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**Charters of Sawley Abbey (Yorkshire) relating to Lands in Bolton-by-Bowland (Lancashire)
In Latin, on parchment
[England, c.1235-1344]**

15 documents on strips of parchment, some with wax seals, all neatly written in various English chancery scripts with endorsements, some creased and worn (see detail of charters below).

These charters constitute a coherent group related to the Cartulary of Sawley Abbey (British Library, Harley MS 112). Two-thirds are recorded in the cartulary; another one-third remains unpublished. The charters merit further study in relationship to the cartulary not only for the light they shed on local history and on Cistercian religious practices, but also for practices they reveal regarding medieval record-keeping in the shift from oral to written culture.

PROVENANCE

1. The Abbey of Saint Mary of Sawley (or Sallay), in Craven, was one of the eight Cistercian monasteries settled in Yorkshire, daughter house of Fountains (North Yorkshire), affiliated with Clairvaux. The Abbey was founded in 1147/1148 by William de Percy, and suppressed in 1536, when it was sold to Sir Arthur Darcy. When the monasteries were dissolved a large number of charters were destroyed; nonetheless, early antiquarians recognized their value, for Harley, Cotton, and eventually Philipps all possessed cartularies as well as individual collections of charters.
2. Private Collection, acquired at London, Christie's, 9 December 1981, lot 222.

TEXT

1. Symon, son of William de Bramton, granting to Sawley Abbey land beside their grange at Hungrill [a farm about a mile north-west of Bolton Church], c.1235-50 (McNulty, Chartulary, 1933, p. 88, no. 138), 12 lines, 86 x 146 mm., part of a seal in red wax;
2. William, son of Simon de Bramton, granting to Sawley Abbey all his and his father's land in Bolton and confirming his father's gift, no. 1 above, c. 1250-60 (McNulty, Chartulary, 1933, pp. 87-8, no. 137), 12 lines, 88 x 143mm., seal in green wax;

3. Indenture of Matilda, widow of Richard Goldesburgh, giving her Abbey land in Bolton in exchange for her rights over other property in Bolton, c.1257 (McNulty, *Chartulary*, 1933, pp. 96-7, no. 151), 14 lines, 112 x 185 mm., indented top, stained, part of Matilda's seal in black wax;
4. Indenture of John de Bolton leasing to Sawley Abbey a meadow in Hungill in exchange for a lease on land at Wybersey and in "le Bottes" by Holden Gate, c.1260-70 (McNulty, *Chartulary*, 1933, p. 101, no. 159, and the other half of the same indenture is Pudsay Deeds, pp. 123-4, no. 45), 13 lines, 93 x 152 mm., indented top;
5. Indenture of H[ugh de Wigehale], Abbot of Sawley, granting lands in Braderode to William [de Blakeburne], rector of Bolton, in exchange for land at Fooden, c. 1265-75 (McNulty, *Chartulary*, 1933, pp. 92-3, no. 146, and the other half of the same indenture is Pudsay Deeds, p. 122, no. 43), 14 lines, 95 x 152 mm., William's seal in black wax;
6. Quitclaim by John, son of Heck Tempersnape, for rights over lands in Bolton, c. 1294 (McNulty, *Chartulary*, 1933, pp. 88-9, no. 139), 15 lines, 93 x 182 mm.;
7. Grant to Sawley Abbey by Roger Tempersnape, son of the above, of all his family's lands in Bolton except a pasture called Hecke Croft, late thirteenth century (McNulty, *Chartulary*, 1933, p. 92, no. 145), 7 lines, 71x 234 mm.;
8. Grant to Sawley Abbey by Adam son of William de Malasis of all his ancestral lands in Bolton, late thirteenth century (McNulty, *Chartulary*, 1933, p. 114, no. 183), late thirteenth century, 7 lines, 78 x 255 mm., seal in black wax;
9. Indenture of Richard de Goldesburgh confirming the lease to Sawley Abbey of land in Bolton which Richard de Midhop made in the name of his father, Richard of Goldesburgh, 1307 (McNulty, *Chartulary*, 1933, p. 106, no. 167), 13 lines, 87 x 216 mm., indented top;
10. Inquisition made before the archbishop of York confirming the lease to Sawley Abbey of part of Bolton Manor by Richard de Goldesburgh, c. 1309-10, 16 lines, 119 x 205 mm.;
11. Grant to Sawley Abbey by William le Vavassour of all his lands which Richard de Goldesburgh had been leasing to the Abbey, 1310, 8 lines, 70 x 230 mm., small equestrian seal in black wax;
12. Quitclaim by Richard son of Richard Mydhop for rights over a path across the Abbey's land, 1319 (McNulty, *Chartulary*, 1933, pp. 106-7, no. 168), 9 lines, 100 x 257 mm., stained, small seal in black wax;
13. Agreement between John de Bolton, rector of Bolton Church, over disputed lands of the Abbey at Fulden in Bolton [Fooden, as in no. 5 above], 1324, 12 lines, 92 x 223 mm., part of a seal in green wax;

14. Sixteen-year lease by Sawley Abbey to John de Bolton, 1324, 11 lines, 100 x 237 mm., indented top, armorial seal in red wax;
15. Grant by John de Bolton, rector of Bolton, to Sawley Abbey of the long-disputed land at Fulden, 1344, 6 lines, 60 x 217 mm., rather faded, fine seal in red wax.

The Cistercian Abbey of Sawley, or Sallay, was founded in 1147/1148 on the bank of the Ribble River in Yorkshire, almost on the boundary of Lancashire, near Clitheroe. By 1381, there were only fifteen monks and two lay brothers, denoting a small foundation. A daughter house of Fountains, one of the poorer Cistercian houses in Yorkshire, Sawley was suppressed in 1536 following the Dissolution (see references to studies on Sawley Abbey in Donkin, 1969, vol. 2, p. 91; and Fletcher, 1919). Sir Arthur Darcy came into possession of the lands of Sawley at the Dissolution, and received in 1538: "the site, circuit, and precinct of the monastery of St-Mary, Sawley, Yorks, dissolved...., a moiety of the manor of Bolton...." (see Fletcher, 1919, p. 120). It could very well be that some of the charters pertaining to his new possessions were passed down to the "new" owner after the monastery's dissolution, but the actual whereabouts of the bulk of Sawley Charters is not known (a complete search should be undertaken of public collections and record offices in the United Kingdom to uncover other original Sawley charters).

The cartulary of the Abbey of Sawley, now British Library, Harley MS 112, was edited McNulty in 1933 (see below). This cartulary is a quarto volume of 198 folios, which appears to have been completed soon after 1333 and contains some 676 deeds that mostly concern the lands possessed by the Cistercian monks of Sawley in Yorkshire and Lancashire. The latest deed of the cartulary is dated 2 May 1333, but a few documents of later dates have been inserted by other hands on pages left blank by the original scribes (for example, in the McNulty edition, 1933, no. 221 bears the date 5 August 1392). The editor was able to supply Sawley deeds which are not in the cartulary from other manuscripts copied by R. Dodsworth (Oxford, Bodleian Library) and C. Towneley (Manchester, Public Reference Library) (see McNulty, 1933, Preface).

The present group of 15 original deeds were likely once in the possession of the Abbey of Sawley and must have served for the redaction of the cartulary. Ten are accounted for in the cartulary, but there are five original charters that were not copied into the cartulary (nos. 10 to 15). The original charters in possession of the Cistercian monks must have been dispersed when Sawley was dissolved and its land sold to Sir Arthur Darcy in 1536-1537.

Charters or deeds were documents that served as proof of the acquisition or confirmation of a right. Our charters are "muniments," title-deeds kept by landowners as evidence of their personal rights. Some charters were drafted by special functionaries or notary publics who authenticated them by adding, for example, a seal (see nos. 1, 2, 3, 5, 8, 12, 13, 14, and 15): these were known technically as "cartae." Others did not have such validity at law nor the formal requirements of an authentic document, but nevertheless included a list of witnesses that could lead to legal proof. They were often simple notes and are technically termed "notitiae." Such notes often dealt with the transfer of land, such as no. 10. The institutions issuing the deeds usually kept one copy of the issued charters in the form of minutes or by conserving one text (the foot) from which two texts had been cut off and given to the parties involved. This was the practice of the "chirograph," and

the cut charters were known as "chartae excisae" or "indentatae" (indentures). In the space between the two texts a word (such as "chirographum") was written or a design traced. Any argument about the authenticity of a document could thus be resolved by fitting the pieces together. The oldest examples of this practice come from mid-ninth century England. This practice is here exemplified in charters described above (nos. 3, 4, 5 and 14). Certain "halves" of the same charter are part of other collections or cartularies: see for example nos. 4 and 5 described above, the other half of which is part of the "Pudsay Deeds" (see Littledale, 1916), the Pudsay family being lords of Bolton for over 500 years.

All the lands here are in Bolton-by-Bowland, Lancashire, and many of the transactions and most of the people mentioned can also be followed in some detail in Littledale, 1916. One should stress the importance of such charters conveying land or property essential to Cistercian economy based on the direct cultivation of land by choir monks, lay brothers (*conversi*) and hired workers. Large estates and granges were a typical feature of the Cistercian economy. The distribution of outlying granges depended upon where sufficient land was received or obtained by purchase or exchange, recorded in charters such as these. The ruling of the Chapter General that granges should be no more than a *dieta* or day's journey from the abbey was very soon disregarded. The idea was that converse and others living on a grange should be able to hear mass regularly (see Donkin, 1978).

It is useful to consider the present group of charters and the cartulary to which they relate in the larger context of diplomatic criticism and record-keeping in medieval England. Whereas the earliest cartularies date in the eleventh and twelfth centuries, the proliferation of cartularies begins in the late thirteenth century and continues through the fourteenth. The Sawley Cartulary is thus in the middle of the period of the most intense activity. Competition among religious houses to acquire and retain gifts of land, the need for evidence in the case of litigation against their estates, and quite simply the movement away from oral testimony toward written record were all factors that led to the increased production of cartularies (cf. Clanchy, among others below). Although Davis enumerated 1344 cartularies, Fould reduced this number to 366 "true" cartularies. Cartularies survive as convenient handbooks of the abbeys privileges, powers, and properties, since they transcribe in one place the many diverse "acts" relative to a particular establishment.

A useful characterization of the distinction between two modes of analysis of a cartulary and its documents sees them, on the one hand, as statements of fact and, on the other, as statements of argument (see below "Early Medieval Record-Keeping" in Online Resources). Conventional study of cartularies and the documents they record focuses on classical diplomatic issues ("statements of fact"), including local and religious history, the evolution of script, the formulation of written "legal" language, etc. Seen from this perspective the Sawley Charters gathered together here enhance the history of the abbey presented in the cartulary, for they present new data never recorded in the actual cartulary. Their varying scripts and largely intact seals also merit further study. Moving in new directions, scholars are now interested also in the manner of the record-keeping ("statements of argument"): what details were included and omitted in the act of transcription (e.g., lists and names of witnesses), how the language and even content of the "originals" may have been altered, what the physical entities convey about their use and veracity, and so forth. In the case of the present group of charters, the motivation underlying the omission of certain charters from the cartulary remains unresolved.

Even a cursory study of the present group as "statements of fact" and "statements of argument" confirms their interest for the study of originals, since it reveals ancient abbey archival practices. Notations on the charters show contemporary endorsements characterizing the document (see "dorso" of documents), the name of the geographic location of the estates (here "Boulton"), and a system of numbering that might refer to storage of documents in bundles within the abbey, allowing for easy retrieval in case of legal conflicts concerning the abbey's rights over certain lands. Seen from this perspective, the Sawley Charters deserve further study in relationship to the cartulary, to the history of the abbey, and to the cultural context they have yet to fully reveal.

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ONLINE RESOURCES

On Cartularies

<http://paleo.anglo-norman.org/cart.html>

On medieval writing (monastic cartularies)

<http://medievalwriting.50megs.com/word/monasticcart.htm>

Early Medieval Record-Keeping and the Nero-Middleton Cartulary (Jonathan Herold)

<http://individual.utoronto.ca/emrecordkeeping/>

Y.A.S. [Yorkshire Archeological Society] Record Series, Yorkshire Deeds.

<http://www.laplat.co.uk/medievalYAS/manuscripts.html>