

THE BROMLEY CHARTERS

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British Library Cotton Charter viii.33 is a grant by King Edgar to St. Andrew at Rochester of an estate at Bromley, Kent. It has been printed several times;¹ I make no apology for reproducing its text again because, although Prof. Dorothy Whitelock is quoted as saying that its text 'if genuine, shows how conservative a Kentish charter could be',² no one seems to have noticed that it is not merely conservative but also derivative. In the text printed below, the parts in italics after *decem* (line 11) are from a common formula in use in charters of Kings Edmund and Eadred between 944 and 947.³ The earlier part of the italic text comes from a charter of 764.⁴ Now, while the charter-writers of Edgar's reign often re-hashed the formulae in use under his predecessors, they did not go so far back as the eighth century for their inspiration. This feature would in fact be sufficient by itself to cast doubt on the authenticity of this Bromley charter.

Again, it is dated 955, indiction 9. The reign of King Edgar, however, lasted from 959 to 975, and the only year within this period to coincide with the ninth year of the indiction cycle was 966. Accordingly, this date was adopted by the editor of the *Facsimiles of Ancient Charters in the British Museum*.⁵ But there are many reasons why the charter cannot be ascribed to that year. Of its witnesses, Oswald, Archbishop of York, was appointed in 972, and Sideman, Bishop of Crediton, in the same or the following year. These facts no doubt led the editor, W. de Gray Birch, to date this charter 973,⁶ and his dating has received general acceptance. In 1930 Professor Whitelock wrote: 'the bishop's purchase of Bromley appears from an extant charter to have taken place in 973, as the list of witnesses belong to this year, although the charter is dated 955.'⁷ In 1939 Dr. A. J.

¹ Hæarne, *Textus Roffensis*, p. 120; Kemble, *Codex Diplomaticus Ævi Saxonici* (London, 1839-48; hereafter cited as K.), no. 518; *Facsimiles of Ancient Charters in the British Museum*, iii, plate 36; Birch, *Cartularium Saxonicum* (London, 1885-93; hereafter cited as B.), no. 1295; Campbell, *Anglo-Saxon Charters: Rochester* (London, 1973; hereafter cited as C.), no. 29.

² Sawyer, *Anglo-Saxon Charters; an annotated list and bibliography* (London, 1968), p. 225.

³ B. no. 791 and others.

⁴ B. no. 195.

⁵ Op. cit., heading to text facing plate 36.

⁶ B. no. 1295, heading on p. 609.

⁷ *Anglo-Saxon Wills* (Cambridge, 1930), p. 129.

Robertson was able to write of 'the purchase of Bromley . . . of which an independent record survives, dated 955 for 973.'⁸

Furthermore, Birch described the MS. as an 'original charter'. Strictly, this can only mean 'the actual document issued by the king' – an assertion which cannot properly be made of any Anglo-Saxon diploma. These diplomas had neither seal nor autograph signature by which their authenticity could be tested. The whole text, including the witnesses' names, was written out in one handwriting – generally a bookhand which, although often very beautiful, is stereotyped and lacks individual characteristics. Accordingly, in recent times the use of 'original' has now been largely abandoned in this context; Professor Sawyer is content to assign this charter to the second half of the tenth century.⁹ Birch's use of the word 'original' can in any case only be interpreted to mean that he thought this Bromley charter to be as authoritative as such a document can be. We might not be disposed to attach too much importance to Birch's verdict, for he seems to have been capriciously generous in his attributions of originality. He admitted as 'original' so notorious a forgery as the charter of Edgar to St. Denis,¹⁰ and contradicts himself once with 'original charter . . . (doubtful if authentic)'.¹¹ And the Bromley charter is quite undeserving of the status that Birch gives it. Its witness list includes elements inconsistent with each other, with 973 or with any other particular date. The real betrayal of the charter's bad character comes in the third name in the list of witnesses: + *Ego Ælfþryþ mater regis predictum donum confirmavi*; for Ælfþryth was not 'king's mother' until her son Æthelred succeeded to the throne in 978. The late Professor A. Campbell noticed this point but attributed it to mere carelessness on the part of the charter's compiler.¹²

This view of the circumstances is indeed possible; *mater regis* could be a slip in transcription, made perhaps in the 980s or 990s by one who only knew Ælfþryth as queen-mother. But it is in my view implausible. We might compare the situation at the present day; no-one copying a document thirty years old would introduce a description of Elizabeth as Queen Mother in a context which mentions George VI as alive. But in this Bromley charter Ælfþryth is not only given an anachronistic title. Her attestation, appearing as it does between those of the Archbishops of Canterbury and York, is in the wrong place. It can easily be demonstrated from plenty of surviving charters of the latter years of King Edgar's reign that the queen generally attests in a rather

⁸ *Anglo-Saxon Charters* (Cambridge, 1939), p. 365.

⁹ Sawyer, *op. cit.*, p. 225.

¹⁰ B. no. 1057.

¹¹ B. no. 1266 (at p. 560).

¹² C. pp. xxiv f.

humble position, after all the bishops.¹³ Once, in 974, she attests after her husband but before both the archbishops.¹⁴ Moreover, the charter includes other elements incompatible with each other or with a date of 973. It is attested by ealdormen including Æthelstan and Ordgar and by thegns beginning with the name of Byrhtferth. Æthelstan was an ealdorman in the Midlands and Ordgar, the father of Queen Ælfthryth, was ealdorman of Devon. Both cease to attest genuine charters in 970,¹⁵ and according to the twelfth-century chronicle attributed to Florence of Worcester, Ordgar died in 971.¹⁶ Byrhtferth's attestations also cease in 970.¹⁷ It does not seem that any of these persons could properly appear in the same document with Oswald as Archbishop of York or with Sideman as Bishop of Crediton. Yet, with all its defects and inconsistencies, the charter is in a handwriting no later than the end of the tenth century. What conditions operative within that period gave the motive for forgery?

The tenorial history of Bromley was complex. With other property at Fawkham, it had been bequeathed to Rochester Cathedral by a certain Ælfric, apparently reserving a life interest to his wife Byrhtwaru. Ælfric's will is not extant, but his bequest is mentioned and confirmed in another will, that of a certain Byrhttric who was Byrhtwaru's kinsman. On the latter's death, the estate at Bromley and Fawkham was to go to St. Andrew's as her husband had bequeathed it.¹⁸ Light is also thrown on the matter by an extant *ex parte* vernacular statement.¹⁹ At one stage Bromley and Fawkham had been forfeited to King Edgar; Ælfric's death had taken place (after 963) while an enquiry was going on into his possession of stolen charters. Later Ælfric's widow had surrendered to King Edgar the charter of Bromley and Fawkham and the Bishop of Rochester had bought the charter and the estate from the King, leaving the widow in possession as life tenant. After King Edgar's death (975), the widow's kinsman Byrhttric had tried to upset these arrangements by an appeal to ealdorman Eadwine; this stage in the proceedings must have been reached by 982, in which year the ealdorman died.²⁰ It is clear from the context that the charter or charters of Bromley and Fawkham were pre-existing documents, and there is no mention of the issue of any charter by King Edgar in favour of the bishop.

¹³ B. nos. 1282, 1286, 1302, 1305, 1309, 1312, 1316.

¹⁴ B. no. 1303.

¹⁵ B. nos. 1266, 1268 f.

¹⁶ *Florentii Wignorniensis Chronicon ex Chronicis*, ed. Thorpe (London, 1848) i, p. 142.

¹⁷ B. no. 1266.

¹⁸ Whitelock, *op. cit.*, no. XI; C. no. 35.

¹⁹ K. no. 1258; B. no. 1296; Robertson, *op. cit.*, no. LIX; C. no. 36.

²⁰ *Anglo-Saxon Chronicle*, 982C.

In 987 King Æthelred granted Bromley to a certain Æthelsige,²¹ and in 998 it came finally into the hands of the Bishop of Rochester. In a charter of the latter year the king admits that in his youth and inexperience he had been led astray by Æthelsige into depriving Rochester of its rightful property. Æthelsige had not only given the king bad advice; he had also murdered a king's reeve.²² Campbell, following previous writers, used the charter of 987 as a regulator for dating the will of Byrhttric and the *ex parte* statement; both must be earlier than 987, because by that time the Bishop of Rochester had entered into possession of the premises and been deprived of them.²³ That would involve this chronology:

Before 975: the bishop buys Bromley and Fawkham from King Edgar; leaving Byrhtwaru in possession as life tenant.

975–982: Byrhttric tries to have these arrangements set aside, but (later) dies, confirming them by his will; Rochester is to have the estates after the death of Byrhtwaru.

Before 987: Byrhtwaru dies and the bishop enters into possession.

987: King Æthelred is 'conned' by Æthelsige into granting him the premises.

We would dispute the last two of these statements. It is much more likely that in 987 Byrhtwaru was still alive and in possession; what the bishop was deprived of was no more than a reversionary right. Under such conditions it would be much easier for Æthelsige to persuade a young and inexperienced king that the premises were available for granting away by charter, than if the bishop had entered into actual possession.

This Æthelsige seems to have been a thoroughly bad character in general; a 'con-man' and a murderer we have seen him to be, he also figures in other sources as a rustler. A charter of 995 preserved in the chartulary of Abingdon Abbey records how he stole pigs belonging to Æthelwine, son of ealdorman Æthelmær; for this offence he forfeited an estate at Dumbleton in Gloucestershire.²⁴ Its westerly location helps to support the identification of this Æthelsige with one whose name, corrupted to *Edelisi*, appears in the *Annales Cambriae*²⁵ as the commander of an English army which, in alliance with the prince of Gwent and Morgannwg, raided Dyfed in 990 or 991.²⁶ His crimes and forfeitures took place, presumably, after this, perhaps as late as 995. Later (after 1005) Dumbleton came into the possession of Abingdon

²¹ K. no. 657; C. no. 30.

²² K. no. 700; C. no. 32.

²³ C. p. xxiv.

²⁴ K. no. 692.

²⁵ Ed. J. Williams ab Ithel, Rolls Series, 1860, p. 21.

²⁶ Freeman, *Norman Conquest*, Oxford 1870, I, pp. 282f.

Abbey, which is why this particular part of Æthelsige's history is included among the abbey's muniments. But it is extremely likely that Æthelsige's forfeiture would have involved all his property, including Bromley. In the same year 995 Ælfstan, Bishop of Rochester, died at an advanced age – he had been bishop for more than thirty years²⁷ – and was succeeded by the much younger Godwine. The circumstances were right for Rochester to re-assert its rights in Bromley and Fawkham as well as elsewhere, and to support its claims by means of documents. We suggest that Cotton Charter viii.33 and the vernacular *ex parte* statement were both composed about 995–998 to support the Bishop of Rochester in his reassertion of a title to Bromley, now vacant by the forfeiture of Æthelsige.

This suggestion would go far towards explaining some of their rather silly mistakes. Even in 987, let alone earlier, several of the ostensible witnesses to the charter of Edgar were still alive. They included both the archbishops – Dunstan of Canterbury (*d.* 988) and Oswald of York (*d.* 992) – and some of the lay nobles, such as Æthelwine (*d.* 992), and Byrhtnoth, killed at the battle of Maldon in 991. To propound in the presence of such men a charter attested by ealdorman Ordgar with Ælfthryth as queen-mother would have been courting trouble. But by about 997 they, and almost everyone else with first-hand memories of holding office under Edgar, were dead.

In a like manner the author of the vernacular *ex parte* statement confected a list of witnesses which combined King Edgar (*d.* 975) with Bishop Æthelgar (appointed to the see of Selsey in 980) and *ðæs cinges modor Ælfðryð* – 'Ælfthryth the king's mother' – he made the same mistake in English as he, or his colleague, had made in Latin. Nevertheless, Campbell thought its compiler guilty of no more than ineptitude and elsewhere said 'there can be no doubt that these vernacular statements are genuine.'²⁸ We are quite unable to endorse so charitable a view of them. Both the vernacular statement and the charter of Edgar dated 955 are forgeries, produced in the late 990s to support a claim for the restoration of Rochester's rights in Bromley: a claim which was upheld by charter in 998.

+ In nomine regnantis imperpetuum domini nostri Jhesu Christi. Ego Eadgarus rex Anglorum ceterarumque gentium, *considerans et recolens quod etiam vas electionis veracissimis innotuit verbis, quod in novissimis temporibus instarent tempora periculosa, idcirco unusquisque de semetipso plenius poterit agnoscere quod quando quis in hoc terreno habitaculo longiorem protraxerit vitam, tanto veraciora esse omnia que*

²⁷ Searle, *Anglo-Saxon Bishops, Kings and Nobles* (Cambridge, 1899), pp. 20f.

²⁸ C. p. xxvi.

olim antiqui vates divinitus edocti implenda esse predixerunt. Quod cernens ego necessarium duxi, ut per intercessionem plurimorum pro venia delictorum meorum et requie æterna adipiscenda animæ meæ, aliquid ex eis quæ mihi largitor bonorum Christus dominus donare diagnatus est, hoc est decem mansas, quod Cantigene dicunt x sulunga, in illo loco ubi iamdudum solicole illius regionis nomen imposuerunt æt Brom leage, tibi venerabili apostolo Christi sancto Andreae et pro placabili pecunia Ælfstani antistitis ecclesiæ Hrofensi concedo. Cum omnibus utensilibus quæ Deus cælorum in ipso telluris gramine creavit, tam in notis causis et ignotis, in modicis et in magnis, campis, pascuis, pratis, silvis, silvarumque densitatibus, donans donabo libertatem, preter expeditione et pontis arcisve instructione, quia tanti pretii emptum est suprascripta terra, octuaginta mancuis auri purissimi et sex pondus electi argenti. Et insuper dona meo prefecto Wulfstano donando auxit triginta mancuis auri, ut fixa et immobilis premaneant sempiternaliter nostra donatio. Ita adiuro in nomine domini Dei nostri Jhesu Christi qui est omnium iudex justus ut nec mihi nec alicui successorum meorum regum seu cujuslibet dignitatis aliquid fraudare vel minuere liceat. Sed absque aliqua retractione inlesa jugiter permaneat sine fine. Si quis autem propria temeritate violenter invadere presumpserit, sciat se proculdubio ante tribunal districti iudicis titubantem tremebundumque rationem redditurum, nisi prius digna satisfactione emendare maluerit.

Hæc utilitas silvarum ad eandem terram pertinet in andrede, billanoran be lind hyrste, & on glæppan felda, scearn den & þar rihte wið þorn dæn, & brocces ham be eastan ea, & tannera hole, & trind hyrst.

Istis terminibus circumgirata est terra suprascripta et multis nota:

þis synt þara tyn sulunga land gemæro to brom leage, ærest on eastan cysel hyrstes gemæro, þonne on croþ tunes gemæro, þonne þanon on ruge beorges gemæro, þonne on suð healfe cysse stanes gemæro forð be weard setlan, þonne be westan wic hammes gemæru, & beohha hammes gemæru, þonne be norðan beringa hammes gemæru, & modinga hammes gemæro, & þonon eft east on cinges gemæro, þæt on cysel hyrst.

Acta est hæc prefata donatio Anno ab incarnatione domini nostri Jhesu Christi dcccc^{mo} i^{mo} v^{to} indictione vero novem.

+ Ego Eadgar rex Anglorum sub sigillo sancte crucis corroboravi.

– Ego Dunstan Dorobornensis ecclesiæ archiepiscopus crucis Christi conclusi.

+ Ego Ælfþryþ mater regis predictum donum confirmavi.

+ Ego Oswald archiepiscopus Eborace civitatis cricus Christi inpressi.

+ Ego Abelwold Wintaniensis ecclesiæ episcopus subscripsi et confirmavi.

+ Ego Ælfstan Lundoniensis ecclesiæ episcopus corroboravi.

THE BROMLEY CHARTERS

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| + Ego Ælfstan episcopus consignavi. | |
| + Ego Eadelm episcopus consensi et subscripsi. | |
| + Ego Sydemann episcopus conclusi. | |
| + Ego Alfwold episcopus corroboravi | |
| + Ego Byrhtelm episcopus roboravi. | |
| + Ego Byrhtferð minister. | + Ego Alfhere dux. |
| + Ego Æþelweard minister. | + Ego Æþelstan dux. |
| + Ego Ælfwerd minister. | + Ego Æþelwine dux. |
| + Ego Æþelmær minister. | + Ego Byrhtnoð dux. |
| + Ego Ælfsige minister. | + Ego Ordgar dux. |
| + Ego Wulfstan minister. | + Ego Ælfric minister. |
| + Ego Ælfric minister. | + Ego Alfwold minister. |
| + Ego Ælfheah minister. | + Ego Wulfsige minister. |
| + Ego Ealdred minister. | + Ego Sigred minister. |
| + Ego Leofstan minister. | + Ego Eadelm minister. |

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