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*John Reuben Davies*

## **The texts of the Ragman Roll**

As Edward I advanced through Scotland during the late spring and summer of 1296, he received the landholders of the kingdom into his peace as they performed fealty to him. The first to do so was James, steward of Scotland, the highest officer in the realm, whose surrender of Roxburgh castle on 8 May had opened the way for Edward and his army to take control of the kingdom.

As Edward marched northwards from Roxburgh, taking in Edinburgh, Stirling, Perth, Forfar, Arbroath, Montrose, Brechin, Aberdeen, Banff and Elgin (as well as other smaller locations), landholders from throughout the realm came to meet him. One knight, Sir Thomas of Torthorwald, for example, otherwise only to be found in Annandale, was so keen to make his peace with Edward, that he chased his new overlord all the way north, only catching up with him at Banff.

As we have already seen in last month's feature, at each place, and for each act of fealty, a notary public was present to record the event. The Ragman Roll, the great 'process in public form' that the notary Andrew of Tong produced in three copies between 1300 and 1306, and which amounted to an enrolment of all the deeds of homage and fealty executed in the Summer of 1296, together with the formal Latin instruments by which the notary recorded and authenticated the acts, is the formal legal account of what happened during those four months in 1296.

For the remainder of this feature, then, let us allow two of the players in this story speak for themselves. What follows is, for the first time, a translation of the preamble to the Ragman Roll, TNA C47/23/3, written by Andrew of Tong; then comes the Latin instrument which describes and authenticates the physical act of fealty performed by James, steward of Scotland, on 13 May 1296; and finally, we have the text of James's personal deed of fealty, composed in Anglo-Norman French.

[Preamble by Andrew of Tong, notary public]

IN THE NAME OF THE LORD AMEN. Since it is thought to be virtuous, beneficial and wholesome to bear witness to the truth – granted that, as required by virtue of my position, I am bound to do it by the bond of a bodily oath – and because for the most part past events held in the memory instruct and inform us in doing things in the future; for that reason – as a perpetual memorial of particular things that were done in the presence of me, the notary mentioned beneath, and in the presence of the witnesses recorded below, who were specially called and summoned for the purpose – I propose, as requested, to write down, with as much care as I can, the things pertaining to the truth; so that in times to come, when the need arises, and people wish to know the

truth of particular deeds in this case, which bear on the kingdom of Scotia, those wishing to know such truth can conveniently turn to the public instrument found written below for information contained in it about the past, for matters put down in writing, for things that have departed from the memory through human weakness, not to mention the passing of time, which can be brought back to mind by looking into this instrument. Indeed, the matter of dispute and disagreement had not long since arisen between the excellent prince, the lord Edward, by God's grace the noble king of England, and John, by the same grace king of Scots, and the noblemen and inhabitants of both kingdoms, when the enemy of peace was begotten, and the prince of pride was roused to such a degree that the said king of Scots, his nobles, and the inhabitants of his kingdom, were provoked to war against the said lord king of England and his nobles and those dwelling in his kingdom, after the said king of Scotia had rendered homage to the same king of England by his letters patent sealed with his own pendant seal. Then at length, after much ravaging, the burning of towns, manors, and churches, and the laying waste and pillaging of lands; calling to mind the killing of Christian people with every kind of humiliation, which was savagely committed by the army of the Scottish nation, who were sparing in consideration neither of sex nor age, in so many places in the kingdom of England; the said noblemen of the kingdom of Scotia, together with their said king, the prelates of the churches and the inhabitants of the cities and the corporations of the towns of the whole realm, being somewhat sorrowful for the deeds just mentioned which they had committed against their lord, the said lord king of England, and his men; and wishing, it seemed, to be reconciled to him; they came into his trust and obedience, compelled as they said neither by force nor by fear but of their own accord. And they yielded themselves to the lord king of England as their lord, and submitted themselves, high and lowly, to his grace and will; and at diverse places and on sundry days they performed fealty and homage to him. And in respect of their fealty and homage so performed, they drew up their letters patent, sealed with their pendant seals, as it is shown beneath and can clearly be established by looking through the instrument or process found written out below, drawn up for examining these matters in the order in which they were carried out.

[Notarial instrument by Andrew of Tong]

In the name of the Lord, Amen. In the 1296th year since the nativity of the same, in the ninth indiction, on 13 May, there being present the venerable father in Christ, the lord Anthony, by divine permission bishop of Durham, and the noble lords, the earls John of Warenne, Roger of Norfolk, Humphrey of Hereford, William of Warwick, Patrick of Dunbar and March, and Gilbert of Angus, called and summoned as witnesses, with others both barons and

knights as well as clergy and laymen, in a large gathering, with myself, the notary named below, also present; the noble lord James, called Steward of Scotland, a knight, compelled as he said neither by force nor by fear but of his own accord and free will, became faithful to, and subject to the will of the said lord king of England; and he annulled the alliances, contracts, agreements, and pacts (defined by whichever term), if those entered into at any time in his own name or by his own consent with the king of the French or his adherents against his said lord, the lord king of England, had ever been in force, in so far as he was able, and in so far as they related to him, or could relate to him in any way, for himself and his own; and he declared them null and void - willingly, clearly, and absolutely - in so far as they had in fact taken effect; together with any advantage that could in any way accrue from them to himself or his own. And having taken hold of and kissed the most holy gospels of God, he performed fealty to his said lord, the lord king of England, in the form written below; and in respect of his fealty so performed, preparing his letters patent composed in his name, he set his seal with the pendant impression of his authentic seal. The content of those letters, in each and every part, is such:

[Notarial copy of James, Steward of Scotland's deed of fealty]

James, Steward of Scotland, sends greeting to all who shall see or hear these letters. Since we have become faithful to, and subject to the will of the most noble prince, our well-beloved lord, the lord Edward, by the grace of God king of England, lord of Ireland, and duke of Aquitaine; we promise on our own behalf and that of our heirs, upon punishment of body and property, and whatever else we can forfeit, that we shall support him; and we shall serve him well and loyally against all mortal men, every time that we are called upon or summoned by our said lord, the king of England, or by his heirs; and that if we shall come to know of anything harmful to them, that we shall do all in our power to obstruct it, and we shall make them aware of it. In order to hold to and keep these promises, we pledge ourselves, our heirs, and all our goods; and we have furthermore sworn this upon the holy Gospels. As proof of this matter we have caused these letters patent to be written, and sealed with our seal. Given at Roxburgh, 13 May, in the twenty-fourth year of the reign of our aforesaid lord, the King of England [1296].

ORIGINAL TEXT

IN NOMINE DOMINI AMEN. Quoniam pium esse creditur meritorium ac salubre ueritati testimonium perhibere, licet illud facere ratione officii rogatus corporalis tenear uinculo Iuramenti, et quia plerique preterita memoriter retenta futura facere nos instruunt et informant idcirco ad perpetuam rei memoriam super quibusdam que in mei infrascripti notarii, et testium subscriptorum ad hoc uocatorum specialiter et rogatorum fiebant presencia rogatus cum ea qua potero diligencia propono scribere que sunt ueritatis, ut sic futuris temporibus cum necesse fuerit et sciri uoluerit quorundam factum regni Scocie tangencium ueritas in hac parte, ad presens instrumentu publicum subscriptum huiusmodi scire uolentes ueritatem, recursum habere poterint oportunitate, fuper contentis in eodem aliqualem preteritorum informacionem circa ea que per humanam labilitatem, necnon et temporis lapsum, a memoria recesserunt in scripturam redacta per istius inspectionem instrumenti memorie reducantur. Sane suborta dudum inter excellentem principem dominum Edwardum Dei gracia Regem Anglie illustrem, et Johannem eadem gracia Regem Scotorum, ac utriusque regni nobiles et incolas, seminante pacis emulo, contencionis et discordie material, ac in tantum procurante superbie principe suscitata, quod prouocatis ad guerram contra dictum dominum Anglie Regem suosque tam nobiles quam regnicolas, dicto Scotorum Rege cum nobilibus suis, et regni sui incolis, redditoque eidem Regi Anglie, prefati Regis Scocie homagio, per ipius patentes litteras suo sigillo pendente confignatas, demum post depredaciones uarias, uillarum, maneriorum, et ecclesiarum combustiones terrarum uastaciones et depopulaciones, populique christiani diversis supplicii generibus interfectiones per exercitum gentis Scotorum neutri parcendo sexui uel etati, locis in regno Anglie quampluribus perpetratas inhumane, predicti regni Scocie nobiles una cum ipsorum Rege predicto, prelatis ecclesiarum et tocus regni incolis ciuitatum et villarum comunitatibus ad memoriam redientes, et de perpetratis contra dominum suum dominum Regem Anglie predictum et suos, ut premittitur facinoribus quodammodo condolentes et eidem ut uidebatur reconciliari uolentes, ad ipsius fidem et uoluntatem, non ui nec metu coacti ut dicebant sed spontanei uenerunt seque eidem ut domino suo domino Regi Anglie predicto reddiderunt, et ipsius gracia ac uoluntati alte et basse se submiserunt, locis tamen et diebus diuersis, fidelitatemque et homagium sibi fecerunt, ac fuper fidelitatibus suis et homagiis sic factis, suas patentes litteras suis sigillis pendentibus consignatas, fecerunt, prout infra patet et presentis instrumenti siue processus subscripti inspectione, super hiis seriatim sicut agebantur confecti intuentibus constare poterit euidenter.

In nomine Domini Amen. Anno a natiuitate eiusdem millesimo ducentesimo nonagesimo sexto, indictione nona, mensis Maii die decimo tercio.

Presentibus uenerabili in Christo patre domino Antonio permissione diuina dunolmensi episcopo, ac nobilibus uiris dominis Iohanne Warenne, Rogero Northfolchie, Vmfredo Herfordie, Willelmo de Warewyke, Patricio de Dunbar et Marchia, Gilberto de Anegos comitibus, testibus uocatis et rogatis, cum aliis tam baronibus et militibus quam clericis et laicis in multitudine copiosa, presente eciam me notario subscripto, nobilis uir dominus Iacobus, dictus senescallus Scocie, miles, non ui nec metu coactus ut dicebat, sed spontanea et libera sua uoluntate uenit ad fidem et uoluntatem domini regis Anglie memorati, et confederaciones, contractus, conuenciones, et pacta quocumque nomine ceseantur, si que ipsius nomine uel consensu, cum rege Francorum uel sibi adherentibus contra dictum dominum suum dominum regem Anglie unquam inite extitissent, quantum in ipso fuit et ipsum contingebant, uel contingere poterant quouismodo, pro se et suis perpetuo annullauit, et inualida ac nulla fore pronunciauit, sponteque, pure, et absolute quatenus de facto processerant; eisdem cum omni eodem modo quod exinde sibi uel suis poterit aliqualiter prouenire expresse renunciauit organo uocis sue, et tactis sacrosanctis et osculatis Dei euangeliis dicto domino suo domino regi Anglie fidelitatem fecit in subscripta forma, et super fidelitate sua sic facta, suas patentes litteras sub nomine suo conceptas conficiens, ueri sui sigilli impressione pendente consignauit, quarum litterarum in omnibus et per omnia, tenor est talis

A touz ceaus qui cestes lettres verront ou orront James Seneschal Descoce saluz. Pur ceo qe nous sumes venutz á la soi é a la uolunte du tres noble Prince nostre chier Seigneur Sire Edward' par la grace Dieu Roi Dengleterre, Seigneur Dirlaund', é ducs Daquitaigne; nous promettoms pur nous, é pur nos heirs, sur peine de cors é dauoir, é sur quant qe nous peussoms encoure, qe nous serroms en sa aidé, é li seruiroms bien e leaument contre totes gentz qui purront viure e morir, totes les soiz qe nous serroms requis ou garniz de par nostre Seigneur le Roi Dengleterre auantdit, ou de par ses heirs. É qe nous leur damage ne sauroms, qe nous nel destorbeoms, a tot nostre poer, é le leur faceoms a sauoir. E a cestes choses tenir é garder; obligeoms nous é nos heirs, é touz nos biens, é outre ceo auoms iurez sur Seintes Euangeiles. En temoignance de queu chose; nous auoms fait faire cestes lettres ouertes sealées de nostre seal. Donées a Rokesburgh' le treçime iour de May Lan du regne nostre Seigneur le Roi Dengleterre auant dist, vintisme quart.