.
4. RRAN II, 546, 590, 1124.

The difference between the lands lying within the liberty and those outside has been mentioned above. In the later Middle Ages a person holding land both inside and outside the liberty could, if he committed a crime, be deprived only of his land outside the liberty by the king's officers.[1] The evidence for the situation in Bishop William's day is meagre, but seems similar.

The jurisdictional immunity, as one would expect, is very difficult to uncover in the early period. A charter of William Rufus does show that the bishop was receiving fines from cases of theft and breach of the peace in the 1090's.[2] Such fines would elsewhere have gone to the crown. According to the document Robert de Mowbray, earl of Northumberland, had quitclaimed to the bishop 'dimidium latronem et dimidium fracturae pacis' in certain vills in County Durham. As there is no evidence to suggest that the king ever claimed these fines himself it is reasonable to assume that after the agreement the bishop received the full fine, not only the half quitclaimed by the earl. But the problem is one which has troubled many historians, for we cannot be certain whether the receipt of fines meant also that the bishop was holding his own courts to administer criminal justice. The clue is probably, as Maitland said, that 'no one in the middle ages does justice for nothing' and therefore that no one but the bishop is likely to hold courts if the fines go into the episcopal coffers.[3] As there is no evidence that the king granted the bishop permission to hold courts after this time, though we know that the bishop did so, it implies that the bishop held courts in the 1090's. The copiousness of our sources for the later period makes it unlikely that such an important grant, if made, would know be unknown.

Much of the evidence, like the description of the bishop's

1. G.T. Lapsley, op.cit., pp.216-18.
2. Feodarium, appendix to the preface I; See the appendix below.
3. F.W. Maitland, Domesday Book and Beyond (Fontana edn. London 1960) p.327.

trial, is vague and inconclusive. Symeon, for instance, talks of the <u>ius</u> of the bishop and earl in his account of the arrival of Aldwin in the north in the 1070's.[1] Aldwin was going to settle at <u>Munecaceastre</u> (commonly identified as Newcastle-upon-Tyne), but was persuaded by Bishop Walcher to move to Jarrow. Symeon states that <u>Munecaceastre</u>, although lying in the bishopric of Durham, was, nevertheless, under the jurisdiction of the earl - 'juris tamen Northanhymbrorum comitis habetur' - and Walcher wished the monks to accept a place 'sub jure potius ecclesiae quam sub potestate secularium'.

This could mean that Walcher wished them to settle within his jurisdiction, the liberty. This would be most important for it would point to an independent jurisdiction in the hands of the bishop before he became earl in 1075. Yet Symeon may simply have been refering to the much less exalted rights of a landowner. <u>Munecaceastre</u> was possibly comital land, whereas Jarrow was episcopal. There is little way of knowing how we should interpret Symeon's words. Whether there was a jurisdiction held by the bishop exclusive of the earl before Walcher received the earldom is of great importance, for upon this question rests the theory put forward by Page as to the origin of the liberty of Durham, and also of other franchises in northern England.

Page maintained that the earls of Northumbria held a quasi-regal independence after the West Saxon Conquest.[2] As seen in an earlier chapter the details of his theory may be questionable, but the general conclusion is acceptable.[3] From this starting point Page developed a theory that the special franchises or regalities of northern England had their origin in the transfer of the quasi-regal jurisdiction of the earls to other persons or institutions. Hence the existence of the liberties of Durham, Hexham, Tynemouth, Ripon, Beverley, Tynedale, Lancaster, Richmond, Holderness and the like. Taking Tynemouth as an

1. Symeon, <u>Libellus</u> III, xxi.
2. Page, op.cit.,
3. Above Chapter VII.

example it is possible to see how such a transfer might be achieved.

Tynemouth was one of the latest northern franchises to come into existence. Despite some quarrels over the ownership of Tynemouth itself, Earl Robert granted the church there to the monks of Saint Alban's some time around 1085-6.[1] According to later Tynemouth tradition this grant involved the transfer of the earl's jurisdiction to the prior of the new cell.[2] This may be true, but even if it is not, we have in the register of Saint Alban's a document in which William Rufus grants to Tynemouth,[3]

> 'curiam suam ita libere et plenarie in omnibus rebus cum soco et saca, tol et theam, et infangenetheof et wrek, et cum omnibus consuetudinibus et libertatibus sicut ego ipse habeo.'

Further documents issued by Henry I suggest that it was Rufus who granted the jurisdiction, but that it was held in the same manner as Earl Robert held it before his forfeiture.[4] If Mowbray was not the grantor it was his comital/regal jurisdiction that Tynemouth obtained. It is a fairly convincing support of Page's thesis.

However, as a general thesis this is harder to accept, especially at Durham. Page thought that Bishop Walcher had received the jura regalia when he became earl in 1075, and that after Walcher's death his successor as bishop, William de Saint Calais, though not earl, continued to exercise regal rights in the lands pertaining to the church of Durham.[5] Thus would he want us to see the liberty arising, but, in contrast to Tynemouth, there is little, if any, supporting material.

Symeon's vagueness in speaking of the spheres of jurisdiction of bishop and earl is highly regretable. It would have been nonsense to make this distinction after Walcher had become earl and if we could

1. A History of Northumberland VIII ed. H.H.E. Craster, (Northumberland County History Committee, Newcastle 1907) for what follows.
2. Ibid. p.209 and n2.
3. Ibid. p.53 n1.
4. Ibid. p.55, 'quemadmodum rex Willelmus frater meus dederat eis', 'sicut unquam melius Robertus comes tem[pore frat]ris mei.'
5. See Bayley, V.C.H. Durham II (London 1907) for an addition to Page, pp.137-8, and also the appendix on DCD 1ma 1mae Reg. 17, below.

be sure that Walcher held an independent franchise before he became earl it would immediately invalidate Page's conclusions. However, if the evidence does not refute Page it does not necessarily support him. Looking closer at his work we find that he has made the assumption about the importance of the Tees as a boundary in the Anglo-Saxon period that was criticised in the chapter on the earldom above. Explaining the situation at Domesday, which involved the inclusion of Yorkshire, he states that Morkar's rebellion in 1067 led the Conqueror to seize Yorkshire and impose direct royal control.[1] That Morkar held only Yorkshire is questionable, but if Page is correct the transfer to the king of this county before Walcher became earl has a definite significance for his theory of the liberty's origin.

The area over which Walcher had jurisdiction as earl might be assumed to be lands previously subject to comital jurisdiction, and to be included in the later liberty. Strictly speaking land held by the bishop _qua_ bishop and lying outside the earldom as held by Walcher should not have been subject to comital jurisdiction or, presumably, have become part of the later liberty. Thus, if there are lands which were part of the later liberty that lay outside Walcher's comital jurisdiction some doubt must be cast on Page's conclusions.

As we have seen above the earldom of Northumberland held by some of Walcher's predecessors in that office consisted only of the area north of the Tyne.[2] It is therefore debatable whether Walcher's earldom included County Durham. It is also unlikely that, even if it extended from the Tees northwards, that he held Yorkshire. The incorporation of Crayke and part of the parish of Sockburn, south of the Tees, suggests that the origin of the liberty may not be linked rigidly with Walcher's position as earl. How could regalian rights in these places have been

1. Page, op.cit.,145.
2. Above pp.154-6.

derived from Walcher's tenure of the earldom for they did not lie within its bounds? It could only have been achieved by Walcher or his successor extending regalian powers, derived from the comital status, to lands they held simply as bishops. A problem with this critique is, once again, that the material does not allow of firm conclusions. The land which later formed the liberty lay completely between the rivers Tweed and Humber and had been acquired before 1066. Yet as there were no new acquisitions in this area between 1066 and 1080, the year of Walcher's death, the liberty may be assumed to have arisen before 1080 as well as before 1066. The most the evidence so far presented can do is make it clear that Page built his theory upon scanty materials that might equally support a theory looking to the pre-Conquest period for the origin of the liberty.

Documents of the type quoted for Tynemouth do not exist at Durham, and there is such a great amount of material available from the late eleventh century onwards at Durham that the absence of any mention of great jurisdictional acquisitions in the later period must be food for thought. Indeed, the chroniclers of Durham consistently look to the pre-Conquest period for the origin of the liberty. Even Symeon's description of the agreement between Mowbray and Bishop William presupposes the existence of an established franchise in the hands of the bishop.[1] Surely if Walcher or William had been responsible for the creation of an exceptional franchise Symeon at least would have noted the event.

It must be allowed that Page did not have before him all the material which has a bearing upon the subject. The Chronica, which Craster has dated to 1071X1083,[2] is the earliest extant source that gives the mature Durham tradition of the origin of the liberty, point-

1. Symeon, Libellus IV v.
2. H.H.E. Craster, The Red Book of Durham, Eng. Hist. Rev. xl (1925) 504-532. See chapter II for a discussion of the Chronica and other sources.

ing to events of the late ninth and early tenth centuries. To accept Page's theory now would mean limiting the composition of this work to after 1075, when Walcher obtained the earldom. On his argument before then a Durham writer would not have thought of claiming a regality for his church. We might further limit the composition to after 1080, Walcher's death, for not until Bishop William arrived would it have been clear that the land of Saint Cuthbert was to enjoy a special immunity under the bishop and independent of both earl and king. It seems implausible. The source itself argues against this for it makes no mention of Walcher as earl and includes terminology which, as we shall see, would have been unusual in other than the ninth or tenth century context described by the Chronica.

In 945 Edmund led an army into Scotland and it was whilst on this expedition that he visited the shrine of Cuthbert. There he 'placed with his own hand two gold armlets and two Greek pallia upon the holy body' and 'better confirmed the land of Saint Cuthbert in all the rights of law and peace which it had ever enjoyed'.[1] Symeon followed the account of the Historia in ascribing to Edmund the confirmation of the laws of Saint Cuthbert as they had been at their best.[2] Yet Symeon was not primarily concerned with confirmations by West Saxon kings. He was writing a history for which the foundation of the Benedictine community was a climax. It is in the Chronica that is to be found further evidence that Edmund's actions were of immense importance for the community. Here is added to the account of Edmund's visit a vernacular formula seemingly derived from a much earlier record. Edmund, it states, confirmed his gifts 'mid fullom indome, et wrec et wite, utter et inner, et saca et socne, id est cum plenis legibus et quietudinibûs'.[3] It was this vital confirmation of the church's privileges that prompted the

1. Historia s.28.
2. Symeon, Libellus II, xviii.
3. Chronica p.526, ll.105-7.

author of the *Historia* to record the privileges and possessions of his church 'usque nunc temporis', c.945.[1]

But what exactly did Edmund confirm? The *Historia* mentions *pax et lex*. Did this mean merely the sanctuary associated with the saint's body and that peace which was extended to all who visited the fair of Saint Cuthbert in September?[2] If so we can hardly justify a search for the origin of the liberty here. It is because of the vague reference in the *Historia* that the formula preserved in the *Chronica* becomes important. It is unlikely to have been a late confection, either of the time of the *Chronica*'s first writing or of a later period. The formula 'sac, soc, tol, team and infangenetheof' would have had a jurisdictional meaning by the late eleventh century and was much more common. It is interesting that Symeon used this when writing of the church's privileges in his own chronicle. He clearly saw no virtue in using the archaic wording of the *Chronica*. The formula occurs nowhere else, except in documents derived from the *Chronica*. Certain of its constituent parts, such as *sac* and *soc*, are common elsewhere, but *fullom indome* and *utter* and *inner* are unique. As a starting point the combination of *wrec* and *wite* deserves close attention.

Wrec, meaning the right to those things thrown up on the coast, does not occur in the pre-Conquest period except in documents we know to be spurious or to have been tampered with. The term seems to have been introduced at a later date. Its meaning would earlier have been conveyed by *scipbryce* or some phrase like 'eall ðaet to his strande gedryven'.[3] This could lead us to question the authenticity of the formula, but the

1. *Historia* s.1.
2. See above p.184.
3. F. Liebermann, *Die Gesetze der Angelsachsen* (Halle, 1903-16) Glossary *s.v. Schiffbruch*; F.E. Harmer, *Anglo-Saxon Writs* (Manchester 1952) nos. 1 (Edward the Confessor to Urk) and 61 (Edward the Confessor for Ramsey Abbey). My thanks to Dr Paul Hyams and Mr Eric Stanley for help with this point.

association with wite provides another interesting explanation. To find wite (fine, punishment) linked to wreck would be strange in itself, but even more so in a late medieval context. The two simply do not go together in the same way as, for instance, sac and soc, and it is very unlikely that an author of the late eleventh century, or later, would create such a phrase.

If, however, the phrase is early the meaning of wrec must be something other than wreck. Old English wrec meant punishment or vengeance and as such would have provided a perfect complement to wite.[1] No linguistic problem exists for this conclusion and the phrase wrec et wite has the same interchangeable nature as the more common sac et soc. Unfortunately the phrase is unique, though this is hardly an insurmountable obstacle. The couplet wræce and witnode does, however, occur in the Old English Boethius. It is likely that by the twelfth century the phrase was no longer well understood for wreck had become common. In the thirteenth century a scribe who added some marginal notes to BL Cotton MS Julius D.IV wrote werk for wrec.[2]

How often Old English wrec may have been mistranscribed or misinterpreted as wreck is impossible to assess. Yet it is interesting that the rhyming charter, attributed to Athelstan, which was composed at Ripon contains the following,[3]

> '... Tol Tem
> Sok et Sak w[t] yryn' and with water deme
> And do wrak and atte the land of Seint Wilfray
> Of ilkyn' Geld fre shal ben' ay.'

The right of wreck was held by the community at Ripon in the later Mid-

1. Bosworth and Toller, An Anglo-Saxon Dictionary (Oxford 1898), s.v. wrecan.
2. f.35[v] margin.
3. To obtain these couplets I have kept the orthography of the version preserved in the Duchy of Lancaster Plea Roll, but the verse form of the version in Trinity College Cambridge MS O.3.2; both printed in Memorials of Ripon I, ed. J.T. Fowler (Surtees Society 74, 1882) pp.90-3.

dle Ages, but could it be that here, in wrak, we again have wrec? The rhyming charter is not generally held in high regard, which is not to be wondered at considering its late date. It does, however, purport to record an act which was carried out in the same period in which we find the series of alliterative charters. These have now been largely accepted as authentic and have a rhythm not totally dissimilar to that of the rhyming charter from Ripon.[1] The latter was possibly based loosely upon an original charter of Áthelstan. To associate the Ripon document and the formula given in the Chronica cannot provide any firm conclusion, but it is by no means fanciful.[2]

Another phrase from the Chronica, fullom indome, does not occur elsewhere. Even the word indome is unique, though the use of in- as a prefix, and of -dom (dominion, power, authority, property, right, office, quality, state, condition) is well attested.[3] Craster's translation of the phrase as 'full authority (or jurisdiction) within the lands of the see'[4] is reasonable, but might be modified to 'within the land of Saint Cuthbert', this describing more definitely the patrimony rather than the diocese. It seems that Edmund confirmed some secular authority of the community over its land. This fits well with the later concept of the liberty and its jurisdictional nature is confirmed by the gloss of the author, 'plenis legibus et quietudinibus'.

The more common phrase sac and soc that also occurs in the Chronica's fórmula, unlike the less clear phrases examined above, can lead us into the definite path of jurisdiction which must be sought if we are to discover the origin of the liberty. Stenton noted that the first reference to sac and soc occurred in 956, when Eadwig granted Southwell to Archbishop Oscytel of York.[5] If we are right to accept

1. D. Whitelock, English Historical Documents I (London 1955) p.340; P. Sawyer, Charters of Burton Abbey (London 1979) pp.xlvii-xlix.
2. Cf. The charter for Tynemouth issued by William Rufus, above p.196.
3. Bosworth and Toller, op.cit., s.v. -dom.
4. H.H.E. Craster, The Red Book of Durham, Eng. Hist. Rev. xl (1925) 526 n2.
5. F.M. Stenton, Anglo-Saxon England (3rd edn. Oxford 1971) pp.494-5.

the formula recorded in the Chronica as an authentic record from the reign of Edmund this mention can be pre-dated by at least ten years for that king died in 946. Of course, we must not be over-hasty in the use of eleventh century evidence. What makes our assumption more certain is the fact that the Historia, compiled c.945, also mentions sac and soc. Recording the acquisition of Sedgefield, County Durham, by Bishop Cutheard the author notes that the church obtained 'quicquid ad eam pertinet, praeter quod tenebant tres homines, Aculf, Ethelbriht, Frithlaf. Super hoc tamen habuit episcopus sacam et socnam.'[1] We might write this off as a late insertion, but it does not seem to have any importance for later problems of which we have any knowledge and does not show any linguistic incongruity. The mention of three specific tenants suggests that the reference is original; indeed, it would be unlikely that a later writer would take trouble to note a gap in his church's privileges. The reference may be dated to the first composition of the Historia, c.945, but if it is to be trusted it actually refers to the period 900-915, Cutheard's episcopate. These earlier occurrances of sac and soc further emphasise what has already been noted by historians, that the north of England offers the earliest references to the rights.

Whilst Maitland may have been prepared to find jurisdictional privileges in a grant of sac and soc the tracing of special liberties, or even jurisdiction to these grants has been widely questioned.[2] With the first argument we are not immediately concerned, but the place of sac and soc in jurisdiction must be mentioned. Most recently these terms have been interpreted as all that was owed to the king.[3] 'Of course, this would include the obligation of attending the king's court, but it would

1. Historia s.21.
2. F.W. Maitland, Domesday Book and Beyond (Fontana edn. London 1960) pp.307-11. J. Goebel, Felony and Misdemeanor (Pennsylvania 1976) pp.339-378.
3. R.H.C. Davies, Kalendar of Abbot Samson of Bury Saint Edmunds (Camden Society, 1954) p.xl. For a discussion of the problem of sac and soc see C.A. Joy, Sokeright (Leeds Phd.).

involve various payments and services in addition, such as guarding the king whenever he stayed in the district, carrying food renders to the royal manor, mowing hay for the royal horses' fodder and so forth.'[1] In other words the grant of sac and soc was the grant of the royal farm. This in itself was, for Maitland, Davies and Barrow, a grant of jurisdictional as well as fiscal rights. Yet we are not particularly concerned to prove that all grants of this kind involved jurisdiction.[2] Here we are concerned with the origin of a special liberty and it is of some importance that in the laws of Alfred it is stated that,[3]

> 'If a man flees for any manner of offence to any mynsterhama which is entitled to receive the king's feorm or to any other free community which is endowed for the space of three days he shall have asylum...'

In the case of ecclesiastical beneficiaries of a grant of sac and soc an important concomitant was the privilege of sanctuary. It therefore becomes increasingly necessary to return to a study of this subject, especially at Saint Cuthbert's.

Edmund's confirmation of the church's privileges was obviously of some importance for not only did it inspire the author of the Historia, but, as we have seen, it involved a substantial body of rights, some of which we can define, others of which are difficult to explain. Edmund was not prominent elsewhere for his role as a giver or confirmer of privileges, but the same cannot be said of his predecessor, Athelstan. We have noted already the possibility that he confirmed the privileges of Saint Cuthbert and that he is supposed to have given to Ripon certain privileges, recorded in the rhyming charter. A similar charter exists for Beverley. The sanctuaries and liberties of Ripon and Beverley are both traced to Athelstan. In 1228 the chapter of Ripon looked only as far back as Athelstan's reign in these matters.[4]

1. G.W.S. Barrow, Feudal Britain (London 1956) p.24.
2. Cf. N.D. Hurnard, The Anglo-Norman Franchises, Eng. Hist. Rev. lxiv (1949).
3. ALF.2.
4. Memorials of Ripon I, pp.51, 54.

Athelstan's name has also been associated with sanctuaries in Cornwall, another area like Northumbria that came under West Saxon control during his reign. He is also attributed with the foundation of Bury Saint Edmunds' privileges within the banleuca which were confirmed by Cnut. This confirmation, though not wholly accepted by Harmer, has the following clause,[1]

> 'ealra heora tun socne of ealla heora lande,'

occurring in the Latin version as,

> 'omnia jura quarumcunque causarum in villis quae monasterio adiscent.'

Here we have jurisdiction called socne and associated with a banleuca and sanctuary with similarities to those of northern England.

Athelstan may have played a major part in confirming, perhaps granting, privileges and such action should be no surprise for it falls in well with West SAxon policy for allowing newly subject areas retain their customs and for gaining favour with the church through benefactions. Nevertheless, he was not the originator of the Cuthbertine privileges. The Chronica and Symeon both point to the events under Guthred in c.882 for the origin of these. After detailing the grant of sanctuary it is said that Guthred, and Alfred, 'leges quoque ... et que proprie Sancti Cuthberti dicuntur consuetudines, imperpetuum servandas instituit.'[2] The Historia, unfortunately, provides no basis for this kind of statement. So are the later traditions products of monastic imaginings?

Alfred's involvement is not impossible for we know from Asser that he sent gifts to northern churches; the Historia implies a possible link with the earls of Bamburgh, and his laws are very similar in their account of sanctuary to the actual situation in the north. Of more interest, and presenting more of a problem, are the privileges involved

1. M.D. Lobel, The Ecclesiastical Banleuca in England, in Oxford Essays in Medieval History presented to H.E. Salter (Oxford 1934) 129. P.H. Sawyer, Anglo-Saxon Charters (London 1968) no.980.
2. Chronica 524, ll.38-9; Cf. Symeon, Libellus II, xiii.

in 882.

The Historia describes sanctuary proper when talking of the privilege given by Guthred; the right of extending asylum to a fugitive for thirty-seven days at the body of Saint Cuthbert. This cannot be, of itself, a regalian franchise, but it is a good starting point. As seen in the previous chapter sanctuary is consistently associated with jurisdictional liberties in northern England and elsewhere. Sanctuary had its jurisdictional aspect for it suspended the normal course of justice, and could even alter that course. The allowing a fugitive to become a sanctuary man; allowing abjuration of the realm, and, in its most basic form, preventing punishment of a runaway slave by his master upon his return.[1]

In the first half of the tenth century the Praeceptum de Fugitivis was produced at St. Denis as part and parcel of an attempt to secure the church's independence from royal and episcopal interference.[2] M. Timbal Duclaux de Martin has shown that 'à la fin de la période carolingienne le circuit de l'asile se confond a peu près exactement avec le district de l'immunité étroite'.[3] 'Un privilege d'inviolabilité ... est la consequence du droit d'asile et du diplome carolingien; il en resulté qu'il pròtège non seulement ceux qui s'y refugient, mais egalement le personnel de l'église et les biens.'[4] Whilst accepting the importance of specific grants of immunity it is clear that regalities could develop from sanctuary rights. At Ripon, for instance, the area of the liberty coincided 'a peu près exactement' with the area of the sanctuary; there existed an area not just of asylum, but in which the peace of the king was replaced by that of Saint Wilfrid.[5]

1. Gregory of Tours, Historiæ Francorum V, 3 (ed. Arndt and Krusch, M.G.H., Scriptores rerum Merovingicarum I, Hanover 1885); P.D. King, Law and Society in the Visigothic Kingdom (Cambridge 1972) p.96; A. Réville, L'Abjuratio Regni, Rev. Historique 50 (Paris 1892) 1-42.
2. P. Timbal Duclaux de Martin, Le Droit D'Asile (Paris 1939) p.160.
3. Ibid. p.152.
4. Ibid. p.151.
5. Memorials of Ripon I, pp.51-63.

For the liberty of Saint Cuthbert the confirmation of its right of sanctuary by Guthred may have been of paramount importance. But we cannot leave the origin of the liberty there. Alfred's laws, as stated, associated a grant of the royal farm with the right of sanctuary and the grant of sac and soc probably in itself constituted a transfer to another party of royal jurisdictional and fiscal rights. These laws and our knowledge of sac and soc can take us no further back than the late ninth century. However, in the Quo Warranto proceedings of Edward I's reign the bishop of Durham, protecting his regalian privileges, when dealing with Crayke, Yorkshire, refered to the original grant of the vill to Cuthbert by Ecgfrith in the seventh century,[1]

> 'Post donacionum et concessionum predictam predictus Beatus Cuthbertus et omnes successores sui continue fuerunt in seisa de predicto manerio cum omnibus libertatibus et dignitatibus regiis.'

Although Ecgfrith may not, in so many words, have granted a regalian liberty he almost certainly freed the land from all secular burdens, and this must be considered the creation of an immunity.

> 'Is not seignorial jurisdiction very closely connected at its root with ecclesiastical jurisdiction ... we can see that the main idea of the English fréols-bóc is the liberation of a tract of ground from all secular troubles, all temporal burdens, all earthly service.... No doubt the theory to which we have been led implies that in the eighth or even in the seventh century, there were in England 'immunists' who had jurisdiction within their territories...'[2]

Maitland, as so often, has here gone straight to the heart of the matter.

Bede in 734 wrote to Archbishop Egbert complaining of the way in which laymen had created monasteries for themselves, thereby freeing themselves from secular burdens.[3] Eric John has convincingly argued that it was only in the eighth century that the 'common burdens' were imposed upon the church, most information for this coming from Mercia.[4] What we lack is evidence from Northumbria that a similar imposition was

1. Placita de Quo Warranto (London 1818), Com. Ebor. p.187b.
2. Maitland, op.cit., pp.330-332.
3. Bede, Epistola ad Ecgbertum Episcopum (ed. Plummer 1896, pp.405-23).
4. E. John, Land Tenure in Early England (Leicester 1964) Chapter 4. See also N. Brooks, The Development of Military Obligations in Eighth and Ninth Century England, in England Before the Conquest, ed. P. Clemoes and K. Hughes (Cambridge 1971) pp.69-84.

made by kings there. There are plenty of instances of kings being berated by ecclesiastics for attacks upon the church, even for seizure of church land, but we cannot link these specifically with the imposition of secular burdens upon hitherto immune church land. It seems reasonable to conclude that grants of land to the church also involved the transfer of substantial jurisdictional privilege, of which a major element was probably sanctuary. In the seventh century the church of Lindisfarne was already enjoying special privileges by virtue of its acquisition of land from various kings. There is no evidence that these were lost or diminished because of royal actions at a later date.

We may still be loath to attribute everything to such an early date. If so it might be worthwhile considering the state of Northumbria from the seventh to the tenth centuries. For only a brief period in the first half of the ninth century did the country enjoy stability after c.700. On the Continent, as Goebel noted, the power of the crown weakened as the Carolingian empire disintegrated and those persons already in possession of a modicum of power tended to consolidate and extend it.

More specifically 'as the crown becomes progressively enfeebled, the bishop consolidates in his own interest the rights and functions which he possesses as a lay lord, man of God, immunist and king's officer'.[1] Given its landed strength and any privileges that may have gone with this the church of Saint Cuthbert was in a prime position to increase its power. By the middle of the ninth century, for instance, it was the only functioning Northumbrian see outside York, absorbing the see of Hexham by the end of the century. Surviving well through every major upset, civil war and scandinavian conquest seem only to have provided opportunities for it to increase its power. We are brought once again to

1. Goebel, op.cit., p.169. M. Kroell, L'Immunite Franque (Paris 1910), saw the appropriation of jurisdiction by ecclesiastics during the sixth century as an element in the creation of the frankish immunity, '...il est probable qu'au VIe siecle les grandes proprietaires, parmi lesquels se trouvaient des eglises, exercaient un peu partout la juridiction qui avait appartenu autrefois aux *assertores pacis* et aux *defensores civitatis*.' p.38.

Guthred and the confirmation of sanctuary with the grant of the enormous tract of land between Tyne and Wear. Guthred probably confirmed the place of the church as an immunist. Perhaps there were further developments in the period after Guthred's death and before the acceptance of West Saxon rule in Northumbria, but when Edmund confirmed the 'law and peace' of Saint Cuthbert he was definitely dealing with an immunity, the jurisdictional nature of which is described by the formula 'fullom indome. et wrec et wite, utter et inner, et saca et socne'.

When Symeon described the events of c.882 he added that,[1]

> 'it was resolved by the assent of the whole people, that if anyone gave land to Saint Cuthbert, or any land was purchased with his money, that from that time no one should presume to exercise over it any right of service or custom.'

This is reminiscent of the clauses of continental diplomas that grant or confirm immunities to the effect that any land obtained after the grant/confirmation should also be incorporated in the immunity. It has already been concluded that the immunity of the church of Saint Cuthbert existed by, at the very latest, the reign of Edmund. After this time the community continued to make acquisitions of land and all of these, until the Conquest, were incorporated in the liberty. No post-Conquest acquisitions were within the liberty, though the bishops attempted to extend their influence to their lands in Yorkshire, such as Northallerton. However, these attempts failed. There was one exception to this general rule, but it does not invalidate any of our previous conclusions, In 1189 Hugh du Puiset bought from Richard I that part of County Durham that was outside the liberty and still subject to royal control, the wapentake of Sadberge,[2]

> 'manerio de Sadberg et wapentachio ... teneant, habeant et possideant, libere, quiete, et honorifice, cum omnibus

1. Symeon, Libellus II, xiii.
2. Scriptores Tres appendix no.xl.

> 'rebus ad ea pertinentibus, in bosco et plano, cum socha et sacha et tol et theem et infangenethefe, et cum omnibus aliis libertatibus et liberis consuetudinibus , et cum placitis ad coronam pertinentibus, sicut nos ipsi in propria manu nostra habebamus, et sicut ipse episcopus habet et tenet alias terras suas et feoda militum in Episcopatu suo.'

In Puiset the north had its prince-bishop and his episcopate saw a momentous event in the history of Northumbria. He leased from Richard the earldom of Northumberland 'ita quod nullus baillivorum nostrorum [Richard] inde se super ipsum vel baillivos suos intromittat'.[1] Puiset enjoyed a regal position throughout his diocese.

Rather than being a creation of Norman times derived from the privileges of the earls of Northumbria the liberty of Durham had its origin in the first benefactions to the church in Northumbria in the seventh century. Admittedly much of our evidence is late and problematical, but that should not invalidate the conclusions tentatively put forward here. Later descriptions of the actions of early kings and the nature of early privileges were not always designed to put forward extravagant and unsubstatiated claims. Many were designed to protect already established privileges from the encroachment of new enemies, such as the Normans.[2]

By the early twelfth century the organisation of the liberty is emerging into the light and the light is shed upon a situation that may not have been typical of the earlier immunity, the supremacy of the bishop. At Ripon in 1228 an investigation was held into the liberty of the archbishop and chapter, brought about because the sheriff of York and the bailiff of the archbishop had invaded the franchise of the chapter. It was noted that 'archiepiscopus habet libertatem suam in Rypon per totum feodum suum, et capitulum et ecclesia predicta ibidem per totum feodum suum, ita quod neuter illorum per se vel ballivorum suorum usurpabat super feodum alterius, nec aliquis vicecomes Eboracensis nec

1. <u>Scriptores Tres</u> appendix no.xlii.
2. For an example of the couching of ancient privileges in more modern terms see W. Davies, <u>Braint Teilo</u>, <u>Bulletin of the Board of Celtic Studies</u> xxvi (1974-6) 123-37.

ministri domini Regis aliquid se interponat super ullam predictarum.'[1] The conflict that led to the Attestaciones Testium and Le Convenit at Durham had its parallel at Ripon. The chapter of Ripon seem to have been more fortunate in their struggle than the community of Durham. At Durham the bishop allowed no division of his regality; the 'franchise roiale del eglise de Duresme' was one in which 'quicquid rex habet extra episcopus habet infra'.

1. Memorials of Ripon I, pp.59-60.

NOTE - THE SERVICIUM DEBITUM OF THE BISHOP OF DURHAM.

In this chapter the servicium debitum has been quoted as an example of the limitation of the bishop's liberty, this being levied upon fees outside the liberty. Certain evidence suggests that the ten fees upon which the bishop rendered service or feudal dues were situated in Yorkshire and Lincolnshire. If such was the case the payment of dues by the bishop cannot be viewed as a breach in the liberty for these lay outside that franchise, though the payments help us to understand the geographical limits.

All of the fees held by the bishop in Lincolnshire were de veteri feofamento, but in a list of these compiled in 1242-3 some of them are distinguished as de veteri whilst others are not.[1] Why should these be singled out? A clue is provided by refering to a similar list of the fees held of the Archbishop of York.[2] Here also some fees are noted as de veteri feoffamento; these are, however, also distinguished in the main body of the survey, this time as de conquestu.[3] What this term means is not clear, perhaps relating to a very early enfeofment or to fees held 'by conquest'.

The whole survey was compiled to provide details of the service owed by the tenants in Lincolnshire for in 1242 Henry III was granted a scutage of under-tenants as well as the service or fine exacted from their lords. It is most likely therefore that the special designation of these fees has some association with the payment of feudal dues. This is interesting for those fees of the archbishop called de conquestu totalled 6, ¼ and ½ which is remarkably close to the archbishop's assessment of seven fees before the re-assessment of 1168. Was the earlier assessment made upon lands held by the archbishop outside York-

1. The Book of Fees (1920-31) II pp.1079-80.
2. Ibid. pp.1081-2.
3. Ibid. pp.1047, 1051.

shire because his other lands had been so badly ravaged and had not recovered sufficiently by the time the service was imposed?[1] There is certainly no definite proof, but it seems likely.

If this is so then we may assume that the 3, $\frac{1}{3}$ and $\frac{1}{4}$ fees noted as de veteri in the bishop of Durham's list also comprise part of the original service. But the bishop owed ten fees and thus we have another six to uncover. Unfortunately the survey of 1242-3 does not provide comparable information for Yorkshire, which is where we must find these fees if our theory is to hold out. The Domesday survey may supply information that is as useful.

In the survey of the bishop of Durham's lands in Yorkshire only three tenants are named, a certain Robert, W. de Perci and Nigel Fossard.[2] Later material shows that Robert's lands formed one fee;[3] in 1166 William Percy held four fees in Yorkshire of the bishop, presumably consisting of the land of W. de Perci, whilst William Fossard, heir to Nigel, held one.[4] If we assume that the tenants mentioned in the survey held by knight service then we are presented with six fees that, added to the de veteri fees of the bishop in Lincolnshire, bring the bishop's assessment to ten, all lying outside of the liberty.

One problem with this must not be ignored, for whilst the Percy and Fossard lands of 1166 lay in Yorkshire the fee of Robert, held by the Conyers family, was listed as 'in dominico Beati Cuthberti', comprising lands that 'ab antiquitate pertinent ad dominicam tabulam sancti predicti'.[5] It cannot be denied that this implies that the fee lay within the boundaries of the liberty, but against such a conclusion is the fact that, whatever the bishop may have attempted, the fee was never actually in the liberty. Perhaps the evidence should be treated with some care for it is possible that claims were being put forward

1. H.M. Chew, The English Ecclesiastical Tenants-in-Chief and Knight Service (Oxford 1932) p.8.
2. DB i f.304b.
3. Book of Fees I pp.23-4.
4. EYC II p.278.
5. EYC II p.278; Liber Vitae Dunelmensis f.50b.

by Durham to include more lands in the liberty, or that, because the Conyers' fee straddled the boundary of the liberty, it was easier to record the whole under the liberty than split it between Durham and Yorkshire.

When the feudal service was first assessed it may have been that the bishop of Durham had only ten fees and that these lay outside the liberty purely by chance. Unlikely as it seems it is possible. However, whilst York had its assessment increased to twenty fees in 1168 Durham continued to render service only on ten. This despite the fact that the bishop held 60, $\frac{2}{3}$, and $\frac{1}{4}$ fees de veteri in 1166. The bishop of Durham, immunist or not, was quite able to prevent such deterioration in his privileged position.

(X)

CORPUS SANCTI CUTHBERTI

Always and in every part of this study the influence of Cuthbert has been felt. The community without Cuthbert is as inconceivable as the Middle Ages without the church. Saints and relics touch every aspect of medieval life and at Durham the community guarded and cherished its relic of relics, 'Corpus sancti patris Cuthberti cum carne et ossibus totum integrum quasi adhuc esset vivus'.[1] And live he did. To Cuthbert himself flowed the gifts of kings, bishops and peasants, with their prayers for aid in this world and the next. In 1121 the monks of Durham began their attempt to regain Tynemouth from Saint Alban's at a synod at York on mid-lent Sunday, 20 March. It was the feast of Saint Cuthbert, who was obviously expected to lend a hand. For the tenth century author of the _Historia_ there seems to have been no history of his community except that associated with the saint.

The shrine was 'a _locus_ where earth and heaven met in the person of the dead, made plain by some manifestation of supernatural power.'[2] From the saint emanated a spiritual power the physical effects of which are well attested in the numerous miracle stories. The holy father was responsible for the death of Onalafbal on the threshold of the church at Chester-le-Street. Onalaf had questioned the saint's power, sworn by his own pagan gods and, perhaps as important for the monks, seized land that rightly belonged to Cuthbert - hence divine retribution.[3] In 1095 Robert de Mowbray, another despoiler of Cuthbert's wards, found that Cuthbert's mercy had limits, for he was not allowed to enter the cathedral at Durham to beg the saint's forgiveness. He was being taken south after

1. Twelfth century relic list, in C.F. Battiscombe, _The Relics of Saint Cuthbert_ (Oxford 1956) p.113.
2. P.R.L. Brown, _Relics and Social Status in the Age of Gregory of Tours_, Stenton Lecture 1976 (Reading 1977) p.4.
3. _Historia_ s.23.

his defeat and his captors quite naturally feared he might claim sanctuary.[1]

In more general terms Cuthbert extended his protection to all his people. In 1069 when a mist prevented the Conqueror from marching from Northallerton into Durham the king was told that the people had a saint who would help them in every adversity, so that no one could do them harm with impunity.[2] Some seventy years later the Scots army was defeated at the battle of the Standard, and contemporaries stated that this was fought on land owned by Saint Cuthbert, though all around the land was held by others. Cuthbert wished to punish the Scots for ravaging his lands.[3] The direct intervention of Cuthbert in matters both great and small was, for the inhabitants of northern England, very real. It was often a guarantee that crime would not go unpunished. It was under the banner of the saint and with the prayers of his monks for victory that northern knights faced all invaders of their lands.[4]

On the narrow plateau above the ragged slopes that fall steeply to the river Wear stood from the 990's the Saxon cathedral of Bishop Aldhun. When the site was chosen in 995 'the Topography of Dunholme ... was, that it was more beholding to nature for Fortification than Fertilitie'[5], and the role of the earl in its choosing suggests that this was as important a factor as Cuthbert's own desire to be buried there. For Cuthbert had not allowed his body to be moved any further when the community was travelling back to Chester-le-Street after a brief sojourn at Ripon. 'When the wood had been uprooted ... the bishop ... commenced to build a fine church upon a large scale.' This took three years, using the labour of the 'entire population of the district which extends from the river Coquet to the Tees'.[6] These, according to Robert Hegge, always

1. Historia Regum s.a.1121.
2. Chronicle of Holyrood s.a.1069.
3. The Priory of Hexham, ed. J. Raine (Surtees Society 44, 1865) p.94.
4. Rites of Durham, ed J. Fowler (Surtees Society 107, 1902) pp.23ff.
5. R. Hegge, The Legend of Saint Cuthbert or the Histories of His Churches at Lindisfarne, Cunecasceastre & Dunholm (1626, Darlington 1777) p.19.
6. Symeon, Libellus III ii.

ready with the caustic observation, 'were paid for their paynes with Treasure in Heaven, than which, there was never a dearer or cheaper way to build Churches'.[1]

The body of Cuthbert lay in this great stone symbol of the community's power for less than a century, for in 1093 Bishop William began, in the presence of Malcolm III of Scots, a new edifice. It was an impressive undertaking, resulting in one of the most magnificent and imposing examples of Norman architecture. A Norman masterpiece meant to house perhaps the most important relic of Anglo-Saxon England. It is repeatedly the case with the community of Saint Cuthbert that new influences change, but never completely transform. Whilst the Norman bishop destroyed the Saxon church he built his new cathedral to house a Saxon saint; the same bishop reformed the community, but it also retained its Englishness.

The poem *De Situ Dunelmi* , one of the latest poetical works of Old English, is an encomium of the church, its site and saints. The work eloquently describes Durham and the reverence in which it was held. 'Wonderfully waxen' (*wundrum gewaexen*), 'celebrated throughout Britain' (*breome geond Breotenrice*), within the borough, by which the author clearly meant a city of saints, lay

'eadig Cudberch
and ðes clene cyninges heafud,
Osuualdes, Engle leo, and Aidan biscop,
Eadberch and Eadfrið, aðele geferes.
Is ðerinne midd heome Aeðelwold biscop
and breoma bocera Beda, and Boisil abbot,
ðe clene Cudberte on gecheðe
lerde lustum, and he þis lara wel genom.'[2]

The Anglo-Norman city and church called forth the heartfelt praise of an Englishman. He would perhaps have appreciated the description of Robert Hegge over five centuries later. 'He that hath seene the situation of this Citty, hath seene the Map of Sion, and may save a Journey to the Jerusalem. Shee is girded almost rownd with the renouned River of Weer

1. Hegge, op.cit., p.19.
2. *Cambridge University Library Ms. Ff. I. 27*, p.202.

To this Sumptuous Church, was the last and great Translation of St. Cuthbert.'[1]

As a counterbalance upon the promontory of Durham stood the Norman castle, probably raised upon the site of a comital fortification. As the cathedral bespoke the spiritual power the castle emphasised the temporal power of the bishop. This too was well and strongly built by the middle of the twelfth century. It is remarkable that from the late eleventh century the bishops and community of Durham were continually involved in building projects. At Jarrow, Monkwearmouth, Lindisfarne and Coldingham the monks were busy working on church buildings, and this in addition to the major contribution they made to the cathedral of Durham. In the twelfth century were constructed castles at Durham, Norham and Northallerton. These were the domain of the bishops, who, besides contributions to the work upon the cathedral, including Puiset's Galilee chapel in the 1170's, were also active throughout County Durham in ecclesiastical building.

The resources required to carry out such work were enormous and it is astonishing that Durham could raise and organise these. Some indication of the sources tapped by the monks and bishops is given in our materials. In 1196, for example, the bishop's manorial profits formed nearly half of his revenue of £5,000. Following the troubles of 1173-4 Bishop Puiset could afford 2,000 marks to regain his castles, and during those troubles he was able to pay 500 Flemish mercenaries for forty days service even though he dismissed them as soon as they arrived in the north. The enlistment of the people of the liberty was of no small value. They performed many services and paid customary dues and taxes. On a small scale Boldon Book records the building works, carrying duties and the like regularly performed by the tenants in the land of Saint Cuthbert.[2]

Many tenants of bishop and convent held by knight service. In 1166 the bishop declared 62, $\frac{3}{4}$ and $\frac{11}{12}$ fees <u>de veteri feoffamento</u>, of which just over 39 were 'in dominico Beati Cuthberti'. His total enfeoffment

1. Hegge, op.cit.
2. G.V. Scammell, <u>Hugh du Puiset</u> (Cambridge 1956) Chapter V.

was nearly 66 fees, but he owed service on only ten of these.[1] The bishop could call upon a substantial feudal host, most of which owed service to the bishop alone. Even when the king was allowed a scutage of sub-tenants the fees of the bishop in his liberty were exempt, though this does not mean that the bishop escaped making contributions to royal expenses.

The use of the armed service of his tenants was nothing new in the twelfth century. Alfred, son of Brihtwulfing, and Eadred, son of Rixing, both fell fighting as men of Saint Cuthbert against Ragnald in the early tenth century.[2] But the twelfth century saw the rise of the mercenary. Involving himself in the war between William of Scots and Henry II Bishop Puiset hired forty knights and 500 Flemish mercenaries in 1174.[3] This is an indication not only of Durham's military strength, but also of its financial resources.

Jordan Fantosme described the significance to the combatants of the place of Durham.[4]

> 'Then says King William: "Hear, my knights.
> Throughout Northumberland I will take my way:
> There is no one to oppose us, whom should we then fear?
> The bishop of Durham (behold his messenger)
> Informs me by his letters he wishes to remain at peace:
> Neither from him nor his forces we shall have disturbance,
> Of which I can complain to the value of a denier."'

King Henry was none too pleased,

> 'Then his eyes shed tears, he sighed deeply:
> -"Eh my good fellow! what does the bishop of Durham?"
> -"He is all one with King William."
> -"Saint Thomas, said the king, preserve me my kingdom."'

The strategic importance of the community of Saint Cuthbert to the West Saxons in the tenth century, as a counterbalance to York and a buffer against the Scots, was not diminished in the later Middle Ages. There is some suggestion that Bishop Geoffrey Rufus was friendly toward David I of Scots and this king was only too willing to aid his chancellor,

1. EYC II, 939.
2. Historia ss.22,24.
3. G.V. Scammell, op.cit., p.39.
4. Chronicle of the war between the English and the Scots, ed. F. Michel (Surtees Society 1840) pp.26-7, 72-3.

William Cumin, in his attempt to become bishop of Durham in the 1140's. That is, he was willing to give support whilst he thought that Cumin had a reasonable chance.[1] He did not reckon with the ability of the tenants of Saint Cuthbert to oppose the Scottish usurper at a time of such confusion and lacking a legitimate bishop to lead them.

The key to Scottish control of the north was seizure or destruction of Durham. The expansion of the Scottish power was a problem from the ninth century onwards and many times was Durham threatened. In 1040 a siege of Durham by Duncan I ended in disaster. 'He was put to disorderly flight, in which he lost all his foot soldiers, whose heads were collected in the market-place and hung up upon posts.'[2] It was not the only time that an army foundered in this way. But Scottish kings were not only concerned with military tactics and, as other rulers, were prepared to show a friendly face to Durham.[3] Malcolm III was at the ceremony of foundation of Bishop William's cathedral, whilst his son, Alexander, was present in 1104 when Cuthbert's body was placed in that church. Malcolm III and Queen Margaret made a covenant with the monks of Durham. They fed certain poor men and in return they were to enjoy the spiritual benefits of the monastic observance. After their deaths their anniversary was to be celebrated as a festival like that of King Athelstan.[4] This was indeed an extraordinary honour for a Scot who had threatened and ravaged the north so many times.

The prestige and power of Durham was staggering, but a concentration upon the minutiae of finance or military strength is to miss the more obvious point. The position of the community and bishop was the direct product of landed wealth. It is perhaps more necessary than ever, at a time when capital and labour are so important as factors of production, to emphasise the supremacy of land in all aspects of life in this early period. 'The comparative wealth, esteem, military position and the sanguinary authority over the lives of the populace that went with land

1. A.Young, William Cumin: Border Politics and the bishopric of Durham 1141-1144, Borthwick Papers 54.
2. Symeon, Libellus III ix.
3. See above pp.78,99.
4. Liber Vitae f.48.

ownership assured its possessor of a position of eminence in his community and power in the state.'[1]

This essay is based upon the materials produced by the community of Saint Cuthbert from the seventh century to the twelfth and it is no coincidence that these happen to deal almost exclusively with the lands of the church. There is always an element of chance involved in the survival of original sources, but we should not, for that reason, ignore the evidence for the interests and concerns of the authors of the extant works. In the middle of the tenth century a monk at Chester-le-Street, inspired by the confirmation of the community's lands and privileges by King Edmund, sat down to write about these. He did not set out to write a history of his community; of bishops and politics. He wished to record the extent of the patrimony of Saint Cuthbert in his own day and to note some of the events that led to the acquisition or loss of land. His example was followed by many others.

Because land was the basis of power the earliest endowment, being so substantial, established the community in the economic and political life of Northumbria. When Guthred made his grant of the land between Tyne and Wear he was not only recognising the power already in the community's hands, but increasing that power. From the land came produce and men. The richness of the patrimony enabled monks to endow vassals who both administered the land and did service for it, including military service. The size of the patrimony also enhanced the importance of any gains of jurisdictional rights. The liberty of the archbishop and chapter at Ripon and Beverley was significant, but did not match Durham's. The great size of the patrimony of Durham made itself felt when the land of the saint was held with substantial privileges. In the case of sanctuary, for instance, we have already noted that to extend the privilege to so large an area inevitably involved an extraordinary franchise.

1. J.K. Galbraith, The New Industrial State (2nd edn. Harmondsworth 1974) pp.66-7.

If land was the basis of the community's power, then survival was the prerequisite to its establishment, exercise and extension. The foundation of Lindisfarne was decided not only by Oswald's wish to introduce Christianity into his kingdom. The almost complete destruction of the Roman mission after Edwin's death meant that there was a need for a new initiative as well as a gap to fill. It cannot have seemed certain that Oswald's mission would survive any longer than Edwin's after the death of the royal patron, especially when one of those who brought about his defeat was a pagan. Who was to know whether the heathen Mercians would be victorious? In this case the community survived, with Christianity, because Christian kings reigned.

The lands presented to Lindisfarne in the seventh century were substantially free from secular interference.[1] This, as Bede's letter to Egbert shows, included military service. It was not only in Northumbria that such a situation existed, but it may be that in this kingdom alone kings were unable to breach the church's immunity. Such failure meant that when the Community of Saint Cuthbert had its privileges confirmed in later times the fiscal and jurisdictional composition of those privileges was likely to be much more significant than that of churches in southern England.[2] To survive was not a matter of simple physical existence, but of holding on to any gains in the face of aggression.

For more than a century and a half after 700 Northumbria was torn by internal and external forces, all of which had their effect upon the church. It is unlikely that the church of Lindisfarne was able to avoid civil troubles. In 750 Bishop Cynewulf was taken prisoner to Bamburgh, whilst the church on Lindisfarne was besieged by

1. Above pp.207-8.
2. It may be significant that the majority of southern churches which enjoyed exceptional franchises were involved in the tenth century reforms, and perhaps their privileges owed more to the involvement of kings at that time than to the survival of any earlier ecclesiastical immunity.

Eadbert. Offa, son of Aldfrith, had sought refuge there and was to be dragged from the church almost dead with hunger.

To live through the strife of rivals for the throne in Northumbria may not have been exceptional, though the protection of the lands from royal appropriation may have been. It was the threat of the Viking raids that placed the community in a more precarious position. Lindisfarne was one of the Vikings earliest targets and even if we ignore the more extravagant exclamations of horror from the ecclesiastical community we must accept that the result of Viking activity was extremely damaging for the church. For where did the great monasteries of Northumbria go? Whitby, Melrose, Jarrow, Wearmouth, Tynemouth, Coldingham and others disappear from sight by the mid-ninth century at the latest.

Perhaps because of the foresight of Bishop Ecgred, who moved the community to Norham, or of Bishop Eardwulf and Abbot Eadred, who moved from Lindisfarne in 875, the community was not completely destroyed by the raiders. Indeed, everthing about the subsequent history of this community under threat of devastation by the Vikings is astounding. From Lindisfarne were conveyed the treasures of the church, including the Lindisfarne gospels, the body of Cuthbert and numerous other relics, and probably some records of the community's lands. Over these lands, even whilst fleeing the wrath of Halfdene, the community maintained its control, possibly continuing to receive revenues. By the time that it was possible to come to terms with the invaders the patrimnny was not only intact, but had actually recovered from the assaults of Ælle, who had seized Crayke and Billingham.

By good fortune it seems likely that the community was presented with the means to establish itself once more in the political life of the north: with Guthred the community came to terms with the Danes and made marvellous gains. The acquisitive power of the community was extraordinary. Included in the land between Tyne and Wear that was

Obtained from Guthred were the lands of the monastery of Wearmouth-Jarrow and of Hexham. Perhaps even the land bought by Abbot Eadred from the Danes in County Durham had been monastic. It was not far from Hartlepool. Even Athelstan's grant of South Wearmouth included Dalton, which, according to Bede, had been the property of his own monastery.[1] If the community of c.900 was the descendant of that on Lindisfarne in the seventh century it was also heir, by appropriation, to many of the major ecclesiastical establishments of the great age of Northumbrian monasticism.

Of course, events did not always favour the community. Land in Scotland and County Durham was lost, but throughout its history the community fared well and secured the most impressive land endowment in England. With such wealth in land and, in consequence, such economic, political and military power there inevitably came further benefactions, and amongst these were the privileges that together, and applied to so large a patrimony, were the origin of the liberty. A liberty which may be sought in the seventh century, and can be reasonably assumed to have been in existence by the early tenth century. Like many things at Durham, indeed in England, it was an Anglo-Saxon creation that survived into the later Middle Ages. Influenced by Norman and Angevin kings it was created by Angles and Saxons.

H.W.C. Davies stated that 'there are not many cases in which we can trace the history of a seignorial jurisdiction continuously from the days of the West Saxon dynasty to those of the Plantagenets'.[2] More rare is it to be able to trace any kind of history continuously from the seventh century to the days of the Plantagenets in the north of England. With the community of Saint Cuthbert we come as close as possible, and, for good measure, can hint at a seignorial jurisdiction

1. Bede, Historia Abbatum (ed. Plummer, p.380).
2. H.W.C. Davies, The Liberties of Bury Saint Edmunds, Eng.Hist.Rev. xxiv (1909) 417.

from the days of the Bernician dynasty.

Survival and continuity are not, however, the monopoly of the Anglo-Saxon community. The last prince-bishop of Durham was William Van Mildert, who died in 1836. Crayke was still an outlier of the diocese of Durham in the nineteenth century. Stripped of some of its privileges by Henry VIII the church of Durham, nevertheless, maintained an extraordinary position in the jurisdictional organisation of England. The lands of the monks went to the new, reformed chapter. Daniel Defoe recorded that 'Durham is eminent for its wealth; the bishopric is esteemed the best in England; and the prebends and other church livings, in the gift of the bishop, are the richest in England'. Of the clergy themselves he wrote that 'they live in all the magnificence and splendour imaginable'.[1] As ever the figure of Cuthbert is inescapable. Having befogged William the Conqueror in the eleventh century, it is still related that in this century he intervened in the same way to avert an air-raid upon Durham, the heart of _Haliwerfolc_

1. D. Defoe, _A Tour through the Whole Island of Great Britain_ (1724-6; ed. P.Rogers, Harmondsworth 1971) p.533.

APPENDIX

DEAN AND CHAPTER, DURHAM, 1^{MA} $1^{MÆ}$ REG. 17 - A CHARTER OF WILLIAM II.

The charter of William Rufus concerning the quitclaim of Robert de Mowbray, earl of Northumberland, of certain rights to William de Saint Calais, bishop of Durham, occurs only in a copy on a short roll (*DCD 1ma $1^{mæ}$ Reg. 17*) in a hand of the early twelfth century (not before 1109), along with a copy of a charter of Henry I (*DCD 1ma $1^{mæ}$ Reg. 17b*; *DCD 2da $1^{mæ}$ Reg. 5*). On the roll the text of Rufus' charter is followed by Henry's charter, with witnesses, and then by the witnesses for Rufus' charter; all, however, in the same hand.

Both charters are calendared in *RRAN*, I 349 and II 918. Henry's charter is printed in *Scriptores Tres*, appendix no. xxv, and that of Rufus in both *Feodarium*, appendix to the preface I, and *Rymer's Foedera*, page 5, though incomplete in the latter. These last two editions differ slightly, but significantly, in their witness lists. In the *Feodarium* is the whole list, beginning 'Willelmi Regis Walčhelini episcopi et Roberti comitis Norhumbrensis'. The *Foedera* only gives the first three names, 'Willelmi Regis Willhelmi episcopi et Roberti comitis Norhunbrensis'. The former edition follows *DCD 1ma $1^{mæ}$ Reg.17*, the latter supposedly being taken 'ex authentico inter Archiv. Eccles. Dunelm.'. This could refer to an original charter or to the twelfth century roll. Considering the spelling of 'Willhelmi' in the *Foedera* and that Bishop William was the beneficiary, and therefore unlikely to witness the document, it seems likely that the *Foedera* edition is incorrect. Walchēlin was bishop of Winchester from 1070 to 1098 and would thus be consistent as a witness.

The agreement must date to before Mowbray's rebellion and forfeiture in 1095 and it is perhaps to be placed after Bishop William's restoration in 1091. The date of 1100 given in the *Foedera* is clearly incorrect and whilst Greenwell suggested 1091 or 1092, Davis dated it

to 1094.[1] Suggestions that it may not be genuine do not seem to be well founded. The charter of Henry I, which accompanies it on the roll, is extant in an original which is not a forgery, though it deals with similar matters.[2] The agreement is mentioned in a charter of 1111 referring to land seized by Robert de Muschamps in Northumberland and seems to be the settlement mentioned by Symeon in his *Libellus* (1104X1109).[3]

The charter states that Bishop William gave Earl Robert £100 in exchange for which the earl quitclaimed 'passagium quod est extra urbem Dunelmi, dimidium latronem et dimidium fracturae pacis' in the vills of Claxton, Wolviston, Chilton, Stainton, Ricknall, Woodham, Aycliffe, Heworth, Preston-le-Skerne, Brafferton, *Esmidebroc*, Killerby, Ketton, Winston, Newsham and Westwick, 'et quicquid praedictus comes calumpniabatur super omnes terras et consuetudine et homines Sancti Cuthberti.' All this the earl gave to the king *per j brevem* and the king has given to Durham.

It has been interpreted as the beginning of the 'palatinate', involving the transfer of *jura regalia* from earl to bishop.[4] The clause of such importance is that in which the earl quitclaims all that he had claimed over all the lands, custom and men of Saint Cuthbert. Taken in isolation this could possibly imply a major transfer of rights, but as an integral part of the charter it is clearly a general safeguard and disclaimer by the earl to prevent future problems. The document is specifically concerned with the rights at Durham and in the named vills, lying on the border between the earl's jurisdiction, in the wapentake of Sadberge, and the bishop's, in the already existant liberty.

The payment of £100 has added to speculation about the import of the transfer of rights. Adequate comparisons are difficult to find

1. *Feodarium* pp.lxxx-lxxxi; *RRAN* I, no.349.
2. P. Chaplais, The Seals and Original Charters of Henry I, *Eng. Hist. Rev.* lxxv (1960) p.271.
3. *RRAN* II, 1001; Symeon, *Libellus* IV v.
4. *V.C.H. Durham* ii (London 1907) pp.137-8.

though it is clear that £100 was not an exceptional amount. In the pipe roll for 31 Henry I we find sums in excess of £100 being paid for what cannot be considered anything like regalities. William de Pont de l'Arche, fôr instance, was prepared to pay 1,000 marks (£666 13s 4d) for the office and daughter of Robert Mauduit, whilst Baldwin de Redvers had paid £100 of the 500 marks he had been fined for a plea of the forest.[1] As a more direct, though unfortunately more remote, comparison Hugh du Puiset paid 600 marks in 1190 for the wapentake of Sadberge, an area a fraction of the size of the lands of Saint Cuthbert which it is said Mowbray transfered from his jurisdiction to that of the bishop in the 1090's. In 1189 Puiset was prepared to pay a remarkable 2,000 marks to have the County of Northumberland for his lifetime.[2] It seems unlikely that jura regalia could be passed to the bishop in the 1090's for such little compensation to the earl as £100.

It is upon the lands specified in the charter that we must focus to understand the agreement between bishop and earl. The case of Aycliffe will act well as an example. This vill included as outliers six other of the vills mentioned: Woodham; Heworth; Preston-le-Skerne; Ricknall; Brafferton and Ketton. Aycliffe had been disputed between the community and the descendants of Earl Uhtred and his first wife Ecgfrida since the early eleventh century. The tract De Obsessione Dunelmi was composed to plot the history of the half-dozen vills that had been given to Uhtred as a dowry with Ecgfrida and had subsequently been claimed by numerous descendants.[3]

That Mowbray, as earl of Northumberland, should have inherited a claim to the vills is not surprising. His quitclaim seems to have affected the tenants on the land for one of the trustworthy details of a forged charter of Bishop William, supposed to date to 1083, is that

1. Quoted in J. Green, William Rufus, Henry I and the Royal Demesne, History lxiv (1979) p.350.
2. Scriptores Tres, appendix pp.lix-lxii.
3. De Obsessione Dunelmi ed. T. Arnold, (Rolls Series 75 i, 1882) pp. 215-220.

the bishop obtained Aycliffe and Ketton from Scot and Edmund, sons of Alstan, and Meldred.[1] The charter of Henry I, on the roll with Rufus', mentions Aycliffe, Carlton and Burdon, stating that the bishop was to hold these freely even though the Northumbrians claimed them as part of their county.[2] Such a claim parallels exactly the dispute involved between Mowbray and Bishop William. Mowbray was effectively stating that the vills named were not in the county of Northumberland, but rather in the liberty of the bishop. It is interesting that other disputes occurred between the church of Durham and the earls and their heirs, generally involving vills lying along the borders between the liberty and the county of Northumberland.[3]

If the charter did not create a liberty, but had the limited application described, it nevertheless dealt with jurisdiction. The situation had some resembalnce to the more famous trial at Pinnenden Heath of some twenty years earlier.[4] Here also there was a concern with the seizure of land and the usurpation of rights, and the position of Odo of Bayeux and his vassals is comparable to that of Mowbray and tenants like Meldred. The rights involved, including homicide and felony on the king's highway, are similar to the 'dimidium latronem et dimidium fracturae pacis' of Mowbray's quitclaim.[5]

The similarities must not, however, be forced, for Mowbray's claims had their origin in somewhat different circumstances to those of

1. Offler, Charters pp.8, 10-11.
2. RRAN II 918.
3. G.V. Scammell, Hugh du Puiset (Cambridge 1956) appendix ii, no.7; DCD Cartuarium Vetus ff.50v-51r, 84r-85r; Charters of the Honour of Mowbray ed. D.E. Greenway nos.2-6; RRSc. I 23.
4. J. Le Patourel, The Reports of the Trial on Penenden Heath, in Studies in Medieval History presented to F.M. Powicke, ed.R.W. Hunt et al. (Oxford 1948); D.C. Douglas, Odo, Lanfranc and the Domesday Survey, in Historical Essays in Honour of James Tait, ed.J.G. Edwards et al. (Manchester 1933), especially p.52.
5. F. Pollock and F.W. Maitland, The History of English Law II (Cambridge 1968) pp.494-500; Leges Henrici Primi ed. L.J. Downer (Oxford 1972) 12.1a.

Odo of Bayeux. Mention of a right to half of certain fines suggests some kind of agreement, rather than a wholesale usurpation. The earl had half of certain fines and, as there is no evidence of a royal interest, the bishop half. With the quitclaim the bishop received the right to the whole of the fines. The problem is not to explain why the bishop or the earl should have held royal jurisdiction in this area; that has been dealt with above in chapters seven, eight and nine. But how did it happen that they should have held moieties of this jurisdiction by the late eleventh century?

We have already seen that Aycliffe was involved in the dispute between bishop and earl and this stemmed from Uhtred's acquisition of the vill, with others, when he married Ecgfrida, daughter of Bishop Aldhun. Aycliffe, as stated, can be associated with six other of the vills mentioned in the quitclaim. Others, such as Winston, Westwick and Newsham, can be associated with areas, in this case the estate of Gainford, in which earls received land from the community in the eleventh century. Further to this some of the vills can be seen to lie along boundaries between episcopal and comital jurisdiction. It seems possible to attribute the division of rights in many cases to the grant of land to earls in the north.

When the community of Durham gave land to an earl of Northumberland there would have developed a clash of jurisdiction for both Durham and the earl would hold royal franchises. A division of the profits at least from certain cases in these lands would seem to be reasonable. Problems would arise, of course, when for any reason, such as a divorce, the basis of the earl's interest was removed. In such a situation the land, and the jurisdiction, should revert to the church, though in effect the secular power would probably hold on to its position as long as possible. Hence the need for a quitclaim like that of Mowbray in the 1090's.

The charters of Henry I and Henry, earl of Northumberland, show how difficult it was to settle the disputes over jurisdiction and that Mowbray's quitclaim was not the last word.[1] That it was a major stage in the history of the disputes cannot be denied. It is a remarkable indication of the persistence of a conflict from the early eleventh century to the 1090's. Some of the details may be difficult of recovery simply because we cannot clearly define the rights concerned, the _passagium_, _latronem_ or _dimidium fracturae pacis_. Yet the document is not so vague as to lead us to see it as the seminal declaration of the liberty of the bishop of Durham. As we have seen, that liberty had its origins in the privileges of the seventh century Northumbrian church; the material presented in the charters mentioned here was concerned with the problems of an existing jurisdictional franchise not its creation.

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ABSTRACT 1.

THE COMMUNITY OF SAINT CUTHBERT - ITS PROPERTIES, RIGHTS AND CLAIMS FROM THE NINTH CENTURY TO THE TWELFTH.

D.J. HALL. WORCESTER COLLEGE, OXFORD. D.PHIL. THESIS.

TERM OF SUBMISSION - TRINITY 1983.

Symeon of Durham's history of the church of Durham, a number of earlier narratives and the fine collection of twelfth century Durham charters formed the basis for this history of the Community of Saint Cuthbert before 1150. They generally concentrated upon the acquisition and maintenance of the community's lands, the changes in which reflected the major events in northern history. The survival of the sources and the story they tell bear witness to the remarkable resilience and continuity of the community. At no time did it suffer the destruction characteristic of northern monasticism, often flourishing at times of upheaval, as during the Scandinavian and Norman Conquests.

In its first days the acquisition of land was, predictably, associated with early Anglian settlement, especially royal sites. Throughout the period the growth of the patrimony was largely dependent upon royal patronage, though some bishops were also avid acquirers of land. Royal and other lay patronage can be directly associated with the need to gather support in the north. Rulers secure in the north, as native northern earls, or strong enough to subdue the area were unlikely to be great benefactors and were inclined to despoil the church.

For the Cuthbertine community jurisdictional rights were important and there is evidence to suggest that there existed a substantial jurisdictional immunity within the patrimony by the tenth century. The rights of sanctuary of a mother church and the immunities of church land in the seventh century seem to have been important factors in its establishment, rather than, as has generally been suggested, the alienation of comital rights to Durham in the late eleventh century.

The combination of landed wealth, jurisdictional privilege and survival accounts for the immense power of the community in the north from the seventh century onwards.

ABSTRACT 2.

THE COMMUNITY OF SAINT CUTHBERT - ITS PROPERTIES, RIGHTS AND CLAIMS FROM THE NINTH CENTURY TO THE TWELFTH.

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TERM OF SUBMISSION - TRINITY 1983.

That the Community of Saint Cuthbert before 1150 should receive detailed attention is easily defended. First, it enjoyed a continuous existence through the upheavals of Scandinavian, West Saxon and Norman Conquests. Second, sufficient material has survived to allow a detailed study. Third, the combination of land and privilege possessed by Durham in the later Middle Ages was perhaps the most significant, apart from that of the crown, in England and cannot be understood without reference to its origins. In its survival, literature and later prominence the community is unique. Why it survived and what elements gave rise to its later importance are questions that cannot be answered with certainty. Any attempt at answers depends upon an understanding of the course of events from the seventh century to the twelfth; the basis of this thesis. But this history depends in turn upon the correct interpretation of many sources, some straightforward, many complex. The ability, reliability and unreliability of the community's authors is crucial to the study.

Foremost amongst these authors is Symeon of Durham, who wrote a history of the community covering the period from its foundation to the late eleventh century. It is an invaluable work, but not infallible. A member of the reformed community at Durham his purpose was to show that the reform restored an ancient, and correct, observance; did not destroy any existing, properly constituted observance. His vilification of the unreformed community of clerks must be understood with this bias in mind, as must some of his references to bishops. It would be unwise to take his word as wholly accurate, especially when it differs from that of other authors. An examination of the way he used, and interpreted, works produced by the community before his day reveals, however, a careful, if sometimes misguided, historian.

Two major sources written before the 1083 reform have no comparable bias, though they obviously put forward the claims of the community against outsiders. The tenth century Historia De Sancto Cuthberto and the late eleventh century Chronica Monasterii Dunelmensis were, despite some narrative elements, written to describe the patrimony from its foundation. They differ from Symeon's narrative, emphasising land, its acquisition, possession and retention, and appearing more like inventories than Histories

It is the emphasis of the sources upon land that has dictated the present approach to the community's history. These sources seem, apart from some blatant manipulation of facts, to be fairly reliable for the events they cover. Once purpose and reliability were assessed it was possible to decide in most cases who was giving land, where the land lay and when it was acquired. Predictably Lindisfarne's earliest endowments were in areas of early Anglian settlement and especially in places assosiated with, or near to, royal sites, such as Bamburgh and Yeavering. It is clear that even long after the first acquisitions important administrative centres figure significantly in benefactions to the church. Darlington, for instance, one of the most important Anglian burial sites, was obtained by the community in the late tenth century and was prominent as an administrative centre in the patrimony throughout the Middle Ages.

The resilience of the community was remarkable. Whilst northern monasticism was destroyed by the Scandinavians this community, though suffering slight setbacks, did rather well. A grant by Guthred, Danish king at York, included all the land between the rivers Tyne and Wear and was an astounding success at a time when Christianity was suffering badly throughout England. A slave in one of the community's vills before he was made king Guthred's benevolence may have been prompted by the need to pay the community for its help in making him king. This, however, does not diminish the achievement.

The area of the grant included the lands of the defunct monasteries of Jarrow and Wearmouth, and possibly of Hexham. There was often an ecclesiastical element in the community's acquisitions. Melrose, Coldingham and other early monastic centres are to be found amongst the lands held or claimed. This may reflect the earlier dominance of Lindisfarne within the Northumbrian monastic family or perhaps a conscious policy to claim church lands wherever and whenever it was possible. It would have been comparatively easy to suggest to a potential benefactor, especially one with the power of a king, certain lands that might be appropriately 'returned' to the church.

Guthred's grant also stands within the general trend for new rulers, insecure rulers, in the north to cultivate support by courting the favour of the church of Saint Cuthbert. Athelstan and Edmund, Cnut, William I and William II are noted benefactors. Successors, such as Edgar and Henry I, were more secure in England as a whole and are conspicuous by their absence from the list of major benefactors of the community.

Local northern families, secure in their native area, were liable to steal and retain land of the church, such action often leading to protracted conflict between monks and nobles over land ownership and other rights.

The way in which the church fitted in to northern society had much to do with its fortunes. Its importance for the West Saxons for example may have derived partly from its connection with the comital family of Bamburgh, independent of Scandinavian York. Intermarriage bound the community securely into the aristocracy and lesser nobility of the north. Bishops could have great influence upon the make-up of that nobility; partly, of course, because they held so much of the land and thus the key to the fortunes of many families. After the Norman Conquest it was in the train of the bishops that many new men found their way into the north.

The power of the earls of Northumbria was substantial and of some importance to the community because of family connections, but the jurisdictional rights of the earls were of especial significance. There is a reasonable amount of evidence to suggest that the recognised division between northern and southern Northumbria lay for much of the Anglo-Saxon period along the Tyne, or thereabouts. This contrasts with the later importance of the Tees and the emphasis placed upon this river's status as a boundary by many historians. The uncertainty surrounding the exact boundary can be used to support speculation as to the existence of an independent jurisdictional franchise between Deira and Bernicia - the liberty of Saint Cuthbert. Lying as it would between Tyne and Tees it would account for the emphasis placed upon both rivers as major boundaries.

The origin and development of this liberty, called a palatinate by the late thirteenth century, was a sequel to the development of the landed patrimony. By the twelfth century it was accepted that within the lands of the bishop and convent in the diocese of Durham the bishop held the place of the king in the administration of the law. Henry II himself admitted that his justices only entered this franchise with the bishop's permission. The prevalent view has been that no substantial jurisdictional immunities were present in Anglo-Saxon England, at least not before the days of Edward the Confessor. For Durham the view has been that the liberty arose as an offshoot of the privileges of the earls of Northumbria in the late eleventh century, most likely under Bishop Walcher (1071-1080) and Bishop William I (1080-1096).

As with the history of the community it seems that evidence

for developments in the ninth and tenth centuries, and earlier, has been ignored. The evidence of sanctuarial rights, associated with the major jurisdictional liberties of northern England, and of West Saxon confirmations of important, though often indefinable, privileges makes it possible to suggest that the substantial elements of the liberty of the church of Saint Cuthbert were present in the Anglo-Saxon period. An exact chronology is difficult to construct because the sources are few and obscure. There are reasons to suppose that the liberty had its ultimate origin in the exemption from secular service that seems to have accompanied grants of land to the church in the earliest period, this being reinforced by the right of sanctuary. It was probably a most extensive, possibly regalian, franchise that Edmund confirmed in 945 in the phrase 'fullom indome, et wrec et wite, utter et inner, et saca et socne'.

The relative wealth of information for the Community of Saint Cuthbert from the ninth century to the twelfth has allowed this survey of the history of a community which is remarkable for its survival, and for its power. The power was based upon land, and all the privileges that land ownership entailed. Extraordinary privileges were added to the usual rights of lords not only because the community was wealthy, but also because the community was an ecclesiastical lord. The wealth and privilege of Saint Cuthbert's were significant influences throughout northern society and formed the basis for the bishop's later status as a palatine prince.