

THE FIRST BISHOP OF BATH AND WELLS

WITH AN APPENDIX OF PROOFS DERIVED FROM THE PUBLIC RECORDS AND OTHER AUTHENTIC SOURCES.

By JOHN A. C. VINCENT.

The idle tale, that narrates the misconception under which once upon a time, some bishop acquired from some king the two theretofore separate and co-existent sees of Bath and of Wells, be held together under their joint title, carries with it its own refutation. It reflects, however, and correctly reflects the tradition, that the style of the bishop was, at some remote and undefined period, altered from bishop of Bath to bishop of Bath and Wells. The object of this paper is to fix beyond cavil or contradiction the precise date at which the change took place. To do this is to run counter to a compact array of authorities who are unanimous, from Bishop Godwin downwards, in making certain statements, of which Mr. E. A. Freeman is the latest expounder; but the value of these is sensibly diminished when the discovery is made that one person copies from the other, without any attempt at independent investigation, and that the ultimate authority of the whole is an anonymous Canon of Wells, writing during the lifetime of Nicholas Bubwith who was bishop from 1407 to 1424.

The issue joined is simple and direct. On one side, a body of writers repeating the same story at second hand; on the other, the consistent, unvarying and continuous evidence afforded by almost every possible variety of record.

The true account may be succinctly told; for the history of the see lies beyond the narrow track of the present inquiry, which concerns a point of the smallest, and one that can scarcely be expected to possess more than a mere local interest, as it affects the bishop's style only. There is no question raised as to the fact, that the bishop of Bath had under his rule two churches, both ancient, of goodly fabric, and not very unequal in dignity. What is here discussed is nothing more than this. At what date, and under which pontiff was the double title first used, and under what conditions. Our authorities are here found in some conflict, and three of the most prominent writers assign the several and

successive titles in this fashion, although, strange to say, their narrative accounts agree:—

Cassan. ¹ (1829).	Hardy. ² (1854).	Freeman. ³ (1870).
BISHOPS OF BATH. John Godfrey	BISHOPS OF BATH. John Godfrey	BISHOPS OF BATH. John de Villulâ Godfrey
BISHOPS OF BATH AND WELLS. Robert Reginald	BISHOPS OF BATH AND WELLS. Robert Reginald	Robert Reginald
BISHOP OF GLASTON- BURY. Savaric	Savaricus	BISHOP OF BATH AND GLASTONBURY. Savaric
Title of BATH AND WELLS resumed. Jocelyn Roger	Joceline Roger	BISHOPS OF BATH AND WELLS. Jocelin of Wells Roger

That John and Godfrey were styled bishops of Bath only is conceded on all hands; but an ordinance alleged to have been pronounced by Bishop Robert—to which further reference will be made hereafter—introduces (as will be seen) some doubt, which extends to his successor, Reginald. In the case of Savaric, the union of this see to the abbacy of Glastonbury is matter of history. He did not take the addition “and Glastonbury” during the reign of Richard the First, and seems (from the instances met with) to have done so about the beginning of the year 1200. During the episcopate of Jocelyn special events are known to have happened. At the date of the Great Charter of King John (15-19 June 1215) he is found, protesting with other prelates, as bishop of Bath and Glastonbury (*Foedera*, i. 134); soon after which, in the third year of Henry III., the union of these two churches was dissolved. Beyond this occurrence all is vagueness and confusion with the writers beforementioned, but, on the records, still the same uniform harmony and agreement. It is clearly proved that Jocelyn applied to the pope (Honorius III.) for licence to adopt the style of Bath and Wells, *ne videatur quasi capite diminutus* (as his petition stated), having hitherto enjoyed that of Bath and Glastonbury. The pope referred the matter to

¹ LIVES OF THE BISHOPS OF BATH AND WELLS &c. By the Rev. Stephen Hyde Cassan, M.A., F.S.A., London: 1829, 8vo.

² FASTI ECCLESIAE ANGLICANAE &c. Compiled by John Le Neve, corrected &c. by T. Duffus Hardy, Assistant Keeper of the Public Records. In three volumes. Oxford: 1854, 8vo.

³ HISTORY OF THE CATHEDRAL CHURCH OF WELLS &c. By Edward A. Freeman, M.A., London: 1870, 8vo.

Pandulph, legate of the Apostolic See and Elect of Norwich, in a letter dated at Viterbo, the fourth of the Kalends of April in the fourth year of his pontificate (29 March 1220). At that date, although Jocelyn averred in his petition that of old time the cathedral church was at Wells (*ecclesia Wellensis ab antiquo extitit Cathedralis*), and alluded as evidence of the fact to a privilege in his own possession granted to one of his predecessors by the Holy See, on search made in the Registers at Rome, no such privilege could be found. Honorius, nevertheless, seemed in no way averse from the addition, committing the question to the investigation and decision of the legate. For some reason yet undiscovered the double style was not adopted by Jocelyn up to the time of his death. In all his instruments (after the separation from Glastonbury), without a single exception, and by all other contemporary evidence, he is shown to have used the style, bishop of Bath. Passing over the interval spanned by the dispute, which then arose between the monks of Bath and the canons of Wells, as to the election of a bishop to supply the vacancy caused by the death of Jocelyn, we arrive at the decision of the pope who, on appeal made to the Roman Court, had both parties before him; the Chapter of Wells being represented by two members, one of whom was no less a person than the Dean and the pope's chaplain to boot. After hearing both sides, His Holiness conferred (3 Feb. 1243-4) the see on Roger, Precentor of Sarum, who had been chosen by the monks of Bath without, if not against, the assent of the canons of Wells; at the same time leaving open the question of right in elections as between the two religious bodies. Innocent the Fourth then wrote (16 Feb. 1243-4) specially to Henry III., asking him to sanction the appointment, and to restore the temporalities to Roger. This request the king complied with, but adopted words to indicate that the confirmation was made with personal reluctance, and only at the instance of the pope (*ad instantiam Papæ*). The temporalities were accordingly restored to Roger 10 May 1244; and the pope, having further considered in Council the question reserved between the two churches, had in the meantime given this remarkable judgment which any one, who will be at the trouble, may read for himself in the very words, either as printed below, or in the volume of Vatican Transcripts at the British Museum (*Add. MSS.* 15355, *f.* 116). He addressed the prior and convent of Bath in a preamble which is a gem of delivery on the vexation of law, its delay and its waste, extorting money and compelling labour, until at last the litigants frequently find themselves, after useless expenses and empty toil, deprived of what they had always believed to be their right. This pointed exordium boded ill for the monks of Bath; and, after once more recapitulating the circumstances of the election, and of the strife

which thereupon followed, the pope proceeds in formal manner to decree:—

1. That henceforth, on any vacancy of the see, the monks of Bath and canons of Wells shall be present together at the election of a bishop; both parties, whether severally represented by many, or few, or even by one, having exactly equal voices and equal powers;
2. That an election otherwise conducted shall be wholly null and void;

SAVING—and the reservation directly contradicts all that has hitherto been written on the subject—to each party the right in other things, namely: where the election is to be celebrated; in which church the cathedral seat and the installation of the bishop ought to be; and of which church the bishop is to be named. Dated at the Lateran on the Kalends of April in the first year of the Pontificate.

Here we have irrefragable proof under the hand of the Supreme Pontiff himself, that on the first of April 1244 the bishop's style remained yet unaltered. On the tenth of May following the temporalities of the Somersetshire see were restored to the Elect of Bath, as already seen. On 3 January 1244-5 the pope, then at Lyon, after reciting his former judgment of 1 April 1244, pronounced afresh; and, having before him a very ancient precedent in a memorable case of overlaying (reported 1 *Kings*, iii), heard "before the king himself" and then adjudged, decreed a partition in two equal halves, as follows:—

That, on any vacancy of the see, the election shall be celebrated, the first time at Bath, the next time at Wells; and so, alternately;

That each church shall be a cathedral church;

That where the election is celebrated, there the bishop shall be first installed;

That he shall be styled bishop of both churches, namely, of Bath and Wells; and that the double title shall be engraved on his seal.

Thus the pope's words about the perils and uncertainty of litigation came home with serious significance to the monks of Bath. After long delays and great expenses they secured finally the barren honour of alphabetical precedence. From several entries in the Bath Register (some of which are here printed) we learn to what severe straits the prolonged dispute had reduced the convent of Bath. They were compelled to borrow money through various agents, and to pledge the honour of their house and its possessions for repayment.

So far as this sketch has proceeded, it differs absolutely from the universally accepted story, invented (as it would appear) by the canons of Wells early in the fifteenth century. But the

subject is not exhausted. Bishop Roger, retaining the failings of poor mortality, in spite of the laying on of episcopal hands at Reading (11 Sept. 1244), and the subtle essence thereby transmitted of Apostolic Succession, was naturally sore at the treatment to which he had been so long subjected by the opposing canons. A very slight knowledge of average human nature is needed to surmise that no love was lost between the bishop and his newly erected cathedral chapter of Wells. Notwithstanding the pope's ordinance, he still continued to call himself bishop of Bath, ignoring altogether the addition of Wells. By the Register of Bath Abbey it is proved that, in five consecutive deeds, he granted, as Bishop of Bath, parcels of land at Wells, almost under the shadow of the minster, and had these grants confirmed by the prior and convent of Bath only. One of them, printed below, not dated by the bishop, is confirmed 9 April 1245; and it is a coincidence worthy of special notice that, in about the time required for the despatch (after counsel had) of a deputation from the chapter to the Roman Court, a short but emphatic letter to Bishop Roger from the pope, dated 14 May 1245, is registered at the Vatican. This relates how, by the petition of the dean and chapter of Wells, it appeared that he refused to obey the order lately made to use the new style, Bath and Wells. The pope now, therefore, peremptorily commands him to do this at once, and to have that title put on his seal.

This being the proven story of the way in which the title of Bath and Wells was first assumed, I take up Mr. Freeman's account contained in three lectures "given to a local society in Wells in the months of December 1869 and January 1870, and which were printed at the time in a local paper."¹ Admirers of the learned Professor may urge that these lectures were delivered to a miscellaneous audience, and purposely written so as to reach minds lacking knowledge of elementary matters connected with their cathedral church. This excuse would be of more avail, if the lecturer had not reprinted them with "notes and references" in the form of a small, handy volume, because (as he says) "the subject seemed to deserve more than local attention on more grounds than one." And he goes on: "I wished to point out the way in which local and general history may and ought to be brought together." Although, elsewhere in his Preface (x), he calls what he has now written "of course a mere sketch, which does not at all pretend to be a complete history of the Church of Wells, either architectural or documentary," no doubt can be entertained that the deliverance is made *urbi et orbi*; to the inhabitants of Wells first, and to the English-speaking peoples afterwards. Mr. Freeman claims to be, and is admitted to be, a teacher of history. It was through his fame in this special line

¹ Preface (ix) to *History of the Cathedral Church of Wells, &c.*, before mentioned, p. 162.

of study that he gained the chair of Modern History in the University of Oxford, void by the promotion of Dr. Stubbs to the See of Chester.

It is impossible for him, then, to evade responsibility for every line here printed. The airy plea of misprints for defective dates, or other inaccuracies, cannot be allowed in the case of one who is a most prolific writer on an astounding variety of topics. Fox-hunting, vivisection, the restoration of Peterborough Cathedral—in short, anything and everything is handled at times by his unrelenting pen. Signed and unsigned letters and articles in well-known and easily recognized Freemanesque meet the eye at every turn. His table must be always covered with printers' proofs, and revising for the press must be part and parcel of his daily life. If mistakes are found in anything he writes, he must be duly credited with them. And, as to the particular subject in hand, it should be remembered that Mr. Freeman lives in the immediate neighbourhood of Wells. He is known to cherish a fond affection for that city, and to be jealous of its honour, while he poses not only as its guardian angel, but as the one man who understands or can understand its beauties and its history, or can separate the true from the false in its local traditions. Having regard to all these considerations, no apology is needed for quoting—largely, if necessary—from the work before me. At the same time, I shall take care, by not misplacing a letter or a comma, to present every extract accurately and with sufficient reference, so that any one can follow the comments made. Reader, do you find all this prosy and dull? If so, the remedy is in your hands, and capable of instant application. Turn the leaves, and bid you to "metal more attractive."

The removal of the cathedral church from the town of Wells to the city of Bath was part of a plan that had long been in progress for fixing the bishop's seat in the chief town of the diocese; and there is no question as to the superiority of the place chosen, both from its being of old a Roman town, and boasting an abbey of very ancient repute. In our own day a beautiful city, a lovely city, embosomed in the everlasting hills, with the winding Avon like a silver thread carelessly thrown across its verdant meadows! There was in the transfer a fitness which any unprejudiced person cannot but admit. Roman remains have been discovered from time to time until quite recently. What, then, may not have existed of its ancient glories, when Bishop John went thither to plant the see? That he at once took the style, bishop of Bath, is so absolutely clear that no more than a passing allusion need be made to the fact. Indeed, no one pretends to deny that both John and Godfrey used, and had universally applied to them, the same style. It is with Robert, the successor of Godfrey, that (as already pointed

out) any difficulty begins. Sir Thomas Hardy in his edition (1854) of Le Neve's *Fasti* says positively (i. 129) that Godfrey was the "second and last bishop of Bath." Bishop Godwin is the person really answerable for this statement, in his earliest catalogue of the Bishops of Bath and Wells, printed by Hearne in 1732 (*Otterbourne*, ii. 650):—

"Godefridus, natione Belga, etc. Episcopatum nostrum jam consequutus; secundus et ultimus fuit, qui Bathoniensis Episcopus, non etiam Wellensis, dictus est."

Although Godwin lived in the reigns of Elizabeth, James and Charles, he was not on that ground one whit better provided with materials for history than we are at the present day. In fact, as will be evident, he had fewer sources at his command. His bias in favour of Wells is manifest by the following passage (*De Præsulibus Angliæ Commentarius* (ed. 1616), p. 418):—

"Atque hæc de Joanne, Bathoniensis Ecclesiæ Episcopo primo, qui ibi, conatu tantum non irritò, cathedram sedis suæ stabilire satagebat. Nam in factis non erat ut Wellenses eo honore prorsus exciderent, sicuti postea Deo volente demonstrabimus."

The son of a bishop whose cathedral was at Wells, and himself some time a canon there, he could scarcely be impartial on any question between the two churches. Himself mistaken, he has been the fruitful means of misleading others. But I have here set myself the task of dealing not so much with those who have passed away as with a living authority; and I, therefore, return to Mr. Freeman's little book. In his second lecture, during the course of his remarks on Robert, he says (p. 45):—

"The Bishops of Somersetshire were still known in official language at Rome as *Episcopi Fontanenses* or Bishops of Wells, not as *Episcopi Bathonienses* or Bishops of Bath. Robert now procured that the episcopal position of Bath should be recognized, and from this time for some while after our Bishops are commonly called Bishops of Bath.¹ But it would seem that this is merely a contracted form,² for the style of Bishop of Bath and Wells, with which we are all so familiar, is found before very long. And there can be no doubt that the controversy" [between the monks of Bath and the canons of Wells] "was now settled by Robert on these terms, that Bath should take precedence of Wells, but that the Bishop should have his throne in both churches, that he should be chosen by the monks of Bath and the Canons of Wells conjointly, or by deputies appointed by the two Chapters, and that those episcopal acts which needed the confirmation of the Chapter should be confirmed both by the Convent of Bath and by the Chapter of Wells."

The terms here used are vague in the extreme. Such expressions as "it would seem," and "before very long," may mean anything. There is no occasion to slide over the facts, for the stages, at which alterations took place in the title of the Somersetshire See, are marked with as much exactness as the milestones of old were, and yet are, on the Great North Road out of London. Instances of each bishop's style can, with a little industry, be found at very frequent intervals throughout the term of his pontificate; the whole constituting a chain of proof that cannot

¹ Here a reference to "Historiola, p. 25."

² Mr. Hunter has hazarded this note in *Historiola*, 41; "Not to the exclusion of the ancient name *Fontanenses*, but in connection with it: the origin of the present name of the See, *Bath and Wells*."

be broken at any single link. When Mr. Freeman says "there can be no doubt" that Bishop Robert (1136-1166) settled the dispute between the monks of Bath and the canons of Wells, he relies on Wharton's note (*Anglia Sacra*, i. 561). This is likewise the authority cited by the late Sir Thomas (then Mr.) Hardy (*Fasti Ecclesiae Anglicanae*); and, before him, the Rev. S. H. Cassan plainly stated, trusting implicitly to Wharton, that this composition exists in the Register of Bishop Drokenesford. Elsewhere I comment on this Register which I have now personally examined on two separate occasions.

The only original sources for a history of the Somersetshire See are indicated by Mr. Hunter in his Introduction to (what he has named) *Historiola de primordiis Episcopatus Somersetensis*,¹ discovered by him and extracted from the Register of Bath Abbey, a valuable manuscript in the library of the Honourable Society of Lincoln's Inn. First is the section, *De Episcopis Wellensibus* in *De Gestis Pontificum Anglorum* by William of Malmesbury. Next in age is the *Historiola* above mentioned, which is brought down to the year 1174. Then, there are two histories distinguished by Mr. Hunter (or rather by Wharton before him), as *Historia Minor* and *Historia Major*, which are found in a large book of charters, remaining with the dean and chapter of Wells. The former, brief and scanty, is continued to the time of Bishop Harewell who died in 1386. The latter, more ample, gives the history of the bishops down to the episcopate of Nicholas Bubwith before named (1407-1424), successively bishop of London, of Salisbury, and lastly, of Bath and Wells. Wharton printed the *Historia Major* (*Anglia Sacra*, i. 554-571) from the Cotton MS. Vitellius E. v., collating his transcript with the Wells Cartulary, or Register. He ingenuously states that he wove the two texts of the smaller and larger histories together. The account in the Cottonian manuscript was a copy made 29 July 1592 by Francis Thynne (then at the house of William Lambard esquire at Hallinge in Kent) from a MS. of Laurence Noel, so that in Wharton we are three removes from the original, saving that (as he says) he collated his own transcript (*Profatio*, p. xxxviii):—

"Meum itaque Apographum ex Codice Cottoniano factum cum Wellensi Cartulario contuli; et ex ista multa à Noello ommissa et corrupta restitui atque emendavi. Ex Historia autem Minori, quaecunque Majori defuerant, huic intexui."

On the whole, the only safe plan is to go to the original at Wells; failing which, one of Matthew Hutton's manuscripts in the Harleian collection (6968) is an excellent substitute. Indeed, Hutton and Wharton very nearly agree in the words which I have to cite; and, as both give the same reference (*fol. 296 et sequent.*) it is quite certain that both are using the same volume.

¹ Printed in ECCLESIASTICAL DOCUMENTS (Camden Society, 1840).

Regarding the contention between the two churches under the government of Robert, this is all that appears (*Hart.*, '6968, f. 122):—

“Iste etiam pacificavit monachos Bathon. et canonicos Well. super quadam lite inter ipsos suscitata prout predicatur supra in prohemio presentis opusculi. Iste etiam complevit fabricam ecclesie Bathon.” *etc.*

The aforesaid (*prout predicatur*) is given at fol. 118 d. and the paragraph is printed at length among the proofs appended (no. 33). In effect, the account is this:—After the transfer of the episcopal seat by John of Tours from Wells to Bath with the assent of William Rufus, great strife arose between the canons of Wells and the monks of Bath, as to whether the bishop's seat should be fixed in the church of Bath or in the church of Wells; the canons asserting that the transfer could not hold because done without their consent and contrary to right, as no necessity or other lawful cause called for the change. This dispute was ended by Robert who obtained from the Holy See a decree, that the bishop's seat should henceforth be in both churches, but that the name of Bath should be placed first in the bishop's style.

Considering that this *prohemium*¹ enumerates sixteen bishops of Wells, the last of whom was John of Tours, and after him twenty bishops of Bath in succession, the *Historia Major* including Nicholas Bubwith (twice before mentioned) the twenty-first, it is demonstrated that the compilation cannot be earlier than the beginning of the fifteenth century. At the best, therefore, the writer lived 160 or 170 years after the actual change, of which he was treating, took place (A.D. 1245), and more than 270 years after the alleged ordinance of Robert which could not have been later than 20 Nov. 1136, if witnessed (according to Wharton's note (t), *Angl. Sacr.* i. 561) by William archbishop of Canterbury who died on that day (*Contin. Flor. Wigorn.* (ed. Thorpe), ii. 98), or, as some say, one or even six days later.

As to the authorship of this history, Mr. Hunter (Introd. 3) suggests:—

“There was in the fifteenth century a Chancellor of Wells who has left several tracts: some of which are historical; and who may have been the author of the *Historia Major* of Wharton. This was Thomas Chandler, who was also Warden of Winchester College. He was contemporary with Bishop Beckington,¹ to whom he inscribes his treatise entitled, “*De laudibus duarum civitatum et sedium Bathon. et Wellen.*” A contemporary manuscript containing this and other treatises by him is in the library of Trinity College, Cambridge.”

The *Historia Minor*, it may be well to add, makes no allusion under Robert to any quarrel or matter connected with the

¹ “Sequitur prohemium de tempore primeve inchoationis sedis episcopalis Wellie in qua a sui principio successerunt seriatim 16 episcopi quorum ultimus fuit Johannes natione Turonensis qui transtulit sedem Wellen. in Bathoniam, et fuit primus Bathon. episcopus cui successerunt in sede Bathon. 20 episcopi prout legentibus plene patebit.” (*Hart.*, 6968, f. 117d.)

¹ Consecrated 13 Oct. 1443; died 14 January 1464 (“*stilo Anglicano,*”). Godwin, *De Præsulibus* (ed. 1616), 433, 435.

bishop's style. Here is the entire section allotted to the bishop in this history (*Hurl.* 6968, f. 115 d.) :—

ROBERTUS, monachus de Lewes, qui in ecclesia Well. constituit Decanum et Precentorem primos. Ordinavit etiam prebendas de Jatton et Hywyssh cum ecclesia de Compton, necnon ecclesias de Northcory et Pederton a rege Stephano impetravit, qui cum sedisset 31 annis obdormivit in Domino, cui successit

REGINALDUS," etc.

The high value of *Historiola* is too evident to need insistence. The writer lived during the episcopate of Robert; and the history abruptly stops at the consecration of the next bishop in 1174. Not one word is said about any dispute between the monks of Bath and the canons of Wells. How, in point of fact, could the occasion arise, except by the voidance of the See? He tells us that Bishop Robert obtained from the Roman Court official recognition of the style, bishop of Bath. Our historians of to-day ask us to believe that, having caused to be expunged the designation of Wells, he immediately added it to Bath, and within the short interval between his own nomination to the See (no. 15) which was made in Easter only of that year (22 March 1135-6), and the extreme date, 20 Nov. 1136 (p. 169). This is persistently alleged without one atom of corroborative evidence, and in the teeth of absolute documentary proof that this bishop adopted one uniform style throughout his thirty years of rule. *Historiola* records a very important transaction that took place towards the end of Bishop Robert's pontificate, between the years 1164 and 1166 (no. 28), from the mention of Roger bishop of Worcester as being present. Here we find this historian, who almost certainly took part in these proceedings, employing the description, bishop of Bath; and adding, that to the two parts of the chirograph then written were appended the seals of the bishops, of the church of Wells, and of the knights, Payan de Penebrige and Roger Wyteng. All this detail goes far to show that the writer was an eyewitness of the scene described, and had inspected and handled the two writings. The same style is found invariably in every deed of Robert, and in every mention of him,¹ as may be seen by the instances given below (nn. 15-33) which might have been increased. One of these (no. 21) is a direct recognition by Pope Adrian the Fourth of the fact, that the Abbey of Bath was the head of the See (*præsuleam sedem*); and, moreover, the pope, in addressing Robert, calls him bishop of Bath. This was in 1157, twenty-one years after the date of the supposititious ordinance. The general conclusion must be against any such alteration, even if we had no further evidence. If I seem to

¹ See *Add. MS.* 4559 (used for the new edition of *Monasticon*). Madox made these excerpts from a MS. in the library of Corpus Christi College, Cambridge; and he uses these words (f. 88) :—"Then follow several very Ancient Charters, Enter'd in this Book in a very Stately Ancient Hand. Some of which are Here subjoined." "*Ecce Cod. MS. Bathoniensi penes Eosd.*"

elaborate this point, which I have admitted and again admit to be small in itself, it is only because I know how hard it is to kill a story that has once got into print, and to leave it completely dead and without a wriggle. So many persons are banded together on one side, that they have completely gained the ear of the public and rendered it deaf to all remonstrance, unless pitched in the loudest key and highest note. This is and must be my excuse for building up the pile so high that it may arrest attention, even at the most cursory glance.

Sir Thomas Hardy (*Fasti*, i, 129) to the text—"He [*i.e.* Robert] died in 1166, having governed the see thirty-one years, and was buried at Bath"—has this note (43):—

"⁴³ Annal. Burton., MS. Cott. Otho. A. iv, and Ann. Winton. 'Prid. Cal. Sept. obiit Robertus episcopus Bathon. et Wellen.'"

It is impossible to pass it by, for this edition (1854) is greatly consulted. The apparent meaning is, that the sentence is derived from one of these three manuscripts. At first, this direct quotation disturbed me, being so completely contrary to every scrap of evidence, in giving the double title to this bishop. I make no attempt at explanation. I content myself with stating as an absolute fact that *no such words* are to be found in any of the three manuscripts named. Two of these references (*Ann. Winton.* and *Cott. Otho, A. iv*) are printed below (29 and 31), the print having been again carefully revised with the originals. There remains the third (*Annal. Burton.*), which I write here direct from the MS. (*Cotton. Vespasian, E. iii.*)—

"M^o. C. lxvi. Regina peperit Johannem [filium] suum" [f. 2 d.].

Before leaving this bishop (who has detained me too long), I am to add something on the Register of Bishop Drokensford, which is said by Wharton (in the note so often before mentioned) to contain the terms of the arrangement made by Robert.

"Extat compositio in Registro Drokensford : quam ante annum 1139. initam esse constat ex eo quod Willelmus Cant. Thurstinus Ebor. et Rogerus Sarum Episcopi subscripserint. Eandem postea confirmavit Alexander III. Papa." (*Angl. Sac. i. 561.*)

I was naturally most anxious to see this entry; and my enthusiasm in the matter led me to go specially to Wells (1 Sept. 1884) for the purpose of obtaining a careful and exact copy of the whole deed as registered. The first difficulty I encountered was, that in a table of the most important matters contained in this volume there is no allusion to such a deed, although a Composition concerning certain mills duly appears here—a matter of far less importance than one affecting the relations of the two churches and the title of the See. There was nothing for it but to go through the book, page by page, first taking the marginal notes, and then (a second time) examining the entries in the text, one by one.¹ In the result I failed completely. A general Index

¹ A search on a second occasion (11 Sept. 1884) proved equally unsuccessful.

to the Institutions, &c., comprised in this register showed nothing under any of the words—"Compositio, Episcopatus, Bathon', Wellen'."

What I did find (at fo. 24) was the institution of the Deanery by Bishop Robert, and to this ordinance (n^o 17) are appended the names of the *selfsame* witnesses set out by Wharton (see before, p. 171). The attestation clause runs thus:—

"Acta sunt hec in presencia H. Winton' Episcopi et postea subscriptis testibus confirmata Will'o Cantuar' et Thurstano Ebor' Archiepiscopis Rogero Sur'... Exon' Simone et aliis."

As to Pope Alexander III. (1159-1181), according to the Wells Register, the canons of that place obtained a confirmation of all the rights, customs and liberties which they had enjoyed for 200 years up to the transfer of the seat to Bath, including the election of the bishops.¹ Again, a little before (*Hart.* 6968, f. 47, dorso) in the same register, written after the death of Jocelyn (whose burial in the church of Wells according to his desire is mentioned), is an outline concerning the disputed right of electing a bishop, and the details of Pope Alexander's confirmation are given:—

That, on the voidance of the See, the canons of Wells and monks of Bath shall assemble together and elect in common a bishop, and that the dean of Wells, according to ancient custom, shall solemnly pronounce the choice made. These details agree remarkably with what Wharton gives (using his own form) in the note above cited; but with this difference. Wharton adds,² that the bishop was to take his title not from one or other, but from both churches; whereas the Wells Register, after speaking of Bath having been made the cathedral church, has it—from that time up to now every diocesan of the place has been called bishop of Bath.³ This account has every sign of having been written just after the death of Jocelyn, during the contentious interval that thereupon ensued. Caution is obviously requisite in receiving *ex parte* statements. Here the canons allege the exercise of their right in elections for 200 years up to the time of Bishop John; and the monks on their side declare in 1243, that the right has been theirs for a hundred years and more. Now, these two statements are quite reconcileable; one party asserting its right up to 1100, the other from 1136 to 1242.

The entries in the Wells Register (*Hart.* 6968, f. 48) at this point are of the highest value, for the case of the dean and

¹ "Item habent [Decanus et Capitulum Well.] literas Alexandri pape per quas confirmat Dec. et capitulo Well. et eidem ecclesie canonicas consuetudines libertates et immunitates et episcoporum suorum electiones sicut eas a ducentis annis usque ad tempus Johannis episcopi sui qui sibi sedem in ecclesia Bathon. constituit." [*Hart.* 6968, f. 48.]

² If he "wove together" the two accounts (*Historia Major* and Wells Register at this place), the result would be exactly what he has set down.

³ "Bathon. episcopum ex hoc vocando et hactenus postea sic vocatus est episcopus Bathon. quilibet illius loci diocesanus."

chapter is set out at length. It was evidently based on the Privilege granted by Alexander III., and their side must have engaged skilled advocacy when they had the boldness to approach the pope with a prayer made up of these forms following, which are drastic enough in all conscience :—

1. The election of the Precentor of Sarum as bishop of Bath to be quashed ;
 2. The whole election to be restored to the church and canons of Wells ; or, at least, this turn ;

3. Henceforth the election to be in rotation ; the first, if at all possible, to be had in the church of Wells and by the canons only ; the second, entirely in the Monastery of Bath and by the monks there.

Or, the canons of Wells and the monks of Bath to elect in common together ; the first time, in the church of Wells, the next, in the monastery of Bath ; and so, successively, for ever ;

Or, some indifferent place (*certus medius locus*) to be appointed by the pope for the two electing parties to meet ; and for this purpose a selection to be made from these parish churches—Norton Canons (Midsomer Norton), Farrington, Whitchurch, Doulting, Chewton, Stone Easton.

Or, the whole cause to be submitted to wise and discreet persons out of England, as, for example, the Bishop, Dean and Chancellor of Paris ; or to others, at the will of the pope, on account of the power of the English magnates who intermeddle, so that scarcely any church can be ordered in a fitting manner, whereby loss and injury and damage accrue to all the churches in England ;

Or, both parties to be summoned to the Court of Rome.

Observe that no suggestion whatever is broached as to the style of the bishop. Nor does this question of title appear in the numerous letters which refer to this dispute, and are preserved in the Register of Bath Abbey : as may be read in the Appendix of Proofs under the subdivision—"Interval after the death of Jocelyn."

In the outline before given (p. 163) of the contention between the two churches, some details were passed over which may be inserted here, although all the documents relating to the matter are printed below at length. Bishop Jocelyn died on Wednesday, 19 Nov. (13 Kal. Dec.) 1242, but the canons did not announce the event to the monks of Bath until the Saturday following (22 Nov.). It is impossible to overlook the slight thus put upon the latter who, considering that the distance between the two places could be easily covered by a mounted messenger in a day, might well feel hurt at this tardy notice of their diocesan's death. But the canons had an object in gaining time, for Jocelyn had bequeathed his body to be buried in the church of Wells ; and, even though the interment had then not actually taken place, the interval must have been employed in preparing for the obsequies. The body of the bishop must have been at once laid out robed in pontificals, and surrounded with all the ceremonial fitting for the degree of a defunct prelate. Some allowance may be made for the jealousy of the monks that their Abbey, which was as yet most indisputably the cathedral church of the diocese, had been superseded. One of the grounds of complaint by them shortly after (28 Feb.) was, that they had been robbed of the body of their bishop (*et etiam pro spoliatione corporis bone*

memorie Joscelini Episcopi nostri). The relations between the two religious bodies were, doubtless, strained by this incident at the earliest moment. The monks had no alternative but submission.

The temporalities were taken into the king's hand on 27 Nov. only, for the keeper (Robert de Paslewe) is found afterwards accounting for them from that date up to 10 May 1244, the day of delivery to the Elect of Bath. On 29 Dec. 1242 the monks notified to the Universal Church their appointment of proctors to treat on the morrow (30 Dec.) at Farrington with the canons of Wells upon the business concerning the election of a bishop. About the same time they sent two of their body to the king, then at Bordeaux, with a letter (undated) praying for a *congé d'élire*. This was granted by the king 6 Jan. 1242-3, with reservation as to the right (if any) of the church of Wells. On 29 January the messengers returned, and the next day (30 Jan.) the monks gave notice to the canons of their intention to proceed with the election on Friday after the feast of the Purif. B.V.M. (6 Feb 1242-3); inviting their presence, but guarding themselves against implying by such summons anything that was in derogation of their own sole right. The canons not appearing on the day fixed, the monks proceeded without them; and their choice fell unanimously on Roger, Precentor of Sarum, to whom they announced by letter (undated) his election. On his acceptance, they wrote (15 Feb.), presenting their Elect to the king. By letter on 26 Feb. they warned the dean and chapter of their appointment of proctors to uphold their election of Roger, and again, two days after (28 Feb.), of their appeal in the matter of the contested right to the bishop or dean of London.

Meanwhile some things had happened which were necessarily unknown to the learned lecturer on Wells, for no printed book contains any allusion to them. They are to be found only in the Bath Register; and let me seize this opportunity to express my hearty thanks to the Library Committee of the Honourable Society of Lincoln's Inn for liberally allowing me to make use of their manuscript, which has been simply invaluable for the purposes of this paper. It gives me much pleasure also to acknowledge the kind and courteous attention invariably shown by Mr. Nicholson, the Librarian, on the occasion of my visits.

When the king granted (6 Jan. 1242-3) a *congé d'élire* to the two monks from Bath, it was his wish that his treasurer, Peter Chacepore, should be promoted to the vacant bishopric. Whether for once there was an honest *Nolo episcopari* or not must remain matter of conjecture. The king almost instantly changed his mind for reasons not made known (*ob certas causas*), and wrote (9 Jan.) unconditionally withdrawing his nominee. About this time Henry displayed a feverish anxiety to place his Treasurer somewhere. A prebend at London or Carlisle—anything good

that was going, or likely to fall in. Pending some such vacancy, Chacepore was employed in confidential missions abroad, where the king (as we know) then was. Again Henry's mind changed, and he sent a letter to Bath by a trusted messenger, who arrived at the Abbey on the twelfth day after the election (17 or 18 Feb.), conveying a special command (*speciale mandatum*) to elect the Treasurer to the See; and fourteen days later (3 or 4 March), a second letter came by another hand to the same purport.

In their reply (undated, but probably not later than 4 March) to both letters, the prior and convent recount all they have done in the matter of the election; and, after urging the eminent fitness of their Elect, who had agreed to accept the sacred office only after due deliberation with his own chapter of Sarum, they conclude by throwing themselves on the king's clemency, while they feel compelled to say that any change is now quite impossible. The monks write in a similar manner to the Archbishop of York, who had also (it seems from the terms used) been pressing Chacepore upon them.

The sequel is not a little significant. When the monks had definitively thrown over the Royal candidate, the king proceeded (12 March) to grant a *congé d'élire* (with reservation as to the right (if any) of Bath) to the chapter of Wells, by the dean and one of the canons who had gone over to Bordeaux. The only *data* for forming an opinion are those supplied by the series of letters entered in the Bath Register. To my mind they indicate a distinct collusion between the king and the chapter to bring in Chacepore and oust Roger; but, whatever else they show, they by no means sustain Mr. Freeman's bold allegations which I give in his own words (p. 105):—

“Roger, the successor of Jocelin, may be called the last Bath Bishop. In his election Bath made its last effort. On Jocelin's death the monks of Bath, contrary to the agreement which had been made, ventured to make an election without joining with the Canons of Wells. The story is very characteristic of the reign of Henry the Third. The Pope and the King joined together to do an illegal act to the prejudice of Englishmen. The monks of Bath got their *congé d'élire* from the King; then they elected in this irregular way; the elect went to the Pope, Innocent the Fourth, who, glad no doubt of such an opportunity, took no heed to the appeal of the Wells Chapter, conferred the Bishoprick on Roger by his own authority, bargaining that the preferment which he vacated, the Precentorship of Salisbury, should be given to his own nephew. The new Bishop was consecrated at Rome, and the temporalities were restored to him by the King. This is a sort of thing which could hardly have happened at any time earlier or later. Both in earlier and in later times we suffered a good deal at the hands of both Kings and Popes, but Henry the Third was the only King who habitually conspired with the Pope against his own people. It really adds to the shamelessness of the whole story that, when Innocent had gained his personal point, when he had established the precedent that the Pope might if he pleased appoint to an English Bishoprick, when he had further established his own kinsman in an English living, he then was ready enough to confirm the former agreement, and to decree that the rights of the Chapter of Wells in the election of the Bishop should be observed for the future.”

Apart from confusion, the result of wrong information concerning the order of events, all this talk about what

“we suffered at the hands of both Kings and Popes”

is totally inapplicable to the present case. Henry and Innocent could not have laid their heads together, or “conspired,” because each was bringing forward a different man, allowing that the pope had any desire to favour the Precentor of Sarum, of which there is no proof. For my part, I reject the insinuation of Matthew Paris, that Innocent wanted a fat prebend (*præbenda opima*) for his “nephew,” and arranged the matter with the then holder of it by promoting him to a bishopric. I need not take up the cudgels for the pope, when I have the Professor on hand with the distinct advantage, that he is alive at this moment and very ready on all occasions to hit back. His “swashing blow” is notorious. By his reference to *Anglia Sacra*, i, 564, and Wharton’s note, I see what he wanted to say, but *more suo* he has strayed from his text.¹

“The new Bishop was consecrated at Rome.”

We know how like Macedon and Momnouth are, not only for having a river and “salmons in both,” but because they both begin with the letter M. Now, Rome and Reading have each a river, and both begin with R. It cannot be denied that the Professor has one letter right at all events. It was at Reading, not Rome, that Roger was consecrated; and so it stands in print, quite clear and plain. This instance illustrates yet further that proneness to inaccuracy, on which I have remarked elsewhere. Mr. Freeman was under the delusion (inspired by Wharton), that the king admitted the Elect of Bath to the temporalities in June 1243, instead of (as the date should be) 10 May 1244. The consequence is, that everything is out of order, and “rammed, jammed and crammed” into a most extraordinary muddle.

Stay. Did I but now speak of the insinuation made by Matthew Paris? I am wrong. The insinuation is none of his, but Mr. Freeman’s (again prompted by Wharton). Just then the hand of the pope was full sore on both Church and Convent, and the monk of Saint Albans consequently in his bitterest mood. At this point of his history he is roused to most righteous wrath by the high-handed proceedings of Master Martin, the Papal Nuncio. Haply the Lord Abbot of his own monastery had been requisitioned to “give” a costly and favourite palfrey, on the

¹ This is Wharton’s note:—“Ipsi [i.e. Monachi Bathonienses] interim, impetratâ prius Regis licentiâ, Canonicis non expectatis Rogerum eligunt. Electum Rex ad temporalia a hmisit 1243. mense Junio. Canonici Papam appellaut. Papa editâ anno 1244. sententiâ parem esse debere Monachorum et Canonicorum in Episcopo eligendo potestatem definitivâ; Episcopatum tamen Rogero non ritè electo contulit, eâ lege, ut Præbenda ejus Saresberiensis nepoti suo concederetur. Consecratus est Rogerus apud Radingam 1244. 11. Sept.” [*Angl. Sacra*, i, 564, note (z).]

plea that the special representative of His Holiness should be well mounted. The ample powers entrusted to Martin by the new pope enabled him to beat down all opposition. Fines, punishments, nay, excommunication—all were resorted to by this foreign ecclesiastic in order to gain his master's ends. Thus does the monkish historian approach his grand climax :—

“Sedulus etiam explorator ecclesias vacantes et præbendas consideravit, ut ipsas patenti suavi Papalis indigentia presentaret. Inter quas dum præbenda opina Sarisberiensis ecclesie, spectans ad præcentorem, vacaret, invito episcopo et nimis dolente cum toto capitulo, manus rapidas eidem præbendæ statim iniecit, et jussu Papæ eadæm puero nepoti suo non sine multorum cordium amaritudine contulit et stupore. Credebant enim multi et sperabant, quod Romana curia a Deo multipliciter jam flagellata freno moderaminis suam avaritiam coherceret.” [*Matt. Par. Chronica Majora* (ed. Luard), iv. 285.]

What Paris says turns out to be no more than this—the prebend belonging to the precentorship of Sarum being vacant, the Nuncio, against the will of the bishop, and to his grief and that of the whole chapter, seized it and conferred it by the pope's command on a kinsman of the latter (variously called *nepoti, nepotulo, consanguineo*). Absolutely not a word about collusion, because this was impossible. Yet this passage in *Chronica Majora* is the authority boldly applied in support of the story. It will be remembered that the election of Roger took place 6 Feb. 1242-3. At that time the Holy See was vacant, and had been so since Nov. 1241. Innocent IV. was elected 24 June, and consecrated 28 June 1243, nearly five months after the imbroglio began. Even a pope can scarcely be held responsible for complications that occurred long before his own elevation to the chair of Saint Peter. It is clear that there could be no connection between the void precentorship and the *quid pro quo* suggested by Mr. Freeman. It is a pretty story, but one that labours under the trifling disadvantage of having no foundation. Again, even a pope may sometimes go straight forward, if only by accident. I will not insult the reader's intelligence by repeating the facts. But more. Dr. Luard in his edition of *Chronica Majora* has put the passage about Martin's arrival in England, and his grievous acts, under the year 1244. We are led direct to the conclusion that, *after* the precentorship was actually void by the promotion of Roger to the See of Bath—after (that is) 10 May 1244—and, it may be, pending his consecration, did Martin lay hands on the prebend and give it to the pope's nominee. When I glance back at the words :—

“It really adds to the shamelessness of the whole story,” &c.

it occurs to me, that shame rather clings to those who make opprobrious accusations which crumble into nothing at the touch of a few dates and facts.

The prior and convent of Bath laid their case in detail before the pope in a letter to His Holiness, dated 17 Sept. 1243; and, on the same day, made known to the Universal Church their ap-

pointment of two proctors to represent them at the Court of Rome. The canons of Wells had suggested as a final alternative that both parties should be summoned to the presence of the pope. Innocent's judgment (before given, p. 163) was grounded on the injury done to the diocese by being so long deprived of its pastor; and, viewing the personal fitness of the Elect, as to which abundant testimony was had, he confirmed the election, if and though irregular, reserving the question of sole or joint right for future consideration. His conduct throughout wears the appearance of being thoroughly judicial and impartial; and in the end (as we have seen) he gave the chapter of Wells all that they asked. Bishop Roger, pulled up sharply by the pope, thenceforward acted loyally, and made a provision for the procedure to be observed in time to come in the election of a bishop to the see when vacant.

Passing from Roger who is now clearly proved to have been "the first bishop of Bath and Wells," I cannot tear myself immediately from Mr. Freeman's volume, so powerful is the spell exercised by its fascinating pages. After tracing portions of this little *History* which cannot be reconciled, one with the other, and still less with documents having all the force and weight of legal evidence, I fail to perceive the basis of that limitless confidence which Mr. Freeman reposes in himself. Whatever he may think, he has by no means shuffled off the fallibility of human nature. When I observe the truculent and arrogant tone in which he habitually writes of nearly all his contemporaries, while striking the attitude of the One Historical Lawgiver, I feel curious to learn on what ground of personal acquirements he ventures to use this unscrupulous language, and to affect this audacious assumption of superiority.

We simple folk give these great historians and learned writers credit for painful and protracted searches after original documents, found only with difficulty, and, when found, exhaling a most forbidding and musty odour of great antiquity. In our blind ignorance, we are duly impressed with awe at the wonderful facility which they have acquired of reading in a dead language strange and contorted characters traced on these old parchments. What, then, must be the shock to all our preconceived beliefs when one of them lifts the veil, and lets us view him coming down a little nearer to our own poor level of modest humanity? Such, for instance, as the now Regius Professor of Modern History in the University of Oxford, who with a candour that is bewildering owns his inability to read manuscripts.

"To me (he says¹) a manuscript becomes practically useful only when it is changed into the more every-day shape of a printed book."

And in the Lectures, which have already furnished me at least

¹ *Givaldi Cambrensis Opera* (ed. Dimock), vii. Preface, ciii.

with much delightful and instructive reading, he had before said (p. 73) :—

“But I should add that I have not had, like the Professor [Willis], the advantage of a diligent study of the manuscript documents in possession of the Chapter. I once glanced at them in company with Professor Stubbs, and that is all. When these documents are printed, as all documents of the kind ought to be printed, I hope I may be able to make good use of them; but while they are shut up in manuscript they are useless to me. Searching into manuscripts is a special gift, one which Professor Willis and Professor Stubbs, and some nearer to ourselves, possess in the highest degree, but it is a work for which I have neither time nor inclination.”

In the Preface to these Lectures (xi.) :—

“I have therefore been left to my own resources, that is, as far as documents are concerned, to the ordinary printed authorities in *Anglia Sacra*, the *Monasticom*, and elsewhere.”

If proof were wanted how totally insufficient are the “ordinary printed authorities” for even the “sketch” which the lecturer has here attempted, it would be found in this volume with overpowering force. Indeed, as I turn over its leaves, something graver and infinitely more important comes to light. I detect throughout these pages an infirmity, a confirmed habit of inaccuracy. The author of this book, I should infer from numberless passages, cannot revise what he writes. He must accustomedly rely upon a memory which is conspicuously defective. This, it may be said, is a mere opinion, and must be taken for what it is worth. I desire no more, and select a few paragraphs in confirmation of the opinion which I thus deliberately express. And I ask myself, and I ask you: If such be the case here, what errors may not be found in the learned Professor’s five volumes on the Norman Conquest? The answer is not easy. In the first place, the period offers a boundless field for speculation. With ordinary care you can say what you like with little risk of being found out. The task of tracking facts, if facts there be, is—O, how weary, how weary! A skilled writer, endowed with ample self-confidence, and wielding a domineering style, can carry his reader whithersoever he pleases. Next, there are no ugly Pipe Rolls with their remorseless facts and figures, no Patent and Close Rolls, no Writs of Privy Seal; merely a few charters scattered here and there, the vast majority undated, and so affording no clue except by the names of the witnesses. Even these are often represented by initials for their Christian names, their titles (if any) written in contracted forms, or even omitted. Now you may take up a father, now a son, or an uncle and nephew, if bearing the same name. There is nothing to prevent two or even three men being rolled into one. Territorial names are changed with fresh acquisitions, or on marriage with heiresses. You have nothing left but old chronicles, which require careful steering to learn how much the writer knew of his own knowledge, how much he copied from another and earlier historian. Some of them began the year on Christmas-day, some on the

Kalends of January, some on the feast day of the Annunciation. Their omissions are glaring. Important events are passed over. The acts of a year fall into an octavo page of letter-press, and sometimes less. Even as printed, these "Chronicles and Memorials" have now so grown in number as to entail severe labour in hunting up a single fact or date. The last named, if the day of the week be given, frequently does not agree with the day of the month expressed by numerals of the Roman Kalendar. One or other must be wrong. Which? Then, the narratives are composed with distinct leaning to one party or the other. The good deeds of this omitted or misjudged, the misdeeds of that exaggerated or condoned. To make a trustworthy history out of this confused mass of materials is nearly impossible. I may be told that Professor Freeman has done this. If it be so, then the wonder remains how, with an incomparably lighter task before him, he has betrayed an incapacity to follow the "printed authorities," and seems to have relied mainly on his "own resources," adopting now a tutorial, now a grandmotherly style, and ever and always an affectation of omniscience. How egregiously wrong he has gone the records cited will show. I am thus brought by a natural and easy transition back to the *History of the Cathedral Church of Wells*, which will for ever remain a prominent warning as to

"the way in which local and general history may and ought not to be brought together."

Remember the words of the immortal Mrs. Glasse—"First, catch your hare." First, get your particular history correct, and then you may spread yourself towards the general.

There is one very interesting historical fact mentioned by Mr. Freeman, of which all antiquaries will like to know something more, as it relates to the charter of king John (p. 71):—

"For a short time Glastonbury, much against the will of its own monks, remained an episcopal see, with the Bishop for its Abbot, and Jocelin himself signs the Great Charter by the title of Bishop of Bath and Glastonbury."

Hitherto it has been understood that the Great Charter was not signed at all. This has been the belief of those who have paid most attention to the subject, from Sir William Blackstone to Mr. E. Maunde Thompson, now Keeper of Manuscripts in the British Museum. Blackstone's work¹ is before me, and, although he speaks (Introd. xvi) of the "Articles" as being under the Great Seal of king John (in whitish yellow wax and but little injured by time), nothing is said about signing these, even by the king. He continues (p. xvii):—

"When these articles were agreed upon and sealed, the next employment seems to have been to reduce them to the form of a charter; of which such a number of originals were made that one was deposited in every county, or at least in every diocese."

¹ THE GREAT CHARTER, &c. Oxford, 1759, fol.

The term "originals" would seem to be used here in the sense of "repetitions" of the first document written out in the form of a charter. Clearly Mr. Freeman has been fortunate enough to fall in with the "only real and original" MAGNA CHARTA; and, notwithstanding he never tires of repeating that he cannot read ancient writings, in this instance, doubtless inspired by the *genius loci*, he has managed to spell out the name and title of "Jocelin, Bishop of Bath and Glastonbury." This is a very great discovery. Surely, he will not be so unkind as to withhold his knowledge of the place in which this most valuable archive is now lodged. Is it *penes Professorem*, or where? If Mr. Freeman prove obdurate, will not some Wells Delila wheedle the secret out of the Somersetshire Samson? The Great Charter which forms the foundation of our cherished liberties must henceforth possess a higher and more sacred value in the eyes of Englishmen, and particularly of Somersetshire men, from the signature of Bishop Jocelyn. To me the news is most welcome, as an additional exemplification of the prelate's style in June 1215.

The lecturer recounts (p. 70) how Savaric annexed the Abbey of Glastonbury to the Bishopric, and how eventually the controversy about this matter terminated by Bishop Jocelyn giving up his claims, and the monks of Glastonbury at considerable sacrifice regaining their former rule under their own Abbot. The lecturer then proceeds (p. 71):—

"This agreement was made in the year 1218, and from that time till Jocelin's death in 1242, it would seem that his chief attention was given to the rebuilding of the fabric of the church of Wells, to some further changes in the constitution of the Chapter, and to other good works in the city. He could not have begun his works at Wells before 1211; for the first five years of his episcopate were spent in banishment under the tyranny of John. Jocelin was a Wells man in every sense of the word. As he is called Jocelin of Wells, and as his brother Hugh, Bishop of Lincoln, is called Hugh of Wells, both were doubtless natives of the city," etc.

In these few lines there are three separate statements, all of which I traverse in these terms:—

1. The agreement between the churches of Bath and Glastonbury was NOT made in 1218;
2. Jocelyn did NOT spend the first five years of his episcopate in banishment;
3. Jocelyn was NOT a Wells man in every sense of the word.

1. Mr. Freeman follows all other writers (he has let us into the secret why) in making 1218 the year in which the dissolution between the churches of Bath and Glastonbury took place. This case furnishes one of those delicate tests that prove how much—or, shall I say, how little?—successive writers do in order to verify or examine accepted dates. Now, there can be no doubt whatever that the dissolution of the two churches was pronounced by Pope Honorius III. 17 May 1219, *not* 1218, in spite of the Bull being actually dated in the latter year. Errors in the year of Our Lord are not unknown in Papal missives; but,

when they do occur, they can be very readily detected by the year of the Pontificate or the Indiction. It is so here; but, as every writer has adopted the mistake, and it has now passed from hand to hand, and been printed in so many books, so many "standard" works, so many "authorities," my contradiction and disproof can be no more than a fugitive note. I find the Rev. Walter W. Shirley saying (*Royal Letters*, i. 10, note 1), that a certain letter of Bishop Jocelyn addressed to the king "cannot be later than May 17, 1218, when the union between the churches of Bath and Glastonbury was dissolved. Le Neve, ed. Hardy, i. p. 130, n. 56." Thus, one person misleads another. "What is everybody's business is nobody's business." It is always very much easier to take things for granted than to inquire into them; far simpler to copy from another than to take trouble yourself. To return to the incorrect date. These are the words (*Add. MS.* 15,351, f. 331):—

"Datum Rome apud Sanctum Petrum per manum Ranerii sancte Romane ecclesie Vicecancellarii xvj. Kalendas Junii. Indictione vij. Incarnationis Dominice Anno M^o.CC^o.xvii^o. Pontificatus vero domini Honorii Pape III. anno tercio."¹

Indiction VII. answers to the year 1219 (Nicolas, *Chronology of History*, 58). Honorius III. was crowned pope on Sunday, 24 July² 1216, so that May of his third year must fall in 1219. Beside this explanation, the following table shows the sequence of events in chronological order, so that I need not waste time and space by going into the matter. Again, the printed books have not been thoroughly consulted. Hearne's edition of *Adam de Domerham* is not a scarce or recondite work. It stands on the shelves of the Reading Room at the British Museum; and I am anxious to acknowledge, once for all, how much I owe to these two volumes in this instance, and in numbers of others.

Domerham, vol. ii.	Anno Domini	Date.	Event.
Page 464	1218	June 6	Pope Hon. III. to bp. Bath and convent of Glastonbury. <i>Rome</i> , viii. <i>Id. Jun. a^o 2 do</i> [<i>Add. MS.</i> 15351, f. 200.]
471		June 10	The same to Ric. bp. Sarum and Pandulf, bp. Norwich. Mandate to arrange dispute between bp. Bath and convent Glaston. <i>Rome</i> , iii. <i>Id. Jun. a^o 2do</i>
466		January 3 (Oct. S. John Ev.)	Parties appear (bp. Jocelyn in person) at Shaftesbury before Ric. bp. Sarum and S. Abbot of Reading. Composition arranged.
467		February 13 (Eve S. Val.)	Wm. and Michael (monks of Glast.) set out for Rome, taking Composition with them.

¹ See *Monasticon*, ii. 270.

² The change on entering his second year is well exemplified by a Bull of this Pope, dated IX. *Kal. Jul.* (24 July) 1217, *anno secundo*. (Cocquelines, Carlo—*Bullarum* etc. *Collectio*, tom. 3, 189.)

Page 474	1219	May 17	Pope to pr. and conv. Glaston. decrees DISSOLUTION OF THE TWO CHURCHES.
		May 30	<i>Romæ</i> , xvi. <i>Kal. Jun. aº 3º</i> Pope to pr. & conv. Glast. renewing privilege of Pope Coelestinus as to pontificals, &c.
475		July 6 (Oct. SS. Pet. Paul)	<i>Romæ</i> , iii. <i>Kal. Jun. aº 3º</i> The two monks return to Glastonbury from Rome.
		July 8 (S. Grimbald)	Monks elect Wm. (one of their messengers) above-named to be Abbot.
		July 10 (Eve Transl. S. Ben.)	Abbot-elect is presented to bishop and admitted.
		July 12 (Morr. Transl S. Ben.)	Bishop gives benediction to Abbot.
		August 11 (Morr. S. Laur.)	Bishop Jocelyn comes to Glastonbury. Convent seal is set to the aforesaid Composition.

2. Mr. Freeman commits himself to 1211, as the year of Jocelyn's return to England, in the words,

"the first five years of his episcopate were spent in banishment under the tyranny of John ;"

for the bishop was consecrated in 1206. If any unfortunate wight had made such a slip as this, the Professor's trenchant pen would have been down upon him and called him to account for crass ignorance of a most important event in the history of his own country. He would have been told in galling and scathing terms that John, the most craven and worthless of our "Angevin" [I thank thee, Professor, for teaching me that word] kings, having submitted (13 May) and resigned his kingdom to the pope (15 May), admitted to his peace, 24 May 1213, Jocelyn (among others), who had not then returned from abroad (*Foedera*, i, 111-112). Not till after this date, therefore, could the bishop even think of beginning any works at Wells. Of course, I am aware that the Professor knows all this as well as I do, if not a great deal better. It is to be hoped that he will be a little more lenient in future, when he sees what blunders he can make himself, and how his great wits sometimes go a-wandering.

3. There are some reasons for doubting that Jocelyn was born at Wells. Bishop Godwin, to whom he was a marked object of veneration, expresses himself doubtfully. In his earliest Catalogue (A.D. 1595) he goes off at score on the subject. I venture to turn the passage into English (*Otterbourne* (ed. Hearne), ii. 658):

"At thy times now we arrive, Jocelyn, the grace and highest ornament of our church, and its kindest patron, the first bishop of our own nation since Merewit; not English only, but of Wells also, wholly Wells: here (if I am not deceived) born,¹ and

¹"Sed nec Anglus solum, verum Wellensis etiam, totus Wellensis; hic (ni fallor) natus, et ab ipsa pueritia in hac nostra (vel sua potius dixerim) ecclesia jam inde semper educatus."

from very childhood in this our (or, should I not rather say, his) own church thenceforward brought up. By the highest right, therefore, he appropriated (*usurparit*) the name of Jocelyn of Welles; as the custom of those times was that every one (above all, a clerk) should borrow his surname most commonly from the place where he chanced to have his birth or education. Chosen again and again, every circumstance observed with great care," *etc.*

Some years after, Godwin is more curt in his notice (*A Catalogue, &c.* (1615), 365):—

"Before the end of the yeere 1205 Ioceline a Canon of Wels borne also and brought up in Welles (at least wise as to me by divers arguments it seemeth) was consecrate unto this See at Reading. The Monkes of Glastonbury were by and by doing with him; and after much contention prevailed," *etc.*

In *De Presulibus, &c.* (1616), 422, he merely turns the foregoing into Latin:—

"Aute exitum anni 1205. Redingæ consecratus est in Episcopum huius diocesis, Iocelinus, Canonicus Wellensis, qui etiam (sicuti multis iudicijs mihi videor comperisse) Wellæ natus est et magna ex parte educatus. Glastonienses illicò rerum suarum satagunt," *etc.*

It is manifest that Bishop Godwin never gets beyond thinking it probable that Jocelyn was a native of Wells. Jocelyn himself, having the opportunity of stating the fact on a particular occasion, when he desired to add to the dignities of the church of Wells, markedly avoids saying anything definite in the words (*Harl.* 6968, f. 38 d):—

". . . Preter generalem quam universis et singulis nostre diocesis ecclesijs debemus in Domino provisionem specialem ecclesie beati Andree in Wellis curam ferventiori studio tenemur impendere que nos in gremio suo genitos et uberibus consolationis sue tenerius educatos ad eum quem licet immeriti statum tenemus materna semper affectione perduxit. Et quoniam per merita mitissimi Apostolorum" *etc.*

The language here applied by the bishop to the church of S. Andrew is highly figurative. He speaks of himself, as

"nourished in her bosom and tenderly reared on the paps of her consolation, until with ever-during motherly love she brought him to that estate which, though unworthy, he now holds."

Contrast this mystic sentence—which (so far as it is intelligible) points only to a spiritual connection—with the plain terms used by another prelate, who in most simple and touching words shows his abiding affection for his birthplace. Thus Archbishop Rotherham in his will (*Liber Niger Scaccarii* (ed. Hearne), ii. 669):—

"Tertio, quia natus fui in Villa de Rotherham, et baptizatus in Ecclesia parochiali ejusdem Villa, et ita ibidem natus in mundum, et etiam renatus per Lavacrum sanctum effluens à latere Ihesu, cujus nomeu, O! si amarem ut deberem et vellem! Ne tamen horum Oblitor ingratus videar, Volo quod" *etc.*

The persistent manner, with which Mr. Freeman enlarges upon ideas gained solely from printed books, is well illustrated in the following passage (p. 102):—

"It was during the blackest night of oppression, in the days of the tyrant Rufus, that the name of our church was for a moment wiped out from the roll of Bishopricks, and that its ministers were reduced to beggary by the arbitrary violence of a foreign Bishop."

A moment! A moment, then (it seems) is equal to a century and a half, or thereabouts, for the name of Wells was not restored "a moment" before 14 May 1245, the date of Pope Innocent's letter, as we have already seen. Observe that there is no special pleading here, no burst of eloquence calculated to tickle the ears of a Wells audience, when all the time the lecturer was perfectly well aware—indeed, he admitted in his first lecture (p. 35)—that a project was long on foot for moving the seats of certain bishops from small towns to larger places, and that Wells was actually the *last* of the towns so affected. Hearne (*Domerham*, i. 281) gives 1078 as the year in which, at a Council held at London by Archbishop Lanfranc, it was resolved that the seats of five bishops (Wells being one) should be removed "ex oppidulis in urbes."

If the reader will turn back to page 162, he will see that Mr. Freeman's table makes the "moment" to last at all events till 1218 (his date for the dissolution of Bath and Glastonbury). The ecclesiastical title has been in these lectures manipulated with a dexterity usually displayed by another sort of professor; but the thimble is lifted at last, and the pea is found to be Jocelyn. The puzzled by-stander thought now it was Robert, now Reginald. At last, the operator being bound to produce it, lo and behold, it is Jocelyn!

Much, very much more might be extracted for further comment; but I have written enough, and indeed more than enough, if I am to meet with the fate confidently foretold by a local antiquary, who was not long ago high sheriff of Somerset. He is good enough to say with a genial, spreading, county-magistrate kind of smile, that he looks forward with delight to "Freeman" (quite, you see, friendly with the great man) utterly smashing me. "Won't he scarify you!" Now, I frankly own, that "scarify" is too abstruse and difficult a word for me. What does it mean? I turn to Todd's edition of Johnson, and I find:—

"To SCARIFY *v. n.* To let blood by incisions of the skin, commonly after the application of cupping-glasses;"

and the word is illustrated with a quotation:—

"You quarter foul language upon me, without knowing whether I deserve to be cupped and *scarified* at this rate.—*Spectator*."

We shall see. An American humorist has given the caution: "Never prophesy, unless you know." Making no pretension whatever to the prophetic gift, I may yet venture on a guess. The learned Professor, looking down from the sublime height to which he has been lifted by a crowd of admirers, and thoroughly sure of their adulation whatever may betide, will (I believe) regard me, as

"utterly beneath notice. An obscure individual whom I will not even name, and by that means balk him of that notoriety which he evidently covets, and which as evidently he can obtain in no other way," and so forth, and so forth.

Choice epithets culled from the inexhaustible vocabulary of a Past Master in Vituperation ; such as, "hack," "drudge," "dunce," "dolt," "idiot," "booby," "madman," &c. &c. will not darn the holes picked in his Wells lectures. If he should industriously employ himself in taking up these ravelled threads, he will have quite enough to do for a little while.

To conclude. I can hardly expect any reader to wade through all that I have here written. He will probably do what I might do myself in the like case of a lengthy contribution ; that is, skip a good deal, and pick out a bit here and there. Well, I thank him and every one by anticipation for even so much. -What is of far more serious concern to me is that, this paper having run to so inordinate a length, the Appendix of evidences must be postponed to a future number. I had hoped to the last that some at least of these proofs (already in type, so far as no. 33) might have appeared now ; but I learn to my very great regret that the limited space forbids any such addition. In the meantime, the reader may rest content with the assurance, that for every fact above stated actual documentary evidence is forthcoming.

JOHN A. C. VINCENT.

(To be continued.)

THE FIRST BISHOP OF BATH AND WELLS.
APPENDIX OF PROOFS.

BISHOPS OF BATH.¹

John of Tours,

consecrated in July 1088; died 26 Dec. 1122.

1

1090-1.—*Charter of William II. confirming the abbey of Bath to John, heretofore bishop of Wells, in order that he may establish there the seat of the Somersetshire See.*

Pax in perpetuum Deicolis omnibus, tam futuris quam presentibus. Quoniam etc absque omni immutatione perenniter mansura. Quocirca ego Willelmus, Willelmi regis filius, Dei dispositione monarches Britannia, pro mea, meique patris remedio anima, et regni prosperitate, et populi, a Domino mihi collati, salute, concessi Johanni episcopo abbatiam Sancti Petri Bathonia, cum omnibus appenditiis, tam in villis quam in civitate, et in consuetudinibus illis, videlicet, quibus saisita erat ea die, qua regnum suscepi: dedi, inquam, ad Sumersetensis episcopatus augmentationem, eo tenus praesertim, ut inibi instituat praesuleam sedem. Anno Dominicae incarnationis mill^o XC. regni vero mei IIII. Indictione XIII. VI. Kal. Februarii [27 Jan. 1090-1], luna III. pepigi id, in eorum optimatum meorum praesentia, quorum nomina subtus sunt annexa,

¹ All the transcripts here printed are taken literally from the several printed books or manuscripts, following every variety of spelling in the originals.

ut per posteritates succedentes apud quosque homines, veritatis amatores, perseveret ratum mee regie autoritatis annecto sigillum, sed et propria manu mea depingo crucis Dominicæ signum ✠ Lanfranco archipraesule machinante. Wintoniæ factum est donum hujus beneficii mill^o LXXXVIII^o. anno ab incarnatione Domini, secundo vero anno regni regis Willelmi, filii prioris Willelmi. Confirmatio autem hujus cartæ facta est apud Doveram eo tempore, quod superius determinatum est.

✠ Ego Thomas archiepiscopus laudavi.

Ego Mauritius, Londinensis episcopus, corroboravi.

✠ Ego Walchelinus, Wintoniensis episcopus, aptavi.

* Anilfus¹ vicecomes.

* Alveradus de Lincolia.

* Ernulfus de Hefding.¹

* Folco Crispurius.¹

Reg. Well. I. fol. 14. Reg. III. fol. 341.

[*Domerham*² (ed. Hearne), i. 278.]

¶ In the year 1091 William II. gave *Deo et Sancto Petro in Bathonia, et Johanni episcopo, totam civitatem Bathoniæ in elemosynam et ad augmentationem pontificalis sedis sue, et omnibus successoribus suis*; in order that the bishop's seat might be in that city (*ut cum maximo honore ibi pontificalem suam habeat sedem*). See *Monasticon*, ii, 267.

2

1092, April 5.—*John, bishop of Bath, assists at the dedication of Salisbury Cathedral.*

Anno MXC^oII^o Civitas Lundonia maxima ex parte incendio conflagavit. Osmundus Searesbiriensis episcopus ecclesiam, quam Searisbirie in castello construxerat, cum adjutorio episcoporum Walcellini Wintoniensis et Johannis Bathoniensis, nonis Aprilis, feria ii^a. dedicavit.

[*Roger de Hoveden* (ed. Stubbs), i. 145.]

3

1101, Sept. 3.—*Charter of Henry I., renewing the gift of the city of Bath made by William II. and appointing that Bath shall be henceforward the head of the Somersetshire Sec.*

In nomine Patris, Filii et Spiritus Sancti. Amen.

* * * * *
Quod ego Henricus rex, Willelmi filius, considerans etc. Renovavi igitur donum, quod fecerat frater meus Willelmus rex de civitate Bathon. etc. et Johanni episcopo etc. Constitui et concessi, ut ibi deinceps sit caput et mater ecclesie totius episcopatus Sumerset: Hoc autem feci, consilio primatum meorum, et intercessionem Johannis episcopi, qui eo tempore episcopatum tenebat et regebat. Feci hoc pro anima mea, et patris mei, et matris mee, fratrum meorum et antecessorum et successorum meorum, qui usque in finem seculi futuri sunt. Facta est autem hæc donatio anno ab incarnatione Domini MCI. indictione IX. epacta nulla. concurrente I. presente Matilda³ regina, et viris illustribus et principibus totius Angliæ ecclesiasticis et secularibus. Et ut hæc rata et in æternum perseverent, presenti signo sanctæ crucis ✠ confirmo, et mee regie potestatis sigillo corroboro. Confirmatio hæc facta est anno regni mei secundo.

Ego Matilda regina confirmavi.

Ego Anselmus, Cantuariensis archiepiscopus, laudavi.

Ego Girardus, Eboracensis archiepiscopus, aptavi.

Ego Mauritius, Londinensis episcopus, confirmavi.

et multi alii.

Confirmatio hujus cartæ facta est apud Windelshoram, in die ordinationis Sancti Gregorii, III. Non. Septembris, Luna VI. Confirma hoc, Deus, quod operatus es in nobis.

Reg. Well. I. fol. 15, 16.

[*Domerham* (ed. Hearne), i. 284.]

¶ The same charter is found with slight literal difference (but with many more names of witnesses) in *Harl. MS.* 358, f. 38; from which manuscript it is printed in *Monasticon*, ii, 267.

¹ Aiulfus, Hesinde, Crispinus. [*Mon.* ii. 267.]

² *Adami de Domerham Historia de rebus gestis Glastoniensibus.* Duobus Voluminibus. Oxonii, 1727, 8vo.

³ Matthilde [*Harl.* 358.]

4

1103-4, Jan. 13.—*John bishop of Bath, witnesses the charter of Henry II. made to the abbey of Fécamp in Normandy.*

ITEM CARTA ECCLESIE SANCTE TRINITATIS DE FISCAMPO.

Anno M^oC^oii^o ab incarnatione Domini idus Januarii die octavarum Epiphaniæ apud Saresberiam conecrdaverunt Willielmus Fiscamiensis *etc.* Hee omnia ego Henricus *etc.* confirmo ac sigilli impressione corroboro Ego Matild[is] regina concedo et confirmo Ad hec barones fuerunt Robertus Episcopus Linc' Rogerus Saresberie Johannes Bathon' Robertus filius Hannonis et Hamo frater ejus Eudo dapifer *etc.*

[*Cartæ Antiquæ, S. 4.*]

¶ Printed in *Monasticon*, vi. 1033.

5

1106.—*John, bishop of Bath, makes known that the head of the whole see of Somerset is in the city of Bath and the church of S. Peter; and restores their lands to the monks.*

In nomine Patris et Filii et Spiritus Sancti, ego Johannes, gratia Dei Bathoniensis episcopus, futuris post me episcopus et omnibus ecclesie sancte filijs, salutem. Notum vobis facio quod ad honorem Dei et sancti Petri ellaboravi, et ad effectum perduxì cum decenti auctoritate, ut caput et mater ecclesia totius episcopatus de Sumbreseta sit in urbe Bathonia, in ecclesia sancti Petri; cui beato apostolo et servitoribus ejus monachis reddidi terras eorum, quas aliquamdiu injuste teneram in manu mea, ita integre et libere sicut Alsus abbas ante me tenuit: et si quid melioravi vel acquisivi, et quicquid boni super ipsas habetur, totum reddidi potestati eorum. Donavi etiam eis ad *etc.* Acta sunt hec anno ab Incarnatione Domini millesimo centesimo sexto, regnante Henrico filio magni Willielmi, Northmannorum ducis et Anglorum regis, Anselmo archiepiscopo, anno ordinationis nostre nonodecimo, Indictione xiiij^a. Et ut rata et inconvulsa permaneat hec nostra constitutio, signo sancte crucis eam manu mea confirmavi ✠ et idoneos testes adhibui, quorum nomina sunt—Herevius episcopus, Herlewinus abbas Glast', Walkerius archidiaconus, Rodbertus archidiaconus, Girbertus archidiaconus, Aegelbertus capellanus, Vitalis clericus, Walterius Hosatus vicecomes, Hildebertus dapifer, Tuoldus, Willielmus, Athelardus filius Fastredi, et omnes alij milites et ministri mei qui affuerunt.

[*Harl. MS. 358, f. 39 d.*]

¶ Printed in *Monasticon*, ii. 268.

6

1107, Aug. 11.—*John, bishop of Bath, assists archbishop Anselm in the consecration of five bishops at Canterbury.*

* * * simul Cantuariam venerunt, et iii^o idus Augusti, Dominica, pariter ab Anselmo consecrati sunt, ministrantibus sibi in hoc officio suo suffraganeis suæ sedis, Gerardo scilicet archiepiscopo Eboracensi, Roberto Lincolnensi, Johanne Bathoniensi, *etc.*

[*Roger de Hoveden (ed. Stubbs), i, 164.*]

7

1121.—*John, bishop of Bath, witnesses the charter of Henry II, made to Merton Priory.*

CARTA CANONICORUM DE MERTONA.

In nomine sancte et individue Trinitatis Patris et Filii et Spiritus Sancti Anno ab incarnatione D[omi]ni M^oC^oxx^o regni autem mei xxij^o. Ego Henricus, *etc.* Ego Henricus rex hanc prefatam donationem meam impressione hujus . ✠ . crucis propria manu mea facta confirmavi et regine *etc.* confirmandam tradidi . ✠ . Adeliza in hoc ipsum consentiens subscripsi *etc.* Ego Johes Badendis episcopus volui . ✠ . Ego Herebertus abbas de Westm'. ✠ . *etc.*

[*Cartæ Antiquæ, V, 5.*]

¶ Printed in *Monasticon*, vi, 247.

8

1122.—*Death of John, bishop of Bath.*

Anno M^oC^oxx^oii^o Henricus Rex fuit ad Natale apud Norewicz etc. Eodem anno obierunt Radulfus Cantuariensis archiepiscopus, et Johannes Batoniensis episcopus.

[*Roger de Hoveden* (ed. Stubbs, i, 180.)

¶ See the next.

9

1122, Dec. 26.—*Death of John, bishop of Bath.*

Anno M.C.xxiiij Stephanus etc.

Johannes Bathoniensis episcopus in die natalis Domini subito post prandium dolore cordis correptus sequenti die moritur. Non multo post, id est tertio die post Epiphaniam etc.

[*Simeonis Dunelm. Historia* (Hist. Angl. Scriptores Decem, 247.)

¶ The year is 1122; for Simeon of Durham began the year on Christmas-day. [*Fasti* (ed. Hardy), i, 129, note 37.]

Godfrey,

consecrated 26 Aug. 1123; died 16 Aug. 1135.

10

[1123. April 15.]—*The king gives the bishopric of Bath to Godfrey, chancellor of the queen.*

Ad Pascha apud Wintoniam Henricus rex dedit episcopatum Lincolnie Alexandro nepoti Rogeri Salesberiensis episcopi, justitiarum totius Angliæ; dedit etiam rex episcopatum de Bathe Godefrido cancellario reginæ.

[*Roger de Hoveden* (ed. Stubbs), i, 180.]

11

[1123, Aug. 26—Oct.]—*Godfrey, bishop of Bath, witnesses the charter granted by Henry I to the church of S. Mary and S. Peter, Exeter.*

Ego Henricus Will'i Anglorum primi Regis filius tocius Anglie Rex ac moderator Notum facio omnibus etc. Et ut hec ita etc. permaneat signo sancte Crucis consignata dimitto ✠ Ego Adelidis Regina confirmo ✠ Ego Will's Cantuariensis Archiepiscopus confirmo Ego Trustinus Eboracensis Archiep's confirmo etc. Ego Godefridus Bathonien' Episcopus confirmo etc.

[*Confirmation Roll, 1 Hen. VIII. part 5, n^o 13.*]

12

[1129, Aug. 1.]—*Godfrey, bishop of Bath, is present at a Council held at London against clerical marriages.*

Intererat huic concilio Willelmus Cantuariensis archiepiscopus, Turstinus Eboracensis archiepiscopus, etc. Godefridus Bathoniensis episcopus, Symon Wigorniensis episcopus, etc.

[*Roger de Hoveden* (ed. Stubbs), i, 184.]

13

[1123—1135.]—*Grant of Henry I. made to Godfrey, bishop of Bath, and his successors; and to the churches of Bath and Wells.*

H. rex Angl' Justic' Vicecomiti Baronibus et omibus fidelibus suis Francis et Angligenis de Sumerset salutem. Sciatis me velle et concessisse Deo et ecclesie Bathon' et Godefrido episcopo et successoribus suis quod [] manerii sui de Calveston quod est Abbatissæ sancti Edwardi sit in Hundreto Bathon' et in justicia episcopi Bathon' cujus Hundretum illud est, ita bene et plene et sicut esse solebat tempore Johannis episcopi Bathon' predecessoris sui. Et sciatis me similiter concessisse Deo et ecclesie Well' et Godefrido prefato episcopo et successoribus suis terram

de Merk que est in Wedmor que calumpniata fuerat debere esse de dominio meo, et volo et firmiter precipio ut Godefridus episcopus et ecclesia de Welles eam inconcusse et illibate possideant sicut Johannes episcopus predecessor ejus unquam melius et liberius tenuit, in omnibus libertatibus et consuetudinibus suis. Teste G. Cancellario. [Harl. MS. 6968, f. 38.]

14

[1123—1135.]—*Godfrey, bishop of Bath, confirms the possessions of the Church of S. Mary Magdalen of Farleigh (de Ferleya).*

Godefridus Dei gracia Bathon' episcopus omnibus Christi fidelibus salutem Quum religiosiis vivis in huius que etc.

[Reg. Bath Abbey, p. 39.]

Robert,

nominated 22 March 1135-6; died 31 Aug. 1166.

15

1136 (1135-6). March 22.—*Stephen, in a General Council held at Westminster, nominates Robert to be bishop of Bath.*

Stephanus rex Anglie Episcopis Abbatibus Comitibus Baronibus etc. Salutem. Sciatis me dedisse et concessisse Roberto Episcopo Bathon' Episcopatum Bathon' . . canonica prius electione precedente et communi nostro consilio voto et favore prosequente . . audientibus et attendentibus omnibus fidelibus meis hic subscriptis apud Westmonasterium in generalis concilii celebratione et Paschalis festi solemnitate hoc actum est. Testibus Will. Archiepiscopo Cant' Thurstano Archiepiscopo Ebor' Hug. Arch. Roth.'

[Harl. MS. 6968, f. 6d.]

16

[1136, March—Nov.]—*Robert, bishop of Bath, witnesses King Stephen's charter granted to the church of S. Mary and S. Peter of Exeter.*

In nomine sancte et individue Trinitatis Ego Stephanus Will'i Anglorum primi Regis nepos etc. Notum facio omnibus etc. concedo et confirmo sancte Marie et sancto Petro Exoniensis ecclesie has etc. Et ut hec etc. permaneat signo sancte crucis consignata coram testibus subscriptis dimitto Ego Will's Cantuariensis Archiepiscopus confirmo Ego Turstinus Eboracensis Archiepiscopus confirmo etc. Ego Robertus Bathoniensis Episcopus confirmo etc.

[Confirmation Roll, 1 Hen. VIII, part 5, n° 13.]

17

[1136, March—Nov.]—*Ordinance of Robert, bishop of Bath, instituting the Deanery of Wells.*

PRIMA ORDINACIO DECANATUS WELLENSIS.

Universis sancte matris ecclesie filiis Robertus Bathon' ecclesie minister humilis salutem in Domino Nostri nos ammovet sollicitudo propositi de ecclesiarum nostrarum utilitate per omnia cogitare ne si qua mors de neglectu jactura perveniat in supremo debeamus examine culpabiles inveniri Proinde postquam Divine pietatis miseratio non meritis nostris sed dono sue gracie cathedram nos fecit Episcopalem conscendere cure nobis fuit ab ecclesiis sollicitudini nostre commissis omnem propulsare maliciam omnemque ab eis zeli vel contencionis fomitem radicibus extirpare Quum igitur ecclesiam Welleusem indebitis prepositure oppressionibus supra modum afflictam invenimus et gravatam ejus compacientes miseris et calamitatibus condolentes communicato consilio Archiepiscoporum Episcoporum aliarumque religiosarum Anglie personarum exigentibus quoque easdem ecclesie canonicis Decanum illic ordinavimus concessis sibi dignitatibus libertatibus et consuetudinibus canonicis ecclesiarum Anglie bene ordinarum et ne in eadem ecclesia pristina tribulacio locum denuo vendicaret

¹ A volume of extracts made by Matthew Hutton from Registers in the possession of the Dean and Chapter of Wells.

possessiones et predia que ad eam fidelium sunt donacione devoluta in prebendis taliter distribuimus De Wedmorlande sex prebendas et Decanatum fecimus ut una videlicet prebenda sit ecclesia de Wedmore cum appendiciis suis quam ad subdecanatum omni volumus tempore pertinere Secunda vero prebenda sit terra de Bidesham *etc.* Et hac nostre auctoritatis pagina confirmamus amplius ut nocturne canonicorum vigilie aliquod solacium sorciantur de chirsetis et decimis ad sepedictam sancti Andree ecclesiam pertinentibus panem fieri constituimus canonicorum qui matutinis interfuerint usibus profuturum Prescriptum ergo prebendarum distinctionem seu eciam donacionem ut rata in posterum et illibata permaneat sigilli nostri impressione signatis ad posterorum noticiam litteris fecimus commendari rogantes ut omnes qui in episcopatu nobis successuri sunt quod a nobis pia prossus et salubri provisione statutum est ratum habeant et inconvulsam perpetuo studeant servare quatinus a bonorum omnium retributare uberes exinde mercedes debeant expectare Acta sunt hec in presencia H. Winton' Episcopi et postea subscriptis testibus confirmata Will'o Cantuar' et Thurstano Ebor' Archiepiscopis Rogero Sar' . . . r¹ Exon' Simone et aliis.

[*Reg. Drokenesford*, f. 24.]

¶ Printed in *Monasticon*, ii. 293. The date of this ordinance cannot be later than 26 Nov. 1136, for William, archbishop of Canterbury, died on that day, if not a few days before (21 Nov., or 20 Nov.).

18

1138.—*Stephen's charter, confirming to Glastonbury the manor of Sistone, is witnessed by Robert bishop of Bath.*

S. Rex Angliæ archiepiscopo *etc.* Salutem. Sciatis, me concessisse *etc.* Testibus Roberto episcopo Bathoniensi, et Roberto de Novo burgo *etc.* apud Goldintonam in obsidione Bedeford, anno incarnationis Dominicæ. M^oC^oxxxiii^o.

[*Domerham* (ed. Hearne), ii. 328.]

¶ Printed in *Monasticon*, i. 37.

19

1146.—*Confirmation by Robert, bishop of Bath, of grants made to Bruton (S. Mary).*

ABBAYE DE TROARN, DIOCESE DE BAYEUX.

Ricardus [*sic*] Dei gracia Episcopus Bathoniensis omnibus sancte ecclesie fidelibus Salutem. Anno M^oC^oxlvi^o incarnationis dominice Alexander de Cantleu *etc.* dedit ecclesie sancte Dei genetricis Marie de Briweton *etc.* Fecimus autem hanc cartam in Capitulo Wellensi subscriptis testibus communitan; Ivone ejusdem ecclesie Decano, Eustach', Hugon', Martin' archid', Reginaldo Cantore et toto Capitulo.

[*Normandie*² (*MS.*), iii. 335.]

¶ Observe that, though done at Wells and in the presence of the whole Chapter, the alleged use of the *double* title is not found.

20

[1146 (about).]—*William Chamberlain of Tankarville, to Robert bishop of Bath, confirming the grant made to Bruton by Alexander de Canteloup.*

ABBAYE DE TROARN, DIOCESE DE BAYEUX.

Roberto Dei gracia Bathoniensi episcopo et universis filiis sancte Dei ecclesie Willelmus Camerarius de Tankarvilla Salutem. Sciatis me concessisse *etc.* canonicis de Briweton *etc.* Apud Tankarvillam. [No date.]

[*Normandie*² (*MS.*), iii. 334.]

¹ This name is all but illegible. I suggested "Rogero" in pencil as a possible reading, at the time of making the copy. Now, one Robert, bishop of Exeter, is said to have been elected (Stubbs, *Reg. Eccl. Angl.*) in April 1138: but the accounts of his predecessor (William Warlewast) in the see are conflicting, and the date of his decease very doubtful.

² CARTULAIRE DE LA BASSE-NORMANDIE, ou Copie des chartes et autres actes, concernant les biens et privileges concédés en Angleterre à diverses Maisons religieuses . . . Par Léchaudé d'Anisy. [In three vols.] Caën, 1835, folio.

21

1157, May 12.—Pope Adrian the Fourth, writing to Robert bishop of Bath, takes the church of Bath under the protection of S. Peter and of the Holy See, and expressly mentions the Abbey there as the sole head of the Somersetshire See.

Adrianus episcopus, servus servorum Dei, venerabili fratri Rodberto, Bathoniensi episcopo, ejusque successoribus canonice substituendis in perpetuum. Officii nostri nos hortatur auctoritas etc. ea propter, venerabilis in Christo frater Rodberte episcopo, tuis justis postulationibus gratum impertientes assensum, ecclesiam beati Petri Bathoniensis monasterii, cui, auctore Deo, preesse dignosceris, sub beati Petri et nostra protectione suscipimus, etc. abbatiam Sancti Petri Bathoniensis, a bonæ recordationis Willelmo et Henrico fratre ejus, quondam regibus Angliæ, Sumersetensi episcopatu, ad ejus augmentationem, et ad transferendam in civitatem Bathoniæ, atque in eandem pariter abbatiam, præsuleam sedem, per cartulam donationis traditam, cum omnibus appendiciis etc. Datum Laterani per manum Rolandi, sanctæ Romanæ ecclesiæ presbyteri cardinalis et cancellarii, III. Idus Maii, Indictione V^{ta}, incarnationis Dominicæ anno MCLVI^{to}, pontificatus vero Adriani papæ III. anno tertio. Reg. Well. III. fol. 268.

[*Domerham* (ed. Hearne), i. 289-293.]

† The year is (not 1156, but) 1157 as checked by the Indiction, and the year of the Pontificate.

22

1159, Nov. 4.—Robert, bishop of Bath, appoints Hywis (Hewish) to be for ever a prebend of the church of Wells.

. . . Robertus Bath' ecclesie minister salutem etc. Hywis in Brentemaresco quedam terre portiuncula que hida vulgo dicitur membrum manerii nostri de Banewella ab antiquis fuisse dignoscitur . . . instituius prescriptam Hywis in perpetuam prebendam ecclesie Dei et beati Andree de Well' cum universis pertinentiis . . . ii. Non. Nov. 1159. episcopatus nostri xxiv. Assentientibus ac petentibus Ivone Decano et Conventu Canonicorum Well' Petro Priore et Conventu Bathon' Alano Abbate Mucheln' Benedicto Abbate Adhelighen' Roberto Priore Glaston' Willelmo Priore Montis acuti Stephano Priore Tanton' Willelmo Priore Briuton' laudantibus et postulantibus Archidiaconis nostris Roberto et Th[oma].

[*Harl. MS.* 6963, f. 13 d.]

23

[1162-1166.]—The charter of Henry II, confirming the possessions of Montacute Priory, is witnessed by Robert, bishop of Bath.

H. Rex Angl' etc. Sciatis me concessisse etc. ecclesie sanctorum apostolorum Petri et Pauli de Monte Acuto etc. omnes donationes quas Rex H. avus meus etc. fecerunt predictæ ecclesie etc. Teste Thoma Cantuar' archiepiscopo et H. Wint. episcopo et Ph'o Baioc' episcopo et Arn' episcopo Lexov' et Ric. episcopo Lond' et Joc. episcopo Sar' et Roberto episcopo Bath' et Gill. episcopo Hereford' et Will'o com. Gloucest'e et B. com. Legret' et Warino filio Ger. camerario et Mann. Biset dap. et Will'o filio Ham. et Joceo de Baillolio apud Westmonasterium.

[*Cartæ Antiquæ*, FF. 3.]

† Printed in *Monasticon*, v, 167.

24

[1154-1166.]—Richard de Camville to Robert, bishop of Bath, concerning the grant of the church of Charlton to the Priory of Kenilworth.

Roberto, Dei Gratia, Bathoniensi Episcopo, et Roberto Archidiacono, et universo Bathoniensis Ecclesiæ Capitulo, Ricardus de Campvilla in Domino Salutem. Sciant omnes presentes et posteris, quod ego Ricardus de Campvilla, etc. concessi etc. ecclesie Sanctæ Mariæ de Keningwrda, et canonicis ibidem Deo servientibus, ecclesiam Sancti Petri de Cherletona, in manerio meo in Sumerseta; etc. Hiis testibus, Gerardo de Campvilla, Hugone de Campvilla, Willelmo de Campvilla, Ricardo de Campvilla, Milisenta Marmium, Waltero de Campo Avene, etc.

[*Domerham* (ed. Hearne), i. 298.]

25

[1154—1166.]—*Robert, bishop of Bath, confirms the grant of the church of Charlton made by Richard de Camville to the Priory of Kenilworth.*

Robertus, Dei Gratia, Bathoniensis Episcopus, universis fidelibus Episcopatus sui tam futuris quam presentibus, Salutem. In notitiam omnium vestrum volumus pervenire, quod nos presentacione Ricardi de Kamvilla, et petitione Domini nostri Regis Henrici, concessimus et dedimus Priori de Kenillwrda etc. Ecclesiam de Cherleton¹ etc. Testibus, Roberto Archidiacono nostro, Willielmo Priore Bruton. Ansketillo Camerario Bermundeseie etc. Valet.

[*Domerham* (ed. Hearne), i. 295.]

26

[1136—1166.]—*Robert, bishop of Bath, to Philip, bishop of Bayeux, concerning tithes to Briveton (Bruton S. Mary).*

Venerabili fratri suo et super amando Philippo Dei gracia Baiocens' ecclesie episcopo et universo ejusdem ecclesie capitulo Robertus eadem gracia. Bathon' ecclesie minister Salutem. Veniens ad nos dilectus filius noster Ricardus de Moyon Clericus etc.

[*Normandie (MS.)*, iii. 348.]

27

1140—1166.—*Ordinance of Robert, bishop of Bath, for the better regulation of the fairs held in the town of Wells.*

Robertus episcopus Bathon' cum tumultus nundinarum in ecclesia Well' et in atrio ejus hactenus esse consueverunt ad dedecus et incommodum ipsius ecclesie statuit et ordinavit ut quicumque illic in tribus festivitibus viz. in festis Inventionis Sancte Crucis, sancti Kalixti, et sancti Andree, negotiaturi convenerint in plateis ville illius negotiationes suas securi libere exercean, et nullatenus ecclesiam vel atrium ecclesie violare presumant. Concessit etiam ut omnes in predictis solemnitatibus et earum vigiliis quieti de teloneo inperpetuum permaneant. Testes Ivo Decanus Well' Reginaldus Precentor Roberthus et Thomas Archidiaconi.

[*Harl. MS.* 6968, f. 85 d.]

28

1164-1166.—*Lands, of which the church of S. Andrew, Wells, had been long unjustly deprived, are publicly restored in solemn manner at Bath before Robert bishop of Bath and others.*

Et acceptis ab ecclesia septuaginta marcis argenti abjurarunt terras beati Andree pridie idus Marcii vj milites et duo juvenes strenui et magnanimes militum fratres apud Bathoniam in thalamo pontificis coram clarissime memorie duobus episcopis Roberto domino Bathon' et Rogero domino Wygorn' presentibus et videntibus Ricardo tunc decano Wellie, archidiacon' Thoma, et Roberto Bathon', Godefrido Wygorn' astante turba multa tam cleri quam populi, etc.

[*Reg. Bath Abbey*, p. 194.]

¶ Printed by Rev. Joseph Hunter, in *Ecclesiastical Documents*, &c. (Camden Society, 1840), 27.

29

1122-1193.—*Obituary of the bishops of Bath, from John to Savaric.*

M^oCxxij Obijt idem Johannes cum sedisset . . .

cui successit Godefridus.

M^oCxxxv Obijt Godefridus cum sedisset . . .

M^oClxvi Obijt Robertus cum sedisset An . . xxxj . .

M^oC nonagesimo tercio obiit Reginaldus cum sedisset An . .

. . . . Successit Sauaricus.

[*Cotton MS. Otho, A*, iv. 66.]

30

1166, Aug. 31.—*Death of Robert, bishop of Bath.*

Sedit autem in episcopatu Robertus dulcis memorie xxix annos et menses quatuor et obdormivit in Domino II. kalendas Septembris et sepultus est in ecclesia beati Petri ante gradus magni altaris.

[*Reg. Bath Abbey*, p. 195.]

¶ Printed by Hunter in *Ecclesiastical Documents* (Camden Society), 28.

¹ Charlton Canvill, co. Somerset.

31

1166.—*Death of Robert, bishop of Bath.*

Anno MCLXVI. obierunt Robertus Episcopus Bathoniensis et Robertus de Chenn Episcopus Lincolnensis et Robertus de Melun Episcopus Herefordensis, et Robertus de Gorram Abbas S Albani, cui successit Simeon, et Gaufridus Comes de Mandewilla. [Annal. Winton. (Angl. Sac. i. 301.)]

32

1166.—*The see of Bath accounted for from the death of the bishop up to Michaelmas.*

EPISCOPATUS DE BADA.

Ricardus de Wiltona reddit compotum de xxv li. de Episcopatu de Bad' post mortem Episcopi usque ad festum Sancti Michaelis.

[Pipe Roll, 13 Hen. II. m. 13.]

33

905—1166.—*Extract from a History in brief of the Somersetshire See, as contained in a Register with the Dean and Chapter of Wells.*

. . . et sic clare patet quod Somersetia tempore hujus regis Edwardi primi ante conquestum Normannorum viz. anno Domini 905 proprium primo recepit episcopum que prius sub episcopatu Schireburnensi fuerat constituta Sedes tamen episcopalis Wellensis postea tempore regis Willielmi Rufi per quendam Johannem de Tourys episcopum Wellensem annuente rege Willielmo secundo in Bathoniam fuit translata ubi usque hodie perseverat Orta tamen postea inter canonicos Well' et monachos Bathon' grandi discordia utrum in ecclesia Bathon' vel in ecclesia Wellen' episcopalis sedes principaliter remaneret canonicis Well' asserentibus translacionem sedis episcopalis Well' non posse locum tenere eo quod dicta translacio facta fuit preter ipsorum consensum juris ordine minime observato utputa nulla necessitate cogente nec aliqua causa legitima id poscente cujus discordie Robertus quondam monachus Lewensis tercius Bathon' episcopus finem fecit qui a Sede Apostolica impetravit quod in utraque ecclesia sedes episcopalis de cetero remanebit nomen tamen Bathonie debet preponi, et sic usque adhuc vulgus observat.

[Harl. MS. 6965, f. 118 d.]

(To be continued.)
