

The Mersea Charter of Edward the Confessor

by CYRIL HART

In 1768 Philip Morant published the text of a very unusual charter he had found at Colchester.¹ Carrying the date 1046, it purported to record the gift by King Edward the Confessor to the abbey of St. Ouen at Rouen in Normandy of an estate at Mersea in Essex, just as he had held it for two days after he had inherited the English crown.

Morant's printed version contained a boundary clause that was obviously corrupt, and the charter's witness list was missing. Moreover, the source of his text was not made accessible to scholars, and Kemble failed to include the charter in his *Codex Diplomaticus*, published in the middle of the following century. It is not surprising, therefore, that for two hundred years after its *editio princeps* this alleged charter of the Confessor remained largely neglected by historians.

Recently, however, by an extraordinary coincidence two quite independent medieval copies have been uncovered. First, in 1955 Dr. Donald Matthew found a good 15th-century version in the public archives at Rouen, then in 1968 Mr. J. B. Bennett rediscovered at Colchester the earlier but more corrupt text which had formed the basis of Morant's edition. Dr. Matthew's own edition of the Rouen text was published with helpful notes in 1970, and a collation of this with the Colchester version appears below as an appendix to this paper.

Both copies utilised the same exemplar, and by collating them the complete text can be established of what appears to have been a contemporary diploma of Edward the Confessor. Moreover, if authentic, this instrument is undoubtedly one of the most important charters of the reign. Before considering its wider historical significance, however, the question of authenticity requires the most careful examination.

This discussion hinges largely on the history of the estate that the charter claims to convey, and it so happens that very considerable and reliable material survives for reconstructing the devolution of the property during the century before the Norman Conquest.

We must start with the description of the estate in the Confessor's charter, which says that it had been in the royal fisc of his predecessors—interpreted strictly, this takes us back at least as far as the reign of Cnut. The text describes it as 'a certain part of the island called *Mersege*, with all the land (and property) adjacent to it, with meadows, woods and fisheries'. The difficult boundary clause runs: 'First from *pantan streame* until it reaches the dyke between East and West Mersea, then from the dyke to the *fleote*, then to the street until it reaches *daere petan*. Then to the stone at Fingringhoe; from the stone to *bricsfleotes orde*; again from the stone to *Winnanbricse*, thence to *peltandunes meowte*.'

Some of these names are easy to interpret. Thus devotees of OE poetry will immediately recognise *pantan streame* as the name given to the River Blackwater in the *Battle of Maldon*. *fleote* is evidently the channel named *Pyefleet* in Chapman and Andres map of Essex, dated 1777. This cuts off Mersea from the mainland, and the street in the bounds is clearly the causeway called *the Strood* on the map, which runs from Mersea to Colchester, *daere petan* in the bounds appears as *Peete Tye Bridge* on the map, which shows the street crossing a small unnamed tributary of Pyefleet at this

point, about one mile east of Peldon, and immediately to the east of *Peete Hall* on the map. OE *pete*, a unique word, must be a cognate of OE* *pide*, meaning a marsh or fen, which fits the topography. Dr. Matthew offers the attractive parallel *piete* in modern Dutch dialect, used to describe small bridges and covered watercourses in the marshes of Brabant and Flanders.³ *Peete Tye* reappears on our map a mile farther north along the road, where it describes a strip of common land lying beside the street, between Langenhoe and Abberton. The second element of this name appears to derive from OE *tig*, 'meeting place', MHG *tig*, 'a public meeting-place in a village', MLG *tig*, 'a meadow', ON *teigr*, 'a close, a strip of meadow land', all of which apply very well here.

The significance of the stone at Fingringhoe cannot now be retrieved. Since the village itself is not on the direct road, a Roman milestone seems unlikely, yet the description does not seem to fit a boundary stone very well, for in our charter the stone is a centre point from which one proceeds and to which one returns, rather than a peripheral landmark. *Bricsfleote* must, I think, refer to the Roman River, a tributary of the River Colne, which would be bridged by the street from Mersea to Colchester, to which we shall return presently. OE *ord* means 'a spit or corner of land', and this describes aptly the salt marsh named North Geeton, lying between *bricsfleote* and Geeton Creek. Incidentally, the name Fingringhoe itself derives from the finger of high land lying behind this *ord**

Returning once more to the stone at Fingringhoe, the description next takes us to a place name whose first element is indecipherable, but with a second element, *bricse*, which must be related, I think, to *bricsfleote*. The transcriber has mistaken OE 'g' for long 's', and we are dealing here with the word *bricge*, for 'bridge' or 'causeway'. The street from Mersea to Colchester crosses Roman River (*bricsfleote*) at Manwood bridge on the map of 1777, and Man Wood itself is shown beside the road at this point. I suggest we have here the OE patronym *Mann(a)*, and that the name of the bridge was originally *Mannanbricge*. This would account for the 'nine strokes' described by Dr. Matthew before 'an' in the first element of the name as it appears in the Rouen transcript, and I would therefore offer the reading *mannanbricse* rather than *winnanbricse*, because it makes the topography of the charter more comprehensible.

We are left with *peltandunes meowte* as the last point in the charter's boundary clause. *Peltandune* must be Peldon, and I think *meowte* can hardly represent any other element than OE (ge)mot, 'meeting-place', from OE *metan*, 'to meet'. Already we have encountered the element *tig* with a similar meaning, and I would put forward the suggestion that *Peltandunes meowte* was at Peet Tye Common, and was the original hundred meeting-place. If so, the site shifted in later centuries to the *motstowe* on high ground near Duke's Farm in Layer-de-la-Haye.⁴

To summarise, the boundary clause of our charter does not perambulate a number of landmarks as was usually the case, but describes in general terms the separate territories of West Mersea and Fingringhoe, between which ran a 'Roman' road. The charter appears to delimit Fingringhoe as an area bounded to the north by the Roman River, to the west by the road from Manwood bridge to Peet Tye Common, to the south by Geeton Creek, and to the east by the River Colne. According to this interpretation, the charter's boundary clause excludes the territory of the later parishes of Peldon, Langenhoe and Abberton, all of which are shown by Domesday Book to have been in lay lands before the Norman Conquest.⁵ Domesday does not mention Fingringhoe by name, because it was included within the description of West Mersea.⁶ The Ouen estate was assessed at twenty hides in Domesday, and as Aelflaed's will (below) gives the assessment of West Mersea as six hides, presumably Fingringhoe was assessed at fourteen hides. We may speculate further that in addition to the land endowment, the Confessor's charter to St. Ouen conveyed seigneurial rights over Winstree hundred,⁷ since the hundred moot appears originally to have been sited at Peet Tye Common at the south-western corner of Fingringhoe.

We may now move on to examine the earlier evidence for the devolution of this property. In his will dated 946 x 951 Ealdorman Aelfgar of Essex granted the reversion of Peldon and Mersea to the minister at Stoke-by-Nayland, over the Suffolk border, six miles north of Colchester, where his ancestors were buried.⁸ Aelfgar had two daughters, Aethelflaed of Damerham who became the

second wife of King Edmund and after his death married Aethelstan 'Rota' of South East Mercia, and AEIfflaed, who became the second wife of Ealdorman Byrhtnoth of Essex, and survived him after his death in 991 on the battlefield of Maldon. Neither daughter had any issue of her marriage, as far as one can tell.¹⁰

AElfgar's grant to Stoke reserved the usufruct of Peldon and Mersea to Aethelflaed during her lifetime. Her will cannot be dated closely but was drawn up some time between 975 and 991.¹¹ She granted an estate at Fingringhoe to Ealdorman Byrhtnoth and his wife (who was her sister AEIfflaed), with reversion after AEIfflaed's death to St. Peter's Church at Mersea. From its dedication, we know this to have been West Mersea.

Like its neighbour and namesake at Bradwell on the opposite shore of the Blackwater estuary, West Mersea Church was built on a Roman site.¹² The dedication to St. Peter is consonant with a foundation of the 7th or 8th century,¹³ so probably it was a contemporary of Bradwell. Possibly it suffered at the hands of the Danes when they encamped on Mersea Island in 894;¹⁴ if so the church was restored by AElfgar's family, for the nature of Aethelflaed's gift implies that it was then a collegiate minster. Part of the western tower might date to this period.¹⁵ The Vikings passed by this site as they made their way past the island up the Blackwater in 991, before the Battle of Maldon, when unlike their predecessors a century previously, they chose Northey Island further upstream, rather than Mersea, for their landing-place.¹⁶

By Aethelflaed's will the whole estate of Peldon and West Mersea was to descend, together with Fingringhoe, first to her sister AEIfflaed, and then after her death and that of Ealdorman Byrhtnoth, to the family minster at Stoke-by-Nayland in accordance with the will of her father. AEIfflaed's will, dated *c.* 1002, confirmed the bequest of Peldon and Mersea to Stoke, and noted that her father had presented a wood at Totham to the minster at Mersea, which possessed also the whole of the six hides of land forming the western half of the island.¹⁷ Two hides belonging to the adjacent estate of Bocking Hall in East Mersea had by this time descended to Christ Church, Canterbury.¹⁸

So far we have confined our attention solely to the Mersea estate, but in order to understand the next stage in the history of its devolution, we must now take a glance at other properties mentioned in these three wills. There is no doubt that Ealdorman AElfgar had intended to endow Stoke-by-Nayland with sufficient landed property to transform it from a small collegiate minster into a major monastic foundation. He regarded it as a family possession, and buried his wife and son there, but the family interest could not have been an ancient one, for the territory had been in Danish hands un 921. Besides the large Mersea estate (rated at twenty hides a century later), AElfgar bequeathed to Stoke the reversion of Lavenham and a wood at Ashfield in Suffolk, together with Colne, Tey and Greenstead in Essex. To these his daughter Aethelflaed added the reversion of four more Suffolk properties: Polstead, Withermarsh, Stratford and Balsdon Hall. AEIfflaed increased the endowment with Freston and Wiston in Suffolk and Hatfield in Hertfordshire. Altogether therefore the family endowment amounted to seven properties in Essex, six in Suffolk, and one in Hertfordshire.

When one recalls that AElfgar's will antedated the Benedictine monastic revival by two whole decades, this was an extraordinary policy, and the endowment was continued and indeed developed by his two daughters. Yet because only the reversion of the family interest was bequeathed, fifty years passed before AElfgar's intentions could mature. Within that interval five great fenland monasteries had been founded and endowed, and by 1002, when AEIfflaed wrote her will, the situation was vastly different. Since their success at Maldon in 991 the Danes had never lifted their pressure, and it might perhaps have been questioned by AEIfflaed's contemporaries whether times were still propitious for the foundation of yet another major religious house in eastern England. Yet elsewhere the impetus for reform was not yet fully spent. Just at this period Wulfric Spott was planning his handsome endowment of Burton-on-Trent, and Aethelmaer the Fat was similarly engaged at Eynsham in Oxfordshire. Was there any real obstacle to AEIfflaed's consummation of a similar venture at Stoke-by-Nayland?

Certainly it appears to me that AElfflaed's anxiety for the future of her family's foundation is reflected throughout the text of her will. She commenced by granting to the King eight estates which appear to have descended to her from her husband Byrhtnoth, and could well have formed part of the perquisites of the Essex ealdordom. With her bequest was a plea that King Aethelred should protect the endowment of Stoke, which she proceeded to list in detail. Then after a series of bequests to other religious houses, she left a valuable estate at Lawling in Essex to Aethelmaer the Fat, on condition that he too should act as friend and protector of Stoke. Finally she gave Liston in Essex to another Aethelmaer, apparently a kinsman, on the same terms.

It is significant that Aethelmaer the Fat, whose ealdordom lay in the Western Shires, should have been vested with this responsibility. Leofsige, the local ealdorman, appears to have been no friend of monasticism, and was banished by the King at about this time. Aethelmaer the Fat, however, was a strong supporter of the monastic party, and the patron of Aelfric the Homilist. A few years before Aelfhaed drew up her will, Aethelmaer was called upon by Leofwinna, the widow of a renegade East Saxon thegn, to mediate with King Aethelred on her behalf, to persuade him to confirm her gift of Bocking Hall in East Mersea to the newly reformed community at Christ Church, Canterbury. Aethelmaer, who was a kinsman of King Aethelred, was successful in this mission. In 1005 he gave AElfflaed's bequest of Lawling to his son-in-law Aethelweard in part exchange for Eynsham,¹⁹ and by the eve of the Norman Conquest Lawling too had descended to Christ Church.

In spite of AElfflaed's best efforts, her endowment of Stoke-by-Nayland became alienated, and within half a century Stoke was reduced to a small minster supported by only half a carucate of land, most of the estates left to it by Aelfgar's family having fallen into lay hands. If the Confessor's charter to Rouen is to be believed, the alienation occurred before the end of Cnut's reign. It is a misfortune that the exact date and circumstances of this important event cannot now be determined. The best suggestion one can offer is that the interest of Stoke were taken over by the foundation at Bury St. Edmunds, which was heavily endowed by Cnut through the agency of his earl Thorkell the Tall. There is good reason to believe that the surviving text of Aelfhaed's will comes from a copy that was prepared for deposition at Stoke, yet the manuscript appears to have reached Bury within a decade.²¹

Having pursued the fate of Stoke as far as lies within our power, we may now return to consideration of the ownership by St. Ouen of Rouen of the Mersea estate. This monastery had already a long history of relations with England. Relics of St. Ouen were sent to Christ Church in the time of Archbishop Oda in 942 x 958,²² and at the same period the abbey was exporting wine to London.²³ After the sacking of St. Ouen by the Vikings, its abbot sought King Edgar's help, no doubt successfully.²⁴ The Benedictine reformation forged close links between houses in England and the Continent, and by this time Continental abbeys were becoming interested in acquiring lands in England, particularly along the coast. In 1016 Edward the Aetheling, King Aethelred's son and eventual successor, paid a visit to the monastery of Ghent and promised to restore to the monks there a property at Lewisham which they had been given a century previously but had since lost.²⁵ A year or two before this, King Aethelred himself during his exile in Normandy visited the abbey of Fecamp and promised it land; his promise was redeemed by Cnut at the beginning of his reign, when he gave Fecamp land at the Channel ports of Winchelsea and Rye.²⁶ Later he increased his endowment, and his son Hardacnut confirmed these gifts. King Edward endowed Fecamp still further with Steyning in Sussex before the end of 1048,²⁷ and again with Eastbourne in 1054.²⁸ In 1052 he gave Taynton in Oxfordshire by charter to the abbey of St. Denis at Paris.²⁹ There may be some truth behind the tradition that while in exile in Normandy in 1035, Edward promised to endow the monastery of St. Michael with land in Cornwall.³⁰

It is against this background that we approach the final stage in our exegesis of Edward's charter to St. Ouen, for although the instrument is dated 1047 when he was firmly established on the English throne, Edward's gift is said to have been made just two days after he inherited the succession. Now there is considerable controversy as to Edward's whereabouts at this time; the

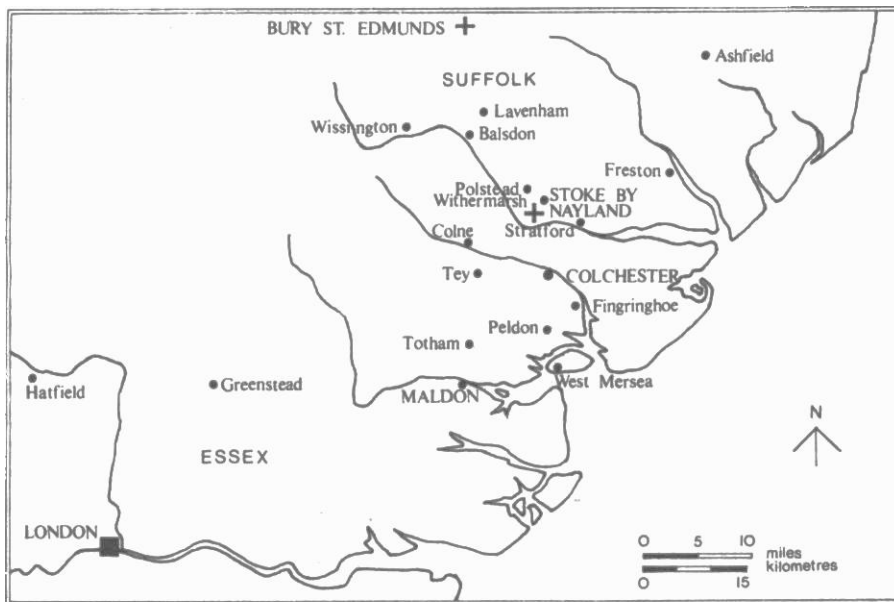
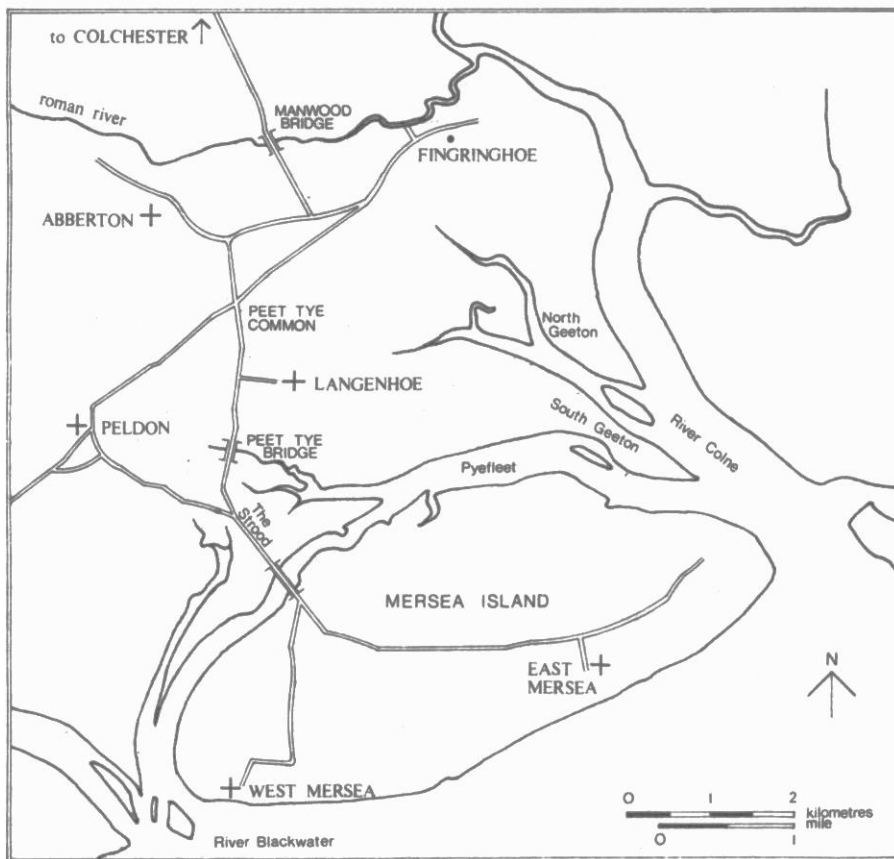


Fig. 1 The Endowment of Stoke-by-Nayland, A.D. 946-1002



2 The Topography of the Mersea Charter A.D. 1046. Maps by Tony Young after C.R.H.

chronicle says one thing and his *Vita* another, and later authorities took both sides.³¹ His accession was not anticipated, for Hardacnut died unexpectedly of a stroke while still quite young, during the wedding feast at Lambeth of Tofig the Proud. If Edward had been present on this occasion, it is indeed odd that he should have found time and opportunity just two days later to concern himself with the endowment of a Norman abbey, which had to wait a further four years for its charter.

I would suggest, however, that there is a simple and obvious explanation for the Confessor's St. Ouen charter, and that is that he made a gift to the abbey in gratitude when he heard of his accession while staying there. It would take two days for news of Hardacnut's death to reach him from England. One is reminded of the Conqueror's grant to the abbey of St. Valery, in thanks for the favourable breeze that blew him to England before the Battle of Hastings.³²

NOTES

1. Morant, P. *History of Essex*, 1, 1768, 426.
2. *The Battle of Maldon*, I, 68.
3. Mathew, Donald, *The Norman Monasteries and their English Possessions*, 1962, 146-7.
4. Reaney, P. H. *The Place-Names of Essex*, 1935. English Place-Name Society, 315.
5. *Ibid.*, 314.
6. Domesday Book II, ff. 27b, 946.
7. D.B. II, f. 22.
8. We find this also in D.B. II, f. 22. The rights were confirmed by King Stephen; cf. Mathew, 150.
9. Whitelock, Dorothy, *Anglo-Saxon Wills*, 1930, No. ii.
10. For the family pedigree, see my paper on the East Saxon Ealdorodm, forthcoming.
11. *Anglo-Saxon Wills*, No. xiv.
12. *Proc. Soc. Antiq.*, 2nd series, **xvi**, 1895-7, 423-9; *Royal Commission on Historical Monuments, Essex III*, 229-30.
13. Levison, W., *England and the Continent in The Eighth Century*, 1946, 35, 259-61.
14. Anglo-Saxon Chronicle, A Text, s.a. 895.
15. Baldwin Brown, G. *The Arts in Early England*, II, 1903, 340, but see Taylor, H. M. and J., *Anglo-Saxon Architecture*, 1965, I, 418.
16. Gordon, E. V., *The Battle of Maldon*, 1937. Map facing p. 1.
17. *Anglo-Saxon Wills*, No. xv.
18. Hart, C. *The Early Charters of Essex*, 2nd edn., 1971, No. 30.
19. Kemble, J. *Codex Diplomaticus Aevi Saxonici*, London, 1845, No. 714. *The Early Charters of Essex*, No. 39.
20. Domesday Book II, f. 401.
21. *Anglo-Saxon Wills*, 137, 145.
22. Levison, 211; Harmer, F., *Anglo-Saxon Writs*, Manchester, 1952, 195.
23. Harden, D. B., *Dark-Age Britain*, London, 1956, 219.
24. Stubbs, W. *Memorials of St. Dunstan*, London, Rolls series, 18, 363 ff.
25. Mathew, 18.
26. Haskins, C. H., An Early Charter of Canute for Fecamp, *English Historical Review*, **xxxiii** (1918), 342-4.
27. Kemble, No. 890; *Anglo-Saxon Writs*, 16, n. I.
28. Mathew, 20.
29. *Anglo-Saxon Writs*, 538-9.
30. Mathew, 22-4.
31. Barlow, F., *Edward the Confessor*, 1970, 53.
32. *The Early Charters of Essex*, No. 85.

APPENDIX

In nomine summi tonantis dei scilicet omnipotentis qui cuncta ex nichilo formavit. quique protoplastum hominem Adam videlicet cancivem' esse celestis Jerusalem condidit illumqztf serpentina seductione precipitatum immensa pietate atq«« predestinatione ad culmen angelice beatudinis proprio cruore provexit.

Nunc ut omnibus necesse² est chmrianis quamdiu hie in mortali vita persistunt de perituris celestia de caducis eterna mercari. Ego rex Eaduardus hoc fretus sum consilio, quia eadem Veritas dicit. date et dabitur vobis³ et item scriptura intonat. Divicie viri redempcio anime eius.⁴ Et Salomon Fili elemosina animam a morte liberat et non patitur ire in tenebris.⁵ Quapropter istorum preceptorum necon alioram auxiliatus adminiculo Ego rex⁶ Eaduardus superius prenotatus Angloram atque northunhymbrorum⁷ do regi *omnium* regum domino sawctoque petro. necnon (almo antistiti Audoeno sibi)q; servientibus qui proprius fiscus attenus⁸ meoram antecessors fuit quandam partem insule quae⁹ vocatur mersege¹⁰ cum (omnibus terrisque sibi adjacentibus) et cum pratis. silvisque piscatoriis sicuti integram hanc et possessivam¹¹ habui curriculo duoram dierum postquam dei gratia (ad apicem regiminis) perveni. Si quis vero homo¹² hanc meam donationem infringer[?] temptaverit sciat se coram chrato et angelis eius¹³ ac Sanctis suprascriptis in tremendo examine redditurum et funditus dampnaturum nisi hie prius emendare satagerit. *pis* is f> landgemere aet mersege f> is aeres on pantan streame 06 hit cymS to 6am dican betwyx east meresege (and west meresege)¹⁴ Sonne of dam dican into 5am fleote. Sonne of Sam fleote into Saere straete f>hit cymS to Saere petan. ponne on fingringaho ae(t) Sam stane fram Sam stane to bricsfleotes orde aeft fram Sam stane to VVinnanbricse fram Winnanbricse¹⁵ to peltandunes meowte.¹⁶

Acta est hec prefata donatio anno dominice incarnationis millesimo quadagesimo sexto. ✠< Ego Eaduardus rex Anglorum hanc donationem libere¹⁷ concedo et manu propria hoc signo confirmo.

- ✠< Ego Eadsigus¹⁸ Cantuariorum archiepucopus cum signo sancte crucis roboravi.
- ✠< Ego i^Elfricus¹⁹ archiepucop/>Mj cum virtute sancte crucis consignavi
- >✠ Ego Rotbertus²⁰ *episcopus* confirmavi
- >A< Ego Stigandus²¹ *episcopus* corroboravi
- >✠ Ego AElfwinus²² *episcopus* conclusi
- >i* Ego Wulfsigus²³ *episcopus* confortavi
- ✠< Ego Hearmanus²⁴ *episcopus* confortavi
- >& Ego WulnoS abbas²⁵
- ✠< Ego LyfnoS abbas²⁶
- >✠ Ego AElfwine abbas²⁷
- >✠ Ego Godwine dux²⁸
- ✠< Ego Harolt dux²⁹
- *x< Ego Lyfrac dux³⁰
- >A* Ego Sweyn dux³¹
- >f< Ego SiwerSdux³²
- *b Ego Birn dux³³
- >✠* Ego Befkytel minister³⁴
- ✠< Ego Utfer minister³⁵
- *i* Ego Manni minister³⁶

Dorso: hec est copia carta S. Edwardi regis Anglorum que pertinet abbatique conventui monasterii SS. Petri et Pauli S. Audoeni Rothomagnuj. Henricus Chichele archiepiscopus Cantuariensis habet originalem. Et est registratus sive signatus in cartaria S. Audoeni. Et est sine sigillo.

Notes to the text (variant readings from C)

1. *conciuem.*
2. *necesse.*
3. Luke vi, 38.
4. Proverbs xiii, 8.
5. Tobias iv, 11 (paraphrase).
6. *rex* omitted.
7. *Northanhymbrorum.*
8. *actenus.*
9. *que.*
10. *Meresege.*
11. *poscessinam.*
12. *hominum.*
13. *eius* omitted.

14. Words within brackets reconstructed from C.
15. *Winnanbricse fram Winnanbricse* omitted; suggested reading in A: *mannanbricge from mannanbricge*.
16. Bounds in C: *Hee sunt terre eorum date apud Mersege. Ibi est Rivus super Pone Streme et extendit usque ad quoddam fossatum vocatam Deramys-Diche inter Est-Mersey et West Mersey et a Deramys-Diche usque ad Deramy's Flete et a Deramys-Flete usque ad quoddam Stratam vocatam Deramys-Strete et ibi extendit usque ad le Peete vocat' Deramys-Pete villa de Fyngeryngho ad Deramys-Stone et a Deramys Stone usque ad Brigflete ex parte orientali et a Deramys-Stone usque ad Weldene-Downes Meowte.*
17. *libens*.
18. *Edwinus*: Eadsige archbishop of Canterbury 1038 x 1050.
19. *Alfricus*: AElfric archbishop of York 1023 x 1051.
20. *Robertus*: Robert bishop of London 1044 x 1051.
21. *Stigandus*: Stigand bishop of Elmham 1044 x 1047.
22. *Alfpinus*: AElfwine bishop of Winchester 1032 x 1047.
23. *Pulfsinus*: Wulfsize bishop of Lichfield 1039 x 1053.
24. *Hearmannus*: Hereman bishop of Ramsbury 1045 x 1055.
25. *Pulnodus abbo*": Wulfnoth abbot of Westminster c. 1020 x 1049.
26. *Leifnodusabbod'*: unidentified (possibly an error in A for Leofweard, who was abbot of Muchelney).
27. *Alfpine abbod*: AElfwine abbot of New Minster, Winchester, c. 1031 x 1057.
28. *Godpine*: Godwine earl of Wessex c. 1018 x 1053.
29. *Harolt*: Harold earl of East Anglia c. 1044 x 1051.
30. *Leifric*: Leofric earl of Mercia 1023/32 x 1057.
31. *Spegn*: Swegn earl of Oxfordshire, Gloucestershire, Herefordshire, Somerset and Berkshire 1043 x 1049.
32. *Siperdus*: Siweard earl of Northumbria 1033 x 1055.
33. *Beim*: Beorn earl of the Middle Angles c. 1045 x 1049.
34. *Ulfkitel*: Ulfcytel, thegn, witnesses in 1044.
35. *Atser*: AETSere (*al*, Azur), thegn, witnesses in 1044.
36. *Manni*: Manni, thegn, witnesses in 1044.

Translation

In the name of almighty God, thundering on high, who made all things out of nothing, and who created the first man, to wit, Adam, to be a citizen of the heavenly Jerusalem, and when he fell through the enticement of the Serpent, carried him, redeemed by his own blood, with great mercy and predestination to the summit of heavenly blessedness; now since it behoves all Christians, so long as they continue in this mortal life, to purchase with things temporal that which is heavenly, and with things which will perish that which is eternal, I King Edward, relying upon this counsel, because Truth itself says: 'Give, and it shall be given unto you', and likewise scripture states emphatically: 'The riches of man are the redemption of his soul', and Solomon says: 'My son, alms deliver the soul from death, and sufler it not to go into the darkness': Wherefore, resting on these and other precepts, I the aforesaid Edward, king of the English and the Northumbrians, give to the King of all kings, and to the blessed lord Peter, and also his beloved priest Ouen, and those who serve him [i.e. the monks of the monastery of Ouen, dedicated originally to St. Peter] that which was formerly the private revenue of my predecessors, a certain part of the island called *Mersege* [Mersea], with all the land and property adjacent to it, and with meadows, woods, and fisheries, just as I held it intact for two days after (by the grace of God) I became the head of the kingdom. If any man should be tempted to interfere with this my gift, let him know that he shall answer for it in the great judgement in the presence of Christ and the angels and the above mentioned saints, and unless he makes full amends he will be condemned to the depths of Hell.

Texts

A

Original charter in the possession of the abbey of St. Ouen, Rouen, Normandy, until 1421, when it was given to Henry Chichele, archbishop of Canterbury, and subsequently lost.

B

Copy of A made just before its acquisition by Chichele. The text is entered on a separate membrane 34 cm. X 40 cm., and is complete, though in some places now illegible even by ultra-violet light. Some forms of

personal names and place names are inferior to those of the C text (below). Now in the archives of the Seine Maritime (late Inferieure) at Rouen, Normandy. Listed 14 H 145 in the published catalogue. This text was discovered in 1955 by D. J. A. Matthew, who published it as III below.

C

Enrolment of A made c. 1325, when the Abbot of St. Ouen produced his charters in support of his claim for free warren in his manor of Fingringhoe, before a *Placita Foresta*, held perhaps at Colchester. The surviving membrane has some tears, and owing to the application of a chemical the boundary clause can now be read only by ultra-violet light. It is evident, however, that the transcriber attempted to translate the OE boundary into medieval Latin. In so doing, he misread OE 6 as abbreviated medieval Latin 3, which he extended as *der*. Thus both OESam and OE *daere* in the original were considered to represent a personal name, rendered by the transcriber as *Deramy(s)*.

The Plea Roll, which had also some other (later) St. Ouen charters entered upon it, was found in the 1760s 'among the archives of Colchester' by the Essex historian Philip Morant, and from it he published the Confessor's charter in 1768 (No. I below). At some stage the membrane was annotated by Thomas Astle (1735 x 1803), son-in-law of Morant and Keeper of the Records in the lower of London, and mounted in an album, which together with other Morant MSS. was presented to the Corporation of Colchester on 14 July 1871 by Robert Hills, Esq., of Colne Park, Essex. In 1968 the album was examined by Mr. J. B. Bennett, Hon. Librarian to the Essex Archaeological Society, among MSS. in the Muniment Room in the Hollytrees, and is now deposited at the Essex Record Office, catalogued D/D Cm. 218/1. It is listed in a Calendar of the Morant MSS., published by K. C. Newton, County Archivist, in *Trans. Essex Arch. Soc.*, 3rd series, vol. II, 1970, pp. 289-91.

Editions

- I. Philip Morant, *History of Essex*, 1, 1768, p. 426, from C, omitting the witness list.
- II. Cyril Hart, *The Early Charters of Essex: the Norman Period*, 1957. Leicester University Press, Dept. of English Local History Occasional Papers, First Series, No. 11, pp. 23-5. From I, with translation and comment.
- III. Donald Matthew, *The Norman Monasteries and their English Possessions*, 1962. Oxford University Press, pp. 143-9. From B, with comment.
- IV. This edition is from III, with illegible portions of B placed between brackets, and supplied from C, and with variant readings from C as footnotes.

Authenticity

Insufficient charters survive from the early years of King Edward to enable one to pronounce with confidence on the authenticity of secondary material of this kind. In particular, there appears to be nothing within our text to point specifically to a Canterbury or Winchester origin. One would have felt happier if the copyists had reproduced either the *chrismon* or the endorsement of their exemplar. However, there is likewise nothing to condemn the charter, and the existence of two independent transcripts gives good cause for confidence that the original text can be accurately restored.

The diplomatic is not incompatible with that of other charters issued early in King Edward's reign, when there was a tendency to utilise formulas from the diplomas of his predecessors. Thus down to *date et dabitur vobis*, the formula of our text repeats *Cartularium Saxonicum* No. 1196, a charter of King Edgar dated 967. The quotation from Tobias is paralleled in *Anglo-Saxon Charters* No. CXX, a charter of King Edward dated 1061, which is copied in a spurious charter of King Aethelberht of Wessex (*AS Charter So. XI*). Both these are from the Sherborne Cartulary. The anathema expands that of Kemble No. 687, dated 944. Similar dating clauses appear in K 793 and K 796, dated 1050 and 1052 respectively. In the clauses of attestation, the uncommon *libens* and *confortavi* appear in K 767, dated 1043. On the other hand, identifying the archbishop as *Cantuariorum* is unique in pre-Conquest texts, though it is found in the late Peterborough forgery K 806.

Between them the transcribers have preserved evidence that their exemplar contained OE letters 6 and *p* and the insular of V. *Befkytel* among the witnesses in text B arises from confusion of *p* with B, and insular 'r' with T.

The witness list of 2 archbishops, 5 bishops, 3 abbots, 6 earls and 3 *ministri* is reasonable for the period, and the known dates of all the witnesses are compatible with a charter issued in 1046.

Finally, the history of the estates mentioned in the charter both before 1046 and subsequently, ties in well with the information preserved within the charter itself. Such evidence as there is, then, all points one way, and it seems sensible to assume that our text is authentic until proved otherwise.