

The foundation of Davington priory

The priory of St Mary Magdalene of Davington was a community of Benedictine nuns, never very large, never very rich. Its history is only sparsely documented (Fowler 1926, pp 144-5). The nave of the church survives, together with the western range of the cloister; the rest was all razed long since (Willement 1862, Tester 1980).

In 1511, when it was visited by archbishop Warham (Wood-Legh 1984, pp 30-2), the priory was still in a modestly prosperous state. But then it went into decline. By 1526 there were only three inmates left (apart from whatever number of servants the nuns could afford to maintain): the prioress, one nun, and one novice. In June that year the nun died; and then there were two. In March 1535 the prioress died; and then there was one. Soon afterwards the novice departed (we are not told where she went or what became of her); and then there were none. The priory was "utterly forsaken, ... altogether dissolved and extinct" (Willement 1862, p 76).

By October 1535 the king's escheator was ready to spring into action. He convened an inquest at Smarden to ascertain the circumstances surrounding the priory's demise. The jurors were well informed (or well coached by the escheator) about recent events: the facts mentioned in the previous paragraph derive from the report of this inquest. But when they were asked "who the patron or founder of the aforesaid monastery or priory was, or of what man or what men the aforesaid monastery and the other premises were held, or any part of them was held," they replied that they were "utterly ignorant" (Willement 1862, p 79). That is the answer the escheator was hoping to hear: it meant that there could be no objection to his seizing the priory and all its possessions on the king's behalf. And that is what he did (if he had not done it already).*

* Fowler (1926, p 144, n 13), citing "Pat. 38 Hen. VIII, pt. 5; Chan. Inq. (Ser. 2), vol. 81, No. 257; Exch. Inq. (Ser. 2), file 489, No. 1." From the patent roll - where it is incorporated into the preamble of the grant to Sir Thomas Cheney (see below) - the report of this inquest was translated by Willement (1862, pp 75-80), summarized by Gairdner and Brodie (1910, p 91).

The nuns had known (or had thought they knew) who their founder was. The proof of this comes from a document, once in the possession of Sir Edward Dering, which was printed in full by Willement (1862, pp 57-62): "Names of diverse gentellmen & gentellwomen in Kent, out of the Leeger of Devinton." (Hasted saw this document while it was at Surrenden; Willement acquired it when the Surrenden library was sold.) This list looks chaotic at first; on closer inspection it can be seen to be organized calendrically. That is, it appears to have been extracted from the nuns' martyrology, where they would have entered the names of the people they ought to remember in their

prayers on each particular day. In Willement's opinion the document was written "early in the sixteenth century" (p 57); it was certainly written at Davington, and was still there when some of the annotation was added to it. Somebody went through the list distinguishing certain names with the remark "one of our benefactors", *unus* or *una benefactorum nostrorum* (spelt out in full at first, but shortened to *un' benef'* towards the end). Against one of the names – just one – is written the remark "our founder", *fundator noster*: the name is "Fulcho de Newingham" (p 59). (From his position in this list, he would seem to have died at the end of April or beginning of May.)

Some people apart from the nuns were probably aware of that; some were not. William Lambard, who added a paragraph about Davington to the second edition of his *Perambulation of Kent*, was under the impression that the priory had been founded by "King Henry the 2. about the 2. yeere of his reigne" (Lambard 1596, p 256).* He does not say where this information came from; wherever it came from, it was wrong. Thomas Philipott was the first person to mention Fulco's name in print: the priory at Davington, he says, was "founded there by Fulke de Newenham" (Philipott 1659, p 130). Again there is nothing to indicate where the information came from; nor is there any mention of a date. But Philipott seems to have thought that a royal charter of 1255 – published just recently by Dugdale (1655, pp 501-2, cf *Calendar of charter rolls*, vol 1, p 445) – was contemporary with the "first erection" of the priory (Philipott 1659, p 265).† Thomas Southouse, the author of the *Monasticon Favershamiense*, knew better than that: he knew that Fulco was alive in the 1140s, at around the time of the foundation of Faversham abbey. But he was not convinced that Fulco deserved the credit for founding Davington priory: he was, he says, inclined to think "that Fulke de Newnham was rather a Benefactor than Founder thereof" (Southouse 1671, p 146).

* Lambard's statement is echoed by Kilburne (1659, p 75), Southouse (1671, p 146), Lewis (1727, part 2, p 77). Gratuitously, Caley and Ellis (1823, p 288) give the story a new twist: "King Henry the Second took this foundation under his patronage; from which cause he has been esteemed, by some, the founder of the monastery."

† This charter tells us nothing about the early history of the priory. It confirms a series of small donations, all of which appear to have been made quite recently – more recently, I take it, than some earlier charter which does not survive.

Within the next few years (he died in 1676), Southouse came across some new evidence which caused him to change his mind. The evidence consisted of certain "writings" which, at the time, belonged to John Hulse of Newnham.* Whatever they were, those "writings" were thought by Southouse to prove that Fulco de Newenham was indeed the priory's founder, not just one of its benefactors; more than that, they were thought by him to prove that the priory was founded in the eighteenth year of King

Stephan, AD 1153. He wrote some sort of memorandum recording these facts into his personal copy of his book. Many years later, his younger son, Filmer Southouse (who was only 2-3 years old when his father died), transcribed that memorandum into his own copy of his father's book; and that appears to be the source – Filmer Southouse's copy of his father's memorandum – on which all subsequent writers have drawn who state, more or less confidently, that Davington priory was founded by Fulco de Newenham in 1153 (Lewis 1727, Tanner 1744,† Grose 1773, Jacob 1774, and so on).

* John Hulse (d 1681) either was or became the husband of Southouse's sister, Elizabeth (Southouse) (Hulse) Dixon (d 1704). I have drawn out the Southouse family tree elsewhere: <http://durobrivis.net/articles/southouse.pdf>. For John Hulse and his relatives, see below.

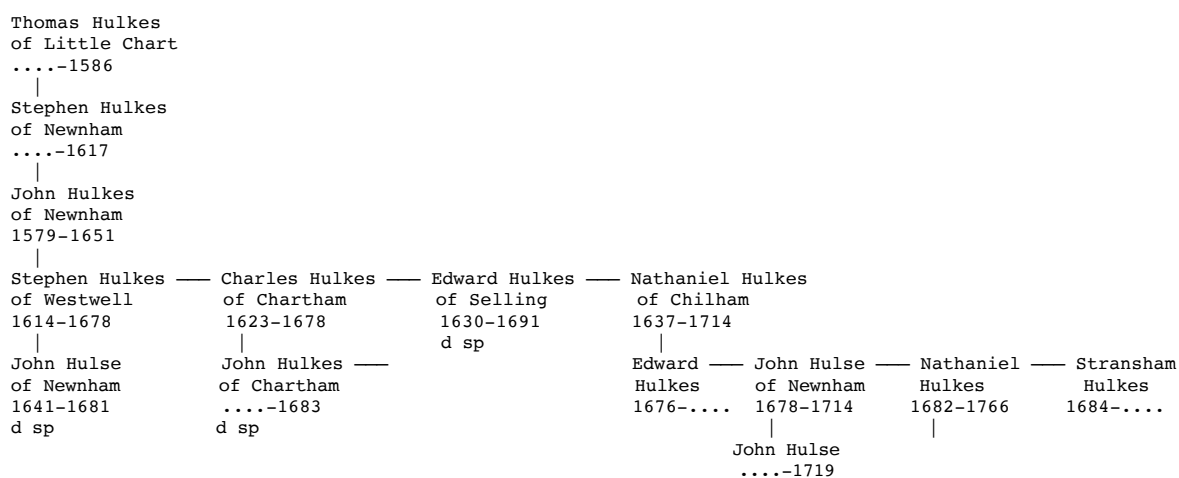
† The source cited by Tanner is the research notes of Nicolas Battely (now Bodleian, MS Tanner 240): "Ms. Collect. Nic. Batteley ex chartis Joannis Hulse de Newenham" (Tanner 1744, p 215). From the mention of John Hulse's name, I gather that Battely had got this information at second hand (probably from Filmer Southouse). If he had gone looking for the "writings" himself, he would have discovered that Hulse had died many years before, and that the "writings" now belonged (if they still existed) to his widow and her second husband.

I do not see how one can think of trusting this evidence. For a start, we do not even know exactly what Thomas Southouse had to say. Since he was the only person who ever got to see the originals, we may reasonably ask to be shown a verbatim copy of his memorandum; but no one gives us that. Everybody paraphrases; nobody quotes. If we can find out what Southouse said,* that would be a step in the right direction, but still only a very small one. Even then we would have no clear idea what the "writings" were – no way of knowing what kind of documents they were, of what sort of age, of what degree of credibility. I do not doubt that Southouse saw some "writings" which either said or seemed to him to imply that the priory was founded in 1153; but what reason do we have for thinking that the author of those "writings" was in any position to know that?

* It is to be hoped that one or both of these annotated copies of the *Monasticon Favershamiense* (Thomas's or Filmer's) may still exist; but I cannot recognize either of them in any of the library catalogues that I have consulted. (Filmer's copy belonged to Edward Jacob in the 1770s; what has become of it since then I do not know. In case it may be helpful to someone, I note that Edward Jacob died in November 1788; his books were sold by auction three months later (Leigh and Sotheby 1789), his collection of fossils, antiquities, etc, four months after that (Gerard 1789).)

It is by no means impossible that John Hulse might have had some documents in his possession which survived from the time when Newnham church belonged to the nuns of Davington. Briefly, the story goes like this (Hasted 1798, pp 419-20). After being seized by the crown, the priory and its possessions – which included the parsonage of Newnham church (plus the advowson of

the vicarage) – were first leased (1537) and then granted in fee (1546) to Sir Thomas Cheney (d 1558), of Shurland in the Isle of Sheppey (Willement 1862, pp 15-16). They were sold off by Cheney's son in 1571; they changed hands several times after that. At some point, Newnham parsonage became separated from the rest of the Davington estate; at some point it was split into two half-shares; and one of those shares was bought by Stephen Hulkes, originally from Little Chart, who rebuilt the parsonage house in Newnham as a home for himself and his family. He died in 1617. Southouse's sister's husband, John Hulse, was Stephen Hulkes's direct descendant – his great-grandson, to be precise. (He seems to have been the first of the family who affected this spelling of his surname, though some of his relations followed his example.)



Outline pedigree of Hulkes alias Hulse (ex inf Sheila Hulks)

John Hulse died in 1681, childless, and was buried in Newnham church. His widow Elizabeth retained possession of the parsonage house in Newnham during her lifetime; sooner or later she was joined there by her second husband, James Dixon, and his children by a previous marriage. Elizabeth died in 1704 and was buried next to her first husband; after that James Dixon had to move out, together with his unmarried daughter.*

* They moved to Sutton Valence (Mores 1780, p 58). James Dixon died in 1716; his daughter, Sarah, died in 1765, aged 93. (A collection of Sarah Dixon's poems was printed at Canterbury in 1740. It was published by subscription: in other words, it was a tactfully contrived opportunity for her friends and relatives to put money into her purse without hurting her pride. I doubt whether anyone was genuinely interested in reading the poems, which are as banal as could be.)

On Elizabeth Dixon's death, the estate reverted to her first husband's heirs. John Hulse had intended it to go to one of his cousins, John Hulse (son of Charles Hulkes of Chartham), but he had died meanwhile; so it went instead to another cousin, yet

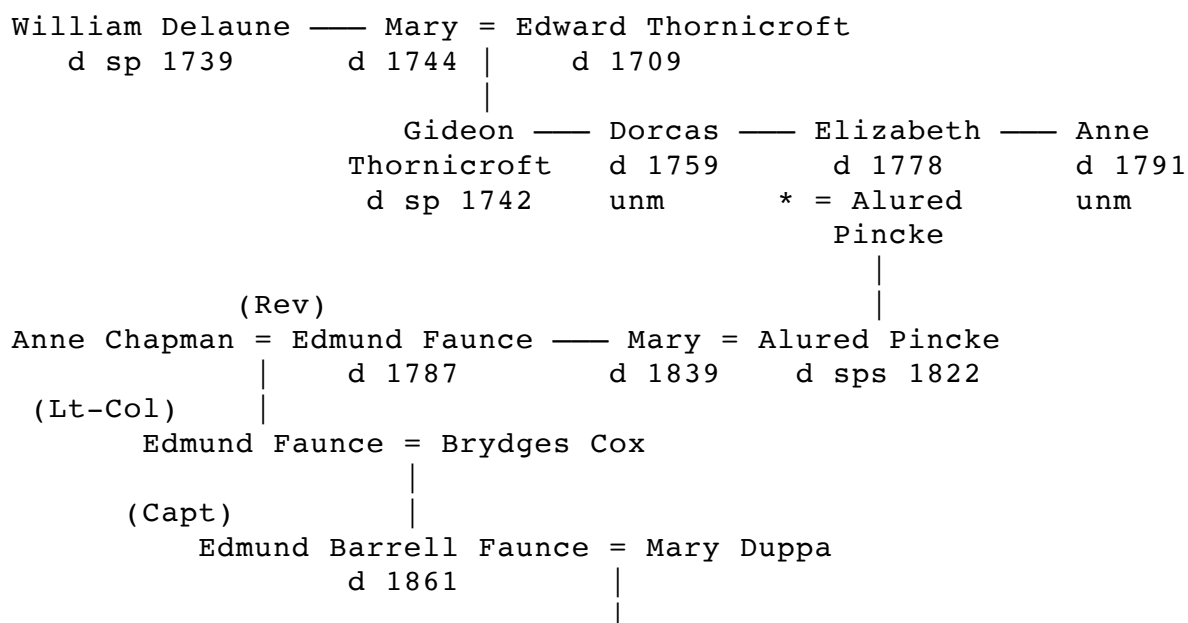
another John Hulse (second son of Nathaniel Hulkes of Chilham).* (This John Hulse was responsible for the eye-catching decor applied to the upper storey of the parsonage house – the Calico House, as it afterwards came to be called.) When he died, in 1714, the estate passed into the hands of his three brothers, Edward, Nathaniel and Stransham. At first they were acting as trustees for their under-age nephew; when their nephew died, in 1719, they became the joint owners. In 1720 Edward Hulkes arranged for this property to be sold,† and that brought the Hulkeses' connection with Newnham to an end.

* Hasted got muddled here. Sheila Hulks has let me make use of the results of her research, so as to set things straight: my thanks to her for that.

† Not quite all of it: the George Inn was excluded from this sale, but sold to somebody else in 1729.

The new owner of this half-share of the parsonage was Colonel William Delaune, of Sharsted Court, in the adjoining parish of Doddington; and from this point onwards the Newnham property followed the same trajectory as Sharsted (Hasted 1798, pp 309-11). On Delaune's death, in 1739, the estate went to his nephew, Gideon Thornicroft, who died in 1742; then to Gideon's mother, Mary (Delaune) Thornicroft, who died in 1744; and then to Mary's two unmarried daughters, Dorcas and Anne. Dorcas died in 1759, and Anne Thornicroft then became the sole owner. On her death, in 1791, the property passed to her nephew, Alured Pincke.*

* Hasted is right about all this, as far as I can tell. It is doubtful whether any of these people took more than a token interest in antiquarian matters; but I notice that Colonel Delaune signed up for a copy of Harris's *History of Kent* (1719), Mrs Thornicroft for a copy of Fisher's *History of Rochester* (1772). (But she did *not* subscribe for a copy of Hasted's book.)



Descent of Sharsted Court (mostly from Hasted, the latter part from Burke's *Landed Gentry*)

* Alured Pincke was Elizabeth's second husband. Her first was George Neville (1702-1723), lord Abergavenny; they had been married for only eight months when he died. (Twin daughters were born posthumously, but both died within a fortnight.) When Elizabeth remarried, she did not become "Mrs Pincke": etiquette required that she should still be called "lady Abergavenny".

In the 1760s, therefore, when Hasted was starting work on his book – and living at Throwley close by (Black 2001, ch 6) – the "writings" seen by Thomas Southouse, if they still existed, ought to have been among Anne Thornicroft's estate papers at Sharsted Court. It is not clear whether Hasted went looking for them; it is clear that he never saw them. His account of the foundation of Davington priory (Hasted 1798, p 373) was paraphrased from Lewis (1727); he had nothing to add to that. Willement (1862, p 7) says that the documents have "disappeared" – but that is not quite to say that they have ceased to exist. I cannot take the story any further than that, and do not intend to try.

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The most important source of evidence about the early history of Davington priory was – I have no idea why – neglected by all the writers mentioned till now. (It was still being neglected in the 1950s.) This source is a sequence of nineteen documents from the Davington archive, produced for inspection during the visitation of 1511-12, and copied into archbishop Warham's register (Wood-Legh 1984, pp xi-xii).

To waste no more time, these are the contents of this section of the register (Reg Warham, fos 154v-7v, 158*r-v, 158r).* It begins with a boldly written heading, *Ecclesie appropriate prioratui de Dauinton*, "Churches appropriated to the priory of Davington". And then it gives copies of these charters:

* My thanks to Clare Brown and Shanine Salmon for letting me have copies of these pages. I have not seen the rest of the register.

(1) Fulco de Newenham – he has given the church of Harty to the nuns of Davington, on the advice of archbishop Theobald (154v)

(2) Theobald archbishop of Canterbury, primate (*Anglorum primas*) and legate – he has confirmed all the possessions of the nuns of Davington (154v) – date 1150×61 *

* This charter is to be published in a forthcoming volume of "English Episcopal Acta". My thanks to Martin Brett for this information, and for letting me see a draft version of his commentary.

- (3) Juliana de Newenham - she has confirmed the donations made to the nuns by her father, Fulco de Newenham, and has also given them a rent of two shillings for supplying light (154v)
- (4) Ricard archbishop of Canterbury - he has confirmed the grant concerning Newnham church made to the nuns by Willelm fiz Philip and Juliana de Newenham his wife (155r) - Cheney and Jones 1986, no 121, dated 1181×4
- (5) Willelm fiz Philip and Juliana de Newenham his wife - they have granted Newnham church to the nuns, after the decease of master R(adulf) of Sarre (155r)
- (6) Robert de Campania - he has confirmed the grant concerning Newnham church made to the nuns by Willelm fiz Philip and Juliana de Newenham, Willelm's wife, Robert's mother, and has had the same grant confirmed by archbishop Baldwin (155r)
- (7) prior Nicholaus and the chapter of Christ Church, Canterbury - they have inspected and caused to be transcribed the following (eight) charters for the nuns of Davington (155r-7r) - not dated, but the prior has to be Nicholaus of Sandwich 1244-58
- (7.1) Fulco de Newenham (155r) - a repeat of doc 1
- (7.2) archbishop Theobald (155r-v) - a repeat of doc 2
- (7.3) Fulco de Newenham to archbishop Theobald, primate (*tocius Anglie primati*) and legate - he has given Newnham church to the nuns (155v)
- (7.4) archbishop Ricard (155v) - a repeat of doc 4
- (7.5) archbishop Baldwin - he has confirmed Newnham church to the nuns, as it was granted to them by Willelm fiz Philip and his wife Juliana and confirmed by archbishop Ricard, and as it has now been confirmed by Juliana's son, Robert de Campania (155v-6r) - Cheney and Jones 1986, no 267, dated 1186×7
- (7.6) archbishop Hubert - having inspected charters of Fulco de Newenham and of archbishops Ricard and Baldwin, he has confirmed Newnham church to the nuns, as it was granted to them by Fulco, and afterwards by Willelm fiz Philip and his wife Juliana (156r) - Cheney and John 1986, no 429, dated 1193×5 or 1198
- (7.7) archbishop Stephan - he has taken the nuns into the church of Canterbury's and his protection and confirmed all their possessions (156r-v)
- (7.8) archbishop Edmund - he has inspected and confirmed a charter of archbishop Stephan for the nuns of Davington

(156v-7r) - incorporating a repeat of doc 7.7

(8) Ricard Waldreaf - he has given the nuns the whole of his rent from Monkton, together with the advowson of Monkton church, as much as belongs to him* - dated 1310-11 (157r)

* This seems to have put the nuns in possession of two-thirds of the advowson of Monkton. The remaining third belonged or came to belong to the same person who owned the advowson of Otterden (Willement 1862, pp 77-9). The parish was merged with Otterden in 1498 (see below).

(9) archbishop Hubert - having been invited to settle a dispute between the monks of Faversham and the nuns of Davington concerning Newnham church, he has awarded the church to the nuns, subject to the payment of an annual pension of 2½ marks to the monks (157r) - Cheney and John 1986, no 430,* dated 1198×1205

* They cite two other copies, one in Reg Warham, fo 114r, and one in the cartulary of Faversham abbey. This document was printed by Southouse (1671, pp 87-8), from the Faversham cartulary, which at the time belonged to Sir George Sondes, of Lees Court in Sheldwich.

(10) pope Honorius (III) to Mathildis prioress of Davington and her sisters - taking them and their possessions into St Peter's and his protection, especially the churches of Newnham and Harty (157r-v) - subscriptions and dating clause omitted

(11) pope Alexander (III) to the prioress and convent of Davington - confirming their possession of the churches of Davington and Harty - dated Anagni 9 Aug (1160×76) (158*r) - the pope was at Anagni in August in 1160, 1161, 1173, 1174, 1176

(12) pope Honorius (III) to the prioress and convent of Davington - taking them and their possessions into St Peter's and his protection, especially the churches of Newnham, Harty and Boardfield* - dated Lateran 9 Apr (1221) (158*r)

* This is the only mention here of Boardfield church, and the earliest mention of it anywhere, as far as I know. We are not told how it came to be appropriated to the priory; possibly the nuns had built a new church where none had existed before. Boardfield survived as a separate parish till 1498, when both it and Monkton (see above) were merged into the parish of Otterden (Willement 1862, pp 77-9).

(13) pope Lucius (III) to the prior and convent of Davington - confirming their possession of Harty church, Newnham church, and certain other properties - dated Veroli 16 Apr (1184) (158*r) - this is the only year when the pope was at Veroli in April

(14) pope Nicholaus (III) to the prior of St Gregory's - ordering him to look into the financial affairs of the

prioress and convent of Davington, which the pope has heard are in a sorry state - dated Rome St Peter's 12 Nov (1278) (158*r-v)

(15) pope Innocentius (IV) to the dean and chancellor of Exeter (?) - at the instance of master Gilbert rector of Ruxley, ordering them to look into certain complaints of his - dated Anagni 30 Sep (1243) (158*v) - the prioress of Davington is one of the parties complained about

(16) pope Innocentius (III) to (Stephan) cardinal archbishop of Canterbury and (Gilbert) bishop of Rochester - at the instance of the nuns of Davington, ordering them to enforce the agreement made between the nuns and the monks of Faversham concerning Newnham church - dated Viterbo 19 Aug (1207)* (158*v)

* Stephan Langton had been consecrated at Viterbo on 17 June; the pope had made a short visit to Montefiascone since then (from 27 Jul till 8 Aug) but was now back in Viterbo.

(17) pope Lucius (III) to the bishop of Worcester, the abbot of Westminster, and the prior of Holy Trinity, London - ordering them to look into the nuns' complaints against Herebert archdeacon of Canterbury and his officials - dated Veroli 5 May (1184) (158*v)

(18) pope Lucius (III) to king Henric (II) - urging him to help the nuns against the detainers of rents given to the priory by Fulco de Newenham, the founder of the place - dated Veroli 29 Mar (1184) (158*v-8r)

(19) pope Alexander (IV) to the abbot of Faversham - at the instance of the prioress and convent of Davington, ordering him to look into certain complaints of theirs - dated Lateran 5 Jan (1261) (158r)

If we take the local (non-papal) twelfth-century documents and put them into chronological order, this (or something close to it) will be the result:

(1) Fulco de Newenham - he has given the church of Harty to the nuns of Davington, on the advice of archbishop Theobald (154v)

(2) Theobald archbishop of Canterbury, primate (*Anglorum primas*) and legate - he has confirmed all the possessions of the nuns of Davington (154v) - date 1150x61 *

* Harty church is mentioned; Newnham church is not; so I take it that this confirmation is later than doc 1, earlier than doc 7.3.

(7.3) Fulco de Newenham to archbishop Theobald, primate (*tocius Anglie primati*) and legate - he has given Newnham

church to the nuns (155v)

(3) Juliana de Newenham - she has confirmed the donations made to the nuns by her father, Fulco de Newenham, and has also given them a rent of two shillings for supplying light (154v)

*

* I am assuming that this charter dates from an interval when Juliana had control of her inheritance - after the death of her father and her first husband (Robert de Campania's father), before her second marriage.

(5) Willelm fiz Philip and Juliana de Newenham his wife - they have granted Newnham church to the nuns, after the decease of master R(adulf) of Sarre (155r)

(4) Ricard archbishop of Canterbury - he has confirmed the grant concerning Newnham church made to the nuns by Willelm fiz Philip and Juliana de Newenham his wife (155r) - Cheney and Jones 1986, no 121, dated 1181×4

(6) Robert de Campania - he has confirmed the grant concerning Newnham church made to the nuns by Willelm fiz Philip and Juliana de Newenham, Willelm's wife, Robert's mother, and has had the same grant confirmed by archbishop Baldwin (155r)

(7.5) archbishop Baldwin - he has confirmed Newnham church to the nuns, as it was granted to them by Willelm fiz Philip and his wife Juliana and confirmed by archbishop Ricard, and as it has now been confirmed by Juliana's son, Robert de Campania (155v-6r) - Cheney and Jones 1986, no 267, dated 1186×7 *

* Evidently Radulf of Sarre (doc 5) had ceased to be parson of Newnham. He was not dead, however: he was dean of Reims by this time, and a supporter of the monks of Christ Church in their squabbles with archbishop Baldwin over the next few years (Stubbs 1865, pp xliii-iv and index under Rheims). Perhaps Baldwin had forced him to resign the parsonage, so that the nuns could take possession.

(7.6) archbishop Hubert - having inspected charters of Fulco de Newenham and of archbishops Ricard and Baldwin, he has confirmed Newnham church to the nuns, as it was granted to them by Fulco, and afterwards by Willelm fiz Philip and his wife Juliana (156r) - Cheney and John 1986, no 429, dated 1193×5 or 1198

(9) archbishop Hubert - having been invited to settle a dispute between the monks of Faversham and the nuns of Davington concerning Newnham church, he has awarded the church to the nuns, subject to the payment of an annual pension of 2½ marks to the monks (157r) - Cheney and John 1986, no 430, dated 1198×1205

* From doc 16, a papal mandate addressed to the new archbishop of Canterbury and the bishop of Rochester, it appears that the monks of

Faversham attempted to overturn this award as soon as Hubert was dead. The new archbishop, refused entry to England, would not have been able to execute the mandate; but possibly the bishop of Rochester acted alone. Sooner or later, somehow or other, the award was enforced, and the monks had to content themselves with this pension.

From docs 1-2 and 7.3, it is obvious at once that Davington priory was in existence in the time of archbishop Theobald, i.e. no later than 1161. Fulco de Newenham was the lord of a small barony (so small that perhaps it does not deserve the name), subordinate to the barony of Port in Kent (Flight 2010, ch 9); I hope to post a separate file setting out all the evidence for the descent of this barony. It is not known when Fulco died, only that he was dead by 1166; and that fact is not of any help to us.

The only evidence which takes us further forward (further backward in time) is a passage in doc 2. In the list of possessions confirmed by archbishop Theobald, the last item is this: *de donacione Rogeri filii Walteri de Scealdeford, duas partes decimarum de Scealdeford et Essewella auctoritate R. bone memorie London' episcopi confirmatas*, "of the donation of Roger son of Walter of Shalford, two-thirds of the tithes of Shalford and Ashwell, confirmed by the late bishop R— of London". These tithes are not referred to again in any of the subsequent charters, but the places in question are easily identified. This is the land in Essex — half a hide in Shalford TL 7229 plus half a hide at Ashwell TL 7030 in Finchingfield — which in 1086 belonged to Walter the cook (D-Ex-95r), and which was held by sergeanty in the thirteenth century, in return for some token service in the king's kitchen (Morant 1768, vol 2, pp 368-9, Round 1911, pp 254-6). The significant fact is the mention of the bishop of London who (presumably in writing) had confirmed the donation — "the late bishop R—". Almost certainly, that means bishop Robert, who died in 1150; almost certainly it follows from this that Davington priory was in existence no later than 1150.

There are two reasons why we cannot be altogether certain. It is possible, first, that "the late bishop R—" was bishop Ricard, who died in 1127; and in that case the priory's foundation would have to be backdated by more than 20 years. It is also possible that the nuns might have moved: it could be that they were settled somewhere else at first (perhaps somewhere in Essex?), and then found a new home for themselves at Davington (perhaps in the 1150s?). For my part, I am not inclined to attach much weight to either of these possibilities. Taken at face value, as I think it should be, the evidence suggests that the priory was founded before 1150, and probably not long before — in the time of archbishop Theobald (1139-61) and Robert bishop of London (1141-50). Readers should decide for themselves whether they are comfortable with that conclusion.

In one of the papal letters – the letter from pope Lucius to king Henric (doc 18) – Fulco de Newenham is referred to explicitly as the founder of the priory, *Fulco de Niwenham ipsius loci fundator*. The pope, no doubt, was repeating what he had been told by the nuns' proctor. But this evidence does not convince me. On the contrary, I think it is clear from Fulco's own charters (docs 1 and 7.3) that he did not regard himself as the priory's founder, only as one of its benefactors – a somewhat reluctant benefactor too, badgered into it by archbishop Theobald. A man who has founded a monastery does not write to the local bishop to say that he has failed to endow it sufficiently. But the nuns' known poverty is Fulco's declared motive for giving them Newnham church. *Et quia prelibatas cognoscimus sanctimoniales sub iugo iacere paupertatis, prefatam ecclesiam ad uestimenta earum assignauimus*. (I read this as an echo from a begging letter written to Fulco by the archbishop: surely you know the nuns are so poor that they cannot even afford decent clothing?) It may well be true that the priory could not have achieved a stable existence without Fulco's benefactions; it may well have suited the nuns, retrospectively, to claim Fulco as their founder (especially at a time when Fulco's daughter and grandson were causing them grief); but Fulco never claimed that status for himself. (Fulco's descendants show no more warmth towards the nuns than he did: they had to be badgered into confirming the donations which he had been badgered into making.)

If Fulco was not the founder, if archbishop Theobald was not the founder (he was ready to encourage other people to make donations but not to make any donation of his own), who was? In a sense, the answer is obvious. The person who founded the priory is the person who let the nuns take possession of Davington church. That the church did exist before the nuns arrived, that it was at one time an ordinary parish church (which paid the usual fee of seven pence for its annual supply of chrism), are facts of which we can (I think) feel sure (Flight 2010, ch 8). Disappointingly, none of these documents tells us how Davington church came to belong to the nuns. There is not one word on the subject, not even the slightest hint. We are, I think, justified in feeling surprised by that, not just disappointed. Would not the founder have wished to put it in writing that he or she had invited the nuns to Davington, given them the parish church, and obtained the archbishop's approval of these arrangements? Why is there no trace of the existence of any such document? I think it is fair to pose these questions; but I doubt whether the answers will ever be known.

With regard to the papal letters (docs 10-19), despite getting no help from archbishop Warham's scribe, I have done my best to identify the popes in question; but I am not claiming to be any sort of expert in the wording of papal mandates. Using Jaffé (1885-8) and Potthast (1873-5), I have made sure that the pope was in the right place at the right time; I have done no more

than that.

It is probably fair to assume that this scribe was aiming to make a copy of every papal letter in the Davington archive. By the 1270s, as we learn from doc 14, the nuns had been mismanaging their finances for many years. The priory survived that crisis; but from then onwards (I suppose) the expense of obtaining a papal mandate was more than the nuns could afford.*

* In 1343 the nuns complained to the king that they were too poor to support themselves, let alone to pay the taxes which were being demanded from them, and the king ordered the sheriff of Kent, John de Vieleston, to investigate the matter on the spot. The king's writ, which incorporated a schedule of the nuns's possessions as they had been reported by the nuns, apparently does not survive in the original. Already defective at the end, it was transcribed by (or for) Roger Dodsworth "ex bundello brevium regis, anno decimo septimo Edvardi tertii" (Bodl MS Dodsworth, vol 115, fo 158, which I have not seen); and from there it was printed by Stevens (1722-3, vol 2, appendix p 218) and by Caley and Ellis (1823, p 290). (Lewis (1727, pp 78-80) gives a translation of the schedule, derived, I suppose, from Stevens.) Thomas Philipott cites the same writ; he also cites – what nobody else seems ever to have seen – the report submitted by the sheriff (to which the writ would presumably have been attached). The gist of this was that the nuns were indeed very poor: "that they had not a competent Demeasn for Subsistence; that whereas formerly there were twenty six Nuns, now there were but fourteen, and that those could not live upon the revenue of the Covent, but had the Charity of their Friends to supply them" (Philipott 1659, p 130). (Jacob (1774, p 113), who mentions these same numbers, 26 and 14, may be assumed to have taken them from Philipott; subsequent writers may be assumed to have taken them from Jacob.) Can we rely on Philipott here? I see no reason why not.

One of the documents from the Davington archive is a full-scale papal privilege obtained by the nuns from pope Honorius III. Except for the few proper names (Mathildis, Davington, Newnham, Harty), the text consists entirely of standard formulas: it could have been intended for any Benedictine nunnery, anywhere in western Europe. Nevertheless, since I assume that the nuns would have been very proud of this document, I attach a transcript of it here.

(10) Honorius III (1216-27) for prioress Mathildis and the convent of Davington (Reg Warham, fo 157r-v)

Honorius episcopus servus servorum dei dilectis in Christo filiabus Matildi priorisse monasterii de Dauinton' eiusque sororibus tam presentibus quam futuris regularem uitam professis in perpetuum [imp- MS]. Prudentibus uirginibus, que sub habitu [-um MS] religionis accensis lampadibus per opera sanctitatis [sani- MS] iugiter se preparant obuam sponso ire, sedes apostolica debet patrociniū impertiri, ne forte cuiuslibet temeritatis incursus aut eas a proposito reuocet aut robur quod absit sacre religionis infringat. Eapropter [Ea p- MS], dilecte in Christo filie, uestris iustis postulacionibus clementer annuimus, et prefatum monasterium sancte Marie Magdalene de

Dauintona in quo diuino estis obsequio mancipate sub beati Petri et nostra protectione suscipimus et presentis scripti priuilegio communimus. In primis siquidem statuentes, ut ordo monasticus qui secundum deum et beati Benedicti regulam in eodem monasterio institutus esse dinoscitur perpetuis ibidem temporibus inuiolabiliter obseruetur. Preterea quascunque possessiones quecunque bona idem monasterium in presenciarum iuste ac canonicè possidet aut in futurum concessione pontificum largicione regum uel principum oblacione fidelium seu aliis iustis modis prestante domino poterit adipisci [adhi- MS], firma uobis et eis que uobis successerint et illibata permaneant. In quibus hec propriis duximus exprimenda uocabulis. Locum ipsum in quo prefatum monasterium situm est cum omnibus pertinenciis suis, ecclesiam de Newenham cum omnibus pertinenciis suis, ecclesiam de Herteia cum omnibus pertinenciis suis, et alias possessiones uestras cum pratis uineis terris nemoribus usuagiis et pascuis in bosco et plano in aquis et molendinis in uis et semitis et omnibus aliis libertatibus et immunitatibus suis. Sane noualium uestrorum que propriis manibus uel sumptibus colitis, siue de uestrorum animalium nutrimentis, nullus [-as MS] a uobis decimas exigere uel extorquere presumat. Liceat quoque uobis personas liberas et absolutas e seculo fugientes ad conuersionem recipere et eas absque contradiccione aliqua retinere. Prohibemus insuper ut nulli sororum uestrarum post factam in monasterio uestro professionem fas sit sine priorisse sue licencia nisi arccioris [arci- MS] religionis obtentu de eodem loco discedere, discedentem uero absque communium litterarum uestrarum caucione nullus audeat retinere. Benedicciones uero monialium, ordinationes capellanorum uestrorum qui ad sacros fuerint ordines promouendi, a diocesano episcopo sine prauitate aliqua uobis uolumus exhiberi. Cum autem generale interdictum terre fuerit, liceat uobis clausis ianuis exclusis excommunicatis et interdictis non pulsatis campanis suppressa uoce diuina officia celebrare. Obeunte uero te nunc [nunc te MS] eiusdem loci priorissa uel earum aliqua que tibi successerit, nulla ibi qualibet subrepcionis astucia seu uiolentia preponatur, nisi quam sorores communi consensu uel earum pars consilii sanioris secundum dei timorem et beati Benedicti regulam prouiderint eligendam. Sepulturam quoque ipsius loci liberam esse decernimus, ut eorum deuocioni et extreme uoluntati qui se illic sepeliri deliberauerint nisi forte excommunicati uel interdicti fuerint nullus obsistat. Salua tamen iusticia illarum ecclesiarum a quibus mortuorum corpora assumuntur. Preterea omnes libertates et immunitates a predecessoribus nostris Romanis pontificibus ordini uestre concessas, necnon libertates et exempciones secularium exactionum a regibus et principibus uel aliis fidelibus racionabiliter uobis indultas, auctoritate apostolica confirmamus et presentis scripti priuilegio communimus. Decernimus ergo ut nulli omnino hominum liceat prefatum monasterium temere perturbare aut eius possessiones auferre uel ablatas retinere minuere seu quibuslibet uexacionibus fatigare, sed omnia integra conseruentur earum pro quarum gubernacione ac

sustentacione concessa sunt usibus omnimodis profutura. Salua sedis apostolice auctoritate et diocesani episcopi canonica iusticia. Si qua igitur in futurum ecclesiastica secularisue persona hanc nostre constitutionis paginam sciens contra eam temere uenire temptauerit, secundo tercioue commonita, nisi reatum suum congrua satisfaccione correxerit, potestatis honorisque sui careat dignitate [-tem MS] reamque se diuino iudicio existere de perpetrata iniquitate cognoscat et a sacratissimo corpore ac sanguine dei et domini redemptoris nostri Iesu Christi aliena fiat atque in extremo examine districte subiaceat ulcioni. Cunctis autem eidem loco sua iura seruantibus sit pax domini nostri Iesu Christi, quatinus et hic fructum bone accionis percipiant et apud districtum iudicem premia eterne pacis inueniant. Amen.

Annoyingly the scribe stops here (at the foot of a page), not bothering to copy the subscriptions and the dating clause. To get some idea of the appearance of the original, and of what has gone missing from the end, the reader may like to see this:

http://upload.wikimedia.org/wikipedia/commons/6/61/Religiosam_vitam.jpg

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