King Æthelred the Unready and the church of Rochester

Simon Keynes

The church of Rochester, founded in the early seventh century and dedicated to St Andrew, lay in the eighth century at the political centre of one of the two kingdoms of early Anglo-Saxon Kent.[1] The political arrangements of that time left a legacy, in the ninth century, in the form of the two ealdormen of Kent; and they left a legacy thereafter in the distinction maintained between the western and eastern parts of the county. My purpose, against this background, is to focus attention on a group of documents in the *Textus Roffensis*, dating from the late tenth and early eleventh centuries, and to set them in what seems to have been their context during the reigns of King Edgar (959–75), King Edward the Martyr (975–8), and King Æthelred the Unready (978–1016). The story begins with the activities of Ælfstan, bishop of Rochester, during the reign of King Edgar. Its interest lies, however, in seeing how circumstances changed in the aftermath of Edgar's death, with further complications in the first decade or so of Æthelred's reign; and in understanding how Ælfstan's successor, Godwine I, bishop of Rochester (*c*.995–*c*.1015), was able to bring matters back under control. At another level, the story constitutes one of the many 'local' perspectives which can be recovered, using the evidence of charters, from different parts of the kingdom of the English, and which complement not only each other but also the narrative derived from the *Anglo-Saxon Chronicle* and other literary sources.

The Rochester archive

As one might expect, the quality of the documentary and other material which survives from the muniments or archives of the episcopal sees established for the English peoples during the Anglo-Saxon period (of which there were about 20, depending on how they are counted) varies considerably from one place to another.[2] There is superb material (by the standards of an Anglo-Saxonist) from Christ Church, Canterbury, from the Old Minster, Winchester, and from the church of Worcester.[3] There is respectable material from Rochester (west Kent), from St Paul's, London (Essex), from Selsey (Sussex), from Sherborne (Dorset), from Wells (Somerset), from Crediton/Exeter (Devon and Cornwall), and from Hereford (beyond the river Severn).[4] There is good material too from York, and (of an instructively different kind) from

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[1] For the kingdom of Kent in the eighth century, see *Charters of St Augustine's Abbey Canterbury, and Minster-in-Thanet*, ed. S. E. Kelly, Anglo-Saxon Charters 4 (Oxford, 1995), pp. 195–203. For Rochester, see Martin Brett, 'The Church at Rochester, 604–1185', *Faith and Fabric: a History of Rochester Cathedral 604–1994* (Woodbridge and Rochester, 1996), pp. 1–27, with Nicholas Brooks, 'Rochester, A.D. 400–1066', *Rochester: Medieval Art, Architecture and Archaeology*, ed. T. Ayers and T. Tatton-Brown, Brit. Archaeol. Assoc. Conference Transactions 28 (2006), pp. 6–21.

[2] For the development during this period of the several bishoprics within the provinces of Canterbury and York, see S. Keynes, 'Archbishops and Bishops, 597–1066', *The Wiley-Blackwell Encyclopedia of Anglo-Saxon England*, ed. M. Lapidge, *et al*., 2nd ed. (Oxford, 2013), pp. 539–66 (Appendix II). The same variability applies to the archives of all other religious houses.

[3] *Charters of Christ Church, Canterbury*, ed. N. P. Brooks and S. E. Kelly, Anglo-Saxon Charters 17–18 (Oxford, 2013).

[4] *Charters of Rochester*, ed. A. Campbell, Anglo-Saxon Charters 1 (London, 1973); *Charters of St Paul's, London*, ed. S. E. Kelly, Anglo-Saxon Charters 10 (Oxford, 2004); *Charters of Selsey*, ed. S. E. Kelly, Anglo-Saxon Charters 6 (Oxford, 1998); *Charters of Sherborne*, ed. M. A. O'Donovan, Anglo-Saxon Charters 3 (Oxford, 1988); *Charters of Bath and Wells*, ed. S. E. Kelly, Anglo-Saxon Charters 13 (Oxford, 2007).

Lindisfarne/Chester-le-Street/Durham, for the see of St Cuthbert.[5] There is nothing, however, from the West Saxon see of Ramsbury, or indeed from the Anglian sees of Lichfield, Leicester/Dorchester, Lindsey, Dunwich, and Elmham. This observation, which arises at each place from a combination of different circumstances, has a direct bearing on our perception of the Anglo-Saxon past, from which it is hard to escape. Allowance has to be made for the factors and circumstances which have combined over the centuries to determine why the material from one house can make one impression, and why the position at another house can be so different.

In the case of Rochester, the problem is in part that the light which shines from Canterbury is overpowering. The edition of the Rochester charters prepared by Alistair Campbell inaugurated a new edition of the entire corpus of charters undertaken by the British Academy and the Royal Historical Society in 1966.[6] At the time of its first appearance, in 1973, Campbell's edition was felt to represent a missed opportunity;[7] but it was none the less a start, and the subject has since moved a long way forward. The two volumes which form the new edition of the charters of Christ Church, Canterbury, edited by Nicholas Brooks and Susan Kelly, appeared forty years later, in 2013, putting Rochester in their shade. Both sees were established in the immediate aftermath of St Augustine's arrival in the south-eastern corner of Britain (as was the church of St Paul, in London); but Canterbury enjoyed the obvious advantages. Yet while fewer than 40 charters survive from the Rochester archive, and more than 180 from Christ Church, the archives are not dissimilar, and tell complementary parts of what is essentially the same story. Both illustrate a basic truth about the likely composition of an archive by the end of the Anglo-Saxon period, as the product of procedures of law and government made possible by the power of the written word, and as part of a documentary culture which depended on and was articulated by vernacular records as much as it was rooted in the formality of the royal diploma. The archives of Christ Church, Canterbury, are renowned, and rightly so, for the large number of pre-Conquest charters which survive in their 'original' form, written on single sheets of parchment in hands judged to be contemporary with the given or apparent date of the text, but including some in later or seemingly 'imitative' hands, which assume an interest of a different kind, as part of the evidence for the fabrication of charters in the ninth, tenth and eleventh centuries, and thus before as well as after the Norman Conquest.[8] While Rochester is not on a par with Canterbury, a good many charters survived there in single-sheet form. Some or all of them left the archives in the early modern period, under circumstances unknown, and found their way into the hands of antiquaries. At least one was seen by the antiquary Francis Tate (1560–1616), and is now lost;[9] doubtless there were others like it. No fewer than eleven found their way into the library of Sir Robert Cotton (perhaps not entering that

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[5] *Charters of Northern Houses*, ed. D. Woodman, Anglo-Saxon Charters 16 (Oxford, 2012).

[6] Further details of this project are available on the 'Kemble' website (www. kemble.asnc.cam.ac.uk).

[7] See N. P. Brooks, in *EHR* 90 (1975), 626–7. It was certainly a mistake not to include S 349 (*Charters of Rochester*, ed. Campbell, p. xiii, n. 3), for which see *Facsimiles of Anglo-Saxon Charters*, ed. S. Keynes (Oxford, 1991), no. 41. A place might also have been found for the vernacular documents mentioned below, nn. 80 (note on Wouldham) and 111 (Rochester Bridge).

[8] For the single sheets from Canterbury, see Brooks and Kelly, *Charters of Christ Church, Canterbury*, pp. 40–50, and passim.

[9] S. Keynes, 'Anglo-Saxon Charters: Lost and Found', *Myth, Rulership, Church and Charters: Essays in Honour of Nicholas Brooks*, ed. Julia Barrow and Andrew Wareham (Aldershot, 2008), pp. 45–66, at 51, n. 35; see further below, nn. 34 and 75.

collection until some years after Sir Robert's death in 1631), and are now in the British Library.[10] As a group, these charters require closer examination of their script and other physical features, for all that the process might reveal about the production of the charters in question, and their use at Rochester in the ninth, tenth and eleventh centuries; nor could such examination be separated from literary or diplomatic analysis of formulation, or indeed from understanding of the place of each charter as part of the story of the church's endowment.[11] Seven of the eleven surviving single-sheet charters from Rochester might be regarded as authentic texts, extant in their original form;[12] though in one case of these seven, it is apparent that operative details were altered at a later date (in the late tenth century), doubtless for nefarious purposes. Three of the eleven are best regarded as copies or forgeries, evidently or apparently produced during the Anglo-Saxon period.[13] The last of the eleven is patently a post-Conquest forgery.[14] In effect, the archive provides a compelling illustration, on a relatively small but readily comprehensible scale, of some fundamental truths about the study of Anglo-Saxon charters in their archival contexts. The archives of a religious house (in this case an episcopal see) might contain a wide variety of documentation, ranging from the seventh or eighth to the eleventh century, and comprising Latin diplomas as well as a variety of texts in the vernacular, all throwing light on each other; those preserved in single-sheet form would include originals, later confirmations, and forgeries as often if not more often made before the Norman Conquest as thereafter, and might also include originals showing evidence of tampering; and in the case of any charter where we are dependent on a later copy, entered in a cartulary, we should bear in mind how different the position might be if it too had chanced to be preserved in single-sheet form.

Using evidence such as this, we may see in some detail how the churches of Rochester and Canterbury 'negotiated' the political complications in which they became immersed in the eighth and ninth centuries. Several of the Rochester charters

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[10] For Cotton's charters, see Keynes, 'Anglo-Saxon Charters: Lost and Found', pp. 56–7. Facsimiles of the surviving single sheets from Rochester were published in the late nineteenth century; images of them all (face and dorse) are available on the 'Kemble' website (above, n. 6).

[11] The extent to which charters were fabricated for one purpose or another, in the Anglo-Saxon and Anglo-Norman periods (and thereafter), has long been apparent, but in recent years the subject has been raised to a new level by Professor Julia Crick: 'Insular History? Forgery and the English Past in the Tenth Century', *England and the Continent in the Tenth Century: Studies in Honour of Wilhelm Levison (1876–1947)*, ed. D. Rollason, *et al*. (Turnhout, 2010), pp. 515–44; 'Script and the Sense of the Past in Anglo-Saxon England', *Anglo-Saxon Traces*, ed. J. Roberts and L. Webster (Tempe, AZ, 2011), pp. 1–29; and 'Norman Imitation of Pre-Conquest Script: English Evidence and Some French Comparanda', *The Long Twelfth-Century View of the Anglo-Saxon Past*, ed. M. Brett and D. A. Woodman (forthcoming).

[12] S 35 (*Roch* 9), dated 778, with added bounds; S 165 (*Roch* 17), dated 811; S 88 (*Roch* 2), which is a charter of Berhtwulf, king of the Mercians (*c*. 845), confirming an earlier charter of King Æthelbald (dated 734); S 327 (*Roch* 24), probably original, once dated 860 and in favour of a layman, but altered in the tenth century into a charter dated '790', in favour of Bishop Wærmund (below, n. 00); S 331 (*Roch* 25), dated 862; S 864 (*Roch* 30), dated 987; and S 1458 (*Roch* 34), which is an undated vernacular document from the late tenth century. Of these, S 327 and S 331 were regarded by Neil Ker as later copies or forgeries, written in imitative script, perhaps produced in the second half of the tenth century. In both cases, it might be said that script and Latinity are of a standard appropriate for the third quarter of the ninth century; see also M. Lapidge, 'Latin Learning in Ninth-Century England', *Anglo-Latin Literature 600–899* (London, 1996), pp. 409–54, at 450–1.

[13] S 266 (*Roch* 11), forged probably in the ninth century; S 280 (*Roch* 19), forged probably in the late tenth century; and S 671 (*Roch* 29), forged in the late tenth century.

[14] S 349 (*Roch* -), in *Facsimiles*, ed. Keynes, no. 41.

are of interest for what they reveal of interaction between the rulers of Mercia, Kent and Wessex in the late eighth and early ninth centuries; the Christ Church charters are more plentiful for the first half of the ninth century, when the south-east remained at the centre, as it were, of the political transformation south of the Humber symbolised by the 'decline' of Mercia and the 'rise' of Wessex. In the same way, we may see how the two churches preserved and organized the evidence bearing on their respective Anglo-Saxon pasts, in order to negotiate the complications which arose in the aftermath of the Norman Conquest. Had it survived in its original form, the Anglo-Norman cartulary from Christ Church, Canterbury, compiled *c*. 1090, but known only from later versions, would have provided an instructive point of departure.[15] For its part, the church of Rochester is renowned, and rightly so, for the *Textus Roffensis*, comprising not only its collection of law-codes (fols. 1–118), but also a cartulary of the church of Rochester (fols. 119–234), in combination establishing and proclaiming continuity from the Anglo-Saxon past.[16] The cartulary must of course be respected on its own terms. One has to consider when and under what circumstances the cartulary was compiled, and what purpose was it intended to serve; whether its contents are likely to be representative of the documents which might have accumulated in the archive; and in what respects its compiler was selective, including documents directly in favour of the church but perhaps leaving much else aside. To judge from his treatment of the texts preserved also in single-sheet form, the compiler seems to have copied his exemplars in good faith, providing full and generally accurate transcriptions, including pictorial invocations, boundary-clauses, and witness-lists, omitting only what might have seemed to him to be inconsequential endorsements.[17] It is also much to the compiler's credit that he included not only the royal diplomas, in Latin, but also a number of documents in the vernacular: no royal writs, but among them a couple of wills, and some most interesting examples of the categories of text generated by processes of litigation.[18] The compiler chose for whatever reason to arrange his texts in some kind of chronological order; and while he seems to have found little for the seventh century, he included good material for the eighth century, and for the ninth, and a rather distinctive *variety* of material for the later tenth century. Appearances can however be deceptive. In certain cases, it is apparent that a charter purporting to be of a certain date was in fact cobbled together some time later;[19] and

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[15] N. P. Brooks, *The Early History of the Church of Canterbury: Christ Church, 597–1066* (Leicester, 1984), pp. 139–40, 221, 286, 323; Robin Fleming, 'Christ Church Canterbury's Anglo-Norman Cartulary', *Anglo-Norman Political Culture and the Twelfth-Century Renaissance*, ed. C. W. Hollister (1997), pp. 83–155; Brooks and Kelly. *Charters of Christ Church, Canterbury*, pp. 58–72.

[16] Images of the *Textus Roffensis* are available online; see also *Textus Roffensis*, ed. P. H. Sawyer, Early English Manuscripts in Facsimile 7 and 11 (Copenhagen, 1957 and 1962), with introduction, description, and commentary. The cartulary opens magnificently, with a (forged) charter of King Æthelberht, now designated S 1 (*Roch* 1). See also Bruce O'Brien, '*Instituta Cnuti* in *Textus Roffensis*: Memory and a Clue to Purpose', below, pp. 00–00. <On the priority of the cartulary?>

[17] For further discussion, see Carole Hough, 'The Earliest English Texts? The Language of the Kentish Laws Reconsidered', above, pp. 00–00.

[18] For a survey of the surviving corpus of vernacular charters, with a classified list, see S. Keynes, 'Anglo-Saxon Charters in the Vernacular', Robertson Memorial Lecture 2009, University of Aberdeen (publication forthcoming); see also *idem,* 'Church Councils, Royal Assemblies, and Anglo-Saxon Royal Diplomas', *Kingship, Legislation and Power in Anglo-Saxon England*, ed. G. Owen-Crocker and B. Schneider (Woodbridge, 2013), pp. 17–182, at 135–7.

[19] E.g. S 321 (*Roch* 27) and S 514 (*Roch* 28), for estates at Cuxton and at Malling. Had the single sheets behind these interesting texts survived, it would be clearer when and under what circumstances the two diplomas were fabricated, and one might have a better sense of their own place in the story.

the compiler must have had as much difficulty as we do in dating the undated vernacular texts, i.e. in assigning them a place in the sequence. Interestingly, for the Anglo-Saxon period, he had nothing later than 1012, though the sequence resumes after the Conquest.[20] It is the case that the charters in the Rochester archive provide good coverage of the endowment of the church of Rochester in 1066 and 1086, as recorded in Domesday Book; yet clearly they need to be assessed in relation to what is known of the unfolding history of the church, and its endowment, from the early seventh century onwards.

For present purposes, it must suffice to focus attention on one aspect of the history of the church of Rochester, as illustrated by the evidence of its surviving charters (whether preserved in single-sheet form or as copied in the *Textus Roffensis*). A striking feature of the archive is its inclusion of a small dossier of related documents, dating from the latter part of the tenth century (with one from the early eleventh), which can be seen to relate to each other, and to work together, in ways all too rare among surviving documents of this period: a vernacular will, which helps us to understand the wider context;[21] three vernacular documents of the kinds generated by litigation;[22] four diplomas of King Æthelred, in Latin, with boundary-clauses in English;[23] and at least two seemingly 'earlier' royal diplomas which were probably fabricated at Rochester to serve one purpose or another.[24] We cannot hope to know the whole story, but for the tenth and eleventh centuries, and for the reign of Æthelred the Unready, this evidence is as good as it gets. The documents in question have attracted a certain amount of attention in the past.[25] They serve below as the basis for reconstructing a tale of two successive bishops of Rochester, Ælfstan and Godwine, each fighting hard in his own way to protect his church, but operating in rather different political circumstances and thus achieving somewhat different results. What we learn in this process is that there were serious complications, at Rochester, in the last quarter of the tenth century, which required 'negotiation' in much the same way as the earlier and the later difficulties, involving recourse to existing forms of documentation, the fabrication of further documentation where evidence was lacking or might have seemed to be insufficient for the purposes in hand, and the production of royal diplomas and other records as part of the means by which a successful outcome was made secure. Domesday Book provides an authoritative record of the church's endowment on the day, in January 1066, when King Edward was alive and

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[20] For this and other instances of cartularies with relatively little material for the 50 years preceding the Norman Conquest, see S. Keynes, *The Diplomas of King Æthelred 'the Unready' 978–1016* (Cambridge, 1980), pp. 140–1. Colin Flight, 'The making of the "Textus Roffensis"' (online), suggests that Archbishop Lanfranc had seized the more recent documents, and never returned them.

[21] S 1511 (*Roch* 35), with *Anglo-Saxon Wills*, ed. D. Whitelock (Cambridge, 1930), pp. 26–9 (no. 11).

[22] S 1456 (*Roch* 37), with *Anglo-Saxon Charters*, ed. A. J. Robertson, 2nd ed. (Cambridge, 1956), pp. 140–3 (no. 69); S 1457 (*Roch* 36), *ibid*., pp. 122–5 (no. 59); and S 1458 (*Roch* 34), *ibid*., pp. 84–7 (no. 41).

[23] S 864 (*Roch* 30), dated 987; S 885 (*Roch* 31), dated 995; S 893 (*Roch* 32), dated 998; and S 926 with S 1562 (*Roch* 33), dated 1012.

[24] S 280 (*Roch* 19), dated 838, and S 671 (*Roch* 29), dated '955'; for S 331 (*Roch* 25), dated 862, see below, n. 61.

[25] Campbell, *Charters of Rochester* [1973], pp. xx–xxii; E. E. Barker, 'The Bromley Charters', *Archaeologia Cantiana* 93 (1977), 179–85; Colin Flight, 'Four Vernacular Texts from the Pre-Conquest Archive of Rochester Cathedral', *Archaeologia Cantiana* 115 (1995), 121–53.

dead;[26] but it is the charters from the Rochester archive which expose all of the complications which lie behind that record, and which suggest how the church's perception of itself had taken shape across the previous 300 years.

The background in the third quarter of the tenth century (950–75)

While there is generally good material for eastern Kent, rather less is known of western Kent in the mid-tenth century. There is uncertainty, for example, in our understanding of episcopal succession at Rochester, even though we might expect to be able to keep track through a period for which evidence is relatively plentiful. Burgric, named in episcopal lists as bishop of Rochester between Cyneferth (d. 933 × 934) and Ælfstan (acc. ? × 964), attests as bishop from 934 into the first year of the reign of King Eadred (946). These attestations are followed by a gap which extends from 946 to the end of the 950s, with uncertainty persisting thereafter until we reach the first certain attestations of Ælfstan, in 964.[27] It may be that Burgric was incapacitated, and that the responsibilities of his office were discharged on his behalf by someone who for some reason is not visible in the witness-lists; but in truth the position at Rochester in the late 940s and throughout the 950s remains a mystery.[28] Against this background, the appointment of Ælfstan might have represented a new beginning. It has been said that 'there is no evidence at all that monks were introduced at Rochester', in the second half of the tenth century.[29] It is the case, however, that Ælfstan was in some sense a 'brother' of the Old Minster, Winchester.[30] Nothing more is known of his background; but perhaps we may assume that he would have been sympathetic to the aims and objectives, and perhaps even the methods, of Æthelwold, bishop of Winchester (963–84).

Three vernacular documents from the Rochester archive provide glimpses of English society in west Kent during the period 950–75. All three are undated, and defy any attempt to date them closely with any degree of confidence. The first is a record of the 'last will' of Brihtric and his wife Ælfswith, as declared in a gathering on their property at Meopham (a few miles west of Rochester), in the presence of at least ten of their relations; Ælfstan, bishop of Rochester, is named at the end of the list, which suggests he was present in some other capacity.[31] The 'royal lord' (who is given his

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[26] The record of Rochester's estates includes manors at Fawkham, Bromley, Wouldham and Snodland; see *Domesday Book*, ed. J. Morris, 35 vols. (Chichester, 1975–86), 1: *Kent*, 4.1–16; see also *Domesday Book: a Complete Translation*, ed. A. Williams and G. H. Martin (London, 2002), pp. 13–14.

[27] For the evidence of witness-lists in royal diplomas, see S. Keynes, *An Atlas of Attestations in Anglo-Saxon Charters, c. 670–1066*, ASNC Guides, Texts and Studies 2 (Cambridge, 2002), also available online on the 'Kemble' website (above, n. 0), Tables XLIV (Eadred), XLVIII (Eadwig) and LIV (Edgar); see also Keynes, 'Archbishops and Bishops, 597–1066', pp. 544–5.

[28] For the possibility that there was no bishop of Rochester during this period, see Flight, 'Four Vernacular Texts', p. 131.

[29] R. A. L. Smith, 'The Early Community of St. Andrew at Rochester, 604–*c*. 1080', *EHR* 60 (1945), 289–99, at 298; cf. Brett, 'Church at Rochester', p. 8.

[30] BL Stowe 944, fol. 17v–18r: *The Liber Vitae of the New Minster and Hyde Abbey, Winchester*, ed. S. Keynes, Early English Manuscripts in Facsimile 26 (Copenhagen, 1996), p. 87. It is possible that S 849 (KCD 640), by which Æthelred granted a fishery at *Ginanhecce*, on the river Darent, to Bishop Æthelwold, might in some way reflect Bishop Ælfstan's origin; I owe this suggestion to Dr Giles Brown.

[31] S 1511 (*Roch* 35): *Wills*, ed. Whitelock, pp. 26–9 (text and translation), and 128–32 (notes). For recent discussion of wills in general, see L. Tollerton, *Wills and Will-Making in Anglo-Saxon England* (York, 2011), and J. Mumby, 'Property Rights in Anglo-Saxon Wills', *Gender and Historiography:*

heriot) and 'the lady' (who is given an armlet and a stallion, 'for her advocacy [*to forespræce*] that the will might stand') would seem as a pair to represent King Edgar and Queen Ælfthryth, placing the will perhaps in the early 970s;[32] it is conceivable, however, that the reference is to the young King Æthelred, and his mother, in which case the will might be dated *c*. 980.[33] Brihtric and Ælfswith make provision for St Andrew's, Rochester, for Christ Church, Canterbury, and for St Augustine's, Canterbury, and then for various members of their kindred, stipulating in most cases that the lands so bequeathed were to remain in their respective families (i.e. not given away). Most interesting and unusual, however, is the section involving their kinswoman Brihtwaru. It appears to affirm an arrangement made some time before, whereby three important estates (at Fawkham, Bromley and Snodland, distributed across western Kent), now held by Brihtwaru, widow of Ælfric, would pass after her death to the church of Rochester, as if Brihtric and Ælfswith had in some way been made responsible for ensuring an intended outcome. The will ends with an appeal by Brihtric to his 'dear lord' that he will not allow anyone to alter 'our will', followed by further clauses which leave a strong impression of commitment to its terms.

The second vernacular document is a statement of the history of estates at Bromley and at Fawkham (which also refers to Snodland), apparently prepared as part of an attempt by the church of Rochester to recover possession of the estates after their appropriation in the disturbances precipitated by the death of King Edgar in 975.[34] We hear of a certain Æscwynn, who some time past had given the title-deeds of Snodland to Rochester, perhaps in earnest of an intention that the land would pass to Rochester after her death. Presently certain priests removed the title-deeds from Rochester, and sold them to Æscwynn's son Ælfric, who might well have hoped to inherit the land for himself. The bishop demanded the title-deeds from Ælfric, evidently without success; and when Ælfric died, the bishop demanded them from Ælfric's widow. The widow is not named, but we know her, from the will of Brihtric and Ælfswith, as the Brihtwaru, widow of Ælfric, mentioned in connection with the same estates. When the matter went to litigation, the title-deeds for Snodland were returned to the bishop, and other estates held by Brihtwaru, at Bromley and at Fawkham (in which Rochester had a long-standing interest), were forfeited in punishment to the king. It emerges, however, that the widow made her peace with the bishop, and that after some negotiation (in an assembly at Gadshill, near Rochester) the bishop managed to acquire the title-deeds of Bromley and Fawkham for his church. The bishop then allowed Brihtwaru to enjoy her late husband's estates (not only Bromley and Fawkham, it seems, but also Snodland), on a (renewed) understanding that they would revert to the church. All of this took place before the death of King Edgar in 975; but the record goes on to

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Studies in the Earlier Middle Ages in Honour of Pauline Stafford, ed. J. L. Nelson, *et al*., (London, 2012), pp. 159–74.

[32] For Ælfthryth, in this role, see A. Rabin, 'Old English *forespeca* and the Role of the Advocate in Anglo-Saxon Law ', *Mediaeval Studies* 69 (2007), 223–54, at 248 n. 92 (with reference to S 1511 and S 1457), and 'Female Advocacy and Royal Protection in Tenth-Century England: The Legal Career of Queen Ælfthryth', *Speculum* 84 (2009), 261–88, esp. 273–81.

[33] For attestations of Ælfthryth in Edgar's reign, see *Atlas of Attestations*, Table XXXI; Ælfthryth attests in the 980s and 990s as 'queen' or 'king's mother' (*Atlas of Attestations*, Table LIX). The will has been dated 973 × 987 (*Anglo-Saxon Wills*, ed. Whitelock, p. 128, followed by Sawyer); 975 × 987 (*Charters of Rochester*, ed. Campbell, p. xxv); 964 × 975 (Flight, 'Four Vernacular Texts', p. 127, during the period 'when Snodland was linked with Bromley and Fawkham'); ? 980 × 987 (Revised/Electronic Sawyer).

[34] S 1457 (*Roch* 36): *Charters*, ed. Robertson, pp. 122–5 (text and translation) and 365–7 (notes).

recount the loss of the estates in the wake of the king's death, and it is apparent that it was not in fact drawn up until the early 980s, or some time thereafter.[35]

Understanding of the will of Brihtric and Ælfswith (S 1511), and of the account of the estates at Bromley and Fawkham (S 1457), depends on a judgement of their dating.[36] The seemingly intrusive section in the will, on the reversion to Rochester of estates at Fawkham, Bromley and Snodland, must be brought into a relationship of some kind with the account of the history of the same three estates; but it is not clear how. The account places two and perhaps all three of the estates in Brihtwaru's hands (with reversion to Rochester), towards the end of Edgar's reign, as a result of what had evidently been a complex (and costly) arrangement; but it also indicates that the agreement was undone in the immediate aftermath of Edgar's death in July 975. The view taken here is that Brihtric and Ælfswith declared their will (S 1511) while the arrangement was still in force (*before* the death of King Edgar); that the Brihtric, kinsman of Brihtwaru, who prevailed on Brihtwaru to renege on her agreement with Rochester (S 1457), after Edgar's death, was *not* the Brihtric familiar to us as a co-testator (S 1511), but a second kinsman of hers called Brihtric, who is also named in the will;[37] and that the document narrating the history of the estates (S 1457) formed part of Rochester's attempt(s) thereafter to recover the two of them (Bromley and Fawkham) which the church had bought from the king, treating whatever might have happened in 975 to Snodland as a different matter.

The third document is a statement of the history of an estate at Wouldham, which probably originated in much the same way as the second, as part of an attempt by the church of Rochester to recover possession of the estate after its appropriation by another party. It introduces us to a different kindred, which flourished in the same period.[38] Æthelberht, king of Kent (748–62), had given an estate at Wouldham, near Rochester, to the church of Rochester; but the church lost the land soon or some time thereafter. The land was bought from King Edmund (939–46) by Ælfstan, son of Heahstan; though interestingly it was King Eadred (946–55) who is said to have 'booked' (*gebocode*) the land to him 'as a perpetual inheritance' (*on ece yrfe*), indicating that the diploma was not produced until some time after the payment had been made.[39] The land passed from Ælfstan to his son Ælfheah, who leased it with

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[35] For the date of S 1457, see further below, p. 00.

[36] The starting-point is the discussion in Whitelock's *Anglo-Saxon Wills*, pp. 128–9, and in Robertson's *Anglo-Saxon Charters*, p. 365; see also P. Wormald, 'Charters, Law and the Settlement of Disputes in Anglo-Saxon England' [1986], reprinted in his *Legal Culture in the Early Medieval West: Law as Text, Image and Experience* (London, 1999), pp. 289–311, at 299 and 311; Flight, 'Four Vernacular texts', p. 134, n. 22; and Tollerton, *Wills and Will-Making*, p. 163.

[37] In effect, the Brihtric who induced or forced his kinswoman Brihtwaru to renege on her agreement with the church was attempting unscrupulously to take advantage of the circumstances arising from Edgar's death; if so, his namesake, the co-testator of S 1511, is left with an unblemished reputation.

[38] S 1458 (*Roch* 34): *Charters*, ed. Robertson, pp. 84–7 (text and translation) and 332–4 (notes).

[39] Ælfstan had made the payment to King Edmund, though the greater part of the money was known to have been provided by Ælfstan's son Ælfheah; the payment would appear to have been made shortly before the time of Edmund's death (26 May 946); and the diploma in respect of the transaction was issued in the name of King Eadred, dated 946, presumably soon after his own accession. The case illustrates the process which might lie behind the production of a diploma in the mid-tenth century, immediately in advance of its use at a royal assembly; see Keynes, 'Councils, Assemblies, and Diplomas', pp. 61–8. Eadred's diploma granting Wouldham to Ælfstan still existed in the early seventeenth century (above, n. 9); see also below, n. 75. On the variety of transactions (including purchase) that might be concealed behind the standard form of a royal diplomas, see Keynes, *Diplomas of King Æthelred*, pp. 31–3, with pp. 107–8; and for a comprehensive survey and analysis of all such

three other estates to his brother Ælfric, on whose death it reverted to Ælfheah; whereupon Ælfheah leased it to his nephew Eadric, son of Ælfric, on whose death it reverted again to Ælfheah; whereupon Ælfheah leased it to Eadric's (unnamed) widow. At this point Ælfheah came to Archbishop Dunstan, at (Old) Shelve (in Lenham), Kent, and declared his will in the archbishop's presence. One copy of the will was given to Christ Church, one to Rochester, and one to the widow.[40] Subsequently, a certain Leofsunu married Eadric's widow and seized possession of the estate, in defiance of Ælfheah's will (by which it was evidently intended to pass to Rochester); but in an assembly held at 'Earhith', in north-west Kent,[41] Archbishop Dunstan swore an oath, and thus secured possession of Wouldham, for the church of Rochester, 'with the title-deeds on the cross of Christ' (*mid þam bocan on Cristes rode*). The oath was accepted by Wulfsige the 'shire-man', on behalf of the king, and was given also by 'a good thousand men';[42] but, ominously, it is said to have been refused by Leofsunu. Interestingly, it seems that the outcome was promulgated outside Kent, in Sussex, Middlesex, and Essex, and also in the shires of Wessex. The narrative covers a period which seems to have extended from the mid-940s into the 970s, and perhaps onwards into the 980s; the assembly at 'Earhith' must have taken place before the death of Archbishop Dunstan in 988. The terms of the will were violated by Leofsunu perhaps in the mid-970s, or perhaps in the mid-980s; and the document itself could have been produced during those years, or perhaps soon after Dunstan's death in 988, or perhaps not until the mid-990s.[43]

The uncertainties which surround the dating of undated vernacular documents, and the identification of the men and women mentioned in them, make it difficult to use such material with confidence; and the problems are naturally compounded when undated vernacular documents are used in combination with each other. More generally, it must be admitted that the vernacular documents from Rochester create the impression of a Kentish soap opera which has too many characters, too many details, and seemingly little to drive the narrative, and its multifarious sub-plots, apart from an insatiable lust for land. We see local kindreds going about their business, interacting

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records of payments, among others, see Naismith, 'Payments for Land and Privilege', with further references.

[40] The will of Ælfheah, son of Ælfstan, evidently drawn up in the form of a tripartite chirograph, does not survive, and would appear not to have left any trace at Canterbury. The passage was badly misunderstood by whomsoever at Rochester translated the text into Latin (*Roch* 34b); see Robertson, *Charters*, p. 333.

[41] 'Earhith' is presumed to denote modern Erith, on the south bank of the river Thames; but it has been suggested that the reference may be to modern Crayford, four or five miles further south, on the main road (Watling St = A2) leading from London to Rochester and Canterbury; see Flight, 'Four Vernacular Texts', p. 138 n. 30.

[42] This striking account of the proceedings at 'Earhith' suggests that the charters (perhaps including some diplomas, and a copy of Ælfheah's will) were laid before a cross, and that first the archbishop, and then the many others present as witnesses (including Ælfstan, bishop of London, and Ælfstan, bishop of Rochester) took the oath, which was then formally accepted by the shire-reeve of Kent on behalf of the king, leaving Leofsunu down although seemingly not out.

[43] The date of S 1458 depends largely on one's understanding of its nature. If it originated as a record of the oath-taking at 'Earhith', it would have been drawn up during the period 964 x 988 (the date assigned to the text by Robertson and Campbell). If, however, it originated as testimony of Rochester's entitlement to the estate, for the purposes of a lawsuit about Wouldham, it could have been drawn up during this period, or some years *after* Dunstan's death. If it originated specifically in connection with the litigation leading to Bishop Godwine's recovery of the estate in 995, it would have been drawn up at about that time, unless Godwine made use of existing documentation. See further below, p. 000.

with each other,[44] interacting also with the church of Rochester, and solicitous (to some extent) for the souls of themselves and of their ancestors; but what more might we learn from them as a group? The documents have some bearing, in the first place, on secular administration in Kent during the third quarter of the tenth century (a matter which could not be addressed properly, of course, without close examination of evidence from Canterbury and elsewhere).[45] Suffice it to say that we encounter the reeve Wulfstan of Dalham, who is seen operating in Kent on behalf of the king, and also a 'shire-man', Wulfsige the priest, who operated on the king's behalf but in a different way.[46] Wulfstan of Dalham was a figure of particular importance, well known to the historical record from his involvement in the ejection of secular priests from Winchester in 964, and from his appearances in other contexts.[47] Wulfsige 'the priest' was perhaps a royal priest of some kind, as opposed to a priest from Canterbury or from Rochester, whose responsibilities were confined to the shire of Kent in particular. It would be as well, in the second place, to register what even this small sample of vernacular charters reveals about the documentary culture of the later tenth century. Men and women bequeathed their property in the presence of witnesses; but written records were made of the act in order to ensure that the provisions might be made known to others, and properly implemented. Title-deeds for estates might be entrusted by laymen into the safe-keeping of religious houses, as an earnest of good intentions; but they might also be stolen from the church, since so much depended on the ownership of the physical document, and then demanded back, with or without success. The outcome of litigation might be that title-deeds would be handed over by one party to another, or in the case of forfeiture by the guilty party to the king. None of this need occasion any surprise. The point is that Latin diplomas and vernacular charters were integral and complementary parts of processes of litigation which respected the evidence of the written word; and that within such a context some of the litigating parties might be expected to have resorted to nefarious practices, ranging from the theft of title-deeds from a church to the modification or fabrication of documents in support of a desperate cause, or indeed in support of a good one.[48] A third observation arises from the instances which these documents provide of the conflict of interests arising from the natural wishes of those of advancing years to ensure their well-being by making due provision for their souls, and from the expectations of others, notably their progeny or kin, to inherit or in some other way to acquire property for purposes of their own. One should note at the same time that the secular clergy had their feet in both worlds. It was *priests* who stole the title-deeds of

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[44] In the will of Brihtric and Ælfswith (S 1511), reference is made to a certain Ælfheah, son of Ælfstan, and his brother Ælfric, as witnesses in the 950s; the document relating to Wouldham (S 1458) refers to the brother Ælfheah and Ælfric, sons of Ælfstan.

[45] For ealdormen in Edgar's reign, see *Atlas of Attestations*, Table LVI, with S. Keynes, 'Edgar, *rex admirabilis*', *Edgar, King of the English 959–975: New Interpretations*, ed. D. Scragg (Woodbridge, 2008), pp. 3–58, at 31–2 and 53–4.

[46] S 1457 (Wulfstan of Dalham) and S 1458 (Wulfsige); see also Wormald, 'Charters, Law and the Settlement of Disputes', pp. 304–5. S 1456 (*Roch* 37), which relates to the 990s, features another Kentish 'shire-man', called Leofric.

[47] *Wulfstan of Winchester: The Life of St Æthelwold*, ed. M. Lapidge and M. Winterbottom (Oxford, 1991), p. 32, with Keynes, 'Edgar', p. 35.

[48] Wormald, 'Charters, Law and the Settlement of Disputes', pp. 302–3 and 309. See also Keynes, *Diplomas of King Æthelred*, pp. 33–5; *idem,* 'Councils, Assemblies, and Diplomas', pp. 62–4; and *idem*, 'Anglo-Saxon Charters in the Vernacular', Robertson Memorial Lecture 2009 (University of Aberdeen, forthcoming).

Snodland from the bishop of Rochester, and sold them to Ælfric; in other words, or so one imagines, members of Bishop Ælfstan's own community whose connections and sympathies lay with the son of the woman who had given the title-deeds to the church. Strong feelings were bound to arise; nor was this the only instance of secular clergy acting against a bishop of perhaps a different persuasion.[49] Taken together, the three observations amount to a rare glimpse of the commonplace; yet this knowledge of what it meant to be a neighbour of St Andrew, at Rochester, is in fact second only to our deeper understanding of what it meant to be a neighbour of St Æthelthryth, at Ely.[50]

Bishop Ælfstan and King Æthelred

If the three vernacular documents from Rochester, discussed above, are taken together, they illustrate effectively some of the circumstances which lay behind the so-called 'anti-monastic reaction' precipitated by the death of King Edgar in 975, and associated with the reign of his son, Edward the Martyr.[51] The key or operative document is the one which in narrating the history of the estates at Bromley and Fawkham refers also to the history of the estate at Snodland (S 1457). The charters of Snodland are said to have been stolen by unnamed priests from the church of Rochester. At the risk of pressing the evidence too far, we may see here how a body of secular clergy felt towards a monastic bishop in their midst, fearing perhaps that he might do in western Kent what King Edgar and Bishop Æthelwold had done at Winchester, and elsewhere, through the agency of Wulfstan of Dalham. In this case, the priests appear to have taken action, on behalf of Ælfric (and his wife Brihtwaru), some years *before* the king's death. After Ælfric's death the matter went to litigation. His widow Brihtwaru's estates at Fawkham and Bromley were forfeited to the king, and the title-deeds for Snodland were perforce returned to the bishop. At this point Ælfstan, bishop of Rochester, was able to buy Fawkham and Bromley from the king, though he then granted a life interest in the estates (apparently including Snodland) to the widow; and to judge from their will (S 1511), Brihtric and Ælfswith were guarantors of an agreement that the three estates would return to the church on her death. Thereafter, Brihtric and Ælfswith declared their own intentions to their extended family, in Bishop Ælfstan's presence, and at the same time affirmed the arrangement in respect of the estates which Brihtwaru held at Fawkham, Bromley and Snodland. If (as seems likely) the will was made in or shortly before 975, any disaffected kin would not have had long to wait. When the king died, a certain Brihtric, kinsman of Brihtwaru, prevailed upon Brihtwaru to agree that they should seize from the church the estates at Bromley and at Fawkham (perhaps also the estate at Snodland), in both (or all) of which she held a life interest. It could be that Brihtric of Meopham reneged on his role as guarantor, and turned against the church of Rochester in pursuit of his own self-interest; but it seems more likely (as noted above) that the grasping Brihtric who took

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[49] For evidence of division of the bishop's property and that of the community, see S 885 (*Roch* 31), boundary-clause, with Flight, 'Four Vernacular Texts', p. 131 n. 17.

[50] S. Keynes, 'Anglo-Saxon Ely 672–1109', *A History of Ely Cathedral*, ed. P. Meadows and N. Ramsay (Woodbridge, 2003), pp. 3–58, at 26-7; and *Charters of Ely Abbey, with the 'Libellus Æthelwoldi episcopi'*, ed. S. Keynes and A. Kennedy, forthcoming as part of the 'Anglo-Saxon Charters' series). A draft translation of the *Libellus*, forming an integral part of this project, is available on the 'Kemble' website.

[51] Keynes, 'Edgar, *rex admirabilis*', pp. 51–6, with S. Keynes, 'The Cult of King Edward the Martyr during the Reign of King Æthelred the Unready', *Gender and Historiography*, ed. Nelson, *et al*., pp. 115–25.

advantage in this way of the upheavals precipitated by Edgar's death, and contrived to undo what had been done in Edgar's lifetime, was the second of the two Brihtrics who are known to have been kinsmen of Brihtwaru. Whatever the case, the statement made in the Rochester account, whilst obviously partisan, is quite remarkable:

. under ðam ða gewatt se cing. Ongan ða syððan Byrhtric ðare wydewan mæg . 7 heo to ðam genedde þæt hy brucan ðara landa on reaflace . gesohtan ða ðane ealdorman Eadwine . 7 þæt folc ðe wæs Godes anspreca . 7 geneddan ðane biscop be ealre his are agiftes ðara boca . ne moste he beon þara ðreora nanes wyrðe ðe eallum leodscipe gesealde wæs on wedde . Tale . ne teames . ne ahnunga.	In the meantime the king died. Then Brihtric, the widow's kinsman, took action and compelled her [to agree] that they should take violent possession of the estates. They applied then to Ealdormen Eadwine and the section of the public which was the adversary of God, and compelled the bishop [Ælfstan] to give up the title-deeds, under pain of losing all his property, nor could he obtain permission to offer any of the three [modes of proof], formally granted to the whole population, namely statement of his claim (*tale*), vouching to warranty (*team*) or declaration of his ownership (*ahnunga*).

It is difficult to imagine how such an extraordinary situation could have arisen, presumably in the late summer of 975, or soon afterwards, unless there had been a serious breakdown in public order; and one can but wonder where Ealdorman Eadwine, who at the time of his death in 982 was described as ealdorman 'of Sussex', stood at this time in relation to other holders of high office in both the secular and the ecclesiastical orders. A similar if slightly less alarming picture emerges from the more extensive documentation relating to the estates of Ely abbey;[52] but whatever the truth behind the choice of words and phrases in Rochester's account of the matter, Bishop Ælfstan might have been hard pressed under such circumstances to protect the interests of his church.[53]

In the opening years of Æthelred's reign, between 978 and 984 (certainly in 982–4), Bishop Ælfstan can be seen to have attested the king's Latin diplomas, in other words to have attended royal assemblies; but during the course of 984 (although apparently not until after the death of Æthelwold, bishop of Winchester, on 1 August), he disappears from view, as if he had been excluded from assemblies or had chosen to absent himself from them.[54] To judge from his attestations, Bishop Ælfstan resumed his attendance at royal assemblies in 988. The evidence thus suggests that for a period of four years, from 984 to 988, there was personal enmity or a stand-off between the king and the bishop of Rochester. It was seemingly not the case that Ælfstan had been locked up, or had gone into hiding; for it is precisely during this period that we find the bishop of Rochester on one occasion in the company of the abbot of Malmesbury, and Abbo, monk of Fleury (then based at Ramsey abbey), listening to Archbishop Dunstan relate an account of the martyrdom of St Edmund which he (Dunstan) had heard being told to King Æthelstan by the king's armour-bearer (*armiger*).[55] Further

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[52] Above, n. 50.

[53] For attestations of Bishop Ælfstan in charters of Edward the Martyr, for what they may be worth, see *Atlas of Attestations*, Table LVIII.

[54] Keynes, *Diplomas of King Æthelred*, pp. 178–80, with *Atlas of Attestations*, Table LXa.

[55] Abbo of Fleury, *Passio S. Eadmundi*, dedicatory letter to Archbishop Dunstan: *Three Lives of English Saints*, ed. Michael Winterbottom (Toronto, 1972), pp. 67–87, at 67 (text); *Corolla Sancti Eadmundi*, ed. Lord Francis Hervey (London, 1907), pp. 6–59, at 7–9 (translation). Abbo is known to

evidence of some form of disruption at Rochester is provided by contemporary coinage. The moneyer Sidewine is known to have struck silver pennies of King Æthelred's *First Hand* type, at Rochester, in the early 980s, using dies presumed to have been supplied from London or Canterbury; but when the type changed from *First Hand* to *Second Hand*, in the mid-980s, he seems to have had difficulty in obtaining an obverse die of the new type, and resorted to altering an obverse die of the old type in order to produce coins with the required features of the new type.[56] One should also register the story told in Osbern's *Life of St Dunstan*, developed by Eadmer, to the effect that on an occasion when he had been joined at Canterbury by Æthelwold, bishop of Winchester, and by the (unnamed) bishop of Rochester, Dunstan (in parting from them) predicted the imminent death of them both, as it soon tuned out correctly;[57] which might be regarded as evidence of a kind for a connection between the two bishops.[58] It is also, of course, in the context of the apparent stand-off between the king and the bishop of Rochester, in 984–8, that we should read the statement in the *Anglo-Saxon Chronicle* to the effect that in 986 King Æthelred *fordyde* (ravaged) the bishopric of Rochester.[59] The verb *fordon* has a range of meanings—to undo, destroy, ruin, abolish—so it is not clear precisely what Æthelred did to the diocese.[60] It is striking, moreover, that in 987 the king granted an estate of 10 sulungs at

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have been in England (at Ramsey) for two years, from a point in 985 to a point in 987, during which period he addressed three epistolary poems to Dunstan, as well as the *Passio S. Eadmundi*; for further details, see Marco Mostert, *The Political Theology of Abbo of Fleury* (Hilversum, 1987), pp. 21–2 and 40–5.

[56] R. H. M. Dolley, 'Æthelræd's Rochester Ravaging of 986 – an Intriguing Numismatic Sidelight', *Spink's Numismatic Circular* 75 (1967), 33–4. I am grateful to Dr Rory Naismith for informing me that the coins seen by Dolley in the 1960s, in the collection of J. H. Brand, are currently deposited in the Fitzwilliam Museum, Cambridge, forming part of the collection of Dr Stuart Lyon. Sidewine was one of three moneyers known for Rochester in *First Hand*, but the only one them also active in *Second Hand*; see K. Jonsson and G. van der Meer, 'Mints and Moneyers c. 973–1066', *Studies in Late Anglo-Saxon Coinage*, ed. K. Jonsson (Stockholm, 1990), pp. 47–136, at 96.

[57] Osbern, *Vita S. Dunstani*, ch. 38, and Eadmer, *Vita S. Dunstani*, ch. 36, in *Memorials of Saint Dunstan*, ed. W. Stubbs (London, 1874), pp. 115–16 and 215–16, with *Eadmer of Canterbury: Lives and Miracles of Saints Oda, Dunstan, and Oswald*, ed. A. J. Turner and B. J. Muir (Oxford, 2006), pp. 146–8 (chs. 60–1), and discussion at p. 146, n. 139. For Osbern's *Vita S. Dunstani*, see J. Rubenstein, 'The Life and Writings of Osbern of Canterbury', *Canterbury and the Norman Conquest: Churches, Saints and Scholars 1066–1109*, ed. R. Eales and R. Sharpe (London, 1995), pp. 27–40.

[58] One should resist the notion that Osbern's story provides scope for converting a single bishop Ælfstan into two, of whom the latter succeeded the former some time between 984 and 988 (*Memorials*, ed. Stubbs, p. 115 n. 3; see also Flight, 'Four Vernacular Texts', pp. 126 n. 10, and 144 n. 45). The cumulative evidence of tenth-, eleventh- and twelfth-century sets of episcopal lists (including the list in the *Textus Roffensis*) points towards a single bishop Ælfstan; it is also the case that Bishop Godwine knew that he had succeeded a Bishop Ælfstan who had been assiduous in trying to recover the property of his church (S 1456), perhaps in the more distant past.

[59] *ASC*, MSS. CDE, s.a. 986. Cf. *ASC*, s.a. 676: Æthelred of Mercia ravaged Kent and destroyed Rochester (*HE* iv. 12). It is hard to imagine what Archbishop Dunstan, and other bishops, might have made of whatever was done at Rochester in the king's name in 986; on the face of it, Rochester would have been under the archbishop's protection. See also M. Brett, 'Gundulf and the Cathedral Communities of Canterbury and Rochester', *Canterbury and the Norman Conquest*, ed. Eales and Sharpe, pp. 15–25.

[60] For that view that the bishopric of Rochester was abolished (and the act soon rescinded), see Flight, 'Four Vernacular Texts', p. 144 n. 45.

Bromley, in Kent, to his thegn Æthelsige;[61] and we learn from a diploma by which Æthelred restored the estate to Rochester, some years later, that Æthelsige was among those said to have taken advantage of the king in his youth, and to have persuaded him to appropriate the land from the church.[62] Sulcard of Westminster (perhaps formerly of Rochester), writing *c*. 1080, states that the dispute between the king and the bishop arose because the king had given some land which belonged to the church to one of his thegns, and because the bishop, not knowing of the gift, had ejected the thegn.[63] The story of Æthelred's ravaging of Rochester was taken further by Osbern of Canterbury, in the late eleventh century, and by William of Malmesbury, in the early twelfth, not least because it provided both authors with scope for developing the theme of St Dunstan's prophetic powers; though it is unlikely that this represented anything more than the usual processes of literary embellishment.[64]

Sooner (*c*. 980), one suspects, rather than later (*c*. 990), Bishop Ælfstan began to institute legal proceedings in order to recover property which had formerly belonged to the church of Rochester. His successor Godwine is said to have found what are described as 'the very documents' (*þa ylcan swutelunga*) which Ælfstan had used when laying claim to the church's property at Snodland;[65] and one is prompted to ask what form they might have taken, and what else there might have been. The title-deeds of Snodland had been stolen from the church probably in the mid- or late 960s, or early 970s, and had been recovered, still in Edgar's reign, by due process of law (S 1457); but it seems that the land had been lost thereafter, presumably in the aftermath of Edgar's death in 975. It is not clear when Ælfstan had made his own attempt, with the charters, to recover the property (and of course he might have tried more than once); but evidently he had done so without achieving the desired result. The vernacular document describing the history of the estates at Bromley and Fawkham (S 1457) seems to be a statement of a claim (*talu*) submitted by Rochester in support of an attempt to recover this pair of estates (which had a different history from Snodland).[66] It was probably produced in the early 980s, at a time when the estates were still in the hands of the widow Brihtwaru and her grasping kinsman Brihtric; though it might have continued to serve a useful purpose in the mid-990s, as evidence of a particular stage in a more extended exposition of the history of the estate.[67] The

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[61] S 864 (*Roch* 30), using bounds in S 331, not S 671. The charter is preserved in its original single-sheet form, from the Rochester archive (image available on the 'Kemble' website); but it was not entered in the *Textus Roffensis*.

[62] S 893 (*Roch* 32), on which see further below, pp. 00–0.

[63] B. W. Scholz, 'Sulcard of Westminster: *Prologus de Constructione Westmonasterii*', *Traditio* 20 (1964), 59–91, at 89–90. For Sulcard himself, see B. Harvey, in *ODNB*. For discussion, see Keynes, *Diplomas of King Æthelred*, pp. 178–80; and Brett, 'Church at Rochester', p. 6.

[64] Osbern, *Vita S. Dunstani*, ch. 39, in *Memorials*, ed. Stubbs, p. 117; see also WM, *Vita S. Dunstani*, ii. 22, in *Saints' Lives*, ed. Winterbottom and Thomson, p. 274; and WM, *GR* ii. 165. 1, in *WM, Gesta regum Anglorum*, I, ed. Mynors, p. 270. S. Keynes, 'The Declining Reputation of King Æthelred the Unready', *Anglo-Saxon History: Basic Readings*, ed. D. A. E. Pelteret (New York, 2000), pp. 157–90, at 169–70.

[65] S 1456 (*Roch* 37), on which see further below, p. 00; see also Flight, 'Four Vernacular Texts', pp. 132–3, and Crick, 'Script and the Sense of the Past', pp. 22–3.

[66] For a summary of S 1457, see above, pp. 000–0.

[67] Among the bishops said to have witnessed the purchase in Edgar's reign are two not appointed until early in Æthelred's reign; and the reference to Ealdorman Eadwine may point to a date after (perhaps soon after) his death in 982. I take it to be part of a bid to recover the estate in the early 980s, which may or may not have been successful. Flight, 'Four Vernacular Texts', pp. 127–9, assigns S 1457 to *c*.

vernacular document describing the history of the estate at Wouldham (S 1458) shows that action had been taken in the period 964 x 988, probably in the 970s or 980s, to re-assert the terms of the will of Ælfheah, son of Ælfstan, not least (although perhaps not only) in respect of Rochester's title to the land at Wouldham.[68] As we have seen, it tells how Archbishop Dunstan (in whose presence Ælfheah had made his will in the first place) had proved possession of 'the whole of Ælfheah's bequest', with his oath and 'with the title-deeds on the cross of Christ'. That should have been enough; but evidently the problem continued. The document itself was probably produced in the years following Dunstan's death, as evidence of the circumstances in which the estate had come into Rochester's possession; in which case it may be that Bishop Ælfstan tried again to recover the property, *c*. 990, and failed again. Equally, the document could have been produced for Bishop Godwine's purposes in the mid-990s, leading to a more satisfactory result.

Bishop Ælfstan may or may not have produced other documentation in connection with his efforts. A charter in the Rochester archive, still extant in its original single-sheet form, and also as copied into the *Textus Roffensis*, purports to record how King Edgar granted 10 sulungs at Bromley to the church of Rochester in return for a payment of 80 mancuses of gold and six pounds of silver (and an additional payment of 30 mancuses of gold).[69] It is, in effect, a realization of Rochester's story that once the bishop had managed, in a royal assembly at London, to recover the stolen title-deeds of Snodland, he managed soon afterwards, in a local assembly at Gadshill, to purchase the title-deeds of Bromley and Fawkham, which had been forfeited to the king. Yet quite apart from its formulation, Edgar's charter is dated '955', gives the 'ninth' indiction (for 966), and has an impossible witness-list, with various inconsistencies and anachronisms, and in which the ealdormen are buried in the midst of the thegns. It is thus a fine example of the readiness of the church of Rochester, like many another church, to resort to the fabrication of documentary evidence in support of a cause, though it serves also as an example of the difficulty some had in getting it right. The boundary-clause is of particular interest. In the aftermath of Edgar's death the bishop of Rochester had been compelled to give up his title-deeds for Bromley and Fawkham (and perhaps also for Snodland). The church might thus have been without its seemingly ninth-century title-deed for Bromley;[70] in which case it may be significant that the survey of Bromley used for the (forged) charter of King Edgar was apparently produced afresh for the purpose.[71] The charter itself has the appearance

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998, in connection with the later restoration of Bromley; but S 1457 does not read like a statement made in the late 990s, when one might have expected more on the history of the estate in the mid-980s, as set out in the king's act of restoration (S 893); see further below, pp. 00–0.

[68] For a summary of S 1458, see above, pp. 000–0.

[69] S 671 (*Roch* 29). For records of such payments, see R. Naismith, 'Payments for Land and Privilege in Anglo-Saxon England', *ASE* 41 (2013 [for 2012]), 277–342, at 328 and 335. The payment said (in S 1457) to have been made in respect of Bromley and Fawkham should be compared with the payment said (in S 671) to have been made in respect of Bromley; see also the previous note.

[70] S 331 (*Roch* 25). For the view that this is a ninth-century original, see Brooks, *Church of Canterbury*, p. 361, identifying the scribe of S 327 (*Roch* 24), dated 860, and S 331, dated 862, as the scribe also responsible some years later for S 1276 (*CantCC* 98), dated 889; see also Flight, 'Four Vernacular Texts', p. 143 n. 43 (citing Brooks); D. N. Dumville, 'English Square Minuscule Script: the Background and Earliest Phases', *ASE* 16 (1987), 147–79, at 158 n. 53; and Brooks and Kelly, *Charters of Christ Church, Canterbury*, p. 000. Cf. Campbell, *Charters of Rochester*, pp. xiv–xv (s. ix), xxiv (s. x.2) and 29 (x. x.2?).

[71] The survey in S 331 (*Roch* 25) lies behind the survey used for S 864 (*Roch* 30), representing the alienation of the estate in 987. The survey in S 671 (*Roch* 29) describes a slightly smaller area, and was

externally of being a quality production, and could have been produced any time in the last quarter of the tenth century. Interestingly, a later endorsement (*et est alia carta similis huic*) indicates that there was another one like it – perhaps in respect of the land at Fawkham (and perhaps also a forgery). The Rochester archive also contains a charter purportedly of King Ecgberht, dated 838, granting land at Snodland and Holborough to Beormod, bishop of Rochester, which seems like the Bromley charter of '955' to have been fabricated in the late tenth century, presumably as part of an attempt to recover the estate for the church.[72] Most interestingly, the scribe who produced the Snodland charter of 838 (presumably a monk or priest of Rochester) has been identified as the scribe responsible for producing the vernacular account of the history of the land at Wouldham.[73] The two documents might have been produced at more or less the same time, say in the mid-990s, but it is also possible that they originated some years apart, in connection with different campaigns.

The last quarter of the tenth century would appear to have been a particularly difficult period in the history of the church of Rochester, involving dissension, disruption, and the loss and attempted recovery of its land. If only to judge from a combination of undated vernacular documents, it seems that Bishop Ælfstan had tried to recover at least some of the estates which had formerly belonged to the church, perhaps in the late 970s/early 980s, and perhaps again in the late 980s/early 990s. It is hard, none the less, to establish what if anything he might have achieved. It may be that the estate at Bromley, lost in 975, had been recovered by 987, given that Æthelred's grant of the estate to his thegn Æthelsige, in that year, was regarded in 998 as tantamount to its appropriation from the church. Other estates which had belonged to Rochester before 975, including Fawkham, Snodland and Wouldham, might have been recovered in the later 970s, lost again in the mid-980s, and recovered again thereafter. Whatever the case, in Ælfstan we encounter someone who seems to have struggled hard to maintain his position perhaps against the odds: perhaps an associate of Bishop Æthelwold in the 960s; who had experienced the resentment of the secular clergy at Rochester already before King Edgar's death, and who suffered mightily (or so it seems) in the so-called anti-monastic reaction; who tried, perhaps *c*. 980, to recover some of what he had lost; who fell out with the young King Æthelred, after Æthelwold's death in 984; whose church suffered grievously (again) in the following three or four years; who resumed his attendance at royal assemblies in 988; and who kept going thereafter until *c*. 995, when he is presumed to have died. The question might have been whether his successor would manage any better.

Bishop Godwine and King Æthelred

The last attestation of Ælfstan, bishop of Rochester, is in a diploma of 994; the first attestation of his successor, Godwine, is in a diploma of 995.[74] Nothing is known for

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used for a charter fabricated probably *c*. 990; this survey lies behind that used for S 893 (*Roch* 32), representing the restoration of the estate in 998. For further discussion, see Barker, 'Bromley Charters', and Flight, 'Four Vernacular Texts', pp. 143–7 (associating S 671 and S 1457 with the recovery of Bromley in the late 990s). <

[72] S 280 (*Roch* 19), extant in single-sheet form (image available on the 'Kemble' website). S 289 (*Roch* 20), preserved only as a copy entered in the *Textus Roffensis*, may have been produced in the same connection. See also Flight, 'Four Vernacular Texts', pp. 141–3, connecting S 280 and S 289 with renewed litigation of Bishop Godwine's time.

[73] The identification of the scribe of S 280 (*Roch* 19) as the scribe of S 1458 (*Roch* 34) was made by Crick, 'Forgery and the English Past', p. 541, with fuller discussion in her 'Script and the Sense of the Past', pp. 19 and 22–3, and figs. 1.6–7.

[74] *Atlas of Attestations*, Table LXa (p. 2), with Keynes, 'Archbishops and Bishops, 597–1066', p. 545.

certain of Godwine's background. An otherwise unidentified abbot called Godwine attended royal assemblies in the 970s and early 980s, and another is seen at assemblies in the period 997–1002.[75] Assuming the two series of attestations represent two different persons, the first of the two was conceivably the bishop, though the identification would be more compelling if the attestations reached from the 980s into the early 990s.[76] There was also a Godwine, priest and dean, apparently of the Old Minster, Winchester, who occurs in a list of members of the Old Minster in the late tenth century;[77] but the name is not uncommon and it would be hazardous to identify him with any confidence as the person appointed bishop of Rochester, *c*. 995. The possibility also exists that Godwine was drawn from a different background, perhaps from the secular clergy in the king's service (who are largely invisible in Æthelred's reign). Whatever the case, Godwine was as active as Ælfstan had been, and soon set his mind to the recovery of estates which he knew to have belonged to his church. The difference is that Godwine seems to have succeeded where his predecessor would appear to have failed; and one should like to know why, not least because his success provided the context for the production of two exceptionally interesting royal diplomas, one issued in 995 and the other in 998, which are of importance not only for our understanding of the history of the endowment of the church of Rochester but also for our perception of King Æthelred himself.[78]

Bishop Godwine seems at first to have focused his attention on the substantial estate at Wouldham, four miles up the river Medway from Rochester. The vernacular document which sets out the basis for Rochester's interest in this property survives in its original form, written in a hand which could be dated any time in the last quarter of the tenth century.[79] Like the vernacular document relating to Bromley and Fawkham, the document concerning Wouldham would appear to have been produced, at Rochester, for use in legal proceedings, as a part of the church's case for the recovery of the land. There were other documents at Rochester which pertained to Wouldham: among them the Latin diploma (now lost) by which King Eadred had booked the estate to Ælfstan, and whatever might lie behind the three vernacular notes copied into the *Textus Roffensis*, including one to the effect that Ælfstan, father of Ælfheah, had bought the land from King Edmund, *on ece yrfe*, with 120 mancuses of gold and 30 pounds.[80] It may be that the church of Rochester had taken action to recover Wouldham before Dunstan's death in 988, or in the years following his death, and that the estate, if recovered, had been lost again. It is more likely, however, that the estate had remained for some time in the hands of those who had appropriated it before

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[75] *Atlas of Attestations*, Tables LV and LXI.

[76] See also *Heads of Religious Houses England and Wales, I: 940–1216*, ed. D. Knowles, *et al*., 2nd ed. (Cambridge, 2001), p. 226; and the PASE online database (Godwine 23). The second series of attestations might belong to Godwine's successor as bishop, also called Godwine.

[77] BL Stowe 944, fol. 18v, with *Liber Vitae*, ed. Keynes, p. 88.

[78] Keynes, *Diplomas of King Æthelred*, pp. 95–104, 176–80 and 198–200; *idem*, 'Re-Reading King Æthelred the Unready', *Writing Medieval Biography 750–1250*, ed. D. Bates, J. Crick and S. Hamilton (Woodbridge, 2006), pp. 77–97, at 89–96, and *idem*, 'Councils, Assemblies, and Diplomas', pp. 102–26, esp. 119–20, with further references.

[79] S 1458 (*Roch* 34), summarized above, pp. 00–0.

[80] Above, nn. 9 and 34. The notes on Wouldham (*Textus Roffensis*, fol. 162), printed by David Pelteret, 'Two Old English Lists of Serfs', *Mediaeval Studies* 48 (1986), 470–513, at 493, otherwise comprised a list of serfs, and a record of an arrangement between Æthelsige of Wouldham and Sigeweard, bishop of Rochester, made probably in the 1060s; see also Flight, 'Four Vernacular Texts', p. 141.

(perhaps in the 970s or 980s), that Bishop Ælfstan tried and failed to recover it, and that it was Bishop Godwine, soon after his accession to the see of Rochester in 994/995, who returned to the matter, perhaps with some additional documentation.[81]

Any lawsuit about the ownership of the estate at Wouldham, instigated in the mid-990s by the bishop of Rochester against Leofsunu or his heirs, would have been heard probably at a shire assembly, in the presence of a representative of the king, rather than at a royal assembly, in the presence of the great and the good of the land.[82] The outcome of the dispute would have been reported to the king, and the matter taken further forward from that point. The diploma, dated 995, by which King Æthelred restored to the see of Rochester six sulungs at Wouldham, and one hide at Littlebrook, would itself have been the product of proceedings at a royal assembly, setting right what was now seen to be a wrong done to the church at least ten years before.[83] The diploma does not survive in its original single-sheet form; but the text entered in the *Textus Roffensis* is without question a faithful copy of an authentic original, and transports us to the heart of what was evidently an assembly of considerable significance in its own right. The diploma begins with a pictorial invocation, in the form of a chrismon (the combination of the Greek letters chi and rho, for Christos). The proem, expressing the pious sentiments which lay behind the making of the act recorded in the diploma, is a fine example of its kind. It is followed by the superscription and exposition, leading into the dispositive section. In accordance with the usual convention, the draftsman of the diploma switches for this part of the text from the third to the first person, so that the words are represented henceforth as those of Æthelred, king of the English. The king is mindful of St Paul's teaching to the Romans: that it is through God's patience (*patientia*) that one is led to repentance (*poenitentia*).[84] He then alludes to what he had done from ignorance during his youth, explaining how by divine grace, as he grew older, he resolved to mend his ways.[85] In the operative part of the dispositive section, Æthelred states that at the request of Bishop Godwine he has restored the land at Wouldham and at Littlebrook to St Andrew, for the episcopal see of Rochester. The text continues in the king's person with an emphatic form of words directed against anyone, of whatever station, who might presume to challenge the king's diploma, whether by mindless daring or by the production of a spurious charter;[86] with the further stipulation that Bishop Godwine

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[81] For the date of S 1458, see above, n. 38.

[82] See A. G. Kennedy, 'Disputes about *bocland*: the Forum for their Adjudication', *ASE* 14 (1985), 175–95, with discussion of S 1458 (Wouldham), S 1456 (Snodland) and S 1457 (Bromley and Fawkham) at pp. 181–2 and 184.

[83] S 885 (*Roch* 31).

[84] Rom. 2:4. The Vulgate text has *benignitas Dei* (*The Vulgate Bible*, VI: *The New Testament*, ed. A. M. Kinney (Harvard, MA, 2013), p. 796); the draftsman gives *patientia Dei* (a common variant), which was better suited to his purpose. For discussion, see L. Roach, 'Public Rites and Public Wrongs: Ritual Aspects of Diplomas in Tenth- and Eleventh-Century England', *EME* 19 (2011), 182–203, at 194–5, and *idem*, 'Penitential Discourse in the Diplomas of King Æthelred "the Unready"', *JEH* 64 (2013), 258–76, at 261–2 and 272–3.

[85] For the striking link between Æthelred's diploma for Abingdon abbey, dated 993 (S 876), and the diploma for Rochester, dated 995 (S 885), involving an echo of a key passage in the preface to the *Regularis Concordia* (with reference to Bishop Æthelwold and King Edgar), see Keynes, 'Re-reading King Æthelred', p. 91, n. 70, and *idem*, 'Councils, Assemblies, and Diplomas', pp. 110–11 and 119–20; see also Roach, 'Penitential Discourse', pp. 266–7.

[86] The incidence, import and intent of formulas directed against older or 'false' charters, as distinct from sanctions aimed at protecting the terms of a freshly produced diploma, requires further

was to enjoy the lands during his lifetime, extended also to his successors at Rochester. There follow the usual forms of words granting immunity from worldly burdens, with the reservation of those pertaining to forms of military service, complemented by a sanction directed against anyone who should seek to contravene the diploma. The first of the two boundary-clauses pertains to the six sulungs at Wouldham (ending with a first-person reference to the men on the estate, perhaps taken over from an earlier title-deed); the second pertains to the land at Littlebrook.[87] The dating-clause gives the year as 995, and introduces the witness-list, which comprises the king, 14 bishops, 5 ealdormen and 17 thegns (but, for whatever reason, no abbots). Interestingly, we find at the head of the bishops that Ælfric is styled 'bishop-elect of the church of Canterbury', and that Ealdulf is styled 'bishop-elect of the church of York', suggesting that both had only recently been elected to their respective offices: Ælfric, bishop of Ramsbury, to Canterbury in (belated) succession to Archbishop Sigeric (d. 28 October 994), and Ealdulf, bishop of Worcester, to York in (belated) succession to Archbishop Oswald (d. 29 February 992). In fact Ælfric is known to have been elected archbishop at Amesbury, in Wiltshire, on Easter Day (21 April) 995; it may be that Ealdulf was elected on the same occasion.[88] This is also as it happens the first diploma attested by Godwine as bishop of Rochester. He too must have been newly appointed; though one might wonder when and by whom he had been consecrated. Godwine's position at the end of the list of bishops is evidently significant, as is the particular form of his subscription, which articulates the act using words (*uoti compos optinui*) which echo wording used in the diploma itself.[89]

A modern historian reading King Æthelred's diploma restoring land at Wouldham and Littlebrook to Bishop Godwine, for the see of Rochester, would be forgiven for wondering whether it might have represented the beginning (or perhaps a continuation) of a 'special' relationship. It is striking, perhaps, that Godwine should have been able to recover possession of the estate at Wouldham so soon after his elevation to the episcopal bench, and that he should have been accorded, so soon after that, a favour of the kind suggested by Æthelred's diploma of 995. The draftsman of the diploma made a point of relating the literal meaning of the bishop's given name (good-friend, or God-friend) to the particular quality of his deeds, in a way which was probably commonplace; but the device stands out in a context such as this, adding a certain intimacy to the text.[90] The point which counts, however, arises from appreciation that the wrong here put right was one done some years earlier, when Leofsunu had been able to break the terms of the will of Ælfheah, thereby holding in contempt (*hierwan*) the testimony of Archbishop Dunstan, in defiance also of the archbishop's sacred oath. One imagines that Leofsunu, or one of his heirs, had

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investigation; see Keynes, 'Councils, Assemblies, and Diplomas', pp. 103 n. 313, 112 n. 347, 117 and 119.

87 For what the bounds might reveal about relations between the bishop and the clergy (*hiwan*), see Flight, 'Four Vernacular Texts', p. 131, n. 17.

88 Keynes, *Diplomas*, p. 253, and 'Councils, Assemblies, and Diplomas', p. 142.

89 The form was used again a year later, in a diploma for the Old Minster, Winchester: see Keynes, *Diplomas of King Æthelred*, p. 102, citing S 889 (KCD 1291), dated 996.

90 The device used in S 885 (*Roch* 31) is used again, but to different effect, in S 886 (*Abing* 126), issued not long afterwards in 995; it seems likely that both diplomas were produced by one and the same agency (Keynes, *Diplomas*, p. 102). Among other instances of the same device, the chronicler Æthelweard styles himself 'patricius consul Fabius quæstor Æthelweard' (Prologue) and 'Fabius quæstor patricius Æthelweard' (end of bk iv), using Fabius as an honorific name, 'patricius … quæstor' for Æthel-weard, and *consul* as a title.

managed in one way or another to consolidate his hold over the estate, and that this was now seen to have been a wicked deceit, prompting the inclusion here of the special formula directed against 'false' charters. The trouble had arisen from the conditions which had prevailed during the king's youth, with the disruption precipitated by the death of King Edgar in 975, and by the death of Bishop Æthelwold in 984. One imagines at the same time that the escalation of viking raids, especially in the early 990s, concentrated the collective mind, giving rise to the thought that the raids were a manifestation of divine displeasure. As it happened, the king attained greater maturity of judgment at much the same time, and under the influence of those around him began to take upon himself responsibility for things that had been done before in his name. He was repentant and duly penitent, in his capacity as king, not least because solemn diplomas, whose terms were protected by fearsome sanctions, had been violated, and because oaths taken in the appropriate manner, with the support of many others, had been set aside. In the particular case of Wouldham, the matter itself had been put right probably at a local assembly, presumably at the king's behest and on the basis of the evidence presented by the church of Rochester; the need remained, however, to make overt display of the king's remorse, by issuing a diploma which would overwrite anything issued or fabricated in the past, and which could be given to the bishop at a royal assembly, with all due ceremony.

Further evidence that the tide had changed is provided by yet another of the small group of vernacular documents in the Rochester archive. Unlike the history of the estates at Bromley and Fawkham, and the history of the estate at Wouldham, the document relating to Snodland, another mile or two upriver from Wouldham, is not a statement prepared in support of a claim made by the church.[91] It begins more formally, with a pictorial invocation in the form of a chrismon, followed by a declaration of a kind which shows that it represents the *outcome* of a dispute. When he succeeded Ælfstan as bishop of Rochester, 'by the command of his royal lord King Æthelred', Godwine had found in his cathedral (*on ðam mynstre*) the very documents with which his predecessor had tried to recover the estate at Snodland, evidently without success. Godwine instituted a suit, which soon came to the king's notice. The king sent 'a letter and his seal' to Archbishop Ælfric, instructing him, with the thegns of east Kent and west Kent, to resolve the matter.[92] An assembly for the whole of Kent was duly convened at Canterbury, attended by the archbishop, the 'shire-man' Leofric, an unidentified abbot Ælfhun,[93] and the thegns of east Kent and west Kent (described collectively as *eal seo duguð* – 'all the best men'). The draftsman of this document, formulating his statement at least twenty years after the troubles of the mid-970s, was not concerned to narrate any details of the case itself, and we are left wondering whether it was for this or for an earlier hearing that Rochester had produced the (patently spurious) diploma by which King Egberht had granted land at

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[91] S 1456 (*Roch* 37), preserved only in the *Textus Roffensis*. For recent discussion of this document, see Scott Thompson Smith, *Land and Book: Literature and Land Tenure in Anglo-Saxon England* (Toronto, 2012), pp. 76–9.

[92] On the significance of the reference here to the king's writ and seal, see S. Keynes, 'The Use of Seals in Anglo-Saxon England', *Early Medieval Monetary History*, ed. M. Allen, R. Naismith and E. Screen (Place, forthcoming).

[93] The abbot Ælfhun given prominence at the beginning of the document would seem to have the abbot of Milton, in Dorset, apparently attending a shire assembly in Kent as a representative of the king. See Keynes, 'Use of Seals', p. 000, with further references. The abbot of St Augustine's, Canterbury, at this time was Wulfric (*Atlas of Attestations*, Table LXI; *Heads of Religious Houses*, ed. Knowles, *et al.*, p. 35), who is mentioned later in the document among those present at Canterbury.

Snodland and Holborough to the church in 838 (S 280). By now Snodland was in the hands of a certain Leofwine, son of Ælfheah. It seems that he retained the stolen title-deeds, and had declared an intention to keep the estate in his family. The outcome was a compromise. It is taken for granted (in this document) that the estate was held by Leofwine on lease from the church; but while Leofwine was allowed a life interest in the estate, he gave an assurance that it would revert after his death to Rochester, and, most importantly, gave up the title-deeds. After a list of witnesses to the settlement, the vernacular record ends, unusually, with a form of words serving the same purpose as the sanction in a diploma, followed by the word 'Amen', perhaps reflecting a performative aspect of the proceedings at Canterbury, and perhaps indicating that those responsible for the making of such a record were moved to invest it with some of the solemnity of a diploma.[94] One suspects that the direct intervention of King Æthelred, perhaps represented at the assembly by Abbot Ælfhun, had been a critical factor in bringing about the swift settlement of a long standing dispute, and that the process had also been facilitated in some way by the involvement of a recently appointed archbishop of Canterbury and a recently appointed bishop of Rochester. The settlement may have led to the production of another diploma for Bishop Godwine; but none survives, perhaps because none was issued.

The church's estates at Bromley and Fawkham, which had been acquired by Bishop Ælfstan probably in the 960s, and lost after King Edgar's death in 975, lay some distance further west of Rochester, Wouldham and Snodland. As we have seen, an undated vernacular document giving an account of the history of the estates had been drawn up at Rochester presumably in connection with an attempt to recover the land (S 1457); and it seems that a diploma of King Edgar had been fabricated at some time with a similar end in view (S 671).[95] The documents might have been produced for use by Bishop Ælfstan, in the late 970s or during the 980s; and it is possible that either or both of them continued to serve a useful purpose for Bishop Godwine, in the mid- or later 990s. Bromley and Fawkham are registered in Domesday Book among the estates held by the bishop of Rochester in 1066 and 1086; but only in the case of Bromley do we know more about the circumstances in which the land was recovered. In 987 King Æthelred had granted 10 sulungs at Bromley to Æthelsige, his thegn.[96] It is unlikely to be a coincidence that the date of the diploma falls within the period (984–8) when King Æthelred and Bishop Ælfstan are known to have been at odds with each other, and one year after the king had 'laid waste' the diocese of Rochester (986).[97] The diploma might have represented the appropriation from Rochester of an estate which had been recovered by the church in the late 970s or early 980s. It is perhaps more likely, however, that the land had never been recovered; that it had come one way or another into the king's hands, and had then been given to Æthelsige; or that it had came to Æthelsige in such a way that he felt a need to secure a new diploma from the king in respect of the estate. Æthelsige himself was probably the person of the name who is visible in the late 980s and early 990s, among the thegns who attest Æthelred's diplomas;[98] and his apparent 'disappearance' thereafter would accord with

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[94] See Keynes, 'Councils, Assemblies, and Diplomas', pp. 64–6.

[95] For discussion of S 1457 and S 671, see above, pp. 15–16.

[96] S 864 (*Roch* 30), extant in its original single-sheet form, and also as copied into Rochester's *Liber Temporalium*. For the place of this diploma in the context of other diplomas of the later 980s, see Keynes, *Diplomas of King Æthelred*, pp. 89–90.

[97] Above, pp. 00–0.

[98] Keynes, *Diplomas of King Æthelred*, pp. 184–5, with *Atlas of Attestations*, Table LXIII/1–2.

what we learn about him from the diploma, dated 998 (discussed below), by which the estate at Bromley was restored to Rochester. To judge from this diploma, Æthelsige perpetrated various wrongful acts, culminating with the murder of a king's reeve, whereupon he was duly deprived of his property. It would appear, therefore, that the estate at Bromley came back into the king's hands by due process of law; at which point one imagines that Bishop Godwine moved fast in order to recover the estate for his church.

The diploma by which King Æthelred restored the land at Bromley to Bishop Godwine and the church of Rochester, issued from an assembly which convened over Easter (17 April) in 998, is preserved only as a copy entered in the *Textus Roffensis*.[99] Like the earlier diploma for Wouldham (995), it can be accepted without hesitation as an authentic record. The pictorial invocation (in the form of a chrismon) stands at the head of a long proem, in which the draftsman reflects on matters appropriate to the Easter season. On assuming the king's person for the superscription, he moves on to the business in hand. The king restores to Christ and to St Andrew, brother of St Peter, six sulungs of land at Bromley, together with the use of woodland belonging to it in the Weald.[100] He explains that in the time of his youth (*iuuentus*) he had appropriated the land from the church of the diocese of Rochester, 'at the instigation of certain people', and goes on to specify the role of a certain Æthelsige. He explains further that Æthelsige had killed the king's faithful reeve, when defending against his intrusion; in consequence of which Æthelsige was deprived of his office, and forfeited his property (to the king). The king adds that on reaching greater maturity, he has decided to make good what he had done as a child. So, he has thought again about what he had done wrongfully towards the church of Rochester, and now does penance with the contrition of a doleful heart (*flebilis cordis contritione peniteo*), and freely restores its own property to the church, hoping that the tears of his penitence would be received and the chains of his former ignorance loosed by Him who does not wish the death of a sinner. The king has ordered the charter to be written, and has given it by his own hand to his faithful Bishop Godwine, 'at the assembly and in the presence of my leading men (*in conuentu et praesentia optimatum meorum*)', ordering that none of his successors as king of the English, or anyone else of whatever station, is to encroach on the land, which is always to belong to the see of Rochester. There follows the immunity clause, qualified as usual by a pendant clause reserving the three forms of military service. A short sanction is itself followed by the boundary-clause, drawn from an earlier diploma for Bromley (though the land is now assessed at six rather than ten sulungs).[101] In the dating clause, the draftsman refers explicitly to the Easter season (including the *uerus agnus*), stating (still in the person of the king) that the charter was written and then conveyed *me donante* into the hand of Bishop Godwine, for the church of St Andrew. The witness-list comprises bishops (not including Godwine himself), athelings, abbots, ealdormen and thegns. The short form of words which follows the witness-list—'All of us leading men give our consent (*Nos omnes optimates consensimus*)'—is likely to represent a collective declaration which formed part of the ceremony of conveyance; it was conceivably added to the diploma after the ceremony itself.

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[99] S 893 (*Roch* 32).

[100] Above, n. 70.

[101] For the bounds of Bromley, see above, n. 70. One imagines that Bishop Godwine provided some information in advance of the assembly at which the diploma was produced.

This is without question one of the most interesting of the surviving diplomas of King Æthelred the Unready. It awaits a close analysis of its text, from a literary as well as from a diplomatic point of view, both in its own right and in relation to other diplomas of the same period. It must suffice to say here that it shares features with King Æthelred's earlier diploma for Godwine, suggestive of a relationship between the two;[102] but, like the earlier diploma, it also displays features which link it to diplomas from other religious houses.[103] Yet clearly it is the content of the diploma which commands attention. The story of King Æthelred's wrongdoing in the 980s, leading to the remorse which he displayed in the 990s, was a narrative devised in the circle of those close to the king, and is now represented by four royal diplomas (closely related to each other, though deeply embedded in the diplomatic practices and usages of the late tenth century).[104] The first is King Æthelred's diploma for Abbot Wulfgar and Abingdon abbey, arising from deliberations at an assembly convened at Winchester for Pentecost in early June 993, and issued at a smaller gathering held at Gillingham in mid-July (S 876). The second, discussed above, is the king's *first* diploma for Bishop Godwine and the church of Rochester, issued from an assembly convened probably at Amesbury over the Easter season in 995 (S 885). The third is the king's diploma for Ælfheah, bishop of Winchester, arising from preliminary deliberations at Calne over Easter in late March 997, and issued at an assembly convened at Wantage in early or mid-April (S 891). The fourth, as we have just seen, is the king's *second* diploma for Bishop Godwine and the church of Rochester, issued at a royal assembly held over the Easter season in 998 (S 893). Since we cannot expect all such diplomas to have survived, we must imagine that there were others; but on the face of it, after five years, the diploma for Bishop Godwine issued in 998 brings a remarkable series of diplomas to its close (if only, perhaps, to make way for a new strategy). One has to ask under what circumstances Æthelred was moved, in the 990s, to make what was in effect such formal and public display of the remorse which he felt for all the wrongdoing of the 980s. The response must be that the program formed part of a collective strategy, conceived within the circle of those in constant or regular attendance on the king (doubtless including several holders of high ecclesiastical and secular office), and implemented as an integral part of the cycle of royal

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[102] The proem in S 885 contains echoes of Boethius, *De consolatio philosophiae*, and the proem in S 893 contains phrases from the Maundy Thursday mass (appropriate, of course, for a diploma produced at Easter). The proems are also comparable with each other, sharing allusions to suffrages of saints (an especially appropriate theme in the 990s); more mundanely, a form of words in S 893, relating to the beneficiary's successors as bishop of Rochester, echoes an analogous passage in S 885 (Keynes, *Diplomas of King Æthelred*, pp. 121–2). I am grateful to my colleague Dr Rosalind Love for her guidance in all such matters.

[103] For links between S 885 and contemporary diplomas from other houses, see Keynes, *Diplomas of King Æthelred*, pp. 102–3. In S 893 the draftsman's reference to Godwine as 'friendly to me with complete devotion' (*michi toto deuotione fideli*) may be compared with the references to Wulfgar, abbot of Abingdon, in S 876 (*Abing* 124), dated 993 (*michi humillima deuotione subiecti*), and in S 937 (*Abing* 129), undated (?999) (*tota mihi deuotione benigni*]. The collective declaration by the witnesses, seen in S 893, echoes the same device in S 889 (KCD 1291), dated 996: see Keynes, *Diplomas*, p. 103, and *idem*, 'Councils, Assemblies, and Diplomas', pp. 65 n. 201 (with further references), and 119.

[104] Keynes, *Diplomas*, pp. 101–3, 118 and 198–200; *idem*, 'Re-reading King Æthelred', pp. 89–96; and *idem*, 'Councils, Assemblies, and Diplomas', pp. 106–20, esp. 107, nn. 329–32. (citing articles by Stafford, Insley, Cubitt, and Roach).

assemblies.[105] At the heart of the matter, it seems, was the admission of a certain disregard in the 980s for the ancient and more recently won privileges or entitlements of religious houses, which was tantamount to contempt for the solemn terms in which their diplomas were cast, and which in some if not all cases might also have involved the production of 'new' or 'false' charters. There was seen to be a pressing need for the king, in the context of a royal assembly, to make due amends in the appropriate manner, and for the earlier wrongs to be set right by the production of new diplomas, with all due ceremony and ritual. In each case the production of such a diploma must have been occasioned by a particular combination of circumstances; yet what holds the surviving examples together, and renders them so important for our wider understanding of Æthelred's reign, is that as a group they transcend the particular and become part of a *collective* response to the prevailing troubles of the day. The process was not one of ritual or public humiliation for the king, confessing his crimes; rather, the king would have been seen by all to be taking remorse and penitence upon himself, in a royal assembly, and in this way to be making amends for the good of all.

Returning to King Æthelred's second diploma for Bishop Godwine, it is likely that the case against Æthelsige had been heard in the mid-990s, leading directly to the forfeiture of Bromley to the king. Circumstances had combined again to create the need and indeed to provide an opportunity for another carefully staged display of remorse for earlier wrongdoing, within the context of a royal assembly. One should not perhaps forget that in 997 the Danish mercenary force from its base on the Isle of Wight had reactivated itself as a hostile army, mounting a raid in the south-west. Feelings like those occasioned in the earlier 990s must have been running high, as the king and those around him searched for every kind of response to the continuing threat against the kingdom. All were accustomed to the procedure, yet moved no doubt by the solemnity of each occasion on which it had to be performed. Hence, perhaps, the enhanced awareness of the event itself, leading to the preparation of a diploma with an unusual emphasis on the season, on the ceremonial, and on the need to show a way back to the path of righteous kingship and righteous behaviour in every respect.[106]

A bridge over the river Medway

In 999 the *here*, or hostile army, came from its base on the Isle of Wight around east Kent, past the harbour at Sandwich, into the Thames estuary, and then turned up the river Medway to Rochester. In the words of a chronicler: 'And the Kentish levy came against them there, and they then joined battle stoutly; but, alas! they too soon turned and fled, and the Danes had control of the field. And they then seized horses and rode wherever they pleased, and destroyed and ravaged almost all west Kent.' As we learn from his treatment of raids in Hampshire two years later, we are dependent here on a chronicler who could turn a local skirmish into scorched earth;[107] so we have to reserve judgment about the reality in 999. There could be no doubt, however, about the severity of the invasions which followed, in 1006–7 and 1009–12.[108] In the later

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[105] For those most likely to have been involved, see Keynes, 'Councils, Assemblies, and Diplomas', pp. 121–4, and entries in *Encyclopedia of ASE* (2nd ed.), ed. Lapidge, *et al*., pp. 436 (Archbishop Sigeric), 9 (Archbishop Ælfric) and 7–8 (Archbishop Ælfheah).

[106] Keynes, *Diplomas of King Æthelred*, pp. 101–4 and 130–1, with *idem*, 'Councils, Assemblies, and Diplomas', pp. 119 and 130–1; see also Roach, 'Public Rites and Public Wrongs', pp. 196–8, and 'Penitential Discourse', pp. 262–3.

[107] Keynes, 'Re-reading King Æthelred', p. 79.

[108] For these raids, within the context of others, see S. Keynes, 'An Abbot, an Archbishop, and the Viking Raids of 1006–7 and 1009–12', *ASE* 36 (2007), 151–220, and *idem*, 'Re-reading King

tenth and early eleventh centuries, viking fleets seemed always to arrive at Sandwich, the harbour on the mainland opposite the south-eastern extremity of the Isle of Thanet; and from there they might, if so inclined, progress up through the Wantsum Channel, past the fort at Reculver, and so westward into the Thames estuary, whether heading inland up the Medway, which of course would take them at once to Rochester, or heading further west up the Thames, towards London. In other words, Rochester was in a seriously exposed position, and must have suffered (with other Kentish houses) whenever Kent was ravaged during these years. One can only imagine what impact the viking raids had at Rochester in the early eleventh century, and ask on whom the burden of defence might have fallen. The configuration of the ealdordoms in the late 990s is seemingly well represented by a diploma of 997, in which styles are accorded to all of the ealdormen known to have been in office at this time.[109] Kent is among the parts of Æthelred's kingdom which are not covered. No doubt a significant role in the administration and defence of the south-east was played by the archbishop of Canterbury (and his men), in east Kent, and by the bishop of Rochester (and his men), in west Kent, though one left wondering who, in addition to the shire reeves, might have been responsible for mobilizing and leading the levies.

One should remark in this connection on the singular importance of the bridge across the Medway, at Rochester, which must to some extent have been compromised when the viking force from the Isle of Wight turned up the Medway in 999, routed the Kentish levy at Rochester, and then ravaged almost all of west Kent. The history of Rochester bridge from its origins in the Roman period, through the Anglo-Saxon centuries, and into the middle ages, has of course been studied and reconstructed by Nicholas Brooks.[110] The key documentary evidence is the vernacular document, preserved in the *Textus Roffensis*, which sets out the arrangements for the maintenance and repair of each of its nine piers: who (king, archbishop, bishop, or others) was responsible in some sense for which pier, and from which estates the required services would be drawn.[111] Although various attempts have been made to assign the text to the late tenth century, in relation to the histories of the estates mentioned, it is not possible (for the reasons set out by Professor Brooks) to date the transmitted text except on linguistic grounds, on which basis he assigns it to the eleventh century. It may be that if the bridge had been compromised or destroyed in 999, it would have fallen to the king, the archbishop and the bishop to take joint responsibility for the necessary repairs; some of the work must have devolved also on those owing services

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Æthelred', pp. 80–1. See also K. Powell, 'Viking Invasions and Marginal Annotations in Cambridge, Corpus Christi College 162', *ASE* 37 (2008), 151–71, for significant further evidence.

109 S 891 (KCD 698), on which see *Atlas of Attestations*, Table LXII, and Keynes, 'Councils, Assemblies, and Diplomas', pp. 115–18.

110 N. Brooks, 'Rochester Bridge, AD 43–1381', *Traffic and Politics: The Construction and Management of Rochester Bridge, AD 43–1993*, ed. W. N. Yates and J. Gibson (Woodbridge and Rochester, 1993), pp. 1–40 and 362–9; reprinted in his *Communities and Warfare 700–1400* (London, 2000), pp. 219–65, and *idem*, 'Rochester, A.D. 400–1066', pp. 16–17.

111 *TR*, fols. 164v–167r: *Anglo-Saxon Charters*, ed. Robertson, pp. 106–9 and 351–5 (no. 52). For discussion, see Brooks, 'Rochester Bridge', esp. pp. 231–6. Of the estates mentioned above, only a few are mentioned in this document: Fawkham (3rd pier, assigned to the bishop), Wouldham (4th pier, assigned to the king), and Snodland (9th pier, assigned to the archbishop); on which see Brooks, 'Rochester Bridge', p. 234, nn. 42–3.

of the kind which were common to all in respect of their holdings of land.[112] Whatever the case, Bishop Godwine would have had his part to play when a 'great fleet' arrived at Sandwich in July 1006, and again when the force known as 'Thorkell's army' arrived at Sandwich in early August 1009. On this second occasion (in 1009), the vikings 'immediately turned their course to Canterbury', whereupon the people of east Kent made peace with them; and from there the vikings made their way presumably back to Sandwich, sailed around eastern Kent to the south coast, and then west along the coast until they reached the Isle of Wight. After autumn on the rampage, the vikings left the Isle of Wight, and in November came back round Kent, and took up their winter quarters on one side or other of the Thames estuary [Greenwich?]; according to the chronicler, they 'lived off Essex and off the shires which were nearest, on both sides of the Thames, and often they attacked the borough of London'. In September 1011, Thorkell's army was again at Canterbury, where they besieged the borough, got inside by the archdeacon's treachery, took many captives, let Ælfmær, abbot of St Augustine's, escape, and then ransacked everything. Archbishop Ælfheah was among the captives, and was later taken away from Canterbury back to the ships at Greenwich, where soon afterwards (19 April 1012) he was put to death.

King Æthelred's diploma for Bishop Godwine (1012)

Godwine, bishop of Rochester, was among those taken captive at Canterbury. We know nothing of his treatment, but we do know that he was able to recover his freedom and to return to the cares of his office. That is to say, Godwine is known to have attended at least one royal assembly in 1012, for he is included among the witnesses to two royal diplomas issued in that year: one in favour of himself,[113] and the other granting land probably in Staffordshire to a certain Theodulf, the king's man.[114] The diploma in favour of Bishop Godwine is another stylish composition, though one which in other respects stands apart from the diplomas he had received from the king in 995 and 998.[115] The original does not survive, but it was preserved at Rochester in the early twelfth century and the text was copied into the *Textus Roffensis*. The pictorial invocation, carefully reproduced in the cartulary, is highly distinctive. The standard form of chrismon was enhanced in this instance by the inclusion of the Roman letter A in the eye of the rho, to give the unmistakable reading 'PAX'. It is not likely to be a coincidence that almost exactly the same trick had been employed in a charter by which the king granted land in Derbyshire to one of his thegns, issued the year before, in 1011, and preserved in a cartulary of Burton Abbey:[116] in this case the A is joined to the side of the rho, not placed in its eye, though still playing with the Greek letters to give the reading 'PAX'. Chrismons and crosses occur in variant forms, and with various additions; but here the intention can hardly have been anything other, in 1011, than to invoke 'peace', perhaps specifically

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[112] The unusually expressive formulas used for the burdens of military service, bridge-work and fortress-work in S 869 (*WinchNM* 30) and S 874 (KCD 673), cited in Keynes, *Diplomas of King Æthelred*, p. 94, reflect the realities of the late tenth century.

[113] S 926 (*Roch* 33).

[114] S 929 (*Bur* 36). A bishop Godwine is listed in second place, after Archbishop Wulfstan; another is listed in eleventh place. The former could be the bishop of Rochester, accorded high status as a representative of the Kentish church in the enforced absence of Archbishop Ælfheah; but it could also be the bishop of Lichfield, accorded high status in a charter concerning land in his own diocese.

[115] S 926 (*Roch* 33).

[116] S 923 (*Bur* 33).

the 'peace of Christ', and, in 1012, to do the same again, or perhaps to celebrate a peace which had just been won.[117] The proem invokes the teaching of St Paul on power as ordained of God, a theme evidently considered to be well suited to the matter in hand. In the superscription, Æthelred, styled 'king of the nations of the whole people of Britain', gives 15 hides 'in the *uilla* at Stanton and at Hilton', with all their appurtenances, to Godwine, 'bishop of the diocese of Rochester', and after him to any heir of his choice, conditional upon intercession for the king's well-being. In an extended narrative section (probably composed afresh, in Latin, from memory of the events themselves, which had taken place ten years before), the draftsman reports that the land had belonged to a widowed woman (*matrona*) called Æthelflæd, who had forfeited her property for helping her brother, Ealdorman Leofsige, after he had been exiled. We are told that Leofsige had been raised by the king from the rank of a thegn (*satraps*) to the summit of higher office, as an ealdorman (*c*. 994); some years later (1002) Leofsige had murdered Æfic, a reeve for whom the king had high regard, 'in his own home'; whereupon the king consulted the wise men of his kingdom; and it was decided that Leofsige should be exiled, and that anyone helping him should forfeit their property. Æthelflæd ignored the decision, and tried in every way to help her brother; for which reason she forfeited her property.[118] The two adjoining estates given by the king to Godwine in 1012 had thus formerly belonged to Æthelflæd, though it is not clear whether she had forfeited them to the king in 1002, or on some later occasion in the ten-year period from 1002 to 1012. The diploma continues with its immunity clause and reservation clause. There follows an unusual form of words, addressed (in the second person) to those witnessing the grant, asking that they should give assent; and this leads to the sanction, directed against older charters, and warning that the names of anyone seeking to modify the grant will be obliterated from the Book of Life. The dating clause, for 1012, is followed by the witness-list. The king's attestation is unusual (in such a context) for its reference to the Virgin Mary, and for its further reference to Bishop Godwine. It is followed by the attestation of Queen Ælfgifu (Emma of Normandy). The absence of Ælfheah, archbishop of Canterbury, arises from his capture in September 1011 and his death in April 1012; so it is Archbishop Wulfstan who takes the lead, 'with our fellow bishops, and the king's sons, and the abbots, ealdormen and thegns whose names are given below'. Among the thegns, the name 'Thurkytel' might represent Thorkell the Tall, now in the king's service, in which case it would follow that the assembly at which the diploma was issued took place after the dispersal of Thorkell's army; but it seems unlikely that such a man, in such a position, would be represented as a thegn, and it is perhaps more likely that this Thurkytel was just another of the king's 'Scandinavian' thegns.[119] It would appear, finally, that when the diploma was issued, in 1012, the bounds for the land at 'Stanton' were not available; for in a cartulary of this quality, the fact that the

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[117] S. Keynes, 'An Interpretation of the *Pacx*, *Pax* and *Paxs* Pennies', *ASE* 7 (1978), 165–73, at 169 (with illustration); *idem*, *Diplomas of King Æthelred*, pp. 114–15; *idem*, 'An Abbot, an Archbishop, and the Viking Raids', pp. 201–3; S. Keynes and R. Naismith, 'The *Agnus Dei* Pennies of King Æthelred the Unready', *ASE* 40 (2012 [for 2011]), 175–223, at 186.

[118] For this narrative section, see F. M. Stenton, *The Latin Charters of the Anglo-Saxon Period* (Oxford, 1955), pp. 79–80; an account of Ealdorman Leofsige's role in negotiating a truce with the Danes, and his killing of the king's high-reeve, Æfic, is given in the Anglo-Saxon Chronicle, MSS CDE, for 1002.

[119] In the *Textus Roffensis*, the name is added in the margin, although perhaps only because it was at first omitted accidentally by the copyist. For Scandinavian thegns in Æthelred's charters, see Keynes, *Diplomas of King Æthelred*, pp. 161–2, citing S 911 (KCD 714) and S 922 (*Burt* 32).

boundary-clause was copied not as an integral part of the text, but directly after the witness-list, suggests strongly that it had been added as an afterthought on the dorse of the original single sheet.[120]

The estate given by King Æthelred to Bishop Godwine, comprising 15 hides at 'Stanton' (Fen Stanton) and Hilton, in Huntingdonshire, straddles the Roman road between the shire towns of Huntingdon and Cambridge. The estate is unlikely to have been of much use to Rochester, and indeed had no further recorded connection with the church (beyond the inclusion of the charter in the *Textus Roffensis* and the *Liber Temporalium*).[121] It should be emphasised, therefore, that in contrast to the two earlier diplomas secured from the king by the bishop in 995 and 998, the grant of Stanton and Hilton was made not to Godwine and his successors as bishops of Rochester, but to Godwine himself, as if in a personal capacity. It was evidently a place of some significance, and might indeed be said to lie at the heart of the road system connecting all parts of the kingdom. It is possible that Godwine was given the land, when it happened to become available, because it would have been useful to him, as a bishop, when traveling through midland England on his way to other parts; or it is possible that it was given to him for his personal use. The matter requires further investigation, in the light of deeper understanding of the locality;[122] but it may be that Godwine latterly moved away from Rochester, in circumstances of which nothing is known.

As it happens, a single bishop Godwine attests a diploma issued from an assembly in 1013;[123] but one cannot tell whether this was the bishop of Rochester or his namesake at Lichfield. A bishop Godwine would appear to have been in office at Rochester early in the reign of Cnut (*c*. 1018);[124] and there are further attestations of a bishop (or bishops) called Godwine in diplomas from the early years of Cnut's reign, between 1018 and 1023.[125] Some of the attestations might represent the bishop of Rochester, and some the bishop of Lichfield; or the fact that two bishops Godwine never occur in the same charter might be taken to suggest that in fact only one was active during these years. Matters are complicated by the fact that at Rochester two bishops called Godwine are known (from episcopal lists) to have held office in succession; but it is not clear when the first was succeeded by the second, or whether there might have been an extended vacancy between the two. There are no attestations which can be assigned to a Godwine of Rochester for the next twenty years, until the second of the two becomes clearly visible after the accession of Edward the Confessor in 1042.[126] The evidence could be read in several ways, each involving some element

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120 For the problems sometimes presented by boundary-clauses, see Keynes, 'Councils, Assemblies, and Diplomas', pp. 163–4.

121 The estate was held in 1066 by a certain Ulf, assessed at 13 hides, with land for 18 ploughs; it was held in 1086 by Gilbert of Ghent. For its later history, see the entry for Fen Stanton in the Victoria County History for Huntingdonshire, which reveals that the two places (Stanton and Hilton) continued thereafter to be regarded as one (Stanton cum Hilton).

122 C. S. Perceval, 'Remarks on an Unpublished Portion of a Charter of King Ethelred, A.D. 1012, from the Textus Roffensis', *Proceedings of the Society of Antiquaries*, 2nd ser. 3 (1865), 47–50. See also A. Reynolds, *Anglo-Saxon Deviant Burial Customs* (Oxford, 2009), pp. 208, 222–3 and 272.

123 S 931b (Barking); a text of the diploma is available on the 'Kemble' website.

124 S 985 (*CantCC* 145). For the two bishops Godwine in Canterbury contexts, see Brooks and Kelly, *Charters of Christ Church, Canterbury*, p. 1243, where the Godwine of S 985 (*CantCC* 145) is regarded as Godwine II.

125 *Atlas of Attestations*, Table LXVI.

126 *Atlas of Attestations*, Table LXXII.

of speculation or wishful thought; and since so much remains hidden from view, it is hard to decide between them.

King Æthelred's grant of Stanton and Hilton to Bishop Godwine, in 1012, is the latest of the pre-Conquest documents entered in the *Textus Roffensis*. The next (copied after a blank space) was the document about Rochester bridge, followed after another space by the sequence of post-Conquest documents.[127] We look in vain, therefore, for hard evidence of Bishop Godwine's legacy, except perhaps in the recorded endowment of the church as it stood in 1066.[128]

Conclusion

The Rochester archive, represented above all by the *Textus Roffensis*, is of the utmost importance for preserving a significant quantity of documentation from the eighth and ninth centuries. It is scarcely of any less importance for preserving a small group of texts, including royal diplomas in Latin and some good examples of other kinds of record in the vernacular, which in combination open a window into the changing fortunes experienced by the church of Rochester in the late tenth and early eleventh centuries. One can appreciate here how the royal diplomas and the vernacular documents worked together, in constant relation to each other, and how much depended on the use of such documentation for purposes of litigation, extending (it must be said) to the fabrication of diplomas at Rochester, and leading in the authentic diplomas (one might add) to formulas which reflect awareness of the problems generated by the profusion of 'false' charters, or of any charters in the wrong hands. One can also sense the tension which arose in the third quarter of the tenth century between the land-owning classes, the secular clergy, and those committed to the cause of monastic reform, and how it persisted thereafter. We learn of the different experiences of two bishops of Rochester during the reign of King Æthelred the Unready: of the troubles in the 970s and 980s, how latterly the king looked back with greater maturity of judgement on what had come to be regarded as a period of youthful wrongdoing, and how as a result the fortunes of the church of Rochester improved. Bishop Ælfstan had doubtless struggled hard, against the odds; but it is not clear what in fact he was able to achieve. When Godwine became bishop, in the mid-990s, the situation seems to have improved. One imagines that he deserves credit, in such difficult times, for managing to recover control of lands which had formed part of the church's property, at Wouldham, Snodland and Bromley, and doubtless elsewhere. The change might be attributed in part to the respective qualities of the bishops themselves, in their dealings with the prevailing secular powers, and in part to King Æthelred, as he grew older and wiser, and perhaps more sensitive to the concerns of those who had care for people's souls (not least his own). It is hard not to think at the same time of Rochester's exposed position at the height of the viking raids in

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[127] The main sequence of pre-Conquest charters and associated documents in the *Textus Roffensis*, which began with an elaborate coloured initial on fol. 119r, ends part way down fol. 163v. Fol. 164r was left blank. The document on bridgework is copied on fols. 164v–167r (Latin and vernacular, with a gap between); fol. 167v was left blank, and the Penenden report begins on fol. 168r.

[128] A two-volume homiliary (Oxford, Bodleian Library, Bodley 340 and 342), presumed to have been written at Rochester in the early eleventh century, and 'heavily revised' at Rochester in the mid-eleventh century, would clearly be relevant in this connection. See K. Sisam, *Studies in the History of Old English Literature* (Oxford, 1953), pp. 148–98, at 150–6, with N. R. Ker, *Catalogue of Manuscripts Containing Anglo-Saxon* (Oxford, 1957), pp. 361–7 (no. 309); and *Ælfric's Catholic Homilies. The Second Series: Text*, ed. M. Godden (Oxford, 1979), pp. xxv–xviii, at xxviii n. 2. See also M. P. Richards, *Texts and their Traditions in the Medieval Library of Rochester Cathedral Priory*, Trans. of the Amer. Phil. Sc. 78.3 (1988), pp. 85–8.

Æthelred's reign, of the attack on Rochester in 999, and of the vernacular text in the *Textus Roffensis* revealing the complex arrangements which existed in the eleventh century for the maintenance of Rochester bridge. Much must have depended in such times on the effective management of local resources; and perhaps a need was recognized on all sides for precisely that kind of accommodation between the powers of church and state which seems to underlie Bishop Godwine's relations with King Æthelred the Unready.

Possible illustrations (if any are needed)
- Textus Roffensis, 111r (episcopal list for Rochester, in two cols.) <Godwine .i./.ii.>
- Textus Roffensis, 119r (opening page of the cartulary, with S 1 (*Roch* 1))
- BL Cotton Charter viii. 20 (original, vernacular), on Wouldham - 1458 (*Roch* 34)
- Textus Roffensis, 159v (beginning of S 926 (*Roch* 33)
- First Hand penny, with added sceptre (image from Fitzwilliam Museum)