

The acts of David I, King of Scots 1124-53, survive in 133 extant texts, of which twenty-six are originals.¹ Only three items in this admittedly modest text may safely be classified as genuine,² and of these one at least may possibly be based on a genuine text but it is uncertain whether this may have been done both as originals and as early copies,³ and that with three exceptions the surviving originals belong to the years 1124-44, thus leaving the last decade of the reign to be represented by fifty-five copies and only three originals. In addition to these texts of charters, diplomas, letters and letters-privileges written issued in the name of David as king of Scots, presumably always bearing his seal or his seal copied on documents and nine copies (none of them coincident) of acts issued by David as king of Scots of which can be proved to be earlier in date than Christmas 1133, when it is proved that David married the daughter and heir of Earl Waltheof and the Countess Judith, daughter of Robert I of Normandy, as his bride, and with her the vast complex of estates in Huntingdonshire, Northampton and elsewhere which were to form his chief English honour.

It is convenient to think of this output of documents as the work of an official chancery of David, but to be more precise one is a free letter, in Latin or Anglo-Norman,⁴ one is a hybrid between a letter and a writ-charter,⁵ one is a declaration of a political act of royal authority,⁶ one is a declaration that the bishop of St Andrews has been consecrated by the archbishop of York without any authority of obedience,⁷ five are diplomas of Anglo-Norman type,⁸ although at least one is an unqualified issue,⁹ while two others are hybrids of diploma and writ-charter,¹⁰ leaving twenty-four charters in the strictest sense and one hundred and twelve diplomas, including one diploma form, of which no fewer than forty-six embody commands and prohibitions which would well have formed legal precedents.

1. The text may be found in A. C. Lewis, *Scottish Documents, 1124-1153*, Edinburgh, 1926, pp. 1-133. The text of the coin IV King of Scots, 1132-1153, *English Numismatic Society*, London, 1901, pp. 1-133. The text of the coin IV King of Scots, 1132-1153, *English Numismatic Society*, London, 1901, pp. 1-133.

2. ESC nos. 116, 242; BPS I, no. 29 (which might be regarded as a genuine original, being the original of Salvoch La. Montrose).

3. ESC nos. 71, 134.

4. ESC nos. 25, 26, 32, 34, 35, 46, 28, 32, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

5. ESC no. 161.

6. BPS I, no. 29.

7. ESC no. 75.

8. ESC nos. 74, 107, 116, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

9. ESC no. 161.

10. ESC nos. 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430,

The acts of David I, king of Scots 1124-53, survive in 153 exemplars, of which twenty-six are originals.¹ Only three items in this admittedly modest total may safely be classified as spurious,² and of these one at least may possibly be based on a genuine lost act. It seems odd that only two items exist both as originals and as early copies,³ and that with three exceptions the surviving originals belong to the years 1124-44, thus leaving the last decade of the reign to be represented by fifty-three copies and only three originals. In addition to these texts of charters, diplomas, letters and briefes (*anglice*, writs) issued in the name of David as king of Scots, presumably always bearing his seal, we have four original documents and nine copies (none of them coincident) of acts issued by David as earl,⁴ none of which can be proved to be earlier in date than Christmas 1113, when it is probable that David received Maud, daughter and heir of Earl Waltheof and the Countess Judith, and widow of Simon I de Senlis, as his bride, and with her the vast complex of estates in Huntingdonshire, Northants and elsewhere which were to form his chief English honour.

It is convenient to think of this *corpus* of documents as the sum total of full-text charters of David, but to be more precise one is a true letter, in fully epistolary style;⁵ one is a hybrid between a letter and a writ-charter;⁶ one is a declaration of a public act of peace-making;⁷ one is a declaration that the bishop of St Andrews has been consecrated by the archbishop of York without any profession of obedience;⁸ five are diplomas of Anglo-Norman type⁹ —although of these one is an amplified re-issue,¹⁰ while two others are hybrids of diploma and writ-charter,¹¹ leaving twenty-four briefes in the strictest sense and one hundred and twelve documents composed in writ-charter form, of which no fewer than forty-six embody commands and prohibitions which could well have formed (and perhaps

1 The text may be found in A.C. Lawrie, *Early Scottish Charters* (Glasgow, 1905) [ESC] and G.W.S. Barrow, *The Acts of Malcolm IV king of Scots, 1153-1165. Regesta Regum Scottorum I* (Edinburgh, 1960) [=RRS I]. Lawrie's roman numerals have been converted to arabic in my frequent citations, to save space and reduce the possibility of error.

2 ESC, nos. 116, 242; RRS I, no. 19 (which might be derived ultimately from a genuine original charter for the burghes of Salorch, i.e. Montrose).

3 ESC, nos. 71, 134.

4 ESC, nos. 29, 30, 32, 34, 35, 46, 51, 52, 53; RRS I, nos. 1, 3, 5, 6.

5 RRS I, no. 8.

6 ESC, no. 161.

7 RRS I, no. 5.

8 ESC, no. 75.

9 ESC, nos. 74, 153, 179, 189, 209. No. 35 (David's 'foundation charter' for Selkirk (=Kelso) issued before his accession) may have had some of the features of a diploma.

10 ESC, no. 209.

11 ESC, nos. 153, 179.

did in fact form) the subject of separate briefs. In addition to these surviving texts we have good evidence of some fifty transactions in the name of David I,¹² fifteen of which were certainly,¹³ and most of which were probably, the subject of written acts. It is not worth attempting to analyse this half century of lost acts by surmising which were letters, which charters, which briefs, etc., although in a few instances—for example the ‘friendly letter’ to Abbot Suger of St Denys which accompanied King David’s gift of narwhal tusks of wonderful size¹⁴—we may be quite sure what kind of document has been lost.

At first sight, 153 royal charters (I use the word here in the popular sense) must appear to be a disappointingly meagre corpus to illustrate the government of a king who reigned for nearly thirty years and attained, as few kings of Scotland have succeeded in doing, to a genuinely European reputation. A closer acquaintance, however, with the documents will lead us to a more positive and optimistic conclusion. The sheer quantity of information about the reign of David I which can be obtained from his surviving charters, the richness and variety of that information, the degree to which by the last decade of the reign certain fundamental, longterm features of the official written acts of the Scottish crown were firmly established—all these considerations emerge as a heartening element of profit to offset the more immediately obvious entries on the loss side of the account.

For one thing, the geographical reference of the surviving charters is appreciably wider than the conventional picture of David I’s reign usually seems to allow. Our corpus includes a brief addressed to the earls of Orkney and Caithness relating to monastic operations—possibly trading operations—at Dornoch in Sutherland.¹⁵ Three charters mention the king’s revenues from Moray, Argyll and Kintyre,¹⁶ and another shows the king holding judicial sessions at Banff and Aberdeen.¹⁷ The area of the Scottish realm within which the king’s governmental activity is most intensively revealed by surviving record stretches from Brechin and Forfar in the east to Cunningham, Kyle and Carrick in the south west and thence across to Berwick upon Tweed in the south east. It is unnecessary to remind this audience that the western isles, from Man to Lewis, formed no part of David I’s kingdom, but it seems likely enough that David did see Cumberland and Westmorland as falling within his realm. For this reason we find the religious houses of Wetheral, Holm Cultram and St Bees figuring among the beneficiaries of David’s charters,¹⁸ and the silver mines of Alston laid under tribute to implement the king’s goodwill towards Nostell Priory in the West Riding.¹⁹ If the ‘new castle of Culchet’, the place-date of two of the king’s charters, was Culgaith in Cumberland then the Scots’ lordship of Cumbria is enough to account for the reference.²⁰ But a preferable alternative identification points to Tulketh in Lancashire, and if King David was issuing charters there it would be explained by his brief possession of the Honour of Lancaster in the earlier 1140s.²¹ His much lengthier tenure of the Honour of Huntingdon is surprisingly reflected in only two place-dates, Huntingdon itself and Yardley Hastings, unless we include London where David’s presence was due at least in part to his position as lord of an English estate of the front rank. Comparably, David’s very real interest in the earldom of Northumberland is illustrated by two occurrences of Newcastle upon Tyne as place-date,²² and at least indirectly by a solitary charter issued during the siege of Norham on Tweed in June 1138.²³

13 RRS I, nos. 55, 57, 62, 63, 66, 70, 72, 76, 78, 79, 81, 86, 90, 93, 103.

14 M. BOUQUET, *Recueil des historiens des Gaules et de la France* (Paris, 1738-1904), xii, 105.

15 ESC, no. 132.

16 ESC, pp. 118, 171, 205.

17 ESC, no. 223.

18 ESC, nos. 52, 123, 140 (Wetheral); 245 (Holm Cultram); 187 (St Bees).

19 RRS I, no. 39.

20 ESC, nos. 138, 139 (both from the Shrewbury Abbey cartulary, now edited by U. Rees (1975). See next note).

Culgaith, Cumberland, appears as Culchet in 1204 (*Pipe Roll 5 John*, 256), but no traces of a twelfth-century castle are to be found there. Tulketh near Preston (where there was a castle) seems a rather more probable identification.

21 See G.W.S. Barrow, ‘King David I and the Honour of Lancaster’, *EHR*, 69 (1955), 85-9. ESC, nos. 138, 139. The MS reading of the place-date, as given in *The Cartulary of Shrewsbury Abbey*, ed. U. Rees (Aberystwyth, 1975), nos. 87, 322, is Thulchet (h). Dr. Rees suggests that King David repaired a castle at Tulketh originally built by Stephen of Blois, but allowed to fall into ruin when Stephen established a colony of monks from Savigny at Tulketh who later transferred to Furness.

22 RRS I, nos. 30, 31.

23 ESC, no. 119, a protection for Tynemouth Priory.

The largest geographical gaps, naturally enough, relate to those political subdivisions of the kingdom of the Scots where delegated power was at its strongest and royal interference correspondingly slight—the lordships of Galloway and Nithsdale in the south west, and the earldoms of Scotia; especially Lennox, Menteith, Strathearn, Atholl, Mar and Buchan. Even allowing for the fact no new religious houses were founded in these earldoms before King David's death it is rather remarkable that not a single royal act survives relating to Lennox, Menteith, Strathearn, Atholl or Mar, while Buchan is represented solely by the slightly odd *brieve* in favour of the clerical community at Old Deer.²⁴ The most intensive coverage is provided by the Merse, lower Teviotdale and Tweeddale, East and Midlothian, east Stirlingshire, Glasgow and its immediate hinterland, Fife and the lower basin of the River Tay. Here, of course, royal demesne was most abundant and pervasive, here were founded most of the religious houses closely associated with David I from whose records so many of our surviving charters take their provenance. All the circumstances favourable to a nice circular argument seem to be present here. Does the concentration of royal documents on the area from Tay to Clyde and Tweed mean that the king's writ ran only—or a best most effectively—in this region? Or does it merely reflect the fact that this region contained most of the earliest religious houses which likely to generate and preserve record? But then is not that very fact to be explained by the strength and influence of the monarchy in south-eastern and central Scotland? To some extent we are at the mercy of the chances of survival and loss. For example, the well-endowed Augustinian abbey of Jedburgh must once have possessed a large archive, but practically all of it has perished, doubtless because Jedburgh was only a few miles from the English border. The earliest Jedburgh charters would surely have enhanced our picture of a well-documented south east. But against that we may set Dundrennan, to which Cistercian monks were brought by Fergus, David I's contemporary, and Whithorn cathedral established, probably before King David's death, as a Premonstratensian priory. All Dundrennan's records are lost, and so too are the earliest records of Whithorn. If we add to this the absence of any early documents connected with the abbey of Souseat (near Stranraer), we can appreciate that our lack of knowledge of David I's acts of government in Galloway may be due to archival loss rather than to the absence of any royal interference. This must surely be true for Moray, where although the Cistercian abbey of Kinloss was founded by David I himself its surviving records are exceedingly meagre and especially so before c.1200. We know that the burghs of Elgin, Forres and Inverness had been established in King David's time, but none has preserved royal record before the time of William the Lion.

A rather more reliable argument may be founded upon the surviving record of place-dates of royal acts, although here too we must proceed with caution. The table for David I²⁵ is as follows: Scone and Perth together, 16; Edinburgh, 14; Stirling, 13; Dunfermline, 12; Roxburgh, 9; Kinross, 5; Berwick, 4; Cadzow, 3. Two sojourns each are recorded for Clackmannan, Eldbotle,²⁶ Haddington, Irvine and Peebles; one each for Aberdeen, Abernethy, Banff, Clunie, Coldingham, Earlston, Forfar, Glasgow, Kinghorn, St Andrews, Staplegordon and Traquair. This omits places which are now unequivocally in England, but Cumberland gives us Carlisle (2), Lamplugh (1), and doubtfully Culgaith (2),²⁷ while Northumberland yields one for Norham and two for Newcastle upon Tyne. Assuming that the unidentified Abernethy is the old royal centre on the Tay and not the probably equally royal estate or thanedom of Abernethy on the Spey,²⁸ the table seems to show the king and court straying only very seldom from the Tay-Clyde-Tweed zone. But once again we must beware of circularity. There was certainly a tendency for beneficiaries to obtain royal acts when the king was sojourning with them or at least in their vicinity. Thus the preponderance of surviving record from south-eastern Scotland might be expected to produce a bias in favour of south-eastern place-dates. Of course there were exceptions: we may never

24 *ESC*, no. 223.

25 Based upon the texts as published in *ESC* and *RRS* I. It does not seem necessary to cite the individual documents, but spurious items are ignored.

26 In Gullane. Its importance in the twelfth century (for which see, incidentally, *RSS*, I, no. 194 and G.W.S. Barrow, *The Anglo-Norman Era in Scottish History* (Oxford, 1980), 169-170) is explained by the fact that it was at or close to the southern terminus of the 'Earl's Ferry' joining East Lothian to Fife.

27 But see n. 20 above.

28 *ESC*, no. 132, 'Abernithi'. On general grounds Abernethy on Tay is likely, but the document is a *brieve* addressed to the earls of Orkney and Caithness, which might point to a sojourn in northern Scotland.

know why Alexander of St Martin's charter of Athelstaneford (E. Lothian) passed at Forfar,²⁹ or why two of Dunfermline Abbey's charters had to be issued at 'Strathirewin in Galloway', that is Irvine in Ayrshire.³⁰ Foreign beneficiaries or seekers after favours would have to pursue the king wherever they could find him. The monks of Whitby found King David at Edinburg,³¹ the monks of St Andrew's, Northampton found him at Berwick and Dunfermline (and his son at Kinghorn),³² while the monks of Thiron-le-Gardais, north west of Chartres, tracked the king down to the pleasant hunting-lodge of Clunie near Dunkeld³³ - deceiving the French scholar, Lucien Merlet, into supposing that the king of Scots journeyed to Burgundy.³⁴

It is not only in the geographical field that the surviving written acts of David I give us an abundance of important leads. They are equally rich in information regarding the higher echelons of government personnel, the extent of imitation of Anglo-Norman practices, and in general the formulation and hardening of the conventions of written government. The language, of course, was invariably Latin, the phraseology and style adhering closely, for the most part, to models derived from the England of Henry I. Occasionally the Frenchness of a particular clerk's mental processes shows through, as in a charter for the king's knight Arnulf, who is to hold the rich Berwickshire estate of Swinton as freely as Udard son of Liulf son of Eadwulf, and sometime sheriff of Bamburgh, had possessed it.³⁵ Here Earl Madeth or Madad of Atholl is called Maduc the consul, Manasser Marmion appears as Marsel, Herbert is not *camerarius* but Chamberlein, while Ralph Lovel of Castlecary makes his *debut* in Scottish record as Ralph 'Nuuel'.³⁶ The king's declaration in support of the claims of the *clerici* of Old Deer to immunity from secular exactions poses a trickier linguistic problem.³⁷ As far as royal style, address and main text are concerned, the document — it exists only in a mid-twelfth century copy — appears entirely authentic, although the place-name Banff has a Gaelic spelling form.³⁸ It is the witness-list and place-date which raise questions. Each of three bishops is introduced by a separate 'Teste' — instead of the usual 'Testibus' — and then a further single 'Teste' introduces eight lay witnesses. One, perhaps two, of the bishops' dioceses are given in a Gaelic form,³⁹ while all the secular witnesses' names appear in Gaelic spelling, although (as was common enough in Old and Middle Irish scribal practice) linked by Latin 'et'. The place-date appears as Abberdeon instead of Aberdon. We can be absolutely certain that if the royal seal was applied to an authentic *briefe* of immunity the document would have been written in Latin. Has this then been translated into Gaelic, to be partially retranslated into Latin? Has the original Latin text been copied by a learned scribe of Deer who has, almost unconsciously as it were, gaelicized the place-names and personal names? Or is the document as we have it a subtle and ingenious forgery designed to underpin the little cache of *notitiae* and charters, all written in Gaelic, copied into the gospel book, the truth of whose statements we are in no position to deny or corroborate? At present there seems no way of resolving a pleasingly tantalizing problem of diplomatic.

Three of the lay witnesses to the Deer charter are earls; or at least two are earls (Fife and Angus) and one (Atholl) was perhaps tutor of the earldom for the child earl Malcolm.⁴⁰ In general, the relative autonomy of the earldoms is reflected in the fact that most earls witnessed only solemn docu-

29 ESC, no. 186.

30 ESC, nos. 84, 85.

31 ESC, no. 254.

32 ESC, nos. 56, 60, 114.

33 ESC, no. 136.

34 *Cartulaire de l'Abbaye de la Ste-Trinite de Tiron*, ed. L. Merlet (*Societe Archeologique d'Eure-et-Loir*, 2 vols., Chartres, 1883), i 80-1.

35 ESC, no. 100.

36 If this suggestion is correct, 1136 or even 1137 seem more probable years for its issue than Lawrie's 'c.1135'. For Ralph Lovel's activities at this period see *Gesta Stephani*, ed. and translated by K. R. Potter, with new introduction and notes by R. H. C. Davis (Oxford, 1976), 66-9 and pp. xxvii-xxviii.

37 ESC, no. 223. Also edited and translated by K. H. Jackson, *The Gaelic Notes in the Book of Deer* (1972), 22-3, 32, 36. The form of the greeting *salutes* (instead of *salutem*) hardly tells against authenticity in a copy evidently made by the beneficiary's scribe.

38 Banb, literally 'sucking pig'. But it may also mean land unploughed for a year, fallow. A Latin-trained clerk would have written Banef or Banf.

39 Duncallden for Dunkeld, perhaps Cat' fot Caithness, although the name might represent Catanesia.

40 Duncan earl of Fife, Gillebrigte earl of Angus, Maelmuire 'of Atholl'. See Jackson, *Gaelic Notes*, 81-3.

ments or at least on solemn occasions. Once, in a solemn charter for Dunfermline Abee issued by Malcolm IV before 1159, this exclusivity of the earls is recognised by the provision of a separate witnessing-clause introduced by the words *et de comitibus*, followed by the names of the earls of Dunbar, Strathearn, Fife, Mar, Atholl and (unnamed) Angus.⁴¹ (So much, incidentally, for the alleged primacy of the earldom of Fife). But one way or another all the earldoms save Menteith and Lennox are represented in King David's charters by the attestation of their holders. While the majority of earls occur only rarely the earls of Fife and Dunbar are frequent witnesses, and clearly formed part of the inner circle of courtiers and household notables by whom the king was regularly accompanied.⁴² The royal clerks imitated the practice of Henry I's chancery in producing short and apparently ephemeral briefs to which one of two individuals (often office-holders) were witness. They did not, however, take matters to the extreme of Henry I's terse writs to so many of which the chancellor or some other royal familiar is sole witness.⁴³ Much more commonly, David I's briefs and charters were witnessed by anything from half a dozen to a dozen individuals, two or three of whom may have had household offices such as chancellor, chamberlain and steward while others may have held the position of justiciar or sheriff yet will not usually be so styled. In fact, although the address of David I's briefs and charters in the second half of his reign commonly included *justicie* or *justiciarii* not a single individual figuring in royal acts before 1153 is actually identified as a justiciar, and comparatively few are explicitly styled sheriff. Now and again we have evidence from the witness-lists that a notable outsider was visiting the Scottish court. Such, I believe, was Robert 'de Paintona' who witnessed David's foundation charter of Selkirk Abbey, which seems to have been issued round about 1120.⁴⁴ This witness was surely Robert lord of Bampton in Devon, son of Walter of Douai, and an important opponent of Stephen in 1136.⁴⁵ According to the author of the *Gesta Stephani* Robert's son and kinsmen took refuge from Stephen's forces at the court of the king of Scots and incited him to invade northern England in 1138.⁴⁶ One of Robert of Bampton's followers (perhaps his kinsman) was the lord of Castle Cary in Somerset, Ralph Lovel, and we have seen that, disguised not too heavily as Ralph 'Nuuel', he is named as witness to a charter which Lawrie dates *c.* 1135 but which should perhaps be placed in 1136 or 1137. A further visitor from the same part of England was Robert of Montacute (Montagu), presumably a younger son of Drogo de Montagu who in 1086 was a Somerset landowner. Robert of Montacute witnessed the earlier of David I's two solemn charters for Dunfermline and the king's comparable charter for Holyrood Abbey, both documents perhaps belonging to the same period in or not much later than 1128.⁴⁷ No member of the Montagu family is known to have settled in Scotland, in contrast with the Lovels who were established at Hawick around the middle of the twelfth century.

The most interesting visitor from England, to my mind, was Robert *de sigillo*, who had served for a number of years in the chancery of Henry I, appearing as early as 1121 as keeper of the king's seal.⁴⁸ John of Hexham tells us that after Stephen had made himself king of England in 1135 Robert *de sigillo* became a monk at Reading.⁴⁹ In June 1141 the Empress Maud secured his appointment as bishop of London, and Robert was present in the empress's court that summer when she was at Oxford. Among the company there were David I of Scotland, William the chancellor, Edward abbot of Reading and Brian FitzCount lord of Wallingford.⁵⁰ The editors of *RRAN*, iii would see William the chancellor

41 *RRS I*, no. 118 (p. 185).

42 G.W.S. Barrow, *David I of Scotland (1124-1153). The Balance of New and Old* (Stenton Lecture for 1984, University of Reading, 1985), 15-16 (where 'nine' in line 2 should read 'ten') and nn. 97-99.

43 E. g., *RRAN*, ii, nos. 511, 519, 520, 522, 523, 528, 597 and many others.

44 *ESC*, no. 35 (p. 28). Compare the spelling form Paintona with Baentona, Badentona for Bampton, Devon, appearing in *Pipe Roll 31 Henry I*, 153-4; *RRAN*, ii, no. 1391; iii, no. 276 (p. 103).

45 For Walter or Walscin of Douai as a Devon and Somerset landowner in Domesday see *VCH Devon*, i, 485b-489a, 563-4; *VCH Somerset*, i, 497a-501a.

46 *Gesta Stephani*, ed. Potter and Davis (1976), 54-5; cf. pp. 30-1.

47 *ESC*, nos. 74 (p. 63: Robertus de Monte Acuto) and 153, p. 119). Cf. Barrow, *Anglo-Norman Era*, 100 and n. 48; *VCH Somerset*, i, 410-411.

48 J. A. Green, *The Government of England under Henry I* (1986), 270-1.

49 *Symeonis Monachi Opera Omnia*, ed. T. Arnold (Rolls Series, 1882-5), ii, 309.

50 *RRAN*, iii, nos. 68, 275, 316a, 328, 377, 393, 629, 630, 634, 647, 651, 899.

as William brother of John FitzGilbert and were inclined to dismiss a somewhat fleetingly recorded William Giffard as a copyist's misreading.⁵¹ But we should perhaps take William Giffard more seriously. He occurs (once as 'Brother William Giffard') as a witness to three acts of King David in Scotland,⁵² in a remarkably high position —e.g. preceding two abbots and King David's chancellor, or immediately following a brace of bishops. With the king and his long-serving chamberlain Herbert, William Giffard helped to perambulate a parish-sized estate, Rindalgros (now the Rhynd), east of Perth.⁵³ This estate was evidently intended to provide the site and the resources for a powerful Benedictine house, filled with monks drawn for Reading Abbey, following the Cluniac observances, which would exert a considerable influence on the hinterland of one of King David's favourite royal castles and burghs. Is it far-fetched to imagine that if the mother house got into difficulties under Stephen it could count on a sympathetically Angevin 'safe haven' in Scotland?⁵⁴ Is it far-fetched to surmise that Brother William Giffard was indeed chancellor to the Empress, that he was, like Robert *de sigillo*, a monk of Reading, or even that had King David's original plan been put into effect William Giffard might have become the first head, as prior or abbot, of the grandest Scottish abbey that never was?⁵⁵ I hope we are back from speculation to certainty when we observe that Robert *de sigillo*, the pro-Angevin monk of Reading, was in Scotland long enough to be named as witness to seven royal acts, five of King David and two of his son Earl Henry.⁵⁶ All these documents, to which Lawrie assigned dates ranging from c.1136 to c.1144, could belong to 1140. Scottish visits by Robert *de sigillo* are not to be multiplied beyond necessity, but even if he paid more than one his sojourns must have been earlier than June 1141 when he was promoted to the see of London, and are not likely to belong to the time of war and turbulence in 1138 and 1139.

It seems probable that Robert *de sigillo* was employed by the Empress and her supporters as a go-between to communicate with the Scottish court. But further than that, and bearing in mind his membership of the Benedictine community, are we not on fairly strong ground in assuming that Robert was carrying on negotiations between Edward, abbot of Reading since 1136, and the king of Scotland which were designed to lead to the creation of a Scottish daughter house of Reading? In this connexion we may notice that while two of Robert's Scottish appearances were at Roxburgh, others were at Perth, Scone and Clunie⁵⁷ a few miles to the north, suggesting a visit to prospect the site King David had clearly marked out for the new foundation. It is interesting to note that the Scottish royal clerks accorded the same respect to Robert *de sigillo* as to William Giffard: in witness lists he is placed once immediately after the chamberlain, once immediately after bishops and before earls and barons, once between a bishop and a mixed bunch of lay notables, once between the constable and a major baron, twice after the constable, an earl and the chamberlain but before four other lay notables, and once between an earl and the chamberlain on the one hand and three lay notables on the other.

These royal clerks, the majority of whom we probably know by name, made substantial progress towards establishing verbal conventions which remained the hallmark of Scottish royal charters down to the eighteenth century. Already in 1120s, in a charter for Daventry Priory which passed at Yardley Hastings on the day its church of St Andrew was dedicated, David 'by God's grace king of Scots' addresses 'all his responsible men (*omnibus probis hominibus suis*)', although with 'friends' (*amicis*) added.⁵⁸ Thereafter —or therewith— the address to *omnes probi homines* of all his land (or kingdom), contrasting conspicuously with the English address *omnibus fidelibus suis*, steadily overtook

51 *RRAN*, iii, p. xxx. The charters of the empress to which 'William Giffard chancellor' was a witness are *RRAN*, iii, nos. 792 and 793, given at Devizes. Both come from the *Vetus Registrum* of Salisbury. The editors date them '1141-7'.

52 *ESC*, nos. 161, 207; *RRS* I, no. 44, this last also witnessed by the prior of Reading. Within the date-limits of this charter, 1147x51, the known priors of Reading were Robert, Hugh and possibly Reginald: B. R. Kemp, *Reading Abbey Cartularies* (Royal Historical Society, Camden Fourth Series 31, 1986), i, 26.

53 *ESC*, no. 161. Rindalgros means 'point of thorny promontory', referring to the land between Tay and Earn at their confluence.

54 It must be allowed that the twenty-two surviving acts of Stephen in favour of Reading Abbey (*RRAN*, iii, nos. 675-694), 695-6) do not suggest any hostility on the king's part.

56 *ESC*, nos. 114 (reading *de Sigillo* for *de Nigell*'), 134, 136, 168, 170, 171, 175.

57 *ESC*, nos. 168, 175 (Roxburgh); 134 (Perth); 136 (Clunie), 170, 171 (Scone).

58 *ESC*, no. 59.

the various alternatives with which King David's earlier charters were sprinkled — 'all his lieges', 'all his liege men and friends', 'all his barons and lieges', 'all those, Scots and English, established through his realm in Scotia and Lothian', etc. etc.⁵⁹ Despite the occasional use of variants of the brief general address as late as the reign of Malcolm IV it had clearly become unusual from the 1140s to depart from the norm of *omnibus probis hominibus totius terre sue [regni sui]*, the formula still employed for Queen Anne, or for that matter for George III.⁶⁰

The royal style *rex Scottorum*, with or without *dei gratia*, can be taken back before David I, certainly to the reign of his elder brother Edgar (d. 1107)⁶¹ and to intervening reign of Alexander I.⁶² It seems impossible, on available evidence, to state whether this style, which was carefully preserved until 1603, derived from the way native kings of Picts and of Scots had been designated either in Latin or in some vernacular, or from imitation of the style employed for William I and William II of England, or from a common west European tradition of royal *intitulatio*. By the fifteenth and sixteenth centuries the Scottish royal style had come to appear distinctive and reinforced populist theories of sovereignty,⁶³ but in the period before 1300 it can hardly have seemed significantly out of line among the familiar designations of European rulers.

King David's clerks were obviously aware that the chancery of Henry I normally styled the king *rex Anglorum* without *dei gratia*, and there are instances of this austere style from quite early in the reign.⁶⁴ The lack of originals from its last decade makes it difficult, if not impossible, to be sure whether the simple *rex Scottorum* had by then become standard, as it certainly was throughout the reign of David's eldest grandson and successor Malcolm IV and for the first eight and a half years of the reign of William the Lion (December 1165 to May 1174).⁶⁵ Probably documents drafted in the king's chapel or writing office usually omitted *dei gratia* while those produced by beneficiaries, as well as exceptionally solemn or old-fashioned documents, tended to include it.⁶⁶ Three examples of David I's short briefs and charters may give something of the style and flavour or productions of the *capella regis*.

David by God's grace king of Scots to all his responsible men, greeting. Know that I have quitclaimed the abbot of Dunfermline's ship and everything contained within it of all custom belonging to me. Witness Bishop John, at Perth.⁶⁷

David king of Scots to all the responsible men of his whole land, greetings. Know that I have given and granted to God and the brethren of Newbattle (Abbey) in perpetual alms one saltpan in Callendar as free and quit as any alms in my land may be given and granted most freely. Witness Earl Duncan.⁶⁸

59 ESC, nos. 57, 62, 65, 66, 70, etc.

60 See David I's acts in ESC from no. 118 onwards, *passim*, and in RRS I, nos. 31, 44, 46. Cf. RRS I, 73; G.W.S. Barrow with the collaboration of W.W. Scott, *The Acts of William I king of Scots, 1165-1214, Regesta Regum Scottorum II* (1971) [RRS II], 76. For Anne, I have based my statement on a charter anent the barony of Marchmont, 31 January 1704, which I was able to inspect recently. For George III, see the original charter for the Society of Antiquaries of Scotland, 1783, of which a photograph is given in *The Scottish Antiquarian Tradition. Essays to mark the bicentenary of the Society of Antiquaries of Scotland, 1780-1980*, ed. A.S. Bell (Edinburgh, 1981), plate 1 facing p. 6.

61 ESC, nos. 18-22.

62 ESC, nos. 26-28, 31, 37, 39, 47-9.

63 G.W.S. Barrow, 'Das mittelalterliche englische und schottische Konigtum: ein Vergleich', *Historisches Jahrbuch* 102 (1982), 388-9.

64 ESC, nos. 61, 67, 72.

65 RRS I, 69-73; RRS II, 75-6.

66 Examples of inclusion from late in the reign include ESC, nos. 179, 189, 194, 209.

67 ESC, no. 88.

68 ESC, no. 149.

David king of Scots to all his men, greeting. Know that I have given and granted in alms to the church of the Holy Trinity of Dunfermline Crefbarrin [Carberry, Midlothian]. Witness Bishop John, Edward the chancellor, Hugh de Morville, at Eldbottle.⁶⁹

Such, by 1153, was the well-established medium by which the king's will was conveyed and recorded in permanent form.

Thus far I have considered the reign and written acts of David I, already in his forties when his reign began and an old man when it ended some twenty-nine years later. What is commonly overlooked is that from as early as the 1130s David's was a dual reign, shared with his only son and apparent heir Henry, commonly styled earl from his holding one or both of the honours of Northumberland and Huntingdon. The precise nature of the relationship between David's rule and his son's is not easily understood, but there can, I believe, be no doubt that we have to deal with joint or at least coadjutorial royal government.

No fewer than nine examples survive in full texts of pairs of acts referring to the same transaction and issued simultaneously or almost simultaneously, by King David and his son.⁷⁰ In addition, we have record of five lost pairs of acts.⁷¹ These fourteen paired acts were for beneficiaries as diverse as the parish kirk of Haddington, the abbey of Thiron-le-Gardais, the Scottish religious houses at Jedburgh, Melrose, Newbattle and St Andrews, and the northern English priories of Hexham, Nostell and Tynemouth, as well as Huntingdon Priory and Richard Cumin and his wife. Moreover, when Earl Henry issued a charter for Holm Cultram a confirmation from David I followed very soon afterwards,⁷² while the king's initial grant of revenues at Stirling to the rather obscure northern French Augustinian community at Arrouaise—the record of which is now lost—was confirmed, again quite quickly it seems, by Earl Henry.⁷³ The geographical spread of the properties involved in these dual acts is comparably wide, taking in Perth, Fife, Stirling, Lothian, Tweddale, Teviotdale, Cumberland and Northumberland and the Honour of Huntingdon. This spread rules out any suggestion that Earl Henry's responsibilities were confined to Lothian or south-eastern Scotland, still less merely to the earldom of Northumberland. Attention has often been focused upon the charters issued by David and Henry for the cathedral priory of St Andrews in 1144,⁷⁴ the conventional date at which the Augustinian house was formally established. The occasion was clearly invested with special solemnity. In addition to charters from the king and his son there was a dignified document from the bishop of St Andrews with an A.D. date of 1144,⁷⁵ and a solemn privilege issued by Lucius II at the Lateran on 14 May 1144.⁷⁶ The bull was said to have been prompted by the request of Bernard bishop of St Davids, for whose see another bull was issued on the same date.⁷⁷ (Bishop Bernard, incidentally, was among the Empress Maud's supporters who gathered about her in the Thames valley in the summer of 1141).⁷⁸ What has attracted the interest of scholars is that in all three Scottish documents, those issued by Bishop Robert, King David and Earl Henry, the king's son and heir is styled *rex designatus*—most elaborately in the two royal charters, *Henricus filius et Deo donante heres meus et rex designatus* and *ego Henricus gloriosi et illustris Regis David filius et*

69 ESC, no. 157.

70 ESC, nos. 134/135; 136/137; 141/142 (=RRS I, no. 41); 146/147; 163/164; 189/190; RRS I, nos. 24/30; 37/38; 39/40. In the case of the pair for Thiron it is clear from the edition of L. Merlet that the documents were copied into the cartulary together *Cartulaire de Tiron*, i, no. LX, ii, no. CCXLI. The original charter of Earl Henry survives in the *Archives departementales de l'Eure-et-Loir* at Chartres.

71 RRS I, nos. 70, 72, 83, 103 and *Registrum Sancte Marie de Neubotle* (Bannatyne Club, 1849), no. 263.

72 ESC, nos. 244, 245.

73 RRS I, no. 35.

74 ESC, nos. 163, 164.

75 ESC, no. 162.

76 ESC, no. 165. Cf. R. Somerville, *Scotia Pontificia. Papal Letters to Scotland before the Pontificate of Innocent III* (1982), no. 25.

77 Somerville, *Scotia Pontificia*, 35. The bull for St David's is no. 8607 in the calendar of Jaffe-Lowenfeld.

78 RRAN iii, nos. 68, 393, 629.

Deo propitio heres et rex designatus. The title also appears in the midtwelfth century 'Legend of St Andrew', hardly independently since the author seems to have made use of the 1144 charters, to which, as a canon of the cathedral, he would naturally have had access.⁷⁹

Although the Capetian title *rex designatus* occurs only in texts of St Andrews provenance, there seems no reason to doubt that Henry son of the king of Scots did indeed enjoy this status, possibly conferred as early as 1136 when he attended King Stephen's Easter court and sat at the table on the king's right hand.⁸⁰ The very close association between Henry and his father in government of Scotland and northern England is by no means incompatible with Henry's having been a 'designated king'. Henry's position as his father's son and heir apparent would of course be enough to explain why eleven of David's charters speak of gifts for the salvation of Henry's soul,⁸¹ why Henry occurs as witness to sixteen of David's acts,⁸² and why some fourteen of David's acts speak of his son's assent or agreement to what the king had done.⁸³ But a rather more formal status as 'designated king' would more readily account for charters actually issued jointly: D[avid] rex Scot[orum] et H[enricus] suus filius —with verbs in the singular(!)—;⁸⁴ 'Know that I and Earl Henry my son ...'⁸⁵ 'Know that I have granted and have given, simultaneously with my father, ...'.⁸⁶

Altogether, some fifty-two acts of Henry of Scotland have survived, fifteen of them originals and thirty-nine copies.⁸⁷ His style in these acts varies considerably, but the common thread running through almost all the variants is *filius regis Scottie (Scotorum)*. *Dei gratia* is used twice,⁸⁸ *comes* by itself twenty-five times, and *comes* along with a word for Northumberland or the Northumbrians in five acts,⁸⁹ two of them originals. We should hardly expect Early Henry's documents to show same degree of standardization in their *formulae* as King David's, but nevertheless the overlaps are very numerous: imitation and borrowing were clearly commonplace. The earl had his own chancellor and *clerici*, possibly implying his own writing office, and it is surely significant that clerical and cancellarial personnel moved from Earl Henry's household to that of the king. In particular Ingram or Enguerrand, who was bishop of Glasgow from 1164 to 1174, had served as clerk and chancellor to Earl Henry, clerk of the king after his master's death, and then chancellor to Malcolm IV from 1162 to 1164.⁹⁰ But Jordan, the elusive and obviously short-lived chancellor of David I c.1141, may have served as one of Earl Henry's chaplains,⁹¹ and some other overlaps may be discerned. Earl Henry, in any case, maintained —or was maintained by— his own household, obviously totally distinct from —and for most of the time at some distance from— that of this father. Moreover, although the earl was not restricted politically to Lothian or Northumberland, it must be recognised that his surviving acts seldom show him to have been present north of the Forth. But no account of the government of King David I can be sufficient which fails to give due weight to the fact that it was directed by a team of father and son.

It remains to consider how best to make this corpus of evidence relating to twelfth-century Scotland and England available to scholars. The 1905 edition by Sir Archibald Lawrie is now manifestly inadequate. Not only did Lawrie omit some forty documents which have since been edited in *Regesta Regum Scotorum* 1, he produced texts which were designed to be read and understood perfectly by persons —one might, not unfairly, say gentlemen— who had received a sound classical education. Lawrie was a highly intelligent, historically sensitive man of a somewhat sceptical disposition who had been

79 *Chronicles of the Picts: Chronicles of the Scots*, ed. W.F. Skene (1867), 192-3.

80 *RRS* I, no. 29.

81 *ESC*, nos. 109, 122, 171, 189, 209, 224, 225, 237, 242; *RRS* I, no. 39.

82 *ESC*, nos. 72, 83, 104, 108, 134, 141, 145, 146, 155, 172, 176, 179, 189, 194, 229; *RRS* I, no. 37.

83 *ESC*, nos. 65, 74, 99, 104, 108, 119, 134, 141, 144, 153, 179, 189, 209, 220; *RRS* I, no. 37.

84 *ESC*, no. 100.

85 *ESC*, no. 224.

86 *RRS* I, no. 29.

87 As with those of David I, the acts of Henry of Scotland are to be found in *ESC*, from no. 112 onward, and in *RRS* I, from no. 11.

88 *ESC*, no. 133 (c 1141), *RRS* I, no. 32 (1141x52).

89 *ESC*, nos. 137, 190, 217; *RRS* I, nos. 23, 32.

90 *RRS* I, 28-9.

91 *ESC*, nos. 123, 131, 141; *RRS* I, nos. 21, 22, 41.

thoroughly trained in Scots Law, had assisted Cosmo Innes with the Record Commission's edition of the *Acts of the Parliaments of Scotland* (especially in compiling the splendid index), and had spent by far the greater part of his working life serving as a judge in Ceylon.⁹² Passionately and patriotically devoted to the history of his native land, Lawrie's aim was 'to collect the charters and other documents written in Scotland, or by or to Scotsmen, prior to the death of David I in 1153'.⁹³ In fact, as the large volumes of papers in his sprawlingly illegible handwriting amply demonstrate, his ambition was to extend the task to the end of William the Lion's reign in 1214.⁹⁴ Although he had studied the work of Girya, he was not a trained diplomatist. He was not interested in the minutiae of spelling or phrase or formula, or even whether a text came from an original document or from a copy, although he does take care to label an original as such. He revised the spelling of his texts to conform to classical conventions, and extended initials and abbreviations, so that (for example) it is impossible to tell from Lawrie's edition that the preferred style of the twelfth-century clerks was *D. rex Scot'* (or *Scot(t)orum*), or occasionally *D. dei gratia rec Scot(torum)*, not *David rex Scotiae*, or some such.⁹⁵

I would therefore propose to prepare a simple diplomatic edition of David I's acts, along with those of his son. This edition would broadly follow the conventions established by the *Ecole des Chartes*, although the idiosyncrasies of scribal usage in surviving originals would be treated with respect. It must be hoped that the publishers of the volume, whoever they might be, would agree to the generous provision of facsimiles to illustrate the handwriting of the scribes employed by beneficiaries or by the king himself, and to show generally the physical make-up of charters and briefs and the application of the king's seal. As a mere historian, I am utterly persuaded of the importance of presenting the documents in chronological order, even although the majority of our texts do not bear any date of time. In my judgement, the advantage of perceiving the development of a king's reign, of being able to set the sequence of documents against an unfolding of political or other events, above all of studying the changing composition of household and court in the order in which offices were filled and vacated and refilled, far outweighs the opportunity of assessing royal impact upon or interest in this or that monastery or baronial family. The resulting volume, which would not contain any equivalent of the many pages (almost 250) of informative and often amusing notes with which Lawrie still holds the interest of his readers,⁹⁶ would be modest in size, perhaps twice the length of the late Hilary Offler's edition of *Durham Episcopal Charters*.⁹⁷ It would, I hope, be a useful tool for anyone who may wish to study kingship in twelfth-century Europe.

92 A brief but sympathetic notice of Sir Archibald Campbell Lawrie (1837-1914) appeared in *Scottish Historical Review*, xii (1915), 113-4. He was the son of James Adair Lawrie, professor of surgery in the university of Glasgow. He retired in 1901 from the post of Acting Chief Justice of the Supreme Court of Ceylon.

93 *ESC*, p. v.

94 Twenty-six volumes of Scottish historical documents collected by Lawrie, largely in his hand but some in typescript, are in the National Library of Scotland, catalogued as Chart. 74, 36.3, 1-15, 37.4.1-11.

95 This is especially noticeable in the case of the Durham originals, e.g. *ESC*, nos. 65 (correct), 99, 100, 101 (extended without notice), 111, 121 (incorrect).

96 Lawrie excelled at discouraging mere surmise. Having cited five authorities four of whom ventured to guess at the identity of a witness to Alexander I's solemn charter for Scone Priory, Lawrie concludes: 'In short, nothing is known of Beth comes' (*ESC*, pp. 283-4).

97 *Durham Episcopal Charters, 1071-1152*, ed. H.S. Offler (Surtees Society 179, 1968).